





**Brighton & Hove
City Council**

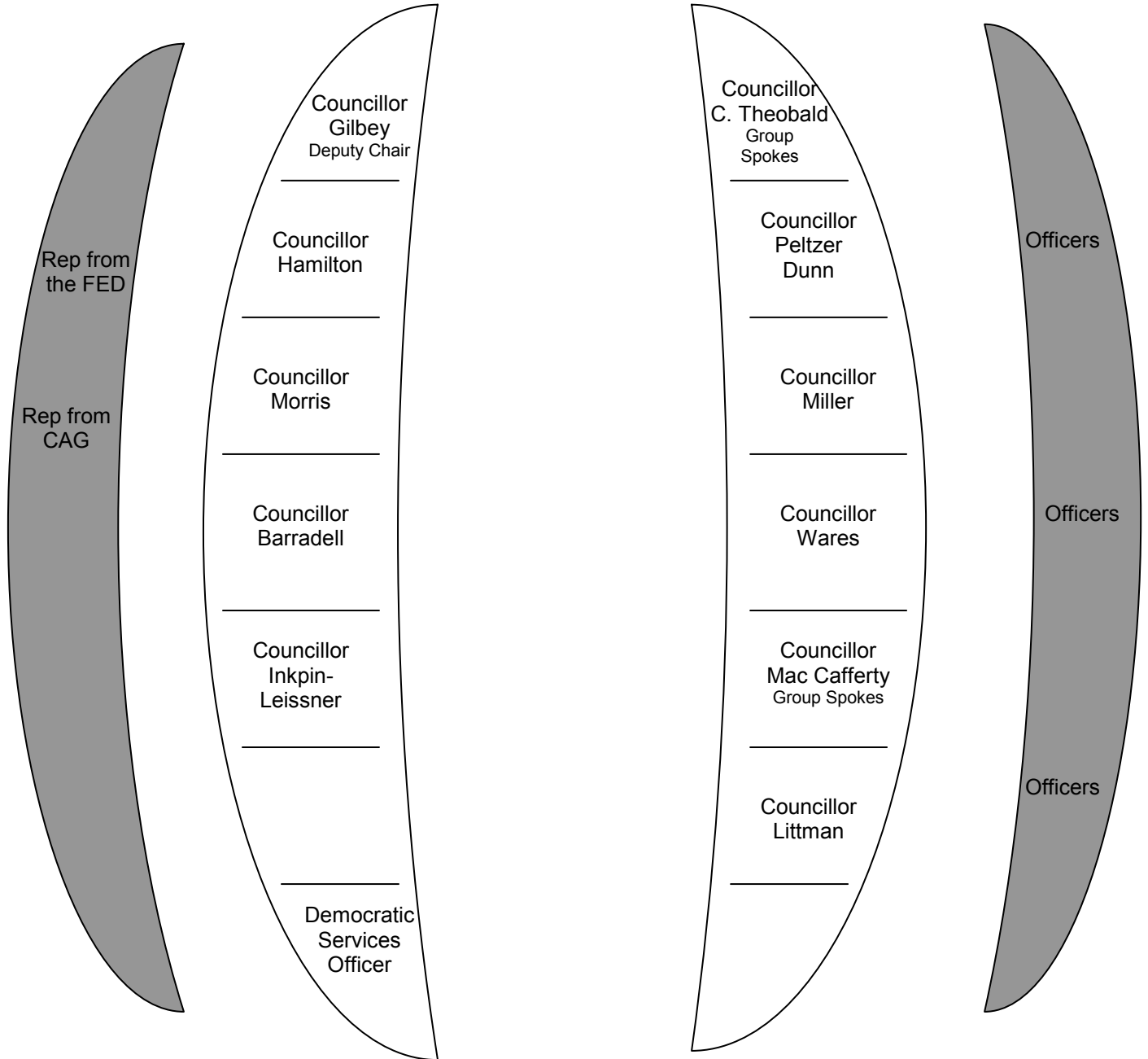
Planning Committee

Title:	Planning Committee
Date:	3 June 2015
Time:	2.00pm
Venue	Main Hall, Portslade Town Hall
Members:	<p>Councillors: Cattell (Chair), Gilbey (Deputy Chair), C Theobald (Group Spokesperson), Mac Cafferty (Group Spokesperson), Barradell, Hamilton, Inkipin-Leissner, Littman, Miller, Morris, Peltzer Dunn and Wares</p> <p>Co-opted Members: Jim Gowans (Conservation Advisory Group)</p>
Contact:	<p>Ross Keatley Democratic Services Manager 01273 29-1064/5 planning.committee@brighton-hove.gov.uk</p>

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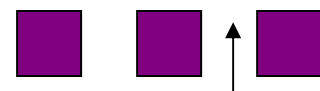
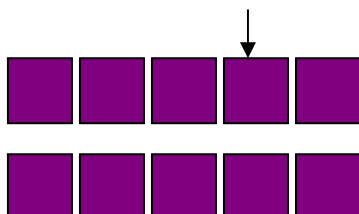
Democratic Services: Planning Committee

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



Press

AGENDA

1 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

2 MINUTES OF THE PREVIOUS MEETING

1 - 12

Minutes of the meeting held on 13 May 2015 (copy attached).

3 CHAIR'S COMMUNICATIONS

4 PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 28 May 2015.

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

6 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.

MINOR APPLICATIONS

A BH2015/00513 - The Brighton Wheel, Upper Esplanade, Daltons Bastion, Madeira Drive, Brighton - Removal or Variation of Condition

13 - 42

Application for variation of condition 3 of application BH2011/00764 (Erection of a 45 metre high observation wheel including extension of promenade over beach, new beach deck, ancillary plant, queuing areas, ticket booths and merchandise kiosk (for a temporary period of 5 years, except beach deck which is permanent)) to extend the temporary period for a further five years until 19 May 2021.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Queen's Park

B BH2015/00439 - 68 Davigdor Road, Hove - Full Planning

43 - 56

Conversion of first floor flat and loft to create 3 no. flats including rear dormers and balcony, side dormer and front rooflights, removal of chimney stacks and additional rear window and doors at first floor level.

RECOMMENDATION – GRANT

Ward Affected: Goldsmid

C BH2015/01083 - 14 Sandringham Close, Hove - Householder Planning Consent

57 - 64

PLANNING COMMITTEE

Erection of single storey side and rear extension, demolition of rear garage and associated alterations.

RECOMMENDATION – REFUSE

Ward Affected: Hove Park

- 7 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

- | | |
|--|------------------|
| 8 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS | 65 - 66 |
| (copy attached). | |
| 9 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) | 67 - 194 |
| (copy attached) | |
| 10 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE | 195 - 198 |
| (copy attached). | |
| 11 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES | 199 - 200 |
| (copy attached). | |
| 12 APPEAL DECISIONS | 201 - 244 |
| (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>

PLANNING COMMITTEE

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, 26 May 2015

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 13 MAY 2015****MAIN HALL, PORTSLADE TOWN HALL****MINUTES**

Present: Councillors Mac Cafferty (Chair), Hyde (Opposition Spokesperson), Deane, Gilbey, Hamilton, Littman, A Norman Phillips, Robins, Simson, Wealls and West

Co-opted Members: Mr J Gowans, (Conservation Advisory Group)

Officers in attendance: Jeanette Walsh (Planning and Building Control Applications Manager); Nicola Hurley (Planning Manager, Applications); Liz Arnold (Principal Planning Officer); Steven Shaw (Principal Planning Transport Manager); Hilary Woodward (Senior Solicitor) and Penny Jennings (Democratic Services Officer)

PART ONE**184 PROCEDURAL BUSINESS****184a Declarations of substitutes**

184.1 Councillor Simson was present in substitution for Councillor C Theobald. Councillor Mac Cafferty the Chair stated that a number of other Councillors were present, following the departure of outgoing councillors pending appointment of the Committee for the 2015 – 16 Municipal Year. All of the Councillors present had been trained to sit on the Planning Committee in accordance with the provisions in the Council's constitution.

184b Declarations of interests

184.2 Following the Officer presentation and public speaking in respect of Application BH2015/00439, 68 Davigdor Road Hove Councillor Phillips explained that she had realised that she had entered Ms Engleman's mother's flat a number of years ago when a Ward Councillor for Goldsmid Ward. She confirmed, however that she had not expressed any opinion in respect of the application, had not made any pre-determination in respect of it and remained of a neutral mind.

184c Exclusion of the press and public

184.3 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.

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

184d Use of mobile phones and tablets

184.5 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'.

185 MINUTES OF THE PREVIOUS MEETING

185.1 The Chair referred to the minute in respect of application, B, BH2015/00575, 13, 14, 15, 16-17, 18, 19, 20, 20-24, 21, 22 and Pugets Cottage, North Street, Brighton stating that he wished page 10 of the minutes to be reordered to reflect the fact that other Members of the Committee had spoken before he spoke in his capacity as Chair.

185.2 Councillor Simson referred to discussion by members of the need to ensure that details concerning the building to be demolished were suitably recorded and archived. The Chair stated that he had agreed the wording of the S 106 conditions and informatives to be added to the permission earlier on that day and could confirm that safeguards in respect of this matter had been included.

185.3 Councillor C Theobald was unable to attend the meeting but had requested that the following be added:

Application A, BH2015/00320, Land South Side of Victoria Road, Portslade, reference to the fact that she was pleased that "Riverdale" was doing well and that the proposed scheme would tidy up an untidy site; and

Application B, BH2015/00575, 13, 14, 15, 16-17, 18, 19, 20, 20-24, 21, 22 and Pugets Cottage, North Street, Brighton, that she had said that "Timpson's looked odd in the street scene, that it would be good to see Pugets Cottage renovated, she thought it was an exciting scheme for the city.

185.1 **RESOLVED** – That subject to the amendments set out above, the Chair be authorised to sign the minutes of the meeting held on 22 April 2015 as a correct record.

186 CHAIR'S COMMUNICATIONS

186.1 There were none.

187 PUBLIC QUESTIONS

187.1 Prior notification of a public question had been received from Ms C Lynch. The Chair invited Ms Lynch to put her question:

“The letting agents show no respect in the Article 4 wards by advertising tenancies in January, nine months before they start and then leaving LET signs up for the rest of the year. This is illegal.

It is the council's job to enforce the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. This is not being done.

Which department is responsible for this enforcement? How do local residents contact them? What action can be taken to sort this problem out under the existing legislation?”

187.2 The Chair, Councillor Mac Cafferty responded in the following terms:

“To Let” and “For Sale” boards can be displayed under the Advertisements Regulations (2007). This “deemed consent” is subject to certain criteria regarding the size and position of the boards. Most displays meet these display regulations.

One of the key rules for boards is that once the property has been “let or sold” the board shall be removed within 14 days. However, if the property is then available “to-let” for the next tenancy a board is permitted to be displayed until the next tenancy is signed.

This practice arises more commonly in areas with a heavy concentration of HMOs and student let properties where tenancies are regularly refreshed. The council is currently investigating ways to address this loophole within the legislation.

The work of the Planning Enforcement Team is mainly re-active, this means that we will respond to requests from residents to investigate.

We have an online form on our website which can be used to make a request for an investigation.

In the last calendar year 15 potential breaches of the advertisement regulations have been reported to the team for action. Nearly all complaints have been resolved with the removal of the advertisement in question.

The Enforcement Team have attended a number of LAT (Local Action Team) meetings with local residents to advise on its work.

The Team is due to refresh its Planning Enforcement Plan for the coming 12 months, this will include assessing and prioritising the reactive and proactive work of the team.”

187.3 The Chair then invited Ms Lynch to put a supplementary question should she have one.

187.4 Ms Lynch then put the following supplementary question:

“Back in 2009 the Student Housing Strategy identified the proliferation of To Let boards in studentified areas as having such a negative impact on the streetscape. Action 10 explores some of the options for dealing with this. Nothing has been done to reduce the proliferation of To Let boards in the Article 4 wards. Temporary advertisements are

regulated by planning and yet no enforcement is taking place. Explain which points of the SHS Action 10 have been actioned, by who and the outcomes. If no action was taken, please explain why and who decided no action was necessary?"

187.5 The Chair, Councillor Mac Cafferty responded in the following terms:

"It is noted that a number of significant actions from the Student Housing Strategy have been agreed and implemented through EDC Committee. Examples include extended licensing of HMOs, the Article 4 Direction to control change of use from a small house to a small HMO; and closer working with both Universities.

The Enforcement Team continues to deal with requests to investigate on a case by case basis and when they are drawn to our attention.

No decision has been made about whether or not to go forward with a Regulation 7 Direction.

This would need to be assessed, and agreed by the Economic Development and Culture Committee."

187.6 Ms Lynch sought clarification regarding those aspects which fell within the remit of the Planning Committee and those which fell within the remit of the Economic Development and Culture Committee. The Chair stated that Ms Lynch would receive a copy of her questions and the responses given. The Legal adviser to the Committee explained that if re-drafted her queries in relation to Article 4 Direction and Regulation 7 Directions could be put to the Economic Development and Culture Committee as that would be the most appropriate place for those to be answered.

187.7 **RESOLVED** – That the position be noted.

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

188.1 There were none.

189 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2014/02100 Old Ship Hotel,31-38 Kings Road, Brighton -Full Planning
Demolition of existing 3 storey garage and staff accommodation block fronting Black Lion Street and construction of new 6 storey building to provide 8no one bed and 10no two bed flats on the 1st-5th floors and associated cycle and car parking on the ground floor with revised vehicular access together with other associated works including solar panels on the roof.

(1) The Principal Planning Officer, Major Applications, Liz Arnold gave a presentation by reference to, photographs showing the existing structure, views from King’s Road and Black Lion Street site plans, elevational drawings and drawings showing the proposed floor plans and proposed block plans. In addition clarification was given in respect of the wording to the s106 Heads of Term. Additional wording needed to be added to the final bullet point add (55% social rent and 45% intermediate affordable)

- (2) It was explained that the main considerations in determining the application related to demolition of the existing building, the principle of the development, the design of the proposed building and its impacts on the surrounding area including the surrounding Conservation Area and the setting of the Listed Assembly Room located within the vicinity of the site, the standard of accommodation to be provided, the impact of the development on neighbouring amenity, and transport, ecology and sustainability issues.
- (3) It was considered that the proposed development would make an efficient and effective use of the site. The height, design and bulk of the proposed extension would not compromise the quality of the local environment, including that of the surrounding Conservation Area. The standard of accommodation proposed was considered acceptable and adequate private amenity space provided. Subject to compliance with the proposed conditions, the scheme would comply with the requirements for sustainability, cycle storage, waste management and refuse and recycling storage. In addition it was considered that the new residential development would not have a significant adverse impact upon the amenities of neighbouring properties. The proposal accorded with policies of the Brighton and Hove Local Plan and the Brighton & Hove Submission City Plan Part One, approval was therefore recommended.

Questions for Officers

- (4) Councillor Simson enquired whether the level of parking proposed in association with the proposed scheme was considered adequate, noting also that some of the existing hotel parking would be lost and that although two of the proposed units would be fully accessible that only one disabled parking space was to be provided within the scheme. Councillor Simson also referred to the constituent elements of the proposed s106 obligation. Whilst not objecting to how it was proposed this would be spent, she thought that contributions had to be made towards provision in the immediate vicinity of the site.
- (5) Councillor A Norman also sought clarification regarding the provision of disabled parking bearing in mind that although it was possible that there were other spaces available in the vicinity a resident with limited mobility would need close access between their vehicle and their place of residence.
- (6) Councillor West referred to the level of parking proposed to be provided on site, also to the number of cycle parking spaces, asking whether it would be possible to increase/reduce certain elements, in order for instance to enable another disabled parking space to be provided. Councillor West also enquired regarding arrangements for storage of refuse and re-cycling and to ensure adequate recording of any archaeological deposits exposed as a result of the building works. It was explained that all of these matters would be covered by proposed conditions set out in the report.
- (7) Councillor Wealls referred to the ground floor access proposed to the on-site car parking seeking confirmation that the “stacking” system referred to was considered to be adequate and it was confirmed that it was.

- (8) The Principal Transport Planning Officer, Steven Shaw explained that the Old Ship Hotel had indicated that there was sufficient parking for guests using the hotel. The level of parking to be provided was considered sufficient based on an assessment of parking usage in the vicinity. Proposed on-site parking accorded with the Council's own standards for parking provision based on the data provided.
- (9) Councillor Robins enquired regarding the arrangements to be put into place in relation to delivery of materials and removal of building waste during the construction process.
- (10) Mr Gowans, CAG, sought confirmation regarding whether it was proposed to retain the existing signage currently above the garages, it was confirmed that it was not.
- (11) Councillor Mac Cafferty, the Chair referred to the fact that there were a number of proposed pre-commencement conditions in respect of proposed scheme. The standard of some of the public realm art/improvements which had been provided in relation to some schemes had been poor and he hoped that something suitable and appropriate could be provided here, noting that local ward councillors would be consulted in relation to this element of the scheme.

Debate and Decision Making Process

- (12) Councillor Hyde, welcomed the scheme which she considered would provide a mix of much needed housing and would improve the appearance of that part of the street scene. She also welcomed the fact that the development would not be "car free" and that parking would be provided for residents within the scheme.
- (13) Councillor Simson concurred stating that besides improving the appearance of the site, the proposed form of development would also provide adequate levels of parking in a part of the city where it could prove both difficult and expensive to find parking. Councillor Simson was also pleased to note that there was a balance between the level of vehicle and cycle parking on site.
- (14) A vote was taken and members voted unanimously that minded to grant planning permission be granted.

189.1 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to a S106 agreement and the Conditions and Informatives set out in section 11 and additional wording to the final bullet to make reference to (55% social rent and 45% intermediate affordable) housing.

B BH2015/00439 68 Davigdor Road, Hove - Full Planning

Conversion of first floor flat and loft to create 3no flats including rear dormers and balcony, side dormer and front rooflights, removal of chimney stacks and additional rear window and doors at first floor level.

- (1) The Planning Manager, Applications, Nicola Hurley, gave a presentation by reference to site plans and elevational drawings. Reference was made to the previous refused application.

- (2) It was explained that the main considerations in regard to this application were the principle of conversion, the standard of accommodation to be provided, the impact on neighbouring residential amenity, traffic issues and sustainability issues. Accurate plans in relation to the scheme had now been submitted which enabled a full assessment of the application to be made.
- (3) It was considered that the proposed development would cause no loss of light or privacy to adjacent occupiers, would not harm the appearance of the building, would not result in the loss of a small unit of self-contained accommodation, and would retain a residential unit suitable for family occupation. The proposal was considered to be in accordance with development plan policies and approval was therefore recommended.

Public Speakers and Questions

- (4) Ms Engleman spoke on behalf of her mother a neighbouring objector setting out her objections to the proposed scheme. Ms Engleman explained that due to the close proximity of the entrance doorway of the development to her mother's bedroom it would result in additional noise, overlooking and loss of privacy for a vulnerable elderly lady. Once occupied, the proposed scheme would result in additional noise by virtue of the additional number of occupants. The additional noise generated during the course of the building works would be intolerable and unneighbourly. Councillor Buckley had written letters of objection in respect of the scheme in the past, having not stood for re-election it had been too early in the new administration to gain the support of any of the newly elected ward councillors.
- (5) Having heard the submission on behalf of the objector Councillor Hyde indicated that she was of the view that it might be appropriate to carry out a site visit prior to determining the application. The Chair considered that it would be appropriate for Committee Members to hear both of the public speakers before deciding whether to carry out a site visit.
- (6) Mr Mc Nulty spoke on behalf of the applicants in support of their application. He explained that both the proposed development and the neighbouring property occupied by Ms Engleman's mother had been built as flats although they read as dwelling houses within the street scene. The existing development was in a poor state of repair internally and did not meet modern building control requirements/standards. The works to be carried out in accordance with the proposals would result in improved soundproofing between this building and the neighbouring property such that there would be a reduction in the current levels of noise penetration through the party wall. Works would be carried out in a neighbourly manner, during normal working hours neither commencing very early in the morning, nor continuing into the evening.

Questions of Officers

- (7) Councillor Simson sought clarification regarding the location of the proposed entrance to the new flats in relation to the entrance to the neighbouring property as did Councillors Deane and Hyde.

- (8) Councillor Phillips explained that having heard the officer's presentation and Ms Engleman speaking subsequently on her mother's behalf that she had entered Mrs Engleman's mother's flat when a Ward Councillor for Goldsmid Ward. She confirmed, however that she had not expressed any opinion in respect of the application, had made no pre-determination of it and remained of a neutral mind.
- (9) Councillor Hyde also sought confirmation of the staircase between the development site and the neighbouring property as did Councillor Wealls. It was confirmed that this ran directly against the party wall separating the two dwellings.
- (10) Councillor Robins sought further confirmation regarding configuration of the proposed flats located at first floor level. Councillor Gilbey referred to the earlier refusal seeking confirmation as to how this had been overcome. The Planning Manager Applications explained that estate agent particular evidence, including photographic evidence not provided previously, had confirmed that the flat had been built as a four bedroom unit. This meant that the proposals were therefore acceptable under adopted planning policy, in that the original floor area whilst less than 115sqm it had originally been built with more than three bedrooms and at least one of the units to be provided would be suitable for family accommodation having a minimum of two bedrooms.
- (11) Councillor Deane asked for confirmation of the area in square metres. The officer confirmed the measurement of the room. Councillor Phillips stated that she had understood that this information was to be provided in respect of all applications as Councillor Randall had made a previous request for this information to be annotated. The Planning and Building Control Applications Manager stated that she would investigate the practicality of doing so and would report back further thereon.
- (12) Councillor A Norman stated that she was in agreement with Councillor Hyde that it would be beneficial to carry out a site visit prior to determining the application.
- (13) A vote was taken and Members voted by 9 to 1 with 2 abstentions to carry out a site visit in respect of the above application.

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

Note: It was noted that as the decision to carry out a site visit had been taken after each of the public speakers had made their submissions, that there would be no further public speaking in respect of this application.

C BH2015/00688 4 Barrowfield Close, Hove - Removal or variation of condition

Application for variation of condition 2 of application BH2014/03227 (Erection of 1no four bedroom detached dwelling (C3) to allow for the provision of an additional bedroom and the insertion of 4no rooflights.

- (1) The Planning Manager, Applications, Nicola Hurley, gave a presentation by reference to photographs of the application site showing the existing house and proposed amended scheme including floor plans, elevational drawings and plans showing the location of the proposed rooflights.

- (2) It was explained that the application related to a plot of land which currently provided a garden area for an existing detached dwelling, which was located on the south-eastern side of Barrowfield Close, at the eastern end of the cul-de-sac, and was accessed from Tongdean Avenue. The plot related to no. 4 Barrowfield Close and was is of a greater width than the plots relating to the other properties within the Close. The existing dwelling was situated towards the north-eastern side of the double plot resulting in a strip of garden area to the south-western side of the dwelling in addition to a large rear garden.
- (3) The principle of the construction of a new detached dwelling had been established within the approval of the previous application BH2014/03227. The main considerations in determining the application related to the impacts of the proposed amendments on the visual amenities of the approved new dwelling, the Barrowfield Close streetscene and the wider area, including the setting of the nearby Tongdean Conservation Area and the impacts upon the amenities of neighbouring properties.
- (4) It was considered that the proposed amendments to the approved scheme application BH2014/03227 would not be of detriment to the visual amenities of the approved scheme, the Barrowfield Close streetscene or the wider area, including the setting of the nearby Tongdean Conservation Area. Furthermore it was not considered that the proposed amendments would have a significant adverse impact upon the amenities of the neighbouring properties. The proposal accorded with policies of the Brighton and Hove Local Plan and approval was therefore recommended.

Questions of Officers

- (5) Councillor Simson enquired regarding the rationale for the application being brought to the Committee for determination and it was explained that the application was required because permitted development rights had previously been removed and that neighbour representations had been received.
- (6) A vote was taken and members voted unanimously that planning permission be granted.

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

D BH2015/00529 11 Radinden Drive, Hove - Householder planning consent

Remodelling of dwelling incorporating two storey front and rear extensions, roof alterations, enlargement of existing garage including additional floor and associated works.

- (1) The Planning Manager, Applications, Nicola Hurley gave a presentation by reference to site plans, floor plans elevational drawings and photographs showing the previously refused scheme and the amended scheme for which permission was now sought.
- (2) It was explained that the main considerations in the determining this application related to the impact of the proposal upon the visual amenities of the parent property, the

street scene and the wider area. The previous scheme had been refused as it had been considered that that proposed roof form and materials were of an incongruous appearance and would be at odds with Radinden Drive and the surrounding area. The revised scheme sought permission for remodelling of the existing dwelling incorporating two storey front and rear extensions, roof alterations and enlargement of the existing garage including an additional floor and associated works. During the course of the application the size of the first floor roof terrace area had been further reduced in size with the inclusion of privacy screening.

- (3) It was considered that the previous reasons for refusal had been overcome and that the proposed development was of an appropriate height, scale, bulk and design and would make a positive contribution to the visual amenity of its surroundings. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance and approval was therefore recommended.

Questions of Officers

- (4) Councillor Hyde enquired regarding the materials to be used on the elevations and cladding materials used on some developments in the past that had worn/weathered badly. Councillor Hyde also requested that an informative be added to any permission granted seeking approval of materials to be used to be agreed in consultation with the Chair, Deputy Chair and Opposition Spokesperson. The Chair and other Committee Members confirmed they were in agreement that this should be done.
- (5) Councillor Simson sought clarification regarding the number of different materials to be used for detailing on the building. It was explained that whilst the previous application had sought to use too many diverse textures, finishes and materials this had been rationalised in the revised scheme and was now considered to be appropriate and to have overcome the previous reasons for refusal.

Debate and Decision Making Process

- (6) Councillor West stated that he considered that it was wasteful of materials and otherwise to remodel the existing building which was structurally sound and to replace it with another building of a totally different appearance; effectively to demolish a building for no other reason than to replace it with a dwelling house of a different style. That was a concept which he found very challenging.
- (7) Councillors Simson and Robins stated that whilst they had some sympathy with that view it was not a planning consideration.
- (8) A vote was taken and on a vote of 10 to 1 with 1 abstention planning permission was granted.

- 189.4 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11. An additional Condition (7) and informative as set out below to be added:

Condition 7:

No development shall take place above ground floor slab level of any part of the development hereby permitted shall take place above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of all 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, door and balcony treatments
- e) samples of all other materials to be used externally

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.

An additional informative as follows:

The applicant is advised that the details required by condition 7 are to be delegated for agreement to the Planning and Building control Applications Manager in consultation with the Chair, Deputy Chair and the Opposition Spokesperson

Note: Councillor Littman voted that the above application be refused. Councillor West abstained.

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

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

Application:	Requested by:
BH2015/00439, 68 Davigdor Road, Hove	Councillor Hyde

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

192.1 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.]

192 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

193 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

194 APPEAL DECISIONS

195.1 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.

195 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

The meeting concluded at 4.05pm

Signed

Chair

Dated this

day of

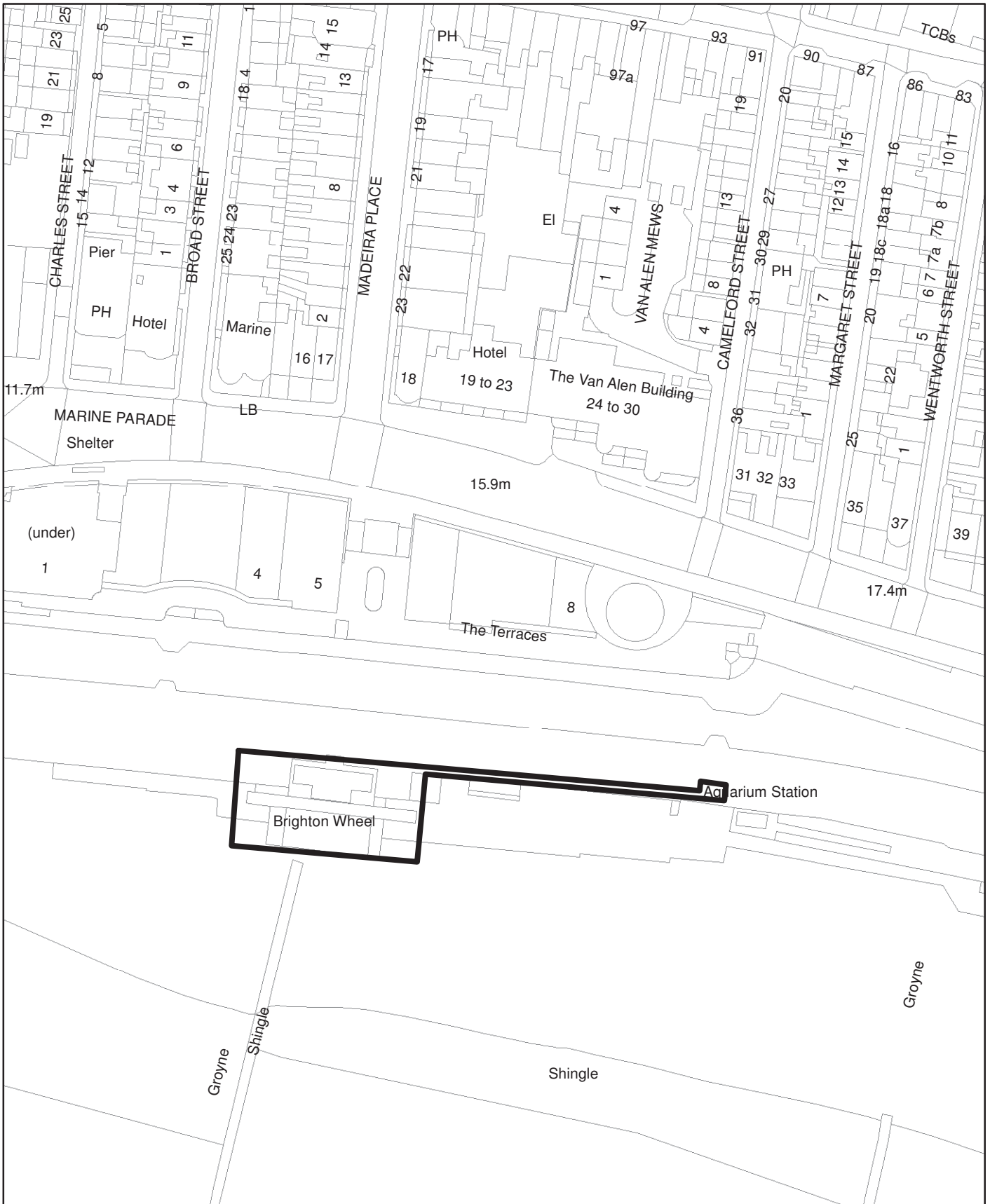
ITEM A

**The Brighton Wheel, Upper Esplanade,
Daltons Bastion, Brighton**

**BH2015/00513
Removal or variation of condition**

3 JUNE 2015

BH2015/00513 The Brighton Wheel, Upper Esplanade, Daltons Bastion, Madeira Drive, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/00513	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Removal or Variation of Condition		
<u>Address:</u>	The Brighton Wheel Upper Esplanade Daltons Bastion Madeira Drive Brighton		
<u>Proposal:</u>	Application for variation of condition 3 of application BH2011/00764 (Erection of a 45 metre high observation wheel including extension of promenade over beach, new beach deck, ancillary plant, queuing areas, ticket booths and merchandise kiosk (for a temporary period of 5 years, except beach deck which is permanent)) to extend the temporary period for a further five years until 19 May 2021.		
<u>Officer:</u>	Maria Seale, tel: 292175	<u>Valid Date:</u>	23 February 2015
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	20 April 2015
<u>Listed Building Grade:</u>	Pier II*, Terraces & Aquarium II		
<u>Agent:</u>	Stiles Harold Williams, 69 Park Lane, Croydon, CR0 1BY		
<u>Applicant:</u>	Paramount Entertainments Ltd, c/o Stiles Harold Williams		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to be **MINDED TO GRANT** planning permission subject to a Deed of Variation to the Section 106 Agreement dated 19 May 2011 and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The 45 metre high wheel is in situ and the site forms part of the Madeira Drive seafront promenade and the beach, and is located opposite The Terraces and Aquarium. The site is approximately 110 metres east of Palace Pier and currently projects out from the main seaward line of the promenade by approximately 5 metres.
- 2.2 Underneath the wheel there is an arcade containing an ice cream parlour and shop and concrete pathway.
- 2.3 The site is located within the East Cliff Conservation Area and is close to several listed buildings, including the Grade II* Palace Pier, and Grade II Terraces and Aquarium.

3 RELEVANT HISTORY

BH2011/00764 Erection of a 45 metre high observation wheel including extension of promenade over beach, new beach deck, ancillary plant, queuing

areas, ticket booths and merchandise kiosk (for a temporary period of 5 years, except beach deck which is permanent). Granted on a temporary basis 19 May 2011 (expiry 19 May 2016).

BH2011/02923 Application for Approval of Details Reserved by Conditions 16 (crime prevention measures) and 17 (vehicular servicing & maintenance plan) of application BH2011/00764. Approved 21/10/11

BH2011/02915 Application for Approval of Details Reserved by Condition 11 (external lighting) of application BH2011/00764. Approved 21/10/11

BH2011/02912 Application for Approval of Details Reserved by Condition 15 (cycle parking) of application BH2011/00764. Approved 17/10/11

BH2011/02907 Application for Approval of Details Reserved by Condition 9 (disabled access measures)) of application BH2011/00764. Approved 21/10/11

BH2011/02906 Application for Approval of Details Reserved by Conditions 12 (operational and queuing management plan) and 13 (waste & recycling management plan) of application BH2011/00764. Approved 24/10/11

BH2011/02894 Application for Approval of Details Reserved by Condition 10 (materials and finishes) of application BH2011/00764. Approved 21/10/11

BH2011/02892 Application for Approval of Details Reserved by Condition 14 (travel plan) of application BH2011/00764. Approved 24/10/11

BH2011/02878 Application for Approval of Details Reserved by Conditions 7 (storage of original railings) and 8 (new railing details) of application BH2011/00764. Approved 8/3/12

BH2011/02133 Application for Approval of Details Reserved by Conditions 11 (external lighting) and 14 (travel plan) of application BH2011/00764. Refused 13/9/11

BH2011/01756 Application for Approval of Details Reserved by Condition 6 (construction environmental management plan) of application BH2011/00764. Approved 8/7/11

4 THE APPLICATION

- 4.1 Planning permission is sought for the variation of condition 3 of application BH2011/00764 to extend the temporary period for a further five years to retain the wheel until 19 May 2021.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: 25** letters of representation have been received (see table attached at end for report for addresses) objecting to the application for the following reasons:

- There is a clear expectation that the wheel will be removed when the i360 is built
- It is an interim attraction, goes against previous widely understood agreements to remove it
- Will in effect make it permanent, will set precedent
- Will undermine viability of i360. Will draw tourists away from i360 and Hove end of seafront. i360 needs to be successful as benefits from public money
- City does not need 2 viewing attractions
- Is not suitable as a permanent form of development
- Detracts from character and appearance of the area including period buildings, original heritage concerns still applicable
- Is poor quality design, not iconic or unique, does not enhance seafront
- Ruins view of pier and overshadows Volks Railway
- Offers poor value, is too expensive
- Is not well used, reflects badly on council attempts to promote seafront
- Could put off potential business occupiers of the Terraces and is a deterrent to good quality investment
- Is overwhelming and dominant
- Contributes to homogenisation of unique English vistas
- Contributes nothing to city visually
- Is unsightly, rusty, dirty and tacky, is poorly maintained, lacks all pods
- Accuracy of visitor and employment figures disputed and benefits to city's economy
- Insufficient technical assessment carried out, based on out of date information
- Environmental Impact Assessment may be required
- Loss of privacy
- Intrusive lights
- Applicants do not engage with local community or offer discounts
- Adverse impact to property prices
- Loss of sea view
- Spoils outlook for hotel guests

5.2 **84** letters of representation have been received (see table attached at end of report for addresses) supporting the application for the following reasons:

- Is an attractive feature on seafront
- Is in keeping in a seaside location
- Fits in nicely with adjacent pier and Sealife Centre
- Is a great place to visit, provides amazing views and informative commentary about the city, is professional
- Adds to the holiday environment
- Will bring in more tourism money

- Will provide jobs
- Will help regenerate this underused area of seafront which badly needs it
- Is part of Brighton, is an icon
- Is fittingly marks the end of the marathon, bike ride, car race etc, adds personality and identity
- Is photogenic
- Is supportive of schools and charities
- Is supportive of local community
- Is popular
- Is well priced, is an affordable option for families who may find i360 expensive
- Is self-sufficient and not costing council anything
- Brings in revenue for council
- Is compatible with i360, they provide different experiences, city has scope to offer further attractions
- Losing the wheel would leave a void
- Removal will cause problems for other tenants in area
- Disabled people can use it
- None of the dire prediction about loss privacy or excessive lighting have come to pass

5.3 **1** letter of comment has been received from **Flat 2, 15 Madeira Place** supporting the proposal as long as no additional lighting installed.

5.4 **Councillor Powell:** Objection on the grounds it was agreed that the wheel would go when the i360 was secured; ie the construction of the i360 would rule out a simultaneous observation structure (such as the wheel) on the seafront. A copy of her full email is attached at the end of this report.

5.5 **Brighton & Hove Economic Partnership:** Objection. The structure was granted temporary consent to avoid undermining the viability of the i360. Whilst competition is not a planning matter, it seems illogical that the i360, which has received public money from the PWLB and will generate money for the public purse, could be jeopardised. Assuming there is no change in material circumstances since the original consent, the only justification for granting new consent would be on economic grounds if it was shown the wheel was of such benefit to the city it was compelling for it to remain. The business case put forward by the wheel is not convincing due to lack of supporting evidence for employment figures, revenue generated and visitor numbers, and they appear inflated.

5.6 **Brighton & Hove Tourism Alliance:** Objection on grounds that Brighton is a city that thrives on co-operation and successful businesses are ones who engage, which the wheel has not done. Failure to meet predicted visitor targets could well be a reflection of not working strategically in partnership with other tourist providers. The wheel has not achieved more tourists coming here. The wheel is a stop gap attraction and should not ride on the coat tails of the i360.

- 5.7 **CAG:** No objection on conservation grounds. Suggest consideration be given to adding a condition requiring improvement to the appearance and facilities at the base level of the wheel, provided they are temporary.
- 5.8 **Environment Agency:** No objection. There have been no changes on coastal flood risk data and the EA are happy with the original FRA.
- 5.9 **Historic England:** Comment the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist advice.
- 5.10 **Hove Civic Society:** Objection on grounds that the reasons for time-limiting the presence of the wheel remain as valid now as originally, the strategic importance to the city of a permanent i360 remains predominant, extension of wheel would create uncertainty and risk for i360, the terms of the lease should be applied and the question should not be opened through attempts to revisit planning conditions.
- 5.11 **Kingscliffe Society:** Objection on grounds that planning legislation (para 2 b & 3 of S73 and section 62) means that application should be refused. The wheel has not significantly contributed towards tourism/economy due to low visitor numbers - there have never been any queues and restaurants opposite in the Terraces have closed down. Severe effect to nearby residents due to being overpowering, ever-present, intimidating and a blot on the landscape. Not designed like London Eye with degree of transparency, no respect for seafront architecture. Not a quality attraction like Volks Railway or Pier. Residents and businesses amenity severely affected. Loss of privacy from flashing mobile phone photographs. Proposal has not been viewed from residential units opposite.
- 5.12 **Regency Society:** No objection in principle. However, 10 years is effectively a permanent consent. The applicant should submit all documents required for a full planning consent. The wheel is a beneficial addition to the seafront and provides striking views from various parts of the city. The appearance at ground level is untidy and inappropriate and improvement should be required. There is no provision for visitor facilities such as toilets or protection from the weather.

Internal:

- 5.13 **Coastal Protection Engineer:** No objection.
- 5.14 **Economic Development:** Objection. This original consent was granted to provide a temporary facility prior to the development of the i360 further along the seafront which has now secured the funding to construct and work in underway to provide a permanent modern purpose built iconic viewing facility for the city. The potential impact of this extended temporary consent on the economic viability of the i360 has to be taken in consideration.

