





**Brighton & Hove
City Council**

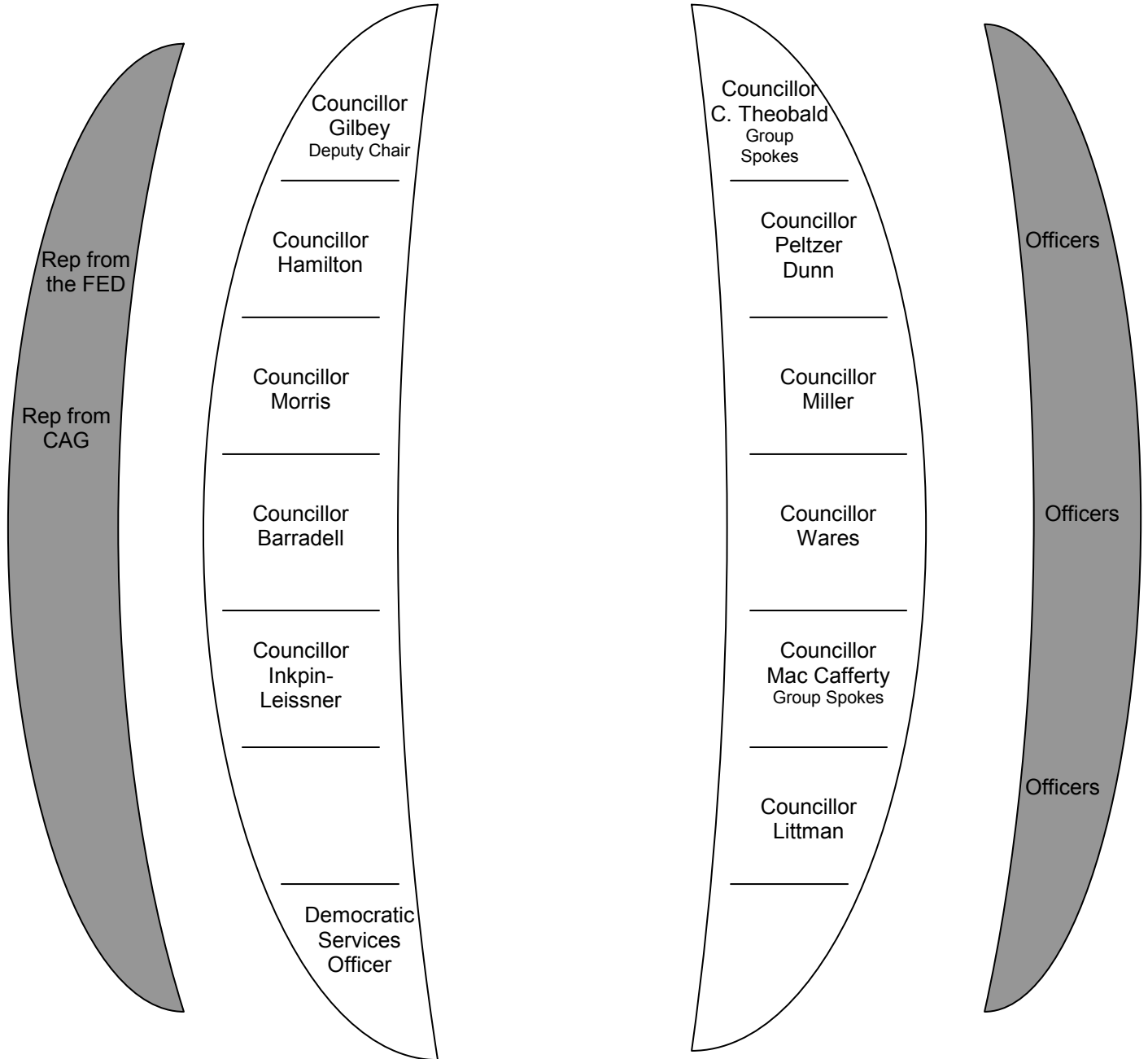
Planning Committee

Title:	Planning Committee
Date:	24 June 2015
Time:	2.00pm
Venue	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>

	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	<p>FIRE / EMERGENCY EVACUATION PROCEDURE</p> <p>If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:</p> <ul style="list-style-type: none"> • You should proceed calmly; do not run and do not use the lifts; • Do not stop to collect personal belongings; • Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and • Do not re-enter the building until told that it is safe to do so.

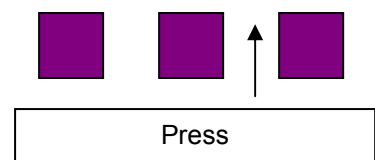
Democratic Services: Planning Committee

Senior Solicitor	Councillor Cattell Chair	Head of Development Control	Presenting Officer
------------------	-----------------------------	-----------------------------	--------------------



Public Speaker	Public Speaker
----------------	----------------

Public Seating



AGENDA

13 PROCEDURAL BUSINESS

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

(b) Declarations of Interest or Lobbying

- (a) Disclosable pecuniary interests;
- (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

14 MINUTES OF THE PREVIOUS MEETING

Minutes of the meeting held on 3 June 2015 (to follow).

15 CHAIR'S COMMUNICATIONS

16 PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 17 June 2015.

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

18 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, Brighton Wheel, Upper Esplanade, Daltons Bastion, Madeira Drive, Brighton- Removal or variation of condition** **1 - 34**
- 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: Queens Park
- B BH2015/00481, 77 Grand Parade, Brighton - Full Planning** **35 - 48**
- Change of use from offices (B1) to holiday lets (Sui Generis). (Retrospective)
RECOMMENDATION – GRANT
Ward Affected: Queens Park
- C BH2014/03875, 22 Carden Avenue, Brighton - Full Planning** **49 - 66**
- Demolition of existing day care centre (D1) and erection of two storey care home (C2).
RECOMMENDATION – MINDED TO GRANT
Ward Affected: Patcham

PLANNING COMMITTEE

D BH2014-02767, Land rear of Kingsway,Hove - Full Planning 67 - 86

Redevelopment of site to provide replacement retail showroom on ground floor and 8no flats on the upper floors with associated bike and bin storage and conversion of part of rear garden at 377 Kingsway into a communal garden for both 377 and 379 Kingsway.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Wish

E BH2015/00360, 38 Queens Gardens, Brighton- Full Planning 87 - 96

Change of use from three bedroom single dwelling (C3) to three bedroom small house in multiple occupation (C4).

(Retrospective).

RECOMMENDATION – GRANT

Ward Affected: St Peter's and North Laine

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

INFORMATION ITEMS

20 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 97 - 98

(copy attached).

21 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 99 - 224

(copy attached)

22 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 225 - 228

(copy attached).

23 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 229 - 230

(copy attached).

24 APPEAL DECISIONS 231 - 256

(copy attached).

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

PLANNING COMMITTEE

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

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

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

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

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

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

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, 16 June 2015