- 5.15 Whilst it is acknowledged that the Brighton Wheel has provided employment and income for the city the figures quoted by the applicant are not substantiated or evidenced. Further information would be required to support and evidence the figures quoted based on the original forecasts.
- 5.16 The council have a draft Seafront Strategy and therefore the comments of the Head of Sport & Leisure and the Head of Tourism will cover how this extended temporary consent would accord with the strategy.
- 5.17 The council recently approved a Seafront Investment Programme which brings together a portfolio of projects and seafront initiatives together as a co-ordinated programme of work and identifies the major development projects that will contribute to the development of the tourist and visitor economy. The i360 development is a key component of this investment programme and will deliver significant investment and employment to the seafront. The Brighton Wheel because of its temporary nature is not identified in this longer term Investment Programme therefore the proposal should be refused.
- 5.18 **Environmental Health:** Comment that no complaints have been received about noise or light due to the wheel since it began operating.
- 5.19 **Flood Risk Management:** Comment There is no problem from a sustainable drainage perspective.
- 5.20 **Heritage:** Objection. The impact of the wheel on the conservation area and in views beyond has been reviewed, and it is considered that the overall impact is generally as shown in the original application and therefore it is not proposed to make different comments on the current application. It should be noted, however, that the ancillary structures currently in place do not seem to be entirely as approved and the immediate environment around the base of the wheel is disappointing as a result. For example glossy plastic signage panels have been placed around the periphery on the north East and West elevations and large temporary looking canvas banner type signs on the beach side, both West and East facing. There are also some tent-like structures on the south side of the wheel platform. This all combines to create a cluttered and low quality environment at close quarters.
- 5.21 The National Planning Policy Framework states that in considering applications for development local authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets and that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. It also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 5.22 It is not considered that the wheel as implemented sustains or enhances the character of the East Cliff Conservation Area. It is considered that the harm caused by the wheel on Madeira Place is substantial, and on Dalton's Bastion

and the conservation area in general is considered to cause less than substantial harm. Even when the harm is less than substantial paragraph 134 of the NPPF requires that the public benefits arising from the scheme should be considered to outweigh the harm.

- 5.23 Under the tests now required by the NPPF as set out above, support cannot be given for the extension of the temporary approval.
- 5.24 **Planning Policy: Comment.** The proposal is acceptable in planning policy terms subject to comments from other internal consultees.
- 5.25 Brighton & Hove's Seafront is of vital importance to the economy of the city and it also plays an anchor role for city's tourism economy which contributes an estimated £732 million to the city's economy each year and sustains 17,500 jobs (13,000 FTEs). Key strategic development sites along the seafront are identified through the City Plan and other council and city and sub-regional documents. The purpose of these strategic development sites are to act as catalysts for the wider renewal and regeneration of the city's seafront.
- 5.26 A strategic objective of the council reflected in the City Plan (SO17) is to enhance the seafront as a year round place for sustainable tourism, leisure, recreation and culture whilst protecting and enhancing the quality of the coastal and marine environment.
- 5.27 Taking account material representations received during the submission consultation in 2013, it is considered that weight can be attached to SA1 The Seafront and CP5 Culture and Tourism.
- 5.28 The overarching priority for the seafront set out in SA1 The Seafront is the on-going regeneration and maintenance of the seafront in an integrated and coordinated manner. Proposals should support the year-round sport, leisure and cultural role of the seafront for residents and visitors whilst complementing its outstanding historic setting and natural landscape value. Part A sets out a number of priorities applicable to the whole seafront and specific priorities for East of Palace Pier to the Marina are set out at Part B. which relate to the regeneration of Madeira Drive as a centre for sports and family based activities. CP.1 sets out the expectation for new visitor attractions, including being of a high environmental standard, complement and build on the city's distinct tourism offer, and reduce seasonality.
- 5.29 The supporting text to SA1 The Seafront at 3.118 recognises the role of the (emerging) Seafront Strategy in ensuring an integrated approach to improvement and regeneration. The draft Seafront Strategy sets a vision to '*Create attractive, sustainable, high quality environments for residents, businesses and visitors throughout the year*'; the importance of the '*potential to broaden and enhance the main draw of the tourism appeal both spatially (wider than the prime location between the piers) and in time (with an extended all year round season)*' and indicates in the draft Seafront Character Areas for

Palace Pier to Brighton Marina, the: '*Potential for leisure use beyond the life of the planning permission*'. Whilst the type of leisure use is not specified it would need to fit with the longer term strategic requirements of the seafront.

- 5.30 It is understood that following recent public consultation and scrutiny the preparation of the final Seafront Strategy will be influenced by the preparation of an investment strategy. The Seafront Strategy is not a supplementary planning document. The weight to be attached to this document at this stage is limited. Whilst the key strategic development sites and priorities have been identified through SA1 The Seafront and other Development Areas (DA1, DA2, DA8), detailed maintenance and improvement plans are still at a draft stage. Any further seafront development sites and potential uses identified through the Seafront Strategy would need to be taken through the City Plan Part 2.
- 5.31 Leisure uses are identified in the NPPF as a main town centre uses to which a town centre use is normally required. The site is an edge of centre location, located within 300m of St James Street District Centre and 308m from the edge of the Regional Shopping Centre. Proposals for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan should be accompanied by a sequential site assessment. This site is accessible and well connected to the town centre. Whilst the site is not an identified development site, the priorities for the area east of the Palace Pier do include sport and leisure activities as indicated in SA1.B and the draft Seafront Strategy. Given this proposal is for a temporary use it is not considered necessary to require a sequential site assessment.
- 5.32 As with the considerations in 2011, whilst the proposal broadly fits with SA1 The Seafront and the emerging Seafront Strategy, it is important that extending its temporary permission does not prejudice or pre-empt the final vision/strategy or allocation for this part of the seafront.
- 5.33 The Head of Sport & Leisure and the Head of Tourism should be consulted on this application in relation to the emerging seafront strategy and also on the assessment set out in the Economic Impact Assessment of the contribution the Brighton Wheel has had on tourism in the city and the regeneration of this area of the seafront. There are a number of assumptions set out in the Economic Impact Assessment that may need further clarification. It is not clear what visitor figures have been assumed for the economic impact of the Brighton Wheel for the 2016-2021 period, particularly given that original forecasts of visitor numbers for the Brighton Wheel appear to have been higher than recently achieved and it is unclear whether the estimated economic impacts of the Brighton Wheel for the next 5 years will be realised and whether there would be an impact on the i360 when this is operational.
- 5.34 The council's updated its Strategic Flood Risk Assessment SFRA (SFRA Update, January 2012), so it would be appropriate for the applicant to consider whether it is necessary to revisit and update as appropriate the Flood Risk

Assessment that was submitted with the 2011 application. The council's Coastal Protection Officer should be consulted on this application.

- 5.35 Given the previous concerns raised by the Major Projects Heritage and Design team and the rationale for granting the temporary permission to allow the impact of the development to be fully monitored, the team should be consulted on this application.
- 5.36 **Seafront Team: Objection** The Seafront Team are not aware of any issues with highways or access. There was one complaint regarding noise one night when the wheel was being maintained.
- 5.37 The current temporary lease has an expiry date of 29th August 2016. There is also a highway consent which expires when the planning permission lapses. Current timescales for the construction of the Brighton i360 will mean that the planning permission and the highway consent for The Wheel will now expire before the planned opening of the i360 in June 2016.
- 5.38 The lease and highway consent relating to The Wheel were drafted to ensure that there would be no concurrent operation between the two observation attractions (Brighton i360 and The Wheel). The Wheel fully understood the Council support for the Brighton i360. The Council made it clear that by supporting The Wheel for a temporary period at Dalton's Bastion, it was not to be assumed that a more permanent arrangement would be considered at some future point in time. That position was exemplified by the requirement for a bond to ensure the Wheel's removal and the corporate position was mirrored by the temporary nature of the planning permission and highway consent, as the Brighton i360 remained the strategic priority for the Seafront. Indeed the original chosen location of The Wheel was the West Pier Site, and if this had gone ahead, the Brighton i360 would have needed to access the site in 2014. The current lease has allowed The Wheel to exercise the full five years of their lease, but not to operate at the same time as the new attraction which will open in 2016.
- 5.39 In June 2014, a commercial agreement with Brighton i360 ensured the project would proceed with the Council acting as senior lender and receiving circa £1m per annum for a 25 year period. These funds have been ring fenced to ensure they can be used for urgent ongoing maintenance and other support for the seafront. The Brighton i360 will also result in landscaping of the wider area, rebuilding of the west pier arches, new cycle route, new subway lighting, restored West Pier Kiosks, a new visitor centre and conferencing venue, Michelin star restaurant and café, and exhibition and retail space.
- 5.40 The Council has never considered that the seafront can accommodate two observation attractions in relatively close proximity and the business case for the i360 was predicated on the basis of being the sole aerial attraction on the seafront. As the major seafront owner and funder of the i360, it agrees with much of the contents of David Marks' letter to the LPA dated 11.05.15 and

generally objects to the proposed renewal of planning permission. In particular it agrees that an up to date analysis and technical report on the impact of the proposal is required in order to properly gauge the position and consider the pros and cons of the application.

- 5.41 The current draft Seafront Strategy (which has not been formally adopted by the council) has identified Dalton's Bastion as appropriate for "family leisure attractions and facilities" and was identified as having potential for leisure use beyond the period of the existing planning permission for the Brighton Wheel. Once the Wheel ceases to operate at this location, the Council may therefore either a) seek an alternative leisure attraction for the site which meets the wider strategic needs of the seafront (subject to Planning and Highways); or b) the site would be reassessed whilst alternative proposals are explored which better suit the longer term strategic requirements of the seafront and fit within any future adopted Seafront Strategy which would seek to take full account, for example, of the emerging Seafront Investment Plan.
- 5.42 The reason for condition 3 of the current planning permission (i.e. the condition which states that on or before the 19th May 2016 the use shall cease) includes "to ensure the future strategic planning of the seafront is not undermined". It is submitted that renewing the consent would fundamentally undermine that strategy.
- 5.43 **Sustainable Transport:** No objection. Highways Enforcement confirm they have not had any substantial complaints about the wheel. The Highway Authority does not need any updated technical assessments further to those already produced for the previous application BH2011/00764. While the NPPF has been introduced since the previous application was submitted there has not been any significant changes in local planning policy or changes in the local area which would alter the Highway Authorities view on this application.
- 5.44 Original conditions in relation to Travel Plan (Condition 14) and Vehicular Servicing & Maintenance (Condition 17) should ensure that the implementation of the measures in these documents are continued during the life time of any new permission.
- 5.45 The Valley Gardens Phase 3 (Aquarium Roundabout) works, are provisionally programmed to commence 2017/18 and would potentially be complete by 2019/20 but do not directly impact upon or are impacted by any new permission of the wheel other than the works will provide enhanced access to the wheel. During any construction works to the aquarium roundabout access to Madeira Drive and the big wheel can be retained.
- 5.46 **Tourism:** Comment. The wheel is a tourism asset for the city. VisitBrighton are keen to see a diverse range of attractions in the City to encourage leisure visitors to visit in the first place and as a reason to potentially extend their stay. The Wheel has made a contribution to the city in terms of something to do when in Brighton, but it is unlikely to be a decision driver for tourists to come to the

city. Whilst it is not possible to verify the quantum of visitor numbers cited by the applicant they are possibly not unrealistic for an attraction of this scale.

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
TR4	Travel Plans
TR5	Sustainable transport corridors and bus priority routes
TR7	Safe development
TR8	Pedestrian routes
TR13	Pedestrian network
TR14	Cycle access and parking

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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
SU3	Water resources and their quality
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU7	Development within the coastal zone
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU14	Waste management
SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD6	Public Art
QD7	Crime prevention
QD15	Landscape design
QD17	Protection and integration of nature conservation features
QD25	External lighting
QD27	Protection of Amenity
QD28	Planning obligations
SR18	Seafront recreation
HE3	Development affecting setting of a listed building
HE6	Development within or affecting setting of conservation areas
NC4	Sites of Nature Conservation Importance

Supplementary Planning Guidance:

SPGBH4 Parking Standards

SPGBH15 Tall Buildings

Interim Guidance on Developer Contributions

Supplementary Planning Documents:

SPD07 Advertisements

SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

SA1 The Seafront

CP5 Culture and Tourism

CP11 Managing Flood risk

CP12 Urban Design

CP15 Heritage

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the reasons why a temporary, rather than permanent, consent was originally deemed appropriate.

8.2 The reason for the temporary permission given on the decision notice reads:

The development is not considered suitable as a permanent form of development, to safeguard the visual amenity of the area, to ensure the future strategic planning of the seafront is not undermined and to allow the impact of the proposal to be monitored, and to comply with policies SR18, QD1, QD2, QD4, HE6, HE3 and QD27 of the Brighton & Hove Local Plan.

8.3 The key issues to therefore consider are:

- the visual impacts of the wheel
- the current status of the strategic planning of the seafront
- the outcome of monitoring its effects.

8.4 These need to be considered in the context of current planning policy.

8.5 A new material consideration since the original permission was granted is the National Planning Policy Framework (NPPF) and accompanying Planning Practice Guide. In terms of planning policy, the (saved) policies of the adopted Local Plan remain relevant and weight is given to policies in the emerging City Plan Submission Part One, particularly where they are consistent with the NPPF and where no objections have been received.

8.6 As the key reason the wheel was deemed acceptable originally was its positive impact to the economy and tourism and the regeneration of the seafront, these remain important considerations.

8.7 The matter of potential competition, for example with the i360, is not considered to be a material planning consideration. Planning is concerned with the broad public interest rather than private interests such as competition between businesses or loss of a view or property value. The i360 is addressed further under headings below.

8.8 Issues regarding the principle of a wheel in this location were covered under the original application and shall not be revisited in great detail again in this report.

8.9 In summary, a seafront location was felt to be appropriate for such an attraction and whilst harm was identified to some heritage views (from Madeira Place in particular), these were considered to be outweighed by the economic/tourism benefits of the proposal and the fact it was temporary. The proposal was felt to be an interesting and fun attraction.

8.10 At the time of the original permission the Council was in the very early stages of producing a Seafront Strategy. The temporary permission reflected this status

and it was anticipated that the Strategy would advance over the 5 year period. The i360 as an individual project did not form part of the considerations within the planning report.

- 8.10 The impact to residential amenity was fully assessed and considered acceptable. The impacts in terms of transport, parking and sustainable modes, refuse/waste generation and toilet provision were considered acceptable.

Planning Policy:

- 8.11 One of the key issues to consider is planning policy, and how this has changed since temporary consent was first granted.
- 8.12 The (saved) Local Plan policies identified in section 7 above remain relevant to this proposal and hold significant weight as they form part of the adopted Development Plan. Originally the proposal was deemed to comply with these Local Plan policies and this is considered to remain the case.
- 8.13 In terms of changes, the two main considerations since 2011 are the advancement of policies in the City Plan Part 1, and the NPPF.
- 8.14 The seafront is recognised as being of vital importance to the economy of the city and it also plays an anchor role for the city's tourism economy. This is reflected as a strategic objective of the council in the City Plan (policy SO17) which seeks to enhance the seafront as a year round place for sustainable tourism, leisure, recreation and culture whilst protecting and enhancing the quality of the coastal and marine environment. It is considered that the wheel contributes to this strategic planning policy objective. Promotion of a sustainable economy is a key aim of the NPPF.
- 8.15 Key strategic development sites along the seafront are identified through the City Plan and other council and city and sub-regional documents. The purpose of these strategic development sites are to act as catalysts for the wider renewal and regeneration of the city's seafront. The overarching priority for the seafront is set out in City Plan policy SA1 The Seafront. It seeks the on-going regeneration and maintenance of the seafront in an integrated and coordinated manner. Proposals are expected to support the year-round sport, leisure and cultural role of the seafront for residents and visitors whilst complementing its outstanding historic setting and natural landscape value. Whilst the site is not an identified development site (in the DA policies), Part A of SA1 sets out a number of priorities applicable to the whole seafront and specific priorities for East of Palace Pier to the Marina are set out at Part B - which relate to the regeneration of Madeira Drive as a centre for sports and family based activities.
- 8.16 City Plan CP5 Culture and Tourism sets out the expectation for new visitor attractions, and expects these to be of a high environmental standard, and complement and build on the city's distinct tourism offer, and reduce seasonality. The NPPF states that leisure uses should normally be located

within town centres, and whilst this site is edge of centre it is accessible and well connected to the town centre.

- 8.17 Taking into account material representations received during the submission consultation in 2013, it is considered that significant weight can be attached to policies SA1 and CP5.
- 8.18 It is considered that the wheel, being a leisure use, broadly fits with both these emerging policies in the City Plan, and the NPPF. As stated in the previous reason for granting a temporary permission, it is important to ensure the wheel does not prejudice or pre-empt the final vision or strategy for this part of the seafront. The wheel is not considered to undermine City Plan policies which outline strategic objectives.
- 8.19 Key Council documents to consider since the original permission are the draft Seafront Strategy published in November 2012 and the emerging Seafront Investment Plan (draft anticipated autumn 2015). The draft Seafront Strategy was subject to councillor scrutiny and internal officer workshops. External public consultation was carried out in May 2013. Although this was not taken forward it is understood that it could influence a final Seafront Strategy/Investment Plan. This final Plan is to be influenced by a number of different council documents in a co-ordinated approach.
- 8.20 The supporting text to City Plan policy SA1 recognises the role of the (emerging) Seafront Strategy in ensuring an integrated approach to improvement and regeneration. The draft Seafront Strategy sets a vision to 'Create attractive, sustainable, high quality environments for residents, businesses and visitors throughout the year'; the importance of the 'potential to broaden and enhance the main draw of the tourism appeal both spatially (wider than the prime location between the piers) and in time (with an extended all year round season)'. It indicates draft Seafront Character Areas and for the Palace Pier to Brighton Marina identifies 'family leisure attractions and facilities' as appropriate uses and 'potential for leisure use beyond the life of the planning permission' for Daltons Bastion. The Strategy does not, for example, identify the site of the i360 as the only attraction on the seafront. Whilst the type of leisure use between the pier and Marina is not specified in the Strategy it would need to fit with the longer term strategic requirements of the seafront.
- 8.21 The wheel can be seen to broadly fit with the draft Seafront Strategy. These documents are not, however, Supplementary Planning Documents and are at draft stage and have not been formally adopted for council use, and thus can be given very limited weight in planning terms. The concerns of some objectors, the Seafront, Leisure and Economic Development teams regarding potential impact to the i360 are noted and understood, however, in planning terms there is not an adopted strategy that indicates that one particular attraction should hold more weight than any other or a document that determines exactly what uses should be considered on individual sites. Other than overarching policies in the City Plan there is an absence of a clear adopted vision for the whole

seafront. Whilst the key strategic development sites and priorities have been identified through the City Plan policies SA1 and other Development Areas (DA1, DA2, DA8), detailed maintenance and improvement plans are still at a draft stage. Any further seafront development sites and potential uses identified through the Seafront Strategy would need to be taken through the City Plan Part 2 which will identify specific opportunities for individual sites. Currently the wheel does not contradict the emerging Seafront Strategy/Investment Plan, and if the public via the Council choose to change direction or find the wheel unsuitable the issue can be revisited as part of the formal adoption process.

Tourism and the economy:

- 8.22 At the time of granting the original permission, it was anticipated that the Brighton Wheel would have a positive contribution on the tourism and economy of the city and the regeneration of this area of the seafront.
- 8.23 Some concerns have been raised by objectors and consultees that the applicant's stated visitor (and employment) numbers are inaccurate and likely to be overstated, and that it is not clear what the future economic impact of the wheel will be. They point to the fact that visitor numbers are lower than originally predicted.
- 8.24 In the absence of data to demonstrate otherwise, however, the applicant's figures are accepted. The Tourism/VisitBrighton team are the best placed to comment within the Council and state that whilst it is not possible to verify the quantum of visitor numbers cited, they are possibly not unrealistic for an attraction of this scale. It is acknowledged that the wheel has not proved to be as popular as thought originally, however, even if the case is overstated, it is difficult to argue that the wheel does not have a positive benefit to tourism and provides jobs. VisitBrighton agree that whilst the wheel is unlikely to be a key decision driver for tourists to come to the city, it is a tourism asset and a diverse range of attractions in the City can only be positive. From the letters of support for the proposal it can be seen that a significant number of people both from within and outside the city consider the proposal to be an attractive, iconic part of the seafront. Annual surveys carried out by Tourism South East on behalf of the Council (which included the wheel) since 2011 clearly show that visitor numbers to the City are increasing as well as satisfaction levels regarding the quality of attractions. The majority of people consulted by the Council on the draft Seafront Strategy in May 2013 wished the wheel to stay (41 for, 24 against). This area of the seafront is still clearly in need of regeneration and having such an attraction here is considered positive. It is not considered that the limited success of the Terraces can be cited as evidence the wheel is having a negative impact.
- 8.25 The Council's aspirations for the site in their capacity as landowner is to remove the wheel so as not to compete with the i360 and seek an alternative leisure attraction or alternative use that fits in with the emerging Seafront Strategy/Investment Plan. The i360 is supported by the Council given the quality of what is being offered and the wider regeneration benefits it will bring

and investment for the seafront. These benefits are clearly recognised, however, as has been stated, there is not an adopted seafront vision and competition between businesses is not a material planning consideration. Notwithstanding this, it is not the place of planning to second guess what impact the wheel might have on the i360. Supporters of the scheme suggest they offer different attractions and that the city is large enough to accommodate both. Objectors cite the fact that the i360 business case was restricted to it being the sole observatory attraction and that weight should be given to the fact that it has been identified as a priority through public funding. The fact remains that there is no current planning policy context or other formal adopted strategic document to justify a refusal of planning permission. Granting planning permission does not mean that the Council as landowner cannot decide to terminate the lease for the wheel and seek its removal regardless of the outcome of this planning application, as this is a separate process to planning.

Visual amenity and historic impact:

- 8.26 The advice given by the Council's Heritage Team is unchanged from that given originally. They comment that the visualisations originally produced did accurately reflect the impacts of the wheel now in situ. They consider the wheel does not sustain or enhance the East Cliff Conservation Area and does cause some harm to heritage views, in particular those down Madeira Place towards the sea, contrary to Local Plan policies HE3 and HE6 and the NPPF. They do not consider the public benefits arising from the scheme to outweigh the harm, as required by the NPPF.
- 8.27 It is considered that the merits of the proposal are finely balanced. Whilst it is acknowledged that the design of the wheel is rather standardised and some harm is caused to heritage views, it is argued that the key view from Madeira Place is just one view in one seafront street amongst many within the Conservation Area. It could be argued that the wheel provides striking views from various parts of the city. CAG raise no objection. The Regency Society raise no objection. It should be noted that Heritage England (previously English Heritage), no longer wish to comment and have left the assessment to the local level suggesting they do not raise a significant objection. Weight is also given to the positive benefits of the proposal as outlined in this report in accordance with the NPPF and the fact that the applicant seeks a temporary, as opposed to permanent, permission.
- 8.28 The comments and concerns expressed regarding the 'untidy' banners and gazebo structures around the base are noted, however, in the context of the seafront developments and surrounding signage, flags etc it is not considered to appear out of character or cause significant harm. The wooden shed structure to the west of the wheel is unauthorised and the Seafront Team confirm they are in the process of seeking its removal.

Amenity

- 8.29 It is noted that some local residents remain of the opinion that harm is caused to their amenity. The original committee report thoroughly covered the issue of

impact to residential and general amenity and loss of privacy, light pollution etc and the proposal was deemed acceptable in compliance with Local Plan policy QD27.

- 8.30 The relationship with neighbours in terms of location has not changed. We now have the benefit of being able to assess the wheel in situ and the evidence from Council consultees suggests this initial assessment of impact was correct given the lack of substantiated complaints received or issues raised.

Temporary permission:

- 8.31 The applicant is seeking a temporary, not a permanent, permission.
- 8.32 The 'Use of Planning Conditions' section within the NPPF Planning Practice Guide states that temporary conditions can be considered where a trial run is needed to assess effects or where it is expected that planning circumstances might change in a particular way at the end of the period. It states a temporary use can make good use of vacant land prior to any longer term regeneration plans coming forward. The Guide states it will rarely be justifiable to grant a second temporary permission – further permission should normally be granted permanently or refused if there is clear justification for doing so.
- 8.33 Given this advice, the merits of this proposal have been considered carefully to establish if an exceptional case can be made for a second temporary permission.
- 8.34 Given the issues discussed in this report it is considered that there is an exceptional case for a temporary, as opposed to permanent, permission given the absence of a formal strategic vision for the seafront and the status of planning policy and the emerging City Plan. It is hoped that a further 5 years will allow sufficient time for the Seafront Strategy/Investment Plan to develop and the City Plan to advance, including the formal allocation of individual sites in Part 2. This will provide some clarity regarding the strategic vision for the seafront.
- 8.35 In addition, a temporary permission recognises that some harm is indeed caused by the development to historic views but this would be acceptable as it would not be permanent and be easily reversed.
- 8.36 Monitoring is also still considered appropriate, to establish how popular the wheel is or whether new impacts might occur (for example if it were more intensely used due to a reduction in price).
- 8.37 In this rare case, a development which could potentially be there 10 years is still considered 'temporary'. Though perhaps not directly comparable, there are examples where a 10 year temporary period is considered appropriate, such as within large development sites with long term strategic aspirations for permanent replacement (eg modular buildings at the Royal Sussex Hospital).

Updated technical information:

- 8.38 The question of whether there needs to be further and updated technical information submitted with this application has been raised, as has the potential requirement for the Council to issue a formal Screening Opinion under the EIA Regulations.
- 8.39 It is considered that neither are necessary, as the development does not, and would not, have significant environmental effects. The development was formally screened at the time of the original application and it was confirmed then not to constitute EIA development. Circumstances have not changed and the use of the wheel is less intense than first envisaged. It is therefore considered that it is not necessary to issue a further formal Screening Opinion. The site area is well below the amended threshold in the EIA Regulations and the site is not located within a defined Sensitive Area. The EIA thresholds have actually become less onerous since the original Screening Opinion (Schedule 2 threshold going from a site area of 0.5ha to 1ha in April this year) meaning that very few urban development projects will fall into this category.
- 8.40 Consultees have considered whether further technical information (such as transport or flood risk updates) are required to accompany this application, and agree they are not.

9 CONCLUSION

- 9.1 The merits of this proposal are finely balanced. In terms of the three key reasons the wheel was originally given a temporary permission – visual amenity, strategic planning and monitoring – the wheel is considered acceptable. It is considered that no significant harm would be caused to heritage views and the benefits of the proposal in terms of tourism, the economy and regeneration are considered to outweigh any disadvantages. Competition between business interests is not a material planning consideration. There are insufficient planning policy or other strategic grounds to refuse planning permission. The proposal broadly fits with the draft Seafront Strategy and does not contradict the emerging Seafront Investment Plan but these are of very limited weight in any case. Monitoring of the wheel in operation has shown this is not a problem. A further temporary permission is considered appropriate in this exceptional case.

10 EQUALITIES

- 10.1 The wheel is fully accessible to the disabled. Disabled parking spaces are located close by.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

- 11.1 Deed of Variation to the S106 Agreement
To include reference to this current application

11.2 Conditions:

1. Not used.

2. The development hereby permitted shall be carried out in accordance with the approved drawing no.s 002-01/11/001 Rev A, 002-01/11/002, 002-01/11/002 Rev A, 002-01/11/003, 002-01/11/003 Rev A, 002-01/11/004 Rev A, TA573/P01, TA573/P02, TA573/P03, TA573/P10, TA573/P11, TA573/P12, TA573/P13 and TA573/P22 submitted 16/3/11, TA573/P04 submitted on 17/3/11, SPA drawings 01 & 02 of swept path analysis submitted 21/4/11 and drawing no.s TA573/P14B, TA573/15B, TA573/16A, TA573/17B, TA573/18A, TA573/19A, TA573/20A and TA573/21A submitted on 26/4/11, except for the detail of the railings which shall be carried out as approved under permission ref BH2011/02878 and details of materials which shall be carried out as approved under permission ref BH2011/02894.

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

3. On or before the 19th May 2021 a) the use of the observation wheel shall cease and b) the observation wheel including the extension to the promenade, railings and all plinths, ancillary plant and structures, kiosks and ticket booths hereby permitted (excluding the lower beach decked area) shall be removed and the land restored to its condition in accordance with a Scheme of Work to be submitted to and approved in writing by the Local Planning Authority. The Scheme of Work shall be submitted a minimum of 3 months before the removal of the structure.

Reason: The development is not considered suitable as a permanent form of development, to safeguard the visual amenity of the area, to ensure the future strategic planning of the seafront is not undermined and to allow the impact of the proposal to be monitored, and to comply with policies SR18, QD1, QD2, QD4, HE6, HE3 and QD27 of the Brighton & Hove Local Plan and SS1, SA1, CP5, CP12 and CP15 Brighton & Hove City Plan Part One (submission document).

4. The wheel hereby permitted shall only be in use between 10am and 11pm each day unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent undue disturbance to the occupiers of nearby properties and users of the seafront, to comply with policies QD27, SR18, SU9 and SU10 of the Brighton & Hove Local Plan.

5. Noise associated with plant, machinery and people incorporated and associated 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 prevent undue disturbance to the occupiers of nearby properties and users of the seafront, to comply with policies QD27, SR18, SU9 and SU10 of the Brighton & Hove Local Plan.

6. Not used.

7. The original seafront railings shall be safely stored for future reinstatement in accordance with the details approved under permission ref:BH2011/02878.

Reason: In the interests of preserving the visual amenity and character and appearance of the East Cliff Conservation Area, to comply with policies QD1, QD2 and HE6 of the Brighton and Hove Local Plan.

8. The railings shall be retained in accordance with the details approved under permission ref:BH2011/02878.

Reason: In the interests of the visual amenities of the locality to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.

9. The means of access and egress for disabled and wheelchair users accessing the whole development shall be retained in accordance with the details approved under permission ref:BH2011/02907.

Reason: To ensure the development is accessible to all, to comply with policy SR18 of the Brighton & Hove Local Plan.

10. The external surfaces, materials and finishes of the development shall be retained as per the details approved under permission ref:BH2011/02894.

Reason: In the interests of visual amenity, to comply with policies QD1, QD2, QD4, HE3 and HE6 of the Brighton & Hove Local Plan.

11. The external lighting of the development shall be retained and operated as approved under permission ref:BH2011/02915 unless the Local Planning Authority gives its written consent to a variation.

Reason: In the interest of protecting the amenity of occupants of nearby properties and in the interest of visual amenity, to comply with policies QD1, QD25, HE3, HE6, SR18 and QD27 of the Brighton & Hove Local Plan.

12. The operation of the development shall be carried out in accordance with the Operational and Queuing Management Plan approved under permission ref:BH2011/02906 The Queuing Plan shall be submitted for periodic review at the request of the Local Planning Authority and shall include data and information of daily visitor numbers.

Reason: In the interests of highway safety and protecting the amenity of occupiers of nearby properties and users of the promenade and beach and to monitor the impact of the development, to comply with policies TR1, TR7, TR8, TR13, TR15, SR18 and QD27 of the Brighton and Hove Local Plan.

13. The measures contained in the Litter, Waste and Recycling Management Plan approved under permission ref:BH2011/02906 shall be carried out and adhered to.

Reason: To ensure satisfactory waste provision to serve the development and to promote sustainability, to comply with policies SU2, SU14, SR18 and QD27 of the Brighton & Hove Local Plan.

14. The measures in the Travel Plan approved under permission ref: BH2011/02892 shall be carried out. The agreed measures shall be monitored and evaluated and a review shall be submitted on an annual basis or other such time period as agreed in writing with the Local Planning Authority. The monitoring and evaluation will be as set out in the approved Travel Plan.

Reason: To ensure the demand for travel is adequately managed and to reduce reliance on private motor vehicles through the promotion of sustainable modes, to comply with policies TR1, TR2, TR4, TR7 and TR14 of the Brighton & Hove Local Plan.

15. The 20 bicycle parking spaces approved under permission ref: BH2011/02912 shall be retained.

Reason: To ensure the demand for cycle parking is met and to promote sustainable modes, to comply with policies TR1 and TR14 of the Brighton and Hove Local Plan.

16. The crime prevention measures approved under permission ref: BH2011/02923 shall be retained in the development.

Reason: In the interested of crime prevention, to comply with policy QD7 of the Brighton & Hove Local Plan.

17. The Vehicular Servicing and Maintenance Management Plan approved under permission ref: BH2011/02923 shall be adhered to at all times.

Reason: To ensure the safety of pedestrians and cyclists, to comply with policy TR7 of the Brighton and Hove Local Plan.

11.3 Informatives:

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

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

(i) having regard to the policies and proposals in the National Planning Policy Framework and the 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 would contribute towards the regeneration of this area of the seafront and contribute towards the tourist attraction of the city and boost the economy. The proposal is restricted to a temporary period only. The proposal would not cause significant harm to the visual amenities of the locality. The proposal would be sustainable. The proposal would not adversely affect the amenity of occupiers of nearby properties. The

proposal would not be detrimental to highway safety. The proposal would not adversely affect biodiversity. The proposal would meet the demand created for waste and recycling provision. The proposal would not undermine the importance of the seafront and beach as an open space. The proposal would meet the demand for travel it creates and promote sustainable modes of transport. The proposal would be accessible.

BH2015/00513 Brighton Wheel: Appendix A

Letters of Objection

Property Name	Street	Town
19	Broad Street	Brighton
50	Bromwells Road	London
5	Charles Street	Brighton
18	Hanover Crescent	Brighton
4	Holly Close, Varndean Drive	Brighton
	Kings Road	Brighton
Mercure Hotel	Kings Road	Brighton
282	Madeira Drive	Brighton
19	Madeira Place	Brighton
Flat 4, 19	Madeira Place	Brighton
Basement Flat, 17a	Marine Parade	Brighton
19-23	Marine Parade	Brighton
5, Van Alen Building	Marine Parade	Brighton
13, Van Alen Building	Marine Parade	Brighton
18, Van Alen Building	Marine Parade	Brighton
37, Van Alen Building	Marine Parade	Brighton
20	Park Avenue, Woodford Green	Essex
42	Regency Square	Brighton
2	Richmond Road	Brighton
1A	Steine Street	Brighton
Clayton Castle	Underhill Lane	Hassocks
Unknown (email address only) x3		

Letters of Support

Property Name / Number	Street	Town
88	Applesham Avenue	Hove
13	Argyle Road	Brighton
59	Brentwood Road	Brighton
1	Broad Street	Brighton
Flat 2, 46	Cathcart Road	London
8	Charles Street	Brighton
10	Charles Street	Brighton
13	Charles Street	Brighton
19	Charles Street	Brighton
13, Clarendon House	Clarendon Road	Hove

64	Collington Lane West	Bexhill-on-Sea
1	Constable Way	Bexhill-on-Sea
Flat 8, Copnor Green	Milton Road	Portsmouth
40	Cowfold Road	Brighton
4	Crayford Road	Brighton
21	Derek Avenue	Hove
95	Ditchling Road	Brighton
20	Downview Road	Barnham
55	Drove Road	Portslade
88	East Ham Road	Brighton
16	Elm Park Gardens	Surrey
24	Farlaine Road	Eastbourne
8	Farm Hill	Brighton
8-10	Florence Road	Brighton
45	Goodwood Way	Brighton
55	Holme Crescent	Bedfordshire
Collington	Hook Heath Road	Woking
	Ingfield Manor Drive	Billingshurst
46	Jersey Street	Brighton
33	Kipling Avenue	Brighton
5	Lewis Road	Lancing
8	Little Oak, Partridge Green	Horsham
69	Lodge Lane	Hassocks
4-5	Madeira Drive	Brighton
15-16	Madeira Drive	Brighton
15	Madeira Place	Brighton
13 (x2)	Manchester Street	Brighton
53	Manor Farm Avenue	Surrey
Drakes Hotel	Marine Parade	Brighton
26, Van Alen Building	Marine Parade	Brighton
Hove Park School (x2)	Nevill Road	Hove
140	Nevill Road	Hove
Brighthelm Pre-School	North Road	Brighton
5	Nutley Close	Hove
21	Oathall Avenue	Haywards Heath
24	Orchard Gardens	Hove
Royal Spa Nursery School	Park Hill	Brighton
22	Portfield Avenue	Brighton
	Portland Road x2	Hove
175	Preston Drove	Brighton
16	Princes Crescent	Hove
20	Queens Road	Brighton
Unit S	Riverside Industrial Estate	Littlehampton
28	Roselands Avenue	Eastbourne
32	Rowan Way	Horsham

25	Ruskin Road	Hove
104	Sackville Road	Hove
16	Shakespeare Street	Hove
20	Shenfield Way	Brighton
18	Ship Street	Brighton
Bishops House	South Road	Brighton
Forest View Residential Home	Southway	Burgess Hill
44	St Leonards Close	Newhaven
Fairlight Primary School	St Leonards Road	Brighton
3	St Michaels Place	Brighton
8	Steine Street	Brighton
6	Tarmount Lane	Shoreham-by-Sea
8	Tudor Close, Broadway Park	Lancing
Unknown (email address only)		
43	Upper Brighton Road	Lancing
40	Upper Rock Gardens	Brighton
29	Viaduct Lofts	Brighton
American Express Community Stadium	Village Way	Brighton
41	Walnut Treet Road	Surrey
137	Wantley Hill Estate	Henfield
Wartling Place Country House		Hailsham
Yew Cottage	West End	Hertmonceux
53	Westbourne Gardens	Hove
St John the Baptist RC School	Whitehawk Hill	Brighton
22	Windmill Close	Hove
	York Road	Burgess Hill

COUNCILLOR REPRESENTATION

Dear Maria,

Re: BH2015/00513 Brighton Wheel

As ward councillor for Queens Park, I am writing to oppose this application, which seeks permission for the Wheel to remain for a further 5 years from its currently required removal date of May 2016.

Condition 3 attached to the granting of the 2011 application, which limits the structure to a 5 year period, clearly states that *'The development is not considered suitable as a permanent form of development, to safeguard the visual amenity of the area, to ensure the future strategic planning of the seafront is not undermined.....'*

In 2011, despite proposals for the Wheel to be situated in the East Cliff Conservation Area, we as ward councillors listened to concerned residents and stakeholders with regards to the proposal, and eventually, it was agreed at the time of the 2011 application, that the Wheel would go when the i360 was secured; i.e, that in line with the council's plan, the construction of the i360 would rule out a simultaneous observation structure (such as the Wheel) on the seafront.

I was then, and am still now, supportive of that agreement back in 2011, which was made with the goodwill of many local residents and businesses in my ward. It is for this reason, that I object to the above planning application.

I ask that this application is brought to a full Planning Committee for their consideration, and hopefully for their refusal.

Regards,

Cllr Stephanie Powell
Green Party Councillor for Queens Park Ward
Brighton & Hove City Council

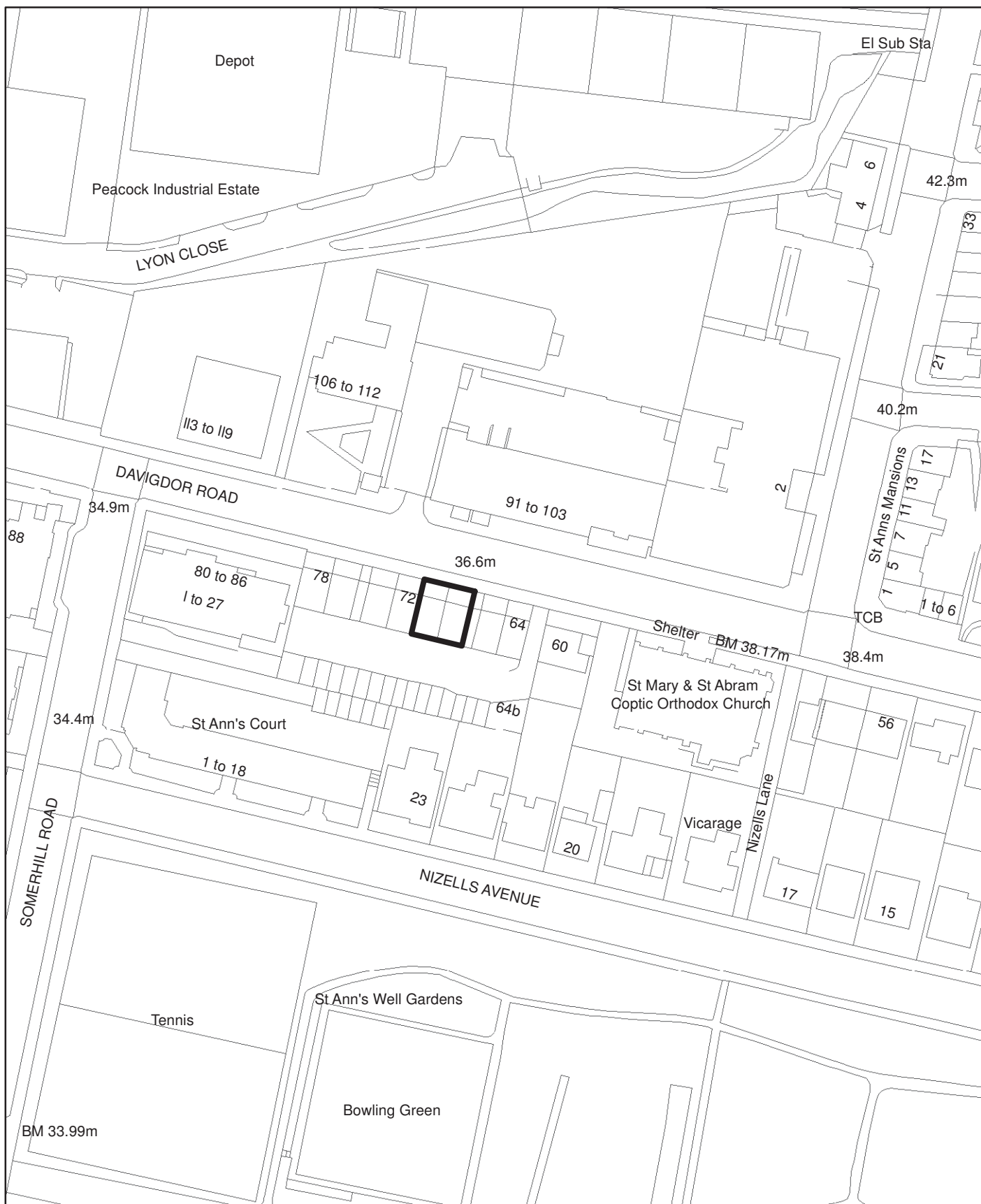
ITEM B

68 Davigdor Road, Hove

BH2015/00439
Full planning

3 JUNE 2015

BH2015/00439 68 Davigdor Road, Hove



<u>No:</u>	BH2015/00439	<u>Ward:</u>	GOLDSMID
<u>App Type:</u>	Full Planning		
<u>Address:</u>	68 Davigdor Road Hove		
<u>Proposal:</u>	Conversion of first floor flat and loft to create 3no flats including rear dormers and balcony, side dormer and front rooflights, removal of chimney stacks and additional rear window and doors at first floor level.		
<u>Officer:</u>	Helen Hobbs Tel 293335	<u>Valid Date:</u>	10 February 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	07 April 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Chalk Architecture Ltd, 21-22 Old Steine Brighton BN1 1EL		
<u>Applicant:</u>	Copsemill Properties Ltd, Mr Jon Wright 12A Orange Row Brighton BN1 1UQ		

This application was deferred from Planning Committee on the 13 May 2015, to allow Members to carry out a Site Visit.

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises a two-storey building on the southern side of Davigdor Road. The building features four gabled bay windows, a large hipped roof with front dormers, and chimney stacks to the side and rear roofslopes. The building, encompassing 68-70 (even), has been designed to appear as a terrace row but comprises two ground floor flats and two first floor flats. The application relates to the first floor flat within the eastern section of the building.
- 2.2 The rear of the site is appreciably lower than Davigdor Road street level and comprises a continuous hardstanding with a lower ground floor level accommodating commercial units / garages which are not seemingly connected to the residential units above. The rear boundary of the site is marked by a row of single-storey garages.

3 RELEVANT HISTORY

BH2014/02692 Conversion of first floor flat and loft to create 3no flats including rear dormers and balcony, front and side rooflights, removal of chimney stacks

and additional rear window and doors at first floor level. Refused 14/10/2014 for the following reasons;

1. *The existing first floor unit is unsuitable for conversion into smaller units of accommodation by virtue of an original floor area of less than 115 sq metres and having only three bedrooms as originally built. The resulting development would create accommodation below the standard that the Council would reasonably expect and, by reason of habitable rooms of an inadequate size and a failure to incorporate Lifetime Home standards in the design, unsuitable for family occupation. This harm is considered to outweigh the benefit provided by the additional residential units. The proposal is therefore contrary to policies QD27, HO9 and HO13 of the Brighton & Hove Local Plan.*
2. *The proposed front rooflights, by reason of their number and siting in relation to features at lower levels of the building, would detract from the appearance of the existing building and the wider street scene. This harm is considered to outweigh the benefit provided by the additional residential units. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.*

BH2012/02244 Conversion of first floor flat and loft to create 3no flats incorporating rear dormers and balcony, front rooflights and removal of chimney stacks. Refused 18/01/2013, for the following reasons

1. *The existing first floor unit is unsuitable for conversion into smaller units of accommodation by virtue of an original floor area of less than 115 sq metres and having only three bedrooms as originally built. The resulting development would create accommodation below the standard that the Council would reasonably expect and, by reason of habitable rooms of an inadequate size and a failure to incorporate Lifetime Home standards in the design, and unsuitable for family occupation. The proposal is therefore contrary to policies QD27, HO9 and HO13 of the Brighton & Hove Local Plan.*
2. *The proposed front rooflights, by reason of their number and siting in relation to features at lower levels of the building, would detract from the appearance of the existing building and the wider street scene. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.*
3. *The proposed rear dormers would appear poorly sited in relation to features at lower levels of the building, with the extensive balustrading introducing an overtly horizontal emphasis at roof level. The resulting structure would detract from the appearance of the building and the wider surrounding area. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 1, Roof Alterations and Extensions.*

4. *The removal of the chimney stack to the side roofslope would be harmful to the appearance of the existing building and the character of the roofscape in this section of Davigdor Road. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 9, Architectural Features.*

66 Davigdor Road

BH2010/02349: Conversion of first floor flat and loft to create 3no residential units incorporating rear dormers and rooflights to sides and rear. Approved 27/09/2010.

76 Davigdor Road

BH2010/00031: Conversion of first floor flat into 2 self-contained flats. Conversion of roofspace to form 1 self-contained flat with addition of 2 no. rear dormers and 4 no. rooflights. Approved 18/03/2010.

4 THE APPLICATION

- 4.1 Planning permission is sought for the conversion of the first floor flat and loft to create 3 self-contained flats. External alterations include the installation of rear dormers and balcony, front roof lights, dormer to the side roof slope, removal of chimney stacks and additional rear window and doors at first floor level.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Five (5)** letters of representation have been received from **Studio 2 Davigdor Mews Davigdor Road, Flat 3 66 Davigdor Road, Unit 7 rear of 64-78 Davigdor Road and 70 Davigdor Road (x 4)** objecting to the application for the following reasons:

- Noise
- Nuisance
- Disturbance
- Increased traffic/lack of parking
- Pollution
- Loss of privacy
- Layout of the flats
- Poor structure of the building

- 5.2 **Councillor Buckley** objects to the application (email attached).

Internal:

- 5.3 **Sustainable Transport:** Comment A condition should be attached to any approval requiring further details of cycle parking facilities.

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
SU13	Minimisation and re-use of construction industry waste
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
HO7	Car free housing
HO9	Residential conversions and the retention of smaller dwellings
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance:

SPG4	Parking Standards
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Supplementary Planning Documents:

SPD03 Construction and Demolition Waste

SPD08 Sustainable Building Design

SPD12 Design Guide for Extensions and Alterations

8 CONSIDERATIONS & ASSESSMENT

- 8.1 Matters relating to disturbance during building works and the structural safety of the units are not material planning considerations. The main considerations material to this application are the principle of conversion, the standard of accommodation to be provided, the impact on neighbouring residential amenity, traffic issues and sustainability issues. Accurate plans have now been submitted therefore a full assessment of the scheme can now be made.

Principle of Development

- 8.2 The application seeks the sub-division of a unit of residential accommodation therefore policy HO9 applies. This policy states that planning permission for the conversion of dwellings into smaller units of self-contained accommodation will be permitted in instances where (amongst others) the original floor area is greater than 115sqm or the dwelling has more than 3 bedrooms as originally built, and at least one unit of accommodation is provided which is suitable for family accommodation and has a minimum of two bedrooms.
- 8.3 The building as existing takes the appearance of a semi-detached property yet contains two flats, one on each floor, each with its own separate access from the front. Planning records show no evidence of conversion works having taken place whilst the layout is such that it is considered that the building is still in its original format. The previously refused applications at 68 Davigdor Road failed to satisfactorily demonstrate that the dwelling was built with 3 or more bedrooms, as stated in section 3 above. Within this current application, the applicant has provided evidence in the form of estate agents marketing information, photographs and details of the layout of the current unit and of the adjoining properties to demonstrate that the flat has four bedrooms as originally built. The floor plans have also been properly labelled indicating the use of the rooms, which was not the case in the previous refused application. The Local Planning Authority is therefore satisfied that the first floor flat consists of four bedrooms within an internal floorspace of 112.5sqm, therefore satisfying part a) of policy HO9. In addition, it is noted that applications at No.76 Davigdor Road (BH2010/00031) and No. 66 Davigdor Road (BH2010/02349) were granted planning permission for conversion of the first floor units on the basis that the flats had a floor area of 112sqm and four bedrooms.
- 8.4 On this basis, although the minimum 115sqm floor area is again not met, given the additional information provided with the application, the applicant has demonstrated that the unit does benefit from more than 3 bedrooms as originally built and therefore policy HO9 is not considered to have been conflicted with. Furthermore, one of the proposed flats would contain two bedrooms, thereby complying with sub-section b) of the policy.

Design and Appearance

- 8.5 The proposal also includes the installation of two rooflights to the front elevation, a dormer to the side and a rooflight and two dormer windows, with connecting balcony balustrade, to the rear elevation.
- 8.6 The number of rooflights has been reduced to 2 on the front elevation. Given the width of the roofslope and the proposed size and positioning of the rooflights, the alterations are considered acceptable features would not cause significant harm. Rooflights are evident on the neighbouring properties and therefore the proposal would not disrupt the character of the streetscene.
- 8.7 Supplementary Planning Document 12 provides guidance on extensions and alterations. The creation of two dormer windows connected with a balcony on the rear roof slope would not meet the guidance contained in the SPD. However, the proposed external alterations at the rear are similar to those granted in 2010 at 66 Davigdor Road. Whilst the adoption of the SPD post-dates the approval of the works at 66 Davigdor Road, the section relating to roof alterations was the same as within the relevant guidance at the time of that application.
- 8.8 Guidance contained in SPD12 requires dormer windows to align with fenestration below. The proposed dormer window on the side roof slope, whilst it would not align with the fenestration below in terms of size, given the scale and proportions of the dormer window on the front elevation, together with the fact that much of the dormer is screened by the existing chimney at the front, which is to be retained, the proposal is considered acceptable.
- 8.9 There is no objection to the infilling of an open stair well and creation of a new window opening at first floor level as this would match the existing appearance of the building. Similarly there is no objection to the removal of the chimney stacks to the rear roofslope which are of only limited importance.
- 8.10 For these reasons, it is considered that the external alterations would comply with policy QD14 and Supplementary Planning Document 12 Design Guide on Extensions and Alterations.

Standard of Accommodation

- 8.11 The conversion works would result in the creation of three additional flats. The four bedroom flat at first floor level would be converted to a one bedroom flat and a two bedroom flat. The size and layout of both flats is considered appropriate whilst all rooms would have a suitable outlook. The two bedroom flat would have, a separate kitchen and living space thereby providing for a more suitable layout for potential family occupiers. Although the only outdoor space provided would be a small balcony, it is not considered reasonable to refuse consent on the basis that policy HO5 has not been met.
- 8.12 Within the loft space a two bedroom flat is proposed. As the building has a hipped roof each of the proposed rooms would have sloping roofs on at least two sides, thereby compromising the useable floorspace. Although the open plan kitchen and living space could potentially be cramped owing to the pitched roof, it is not considered that it is so poor as to warrant refusal of the application. Both the living room and larger bedroom would have access to a small rear balcony by

virtue of the addition of two dormers to the rear, whilst a further dormer in the side and front rooflights would provide additional natural light. On balance it is considered that all three flats provide a suitable standard of accommodation for future occupiers, thereby complying with policy QD27 of the Brighton and Hove local plan.

- 8.13 Policy HO13 requires new residential units by way conversions to demonstrate that where possible lifetime homes criteria have been incorporated into the design. The access into all three residential units would be via internal steps and in this respect the application could not meet all lifetime homes standards. However, the internal layout of each unit should be capable of complying with many of the standards without major structural alterations. The applicant has failed to demonstrate in the design that the internal layout of the units can, where practical, meet any lifetime homes standards, however given that the works are purely internal and involve a conversion rather than a new build it is considered that lifetimes home standards can be incorporated in the scheme by way of a suitable condition.

Impact on Residential Amenity

- 8.14 It is noted that representations have been received outlining concerns relating to noise and disturbance from the neighbouring properties. The adequate soundproofing between units would though be secured under the Building Regulations. The structural stability of the building is not considered material to the planning merits of the proposed development and the potential for damage to adjoining properties is a private matter.
- 8.15 The proposed rooflights and dormer windows, due to the separation distances and nature of adjoining development, would not result in intrusive downward overlooking of adjoining properties.

Sustainability

- 8.16 Policy SU2 of the Brighton and Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design require new development to demonstrate a high level of efficiency in the use of water, energy and materials. The submitted sustainability checklist rates the development at 22% (minimum not met) with minimal justifications detailing specific measures that will be implemented to demonstrate how the development would be efficient in the use of energy, water and materials. For this scale of development, the SPD requires development to meet EcoHomes for refurbishment, this requirement is conditioned.

Transport issues

- 8.17 There are 4 cycle parking spaces being proposed at the side of the building on ground floor. This would appear to be an acceptable location. The Highway Authority does request that the applicant submits further details of how each cycle parking space would be secured individually (for each dwelling) and sheltered. This provision is conditioned.

9 CONCLUSION

- 9.1 The proposed development would cause no loss of light or privacy to adjacent occupiers, would not harm the appearance of the building, would not result in the loss of a small unit of self-contained accommodation, and would retain a residential unit suitable for family occupation. The proposal is considered to be in accordance with development plan policies.

10 EQUALITIES

- 10.1 The proposal demonstrates that lifetime homes criteria have been considered and incorporated into the design.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Block & site plan existing and proposed	A.01	B	10 th February 2015
South elevation as existing	A.03	B	10 th February 2015
East elevation as existing	A.04	B	10 th February 2015
North elevation as existing	A.05	B	10 th February 2015
First floor as existing	A.06	B	10 th February 2015
Second floor as existing	A.07	B	10 th February 2015
Roof plan as existing	A.08	B	10 th February 2015
Section BB as existing	A.09	B	10 th February 2015
Section AA as existing	A.10	B	10 th February 2015
Photographs	A.11	B	10 th February 2015
South elevation as proposed	D.01	C	10 th February 2015
East elevation as proposed	D.02	C	10 th February 2015
North elevation as proposed	D.03	C	10 th February 2015

PLANNING COMMITTEE LIST- 3 JUNE 2015

			2015
First floor as proposed	D.04	B	10 th February 2015
Second floor as proposed	D.05	C	10 th February 2015
Roof plan as proposed	D.06	C	10 th February 2015
Section BB as proposed	D.07	B	10 th February 2015
Section AA as proposed	D.08	C	10 th February 2015

- 3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
Reason: To ensure a satisfactory appearance to the development and to comply with policy QD14 of the Brighton & Hove Local Plan.

- 4) Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development 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) 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 policy CP8 of the Submission City Plan Part One.

- 6) Prior to first occupation of the development hereby permitted a scheme for the storage of refuse and recycling shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained 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) The new dwelling(s) hereby permitted shall be constructed to Lifetime Homes standards as far as is 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.

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.

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 development would cause no loss of light or privacy to adjacent occupiers, would not harm the appearance of the building, would not result in the loss of a small unit of self-contained accommodation, and would retain a residential unit suitable for family occupation. The proposal is considered to be in accordance with development plan policies.
2. The applicant is advised that details of the BREEAM Domestic Refurbishment assessment and a list of approved assessors can be obtained from the BRE website (www.breeam.org/page.jsp?id=228). Details can also be found in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).

COUNCILLOR REPRESENTATION

From: Ruth Buckley
Sent: 23 February 2015 12:21
To: Helen Hobbs
Subject: FW: BH2014/02692

Helen,

With regard to application **BH2015/00439**

I have copied in my original complaint below and would yet again like to object to this proposal. Exactly how many times does an application have to be turned down before the applicant is told not to apply again?

I would like to object to this application –again - due to the severe impact the works would have on the resident of number 70, directly below. The resident is of a mature age and should not have to be faced with this on-going application to build above her house. The noise from the proposed works would be extremely distressful to her. Also, having three flats from such a small space is ridiculous. I also believe the loss of light would impact on neighbours of Nizells Avenue.

Regards,
Ruth

Cllr Ruth Buckley
Green Councillor for Goldsmid Ward

Helen,

With regard to application: BH2014/02692 I would like to formally object on the grounds of noise and disturbance.

The application seems to be a duplicate of one put forward last year, to which I also objected.

Please see below the objection I sent through last year of which I still hold the same concerns:

I believe the resident of the flat directly below number 68, no 70 will be extremely impacted by the noise from the proposed three flats, both from the alterations then from use. I would also like to object to the layout of the plans as I believe the density of one flat converted into three in that locale will be too great.

Regards,
Ruth

Cllr Ruth Buckley
Green Councillor for Goldsmid Ward
Deputy Leader (External) of B&H Council

ITEM C

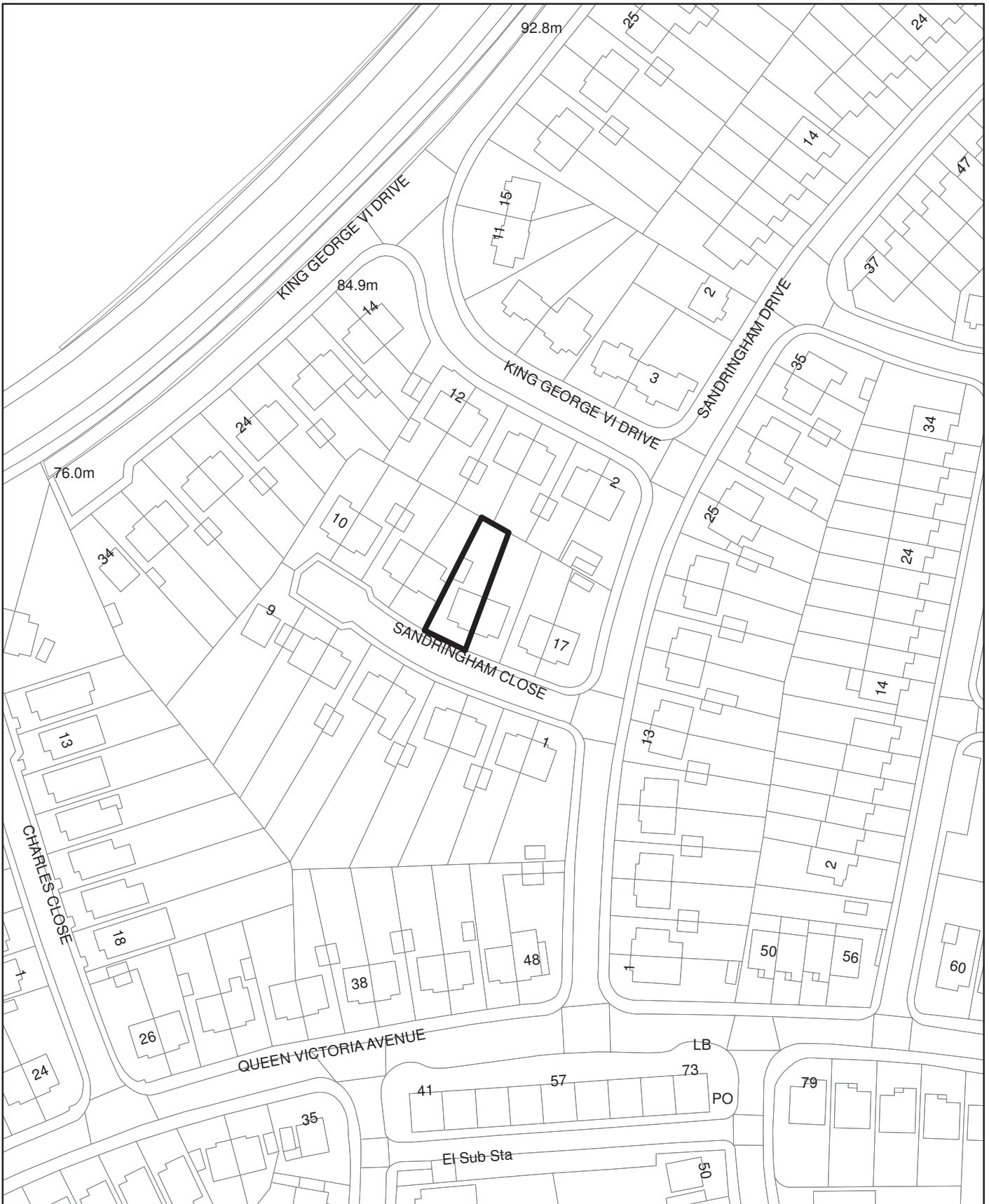
14 Sandringham Close, Hove

BH2015/01083

Householder planning consent

3 JUNE 2015

BH2015/01083 14 Sandringham Close, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/01083	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	14 Sandringham Close Hove		
<u>Proposal:</u>	Erection of single storey side and rear extension, demolition of rear garage and associated alterations.		
<u>Officer:</u>	Luke Austin Tel 294495	<u>Valid Date:</u>	28 March 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	22 May 2015
<u>Listed Building Grade:</u> N/A			
<u>Agent:</u>	Alan Phillips Architects, 31 Montefiore Road Hove BN3 1RD		
<u>Applicant:</u>	Mr John Cramer, 14 Sandringham Close Hove BN3 6XE		

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 semi-detached house on the north side of Sandringham Close. The property is situated on a hill, with the ground rising steeply to the rear of the property. The property includes a detached single storey garage and a timber decked terrace to the rear of the property.

3 RELEVANT HISTORY

BH2015/00034 - 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 3.5m, and for which the height of the eaves would be 2.5m. Prior approval not required 09/02/2015.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a single storey side extension, demolition of rear garage and associated alterations. The extension would extend 4m from the rear wall of the host property and would measure 3.5m in height and approximately 8.2m in width at its widest point.

5 PUBLICITY & CONSULTATIONS

External:

5.1 **Neighbours: Eight (8)** letters of representation have been received from **5, 6, 8, 9, 13, 15 Sandringham Close; 11 Sandringham Drive; and 8 King George VI Drive** supporting the application for the following reasons:

- The proposed plans will enable the family to create some great modern day living space without any impact on neighbours.

Internal:

5.2 None received.

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

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

6.3 The National Planning Policy Framework (NPPF) 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 extensions and its impact on the character and appearance of the recipient building and the visual amenities of the area; the impact of the development on the residential amenity of neighbouring occupiers is also a consideration.

Design:

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 As existing the property consists of a semi-detached dwellinghouse with a detached garage to the rear. The property has undergone numerous alterations including hip-barn end and rear dormer loft extensions and rooflight to the front elevation. The scheme proposes the demolition the existing garage and terrace and would excavate a portion of the garden in order to accommodate the proposed extension. The proposal would consist of an L shaped design that would extend from the rear wall of the host building by 4m and would extend from the side wall of the property by 2m. The proposal would be set on the eastern boundary and would measure approximately 8.2m in width at its widest part. The scheme would include a pitched roof design that would include a 3.5m ridge extending to the side of the property with a gentle slope down to a 2.5m eaves height to the rear elevation and a 2.6m eaves height to the front elevation. The western wall of the scheme would be set at an angle that reflects that of the boundary wall and would retain a 0.9m gap to allow access to the rear garden. The proposal would be finished in brickwork and would include 3 rooflights to the rear roof slope and bi-folding doors to the rear elevation. The

proposal would also include one window and an access door to the west elevation.

- 8.5 Supplementary Planning Document 12 (SPD12) – *Design Guide for Extensions and Alterations* states that as a general rule extensions ‘*should not dominate or detract from the original building or the character of the area but should instead play a subordinate ‘supporting role’ that respects the design, scale and proportions of the host building*’.
- 8.6 More specifically SPD12 states that ‘*rear extensions should not normally extend beyond the main side walls of the building*’.
- 8.7 It is considered that the proposed extension would result in an unsympathetic addition that would add considerable bulk to the rear and side elevation of the building. Furthermore it is considered that the proposed roof form would result in an awkward disjointed appearance that would not relate well to the host property.
- 8.8 It has been noted that a similar scheme exists at no. 13 Sandringham Close that was granted permission in 2012 (BH2012/01276), however this scheme is an addition to existing extension and does not extend the full width of the rear elevation of the building. Given their differences it is not considered to set a precedent for the consideration of this application.

Impact on Amenity:

- 8.9 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.
- 8.10 Policy QD14 of the Brighton & Hove Local Plan states that ‘*an important guideline when assessing proposals to extend properties is checking whether the extension cuts a 45° line (both horizontal and vertical) drawn from the centre of the nearest ground floor window of a kitchen or habitable room on a neighbouring residential property*’.
- 8.11 SPD12 states in relation to rear extensions that ‘*in the case of semi-detached properties, where such extensions are located adjacent to the shared boundary, a lesser depth will normally be required for the extension as a whole to minimise any harmful impacts on the amenities of the attached neighbour*’.
- 8.12 The properties most likely to be affected by the proposal would be the adjacent property to the west, no. 13 Sandringham Close and the adjoining property to the east, no. 15 Sandringham Close.
- 8.13 No. 13 Sandringham Close includes a side extension of similar proportions to the proposed that has been built on the boundary with no fenestration. It is therefore considered that the development would not result in any significant impact on the occupiers of no. 13 Sandringham Close.

No. 15 currently includes a window located approximately 0.8m from the boundary. The boundary treatment between no. 14 and 15 Sandringham Close currently consists of a 2.1m tall timber fence. The proposal would be erected on this boundary and would have an eaves height of 2.5m and a total height of 3.5m. A large proportion of the proposal would therefore be substantially taller than the existing boundary treatment. A considerable portion of the proposal would cut a 45° line drawn horizontally from the centre point of the ground floor rear window of no. 15. It is therefore considered that the proposed single storey extension would result in an unacceptable overbearing impact on no. 15 Sandringham Close by reason of building bulk, excessive height and depth.

Additional Matters

The applicant has drawn the Local Planning Authorities attention to an overturned appeal decision at 46 Elizabeth Avenue. Although the schemes are similar in terms of their size and layout, they are not identical in design and the orientation of the properties and surrounding street scene differs. The inspectors report provides the following relevant comments that relate to design:-

- 'The proposed rear addition would be more contemporary in appearance by reason of its proposed flat roof'.

These comments outline that there are key differences within the two schemes and, although the inspector's comments and appeal decision have been taken into consideration, applications are evaluated on a case by case basis and therefore assessed on their individual merit.

Furthermore the reason for refusal at no.46 did not identify any concerns affecting neighbouring amenity, reinforcing the point that the schemes are not identical and therefore have different impacts.

9 CONCLUSION

9.1 The proposed extension by way of its rear and side projection and roof form, would result in an over dominant and unsympathetic addition which would relate unsympathetically to the building and the visual amenity of the area. The depth of the rear extension would cause an overbearing effect to the neighbouring property, contrary to development plan policies.

10 EQUALITIES

10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The width, length and roof form of the projection would create an unduly prominent extension. In this respect the scale and form of the proposed extension would be an excessively dominant feature resulting in an

PLANNING COMMITTEE LIST- 3 JUNE 2015

awkward disjointed appearance that would detract from the character and appearance of the dwelling. The proposal is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations

2. The proposed extension would, by reason of its depth and height along the shared boundary, be unneighbourly and would result in an overbearing effect to the adjoining property, no. 15 Sandringham Close. The proposal is therefore contrary to policy QD27 of the Brighton and Hove Local Plan and guidance within 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
Location Plan, Block Plan Existing and Elevations	-	-	26/03/2015
Proposed Plans and Elevations	-	-	26/03/2015

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Information on Pre-application Presentations and Requests

Date	Address	Ward	Proposal
2 nd June 2015	Brighton College, Eastern Road, Brighton	Queens Park	Demolition of existing Sports and Science building fronting Sutherland Road and erection of new three storey Sports and Science building comprising swimming pool, Sports Hall, teaching rooms and rooftop running track and gardens.
10 th March 2015	106 Lewes Road, Brighton	St Peter's and North Laine	Eight storey block of student accommodation.
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 2014	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 2014	City College, Wilson Avenue, Brighton	East Brighton	Additional accommodation
29 th October 2013	Hippodrome, Middle Street, Brighton	Regency	Refurbishment and Extension
17 th Sept 2013	One Digital, Hollingdean Road, Brighton	Hollingdean and Stanmer	Student accommodation 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.

27 th Aug 2013	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

PLANS LIST 3 JUNE 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

BH2015/00403

55 Greenfield Crescent Brighton

Erection of single storey rear extension and raised timber deck with balustrade and steps to garden level.

Applicant: Ms Janaki Jayasuriya

Officer: Luke Austin 294495

Approved on 11/05/15 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 decking shall not be brought into use until details of privacy screening to a height of 1.6 metres to both side boundaries (of the decking) have been submitted to and approved in writing by the Local Planning Authority. The privacy screening shall be erected in accordance with the agreed details prior to the decking being first used. The privacy 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
Site Location Plan and Block Plan	506(PL)2	-	09/02/2015
Existing and Proposed Elevations and Plans	506(PL)7	-	09/02/2015

BH2015/00557

7 Midhurst Rise Brighton

Application for Approval of Details Reserved by Conditions 4, 7 and 9 of application BH2013/03074.

Applicant: Mr Neil Holmes

Officer: Andrew Huntley 292321

Split Decision on 05/05/15 DELEGATED

1) UNI

APPROVE the details pursuant to condition 7 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 4 and 9 are NOT APPROVED

2) UNI2

Insufficient information has been submitted to allow Condition 4 to be discharged as further information is needed on species, size at planting, planting spec, mulching etc in order 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) UNI3

A Design Stage Certificate demonstrating that the development achieves a satisfactory Code for Sustainable Homes rating should be submitted.

BH2015/00571

23 Fernhurst Crescent Brighton

Erection of single storey rear extension to replace outbuilding.

Applicant: Mr Jacob Brady

Officer: Astrid Fisher 292337

Approved on 23/04/15 DELEGATED

1) BH03.03

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
OS Plan, Site Plan, Existing Plans and Elevations	1503-01		20th February 2015
Proposed Plans and Elevations	1503-02		20th February 2015

BH2015/00572

23 Fernhurst Crescent Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, front rooflights and rear dormer with Juliet balcony.

Applicant: Mr Jacob Brady

Officer: Astrid Fisher 292337
Approved on 23/04/15 DELEGATED

BH2015/00586

8 Winfield Avenue Brighton

Certificate of lawfulness for proposed demolition of existing garage and erection of a single storey side extension, loft conversion incorporating side dormers, windows to front and rear and associated alterations.

Applicant: Mr Peter Truong
Officer: Robert Hermitage 290480
Approved on 29/04/15 DELEGATED

BH2015/00597

6 Mile End Cottages Ladies Mile Road Brighton

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

Applicant: Kerry Marshall
Officer: Astrid Fisher 292337
Approved on 08/05/15 DELEGATED

BH2015/00754

12 Barrhill 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 6m, for which the maximum height would be 4m, and for which the height of the eaves would be 2.3m.

Applicant: Mrs Carol Strange
Officer: Astrid Fisher 292337
Prior Approval is required and is refused on 01/05/15 DELEGATED

1) UNI

It would not be possible to erect a structure that accords with the submitted details due to inconsistencies with the proposed measurements. The development could not therefore comply with Schedule 2, Part 1, Class A, A.4 (11) of the Town and Country Planning (General Permitted Development) Order 2015.

2) UNI2

The depth of enlarged extension, as shown on the submitted drawings, would not be permitted by Schedule 2, Part 1, Class A (g) of the Town and Country Planning (General Permitted Development) Order 2015.

BH2015/00766

38 Brangwyn Avenue Brighton

Erection of new front boundary wall (retrospective).

Applicant: Mr Jon Ailion
Officer: Allison Palmer 290493
Approved on 06/05/15 DELEGATED

BH2015/00855

43 Graham Avenue Brighton

Erection of single storey rear extension to replace existing conservatory and out-house, with decked area with steps to rear garden.

Applicant: Mr & Mrs Luke & Nina Taylor
Officer: Mark Thomas 292336

Approved on 07/05/15 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	0269-15-04	-	12th March 2015
Block plan	0269-15-05	-	12th March 2015
Existing and proposed floor plans	0269-15-05	-	11th March 2015
Existing and proposed elevations	0269-15-02	-	11th March 2015

BH2015/00911

23 Ditchling Crescent Brighton

Change of use from dwelling house (C3) to residential children's home (C2).

Applicant: Mr Derek Hall

Officer: Adrian Smith 290478

Refused on 11/05/15 DELEGATED

1) UNI

Insufficient information has been submitted with the application to ascertain the nature of the use proposed, how it would operate on a day-to-day basis, how it would likely impact on the amenities of adjacent occupiers and whether its benefits of the proposed use would outweigh the loss of the existing unit of residential accommodation. In the absence of such information, the applicant has failed to demonstrate that the proposed change of use would not be contrary to policies HO8, HO11, HO15 and QD27 of the Brighton & Hove Local Plan.

BH2015/00935

50 Baranscraig Avenue Brighton

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

Applicant: Mr Ben Potter

Officer: Jason Hawkes 292153

Approved on 13/05/15 DELEGATED

PRESTON PARK

BH2014/03179

10 & A Half Preston Park Avenue Brighton

Demolition of existing house and garage and erection of 1no three bedroom house with associated parking and landscaping.

Applicant: Mr P Franks

Officer: Liz Arnold 291709

Approved on 30/04/15 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 development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Construction Specification/Method Statement for [eg crossover, pilings] 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: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 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 be undertaken in accordance with the Waste Minimisation Statement received on the 22nd September 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.

5) UNI

The first floor window 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.

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 policy CP8 of the Submission City Plan Part One.

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 Location & Block Plans	01	-	15th January 2015
Existing Site Survey Plan	02	-	22nd September 2014
Existing Site Plan	03	-	15th January 2015
Existing Plan of 10.5	04	-	22nd September 2014
Existing Elevations of No. 10.5	05	-	22nd September 2014
Existing Elevations of 10.5	06	-	22nd September 2014
Existing Section AA	07	-	22nd September 2014
Proposed Block Plan	10	Rev. C	1st April 2015
Proposed Site Plan	11	Rev. D	1st April 2015
Proposed Ground Floor Plan	12	Rev. C	1st April 2015
Proposed LG and F Floor Plans	13	Rev. B	6th March 2015
Proposed Front Elevation	14	Rev. B	6th March 2015
Proposed Section AA	15	Rev. D	1st April 2015
Proposed South Elevation	16	Rev. D	1st April 2015
Proposed North Elevation	17	Rev. C	1st April 2015
Proposed East Elevation	18	Rev. B	6th March 2015
Proposed Context Elevation	19	Rev. B	6th March 2015

8) 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 - E] of the Town and Country Planning (General Permitted Development) (England) Order 2015, 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.

9) 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.

10) 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.

11) 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.

12) 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.

13) 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.

14) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)

b) samples of all hard surfacing materials

c) samples of the proposed window, door and balcony treatments

d) samples of all other materials to be used externally

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.

15) UNI

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

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policies QD2 and QD27 of the Brighton and Hove Local Plan.

16) UNI

No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works 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

Prior to first occupation of the development hereby permitted, full details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development 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.

18) UNI

Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a. details of all hard surfacing;
- b. details of all boundary treatments, including positions, height, design, materials and type;
- c. details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. 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 first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

BH2014/04203

43 Springfield Road Brighton

Replacement of windows with doors to rear lower ground floor bay window, front rooflight and erection of detached bicycle shed to side. (Amended description)

Applicant: Mr Peter Aston

Officer: Chris Swain 292178

Approved on 06/05/15 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 front rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site and location plan	083_PL_01	B	22 December 2014
Existing floor plans and elevations	083_PL_02		22 December 2014
Proposed floor plans and elevations	083_PL_03	A	22 December 2014

BH2014/04346

10 Preston Park Avenue Brighton

Creation of 1no residential unit (C3) on part ground and part first floors and external alterations. (Retrospective)

Applicant: Mr P Franks

Officer: Wayne Nee 292132

Approved on 28/04/15 DELEGATED

1) UNI

N/A

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	TA449/01		23 December 2014
As constructed site plan	TA449/20	E	23 December 2014
As constructed floor plans	TA449/21	D	12 January 2015
As constructed floor plans	TA449/22	F	12 January 2015
As constructed elevations	TA449/23	E	23 December 2014
As constructed elevations	TA449/24	E	23 December 2014
As constructed elevation	TA449/25	D	12 January 2015
As approved floor plans of no. 10	TA449/21	A	13 January 2015
As approved floor plans of no. 10	TA449/22	B	13 January 2015
As approved elevations of no. 10	TA449/23	B	13 January 2015
As approved elevations	TA449/24	A	14 January 2015

As approved section of no. 10	TA449/25	A	13 January 2015
As approved comparative site	TA449/30		23 December 2014
As approved comparative plans	TA449/31		23 December 2014
As approved comparative plans	TA449/32		23 December 2014
As approved comparative elevations	TA449/33		23 December 2014
As approved comparative elevations	TA449/34		23 December 2014
As approved comparative elevations	TA449/35		23 December 2014

6) UNI

The hard surface hereby approved shall be retained at all times to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

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

7) UNI

The details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved on 27 June 2013 under application reference BH2013/00679 shall be fully implemented and made available for use by the occupants of, and visitors to, the development hereby approved within 6 months of the date of this permission 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

N/A

9) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

10) UNI

N/A

11) UNI

With regard to the planting, seeding or turfing in the scheme of landscaping approved on 27 June 2013 under application reference BH2013/00679, any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

12) UNI

N/A

13) UNI

N/A

14) UNI

All windows shall be retained at all times as painted softwood, double hung vertical sliding sashes with concealed trickle vents.

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

15) UNI

The railings shown on the approved plans shall be retained as painted black at all times.

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

16) UNI

N/A

17) UNI

All doors shall be retained at all times as painted softwood and where including windows shall have concealed trickle vents.

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

18) UNI

The windows, doors and railings details approved on 27 June 2013 under application reference BH2013/00679 shall be maintained at all times.

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

19) UNI

The screening of the southern boundary to the first floor rear terrace (to unit no. 5) approved on 27 June 2013 under application reference BH2013/00679 shall be retained at all times.

Reason: In order to protect the amenities of the neighbouring properties and to comply with policy QD27 of the Brighton & Hove Local Plan.

20) UNI

The scheme for the storage of refuse and recycling approved on 27 June 2013 under application reference BH2013/00679 shall 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.

BH2015/00319

3 Southdown Road Brighton

Erection of single storey rear extension.

Applicant: Mr Tudor Jenkins

Officer: Robert Hermitage 290480

Approved on 28/04/15 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
Location Plan	E01	-	30/01/2015

Block Plan	P01	-	30/01/2015
Existing Plans	E02	A	07/04/2015
Proposed GF Plans	P02	-	30/01/2015
Proposed FF Plans	P03	B	23/04/2015
Proposed Rear Elevation	P04	B	23/04/2015

BH2015/00356

14 Cleveland Road Brighton

Erection of a single storey side/rear infill extension.

Applicant: Mr Chris Bull

Officer: Haydon Richardson 292322

Approved on 05/05/15 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 development hereby permitted shall be carried out in accordance with 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 and site plan	B149-001		04/02/15
Existing elevations and section	B149-003		04/02/15
Existing floor plans	B149-002		04/02/15
Proposed elevations and sections	B149-101	A	24/03/15
Proposed ground floor and roof plans	B149-100	A	24/03/15

BH2015/00497

165 Preston Drive Brighton

Erection of garage to front boundary and new vehicular crossover.

Applicant: Mr Clifford Standen

Officer: Mark Thomas 292336

Refused on 24/04/15 DELEGATED

1) UNI

The proposed development would involve the loss of an attractive boundary wall which contributes to and has group value with the character and appearance of the terrace within which the property is situated. Further, the proposed garage by virtue of its bulk, scale, height and prominent positioning would detract from the character and appearance of the recipient property and the wider Conservation Area and the open sense of the front planted garden. Consequently, the proposals would be contrary to SPD12: Design guide for extensions and

alterations and policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2015/00511

135 Havelock Road Brighton

Erection of single storey side/rear infill extension with patio and landscaping works.

Applicant: Mr Deep Khatkar

Officer: Robert Hermitage 290480

Approved on 12/05/15 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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no 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.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Ground Floor and Roof Plans, Location and Block Plan	293HR135/01	-	16/02/2015
Existing Rear and Side Elevations, Section A-A	293HR135/02	-	16/02/2015
Existing Rear Elevations and Section A-A	293HR135/03	-	16/02/2015
Proposed Ground Floor Plan, Roof Plan Block Plan	293HR135/04	-	27/04/2015
Proposed Rear and Side Elevation	293HR135/05	-	27/04/2015

BH2015/00512

135 Havelock Road Brighton

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

Applicant: Mr Deep Khatar

Officer: Robert Hermitage 290480

Approved on 27/04/15 DELEGATED

BH2015/00592

88 Preston Drive Brighton

Change of use from retail (A1) to mixed use retail (A1) and osteopathy treatment room (D1).

Applicant: Mr Richard Smith

Officer: Robin Hodgetts 292366

Approved on 30/04/15 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

A window display to the ground floor shopfront shall be maintained at all times.

Reason: In order to ensure there is an acceptable visual retail presence within the local parade and to comply with policy SR7 of the Brighton & Hove Local Plan.

3) UNI

The use hereby permitted shall revert to its former Class A1 use upon cessation of the hereby approved mixed Class A1 / D1 use.

Reason: The use hereby approved is not considered suitable as a permanent form of development due to the size of the units created and thus to safeguard the viability of the unit and to comply with policy SR7 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			23/02/15
Existing ground floor plan			05/03/15
Proposed ground floor plan			05/03/15
Proposed layout			24/03/15

BH2015/00608

19 Havelock Road Brighton

Creation of rear dormer and installation of rooflights to front and rear.

Applicant: Mr Nigel Pamphilon

Officer: Luke Austin 294495

Approved on 29/04/15 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 rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan, Existing Plans, Elevations and Sections	P 01	-	23/02/2015
Proposed Plans, Elevations and Sections	P 02	-	23/02/2015

BH2015/00747

181 Ditchling Road Brighton

Installation of rooflight to front roofslope.

Applicant: Ms Laura Tuppen

Officer: Luke Austin 294495

Approved on 29/04/15 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 rooflight(s) hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan, Existing and Proposed Elevations/Plans	TU/01	-	04/03/2015

BH2015/00756

208A Dyke Road Brighton

Conversion of existing maisonette to 2no flats (C3) with associated alterations including replacement of existing fire escape with new access staircase to rear.

Applicant: Mr D Patel

Officer: Mark Thomas 292336

Refused on 12/05/15 DELEGATED

1) UNI

The proposed development, by virtue of the location and proximity of the proposed access staircase and doors, would give rise to a level of activity which would result in significantly harmful levels of overlooking, noise and disturbance to occupiers of neighbouring properties, in particular those at no. 210 Dyke Road. As such, the proposed development would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2015/00764

Flat 2 68 Beaconsfield Villas Brighton

Insertion of front and rear rooflights.

Applicant: Ms Sherrell

Officer: Mark Thomas 292336

Approved on 30/04/15 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 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 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	ADC732/LP	-	4th March 2015
Block Plan	ADC732/BP	-	4th March 2015
Existing Plans & Elevations	ADC732/01	-	4th March 2015
Proposed Plans & Elevations	ADC732/02	Rev. A	22nd April 2015

BH2015/00791

28a Brigden Street Brighton

Prior Approval for change of use from offices (B1) to residential (C3) to form 1no residential dwelling.

Applicant: Mr Toby Powell

Officer: Christopher Wright 292097

Prior Approval is required and is refused on 30/04/15 DELEGATED

BH2015/00809

20 Ditchling Rise Brighton

Erection of single storey rear extension.

Applicant: Ms Alison Lacey

Officer: Astrid Fisher 292337

Approved on 05/05/15 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 and Location Plans	309-P14		9th March 2015
Ground, First Floor and Section AA as Existing	309-P01		9th March 2015
Elevations as Existing	309-P02		9th March 2015
Sketch Views as Existing	309-P03		9th March 2015
Ground, First Floor Plan and Section AA as Proposed	309-P11		9th March 2015
Elevations as Proposed	309-P12		9th March 2015
Sketch Views as Proposed	309-P13		9th March 2015
Photo Sheet	309-P15		9th March 2015

BH2015/00913

68 Havelock Road Brighton

Installation of rooflight to front elevation.

Applicant: Mr Gareth Mitchell

Officer: Luke Austin 294495

Approved on 12/05/15 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 rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	PBP0286/03	-	17/03/2015
Block Plan	PBP0286/04	-	17/03/2015
Existing and Proposed Elevations	PBP0286/02	-	17/03/2015

REGENCY

BH2014/03269**51 Ship Street Brighton**

Change of use of ground floor and basement from Post Office (A1) to restaurant (A3) with associated plant and alterations.

Applicant: TGI Friday's Ltd

Officer: Christopher Wright 292097

Approved on 30/04/15 DELEGATED

1) UNI

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Plant Deck Details	007	B	29 Sep 2014
Basement Drainage As Proposed	009	B	29 Sep 2014
AC and Ventilation Ground Floor	C122592/01a	S	29 Sep 2014
AC and Ventilation - Basement	C122592/01b	S	29 Sep 2014
Sections	C122592/01c	S	28 Nov 2014
Extract Riser	C122592/01d	S	29 Sep 2014
Existing External Elevations Front & Rear	2405/02/*		14 Oct 2014
Internal Elevations 1 Existing	2405/30	A	28 Nov 2014
Internal Elevations 2 Existing	2405/31	A	28 Nov 2014
Location Plan	2405/60/*		29 Sep 2014
Proposed Front Elevation	2405/60	B	11 Feb 2015
Ground Floor Plan Proposed	2405/100	G	11 Feb 2015
Builder's Works Ground Proposed	2405/101	G	11 Feb 2015
Floor Finishes Proposed	2405/102	F	11 Feb 2015
Ceiling Finishes Proposed	2405/103	H	11 Feb 2015
Lighting Layout Proposed	2405/105	E	11 Feb 2015
Internal Elevations 1 Proposed	2405/106	D	11 Feb 2015
Internal Elevations 2 Proposed	2405/107	D	11 Feb 2015
Internal Elevations 3 Proposed	2405/108	E	11 Feb 2015
Cookline Details 1 Proposed	2405/110	C	29 Sep 2014
Door Schedule Proposed	2405/112	D	11 Feb 2015
Staircase Details Proposed	2405/118	D	29 Sep 2014
Stair & Ramp Details Proposed	2405/121	A	29 Sep 2014

Disabled WC Proposed	2405/123	A	29 Sep 2014
Glazed stair lobby detail, proposed	2405/130/*		28 Nov 2014
Basement Floor Plan Proposed	2405/200	E	11 Feb 2015
Builder's Works Basement Proposed	2405/201	E	11 Feb 2015
Floor Finishes Proposed	2405/202	E	11 Feb 2015
Ceiling Finishes Proposed	2405/203	E	11 Feb 2015
Door Schedule Proposed	2405/208	D	11 Feb 2015
Basement Plan Existing	2405/311/*		14 Oct 2014
Ground Floor Existing	2405/312/*		14 Oct 2014
Rear Escape Stair Proposed	2405/350		11

3) UNI

The use hereby permitted shall not be open to customers except between the hours of 8:00 and 24:00 on Mondays to 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

Noise associated with the kitchen extraction, air conditioning, lift plant and refrigeration systems, and any other plant associated with the development hereby permitted, shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest noise sensitive premises shall not exceed a level 5dB(A) below the existing LA90 background noise level. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:1997.

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

5) UNI

No development shall commence until the applicant has submitted written evidence of the improvements made to the separating ceilings/floors between the restaurant and the residential uses above, and evidence that airborne testing has been carried out, to the local planning authority for approval.

Reason: As this matter is fundamental to the acceptable delivery of the permission 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

No intoxicating liquor shall be sold or supplied within the A3 unit hereby approved except to persons who are taking meals on the premises and who are seated at tables, or to persons intending to take meals at the premises and seated at the bar area as shown on approved drawing no. 2405/100/G. '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.

7) UNI

Within three calendar months of the date of the restaurant opening, an acoustic report shall be submitted in writing to the local planning authority providing evidence and confirmation that the soundproofing measures between the restaurant and the flats above is sufficient and in line with internal levels as described in BS8233:2014. If those levels are not met, the report shall provide details of further mitigation measures needed and a timeline within which these

will be implemented to ensure that those levels are achieved.

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

No development shall commence until a written scheme for the following has been submitted to and approved in writing by the local planning authority:

- (i) Loudspeaker position and layouts within the premises;
- (ii) Details of the means by which loudspeakers will be fixed and mounted;
- (iii) Details of the minimisation and isolation of structural transmission of acoustic energy;
- (iv) Details of a tamper-proof management system for actively monitoring the levels of recorded music played and a means by which this is prevented from going above 77dBLAeq within the restaurant area;
- (v) Details of the location and acoustic performance of the mechanical ventilation and heat recovery units to be used.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

9) UNI

Prior to the first occupation of the development hereby approved a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries will take place and the frequency of deliveries, shall be submitted to and approved in writing by the Local Planning Authority. All deliveries shall thereafter be carried out in accordance with the approved plan.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policies S10, QD27 and TR7 of the Brighton & Hove Local Plan.

BH2014/03270

51 Ship Street Brighton

Internal and external alterations to facilitate change of use of ground floor and basement from Post Office (A1) to restaurant (A3) with associated plant.

Applicant: TGI Friday's Ltd

Officer: Christopher Wright 292097

Approved on 30/04/15 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

No works 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) Timber panelling;
- b) Wood effect flooring;
- c) Flooring treatments; and
- d) Ceiling tiles

The works shall be carried out in strict accordance with the approved details.

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

3) UNI

This approval is limited to the works shown on the approved drawings and does

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

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

4) UNI

For the avoidance of doubt, the following existing architectural features shall be retained and made good, to match the existing detail and finishes, unless otherwise agreed in writing with the Local Planning Authority:

- i) The stained timber door surrounds/architraves/pediments to the two doors in the rear screen wall as shown on elevation T-T of drawing no. 2405/108/E;
- ii) The architrave and keystone to the central arched opening and the pilasters and capitals to the rear screen wall shown on elevation T-T of drawing no. 2405/108/E;
- iii) The stained timber cladding to the structural columns.

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

5) UNI

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

6) UNI

Within one calendar month of its installation, the new fire escape door to the rear elevation 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.

7) UNI

No works shall take place until details of the internal paint finishes and colours 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 listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2014/04064

20A Sussex Heights 14 St Margarets Place Brighton

Enclosure of balcony with aluminium windows and replacement of high level obscured glazing with a solid wall.

Applicant: Pfeiffer Design Ltd

Officer: Andrew Huntley 292321

Approved on 06/05/15 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
Existing Survey Plan	0187-01		02.12.2014
Site Location Plan	0187-04		02.12.2014
Proposed Floor Plan & Elevation	0187-06		15.12.2014
Existing & Proposed Floor Plan	0187-07		15.12.2014

BH2014/04118

St Stephens House 45A Borough Street Brighton

Change of use from office (B1) to residential (C3) to create 4no apartments, incorporating loft conversion to create third floor level and external alterations including new and replacement windows, new entrance door and roof alterations including new rooflights.

Applicant: Mr Joe Knoblauch

Officer: Jason Hawkes 292153

Approved on 28/04/15 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 new south entrance door and its frame to the front elevation hereby approved shall be reinstated to its original 1895 design and threshold level to match exactly the surviving north door, including its internal and external joinery details, finish and decorative scroll hinges. The door shall thereafter be maintained as such.

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

3) UNI

The hereby approved windows and doors shall be set in plain reveals with no 'drip mouldings'. The windows and doors shall be retained as such thereafter.

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

4) UNI

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

5) UNI

Prior to first occupation of the development hereby permitted a scheme for the storage of refuse and recycling shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained 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

Notwithstanding the submitted drawings, no works shall take place until full details of all new French doors and their reveals, head and threshold details 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 doors shall be single glazed inward-opening painted timber doors without trickle vents and with architraves, glazing bar dimensions and mouldings and frame mouldings to match exactly those of the original windows and with a masonry step. The doors shall be set back from the outer face of the building and recessed into the reveals to the same depth as the original windows. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: As this matter is fundamental to the acceptable delivery of the permission to ensure a satisfactory appearance to the development and to comply with policies HE1 & HE6 of the Brighton & Hove Local Plan.

7) UNI

Notwithstanding the submitted drawings, no works 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 retained as such thereafter.

Reason: As this matter is fundamental to the acceptable delivery of the permission to ensure a satisfactory appearance to the development and to comply with policies HE1 & HE6 of the Brighton & Hove Local Plan.

8) UNI

The development hereby permitted shall not commence 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: This pre-commencement condition is imposed in order to allow the Traffic Regulation Order to be amended in a timely manner prior to first occupation to ensure that the development is car-free and to comply with policy HO7 of the Brighton & Hove Local Plan.

9) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the converted units within the existing buildings hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each converted unit 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.

10) UNI

Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development 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 hereby permitted shall be carried out in accordance with 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	001		8th December 2014
Site Plan	002		9th February 2015
Existing Basement & Ground Floor Plan	100		8th December 2014
Existing First & Second Floor Plan	101		8th December 2014
Existing Roof Plan	102		8th December 2014
Existing Elevations	103		8th December 2014
Existing Sections	104		8th December 2014
Existing North & South Elevations	105		8th December 2014
Proposed Basement & Ground Floor Plans	110		9th February 2015
Proposed First & Second Floor Plan	111		9th February 2015
Proposed Third Floor & Roof Plan	112		9th February 2015
Proposed Elevations	113		9th February 2015
Proposed Sections	114		9th February 2015
Proposed North & South Elevations	115		9th February 2015
Existing Roof Detail	200		8th December 2014
Side and Rear Eaves and Soffits Roof Details	201		8th December 2014
Proposed Roof Details	210		8th December 2014
Installation Details	EACR_WRCS _FK_A		8th December 2014

12) 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 & HE6 of the Brighton & Hove Local Plan.

BH2014/04120

St Stephens House 45A Borough Street Brighton

Change of use from office (B1) to residential (C3) to create 4no apartments, incorporating internal alterations to layout and loft conversion to create third floor level. External alterations including new and replacement windows, new entrance door and roof alterations including new rooflights.

Applicant: Mr Joe Knoblauch

Officer: Jason Hawkes 292153

Approved on 12/05/15 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 new south entrance door and its frame to the front elevation hereby approved shall be reinstated to its original 1895 design and threshold level to match exactly the surviving north door, including its internal and external joinery details, finish and decorative scroll hinges. The door shall thereafter be maintained as such.

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

3) UNI

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.

4) UNI

Notwithstanding the submitted drawings, no works shall take place until full details of all new French doors and their reveals, head and threshold details 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 doors shall be single glazed inward-opening painted timber doors without trickle vents and with architraves, glazing bar dimensions and mouldings and frame mouldings to match exactly those of the original windows and with a masonry step. The doors shall be set back from the outer face of the building and recessed into the reveals to the same depth as the original windows. The works shall thereafter be implemented strictly in accordance with the agreed details.

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

5) UNI

Notwithstanding the submitted drawings, no works shall take place until full details of all new sash window(s) 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 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.

6) 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.

7) UNI

Notwithstanding previously submitted drawings, no works shall take place until the detailed design including materials and finishes of the following items has been submitted to and approved in writing by the Local Planning Authority:

- (a) Balustrade to internal gallery.
- (b) External roof insulation to roof crown and pitches (including eaves, fascia and ridge detail).
- (c) Roof ventilation.
- (d) Extract vents and flues.
- (e) Method of fire safety and sound insulation upgrades.
- (f) All new internal doors (including door furniture).
- (g) Treatment and finishes of exposed roof structure and timber members.
- (h) Samples of roof finishes.
- (i) New stair details (including treads, risers and balustrade).
- (j) New/replacement rainwater goods.
- (k) Sample of hardstanding material proposed for courtyard.

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.

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

8) UNI

The hereby approved windows and doors shall be set in plain reveals with no 'drip mouldings'. The windows and doors 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.

BH2014/04180

14 Ship Street Brighton

Application for Approval of Details Reserved by Conditions 4, 5, 6 and 7 of application BH2013/02843.

Applicant: Saied Zargham

Officer: Liz Arnold 291709

Approved on 01/05/15 DELEGATED

BH2014/04289

5 Clifton Hill Brighton

Replacement of 2no aerial masts with 1no aerial mast.

Applicant: Brighton & Hove Streamline Ltd

Officer: Jason Hawkes 292153

Refused on 24/04/15 DELEGATED

1) UNI

The proposed mast would appear an alien and unduly prominent addition to the building and would significantly detract from the character and appearance of the building, standing out in the street scene as an incongruous and unsightly addition to the building and wider surrounding area. The proposal would fail to preserve or enhance the character or appearance of the Montpelier & Clifton Hill Conservation Area. The proposal is therefore contrary to policies QD1, QD2, QD23, QD24 and HE6 of the Brighton & Hove Local Plan.

BH2014/04349

14 Ship Street Brighton

Application for Approval of Details Reserved by Conditions 4, 5, 6 and 7 of application BH2013/02844.

Applicant: Saied Zargham

Officer: Liz Arnold 291709

Split Decision on 01/05/15 DELEGATED

1) UNI

The details pursuant to condition 4 of approved Listed Building Consent Application BH2013/02844 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 5, 6 and 7 of approved Listed Building Consent Application BH2013/02844 are NOT APPROVED for the reason(s) set out below:

1. The applicant has failed to provide an adequate schedule of the proposed restoration works to the interior of the building, in accordance with condition 5 of Listed Building Consent application BH2013/02844.

2) UNI2

2. The applicant has failed to provide sufficient details of the proposed fire protection works, in accordance with condition 6 of Listed Building Consent application BH2013/02844.

3) UNI3

3. The applicant has failed to provide details of the design and method of opening of the proposed secondary glazing, in accordance with condition 7 of Listed Building Consent application BH2013/02844.

BH2015/00309

52 East Street Brighton

Display of internally illuminated projecting sign and externally illuminated fascia and window signs.

Applicant: Hugo Boss UK Ltd

Officer: Astrid Fisher 292337

Split Decision on 01/05/15 DELEGATED

1) BH10.01

Advertisement consent for the internally illuminated fascia and projecting sign to the shopfront subject to the Conditions and Informatives set out below:

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.

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.

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.

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.

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.

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.

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

7) UNI

The illumination of the advertisement shall be non-intermittent and shall be limited to the lettering only.

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

1) UNI

Advertisement consent for the internally illuminated fascia and projecting sign to the shopfront subject to Conditions and Informatives set out below.

The first floor signs by reason of their siting and illumination would represent incongruous additions to the building which would harm the established character and appearance of the building and wider surrounding Old Town Conservation

Area. The first floor signs would result in significant harm to visual amenity and are contrary to Local Plan policy HE9 and guidance within Supplementary Planning Document 07, Advertisements.

BH2015/00311

52 East Street Brighton

Installation of new shop front.

Applicant: Hugo Boss UK Ltd

Officer: Mark Thomas 292336

Refused on 27/04/15 DELEGATED

1) UNI

The alterations to the first floor windows by virtue of the inappropriate glazing pattern and the utilisation of unduly prominent window vinyls would have a significantly detrimental impact on the character and appearance of the recipient property and the wider Conservation Area. As such, the proposals would be contrary to policy HE6 of the Brighton & Hove Local Plan.

BH2015/00338

5 Norfolk Terrace Brighton

Certificate of lawfulness for proposed change of use from 9 bedroom house in multiple occupation (Sui Generis) and 3no self contained flats (C3) to 10no self contained flats.

Applicant: Mr M Blencowe

Officer: Adrian Smith 290478

Approved on 01/05/15 DELEGATED

BH2015/00425

137 Western Road Brighton

Display of internally illuminated fascia and hanging signs.

Applicant: Yorkshire Building Society

Officer: Haydon Richardson 292322

Approved on 23/04/15 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.

BH2015/00487

Crown House 21 Upper North Street Brighton

Application for approval of details reserved by conditions 4, 5 and 6 of application BH2014/02786.

Applicant: Atos IT Services UK Limited

Officer: Paul Earp 292454

Approved on 23/04/15 DELEGATED

BH2015/00514

135 Western Road Brighton

Application for Approval of Details Reserved by Condition 5 of application BH2013/02437.

Applicant: Mr Jake Kempston

Officer: Mark Thomas 292336

Approved on 28/04/15 DELEGATED

BH2015/00552

79 - 81 West Street Brighton

Replacement of existing timber windows with timber bi-fold windows to front elevation, replacement gates to side elevation and erection of pergola with retractable awning and associated external alterations to rear.

Applicant: Play Design Consultants Ltd

Officer: Mark Thomas 292336

Approved on 30/04/15 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	-	-	19th February 2015
Existing floor plans	01	Rev. A	5th March 2015
Proposed floor plans	02	Rev. D	5th March 2015
Proposed layout plan	03	Rev. C	5th March 2015
Proposed elevations	04	-	5th March 2015
Existing elevations	21	-	5th March 2015
Existing elevations	22	-	5th March 2015

BH2015/00589

37 West Street Brighton

Display of non illuminated awning.

Applicant: Tortilla Mexican Grill Ltd

Officer: Sue Dubberley 293817

Approved on 11/05/15 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.

BH2015/00723

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: Mark Thomas 292336

Refused on 27/04/15 DELEGATED

1) UNI

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, by reason of its proximity, would provide for an uncomfortable perception of overlooking towards the rear window of 8 Stone Street. 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.

BH2015/00741

2 Davigdor Road Hove

Certificate of lawfulness for proposed erection of a single storey rear extension and pitched roof side dormer.

Applicant: Mr Sean Leslie

Officer: Luke Austin 294495

Approved on 06/05/15 DELEGATED

BH2015/00843

35 Ship Street Brighton

Replacement of domed rooflight with double glazed gable end timber clad rooflight.

Applicant: Steamer Trading Cookshop

Officer: Astrid Fisher 292337

Approved on 13/05/15 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	9948/01		10th March 2015
Drawing of Rooflight Replacement			10th March 2015
Section of Rooflight Replacement			10th March 2015

BH2015/00848

Steine House 55 Old Steine Brighton

Removal of metal stud room dividers and suspended ceilings in ground floor kitchen and dining room and other associated works.

Applicant: Brighton YMCA

Officer: Liz Arnold 291709

Approved on 05/05/15 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

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

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

ST. PETER'S & NORTH LAINE

BH2012/00149

The Open Market Marshalls Row & Francis Street Brighton

Application for Approval of Details Reserved by Condition 24 of application BH2010/03744 as amended by BH2013/01147.

Applicant: Hyde Group & The Brighton Open Market CIC

Officer: Maria Seale 292175

Approved on 28/04/15 DELEGATED

BH2014/02343

33 Sydney Street Brighton

Display of internally illuminated ATM surround.

Applicant: Notemachine

Officer: Robert Hermitage 290480

Refused on 24/04/15 DELEGATED

1) UNI

The proposed illuminated ATM surround would appear incongruous in this setting, significantly detracting from the character and appearance of the recipient property and the wider conservation area, contrary to policies QD12 and HE9 of

the Brighton & Hove Local Plan.

BH2014/02344

33 Sydney Street Brighton

Installation of ATM to shopfront.

Applicant: Notemachine

Officer: Robert Hermitage 290480

Refused on 24/04/15 DELEGATED

1) UNI

Policy QD10 of the Brighton and Hove Local Plan states that alterations to existing shopfronts provided that the alterations respect the style, proportions, detailing, colour, and materials of the parent building and surrounding shopfronts/buildings. In respect of conservation areas, policies QD10 and HE6 state that development will be required to preserve or enhance the special appearance or character of the area. The proposed ATM within the relatively small shopfront represents an overly dominant addition which would harm the character and appearance of the building and the surrounding conservation area; contrary to the above policies.

BH2014/03582

75 London Road Brighton

Installation of external fire escape at first floor level to rear of building incorporating replacement of existing first floor window with a timber door.

Applicant: Indigo Pub Company

Officer: Guy Everest 293334

Approved on 29/04/15 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 hereby approved first floor window and doors shall be timber and shall be painted to match the colour of existing windows to the building. The window and doors shall be retained as such thereafter.

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 window and doors shall be timber and shall be painted to match the colour of existing windows to the building. The window and doors shall be retained as such thereafter.

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
First Floor Plan Existing	A-02	-	23rd October 2014

Ground Floor Plan Existing	A-03	-	23rd October 2014
Elevations Existing	A-04	-	23rd October 2014
Location Plan	A-06	-	23rd October 2014
Ground Floor Plan	D-01	B	23rd October 2014
Proposed First Floor Plan	D-01	-	23rd October 2014
Proposed Elevations	D-03	-	23rd October 2014

5) UNI

The hereby approved fire escape shall be painted or finished a colour to match the existing building and shall be retained as such thereafter.

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.

BH2014/03939

53 Kemp Street Brighton

Conversion of existing external basement lightwell into internal space. Installation of new window and street level floor glazing to front basement.

Applicant: Mr Matt Curzon

Officer: Guy Everest 293334

Approved on 06/05/15 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
Location & Block Plans, Existing Elevations & Floor Plans	282KS53/01	/	28/11/2014
Existing & Proposed Elevations & Floor Plans	282KS53/01	/	28/11/2014

BH2014/04364

24 Foundry Street Brighton

Installation of solar panels to front and rear roof slopes.

Applicant: Mrs Elizabeth MacDonald

Officer: Luke Austin 294495

Approved on 06/05/15 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 hereby approved solar PV equipment shall be removed as soon as reasonably practicable when no longer needed.

Reason: To preserve the character and appearance of the building and North Laine Conservation Area and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	-	-	02/02/2015
Block Plan	-	-	29/12/2015
Existing & Proposed Elevations	13-14-100	A	25/03/2015

BH2015/00039

56 London Road Brighton

Application for variation of condition 1 of application BH2013/03117 allowed on appeal to permit permanent use of the premises between the hours of 08.00 and 04.00 daily with counter sales to cease at 01.00.

Applicant: Dominos

Officer: Liz Arnold 291709

Approved on 08/05/15 DELEGATED

1) UNI

The premises shall not be in use except between the hours of 08.00 and 04.00 Monday to Sunday. The premises shall not be open for walk-in counter sales between the hours of 01.00 and 04.00 Monday to Sunday.

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

2) UNI

Electric delivery vehicle shall be the only form of motor vehicle used for such purposes between the hours of 01.00 and 04.00 Monday to Sunday.

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

3) UNI

This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Location Plan	-	-	8th January 2015

4) UNI

Noise associated with plant and machinery (specifically, the installed air conditioning units, the fresh air intake and the extract system) shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB(A) below the existing LA90 background noise level.

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

5) UNI

The ventilation system detailed in the ventilation and extraction system specification documents received on the 21st of December 2010 in relation to

application ref. BH2010/02854 shall be operational and shall be maintained in accordance with the specification for the duration of the approved use.

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

BH2015/00193

Site J New England Quarter Brighton

Application for Approval of Details Reserved by Condition 37 of application BH2010/03999.

Applicant: The Hyde Group

Officer: Maria Seale 292175

Approved on 30/04/15 DELEGATED

BH2015/00219

6 St Peters Place Brighton

Infilling of existing rear courtyard area to form habitable accommodation. (Retrospective)

Applicant: Mrs Maja Myall

Officer: Joanne Doyle 292198

Refused on 12/05/15 DELEGATED

1) UNI

The infilling of the existing rear courtyard to form habitable accommodation has a significant adverse impact on the historic proportions, plan form and character of the Listed Building. The works are thereby contrary to policy HE1 of the Brighton & Hove Local Plan, and Supplementary Planning Guidance Note 11 on Listed Building Interiors.

BH2015/00220

6 St Peters Place Brighton

Infilling of existing rear courtyard area to form habitable accommodation. (Retrospective)

Applicant: Mrs Maja Myall

Officer: Joanne Doyle 292198

Refused on 12/05/15 DELEGATED

1) UNI

The infilling of the existing rear courtyard to form habitable accommodation has a significant adverse impact on the historic proportions, plan form and character of the Listed Building. The works are thereby contrary to policy HE1 of the Brighton & Hove Local Plan, and Supplementary Planning Guidance Note 11 on Listed Building Interiors.

BH2015/00351

27 New England Street Brighton

Application for variation of condition 14 of application BH2001/01811/OA to read: The commercial premises within Blocks A, B, C1, C2, D, E, F and G1, except for the supermarket at 27 New England Street, shall not be open or in use except between the hours of 07:00 and 21:00 hours of Mondays to Fridays and between 08:00 and 21:00 on Saturdays and between 09:00 and 19:00 hours on Sundays or Bank Holidays. The supermarket at 27 New England Street shall not be open to the public except between the hours of 07:00 and 21:00 hours of Mondays to Fridays and between 08:00 and 21:00 on Saturdays and between 09:00 and 19:00 hours on Sundays or Bank Holidays.

Applicant: Sainsbury's Supermarkets Ltd

Officer: Kathryn Boggiano 292138

Refused on 12/05/15 DELEGATED

1) UNI

The use of the store by staff, outside of the hours permitted by condition 14 of BH2001/01811/OA, is likely to result in noise levels in the flats above (including 24 and 25 Sheffield Court) which would exceed the thresholds within BS8233:2014 and within the World Health Organisation's guidelines for night-time noise. Therefore, it is considered that the proposal would cause noise disturbance which is likely to be of detriment to living conditions in the flats above and which would cause harm to the amenity and health of the residents. Therefore the proposal is considered to be contrary to policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2015/00364

10 Kensington Place Brighton

Replacement of existing timber windows and door with new timber double glazed timber windows and timber door.

Applicant: Mr N Gillard

Officer: Astrid Fisher 292337

Approved on 23/04/15 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.

2) UNI

The external finish of the infilled section at first floor level to the rear elevation 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 QD14 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

The development hereby permitted shall be carried out in accordance with 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	6272/01		4th February 2015
Existing Elevations	6272/02	A	9th February 2015
Proposed Elevations	6272/03	B 02	9th February 2015
Door	6272/06	B	4th February 2015
Windows 1, 3, 4 & 6 2 & 5 8	6272/04		4th February 2015
Window 7	6272/05		4th February 2015
Design & Access Statement			4th February 2015

BH2015/00401

55 Gardner Street Brighton

Installation of new shop front incorporating new entrance door.

Applicant: Gardner Retail Limited

Officer: Wayne Nee 292132

Refused on 07/05/15 DELEGATED

1) UNI

The proposed development, by virtue of the introduction of two entrance doors within the narrow shop façade, would result in an excessively cluttered appearance with unduly small shop windows and disruption to the overall proportions of the shopfront, detracting from the character and appearance of the existing building and surrounding North Laine Conservation Area contrary to policies QD5, QD10 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document on Shop Front Design (SPD02).

BH2015/00423

103A Roundhill Crescent Brighton

Replacement of existing front door.

Applicant: Bradford Property Trust Limited

Officer: Luke Austin 294495

Approved on 29/04/15 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 new door hereby approved shall be of timber construction and painted and shall be retained.

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

BH2015/00432

Premier House 11-12 Marlborough Place Brighton

Application for approval of details reserved by conditions 2ii and 4 of application BH2014/01640.

Applicant: Kilbraken Properties (Brighton) Limited

Officer: Christopher Wright 292097

Approved on 06/05/15 DELEGATED

BH2015/00475

Chapel Royal 164 North Street Brighton

Application for approval of details reserved by conditions 3, 4, 5, 6 and 7 of application BH2014/03069.

Applicant: Mrs Jo & Mr Marcus Thompson

Officer: Liz Arnold 291709

Split Decision on 06/05/15 DELEGATED

1) UNI

The details pursuant to conditions 4, 5, 6 and 7 of approved application BH2014/03069 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 3 of approved application BH2014/03069 are NOT APPROVED for the reason(s) set out below.

1. Condition 3 cannot be discharged until a sample panel of brickwork has been constructed on site for consideration.

BH2015/00524

36 Kensington Place Brighton

Replacement of existing metal windows with timber windows to front and rear elevations.

Applicant: Mr Sam Milford

Officer: Joanne Doyle 292198

Approved on 30/04/15 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 hereby approved window frames shall be painted white 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.

BH2015/00539

164 Upper Lewes Road Brighton

Erection of rear extension at first floor level.

Applicant: Mr & Mrs Roberts

Officer: Chris Swain 292178

Refused on 06/05/15 DELEGATED

1) UNI

The proposed extension by reason of design, form, siting and detailing would relate poorly to the original built form of the property and would detract significantly from the character and appearance 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).

BH2015/00605

64 Stanley Road Brighton

Erection of single storey side and rear extensions.

Applicant: Ms Liz Showler

Officer: Allison Palmer 290493

Approved on 29/04/15 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 window in the eastern side elevation of the rear extension hereby permitted 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 be 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
Proposals	511(PL)1		23/02/2015

BH2015/00671

139-140 London Road Brighton

Display of internally illuminated fascia signs and projecting sign.

Applicant: McDonalds Restaurants Ltd

Officer: Haydon Richardson 292322

Approved on 23/04/15 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.

BH2015/00672

139-140 London Road Brighton

Alterations to shop front including removal of ATM machine and installation of new glazing, installation of sliding entrance door to replace existing, new digital information screen, new cladding to walls and associated works.

Applicant: McDonalds Restaurants Ltd

Officer: Haydon Richardson 292322

Approved on 23/04/15 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
Location Plan	0912-0179-01	A	26/2/15
Block Plan	0912-0179-02	A	26/2/15
Proposed shop front elevations	0912-0179-05	A	26/2/15
Existing and proposed internal layouts	0912-0179-06	A	26/2/15
Existing and proposed advertisement elevations	0912-0179-09	A	26/2/15
McDonalds, Tv Stand and Frame	42445	B	26/2/15
McDonalds, Tv Stand and Frame Brackets	42445	B	26/2/15
Proposed illuminated Logo	-	-	26/2/15
Proposed Projecting Box sign	-	-	26/2/15
Proposed Fascia signage	-	-	26/2/15

BH2015/00760

89 London Road Brighton

Application for Approval of Details Reserved by Condition 10 of application

BH2014/01735.

Applicant: Ebury Estates
Officer: Andrew Huntley 292321
Refused on 29/04/15 DELEGATED

BH2015/00892

56 Gardner Street Brighton

Display of non-illuminated fascia sign.

Applicant: Kooks
Officer: Astrid Fisher 292337
Approved on 08/05/15 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.

BH2015/01068

94-103 London Road and 6-11 & 12 Baker Street Brighton

Application for Approval of Details Reserved by Condition 45 of application BH2014/01127.

Applicant: The Gym Ltd

Officer: Kathryn Boggiano 292138

Approved on 12/05/15 DELEGATED

WITHDEAN

BH2014/03755

Land Rear of Regency Court Withdean Rise Brighton

Erection of 9no single garages.

Applicant: Anstone Properties Ltd

Officer: Jason Hawkes 292153

Approved on 29/04/15 COMMITTEE

1) UNI

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site & Location Plans	A411/01	B	7th November 2014
Site Plan	A411/02	A	7th November 2014
Proposed Elevations	A411/03		7th November 2014
Proposed Elevations	A411/04		7th November 2014
Proposed Elevation & Section	A411/05	A	7th November 2014
Existing Site Plan	A411/07		7th November 2014
Existing Site Plan	A411/07		7th November 2014
Landscape Plan	A411/20	A	7th November 2014

3) UNI

The garages hereby permitted shall be used only for parking of private vehicles or for purposes incidental to the enjoyment of a residential dwelling or flat and for no business or industrial use whatsoever.

Reason: To safeguard the amenities of the occupiers of adjoining properties.

4) UNI

Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. 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.

The landscaping scheme shall include 5 trees to replace the 5 self-seeded Elms to be removed. All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. 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 first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

5) 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: This pre-commencement condition has been imposed because it is necessary 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.

6) UNI

No development shall commence until an Arboricultural Method Statement regarding the protection of the large Sycamore tree and other trees on the railway embankment has been submitted to, and approved in writing by, the Local Planning Authority. The statement shall be in accordance with BS 5837 (2005) Trees in relation to Construction and will include protection of roots. The development shall be carried out in strict accordance with the agreed details.

Reason: This pre-commencement condition is imposed because it is necessary to protect and prevent damage to the trees which are to be retained on the adjoining site, in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

7) UNI

The external finishes of the garages hereby permitted shall be finished in matching materials to the existing garages.

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

BH2014/04362

Dorothy Stringer School Loder Road Brighton

Application for Approval of Details Reserved by Conditions 6, 7, 9, 10 and 13 of application BH2014/00697

Applicant: Dorothy Stringer School

Officer: Jason Hawkes 292153

Approved on 29/04/15 DELEGATED

BH2015/00198

81 Preston Drove Brighton

Conversion of House in Multiple Occupation (sui generis) to form 1no one bedroom flat and 1no three bedroom maisonette (C3) with associated alterations.

Applicant: Ramya Perera

Officer: Adrian Smith 290478

Refused on 11/05/15 DELEGATED

1) UNI

Contrary to the information submitted with the application, the site currently comprises a seven bedroom House in Multiple Occupation. In the absence of information to demonstrate otherwise, the loss of the seven bedroom House In Multiple Occupation would result in the loss of HMO accommodation contrary to policy HO14 of the Brighton & Hove Local Plan.

2) UNI2

Insufficient information has been submitted to assess the impact of the proposed external alterations on the appearance of the building and Preston Park Conservation Area owing to significant inaccuracies in the submitted plans. The proposal therefore fails to demonstrate that it would not have an adverse impact on the character and appearance of the building and Preston Park Conservation Area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2015/00433

158 Tivoli Crescent North Brighton

Erection of first floor rear extension over existing flat roof.

Applicant: Mr & Mrs Sadeghi

Officer: Jonathan Puplett 292525

Approved on 11/05/15 DELEGATED

1) UNI

The development hereby permitted shall begin not later than three years from the date of this decision.

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 following approved plans: Block Plan, drawing nos. 14.10.2 14.10.20.004 and 14.10.20.005 received on the 10th of February 2015.

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

3) UNI

Before the first occupation of the extension hereby permitted, the proposed new windows in the flank wall facing no.160 Tivoli Crescent North shall be fitted with obscured glass and shall be permanently retained in that condition.

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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests

of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

5) UNI

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in 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.

BH2015/00468

37 Millers Road Brighton

Replacement of existing timber framed windows to rear, including two second storey side windows, with new UPVC units.

Applicant: Deanway Properties

Officer: Luke Austin 294495

Approved on 28/04/15 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
Location & Block Plans	15528-Loc	-	12/02/2015
Product Specification	-	-	12/02/2015
Proposed Window Elevations	15528-01	A	19/02/2015
Product Survey	-	-	12/02/2015
Photograph showing window no.24			16/04/2015

BH2015/00600

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 27/04/15 DELEGATED

1) UNI

The front and rear dormer windows, by virtue of their size, represent unduly bulky additions which 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.

BH2015/00792

36 North Road Preston Brighton

Application for Approval of Details Reserved by Conditions 4 & 5 of application BH2014/01867.

Applicant: Bruce Piper

Officer: Haydon Richardson 292322

Approved on 30/04/15 DELEGATED

BH2015/00904

94 Eldred Avenue Brighton

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension, rear dormer and front rooflights.

Applicant: Mr Tim Davis

Officer: Luke Austin 294495

Approved on 08/05/15 DELEGATED

BH2015/00941

122 Valley Drive Brighton

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 3.5m, and for which the height of the eaves would be 3m.

Applicant: Linda Fitzpatrick

Officer: Luke Austin 294495

Prior Approval is required and is refused on 27/04/15 DELEGATED

BH2015/01099

61 Eldred 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 6m, for which the maximum height would be 3.4m, and for which the height of the eaves would be 2.4m.

Applicant: Ross & Sian Colburn

Officer: Haydon Richardson 292322

Prior approval not required on 08/05/15 DELEGATED

EAST BRIGHTON

BH2014/03122

2 Rock Street Brighton

Conversion of existing store to rear at ground and lower ground floor levels to form 1no one bed flat.

Applicant: Sandon Homes

Officer: Andrew Huntley 292321

Refused on 23/04/15 DELEGATED

1) UNI

The proposed residential unit would not provide an acceptable standard of accommodation. The limited outlook from the residential unit would be poor and oppressive due to the high level of enclosure in very close proximity to all of the

windows and doors. As such, the proposal would be contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/03954

Ground Floor Flat 23 College Gardens Brighton

Replacement of existing bay window to front elevation with double glazed timber sliding sash windows.

Applicant: Ms Sally Garbett

Officer: Chris Swain 292178

Approved on 23/04/15 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 windows hereby approved shall be painted timber vertical sliding sashes with no trickle vents and shall be retained as such thereafter.

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

3) UNI

The development hereby permitted shall be carried out in accordance with 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	-	-	24 November 2014
Proposed elevations, plan and sectional drawing A-A	-	-	24 November 2014
Proposed elevations, plan and sectional drawings B-B	-	-	14 April 2015

BH2014/04200

Sheepcote Waste Site Sheepcote Valley Brighton

Excavation works and alterations to land levels, alterations to vehicular access and additional hardstanding areas to facilitate creation of revised and extended site layout.

Applicant: Veolia ES South Downs Ltd

Officer: Adrian Smith 290478

Approved on 11/05/15 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 landscaping scheme detailed on drawing no. LMP-001 received on 12/12/2014 shall be carried out in full during the first planting and seeding season following the commencement of development and shall be retained as such thereafter. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with

others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

3) UNI

Prior to completion of the development hereby permitted, details of disabled car parking provision for the staff of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the completion of the development and shall thereafter be retained for use at all times.

Reason: To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with Local Plan policy TR18 and SPG4.

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

No infiltration of surface water drainage into the ground from areas of potentially contaminative activities is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that no discharges of contaminated surface water occur that may cause pollution to the underlying principal aquifer, to comply with policy SU3 of the Brighton & Hove Local Plan.

6) UNI

Prior to completion of the development hereby permitted, details of secure cycle parking facilities for the staff of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the completion of the development and shall thereafter be retained for use at all times.

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

7) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing site layout	100_003	-	12/12/2014
Existing topographical survey	5423/01	C	28/01/2015

Proposed topographical survey	5423/02	H	28/01/2015
Site layout cross sections proposed	5423/03	B	28/01/2015
Site layout cross sections existing	5423/04	A	30/01/2015
Proposed site layout	200_001	-	12/12/2014
Proposed site location plan	200_002	-	12/12/2014
Landscape masterplan	LMP-001	-	12/12/2014

8) UNI

The development hereby permitted shall be carried out in full accordance with the measures set out in the Preliminary Ecological Appraisal report (Phase 1 Habitat Survey) received on 12 December 2014.

Reason: To protect the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policies QD17 7 QD18 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

BH2015/00499

1 Selmeston Place Brighton

Certificate of lawfulness for existing single storey rear extension.

Applicant: Mr Joe Golding

Officer: Chris Swain 292178

Approved on 12/05/15 DELEGATED

BH2015/00584

22 Chichester Place Brighton

Replacement of existing timber windows and doors with UPVC windows and doors and relocation of front door.

Applicant: Mr Duncan Campbell

Officer: Luke Austin 294495

Approved on 01/05/15 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
Location Plan	-	-	23/02/15
Block Plan	-	-	23/02/15

Existing and Proposed Ground Floor Plan	A131-51-A	-	06/03/15
Existing and Proposed East and West Elevations	A131-50-A	-	06/03/15
Window Schedule	A131-52	-	23/02/15
Proposed Rear Doors Elevation	-	-	23/02/15
Product Survey	-	-	23/02/15

BH2015/00640

Flat 5 7 Chichester Terrace Brighton

Internal alterations to layout of flat. Alterations to front elevation including replacement of privacy screen on terrace and fenestration alterations.

Applicant: Sir Anthony Seldon

Officer: Luke Austin 294495

Approved on 30/04/15 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

No development shall take place until full details of all new windows, doors and screens 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 three openings should all be of matching dimensions. The works shall be carried out and completed fully in accordance with the approved details and shall be retained 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.

BH2015/00641

Flat 5 7 Chichester Terrace Brighton

Alterations to front elevation including replacement of privacy screen on terrace and fenestration alterations.

Applicant: Sir Anthony Seldon

Officer: Luke Austin 294495

Approved on 12/05/15 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 development shall take place until full details of all new windows, doors and screens 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 three openings should all be of matching dimensions. The frames should be as thin as possible. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

Reason: As this matter is fundamental to the acceptable delivery of the

permission 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	14870/001	-	24/02/2015
Elevations Existing	14870/011	-	24/02/2015
Internal Room Elevations Existing	14870/012	-	24/02/2015
Floor Plans and Sections Existing	14870/010	-	24/02/2015
Proposed South Elevation and Proposed Internal Room Elevations	14870/021	-	24/02/2015
Floor Plan and Sections Proposed	14870/020	-	24/02/2015

HANOVER & ELM GROVE

BH2013/04047

243 Hartington Road Brighton

Application for variation of condition 2 of application BH2012/00173 (Demolition of existing workshop and erection of a new 3no bed two storey dwelling house incorporating accommodation at lower ground floor and roof space and outbuilding to rear to be used as ancillary office) to allow for minor material amendments.

Applicant: Mr M Knight

Officer: Wayne Nee 292132

Finally Disposed of on 30/04/15 DELEGATED

BH2013/04292

43-45 Bonchurch Road Brighton

Demolition of existing building and erection of 6 flats with refuse and cycle storage. (amended description)

Applicant: Mr Peter Shooter

Officer: Paul Earp 292454

Approved after Section 106 signed on 08/05/15 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 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.

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 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) UNI

The new dwelling(s) hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter. Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

6) UNI

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 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 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

8) UNI

No development shall 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) 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.

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) 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.

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 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) 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 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) 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.

15) UNI

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

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

Plan Type	Reference	Version	Date Received
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 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

BH2014/02710

9 Down Terrace Brighton

Erection of single storey rear extension, rear dormer and 2no front rooflights.
(Amended Plans)

Applicant: Abdul Khalik

Officer: Helen Hobbs 293335

Approved on 28/04/15 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 August 2014
Proposed floor plans and elevations	Brg9DT002	C	27th February 2015
Existing floor plans and elevations	Brg9DT001		12th August 2014

BH2014/04044

2 Hanover Crescent Brighton

Erection of single storey rear extension at ground floor level and rear extension at first floor level, creation of glazed roof to courtyard at lower ground floor level, internal alterations to layout and other associated alterations.

Applicant: Mr Philip Ryan

Officer: Christopher Wright 292097

Approved on 08/05/15 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

No works shall take place until full details of the 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 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 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 existing brick paviers forming the surface materials and finish to the small open courtyard at basement level shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

4) UNI

The external finishes of the ground floor level rear extension 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.

BH2014/04045

2 Hanover Crescent Brighton

Erection of single storey rear extension at ground floor and first floor rear extension, creation of glazed roof to courtyard at lower ground floor and other associated alterations.

Applicant: Mr Philip Ryan

Officer: Christopher Wright 292097

Approved on 08/05/15 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 ground floor level rear 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 and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

No works shall take place until full details of the 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 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 retained as such thereafter.

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

4) UNI

The development hereby permitted shall be carried out in accordance with 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	A.001		1 Dec 2014
As Proposed	D.001		14 Apr 2015

BH2015/00350

93 Bentham Road Brighton

Erection of a first floor rear extension. Hip to gable roof extension incorporating creation of rear dormer and installation of rooflights, revised fenestration and associated works.

Applicant: Mrs Hannah Witt

Officer: Joanne Doyle 292198

Refused on 28/04/15 DELEGATED

1) UNI

The proposed rear dormer, by virtue of its size and design would create a cramped top heavy appearance to the rear roofslope and would represent an unsightly and bulky addition to the existing building. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2015/00454

47 Elm Grove Brighton

Replacement of existing windows and installation of additional UPVC double glazed windows above front door.

Applicant: Gayle Macpherson

Officer: Mark Thomas 292336

Approved on 07/05/15 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 and elevations	1562/1858	-	10th February 2015
Proposed plans, elevations and location plan	1562/1859A	-	24th April 2015
Annotated photographs	-	-	10th February 2015

BH2015/00588

11 Hanover Street Brighton

Excavation at basement level to form habitable living space with external access stairs, insertion of door and window to front and creation of lightwell to rear.

Applicant: Mrs Anne Dawson

Officer: Jonathan Puplett 292525

Refused on 12/05/15 DELEGATED

1) UNI

The submitted drawings include inconsistencies in the proposed dimensions and no details have been provided of new windows and a door, including the window cills / door surround, and a safety railing which would be required to the proposed front lightwell and steps. In the absence of detailed and accurate information it has not been demonstrated that the development would preserve or enhance the appearance of the building and the Valley Gardens Conservation Area. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2015/00622

30 Hanover Terrace Brighton

Certificate of lawfulness for proposed 3no. rear rooflights.

Applicant: Mr George Birtwell

Officer: Luke Austin 294495

Approved on 30/04/15 DELEGATED

BH2015/00625

47 Islingword Road Brighton

Erection of first floor extension to North East elevation.

Applicant: Mr George Birtwell

Officer: Haydon Richardson 292322

Refused on 01/05/15 DELEGATED

1) UNI

The development, by reason of its flat roof and prominent siting on the corner of both Islingword and Cobden Road, would create a poor contrast with the existing building and would appear an unsightly and unsympathetic addition which would harm the visual amenities of the wider surrounding area. The proposed development is therefore contrary to policy QD14 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2015/00831

86 Elm Grove Brighton

Prior approval for change of use from retail (A1) to residential (C3) to form 1no self contained flat.

Applicant: Mrs Jane Taheri-Kadkhoda

Officer: Christopher Wright 292097

Prior Approval is required and is refused on 11/05/15 DELEGATED

HOLLINGDEAN & STANMER

BH2015/00535

2 Dudley Road Brighton

Application for Approval of Details Reserved by Conditions 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of application BH2014/00630.

Applicant: Griston Lahaise Cross LLP

Officer: Andrew Huntley 292321

Split Decision on 12/05/15 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 14, 15 and 17 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 9, 10, 11, 12, 13, 16, 18 and 19 are NOT APPROVED.

2) UNI2

Condition 9 is not discharged as details of existing ground levels have not submitted; it is not therefore possible to make an accurate assessment as to the impact of the proposal on neighbouring amenity. Therefore, the proposal is contrary to policy QD27 of the Brighton and Hove Local Plan.

3) UNI3

Condition 10 is not discharged as no sample and details of the metalled roof to plot one (1) has been submitted. As such, no assessment can be made as to its

acceptability. Therefore, the submission is contrary to policy QD1 of the Brighton and Hove Local Plan.

4) UNI4

Condition 11 is not discharged as, while details of the windows and doors have been submitted, the proposed reveals are too shallow and would fail to break up and add visual interest to the elevations. Poor detailing and / or materials would seriously compromise the aesthetic quality of the development. Therefore, the submission is contrary to policy QD1 of the Brighton and Hove Local Plan.

5) UNI5

Condition 12 is not discharged as, while limited details of the proposed rainwater goods have been provided, a upvc hopper head has been submitted. The use of PVC rainwater goods would compromise the aesthetic quality of the development. Therefore, the submission is contrary to policy QD1 of the Brighton and Hove Local Plan.

6) UNI6

Condition 13 is not discharged as the proposed landscaping scheme fails to incorporate the ecological enhancements set out in the submitted Ecology Report dated February 2011. Therefore, the submission is contrary to policy QD1 and QD15 of the Brighton and Hove Local Plan.

7) UNI7

Condition 16 is not discharged as the recommendations within the submitted ecology documents are not reflected in the submitted landscaping proposals and there is no commitment to undertake the enhancement works. Therefore, the submission is not in accordance with Policy QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

8) UNI8

Condition 18 is not discharged as the cycle parking stands would be sited too close to the perimeter walls of the enclosure (less than 200mm). As such, the proposed cycle stands would not be convenient for future users and contrary to policy TR14 of the Brighton & Hove Local Plan.

9) UNI9

Condition 19 is not discharged as details of the construction of the green roof, to include a cross-section, construction method statement, and maintenance and irrigation programme has not been provided. As such the submission has not shown that the development contributes to ecological enhancement on the site and is contrary to policy QD17 of the Brighton & Hove Local Plan.

BH2015/00943

11 Twyford 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 6m, for which the maximum height would be 3.08m, and for which the height of the eaves would be 3m.

Applicant: Sarah Plater

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 27/04/15 DELEGATED

BH2015/01098

35 Hollingbury Park 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 3.72m, for which the maximum height would be 3.40m, and for which the height of the eaves would be 3m.

Applicant: Mr & Mrs Thompson

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 05/05/15 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2015/00099

15 Auckland Drive Brighton

Change of use from a 5 bedroom small House in Multiple Occupation (C4) to a 7 bedroom House in Multiple Occupation (Sui Generis) with erection of single storey rear extension and hip to gable roof extension with front rooflights and rear dormer.

Applicant: Mr Neil Johnston

Officer: Andrew Huntley 292321

Refused on 05/05/15 DELEGATED

1) UNI

The proposed change of use to provide seven bedrooms as a Sui Generis House in Multiple Occupation would provide an attic bedroom with limited head height and therefore limited useable space and would not provide adequate communal living space. Therefore it is considered that the proposal would result in a cramped form of accommodation which would fail to provide an acceptable standard of accommodation. Therefore the proposal would be detrimental to the residential amenity of future occupiers and is contrary to policy QD27 of the Brighton and Hove Local Plan.

2) UNI2

The proposed hip to gable roof extension and the scale of the rear dormer, would result in roof additions which would appear incongruous and would unbalance the appearance of the pair of semi-detached properties. As such the proposal would be detrimental to the character and appearance of the existing building and the surrounding area. The development is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

3) UNI3

The proposed rear/side extension, by virtue of its design, size and bulk would result in an overly large and awkward addition to the property, which is unsympathetic to the design of the existing dwelling. As such the extension would appear as an incongruous addition and would be of detriment to the character and appearance of the existing building and the surrounding area. The development is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

BH2015/00823

26 Bevendean Crescent Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, rear dormer and side rooflight. Removal of existing conservatory and erection of single storey side and two storey rear extension.

Applicant: Mr Oliver Dorman

Officer: Luke Austin 294495

Approved on 05/05/15 DELEGATED

BH2015/00963

1 Kimberley 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 6m, for which the maximum height would be 4m, and for which the height of the eaves would be 2.6m.

Applicant: Jonathan Street

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 28/04/15 DELEGATED

1) UNI

It is a requirement of prior approval, A.4 (11), that development is carried in accordance with the submitted details. It would not be possible to erect a structure that accords with the submitted details due to inconsistencies with the proposed measurements. The development could not therefore comply with Part 1, Class A, A.4 (11) of the Town and Country Planning (General Permitted Development) Order 2015.

2) UNI2

The maximum height, eaves height and width of the enlarged extension would not be permitted by Schedule 2, Part 1, Class A (f), (i) and (j) of the Town and Country Planning (General Permitted Development) Order 2015.

BH2015/01022

82 Bevendean Crescent 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 3.2m, and for which the height of the eaves would be 3.2m.

Applicant: Juliet Mills

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 05/05/15 DELEGATED

BH2015/01111

24 Dewe 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 6m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Mrs M Cabanas

Officer: Luke Austin 294495

Prior approval not required on 11/05/15 DELEGATED

BH2015/01403

St Albans Church Coombe Road Brighton

Non Material Amendment to BH2013/04093 for alterations to internal layouts for House 1, House 2, House 3 and House 4.

Applicant: Bailey Brothers Ltd

Officer: Adrian Smith 290478

Approved on 08/05/15 DELEGATED

QUEEN'S PARK

BH2015/00201

Flat 1 Dinapore House John Street Brighton

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

Applicant: Mrs Joanne Aspinall-Mitchell

Officer: Chris Swain 292178

Approved on 08/05/15 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	-	-	20 January 2015
Block plan	-	-	20 January 2015
Existing building floor plan	-	-	28 January 2015
Existing floor plan	-	-	28 January 2015

BH2015/00416

12A Richmond Parade Brighton

Application for approval of details reserved by condition 8 of application BH2014/00864.

Applicant: Mr E Derby

Officer: Sonia Gillam 292265

Refused on 27/04/15 DELEGATED

BH2015/00615

15 Margaret Street Brighton

Creation of dormer and installation of rooflights to rear.

Applicant: Mr Waller

Officer: Luke Austin 294495

Approved on 29/04/15 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 rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Block Plan and Location Plan	ADC739/LP	-	23/02/2015
Existing Plans, Elevations and Sections	ADC739/01	-	23/02/2015
Proposed Plans, Elevations	ADC739/02	-	23/02/2015

and Sections			
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BH2015/00620

17 St Lukes Terrace Brighton

Erection of single storey side extension.

Applicant: Mr & Mrs Bob & Kristeen Minton

Officer: Astrid Fisher 292337

Approved on 30/04/15 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	L-001		24th February 2015
Block Plan	L-002		24th February 2015
Existing Drawings	L-003		24th February 2015
Proposed Drawings	L-004		24th February 2015

BH2015/00621

17 St Lukes Terrace Brighton

Certificate of Lawfulness for proposed loft conversion incorporating front rooflight and rear dormer.

Applicant: Mr & Mrs Bob & Kristeen Minton

Officer: Astrid Fisher 292337

Approved on 29/04/15 DELEGATED

BH2015/00719

62 Queens Park Terrace Brighton

Removal of existing metal gates and erection of new boundary wall and associated works.

Applicant: Ms Laura Marshall & Ms K Harkness

Officer: Joanne Doyle 292198

Approved on 08/05/15 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			02 Mar 2015
Block Plan			02 Mar 2015
Existing Site Plan	HAPL01		02 Mar 2015
Proposed Site Plan	HAPL02		02 Mar 2015
Existing & Proposed Boundary Wall Elevations	HAPL03		02 Mar 2015

BH2015/00724

11 Manchester Street Brighton

Conversion of garage to habitable space with associated external alterations including removal of garage door and installation of a bay window to match existing at first floor level.

Applicant: Sevenbuild Properties Ltd

Officer: Jason Hawkes 292153

Approved on 08/05/15 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

Prior to the first occupation of the development hereby permitted the redundant vehicle crossover on Manchester Street 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 and Hove Local Plan.

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Details as existing	34998/1		27th February 2015
Details as proposed	34998/2A		27th February 2015
Location Plan	34998/3		27th February

			2015
Site Plan	34998/4		27th February 2015

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.

BH2015/00836

3 St James's Street Brighton

Subdivision of commercial unit and alteration to shopfront to create new entrance to residential unit above.

Applicant: Mrs Mumtaz Ahmad

Officer: Sue Dubberley 293817

Refused on 05/05/15 DELEGATED

1) UNI

The proposal, by reason of design and resulting proportions, would result in a worse appearance than the existing and would appear a cluttered and unsympathetic alteration which would detract from the character and appearance of the Grade II Listed Building and which would fail to preserve or enhance the character or appearance of the East Cliff Conservation Area. As such the proposal is contrary to policies QD10, HE1 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document on Shop Front Design (SPD02).

BH2015/01222

Warwick Mount Montague Street Brighton

Non material amendment to BH2014/03256 to amend proposed windows and balcony doorsets.

Applicant: Brighton & Hove City Council

Officer: Chris Swain 292178

Approved on 23/04/15 DELEGATED

BH2015/01249

9 Freshfield Place Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.9m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 2.6m.

Applicant: Mr & Mrs McDade

Officer: Haydon Richardson 292322

Prior approval not required on 13/05/15 DELEGATED

ROTTINGDEAN COASTAL

BH2014/04240

70 Lenham Avenue Saltdean Brighton

Creation of dormer to front elevation.

Applicant: Mr & Mrs Sheehy

Officer: Chris Swain 292178

Approved on 05/05/15 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 development hereby permitted shall be carried out in accordance with 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 lower ground and ground floor plans and north and east elevations	3483.EXG.01		20 March 2015
Existing first floor and roof plans and south and west elevations	3483.EXG.02		20 March 2015
Existing plans and elevations	3483.PL.02	B	20

BH2014/04248

98 Longhill Road Brighton

Demolition of existing conservatory and erection of two storey rear extension, revisions to fenestration and facade and associated works.

Applicant: Mr Matthew Ashcroft

Officer: Robert Hermitage 290480

Refused on 23/04/15 DELEGATED

1) UNI

The proposed rear extension, by reason of its form, design and depth, would fail to relate to the form or proportions of the existing building and would create an unduly dominant addition which would harm the character and appearance of the existing building. The rear extension therefore represents a visually harmful addition which would be contrary to policy QD14 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2) UNI2

The proposed front dormers, by reason of their design and proportions, would create a top-heavy appearance which fails to appropriately reflect the existing building. The dormers would harm the character and appearance of the building and of the wider surrounding area. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/04328

4 Tudor Close Dean Court Road Rottingdean Brighton

Insertion of window to west elevation.

Applicant: Trevor Hopper

Officer: Wayne Nee 292132

Approved on 01/05/15 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 samples of the tile, brick and mortar (including that to be used for the flint facing) and 1:1 details of the window 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: This pre-commencement condition is attached to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The flintwork shall match exactly the existing flintwork 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.

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	284/10		22 December 2014
Proposed plans and elevations	284/11	B	17 March 2015

BH2014/04329

4 Tudor Close Dean Court Road Rottingdean Brighton

Insertion of window to west elevation.

Applicant: Trevor Hopper

Officer: Wayne Nee 292132

Approved on 01/05/15 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 flintwork shall match exactly the existing flintwork 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.

3) UNI

No works shall take place until samples of the tile, brick and mortar (including that to be used for the flint facing) and 1:1 details of the window 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 a satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2015/00194

73 Dean Court Road Rottingdean Brighton

Demolition of existing swimming pool building and erection of single storey swimming pool building in rear garden.

Applicant: Mr & Mrs Brown

Officer: Robert Hermitage 290480

Approved on 27/04/15 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 approved shall not be bought in to use until the existing single storey rear extension is demolished in its entirety and the dwellinghouse and the ground surface is made good.

Reason: The Local Planning Authority considers that were the development to be constructed and the extension were not demolished, the property would as a result appear overdeveloped and the remaining open garden area would not be of a sufficient size to serve the dwelling, which would be contrary to policies QD14, QD27 and HO5 of the Brighton and Hove Local Plan.

3) UNI

All new and disturbed external surfaces to the dwellinghouse 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 in the interests of the visual amenities of the area and to comply with policy QD14 of the Brighton & Hove Local Plan.

4) 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 of the Town and Country Planning (General Permitted Development) (England) Order 2015, 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Details of Existing Pool House	01	-	22nd January 2015
Proposals for New Pool House	03	-	22nd January 2015
Proposed Rear Elevation	04	-	9th April 2015

Arboricultural Report	-	-	7th April 2015
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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. 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 neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

BH2015/00270

14 Church Place Brighton

Internal alterations to layout of dwelling.

Applicant: Mr Karen Keene

Officer: Astrid Fisher 292337

Approved on 28/04/15 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

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

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

BH2015/00456

45 Arundel Drive West Saltdean Brighton

Erection of single storey extension and enlargement of bay to rear.

Applicant: Mrs Ines Curtis

Officer: Robert Hermitage 290480

Approved on 28/04/15 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 development hereby permitted shall be carried out in accordance with 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	457/01	A	07/04/2015
Proposed Extension	457/02	B	22/04/2015
Block Plan	457/03	-	11/02/2015
Site Plan	457/04	-	11/02/2015

BH2015/00689

Spindrifft Cottage 3 Roedean Way Brighton

Demolition of existing house and erection of a two storey five bedroom house (C3).

Applicant: Mrs Elizabeth Griffiths

Officer: Adrian Smith 290478

Approved on 24/04/15 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 first floor windows in the east side 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.

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

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 policy CP8 of the Submission City Plan Part One.

5) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

a) samples of all 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, door and balcony treatments

e) samples of all other materials to be used externally

Development shall be carried out in accordance with the approved details.

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

6) UNI

i) No development (including any works of demolition) 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.

ii) 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 [1] and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This pre-commencement condition is imposed because it is necessary 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

7) 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.

8) UNI

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

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

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 plan	-	-	27/02/2015
Block plan	-	-	27/02/2015
Existing floor plans	808-10		27/02/2015
	808-11		27/02/2015
Existing elevations	808-12		27/02/2015
	808-13		27/02/2015
Proposed floor plans	808-020	B	27/02/2015
	808-021	B	27/02/2015
	808-25	-	27/02/2015

Proposed elevations	808-23 808-24	B	27/02/2015 27/02/2015
Proposed site plan	808-26	-	27/02/2015
Proposed sections	808-27	-	27/02/2015

10) 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 & B of the Town and Country Planning (General Permitted Development) (England) Order 2015, 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.

BH2015/00695

Land to Rear of 28 Eastern Place Brighton

Application for Approval of Details Reserved by Conditions 10, 11, 12, 13, 14 and 15 of application BH2014/01956.

Applicant: Mrs Lucy Lauener

Officer: Chris Swain 292178

Split Decision on 08/05/15 DELEGATED

1) UNI

The details pursuant to conditions 12, 14, 15 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 10, 11 and 13 are NOT APPROVED for the reasons set out below.

1. The applicant has failed to submit sufficient details in relation to the landscaping of the site. Accordingly, the Local Planning Authority is unable to satisfactory assess the acceptability of the landscaping scheme submitted. As such Condition 5 cannot be discharged at this time.

2. The applicant has failed to submit sufficient details relating to the brown roof. Accordingly, the Local Planning Authority is unable to assess all potential impacts relating to ecology. As such Condition 5 cannot be discharged at this time.

3. In addition to the works to reinstate footway outside the side a proper kerb edge is needed outside the property at the front of the footway adjacent to the carriageway. In the absence of this condition 13 cannot be discharged at this time.

BH2015/00858

1 & 3 The Cliff Brighton

Application for Variation of Condition 7 of application BH2011/03634 (Demolition of existing bungalows and erection of 3no dwelling houses) to allow alterations to fenestration to plot 3.

Applicant: Sussex Transformations Ltd

Officer: Andrew Huntley 292321

Approved on 12/05/15 DELEGATED

1) UNI

Not Required.

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 hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surfaces to a permeable or porous area or surface within the curtilage of the properties.

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

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 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.

6) UNI

Access to the flat roof areas 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.

7) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. PL-001A, PL-001B, P-003, PL-004, P-005, P-006, PL-007, PL-008, PL-009, PL-011, PL-012, P013, Design and Access Statement, Waste Minimisation Statement, Sustainability Checklist, Slope Stability Desk Study Report, Pholrum Ecological Survey received 28th November 2011 and drawing no. 7577 100 submitted on the 11th March 2015.

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

8) UNI

The landscaping works shall be undertaken in accordance with the scheme approved under application BH2014/04301 on the 22.01.2015.

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

The development shall be carried out in accordance with the programme of archaeological work approved under application BH2014/03530 on the 08.12.2014.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

10) UNI

The development shall be carried out in accordance with the materials approved under application BH2014/03992 on the 22.01.2015.

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

11) UNI

The development shall be carried out in accordance with the ecological biodiversity measures approved under application BH2014/04301 on the 22.01.2015.

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

12) UNI

The storage of refuse and recycling implemented in accordance with the details submitted to and approved in writing by the Local Planning Authority within application BH2014/03530 on the 08.12.2014. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.

13) UNI

The development shall be carried out in accordance with the biodiverse roof details approved under application BH2014/03530 on the 08.12.2014. The approved details shall be implemented no later than the first planting season following the completion of the development.

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

Not required.

15) UNI

The cycle parking facilities shall be implemented in accordance with details approved under application BH2014/03530 on the 08.12.2014. The 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

The development shall be built in accordance with the proposed ground levels within the site and on land adjoining the site as approved under application BH2014/04153 on the 23.01.2015.

Reason: To safeguard the character and appearance of the area, and to comply

with policies QD1 and QD2 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 for the Code for Sustainable Homes confirming that each residential units 1 and 2 of the development will achieve Code level 3 and unit 3 of the development will achieve Code level 5 has been submitted to, and approved in writing by, the Local Planning Authority.

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

18) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses including the construction of windows, dormer windows, roof lights or doors, 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.

BH2015/00900

2 Meadow Parade Rottingdean Brighton

Prior approval for change of use from retail (A1) to residential (C3) to form 1no self contained dwelling.

Applicant: Stratuss UK Ltd

Officer: Chris Swain 292178

Prior Approval is required and is refused on 11/05/15 DELEGATED

BH2015/00908

30 Westmeston Avenue Saltdean Brighton

Application for Approval of Details Reserved by Condition 5 of application BH2014/04139.

Applicant: Mr & Mrs Poole

Officer: Robert Hermitage 290480

Approved on 11/05/15 DELEGATED

BH2015/00936

4 New Barn Road Rottingdean Brighton

Application for Approval of Details Reserved by Conditions 3 and 6 of application BH2014/00881 (Decided on appeal).

Applicant: Mr Marios Kakos

Officer: Andrew Huntley 292321

Approved on 11/05/15 DELEGATED

BH2015/01141

Saltdean Primary School Chilington Way Saltdean Brighton

Application for approval of details reserved by condition 10 of application BH2014/03933.

Applicant: Brighton & Hove City Council

Officer: Kathryn Boggiano 292138

Approved on 29/04/15 COMMITTEE

BH2015/01175

Saltdean Primary School Chilington Way Saltdean Brighton

Non material amendment to BH2014/03933 to allow for revision to the main two storey classroom block and hall extension elevations including reduction to the extent of external Steni Board Cladding, increase to the matching face brickwork to match existing to main elevations and revised colour to external cladding.

Applicant: Brighton & Hove Council

Officer: Kathryn Boggiano 292138

Approved on 29/04/15 COMMITTEE

BH2015/01309

43 Roedean Crescent Brighton

Application for Approval of Details Reserved by Condition 4 of application BH2012/00824.

Applicant: Mr S Cleveley

Officer: Liz Arnold 291709

Approved on 27/04/15 DELEGATED

BH2015/01470

25 Roedean Crescent Brighton

Application for approval of details reserved by condition 12 of application BH2012/01117.

Applicant: SDP

Officer: Liz Arnold 291709

Approved on 06/05/15 DELEGATED

WOODINGDEAN

BH2015/00545

10-18 Warren Road Brighton

Display of externally illuminated freestanding information signs and externally illuminated and non illuminated projecting signs.

Applicant: Esso Petroleum Co Ltd

Officer: Haydon Richardson 292322

Approved on 29/04/15 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.

BH2015/00692

61 The Brow Brighton

Certificate of lawfulness for proposed hip to barn end roof extension incorporating creation of enlarged rear dormer and installation of front rooflight.

Applicant: Mr & Mrs Davis

Officer: Astrid Fisher 292337

Approved on 24/04/15 DELEGATED

BRUNSWICK AND ADELAIDE

BH2014/03223

Flat 3 6 Brunswick Terrace Hove

Internal alterations to layout of flat. (Retrospective)

Applicant: Alison Fewings

Officer: Helen Hobbs 293335

Refused on 24/04/15 DELEGATED

1) UNI

The relocated drainpipe forms an incongruous and unsympathetic feature, that fails to respect the historic importance of the front elevation of the building. For these reasons it is considered that the proposed development would fail to preserve the special historic and architectural character and significance of this Grade I Listed Building, contrary to policy HE1 of the Brighton & Hove Local Plan and Supplementary Planning Document 9 Architectural Features.

BH2014/03942

Flat 5 8 Brunswick Square Hove

Application for Approval of Details Reserved by Condition 2 of application BH2014/02896.

Applicant: Mr Adam Davis

Officer: Christopher Wright 292097

Refused on 07/05/15 DELEGATED

BH2014/04127

27 Brunswick Terrace Hove

Reduction in height of existing chimney stack and associated works.

Applicant: 27 Brunswick Terrace (Hove) Ltd

Officer: Helen Hobbs 293335

Approved on 06/05/15 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 string course shall be implemented fully in accordance with the details shown on plan referenced 2079-002 received on 8 December 2014 and shall match exactly the string course on the existing chimney and shall be retained as such thereafter.

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

3) UNI

The chimney pots shall be reinstated in accordance with the details shown on plan referenced 2079-002 received on 8 December 2014 within one month of the works to the chimney stack being completed 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.

BH2014/04338

Flat 7 1-2 Adelaide Mansions Hove

Removal of partition wall.

Applicant: Ms Rachel Martin

Officer: Mark Thomas 292336

Approved on 23/04/15 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 skirtings, cornices and other decorative features shall be retained, and where damaged repaired, 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.

BH2015/00116

Flat 4 23-24 Brunswick Square Hove

Installation of external flue to rear roof slope.

Applicant: Mr Leigh Anderson

Officer: Paul Earp 292454

Approved on 23/04/15 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 flue hereby approved shall be a dark colour to match the colour of the roof tiles, and maintained as such at all times.

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

BH2015/00149

63A Holland Road Hove

Installation of kitchen extract and air conditioning systems to rear elevation. (Retrospective)

Applicant: ER Property Developments Ltd

Officer: Andrew Huntley 292321

Approved on 01/05/15 DELEGATED

1) UNI

The extraction and/or air conditioning units shall not be used at the premises except between the hours of 0730 and 2230 each day.

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.

BH2015/00257

59 Brunswick Place Hove

Removal of asphalt covering to front steps.

Applicant: Thatchers

Officer: Robin Hodgetts 292366

Refused on 12/05/15 DELEGATED

1) UNI

It has not been demonstrated that the proposed removal of the unauthorised asphalt could be undertaken in such a manner as to avoid significant and irreparable damage to the original stone steps. In the absence of sufficient and satisfactory detail the proposal would have an adverse effect on the architectural and historic character and appearance of the Grade II Listed Building.

BH2015/00411

Land to Rear of 31 & 33 Brunswick Place Hove

Application for approval of details reserved by conditions 6, 10, 11, 12, 13, 14, 15 and 17 of application BH2014/03838.

Applicant: DQ Financial Consulting

Officer: Liz Arnold 291709

Approved on 08/05/15 DELEGATED

BH2015/00509**Flat 3 26 Brunswick Terrace Hove**

Replacement of existing single glazed timber bay window with double glazed timber bay window.

Applicant: Mrs Claire Topham

Officer: Robert Hermitage 290480

Approved on 27/04/15 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 hereby approved works shall take place in accordance with details dated 2nd April 2015 which confirm that the existing leaded lights will be incorporated within the new sealed units.

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

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

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

Plan Type	Reference	Version	Date Received	
Existing Floor Plan, Rear and Side Elevations	303BT26/01	-	26th	February 2015
Existing Internal Sectional Elevations, Location and Block Plan	303BT26/02	-	26th	February 2015
Existing Vertical Window Detail	303BT26/03	-	26th	February 2015
Existing Horizontal Window Detail and Corner Detail	303BT26/04	-	26th	February 2015
Proposed Internal Sectional Elevations	303BT26/05	-	26th	February 2015
Proposed Vertical Window Detail	303BT26/06	-	26th	February 2015
Proposed Horizontal Window Detail and Corner Detail	303BT26/07	-	26th	February 2015
Proposed Floor Plan, Rear and Side Elevation	303BT26/08	-	26th	February 2015

BH2015/00658**Flat 1 11 Adelaide Crescent Hove**

Erection of rear extension at second floor level to replace existing conservatory.

Applicant: Mr Peter McGaughrin

Officer: Chris Swain 292178

Approved on 06/05/15 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 external surfaces of the extension hereby permitted shall be finished in a smooth render finish in a traditional wet render mix, with no external metal beads stops or bell moulds. The render shall be painted to match the walls below and 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.

BH2015/00659

Flat 1 11 Adelaide Crescent Hove

Erection of rear extension at second floor level to replace existing conservatory.

Applicant: Mr Peter McGaughrin

Officer: Chris Swain 292178

Approved on 06/05/15 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 surfaces of the extension hereby permitted shall be finished in a smooth render finish in a traditional wet render mix, with no external metal beads stops or bell moulds. The render shall be painted to match the walls below and shall be retained as such thereafter.

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

3) UNI

The development hereby permitted shall be carried out in accordance with 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	2660/01		26 February 2015
Existing Elevations	2660/02		26 February 2015
Proposed Plans and Section	2660/03		26 February 2015
Proposed Elevations	2660/04	A	28 April 2015
Site Location and Block Plan	2660/05		26 February 2015
Proposed Window Joinery 1	2660/06		26 February 2015
Proposed Window Joinery 2	2660/07		26 February 2015
Joinery Details and Elevation	2660/08		26 February 2015

BH2015/00673

Flat 3 26 Brunswick Terrace Hove

Replacement of existing single glazed timber bay window with double glazed

timber bay window.

Applicant: Mrs Claire Topham

Officer: Robert Hermitage 290480

Approved on 29/04/15 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 hereby approved works shall take place in accordance with details dated 2nd April 2015 which confirm that the existing leaded lights will be incorporated within the new sealed units.

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

BH2015/00697

36 Waterloo Street Hove

Application for Approval of Details Reserved by Condition 3 of Application BH2014/03452.

Applicant: Seadragon Backpackers

Officer: Liz Arnold 291709

Approved on 24/04/15 DELEGATED

BH2015/00725

30 Brunswick Square Hove

Removal of existing East hopperhead and downpipe and hopperhead and downpipe serving main entrance canopy and replacement with cast iron hopperhead and downpipe.

Applicant: Pepper Fox

Officer: Helen Hobbs 293335

Approved on 27/04/15 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 cornice shall be made good in matching masonry, bonded in lime based mortar, rendered in a traditional lime based stucco to matching profiles in crisp, straight runs and decorated to match.

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

3) UNI

The pipework and hopperhead shown on the approved plans shall be painted to match the wall colour within one month of installation and shall be retained as such thereafter.

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

4) UNI

No works shall take place until full details of the hopperhead and downpipe, including 1:2 scale elevational drawings and 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 HE6 of the Brighton & Hove Local Plan.

BH2015/00735

Flat 4 50 Brunswick Road Hove

Internal alterations to layout of flat.

Applicant: Ms Sally Bickerdike

Officer: Mark Thomas 292336

Approved on 27/04/15 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 proposed repairwork to the corncicing shall match exactly the profile, material and finish of the original cornices.

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

3) UNI

No works shall take place until full details of the proposed 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.

BH2015/00749

Flat 5 & 6 22 Palmeira Square Hove

Application for Approval of Details Reserved by Condition 3 of application BH2014/03635

Applicant: Mr F Inglis

Officer: Christopher Wright 292097

Approved on 28/04/15 DELEGATED

BH2015/00750

Flat 5 & 6 22 Palmeira Square Hove

Application for Approval of Details Reserved by Condition 2 of application BH2014/03634.

Applicant: Mr F Inglis

Officer: Christopher Wright 292097

Approved on 28/04/15 DELEGATED

BH2015/00827

119 and 121 Lansdowne Place Hove

Removal of existing tiling to front entrance and replacement with asphalt covered with checkerboard tiling.

Applicant: Harvestview Ltd

Officer: Astrid Fisher 292337

Refused on 07/05/15 DELEGATED

1) UNI

The removal of the existing tiles would result in a loss of historic fabric and character to the Grade II Listed Building and there is inadequate detail relating to the impact of the works on the setting of the cast iron balusters. The proposed works would therefore have an adverse effect on the architectural and historic character of the Grade II Listed Building and would fail to preserve or enhance the character or appearance of the Brunswick Town Conservation Area, contrary to policies HE1 and HE6 of the Brighton and Hove Local Plan; there is no justification to demonstrate that the resulting harm would be outweighed by heritage benefits.

BH2015/00828

119 and 121 Lansdowne Place Hove

Removal of existing tiling to front entrance and replacement with asphalt covered with checkerboard tiling.

Applicant: Harvestview Ltd

Officer: Astrid Fisher 292337

Refused on 05/05/15 DELEGATED

1) UNI

1. The removal of the existing tiles would result in a loss of historic fabric and character to the Grade II Listed Building and there is inadequate detail relating to the impact of the works on the setting of the cast iron balusters. The proposed works would therefore have an adverse effect on the architectural and historic character of the Grade II Listed Building, contrary to policy HE1 of the Brighton and Hove Local Plan; there is no justification to demonstrate that the resulting harm would be outweighed by heritage benefits.

BH2015/00833

119 and 121 Lansdowne Place Hove

Installation of asphalt covering over existing York stone to front balconies.

Applicant: Harvestview Ltd

Officer: Astrid Fisher 292337

Refused on 07/05/15 DELEGATED

1) UNI

The proposed works, by reason of the increase in depth and change in detailing to the balcony, would have a detrimental impact on the character and appearance of the balconies which are characteristically slim projections which feature throughout the group of Listed Buildings. The proposed works would therefore have an adverse effect on the architectural and historic character of the Grade II Listed Building and would fail to preserve or enhance the character or appearance of the Brunswick Town Conservation Area, contrary to policies HE1 and HE6 of the Brighton and Hove Local Plan; there is no justification to demonstrate that the resulting harm would be outweighed by heritage benefits.

BH2015/00834

119 and 121 Lansdowne Place Hove

Installation of asphalt covering over existing York stone to front balconies.

Applicant: Harvestview Ltd

Officer: Astrid Fisher 292337

Refused on 05/05/15 DELEGATED

1) UNI

The proposed works, by reason of the increase in depth and change in detailing

to the balcony, would have a detrimental impact on the character and appearance of the balconies which are characteristically slim projections which feature throughout the group of Listed Buildings. The proposed works would therefore have an adverse effect on the architectural and historic character of the Grade II Listed Building, contrary to policy HE1 of the Brighton and Hove Local Plan; there is no justification to demonstrate that the resulting harm would be outweighed by heritage benefits.

CENTRAL HOVE

BH2014/03554

Basement Flat 1 4 Kings Gardens Hove

Internal alterations to layout of flat, and installation of external vent.

Applicant: Mr Jamie Davies

Officer: Wayne Nee 292132

Approved on 06/05/15 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 damp proofing works hereby approved shall be implemented in strict accordance with the product details submitted on 23 March 2015.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2014/03840

176 Church Road Hove

Change of Use from Estate Agents (A2) to beauty salon and retail (Sui generis/A1).

Applicant: Miss Suzi Blick

Officer: Andrew Huntley 292321

Approved on 11/05/15 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			18.12.2014
Existing & Proposed Floor Plans			18.12.2014

BH2015/00701

Basement Flat 69 St Aubyns Hove

Replacement of existing timber door with UPVC door to front and replacement of existing timber window and door with UPVC units to rear. (Retrospective)

Applicant: David Hawkins
Officer: Astrid Fisher 292337

Refused on 06/05/15 DELEGATED

1) UNI

The window and doors which have been installed represent inappropriate additions which harm the character of the building and the Old Hove Conservation Area, and are contrary to the guidance set out in SPD09 and the objectives set out in policies QD14 and HE6 of the Brighton and Hove Local Plan.

BH2015/00798

Hove Town Hall Norton Road Hove

Application for Approval of Details Reserved by Conditions 3 and 5 of application BH2014/03306.

Applicant: Brighton & Hove City Council
Officer: Jason Hawkes 292153

Approved on 05/05/15 DELEGATED

BH2015/00805

Basement Flat 73 Sackville Road Hove

Erection of single storey rear extension and replacement windows.

Applicant: Miss Rachelle See
Officer: Liz Arnold 291709

Approved on 07/05/15 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 rear 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 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 and Elevations	1014.EX.01	-	9th March 2015
Proposed Plans Section and Elevations	1014.PL.03	-	9th March 2015

BH2015/01357

66 & 67 Seafield Road Hove

Application for Approval of Details Reserved by Condition 13 of application BH2012/02615.

Applicant: Roma Investments LLP

Officer: Liz Arnold 291709
Approved on 06/05/15 DELEGATED

GOLDSMID

BH2014/03209

73A Livingstone Road Hove

Erection of single storey rear extension and outbuilding with associated landscaping.

Applicant: Mr Peter Blogg
Officer: Guy Everest 293334

Approved on 11/05/15 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

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

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
Block & Site Location Plans	50/01	A	11/03/2015
Existing Ground Floor	50/02	-	23/09/2014
Existing Elevation & Section	50/03	-	23/09/2014
Existing Side Elevations	50/04	-	23/09/2014
Proposed Ground Floor	50/10	A	11/03/2015
Proposed Roof Plan	50/12	A	11/03/2015
Proposed Elevations	50/13	A	11/03/2015
Proposed Elevations	50/14	A	11/03/2015

BH2014/03324

15 Granville Road Hove

Certificate of lawfulness for existing use of property as a single dwelling house.

Applicant: Metrocity Consultants Ltd
Officer: Guy Everest 293334

Approved on 30/04/15 DELEGATED

BH2014/04155

74 Goldstone Villas Hove

Display of externally illuminated fascia sign. (Retrospective)

Applicant: H'S Salon

Officer: Mark Thomas 292336

Refused on 13/05/15 DELEGATED

1) UNI

The fascia signage, by virtue of its material finish and method of illumination, fails to relate appropriately to the prevailing character and appearance of the recipient building and the wider Hove Station Conservation Area resulting in significant harm to the visual amenity of the locality. As such, the advertisement would be contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and SPD07: Advertisements.

BH2015/00011

St Mary & St Abram Church Davigdor Road Hove

Erection of 2no storey extension to west elevation.

Applicant: St Mary and St Abraam Church Committee

Officer: Christopher Wright 292097

Approved on 11/05/15 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 two windows on the upper floor (ground level) of the westerly facing side elevation of the extension hereby permitted shall be obscure glazed and retained as such thereafter.

Reason: To safeguard the privacy of the occupiers of the 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
Location and Block Plan	A.01	-	5 Jan 2015
As Existing Basement Plan	A.02	-	5 Jan 2015
As Existing Ground Plan	A.03	-	5 Jan 2015
North Elevation As Existing	A.04	-	5 Jan 2015
South Elevation As Existing	A.05	-	5 Jan 2015
East Elevation As Existing	A.06	-	5 Jan 2015
West Elevation As Existing	A.07	-	5 Jan 2015
As Proposed Basement Plan	D.01	-	5 Jan 2015

As Proposed Ground Plan	D.02	-	5 Jan 2015
North Elevation As Proposed	D.03	-	5 Jan 2015
West Elevation As Proposed	D.04	-	5 Jan 2015
South Elevation As Proposed	D.05	-	5 Jan 2015

BH2015/00292

92A Goldstone Road Hove

Installation of rooflights to front elevation and dormer to rear elevation.

Applicant: Hardwick Hartley Partnership

Officer: Liz Arnold 291709

Approved on 08/05/15 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
Existing Layout	599/02	-	28th January 2015
Roof Conversion	599/01	Rev. A	1st April 2015

BH2015/00385

2 The Bungalows Somerhill Road Hove

Certificate of lawfulness for proposed hip to gable roof extension incorporating creation of dormers to front and rear, installation of windows to side and installation of rooflights. Erection of single storey front/side extension, enlargement and alterations to outbuilding, revised fenestration and associated works.

Applicant: Mr Edward Patey

Officer: Adrian Smith 290478

Split Decision on 07/05/15 DELEGATED

1) UNI

GRANT a lawful development certificate for the proposed hip-to-gable roof extension and front and rear dormers for the following reason:-

1. The proposed hip-to-gable roof extension and front and rear dormers are permitted under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

REFUSE a lawful development certificate for the single-storey front/side extension, rooflights and extension to existing outbuilding for the following reasons:-

1) UNI

1. The single-storey front/side extension is not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as the eaves of the enlarged part of the dwellinghouse would exceed 3m in height within 2 metres of the boundary of the curtilage of the dwellinghouse.

2. The rooflights are not permitted under Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) Order 1995, as

amended, as they would project higher than the highest part of the original roof.
3. The extension to the outbuilding is not permitted under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as the eaves of the outbuilding would exceed 2.5m in height, and would exceed 2.5m in height within 2 metres of the boundary of the curtilage of the dwellinghouse.

BH2015/00647

40 Lyndhurst Road Hove

Installation of rooflights to front and rear elevations.

Applicant: Mr Padraig Hodges

Officer: Astrid Fisher 292337

Refused on 30/04/15 DELEGATED

1) UNI

The proposed cluster of three rear rooflights are of an excessive number and are inappropriately sited. The three rooflights would harm the character and appearance of the dwelling. The proposed development contrary to policy QD14 of the Brighton and Hove Local Plan and contrary to the guidance set out in SPD12 'Design Guide for Extensions and Alterations'.

BH2015/00700

54 Livingstone Road Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 2no flats.

Applicant: SMS

Officer: Liz Arnold 291709

Prior Approval is required and is approved on 23/04/15 DELEGATED

1) 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 full asbestos survey of the premises, undertaken by a suitably qualified specialist;

and if any asbestos containing materials are found:

b) A report shall be submitted to the local planning authority in writing, containing evidence to show that all asbestos containing materials have been removed from the premises and taken to a suitably licensed waste deposit site.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

2) UNI

The development hereby permitted shall not commence 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: This pre-commencement condition is imposed in order to allow the Traffic Regulation Order to be amended in a timely manner prior to first occupation to ensure that the development is car-free and to comply with policy HO7 of the Brighton & Hove Local Plan.

3) UNI

Notwithstanding the details submitted the development hereby permitted shall not be occupied 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.

BH2015/00772

45 Denmark Villas Hove

Installation of rear rooflights.

Applicant: Mr Richard Whale

Officer: Joanne Doyle 292198

Approved on 29/04/15 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 hereby approved rear rooflights shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan Block Plan Existing & Proposed Floor Plans Roof Plans Elevations & Section	003/2015p		04 Mar

BH2015/00832

35B Coniston Court Holland Road Hove

Replacement of windows and door onto balcony with aluminium sliding doors.

Applicant: Mrs Linda McDonald

Officer: Luke Austin 294495

Approved on 30/04/15 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
Location Plan	ESX266823	-	09/03/2015
Floor Plan	-	-	09/03/2015
Technical Survey	-	-	09/03/2015
Product Survey	-	-	09/03/2015
Photographs	-	-	09/03/2015

BH2015/00857

Ground Floor Flat 27 Hartington Villas Hove

Erection of single storey rear extension.

Applicant: Mr Thomas Stanbury

Officer: Luke Austin 294495

Refused on 08/05/15 DELEGATED

1) UNI

The proposed rear/side extension due to its wrap around design would result in an awkward disjointed appearance and would detract from the original plan and rear elevation of the host building. The proposal would be harmful to the character of the host building and would therefore be contrary to policy QD14 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2015/00907

37 Goldstone Road Hove

Prior approval for change of use from retail unit (A1) to residential (C3) to form 1no self contained flat.

Applicant: Mr S Alajmi

Officer: Haydon Richardson 292322

Prior Approval is required and is refused on 11/05/15 DELEGATED

1) UNI

The submitted drawings include works beyond those reasonably necessary to convert the ground floor of no. 37 Goldstone Road to residential use, in the form of the demolition of no. 1 Goldstone Street, the demolition of rear basement flat access steps and their replacement with a lightwell, and formation of an enlarged yard area. The proposed development is therefore not permitted under Class M of Schedule 2, Part 1 of the General Permitted Development Order 2015.

BH2015/00999

39 Hove Park Villas Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 8m, for which the maximum height would be 4m, and for which the height of the eaves would be 2.8m.

Applicant: Mike & Cathy McGuinness

Officer: Haydon Richardson 292322

Prior approval not required on 30/04/15 DELEGATED

BH2015/01084

58 Palmeira Avenue Hove

Non Material Amendment to BH2012/01178 for changes to parapets at 4th floor level on the North, East and South elevations.

Applicant: Owen Property

Officer: Adrian Smith 290478

Approved on 11/05/15 DELEGATED

HANGLETON & KNOLL

BH2013/00848

The Hyde 95 Rowan Avenue Hove

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

Applicant: Birch Restorations Ltd

Officer: Martin Randall 292222

Approved after Section 106 signed on 27/04/15 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 a scheme of works to ensure the existing access arrangements including the adopted footway on Rowan Avenue are brought up to an adoptable standard. The scheme of works shall be submitted and, once acceptable, approved in writing by the Local Planning Authority. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

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

3) 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) (England) Order 2015, 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 new dwellings hereby permitted shall be constructed to meet Lifetime Homes' standards prior to its first occupation and shall be retained as such thereafter.

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

5) UNI

The hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface

within the curtilage of the property.

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

6) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

7) UNI

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

8) UNI

The development hereby permitted shall be constructed in accordance with the approved drawings showing existing and proposed ground levels within the site and on land adjoining the site to OS Datum, by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures.

Reason: To ensure a satisfactory appearance to the development and to protect the amenity of surrounding neighbours in accordance with policies QD1, QD2, and QD27 of the Brighton & Hove Local Plan.

9) 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.

10) UNI

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

A completed pre-assessment estimator will not be acceptable.

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

11) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall

include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development as indicated in the approved Arboricultural Report.

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

12) 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.

13) UNI

No development shall take place until details of an appropriate road treatment in the form of rumble strips or a raised table have been submitted to and approved in writing by the Local Planning Authority, in order to improve road safety on the access road. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To improve the safety of all road users, in the interests of highway safety and to comply with policy TR7 of the Brighton & Hove Local Plan.

14) UNI

No development shall take place until detailed drawings of the proposed footway and carriageway provision including the implementation of dropped kerbs to be provided, have been submitted to and approved by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: In the interests of highway safety and to comply with policies TR1, TR7 and TR8 of the Brighton & Hove Local Plan.

15) UNI

No development shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Archaeological Investigation which shall be submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with the approved programme of archaeological work.

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

16) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 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 not be occupied until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Archaeological Investigation approved under condition 15.

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

18) UNI

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

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

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

BH2015/00249

28 High Park Avenue Hove

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr Behroush Nobakhsh

Officer: Joanne Doyle 292198

Approved on 28/04/15 DELEGATED

BH2015/00846

62 Rowan 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 4m, for which the maximum height would be 2.75m, and for which the height of the eaves would be 2.55m.

Applicant: Miss McBrayne

Officer: Allison Palmer 290493

Prior approval not required on 27/04/15 DELEGATED

BH2015/00942

20 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 5.99m, for which the maximum height would be 2.99m, and for which the height of the eaves would be 2.99m.

Applicant: Mr Mohammad Hossein Afshar

Officer: Astrid Fisher 292337

Prior approval not required on 24/04/15 DELEGATED

BH2015/01082

19 Godwin 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 4.3m, for which the maximum height would be 2.925m, and for which the height of the eaves would be 2.85m.

Applicant: Brighton & Hove City Council

Officer: Haydon Richardson 292322

Prior approval not required on 24/04/15 DELEGATED

NORTH PORTSLADE

BH2015/00955

103 Southdown Road Portslade

Erection of a single storey rear extension.

Applicant: Simon Herbert

Officer: Liz Arnold 291709

Approved on 11/05/15 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
Location Plan (excluding block plan)	-	-	16th March 2015
Existing Details	-	-	16th March 2015
Proposed Plan	-	-	16th March 2015

BH2015/00956

7 Overdown Rise Portslade

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

Applicant: Dave Streeter

Officer: Liz Arnold 291709

Approved on 06/05/15 DELEGATED

BH2015/00957

7 Overdown Rise Portslade

Erection of single storey front extension.

Applicant: Dave Streeter

Officer: Liz Arnold 291709

Approved on 07/05/15 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
Existing Details	-	-	16th March 2015
Proposed Front Extension	-	-	16th March 2015

BH2015/01064

85 Mile Oak Road Portslade

Application for Approval of Details Reserved by Condition 15 of application BH2013/00380.

Applicant: Downsvie Developments Ltd

Officer: Paul Earp 292454

Approved on 12/05/15 DELEGATED

SOUTH PORTSLADE

BH2015/00320

Land South side of Victoria Road Portslade

Construction of part two part three storey car showroom building set over two levels including provision of offices and car servicing facilities, car parking spaces and associated works.

Applicant: Endeavour Holdings Ltd

Officer: Kathryn Boggiano 292138

Approved on 29/04/15 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 approved shall not be occupied until a Travel Plan for the development has been submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall thereafter be retained for use at all times.

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

3) UNI

Unless otherwise agreed in writing the ground floor of the building hereby approved shall remain in vehicle workshop and valet use in accordance with the details shown on plan referenced Proposed Ground Floor Plan A(PL)01-100 A received on 6 February 2015.

Reason: In order to ensure that the vehicle workshop and valet use remains which increases the range of different jobs to be created on site and to comply with policy CP3 of the Brighton & Hove Submission City Plan Part One.

4) UNI

If, during demolition of the buildings, 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. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

5) UNI

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

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

6) UNI

The development shall be carried out in accordance with the details contained within the Site Waste Management Statement received on the 6 February 2015.

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.

7) 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 site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk

And if notified in writing by the local planning authority that the results of the site investigation are such that site remediation is required then,

(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 a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: This pre-commencement condition is imposed because it is necessary to safeguard the health of future occupiers of the site and to comply with policies SU3 and SU11 of the Brighton & Hove Local Plan.

8) 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 written verification report by a competent person approved under the provisions of condition (7)b that any remediation scheme required and approved under the provisions of condition (7)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 the verification report 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 (7) b."

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policies SU3 and SU11 of the Brighton & Hove Local Plan.

9) UNI

No development shall take place until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and a maintenance programme for the surface water drainage infrastructure and shall include also include details regarding the water drainage of the vehicle washing facility. The scheme shall be implemented fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such thereafter.

Reason: This pre-commencement condition is imposed because it is necessary to ensure the existing infrastructure can facilitate the development and to reduce the risk of flooding and to ensure that no contamination of ground water sources shall occur and to comply with policies SU3 and SU15 of the Brighton & Hove Local Plan.

10) UNI

Unless otherwise agreed in writing, no development shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of BREEAM assessment within overall 'Excellent' for the development has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

Reason: This pre-commencement condition is imposed because it is necessary 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 policy CP8 of the Brighton & Hove Submission City Plan Part One.

11) UNI

No development above first floor slab level of the building hereby approved shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for hard and soft landscaping for the site and adjacent footways, which shall also include all parking areas including the ramp and decked parking area, rear parking area and parking area on the eastern corner along with adjacent footways. The landscape scheme shall include details of the materials of hard surfacing, fencing, railings and all other boundary treatments, gates, steps, walls and soft landscaping/planting proposals for the development.

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

12) UNI

No development above first floor slab level of the building hereby approved shall take place until a scheme for nature conservation enhancement, which details the location and specification of bird boxes has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details prior to the building first being brought into use and shall be retained as such thereafter.

Reason: To ensure that the scheme makes appropriate provision for ecological enhancements in the form of bat and bird boxes and to comply with policy QD18

of the Brighton & Hove Local Plan.

13) UNI

No development shall take place on the external envelope of the 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 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.

14) UNI

No development of the decked car parking area and ramped access shall take until all elevations of the structure have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: As insufficient information has been submitted regarding the proposal and to ensure the satisfactory appearance of the structure in accordance with policy QD2 of the Brighton & Hove Local Plan.

15) UNI

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

Reason: This pre-commencement condition is imposed because it is necessary to safeguard the character and appearance of the area and to comply with policy QD2 of the Brighton and Hove Local Plan.

16) UNI

Prior to any spray painting of vehicles taking place within the application site, a scheme for the fitting of odour control equipment to the building 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 any spray painting of vehicles occurring on site, and such measures 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.

17) UNI

Unless otherwise agreed in writing with the Local Planning Authority, the building shall not be occupied until a BREEAM Education Building Research Establishment issued Post Construction Review Certificate confirming that the development as built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To 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 building, hereby approved shall not be first brought into use until a scheme for the storage of refuse and recycling including the elevations of the structures needed to accommodate such stores, 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 the building being first brought into use and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling following the expansion of the school facilities and to comply with policy QD27 of the Brighton & Hove Local Plan.

19) UNI

The building hereby approved shall not be first brought into use until the new car and cycle parking areas as shown on plan referenced Proposed Site Plans A(PL)00-100 A received on 6 February, have been laid out and made available for the parking of vehicular cars (including the two disabled vehicle spaces) and for cycle parking. The new car parking and cycle parking areas shall not be used otherwise than for the parking of private motor vehicles and cycles belonging to the occupants of and visitors to the development hereby approved along with vehicles being repaired or sold in connection with 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.

20) UNI

The landscaping scheme required by condition 11 shall be fully implemented prior to the building hereby approved being first brought into use. Any new trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

21) UNI

The use hereby permitted shall not be operational except between the hours of 07:00 and 19:00 on Mondays to Fridays, 08:00 and 18:00 on Saturdays and 10:00 and 16:00 on 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.

22) UNI

No servicing (i.e. deliveries to or from the premises) shall occur except between the hours of 07:00 and 19:00 on Mondays to Fridays, 08:00 and 18:00 on Saturdays and no servicing shall take place on Sundays and Bank 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.

23) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until a scheme for the soundproofing of the workshop situated within 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 first occupation of the development and shall thereafter be retained as such.

Reason: In order to ensure that the workshop elements are soundproofed and to safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

24) 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 be carried out in accordance with the approved details.

Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.

25) UNI

The development hereby permitted shall be carried out in accordance with 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			
		A(PL)00000	A
Site survey plan	A(10)00-100	B	17 April 2015
Proposed site plans	A(PL)00-100	A	6 February 2015
Proposed ground floor plan	A(PL)01-100	A	6 February 2015
Proposed first floor plan	A(PL)01-101	A	6 February 2015
Proposed second floor plan	A(PL)01-102	A	6 February 2015
Proposed elevations	A(PL)01-200	B	6 February 2015

BH2015/00359

Kings School High Street Portslade

Variation of conditions 1 and 2 of Application BH2013/01620 (Erection of single storey temporary modular classroom) to extend the temporary permission to 31 July 2017.

Applicant: Russell Education Trust

Officer: Paul Earp 292454

Approved on 11/05/15 DELEGATED

1) UNI

The permission hereby granted shall be for a temporary period only, expiry on or before 31st July 2017.

Reason: The structure hereby approved is not considered suitable as a permanent form of development.

2) UNI

The temporary classroom hereby permitted shall be removed and the land restored to its condition immediately prior to the development authorised by this permission commencing on or before 31st July 2017 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: The structure hereby approved is not considered suitable as a permanent form of development and in order to safeguard residential and visual amenity and to comply with policies QD1, QD2 & QD27 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in full accordance with the cycle parking details received on 14 August 2013 under application BH2013/02789. The cycle parking facilities shall 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 full accordance with the Travel Plan received on 7 November 2014 under application BH2014/03760.

Reason: Reason: To ensure the promotion of sustainable forms of travel and comply with policies TR1 and TR4 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	-	-	undated
Temporary Accommodation - Proposed Plans & Elevations	1184/P/101	-	12th January 2015

BH2015/00962

6 Park 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 3.3m, for which the maximum height would be 2.8m, and for which the height of the eaves would be 2.8m.

Applicant: Nicola Perry

Officer: Jonathan Puplett 292525

Prior Approval is required and is refused on 28/04/15 DELEGATED

HOVE PARK

BH2014/03854

7 Barrowfield Lodge Barrowfield Drive Hove

Replacement of single glazed timber framed window with double glazed timber framed window and replacement of single glazed crittall windows with double glazed crittall windows.

Applicant: Francis Ainscough

Officer: Helen Hobbs 293335

Approved on 11/05/15 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 replacement windows shall exactly match the glazing pattern of the existing windows, including the profiles of the frames and glazing bars.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy QD14 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
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			Received
Site plan			10th March 2014
Proposed aluminium window details			10th December 2014
Proposed timber window details			10th December 2014

BH2014/03900

The British Engineerium The Drove way Hove

Installation of timber double doors to lower ground floor level of Corliss Room with associated excavation, steps up to ground level and railings.

Applicant: The British Engineerium Ltd

Officer: Liz Arnold 291709

Approved on 28/04/15 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 mortar to be used in the works hereby approved shall be a lime mortar to match the colour and appearance of that of the existing building.

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

3) 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 appearance and preservation of this listed building and to comply with policies HE6 and HE1 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	1905/124	Issue A	19th November 2014
As Existing	1905/146	Issue A	19th November 2014
As Proposed	1905/147	Issue B	18th March 2015
Block Plan	1905/148	Issue A	19th November 2014
Door Details	1905/149	Issue C	18th March 2015

BH2014/03901

The British Engineerium The Drove way Hove

Installation of timber double doors to lower ground floor level of Corliss Room with associated excavation, steps up to ground level and railings.

Applicant: The British Engineerium Ltd

Officer: Liz Arnold 291709

Approved on 28/04/15 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 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

The mortar to be used in the works hereby approved shall be a lime mortar to match the colour and appearance of that 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.

BH2014/04294

149 Shirley Drive Hove

Roof alterations incorporating front dormer, rear dormer with Juliet balcony and raised ridge height.

Applicant: Mr Brian Steele

Officer: Joanne Doyle 292198

Refused on 11/05/15 DELEGATED

1) UNI

The proposed rear roof extension, by virtue of its size and design would create a top heavy appearance to the rear roofslope and would represent an unsightly and bulky addition to the existing building. In addition, the proposed windows to the extension would not relate to the windows below and would add to the addition's incongruous appearance. The proposed front dormer is poorly sited as it is not set down significantly from the ridge of the roof. The proposed development is contrary to policy QD14 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2015/00180

BHCC Household Waste Recycling Site Modbury Way Hove

Application for variation of condition 3 of application BH2010/03611 (Application for variation of condition 1 of permission BH2008/03960 to allow the additional use of the waste management site as a transfer facility for cardboard and green waste recycling) to allow the importation and transfer of commercial waste through the transfer station at the site.

Applicant: Veolia Environmental Services (South Downs) Ltd

Officer: Mick Anson 292354

Approved on 01/05/15 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.AL-100G, 101D, 102D, 103A, 106D received on the 23rd and 25th September 1997 and LEIG/04/001/A/1, B & C received on 13th and 22nd January 2009 and 21st January 2015.

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

2) UNI

The acoustic fencing positioned along the south western corner of the site shall be retained on site.

Reason: In order to protect adjoining residential properties from noise disturbance and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

The premises shall be used for no other purpose than as a Household Waste Recycling Site and transfer facility for street cleansing waste, communal bin operations, cardboard and green waste, and on occasions when the Hollingdean MRF or WTS facility are unavailable or where there are other exceptional operational conditions the site shall also be used as a transfer facility for kerbside collected waste and recyclables (not to exceed 20 days per year, except where agreed in writing by the Local Planning Authority). The premises may also be used as a commercial transfer facility for cardboard and green waste recycling only.

Reason: Due to the proximity of residential properties there is a need to secure control over additional activities on the site in the interests of protecting residential amenity and in accordance with policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan and policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.

4) UNI

The premises shall be not be open to and in use by the public except between the hours of 0800-1630 hrs on Monday to Fridays, 0830-1330 hrs on Saturdays and 1030-1330 hrs on Sundays and not at any time on Bank Holidays.

Reason: To safeguard residential amenity and in accordance with policy QD27 of the Brighton & Hove Local Plan.

5) UNI

Containers receiving waste shall not be emptied on site or collected except between the hours of 0800-1700 hrs Monday to Friday and 0800-1300 hrs on Saturdays and not at any time on Sundays or Bank holidays.

Reason: In the interests of protecting residential amenity and in accordance with policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan and policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.

6) UNI

Other than street cleansing, no HGVs shall be used for operational purposes except between the hours of 0800-1800 hrs Monday to Friday and 0900-1300 hrs on Saturdays and Sundays and at no time on Bank Holidays.

Reason: In the interests of protecting residential amenity and in accordance with policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.

7) UNI

Mechanical shovels and loaders shall only be used between 0800-1800 hrs Monday to Friday and 0900-1300 hrs on Saturdays and Sundays and at no time on Bank or Public Holidays.

Reason: In the interests of protecting residential amenity and in accordance with policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan and policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.

8) UNI

No vehicles required for the operation of facilities shall be used on the site unless fitted with silencers maintained in accordance with manufacturer's recommendations and specification.

Reason: To safeguard residential amenity and in accordance with policy QD27 of the Brighton & Hove Local Plan.

9) UNI

The tonnage of waste accepted by the civic amenity facility shall not exceed 25,000 tonnes per annum.

Reason: In the interests of protecting residential amenity and in accordance with policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan and policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.

10) UNI

HGV parking shall be restricted to the area hatched in blue as shown on drawing LEIG/04/001/B received on the 13th January 2009 which shows HGV parking along the eastern side of the waste transfer hall. Any HGV will be either empty or contain dry recyclables only.

Reason: In the interests of protecting residential amenity and in accordance with policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan policies TR1, QD27 and SU10 of the Brighton & Hove Local Plan.

11) UNI

The transfer station loading plant shall be fitted with of a low level reversing safety alarm. Prior to their installation, details of the safety reversing devices shall be submitted to and agreed in writing with the Local Planning Authority and thereafter retained.

Reason: To prevent noise breakout and disturbance to adjoining properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

12) UNI

The localised acoustic screen within the central area of the car park shall be retained on site.

Reason: In order to protect adjoining residential properties from noise disturbance and to comply with policy QD27 of the Brighton & Hove Local Plan.

13) UNI

The 'push wall' along the western facade of the waste transfer building shall be independent from the external building fabric.

Reason: To minimise impact noise breakout and disturbance to adjoining properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

14) UNI

All glass, hardcore, asbestos, metal and paper recycling/collection containers shall be sited on the eastern elevation of the centrally positioned acoustic screen.

Reason: To minimise noise and disturbance to adjoining properties and in accordance with policy QD27 of the Brighton and Hove Local Plan.

15) UNI

The shutters and pedestrian doors on the southern elevation of the waste transfer building shall remain closed at all times other than of exit and access and shall be fitted with an automatic closing device.

Reason: To minimise noise and disturbance to adjoining properties and in accordance with policy QD27 of the Brighton and Hove Local Plan.

16) UNI

The 7m high building on the western boundary of the site shall not be used for the siting of waste collection containers.

Reason: To minimise noise and disturbance to adjoining properties and in accordance with policy QD27 of the Brighton and Hove Local Plan.

17) UNI

No materials shall be burnt on site.

Reason: To safeguard residential amenity and in accordance with policy QD27 of the Brighton and Hove Local Plan.

18) UNI

Prior to the use of the additional areas for sales of recycled materials outside of the designated area, a plan shall be submitted indicating the location of the proposed areas to the Local Planning Authority for approval in writing. The plan as approved shall be implemented in accordance with the agreed details.

Reason: To secure control over activity occurring on the site and in the interests of protecting residential amenity in accordance with policies WMP6 and WLP35 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan and policy QD27 of the Brighton & Hove Local Plan.

19) UNI

Metal items delivered by the public can be placed on the ground prior to loading into waste containers on a permanent basis. No other waste material shall be tipped onto the ground outside of the waste transfer building for storage purposes, sorting or loading into skips.

Reason: To secure control over activity on the site in order to safeguard residential amenity and to prevent ground water pollution in accordance in accordance with policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan and policies SU9 and QD27 of the Brighton & Hove Local Plan.

20) UNI

No mechanical crushing or screening of stone, concrete, bricks, planings, asphalt or hardcore shall take place on the application site.

Reason: To safeguard residential amenity and in accordance with policy QD27 of the Brighton and Hove Local Plan.

21) UNI

The waste containers shall be positioned as shown on drawing LEIG/04/001/C, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To control the level of activity on the site and in accordance with policies WMP6 and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan policies SU9 and QD27 of the Brighton & Hove Local Plan.

22) UNI

Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fixed plant or machinery, building, or structure shall be erected, installed or replaced within the site without the prior approval in writing by the Local Planning Authority.

Reason: Due to the proximity of the proposed development to residential property there is an exceptional need to secure control over additional plant and machinery in the interests of protecting residential amenity and in accordance with policy QD27 of the Brighton & Hove Local Plan.

BH2015/00693

160 Woodland Drive Hove

Alterations to dwelling including creation of 2no dormers to front, creation of pitched roof to existing garage and roof over entrance porch, rendering of front elevation, replacement of existing roof tiles with grey tiles and associated works.

Applicant: Mr Adrian Snook

Officer: Liz Arnold 291709

Refused on 11/05/15 DELEGATED

1) UNI

The proposed dormer windows, by virtue of their excessive size and poor design, which includes large areas of cladding below the proposed windows, are considered to be overly bulky, oversized and poorly related to the existing

building. The proposal would result in visually intrusive and bulky additions to the front roofslope of the existing property, and the proposed dormers in conjunction with the existing front terrace, would add visual clutter to the front roofslope of the dwelling. The resulting development would be of detriment to the character and appearance of the existing property, the Woodland Drive streetscene and the wider area, including the setting of the nearby Conservation Area. As such the proposal is contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

BH2015/00707

4 Barrowfield Close Hove

Certificate of lawfulness for proposed loft conversion incorporating roof extension, rear dormer and rooflights, erection of single storey rear extension, conversion of garage into habitable space and front porch extension.

Applicant: Mr & Mrs J T Platt

Officer: Luke Austin 294495

Approved on 07/05/15 DELEGATED

BH2015/00710

17 Downside Hove

Erection of extension at first floor level to front elevation with associated roof alterations including raising of ridge height and rooflights with associated external alterations.

Applicant: Mr & Mrs Offer

Officer: Luke Austin 294495

Approved on 27/04/15 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 new window on the south elevation serving the dining room of the development hereby approved shall be obscure glazed for that part of the window which is below the level of the bottom sill height of the existing window which it is replacing, and the window shall be fixed shut, and thereafter permanently retained as such thereafter.

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

3) UNI

The new first floor windows and rooflights to the north and south elevations 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.

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
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			Received
Site Location Plan	15-100-10	-	02/03/15
Block Plan and Existing and Proposed Streetscene	15-100-05	-	02/03/15
Existing Plans and Elevations	15-100-03	-	02/03/15
Proposed Plans and Elevations	15-100-00	D	17/04/15

5) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including samples of the render to the walls and samples of the tiling to the roof.

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

BH2015/00743

18 Rigden Road Hove

Certificate of lawfulness for proposed removal of existing garage and erection of single storey side extension and insertion of timber gate to side. Loft conversion incorporating hip to gable roof extension, creation of rear dormers and insertion of rooflights to front, window to side and revised fenestration.

Applicant: Mrs Esme Hall

Officer: Luke Austin 294495

Approved on 29/04/15 DELEGATED

BH2015/00765

20 Woodland Drive Hove

Erection of single storey front extension.

Applicant: Mr M Isaac

Officer: Astrid Fisher 292337

Approved on 30/04/15 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
Location Plan	ADC741/LP		4th March 2015
Block Plan	ADC741/BP		4th March 2015
Existing Plan	ADC741/01		4th March 2015

Proposed Plan	ADC741/02	4th March 2015
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BH2015/00906

28 Orchard Avenue Hove

Erection of first floor side extension with associated roof alterations.

Applicant: Mr & Mrs S Ryan

Officer: Astrid Fisher 292337

Refused on 11/05/15 DELEGATED

1) UNI

The proposed extension, by virtue of its siting, bulk and design, would appear a discordant addition which would create a poor visual contrast with the existing building, and semi-detached pair, and would result in a harmful loss of visual openness at the junction of Orchard Avenue and Orchard Road. 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.

BH2015/00975

Dyke Road Bowling Green Dyke Road Brighton

Application for Approval of Details Reserved by Conditions 21 and 23 of application BH2013/03930.

Applicant: Brighton Open Air Theatre CIO

Officer: Paul Earp 292454

Approved on 06/05/15 DELEGATED

BH2015/00984

21 The Martlet Hove

Certificate of lawfulness for proposed rear dormer.

Applicant: Ian Robbs

Officer: Jason Hawkes 292153

Approved on 13/05/15 DELEGATED

WESTBOURNE

BH2014/03910

45 Walsingham Road Hove

Application for Approval of Details Reserved by Conditions 3,, 5 and 6 of application BH2012/04061

Applicant: Mrs Ingrid Boyd

Officer: Christopher Wright 292097

Approved on 07/05/15 DELEGATED

BH2014/04160

59 & 59A Coleridge Street Hove

Application for approval of details reserved by conditions 3, 11, 12, 13, 15, 16 and 17(i) of application BH2014/01873.

Applicant: Mr Dean Golding

Officer: Christopher Wright 292097

Split Decision on 06/05/15 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 3, 11, 12, 13, 15 and 17(i.) subject to full compliance with the submitted details.

1) UNI17

The details pursuant to condition 16 are NOT APPROVED

2) UNI2

The details submitted pursuant to compliance with condition 16 cannot be approved because the applicant has not demonstrated sound insulation 5dB better the approved document Part E of the Building Regulations. As such the details are contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan.

BH2015/00007

51 New Church Road Hove

Application for variation of condition 2 of BH2014/00766 (Erection 1 1no three bedroom house (C3) in rear garden with associated parking and landscaping) to permit amendments to the approved drawings to vary the internal layout and dimensions of Western balcony/bedroom.

Applicant: AMF Ltd

Officer: Jason Hawkes 292153

Approved on 28/04/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before 19th June 2017.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

The development shall be implemented in accordance with the details which indicated Ordnance Datum levels of the proposal approved under ref: BH2014/03872.

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.

3) UNI

The development shall be implemented in accordance with material samples approved under application ref: BH2014/03872.

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

4) UNI

The development shall be implemented in accordance with the landscaping scheme approved under ref: BH2014/03872.

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

5) UNI

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

6) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

7) 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.

8) UNI

The development shall be implemented in accordance with the cycle parking facilities approved under ref: BH2014/03872. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

9) UNI

The development shall be implemented in accordance with the details of fences to protect trees on site approved under ref: BH2014/03872. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

10) UNI

Not used.

11) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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 first floor windows serving the bathrooms in the side facing elevations of the

development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

13) 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 side and rear elevations of the 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.

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

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.

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 Survey Plan	TA783/N02	A	10/03/2014
Existing Street Scene	TA783/N03	A	10/03/2014
Existing Basement Plan	TA783/N04	A	10/03/2014
Existing Ground Floor & First Floor Plan	TA783/N05	A	10/03/2014
Existing Elevations 1	TA783/N06	A	10/03/2014
Existing Elevations 2	TA783/N07	A	10/03/2014
Existing Sections	TA783/N08	A	10/03/2014
As Proposed Floor Plans	D.001		05/01/2015
As Proposed Elevations	D.002		05/01/2015
As Proposed Cross Sections	D.003		05/01/2015

BH2015/00009

51 New Church Road Hove

Application for variation of condition 2 of BH2014/02663 (Conversion of existing house comprising 2no residential units to form 5no self-contained flats (C3), incorporating single storey rear extension with screened roof terrace over, loft conversion with rear dormer and rooflights to sides, additional parking, associated alterations and landscaping) to permit amendments to the approved drawings to

form balcony for Flat 5.

Applicant: Mr D Frizzell

Officer: Jason Hawkes 292153

Approved on 24/04/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before 2nd October 2017.

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 Plans	TA783/C01	B	7th August 2014
Existing Site Survey	TA783/C02	A	7th August 2014
Existing Streetscene	TA783/C03	A	7th August 2014
Existing Basement Plan	TA783/C04	A	7th August 2014
Existing Ground and First Floor Plan	TA783/C05	A	7th August 2014
Existing Elevations	TA783/C06	A	7th August 2014
Existing Elevations	TA783/C07	A	7th August 2014
Existing Sections	TA783/C08	A	7th August 2014
Proposed Site Plan	TA783/C10	A	7th August 2014
As Proposed Elevations and Cross Sections	D.002	A	14th April 2015
As Proposed Floor Plans	D.001		5th January 2015

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 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

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 screen for the approved rear first floor terrace, as indicated on drawing nos.D.001 and D.002, shall be installed prior to the first occupation of Unit 4. 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.

7) UNI

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

Reason: To ensure 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 shall be implemented in accordance with cycle parking facilities approved under application BH2014/03777. The facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

9) UNI

The development shall be implemented in accordance with the landscaping details approved under application BH2014/03777.

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

Not used.

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

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.

BH2015/00046

32 Pembroke Crescent Hove

Replacement of existing roof tiles with concrete roof tiles to front roof slope. (Retrospective)

Applicant: Mr Michael May

Officer: Joanne Doyle 292198

Refused on 12/05/15 DELEGATED

1) UNI

The replacement concrete tiles, by reason of material, size, proportions, fixing, profile and colour significantly harm the character and appearance of the existing property and the setting of the Pembroke and Princes Conservation Area. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan and SPD 9 Architectural Features and SPD12 Design Guide for Extensions and Alterations.

BH2015/00353

4 Lawrence Road Hove

Removal of existing single storey rear extensions and erection of new single storey rear extension.

Applicant: Mr & Mrs Scott and Roz Criddle

Officer: Helen Hobbs 293335

Approved on 23/04/15 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 plan	10		4th February 2015
Existing plans	01		4th February 2015
Existing elevations and section	02		4th February 2015
Proposed plans	04		4th February 2015
Proposed elevations and section	05		4th February 2015

BH2015/00617

99 Montgomery Street Hove

Erection of single storey rear extension.

Applicant: Joanna Stokoe

Officer: Astrid Fisher 292337

Approved on 01/05/15 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 development hereby permitted shall be carried out in accordance with 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 and Existing Details			24th February 2015
Proposed Plans			24th February 2015

BH2015/00670

9-13 Langdale Road Hove

Application for Approval of Details Reserved by Condition 9 of application BH2014/00956.

Applicant: Mr Jogi Vig

Officer: Jason Hawkes 292153

Approved on 24/04/15 DELEGATED

BH2015/00713

146 Portland Road Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 1no flat at first floor level.

Applicant: Racey Investments Pension Plan

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 27/04/15 DELEGATED

BH2015/00715

14 Princes Crescent Hove

Replacement of existing UPVC windows with aluminium windows to front and side elevations.

Applicant: Mr Samantha Bailey

Officer: Astrid Fisher 292337

Approved on 11/05/15 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
Location Plan			16th March 2015
Window Sections			18th March 2015
Window Diagrams			2nd March 2015
Window Profile			16th March 2015

BH2015/00794

Ground Floor 4 Langdale Road Hove

Erection of single storey rear extension.

Applicant: Mrs Amanda Hastings

Officer: Luke Austin 294495

Approved on 06/05/15 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
Location and Block Plans	1051561/010	-	06/03/2015
Existing Ground Floor Plan/ West Elevation	1051561/010	-	06/03/2015
Existing Elevations	1051561/011	-	06/03/2015
Existing Sections	1051561/012	-	06/03/2015
Proposed Ground Floor Plan/West Elevation	1051561/020	-	06/03/2015
Proposed Elevations	1051561/021	-	06/03/2015
Proposed Sections	1051561/022	-	06/03/2015

BH2015/00804

12 Aymer Road Hove

Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2014/03765.

Applicant: Mrs Elaine Wolf

Officer: Helen Hobbs 293335

Approved on 27/04/15 DELEGATED

BH2015/00829

Flat 5 7 Pembroke Crescent Hove

Replacement of existing fixed rooflight with velux conservation rooflight and replacement of balcony windows and door with timber units.

Applicant: Kirsty Johnston

Officer: Haydon Richardson 292322

Approved on 08/05/15 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

Notwithstanding the submitted details; all new windows and door shall be off-white painted softwood with concealed trickle vents and shall be retained as such thereafter.

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

3) UNI

The development hereby permitted shall be carried out in accordance with 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	-	-	6/3/15
Existing and Proposed Front elevation	-	-	6/3/15
Proposed Balcony door and casement window design	-	-	6/3/15
Proposed Window profile and joinery details	-	-	6/3/15
Proposed Balcony door profile and joinery details	-	-	6/3/15
Conservation Rooflight specification details	-	-	6/3/15
Proposed Conservation Rooflight joinery details GGL-EDZ-0114-1001	-	6/3/15	

BH2015/01020

29 Braemore Road Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Mr Christopher Whent

Officer: Haydon Richardson 292322
Prior approval not required on 01/05/15 DELEGATED

BH2015/01074

18 Reynolds 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 4.5m, for which the maximum height would be 2.995m, and for which the height of the eaves would be 2.795m.

Applicant: Mrs Aime Krumins
Officer: Astrid Fisher 292337

Prior approval not required on 05/05/15 DELEGATED

WISH

BH2015/00037

244 New Church Road Hove

Creation of new vehicular crossover.

Applicant: Mrs Julie Cully
Officer: Helen Hobbs 293335

Approved on 07/05/15 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
Existing plan			13th January 2015
Proposed plan			13th January 2015
Site plan			13th January 2015
Block plan			7th January 2015

BH2015/00327

148 New Church Road Hove

Erection of single storey rear extension.

Applicant: Mr Andrew Cooper
Officer: Mark Thomas 292336

Approved on 07/05/15 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	-	-	20th April 2015
Existing details	01	-	2nd February 2015
Existing details	02	-	2nd February 2015
Proposed elevations	04	Rev. C	20th February 2015
Proposed floor plan and sections	03	Rev. C	20th April 2015

BH2015/00510

47 Portland Villas Hove

Certificate of lawfulness for proposed demolition of existing conservatory and erection of single storey rear extension.

Applicant: Mrs Claire Ford

Officer: Astrid Fisher 292337

Refused on 01/05/15 DELEGATED

1) UNI

The proposed extension would adjoin an existing extension and a garage, and the resultant structure would have a depth of more than 6.35 metres. The resultant structure projects beyond a wall forming a side elevation of the original dwellinghouse, and would have an overall width greater than half the width of the original dwellinghouse. The development would not therefore be permitted by the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A, A.1 (ea) and A.1 (h) as amended.

2) UNI2

The height of the eaves of the proposed extension would exceed the height of the eaves of the existing dwellinghouse. The development would not therefore be permitted by the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A, A.1 (c) as amended.

3) UNI3

The plans do not indicate if the materials would be of a similar appearance to the existing dwelling house. . Therefore it has not been demonstrated that the development would comply with Schedule 2, Part 1, Class A, A.3 (a) of the Order.

BH2015/00522

Hove Deep Sea Anglers Club Western Esplanade Hove

Erection of diesel winch house.

Applicant: Andrew Buttress

Officer: Adrian Smith 290478

Approved on 05/05/15 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 clubhouse building and beach lockers adjacent.

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	-	-	12/03/2015
Proposed floor plans and elevations	One	-	17/02/2015

BH2015/00530

14 Braemore Road Hove

Demolition of existing outhouse and erection of single storey rear extension.

Applicant: Mr Ross Lynch

Officer: Luke Austin 294495

Approved on 28/04/15 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
Block/Location Plan	100	-	17/02/2015
Existing Ground Floor Plan	1404_200	A	03/03/2015
Proposed Ground Floor Plan	1404_210	B	03/03/2015
Existing First Floor Plan	1404_201	A	03/03/2015
Proposed First Floor Plan	1404_211	B	03/03/2015
Existing Roof Plan	1404_250	A	03/03/2015
Proposed Roof Plan	1404_260	B	03/03/2015
Existing Elevations - Elevation A	1404_401	A	03/03/2015
Existing	1404_402	A	03/03/2015

Elevations - Elevation B			
Proposed Elevations - Elevation B	1404_412	B	03/03/2015
Existing Elevations - Elevation C	1404_403	A	03/03/2015
Proposed Elevations - Elevation C	1404_413	A	03/03/2015
Existing Sections - Section A-A	1404_301	A	03/03/2015
Proposed Sections - Section A-A	1404_311	B	03/03/2015
Existing Sections - Section B-B	1404_302	A	03/03/2015
Proposed Sections - Section B-B	1404_312	B	03/03/2015
Existing Sections - Section C-C	1404_303	A	03/03/2015
Proposed Sections - Section C-C	1404_313	A	03/03/2015

BH2015/00567

1 Welbeck Avenue Hove

Certificate of lawfulness for proposed single storey rear extension and loft conversion incorporating 2 no. dormers to side roof slopes.

Applicant: Mr P Worley

Officer: Haydon Richardson 292322

Split Decision on 13/05/15 DELEGATED

1) UNI

1. The proposed dormers are permitted under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

1) UNI

REFUSE a lawful development certificate for the proposed rear extension for the following reason:-

2) UNI2

1. The rear extension is not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended. The extension would extend beyond a wall forming a side elevation of the original dwelling house and would have a width greater than half the width of the original dwellinghouse (A.1 (h)), and the exterior materials would not be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse (A.3 (a)).

BH2015/00653

46 Berriedale Avenue Hove

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension, insertion of 4 no front rooflights, side window, creation of rear dormer with juliette balcony and removal of chimney.

Applicant: Mr Alan McCarthy

Officer: Astrid Fisher 292337

Approved on 23/04/15 DELEGATED

BH2015/00771

12 Jesmond Road Hove

Erection of single storey rear extension.

Applicant: Mr & Mrs Hall

Officer: Luke Austin 294495

Approved on 13/05/15 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
Location and Block Plans	AC/12JR/03	-	05/03/2015
Existing Elevations and Plans	AC/12JR/01	-	05/03/2015
Proposed Elevations and Plans	AC/12JR/04	-	05/03/2015

BH2015/00814

57 Boundary Road Hove

Installation of steel roller shutter to shopfront.

Applicant: Mr Rajesh Kaushal & Mr Said El Faghloumi

Officer: Haydon Richardson 292322

Refused on 01/05/15 DELEGATED

1) UNI

The proposed external housing box is of a bulky appearance and would project forward of the fascia above, forming an unsympathetic addition. The drawings indicate that the guidance channels would be affixed to the front of the pillars to either side of the shopfront and would therefore be visible rather than concealed. The proposal does not demonstrate that it has been sought to minimise the visual impact of the proposed grilles and housing and does not comply with the guidance set out in SPD02. The proposed development is contrary to policy QD10 of the Brighton and Hove Local Plan.

BH2015/01173

4 Rothbury 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 4m, and for which the height of the eaves would be 2.6m.

Applicant: Mr M Bishop

Officer: Astrid Fisher 292337

Prior approval not required on 06/05/15 DELEGATED

Withdrawn Applications

NEW APPEALS RECEIVED**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****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.

APPEAL LODGED

23/04/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ST. PETER'S & NORTH LAINE**

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).

APPEAL LODGED

27/04/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION**
dormer.**APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ST. PETER'S & NORTH LAINE**

BH2014/01007

6 Winchester Street Brighton
Certificate of lawfulness for existing rear

APPEAL LODGED

29/04/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ROTTINGDEAN COASTAL**

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.

APPEAL LODGED

29/04/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ROTTINGDEAN COASTAL**

BH2014/02452

2 Meadow Close Rottingdean Brighton

Erection of single storey two/three bedroom chalet bungalow with associated off - street parking and landscaping.

APPEAL LODGED

30/04/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****EAST BRIGHTON**

BH2014/03973

32 Chesham Road Brighton

Conversion of ground floor retail unit (A1) to 1no one bedroom flat (C3) including removal of shopfront and installation of new bay window and door.

APPEAL LODGED

30/04/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ROTTINGDEAN COASTAL**

BH2014/03026

Land at Rear of 59-61 Lustrells Vale Saltdean Brighton

Demolition of existing detached garage and erection of a single storey one bedroom dwelling (C3) with off street parking accessed from School Lane.

APPEAL LODGED

07/05/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

BH2014/03358

Land to rear of 7 Woodland Drive Hove

Erection of 1no two bedroom dwelling with off street parking accessed from Bennett Avenue

APPEAL LODGED

11/05/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PRESTON PARK**

BH2014/04080

14 Port Hall Road Brighton

Erection of single storey extension with balcony above and erection of first floor extension to side elevation. Erection of two storey side extension and other associated alterations.

APPEAL LODGED

13/05/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****CENTRAL HOVE**

BH2014/02043

Land Rear of 47-49 St Aubyns Hove

Demolition of garages and erection of 2no two storey houses (C3).

APPEAL LODGED

13/05/2015

Delegated



INFORMATION ON HEARINGS / PUBLIC INQUIRIES
3rd June 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:	10:00am 20 th October 2015
Location:	Brighton Town Hall, Bartholomew Square, Brighton BN1 1JE

Brighton College, Eastern Road, Brighton

Planning application no:	BH2014/02054
Description:	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.
Decision:	Planning Committee
Type of appeal:	Informal Hearing
Date:	TBC
Location:	TBC

APPEAL DECISIONS

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<p>C – 11B (FORMER ICE RINK) & 11 QUEEN SQUARE, BRIGHTON, ST. PETER’S & NORTH LAINE Application BH2013/03793 – Appeal against refusal for demolition of former ice rink and number 11 Queen Square and erection of a 5 no. storey building providing 31 no. residential units (C3) and office use (B1 or A2) at lower ground floor level with associated works. APPEAL DISMISSED (delegated decision)</p>	211
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H – 6 LOCKS HILL, PORTSLADE – SOUTH PORTSLADE 235

Application BH2013/02772 – Appeals against refusal for demolition of existing building (D1) and erection of 5 houses fronting Locks Hill with car parking and vehicular access from rear. **APPEALS DISMISSED** (delegated decision)

I – 109 LONDON ROAD, BRIGHTON – ST. PETER’S NORTH LAINE 239

Enforcement Notice ENF/2013/0317 – The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a Discontinuance Notice relating to the use of a site for the display of advertisements with deemed consent. **APPEALS DISMISSED** (delegated decision)

J – 66 PRESTON STREET, BRIGHTON – REGENCY 241

Enforcement BH2013/0008– The contravention of listed building control as alleged in the notice may be summarised as the execution of various works in the rear garden of the premises. The full description, taken from the Listed Building Enforcement Notice, is included in the Schedules to this Decision. **APPEAL DISMISSED** (delegated decision)



Appeal Decision

Site visit made on 14 April 2015

by **R J Marshall LLB DipTP MRTPI**

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

Decision date: 27/04/2015

Appeal Ref: APP/Q1445/A/14/2228184

84, Bexhill Road, Woodingdean, East Sussex BN2 6QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Jamie Spencer against Brighton & Hove City Council.
 - The application Ref BH2014/02107, is dated 19 June 2014.
 - The development proposed is front and rear 2 storey extensions.
-

Decision

1. The appeal is dismissed.

Background

2. The Council resolved that had it been in time to determine the application it would have refused permission on the grounds of harm to the character and appearance of the dwelling and the street scene and harmful impact on neighbouring properties.

Main Issues

3. In light of the above, and from what I have read and seen, the main issues in this appeal are: **first**, the effect of the proposed development on the character and appearance of the surrounding area; and **second**, its effect on the living conditions of the 2 adjoining neighbours at Nos. 82 and 86 Bexhill Road with special reference to visual impact.

Reasons

Character and appearance

4. The appeal site is a mid terrace property lying to the south of Bexhill Road. On the same side of the road are a number of similar terraces, all looking onto open downland. There are 2 elements to the proposed development. A 2 storey front extension with a hipped roof and a full width rear extension in the form of a catslide roof incorporating a dormer window.
5. The front elevations of the terraces along Bexhill Road in the vicinity of the site have been altered by the addition of many single storey front extensions, including one allowed on appeal APP/Q1445/D/09/2110650. However, given that the terraces are set down somewhat below the level of the road and behind reasonably sized front gardens these do not impact unduly on the street

scene. It is the upper floors and roofs that are the most prominent element viewed from the roadside and here there is a notable uniformity in appearance, notwithstanding some slight differences in the extent to which the ridge lines of individual houses are set back or set down. A key design feature is the existence at one end of the terrace of a property with a forward facing gable and the absence of first floor front extensions to any of the other houses in the terrace. In this context the proposed 2 storey front extension would appear incongruous and out of keeping.

6. Turning to the proposed rear extension the appellant says that it would provide depth and interest to a one dimensional rear elevation. However, a combination of its full width across the plot, the degree of rearward extension, and the catslide roof form containing a large dormer would make it appear overlarge in relation to the modest proportions of the appeal property and neighbouring houses. Thus the scale of the extension would be harmful and to the detriment of the character and appearance of the area. In arriving at this view I have had regard to the appellant's observation on a rear extension nearby at No. 9 Marden Close. However, that decision was made many years ago and I do not have the planning background behind it. The existence of this extension does not alter the views I have expressed above.
7. It is concluded that the proposed development would be harmful to the character and appearance of the surrounding area. As such it would conflict with Policy QD14 of the Brighton and Hove Local Plan (2005) in so far that it seeks to prevent such harm.

Neighbours living conditions

8. The side elevation of the proposed front extension would almost abut the side boundary of No. 82 Bexhill Road. Given this, and its substantial degree of forward projection, the front extension would appear intrusive and over-dominant when seen from the neighbouring property. This would especially be the case given that No. 82 is set back slightly from the appeal property and is at a slightly lower level.
9. The proposed rear extension would almost abut the boundary of the 2 neighbouring houses, Nos 82 and 86 Bexhill Road. Given this, and its degree of rearward projection and height, the proposed extension would appear intrusive and over-dominant when seen from these neighbouring properties. For similar reasons I have given on the first issue my view on this is not altered by the existence of the extension at No. 9 Marden Close.
10. The harm identified above relates to the visual impact of the proposal on the neighbours, as opposed to loss of light on which no substantial evidence has been provided. However, the harm on visual impact alone would be substantial.
11. It is concluded that the proposed development would be harmful to the living conditions of the 2 adjoining neighbours at Nos. 82 and 86 Bexhill Road with special reference to visual impact. As such it would conflict with Policies QD14 and QD27 of the Brighton and Hove Local Plan (2005) in so far that they seek to prevent such harm.

Conclusion

12. For the reasons given above it is concluded that the appeal should be dismissed. Whilst I appreciate the appellant's desire to extend the property to accommodate an expanding family this does not outweigh the harm identified.

R J Marshall

INSPECTOR



Appeal Decision

Site visit made on 13 April 2015

by Ron Boyd BSc (Hons) MICE

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

Decision date: 28 April 2015

Appeal Ref: APP/Q1445/D/15/3003379

40 Albany Villas, Hove, East Sussex BN3 2RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Houlbrook against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02637, dated 5 August 2014, was refused by notice dated 9 December 2014.
 - The development proposed is 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.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 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 at 40 Albany Villas, Hove, East Sussex BN3 2RW in accordance with the terms of the application, Ref BH2014/02637, dated 5 August 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: 13133 – P01-P06.
 - 3) Notwithstanding condition 2) above no development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted; the design and installation of the proposed railings and gates; the planted roof to the proposed garage; and landscaping measures, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural matter

2. The description of the proposed development in the heading above is that used by the Council in its notice of refusal and adopted by the appellants in their appeal form. I consider it more succinct than that on the application form.

Main issue

3. I consider this to be the effect the proposed development, in respect of the proposed garage and alterations to the front and rear boundary walls, would have on the character and appearance of the existing property, the streetscene and the Clintonville Conservation Area (the Conservation Area).

Reasons

4. The appeal property is the southern half of a pair of Victorian semi-detached properties on the west side of Albany Villas within the Conservation Area. The back garden extends westwards to front Medina Villas and is bounded to the north by 25 Medina Villas, a modern contemporary-styled detached house erected earlier this century, and to the south by 27 Medina Villas, a detached Victorian house. Semi-detached villas, such as the appeal property, with stucco facades and front gardens enclosed by boundary walls and piers characterize the area.

New front and rear boundary treatments

5. The appearance of the area has been affected to its detriment, to varying extents, by the removal of boundary features including railings. The appeal property is one of many so affected, being without the railings that would have originally have been leaded into the garden-wall copings between piers as an integral part of the low-wall, high-pier form boundary treatment. Some of the original railings have survived in the area, including at 27 Medina Villas, although these are in poor condition and, in respect of the Albany Villas frontage, screened by modern fencing panels. However, several properties, such as No. 44 Albany Villas have provided modern replacements for their lost railings. Where there is a consistency of approach and installation methodology such as at 31-38, and 24 and 24A Medina Villas these are to my mind successful in improving the streetscene, and restoring a degree of harmony to the frontages.
6. I consider that provision of railings to the Albany Villas and Medina Villas frontages as is indicated on submitted Drawing No. 13133 P06 has the potential to enhance the character and appearance of the streetscene and the Conservation Area, subject to satisfactory detailed design. The submitted plan appears to show that the railings would be set into the wall copings. The appellants' appeal statement refers to the proposed Albany Villas railings being of a 'style and character with those that exist elsewhere' and that the proposed Medina Villas railings 'would match those on the adjacent modern property to the north as well as those original to the host property'. Notwithstanding the above I consider that the proposed design and fixing of the railings has not been adequately detailed in the submitted plans.
7. I consider that the proposals for widening of the vehicular access from Medina Villas, provision of new gates (subject to details) and the reduction in the flint panel would cause no material harm to the appearance of the streetscene.

The replacement garage

8. The back garden contains a pitched-roof timber garage which, from the submitted evidence, appears to have been built under permissions BH2000/00827/CA and BH2000/00826/FP. The garage measures approximately 11m x 3.7m and is set back some 9m from the Medina Villas frontage. The proposal is to replace the garage with a longer building some 14.4m x 4.3m set back 6m from the highway with its southern elevation immediately adjacent to the boundary wall to 27 Medina Villas. The garage would be able to accommodate two cars in tandem and would have a rendered finish and a mono-pitch planted (living green) roof sloping, south to north, from 3m in height to 2.4m.

9. The line of the front (western) elevation of the proposed garage would continue northwards as a rendered wall, just under 2m high, to the boundary wall with No 25 Medina Villas. The wall would contain a pedestrian gate immediately adjacent to the garage and would effectively divide the back garden in two, with the more private conventional back-garden area to the east, and a more public, front-garden-style, parking area between the wall and the highway. The bi-fold doors proposed for the garage's northern elevation would be largely screened from public view by the wall, and, notwithstanding its greater footprint than the present building, I consider it an acceptable replacement.
10. The layout of the Medina Villas frontage proposed for the appeal dwelling would be viewed in the context of both the modern dwelling to the north, with its rendered finish, flat roof and mono-pitched garden building, and the large Victorian dwelling to the south. To my mind the proposed development would sit comfortably between the two within the streetscene.

Conclusion

11. In the light of the above I consider that, subject to appropriate detailing, the proposals would be compatible with the requirements of Policies QD14 and HE6 of the Council's Local Plan 2005. Policy HE6 includes specific reference to the reinstatement of original features such as gates and railings and in this respect, with appropriate detailing, the proposal would enhance the character and appearance of the Conservation Area. The proposed garage and parking area would, by causing no material harm to the character or appearance of the Conservation Area, preserve it in those respects. The proposal as a whole would respond to local character and add to the overall quality of the streetscene in line with the requirements of the National Planning Policy Framework. I conclude that, with the above proviso, the effect of the proposed development on the character and appearance of the existing property, the streetscene and the Conservation Area would be acceptable.
12. However, as mentioned above and as identified by the Council, the submitted proposals lack detail in respect of a number of aspects including the design and fixing of the railings, the proposed gates, the planted-roof proposals, and landscaping measures. The Council suggests that were the proposal to be acceptable further details could be requested as a condition. I agree. I am therefore imposing a condition precluding the commencement of development until further details in respect of the above and external surface materials have been submitted to and approved in writing by the Council. I consider this to be reasonable and necessary in the interests of achieving a satisfactory appearance. In addition, other 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.
13. I have taken account of all the other matters raised in the evidence but have found nothing to outweigh my conclusion in respect of the main issue which has led to my decision on this appeal. For the reasons given above I conclude that the appeal should succeed.

R.T.Boyd

Inspector



Appeal Decision

Site visit made on 22 April 2015

by David Prentis BA BPI MRTPI

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

Decision date: 29 April 2015

Appeal Ref: APP/Q1445/A/14/2229118

11B (Former Ice Rink) and 11 Queen Square, Brighton BN1 3FD

- 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 Stonehurst Estates against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/03793, dated 7 November 2013, was refused by notice dated 30 October 2014.
 - The development proposed is demolition of former ice rink and number 11 Queen Square and erection of a 5 no. storey building providing 31 no. residential units (C3) and office use (B1 or A2) at lower ground floor level with associated works.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. I have adopted the description of development and site address as set out in the Council's decision notice and in the appeal form. Although described as a 5 storey building the plans show development on 6 levels – upper and lower ground floors and 4 upper floors.
3. An Agreement under s106 of the Town and Country Planning Act 1990 has been submitted. The Agreement would make provision for contributions to education, a local employment scheme, recreation, transport and public art. I comment further on the Agreement below.

Main issues

4. The main issues are the effects of the proposal on the settings of heritage assets and on the living conditions of nearby residents.

Effect on the settings of heritage assets

5. Queen Square leads north from the busy commercial hub of Western Road. The appeal site comprises a former ice rink, which forms the northern end of the square, and No 11 Queen Square which is at the end of a terrace forming the western side of the square. The eastern side of the square is formed by a modern office development at Queen Square House and a 19th century former chapel, now in commercial use, at No 12 Queen Square. The heritage assets of particular relevance to the appeal are the Church of St Nicholas, Nos 1 – 12 Wykeham Terrace and the Montpelier and Cliftonhill Conservation Area.

6. The Church is an asset of particularly high significance, being listed at Grade II*. The listing description notes that it dates from the 14th century and that much of it was rebuilt in the mid 19th century. It was the parish church for Brighton until 1873. The Church is prominently located in an elevated location set within a large churchyard. This open setting allows it to be seen as a free-standing structure and emphasises the status of the building. Moreover, the churchyard provides a relatively tranquil setting for the Church in contrast to the busy urban environment of the city. I consider that the churchyard makes an important contribution to the significance of the Church as a heritage asset.
7. The Montpelier and Cliftonhill Conservation Area is characterised by a formal layout of terraces, crescents and open spaces. The churchyard is an important public space within the conservation area. It is an attractive green space, enhanced by numerous trees, which affords views of the Church and the surrounding townscape. As noted above, it is a calm and tranquil area. In my view the churchyard makes a strongly positive contribution to the character and appearance of the conservation area as a whole, contributing to its significance as a heritage asset.
8. Nos 1 – 12 Wykeham Terrace are Grade II listed buildings. The listing description notes that the terrace dates from 1827–30 and is in the Tudor-Gothic style. The terrace forms a striking architectural composition. It is broadly symmetrical with rich architectural detailing. The roofline is enlivened by battlements, pointed-arched attic windows and elaborate chimney stacks. All of these features contribute to its significance. The setting of the terrace includes the churchyard and the Church itself. The Church and terrace are seen together from some viewpoints. They are also seen in important sequential views because the path leading to the Church from the direction of the town centre passes directly in front of the terrace.
9. Although there are no designated heritage assets within the appeal site it is closely related to the above assets. The western site boundary is adjacent to the rear boundary wall to Wykeham Terrace and the northern boundary of the site is adjacent to a stone wall enclosing the southern edge of the churchyard.
10. The former ice rink is now derelict and roofless. The Council raises no objection to its demolition. Nor does the Council object to the demolition of No 11. Subject to a suitable replacement scheme, I see no reason to disagree.
11. The appeal scheme would be prominently located adjacent to the churchyard. Development is proposed on 6 levels. As seen from the churchyard, the lower ground floor would be below ground level and the upper ground floor would be behind the existing boundary wall¹. Even so, there would be 4 floors visible above the existing boundary. The Design and Access Statement (DAS) comments that the principal height of the proposed building would relate to the predominant height of St Nicholas Lodge, which stands to the east of the churchyard. The DAS also states that the top storey is set back and is conceived as a 'light weight glass lantern'.
12. To my mind these design intentions are not reflected in the submitted drawings. Although the top storey is described as a 'glazed pavilion' on the drawing notes, it contains residential accommodation which will inevitably need a significant degree of enclosure. The 4th floor plans show a conventional layout

¹ Due to the sloping nature of the ground part of the 1st floor would also be behind the churchyard wall.

of walls and window openings. I consider that, in practice, the top storey is likely to appear more solid than is suggested by the submitted elevations. Moreover, the top storey would have only a minimal setback from the northern elevation and would extend for more than half the length of the building. The Council's Conservation Officer commented that the 4th floor would appear more as a continuation of the 3rd floor than as a discreet and subsidiary termination of the building. I agree with that assessment.

13. In my view the height, scale and horizontal emphasis of the proposed building, combined with its proximity to the site boundary, would result in a very dominant presence on the edge of the churchyard. It would not be comparable with St Nicholas Lodge which has a more varied profile and plan form than the proposed building would have. This would have a harmful effect on the relatively open nature of the churchyard, detracting from the quality of the green space and the contribution it makes to the character and appearance of the conservation area. Given that the churchyard forms a key element of the setting of the Church, it follows that the setting of the Church would not be preserved.
14. Turning to the effect on the setting of Wykeham Terrace, I note that the proposed development would not be seen in views from immediately in front of the terrace. Nevertheless, the proposed building and the terrace would be seen together in views from the churchyard. In these views the new building would rise up immediately behind the northern end of the terrace. The height of the new building would be well above that of the terrace and it would be in relatively close proximity. I consider that the new building would dominate the skyline in such views, competing with and distracting from the dramatic roofline of the terrace. This would be harmful to the setting of the listed terrace.
15. The terrace is not seen in isolation in such views because the modern office building at Queen Square House can also be seen. However, Queen Square House is sited further away than the appeal building would be and does not have such a dominant effect.
16. To conclude on the first main issue, the proposal would fail to preserve the settings of the Church of St Nicholas and Wykeham Terrace. Mindful of the relevant statutory duty² this is a matter to which I attach considerable importance and weight. It would also be harmful to the character and appearance of the conservation area due to development within its setting.
17. The harm to the settings of the listed Church, the listed terrace and the conservation area would be harmful to their significance as designated heritage assets. In the terms of the National Planning Policy Framework (the Framework) the harm to significance would, in each case, be less than substantial because setting is but one aspect of the overall significance of the assets in question. Moreover, in each case only part of the setting would be affected. It does not follow that the harm would be minor or unimportant. The Framework emphasises the general importance of sustaining and enhancing the significance of heritage assets. In these circumstances paragraph 134 of the Framework requires the harm to significance to be weighed against the public benefits of the scheme. I return to that balance in the concluding section of my decision.

² S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

18. The appeal proposal would conflict with Brighton and Hove Local Plan (LP) Policies HE3 and HE6 which seek to protect the settings of listed buildings and conservation areas.

Effect on the living conditions of nearby residents

19. The Council is concerned about loss of daylight and increased sense of enclosure affecting dwellings at Wykeham Terrace, concerns which are shared by local residents. Residents have also raised concerns about overlooking of properties in Queen Square and St Nicholas Lodge and about noise and disturbance arising from additional traffic in Queen Square.
20. The application was supported by a daylight assessment which uses an established methodology. Neither the methodology nor the findings have been disputed by the Council. The assessment identifies that daylight is already restricted at the rear of Wykeham Terrace, no doubt due to the limited space between the terrace and the former ice rink building. It concludes that daylight to the most affected windows would not be reduced to a degree which would conflict with the relevant technical guidance. I see no reason to doubt that conclusion.
21. Even so, I share the Council's concern in relation to the visual impact of the proposed development. The properties most affected would be Nos 9, 10, 11 and 12 Wykeham Terrace. The back gardens of the terrace are quite small and are enclosed by high walls to the rear. In relation to these gardens, the adjoining part of the proposed development would effectively be 5 storeys in height. Although the 2nd and 3rd floors would be stepped in from the boundary they would still be relatively close to the back of the terrace. This would have an unduly overbearing and enclosing effect on the rear windows and gardens of the nearest properties in Wykeham Terrace to an extent which would be harmful to the living conditions of the occupiers.
22. Potential overlooking between Wykeham Terrace and the west elevation of the proposed building could be prevented by the use of obscure glazed windows, as suggested by the appellant. This could be controlled by a condition. Some degree of overlooking is inevitable in a dense urban environment such as this. In most cases I consider that the angle of view, together with the separation distance, between proposed windows and balconies and existing windows in Queen Square and St Nicholas Lodge would be such as to avoid undue harm to living conditions. That said, the left hand set of balconies on the southern elevation would be very close to the front elevation of No 10 Queen Square. Having regard to the configuration of the bay window at No 10, I consider that these balconies would result in an unacceptable loss of privacy.
23. Queen Square is close to the busy commercial area along Western Road. It contains a mix of residential and office uses together with a large taxi rank. The proposed development would be mainly residential, with office space at lower ground floor level. This mixed use scheme would be compatible with the existing environment and I do not think that it would result in undue noise and disturbance.
24. On the second main issue, I conclude that the proposal would be harmful to the living conditions of nearby residents at Wykeham Terrace, in that it would cause an unduly overbearing and enclosing effect, and at No 10 Queen Square where there would be a loss of privacy. It would therefore conflict with LP

Policy QD27 which seeks to protect the amenity of adjacent residential occupiers.

Other matters

25. The appellant makes extensive references to a comparison between the appeal scheme and a proposal for a serviced apartment hotel which was permitted by the Council in October 2012. Floor plans and elevations of the hotel scheme have been provided showing that it has many similarities with the appeal scheme. Although the merits of the hotel scheme are not before me, this planning permission is a material consideration. However, there are important differences between the appeal scheme and the hotel scheme which bear directly on the main issues in this appeal. In the appeal scheme the area covered by the 4th floor is greater, the overall length (as seen from the churchyard) is greater and the degree of set back from the northern elevation is less. In addition, the gap between the 3rd floor and Wykeham Terrace is smaller.
26. The effects of these differences are that impacts on the settings of designated heritage assets and the living conditions of nearby residents would be materially greater if the appeal scheme were built than they would be if the hotel scheme were built. I note that the total volume of built development would be reduced and the roof of the 4th floor would be around 0.5m lower. However, these parameters are less important to the impacts I have identified than the factors referred to above. Consequently, whilst I take account of the hotel scheme, it does not change my conclusions on the merits of the appeal scheme.
27. The appeal scheme would deliver 31 residential units, including a proportion of affordable housing. It would also secure the redevelopment of a vacant and derelict site. These are important benefits weighing in favour of the appeal. Some local residents consider the scheme would be detrimental to the townscape of Queen Square. However, I consider that enclosing the northern side of the square would be beneficial in design terms.
28. A tree survey was submitted with the application. This notes that an elm tree within the churchyard would need to be cut back to accommodate the proposed development. Whilst this is a tree which contributes to the verdant character of the churchyard it overhangs the appeal site quite extensively. It seems likely that it would need to be reduced to enable any reasonable redevelopment of the appeal site to go ahead. Consequently this is not a matter which weighs against the appeal.
29. The owners of the commercial premises at 12 Queen Square are concerned about effects on daylight to windows and roof lights and about overlooking from balconies. Whilst I take account of these concerns, I consider that commercial properties are less sensitive than residential accommodation in these regards. Concerns are also raised regarding rainwater running off the proposed building. That appears to me to be a matter to be resolved between adjoining property owners. In any event, I do not think that these impacts would be so severe as to be important considerations in planning terms.
30. Several representations have been received from local amenity societies and residents. Many of the matters raised have been covered above. In addition, some residents are concerned that lowering the road level of part of Queen

Square could affect cellars under the road. Residents are also concerned about the adequacy of the sewerage system to accommodate additional development. The grant of planning permission would not interfere with the ownership of any underground structures which might be affected. Structural matters and the adequacy of drainage would be considered under other legislation.

31. With regard to the S106 Agreement, I have sought further information regarding regulation 123 of the Community Infrastructure Levy Regulations 2010³. As this information was not forthcoming at the time of writing, I do not know whether or not it would be permissible to take account of the contributions in my decision. However, as the appeal is to be dismissed on other grounds, which would not be affected one way or the other by the Agreement, it is not necessary for me to pursue this matter further.

Conclusion

32. In conclusion, the proposal would be harmful to the significance of the listed church, the listed terrace and the conservation area. These are matters to which I attach considerable importance and weight. I note that the appeal scheme would bring benefits in that it would deliver housing, including affordable housing, secure the redevelopment of a derelict site and improve the appearance of Queen Street. However, I see no reason to think that similar benefits could not be achieved with a design which did not have the adverse impacts I have identified. On balance, the benefits would not outweigh the harm to the significance of the heritage assets in question. I conclude that the proposal would not accord with the policies of the Framework relating to the historic environment.
33. The appellant draws attention to the housing land supply position in Brighton and Hove and refers to the presumption in favour of sustainable development set out in paragraph 14 of the Framework. However, the presumption is not engaged in circumstances where specific policies in the Framework, such as those relating to designated heritage assets, indicate that development should be restricted⁴. This is such a case.
34. The proposal would also be harmful to the living conditions of nearby residents.
35. I have considered all other matters raised but have found none that alter my conclusions on the main issues. For the reasons given above, the appeal should not be allowed.

David Prentis

Inspector

³ The transitional provisions relating to pooled obligations have come to an end since the Agreement was completed

⁴ See footnote 9 to paragraph 14



Appeal Decision

Site visit made on 23 March 2015

by **Clive Tokley MRTPI**

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

Decision date: 29 April 2015

Appeal Ref: APP/Q1445/W/14/3001082

Sandringham Lodge, 23 Palmeira Avenue, Hove, East Sussex, BN3 3GA.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Anstone Properties Ltd against Brighton and Hove City Council.
 - The application Ref BH2014/03130 is dated 17 September 2014.
 - The development proposed is a roof extension to provide two three-bedroom flats.
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Application for Costs

1. An application for costs has been made by Anstone Properties Ltd against Brighton and Hove City Council. That application is the subject of a separate decision.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area including the nearby Willett Estate and Brunswick Town Conservation Areas (CAs).

Reasons

4. Sandringham Lodge is one of a number of relatively modern purpose-built flat developments that lie between the older residential areas that have been designated CAs. The five storey flat-roofed appeal building is built at a lower level than the adjacent roads and the height of its main roof is roughly the same as the other nearby flat-roofed buildings which are mostly of four storeys. A lift motor room extends almost 3m above the main roof. It is set back from the two road frontages of the site but is visible in longer views from nearby streets.
 5. Sandringham Lodge has deep overhanging eaves and its buff/brown brickwork and wide windows reveal its mid C20 origins. It is in a prominent corner location; however being of a similar height to the surrounding buildings it
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blends with its surroundings. Sandringham Lodge is of limited architectural merit; nevertheless it is a building of its time that retains its original character.

6. The appellant describes the proposal as having a traditional form and I saw a number of older buildings in the area with dormer windows. However Sandringham Lodge is not a traditional building. I consider that the juxtaposition of the deep eaves and the proposed parapet wall with the mansard form above would create a confused and ungainly treatment at the top of the building. The proposed roof extension would be a bulky addition to the building and neither its mansard design with dormer windows nor its slate cladding would be characteristic of the host building or the other modern buildings in the area.
7. The overhanging eaves and parapet walls would limit the extent to which the full bulk of the proposal would be seen from the pavements immediately outside the building; however it would be clearly in view from a short distance away and from neighbouring buildings. The increased height and bulk at roof level would be accentuated by the dark slates and the vertical surfaces of the dormer windows and the proposal would result in an assertive and incongruous building in this prominent location.
8. I consider that as a result of its remoteness and the intervening buildings the proposal would have a very limited effect on the Brunswick Town CA. It would be closer to the Willett Estate CA and, from Salisbury Road (within the CA), it would be a bulky skyline feature that would be at odds with the character of the two flat-roofed buildings with deep eaves that currently mark the south side of Lansdowne Road. The proposal would also detract from views into the CA from the east and when looking in to or out from the CA its setting would be harmed. The harm to the significance of the heritage asset (the Willett Estate CA) would be less than substantial as indicated by the Framework.
9. Aside from the CAs; I consider that as a result of its height and appearance the proposal would materially detract from the townscape and the distinctive character of the area. Most notably when viewed from the east along Lansdowne Road and from Palmeira Avenue where it would be seen in conjunction with the richly detailed adjacent houses to the south.
10. The appellant draws attention to the lift motor room that would be incorporated within the proposal; however, whilst the motor room is an unfortunate feature of the building it is a small-scale incident on the skyline which reflects the materials and detailing of the main building. I consider that any benefit that may arise from screening the motor room would be heavily outweighed by the harm to the character and appearance of the area that would result from the proposal.
11. The proposal would conflict with Policies QD1 and QD2 of the Brighton and Hove Local Plan (LP) which seek to ensure that all developments are well designed taking account of local characteristics such as the height, design and bulk of existing buildings. It would also conflict with Policy HE6 which indicates that the setting of conservation areas should not be adversely affected by development proposals.

Other matters.

12. Nearby residents have expressed concern about overlooking and overshadowing but taking account of the existing windows and the space between buildings I consider that the proposal would have no material effect on living conditions. Residents raise a number of other concerns ranging from the effect of the proposal on parking to the adequacy of the building's foundations but none of these matters have had a material effect on the outcome of the appeal.
13. A number of the occupiers of Sandringham Lodge support the proposal and I understand the benefits that would result from the building being re-roofed. However the proposal goes well beyond what would be necessary to re-roof the building.

Framework balance

14. The Council is unable to demonstrate a five year supply of housing land and therefore, as a consequence of paragraph 14 of the Framework, the proposal must be assessed against the policies of the Framework as a whole. The creation of new residential accommodation in a sustainable location would accord with one of the objectives of the Framework; however the Framework indicates that the dimensions of sustainability, including the protection and enhancing of the built and historic environment, should not be considered in isolation. The framework cautions against the imposition of architectural styles or tastes; however it indicates that it is proper to seek to promote or reinforce local distinctiveness.
15. I acknowledge the benefit that would arise from the creation of two flats in this sustainable location; however I consider that this benefit would not be sufficient to outweigh the harm to character and appearance of the area or the harm to the setting of the Willett Estate CA that I have identified.

Conclusion

16. I am conscious that this proposal is the third different approach that the appellant has taken to extend Sandringham Lodge. However for the reasons set out above I consider that, in common with its predecessors, the proposal would unacceptably upset the arrangement of building heights in the area. In addition it would be an incongruous addition that would fail to have regard to the character of the host building or its surroundings. I consider that the benefits from the proposal would be significantly outweighed by the harm that I have identified and taking account of all matters I have concluded that the appeal should not succeed.

Clive Tokley

INSPECTOR



Costs Decision

Site visit made 23 March 2015

by **Clive Tokley MRTPI**

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

Decision date: 29 April 2015

Costs application in relation to Appeal Ref: APP/Q1445/W/14/3001082

Sandringham Lodge, 23 Palmeira Avenue, Hove, East Sussex, BN3 3GA.

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Anstone Properties Ltd for a full award of costs against Brighton and Hove City Council.
 - The appeal was made against the failure to determine an application within the prescribed period for a roof extension to provide two three-bedroom flats.
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Decision

1. The application for an award of costs is refused.

Reasons

2. National guidance on costs can be found in *Planning Practice Guidance* (the Guidance) first published on 6 March 2014. The Guidance states that all parties in planning appeals normally meet their own expenses and are expected to behave reasonably to support an efficient and timely process. Where a party has behaved unreasonably and this has directly caused another party to incur unnecessary or wasted expense in the appeal process they may be subject to an award of costs.
 3. The appellant argues that the Council behaved unreasonably by failing to determine the planning application within the eight week period, failing to give an explanation for this and failing to seek an extension time. The appellant indicates that if the application had been determined within the prescribed period or within an agreed extended period the appeal would have been unnecessary.
 4. The Council draws attention to a number of factors that prevented the application from being determined within the eight week period including the need for additional publicity, the Council's procedures for referring applications to its Planning Committee and the effect of the Christmas period. Bearing in mind that the application was validated on 29 September I can see no justification for the Council's failure to carry out its full neighbour notifications until 5 November. Further, I note that more than five objections had already been received by the Council before the 5 November and therefore a referral to the Committee for decision would have already been triggered. Whilst I
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acknowledge that the Christmas period can be disruptive this was well beyond the eight week date and the Council was aware of the need for a Committee decision early in November.

5. The failure to carry out full neighbour notifications in a timely manner was entirely within the Council's control. I accept that the determination procedure would not have been clear at the outset; however this was known by the Council before it carried out the wider publicity. It is possible that referral to a Committee may have resulted in the eight week period being exceeded and this may be regarded as an acceptable cost of the democratic decision-making process. However I am not convinced that in this case it would necessarily have delayed a decision until after Christmas. Most importantly the Council had the opportunity to explain the position to the appellant and seek an extension of time with a clear end date but failed to do so.
6. I consider that the failure of the Council to determine the application within eight weeks does not amount to unreasonable behaviour; however in the light of the Guidance the Council acted unreasonably in failing to explain the position to the appellant and failing to seek an extension of time.
7. Following the making of the appeal the planning application was considered by the Committee on 28 January 2015. The Council resolved that it was minded to refuse the application for the reasons recommended by officers. I have seen no evidence to suggest that had the application been determined sooner, or had an extension of time been sought, the Council would have reached a different conclusion on the application.
8. Had the application been refused within the eight week period, or such longer period that may have been agreed, the only way forward for the appellant would have been to make an appeal. The appellant has given no indication that had the application been refused earlier an appeal would not have been made. Therefore the failure to determine the application on time would not have overcome the need for an appeal.

Conclusion

9. Whilst the failures of the Council amounted to unreasonable behaviour I have seen no indication that better communication with the appellant would have enabled the appeal to be avoided. Therefore the Council's procedural shortcomings have not directly resulted in the expenditure arising from the appeal. I conclude that the Council's unreasonable behaviour has not resulted in unnecessary or wasted expense and therefore an award of costs is not justified.

Clive Tokley

INSPECTOR



Appeal Decision

Site visit made on 20 April 2015

by Isobel McCretton BA(Hons) MRTPI

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

Decision date: 30th April 2015

Appeal Ref: APP/Q1445/W/15/3005630

141 New Church Road, Hove BN3 4BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Heath against the decision of Brighton & Hove City Council.
 - The application Ref. BH2014/03313, dated 10 September 2014, was refused by notice dated 1 December 2014.
 - The development proposed is a 2-storey, 2-bed house to replace single storey garage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect on the living conditions of nearby residential occupiers in terms of loss of light and outlook; and
 - whether adequate amenity space would be provided for future occupiers.

Reasons

3. The appeal property lies on the eastern side of the junction of New Church Road and Portland Avenue. It comprises a detached house with a large, flat-roofed garage/store at the rear which is accessed from Portland Avenue.
4. It is proposed to demolish the garage/store and to erect a 2-storey, 2-bedroom dwelling on a similar foot print. This would be a flat-roofed structure of contemporary design, with 2 bedrooms and a study on the ground floor and an open kitchen/dining/living space on the first floor leading to a small terrace at the front facing Portland Avenue. The building would be a mix of white rendered walls with panels of horizontal or vertical sweet chestnut cladding and the walls facing nos.141 and 139 Church Road would be 'green walls'. There would be off-street parking space for 1 car, a bicycle store and a bin store at the front. To the rear there would be an amenity area between the proposed house and the boundary fence with no.139.

Character and Appearance

5. This is a mainly residential area. The houses in this part of New Church Road, and the roads leading off it vary in design, but are predominantly detached and semi-detached properties of a similar age and character with a mix of brick and rendered walls and hipped or gabled tiled roofs.
6. The existing garage/store is built to the back edge of the pavement and there is a wall continuing along the side boundary of no.141. The ground floor of the proposed dwelling would be in line with the front main wall of no.1 Portland Avenue where it adjoins that property, and then it would project out to just beyond the flank wall of no. 141¹. The first floor would be set back from the main front elevation of no.1 (though forward of its side extension) and a little back from the flank of no.141, though with the louvered screen alongside the first floor front terrace it would appear to be forward of no.1 in the views along the street. The building would have a flat roof level with the top of the parapet to the side extension of no.1, i.e. just above eaves height.
7. There is no policy objection in principle to contemporary design, but the proposed dwelling appears to take little if any design reference from the surrounding houses. Although there would be a more interesting and active frontage to Portland Avenue than is currently the case, I consider that the bulk and mass of the proposed dwelling, generally forward of the Portland Avenue houses with which it would principally be related and be viewed, would be prominent and obtrusive in the street scene. The 'green wall' facing no.141 would soften the southern elevation to some extent, but access would be required from land outside the appeal site for it to be maintained, and there is no indication as to how this would be achieved. Without the 'green wall' detailing this elevation would appear stark and overbearing.
8. The building would be built along the boundary to the garden of no.141 and very close to the side boundary with no.1 (around 900mm). The proximity of the new house to no.1 and its block-like appearance would sit uncomfortably beside the traditionally designed houses which are more widely spaced. Added to this, the parking space would be too short for larger cars so that they would overhang the pavement and, unlike most of the properties in Portland Avenue, there would be little frontage planting. Thus, overall, the house would appear cramped on the plot and a jarring feature in the views along the road.
9. The National Planning Policy Framework (the Framework) advises that planning decisions should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality through unsubstantiated requirements to conform to certain development forms or styles. It does however, state that it is proper to seek to promote or reinforce local distinctiveness. In my opinion the proposed development would not reinforce the prevailing distinctive character of this suburban area.
10. In support of the proposal the appellants refer to a contemporary dwelling which has been built at the northern end of Portland Avenue. This scheme was allowed on appeal in 2010². However, there are a number of differences between that scheme and this current proposal. Firstly, it appears from the

¹ The drawing in the Design and Access Statement and Planning Statement show it set back behind the flank wall of no.141, but drawing 0322.PL.001A, on which the Council based its decision, shows the ground floor marginally further forward.

² APP/Q1445/A/10/2130154 dated 15/11/10

Inspector's decision that it comprised an open yard, store and garage connected with the commercial properties fronting Portland Road to the north. It was therefore clearly previously developed land³ whereas this would replace a domestic structure on garden land.

11. Secondly, the Inspector noted that the new dwelling screened the unattractive rear elevations of the 3-storey main road properties. While this appeal proposal would replace a fairly unattractive domestic building, the existing garage/store is only single storey and a low key structure in street views.
12. Thirdly there is a garage which creates a gap between the end house in Portland Avenue and the new dwelling which means that it has a different visual relationship with the more traditional dwellings. There is also a street tree and another in the front garden of the new houses which, to some extent soften its appearance. I therefore do not consider that that development sets a precedent for my consideration of this appeal scheme.
13. I conclude that the proposed development would be detrimental to the character and appearance of the area. It would not accord with saved policies QD1 and QD2 of the Brighton and Hove Local Plan 2005 which, among other things, require all new development to make a positive contribution to the visual quality of the environment and be designed to emphasise and enhance the positive qualities of the local neighbourhood.
14. In addition, the proposal would conflict with one of the core principles of the Framework which is to always seek to secure high quality design. Good design is a key aspect of sustainable development and is indivisible from good planning. It goes on to state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Living Conditions – Adjoining Occupiers

15. Given the distance between the properties, intervening street trees and the fact that the proposed dwelling would be offset from both houses, I do not consider that there would be a material loss of light or outlook for the occupiers of no.143 New Church Road and no.2 Portland Avenue on the opposite side of the road. Similarly the proposed house would not extend beyond the rear of no.1 and there would be unlikely to be direct overlooking to habitable room windows from the first floor terrace at the front. I therefore do not find that there would be a material adverse impact on the living conditions of the occupiers of those properties.
16. The shadow diagrams in the appellants' submissions show that there would not be an undue level of overshadowing of the adjoining garden at no.139. Nevertheless, the proposed dwelling would be situated just over 2m from the side boundary of no.139. The side extension to no.1 Portland Avenue already presents a high 2-storey wall across part of the end of the garden of no.139. I consider that the addition of a 2-storey building in close proximity to the side boundary would mean that the views out from the garden of no.139 would be further restricted such that there would be an unacceptable sense of oppressiveness and enclosure for the occupiers of that property which would detract from their living conditions.

³ As defined in Annex 2: Glossary to the National Planning Policy Framework

17. As such the scheme would not accord with Local Plan policy QD27 which seeks to protect the amenity of adjacent residents. It would also be contrary to another of the core principles of the Framework which is to always seek a good standard of amenity for all existing and future occupiers.

Amenity Space

18. Local Plan policy HO5 requires the provision of private, usable amenity space in new residential development appropriate to the scale and character of the development. No specific size for this amenity space is given, but the supporting text indicates that front gardens, back gardens and balconies will be taken into account.
19. The Council estimates that the rear, east facing amenity space would be of the order of 2.3m x 10.3m and, at the front, there would be a small first floor terrace. The appellants argue that this would provide 2 spaces where occupiers could enjoy the morning or afternoon sun, and that a similar arrangement has been previously allowed on appeal⁴ in Woodland Drive, but again I am not convinced that appeal decision sets a precedent.
20. The Inspector in that case found that the narrow rear terrace would have limited value but would be sufficient to accommodate a garden table and chairs. He noted that the squarer shape of the larger front terrace would enable a greater range of uses and the fencing and cycle/refuse stores at the front of the site would prevent it being overlooked from the street.
21. By contrast, in this current case the narrow rear terrace would be the larger of the two spaces, and the front terrace would not provide for a wider range of uses as in the previous case nor would it be enclosed and private. It would sit at first floor level, close to the pavement and would be only partly enclosed by a louvred screen. I agree with the Council that the proposed amenity spaces would be unsuitable for the needs of a family and so would not be appropriate to the scale and character of the development, contrary to policy HO5.

Conclusion

22. The appellants contend that the Council has a severe shortage of housing land and cannot demonstrate a five year supply as required by the Framework. The emerging City Plan has been examined and the Inspector has required that the Council look again at this matter, but the 2014 housing trajectory shows that the Council is likely to be able to meet only its annual requirement, and not make up for the persistent shortfall in previous years. The Framework requires that housing proposals are considered in the context of the presumption in favour of sustainable development and that they should be granted unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
23. I have found that the proposals would be detrimental to the character and appearance of the area, harm the living conditions of the adjoining occupiers, provide unsatisfactory amenity space for future occupiers and be contrary to some of the core principles of the Framework. I find that these factors significantly and demonstrably outweigh the benefit of providing one additional small dwelling.

⁴ Ref. APP/Q1455/A/13/2192771 dated 10/7/13

24. For the reasons given above I conclude that the appeal should be dismissed.

Isobel McCretton

INSPECTOR



Appeal Decision

Site visit made on 20 April 2015

by Isobel McCretton BA(Hons) MRTPI

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

Decision date: 30th April 2015

Appeal Ref: APP/Q1445/D/15/3005161
158 Tivoli Crescent North, Brighton BN1 5NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Sadeghi against the decision of Brighton & Hove City Council.
 - The application Ref. BH2014/03587, dated 16 October 2014, was refused by notice dated 17 December 2014.
 - The development proposed is a rear first floor extension above existing flat roof.
-

Decision

1. The appeal is allowed and planning permission is granted for a rear first floor extension above existing flat roof at 158 Tivoli Crescent North, Brighton BN1 5NA in accordance with the terms of the application Ref. BH2014/03587, dated 16 October 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: Block Plan, drawing nos. 14.10.2 and 14.10.20.005.
 - 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.
 - 4) Before the first occupation of the extension hereby permitted, the proposed new windows in the flank wall facing no.160 Tivoli Crescent North shall be fitted with obscured glass and shall be permanently retained in that condition.

Main Issues

2. The main issues in this case are the effect of the proposed development on the character and appearance the host dwelling and the wider area, and the effect on the living conditions of the adjoining occupiers at no.160 in terms of outlook.

Reasons

3. The appeal property is a detached house located on the eastern side of Tivoli Crescent North. The house is set below street level and the plot continues to

fall steeply towards the rear boundary. Utilising the slope of the land the house has been extended at the rear with lower ground, ground and first floor additions. These existing additions include a lower ground/ground floor extension with a false pitch around the edge of a flat roof and tall vertical folding windows/doors on each floor. It is proposed to build over the flat-roofed area to create an enlarged bedroom and en-suite bathroom.

Character and Appearance

4. The Council is concerned that the cumulative impact of extensions at the property would not be subservient to the original dwelling and there would be a lack of moderation and visual relief on the rear elevation. However, the Council also states that *'the extension's visual prominence would be significantly enhanced by a number of key design features. These include the proposed roof being designed to have the same ridge height as the main roof, and the uniform adoption of narrow folding doors at all levels'*.
5. The proposal would add further bulk to the rear of the property and the totality of extensions would not be subservient to the original dwelling as required by the Council's adopted guidance in SPD12¹. Nevertheless, that is general guidance and I consider that, in this case, the lack of subservience would be outweighed by the more cohesive design which would be achieved. In particular, the roof treatment of the proposed extension would be more sympathetic to the character of the original dwelling than the existing extension roof form.
6. While the Council maintains that, as a result of the extension, the dwelling would appear more prominent when seen across the valley, the house is seen in the general context of all the dwellings on this hillside. These are distant views and, in my opinion, there would be no material landscape harm resulting from the proposed extension which would also be seen against the backdrop of the original house.
7. I conclude that the proposed development would not be detrimental to the character and appearance of the host dwelling or the wider area. As such, it would not conflict with saved policy QD14 of the Brighton and Hove Local Plan 2005 which, among other things, requires extensions to be well designed and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.

Living Conditions

8. With regard to no.160, that property has also been extended. It sits further back on its plot and at a slightly higher level and is also, to some extent, angled away from the appeal dwelling. The proposed extension, including the eaves, would not extend further towards no.160 than the existing side wall. There are 4 first floor windows in the flank wall of no.160 facing the appeal site. There would be some loss of outlook from these windows but, from drawings supplied by the Council, these are all secondary windows to two bedrooms, with the main windows in both those rooms facing either to the front or the rear. Moreover, according to the terms of the planning permission for the extension to no.160, the rearmost two windows are required, by condition, to be glazed with obscured glass.

¹ Supplementary Planning Document SPD12 - Design Guide for Extensions and Alterations (2013) (SPD12)

9. As no.160 sits further back on its plot, and there is intervening vegetation near the boundary, I do not consider that the proposed extension would appear unacceptably overbearing or obtrusive when viewed from the main garden area of no.160.
10. I conclude that the proposal would not harm the living conditions of the adjoining occupiers in terms of loss of outlook. It would therefore not conflict with Local Plan policy QD27 which seeks to protect the amenity of adjacent users.

Conditions

11. I have considered the need for conditions in the light of the advice in the Planning Practice Guidance and the suggested conditions put forward by the Council.
12. For the avoidance of doubt, and in the interests of proper planning, it is necessary to require that the development is carried out in accordance with the approved plans.
13. I agree that, in the interests of the appearance of the development, it is necessary to require that the materials match those of the existing dwelling.
14. I also consider that, to protect the privacy of the occupiers of no.160, it is reasonable to require that the proposed flank wall windows are glazed with obscured glass.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

Isobel McCretton

INSPECTOR



Appeal Decision

Site visit made on 13 April 2015

by Ron Boyd BSc (Hons) MICE

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

Decision date: 05/05/2015

Appeal Ref: APP/Q1445/D/15/3003875
15 Windlesham Road, Brighton BN1 3AG

- 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 Leo Horsfield against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/03232, dated 25 September 2014, was refused by notice dated 2 January 2015.
 - The development proposed is described as extension to existing terrace with balustrade, steps to garden level and installation of rooflight.
-

Decision

1. I dismiss the appeal.

Procedural matter

2. The description of the proposed development in the heading above is that used by the Council in its notice of refusal. I consider it more accurate than that on the application form and it has been adopted by the appellant in his appeal form.

Main issue

3. I consider this to be the effect the proposed use of the development would have on the living conditions of occupants of neighbouring properties.

Reasons

4. The appeal property is the north-eastern half of a pair of semi-detached houses, Nos. 15 and 13, on the north-west side of Windlesham Road. The house comprises a basement, ground floor and two upper floors. The ground floor is at street level at the front of the house and some 2.5m above back garden level at the back of the house. At the time of my site visit a rear and side extension at basement level was nearing completion under permission BH2014/02553.
5. Prior to the above permitted work being carried out the ground floor extended beyond the rear elevation to a depth of 1.8m to form a shallow terrace or veranda some 6m wide from the boundary with No. 13. The rear elevation of No. 13 was, and remains, a mirror image of that arrangement other than that the south-western half of its ground floor terrace is fully enclosed. However, both dwellings had a 1.8m deep terrace some 2.5m above back garden height

- immediately adjacent to their mutual boundary and any overlooking would also have been mutual.
6. The permitted basement extension projects into the garden just over 5m beyond the ground floor rear elevation with its flat roof incorporating the existing terrace. The present proposal is to use the whole of the flat roof, which has an overall depth of some 5m or so and a maximum width of around 9m as a roof terrace. Steps from the roof down to the garden would be provided at its north-eastern end and a rooflight approximately 4m x 0.9m has been installed alongside the boundary with No. 13.
 7. The proposed use would be a significant change from the situation where the two properties both had 1.8m deep terraces. I consider it would be likely to amount to a high level intrusion over the back garden area which would have an unacceptable adverse impact upon the living conditions of the occupants of No.13 in respect of increased overlooking, overbearing presence, and loss of privacy. In view of the roof's area and height above the gardens there would be the clear potential for its use as a terrace, which, if permitted, would run with the property and not just with the present occupants, to result in noise and disturbance extending beyond the immediately adjoining property.
 8. I conclude that the proposed use of the roof as a terrace would be likely to be harmful to the living conditions of occupants of neighbouring properties and, as such, contrary to Policies QD14 (a) and (b) and QD27 of the Council's Local Plan 2005. It would also conflict with the core planning principle referred to in the Government's National Planning Policy Framework that planning should always seek to secure a good standard of amenity for all existing occupants of land and buildings and should contribute positively to making places better for people.
 9. I have taken account of the points made by the appellant in support of the proposal including the contentions that the extended fencing erected along the boundary with No 13 would overcome any perceptions of overlooking or loss of privacy and that the position of the rooflight would ensure that the useable area of the proposed terrace would be at least 1.5m from the boundary. However, neither these, nor any of the matters raised in the evidence are sufficient to outweigh my conclusion in respect of the main issue which has led to my decision on this appeal. For the reasons given above I conclude that the appeal should fail.

R.T.Boyd

Inspector



Appeal Decision

Site visit made on 14 April 2015

by **R J Marshall LLB DipTP MRTPI**

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

Decision date: 06 May 2015

Appeal Ref: APP/Q1445/W/14/3001870 6 Locks Hill, Portslade, Brighton BN41 2LA

- 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 Caveh Sobhanpanah (J B Howard Properties Ltd.) against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02772, dated 13 August 2013, was refused by notice dated 24 November 2014.
 - The development proposed is demolition of existing building (D1) and erection of 5 houses fronting Locks Hill with car parking and vehicular access from rear.
-

Decision

1. The appeal is dismissed.

Background and Policy

2. The appeal site lies within an extensively built up area. It fronts onto Locks Hill at a point not far north of the junction of that road with Old Shoreham Road. Currently on the site is a vacant building which had been erected in 1903 as a school. It is proposed to demolish this building and erect a terrace of 5 houses, fronting Locks Hill, on the site. To the south of the appeal site is a modern commercial building fronting Old Shoreham Road. Directly to the north is No. 8 Locks Hill, a grade II listed building, and it is the alleged harm to the setting of this building that has led to planning permission being refused. To the north of No. 8, and on the same side of Locks Hill, lies extensive 1930's style terraced housing. Opposite the appeal site are school buildings dating from various periods.
3. It is a matter of agreement between the parties that the Council cannot demonstrate a 5 year supply of deliverable housing sites. Thus, in accordance with the *National Planning Policy Framework (the Framework)* relevant Policies for the supply of housing should not be considered up to date. In such cases the Framework 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 this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted.*

Main Issue

4. Given the above the main issue in this appeal is whether there are any adverse impacts of the proposed development that would significantly and demonstrably outweigh its benefits when assessed against the policies in the Framework taken as a whole.

Reasons

Alleged harm

Harm referred to by the Council

5. The Council says that by reason of its design and scale the proposed development would detract from the setting of No. 8 Locks Hill, and that this would outweigh the benefits of providing the proposed 5 houses.
6. No. 8 Locks Hill is an 18th Century detached house, altered in the late 19th and early-mid 20th Centuries. It is faced with flint pebbles, brick quoins and string courses and has a steeply pitched clay tile roof. It predates most of the development in the vicinity and has a large and attractive garden. Although located quite close to the side elevation of the nearest terraced house to the north the degree of setback from the road and the substantial garden to the side provides No. 8 with a sense of space about the building. This is a significant and attractive part of its setting. It reinforces the historical context of this house pre-dating much of the surrounding development.
7. The current building on the appeal site does not impinge unduly upon the setting of No.8 even though its northern elevation lies quite close to the curtilage of this house. In part this is due to the lie of the land. Lockshill drops down from north to south towards Old Shoreham Road. Thus the ridge line of the existing building on the site is lower than that of the listed building. It is in part also due to the design of the roof of the old school building, with its varied roof line and low eaves. This reduces the bulk of the building and in particular results in a design in which, in the vicinity of the site's northern boundary, the main pitched roof is located well back from the highway. Thus, in oblique views from the south, the roof of the old school building impinges less upon views of No. 8 than would otherwise be the case.
8. The proposed terrace would have a ridge line only slightly higher than the building to be replaced. However, its higher eaves line and more even ridgeline would result in a building appearing more dominant seen from the roadside. And in particular the roof and first floor would be far further forward on the site than any structure of a similar height and bulk on the existing building. As such, although in views from directly opposite the site there would be no material diminution in the gap to the listed building in oblique views from the south the gap would appear to be seriously eroded. This would be to the detriment of the setting of the listed building.
9. This harm would be compounded by the design of the proposed houses. They would quite closely match the appearance of the 1930's style terraced houses to the north. This would lead to the listed building appearing to be sandwiched between extensive development of a similar character and appearance. This would appear overpowering and diminish the stand alone quality of No. 8.

10. There is the potential for a slight improvement to the appearance of the site when seen from the rear by the removal of hardstanding and fencing. There would also be some benefit in the proposed reduction in height of the front boundary wall. However, whilst this would be of some benefit to the character and appearance of the area it would not outweigh the harm referred to above.
11. The degree of harm would, in terms of Planning Policy Guidance (PPG) on Conserving and Enhancing the historic environment be less than substantial. However, considerable weight should be attached to even this level of harm to the setting of a notably attractive listed building which adds greatly to the quality of the local environment.

Other alleged harm

12. Third party concerns go well beyond those raised by the Council. A key concern is the loss of the exiting building. This has been identified by the Council as a building of local interest and as such is a non-designated heritage asset.
13. The school building has been identified by the Council as of significance due to it being a good example of a school building of this period in architectural terms, its group value given its location opposite another old school building and its contribution to the street scene particularly in relation to its roofscape.
14. The loss of the building would result in the total loss of its significance. However, detailed reports from the appellant, on which no substantial evidence to the contrary has been provided, show the cost of refurbishment of this property in poor repair internally to be prohibitive for a commercial use of the premises. Moreover, reasonably extensive marketing of the property has shown no interest for the building in a commercial use. A further detailed report shows that the cost of repairs and the awkward layout of the building would make a residential re-use unviable. As such the Council has taken a pragmatic view and considers that the demolition of the building should not be resisted. On the evidence provided, and in the absence of substantial evidence to the contrary, I take a similar view.
15. There is also concern about the loss of the building to serve educational purposes. However, the Council has declared the property surplus to educational needs and the cost of refurbishment has put off any potential interest from nursery school operators.
16. Vehicular access to the site would be rather convoluted. It would lead to the rear of the premises through a housing estate and the garage court of a block of flats. However, whilst I can see this putting of potential commercial operators there is no evidence that it would be unsatisfactory for the proposed residential use. Nor is there any technical evidence that insufficient parking space would be provided.
17. Development of the limited size proposed should not result in additional levels of traffic of a level that would be harmful to highway safety, the free flow of traffic or noise and disturbance to local residents.

Alleged benefits

18. The key benefit is the provision of additional housing in an area where there is an absence of a 5 year housing land supply. The appellant's say that the

shortfall is substantial and that the Council is currently in no position to meet objectively assessed needs or adequately address past shortfalls. The Council has provided no substantial evidence to the contrary. However, with the provision of just an additional 5 houses there would be only a limited effect on boosting significantly the supply of housing as required by the Framework.

19. The proposal would bring back into use a brownfield site in a sustainable location and have the potential to improve the quality of an adjoining public footpath. There would be economic, social and environmental benefits in this. However, there is no evidence that this could not be achieved by an alternative scheme.

Final balancing

20. I have found the proposed development to be harmful in relation to its impact on the listed building to the north and not in relation to some of the other harms is alleged. However, I attach substantial weight to this harm alone. Given the limited number of houses proposed the benefits of the proposed development in terms of additional housing provision would be modest and would not outweigh the harm identified. I attach limited weight to the other alleged benefits given that there is no evidence that they could not be achieved by an alternative scheme. I thus find that the degree of harm is such as to significantly and demonstrably outweigh the benefits of the proposal when assessed against the Policies of the Framework taken as a whole.
21. The Framework says that housing applications should be considered in the context of the presumption in favour of sustainable development. It identifies three dimensions to such development, an economic role, a social role and an environmental role. In some respects the development would meet these roles. However, the harm identified to the setting of the listed building means that there would be conflict with the environmental role to a degree which means that, seen in the round, the proposal would not be sustainable development.

Conclusions

22. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR



Appeal Decision

Site visit made on 31 March 2015

by Paul Dignan MSc PhD

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

Decision date: 07 May 2015

Appeal Ref: APP/Q1445/H/14/2214290
109 London Road, Brighton, BN1 4JG.

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a Discontinuance Notice relating to the use of a site for the display of advertisements with deemed consent.
 - The appeal is made by J C Decaux Ltd against discontinuance action by Brighton & Hove City Council.
 - The Council reference is ENF/2013/0317. The Discontinuance Notice is dated 30 December 2013.
-

Decision

1. The appeal is dismissed. The Discontinuance Notice shall come back into effect immediately and the use of the site for the display of advertisements with deemed consent shall cease by the end of 9 weeks from the date of this decision.

Reasons

2. The main issue is whether the continued use of the host building's flank wall for the display of advertisements with deemed consent would be substantially injurious to visual amenity.
3. The appeal concerns an illuminated advertisement hoarding, about 3.5m high and 5m wide, that has been positioned on the southern flank wall of 109 London Road, at ground floor level. Between the southern flank of No 109 and the next building to the south is a laneway, Marshalls Row, leading to The Open Market, a historic covered market that has recently been the subject of a major redevelopment. An overarching sign at the London Road side, immediately adjacent to the appeal site, denotes the entrance to the market along Marshalls Row. Since the appeal was made the hoarding has been removed, apparently to carry out repairs to the wall behind, and it was not present on my site visit. However, I have been provided with photographs of the hoarding and advertisement in place and I have had regard to those.
4. This part of London Road has a strong commercial character, with copious advertising in the form of fascia signs, awnings, banners etc. However, even in this context I consider that the presence of the hoarding and advertisement would give the entrance to the market area a cluttered appearance alongside the market signage. Its positioning close to pavement level, and its size, occupying almost the full width of the flank or gable end wall of the host 2-storey building, would also give it an undue dominance that I consider would have an overbearing and intrusive visual impact on passers by. Furthermore,

the extent of coverage of the host building's gable end means that it does not integrate well with the building, giving it a discordant and unbalanced appearance. Overall, I consider that the continued use of the site and hoarding for advertisement displays would cause substantial injury to visual amenity.

5. Whether or not the Discontinuance Notice was correctly authorised by the Council is also raised, the contention being that it may not be valid since it was not issued with the correct authority. Whilst I consider that this is not a matter that I need to determine in the context of an appeal made under Regulation 17, I am satisfied in any case, on the basis of the evidence provided by the Council, that the authorisation of the Discontinuance Notice was in accordance with its scheme of delegation.
6. For the reasons given above I conclude that the continued use of the site for the display of advertisements with deemed consent would be substantially injurious to visual amenity. Accordingly, having considered all other matters raised, I conclude that the appeal should be dismissed.

Paul Dignan

INSPECTOR



Appeal Decision

Site visit made on 17 March 2015

by **R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL**

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

Decision date: 11 May 2015

Appeal Reference: APP/Q1445/F/14/2217726

66 Preston Street, Brighton BN1 2HE

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compensation Act 1991
- The appeal is made by Mr C Bloomfield (Indigo Leisure Limited) against a listed building enforcement notice issued by Brighton & Hove City Council.
- The Council's reference is 2013/0008.
- The notice was issued on 18 March 2014.
- The contravention of listed building control as alleged in the notice may be summarised as the execution of various works in the rear garden of the premises. The full description, taken from the Listed Building Enforcement Notice, is included in the Schedules to this Decision.
- The requirements of the notice may be summarised as the reinstatement of the rear garden of the premises. The full requirements, taken from the Listed Building Enforcement Notice, are included in the Schedules to this Decision.
- The period for compliance with the requirements was stated on the Notice as two months after the notice takes effect.
- The appeal is proceeding on the ground set out in section 39(1)(e) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

Summary of decision: The Appeal is dismissed and the enforcement notice is upheld.

The Appeal Building and its Surroundings

1. Number 66 Preston Street was originally a terraced house, subsequently converted to a public house ('The Royal Sovereign'), dating mainly from the early nineteenth century, with a later addition to the south. It is faced with stucco under slate roofs and designed in a classical style. It amounts to a significant feature in the streetscene in Preston Road and is listed (Grade II) as a building of special architectural or historic interest.
 2. The appeal building has long been in use as a public house and it has the benefit of extensive bar areas. At the rear, there is a small enclosed garden area that provides additional space for customers, where various works have been carried out that are the subject of this appeal.
 3. The site lies at the centre of Brighton and the surrounding area is historic in character, in the Regency Square Conservation Area. It is a bustling location, with many leisure outlets in the vicinity, including bars and restaurants, and
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busy shopping frontages in Western Street, a short way to the north. Various buildings in Preston Street are historic in character.

The Appeal on ground (e)

4. The appeal on ground (e) is submitted on the ground "*that listed building consent ought to be granted for the works*".
5. It is necessary in determining the appeal, therefore, to have regard to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which imposes an obligation on those considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas affected by development proposals and, as has been noted, this listed building is set within the Regency Square Conservation Area.
6. That statutory framework is reinforced by the 'National Planning Policy Framework', especially at Section 12, which emphasises the importance of conserving and enhancing the historic environment, though it also points out the desirability of putting a heritage asset to its "optimum viable use".
7. Policies in the Development Plan also reinforce the underlying principles that are established in the primary legislation and the 'National Planning Policy Framework', though they do not have the same statutory force in the context of this appeal as they would in relation to an application or appeal for planning permission. Notably, Policies HE1, HE3, HE4 and HE6 of the 'Brighton and Hove Local Plan' are specifically aimed at protecting the historic heritage.
8. The works that have been carried out include a door or gate that leads from the garden to Regency Mews at the rear of the building. The Enforcement Notice requires the door to be painted black and it has been acknowledged that this would be appropriate. Subject to that improvement, in accordance with the Notice, the door or gate would be acceptable.
9. Other works are more contentious, however, since, within the rear garden, a set of structures have been erected to accommodate customers. The most dominant of the new features is a series of shelters constructed of timber framing and covered with galvanized corrugated aluminium sheet roofing. Timber benches and tables have been installed underneath, which are attached to timber decking.
10. The structures are crude and not in keeping with the listed building in terms of their detailed design and appearance. They are dominant in their immediate surroundings and, in particular, the chunky timber structures and modern roofing material are alien in character to the building and clearly detract from its appearance. The timber fences that now enclose the garden perimeter are also dominant in their context and alien to the more restrained architecture of the listed building.

11. While it is true that the roof covering could be replaced, the basic character of the new structures could not be changed by simple modifications or by colour change. Thus, the harm done by the unauthorised structures can be overcome only by their removal.
12. Nevertheless, it has been argued that the practical benefits of the installations that have been carried out justify their retention. The garden has a longstanding role as an adjunct to the public house and the installations do provide benefits for customers. The roofed structures and seating provide a useful practical facility, while the perimeter fences give some shelter and enhance the seclusion of the garden. Even so, the project would amount to a long term change, if not a permanent one, and the benefits of the project do not outweigh the harm to the listed building to which the structures are attached. Moreover, it may be possible for customer facilities to be improved in other ways, by means of a more sensitive and sympathetic intervention affecting the listed building (though that would need to be the subject of a separate process, distinct from this appeal).
13. It has also been asserted that the installations which have been carried out amount to an improvement on the pre-existing condition of the garden. The status of any fences or other elements that may previously have existed is disputed, however, it being pointed out that the building was listed as long ago as 1952, while there is only limited evidence as to their quality.
14. To summarise, I have concluded that the works that have been carried out have harmed the special qualities of the listed building and its setting in the Conservation Area. I am convinced that the practical benefits of the scheme are not sufficient to outweigh the objections which I have identified and that, having special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses, listed building consent ought not to be granted for the works.

Conclusions

15. For the reasons given above I conclude that the appeal should fail and, although I have considered all the matters raised in the representations, I have found nothing in them to alter my conclusions in relation to the various elements of the work or on the merits of the appeal as a whole. I will uphold the listed building enforcement notice and refuse to grant listed building consent subject to conditions.

Decision

16. The appeal is dismissed, the listed building enforcement notice is upheld and listed building consent is refused for the retention of the works carried out in contravention of section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

Roger C Shrimplin

INSPECTOR

SCHEDULES

(from the Enforcement Notice)

3. THE BREACH OF LISTED BUILDING CONTROL ALLEGED

Without Listed Building Consent:

- (i) the erection of single storey timber structures in the rear garden. The structures have galvanized corrugated aluminium sheet roofing with timber benches and tables underneath, which are attached to timber decking.
- (ii) the installation of new timber fencing around the entire perimeter of the garden with painted horizontal slats.
- (iii) the installation of a new timber door with vertical slats within an existing opening onto Regency Mews.

5. WHAT YOU ARE REQUIRED TO DO

- 1. Remove each of the following from the rear garden/yard:–
 - (i) The benches and tables
 - (ii) The roof structures including supports
 - (iii) The decking
 - (iv) The fencing
- 2. Paint the gate black.
- 3. Make good any resultant holes and/or damage to the listed building using materials of matching composition, form and finish to those of the listed building.
- 4. Remove all resultant timber, aluminium roofs and other associated building materials from the Land.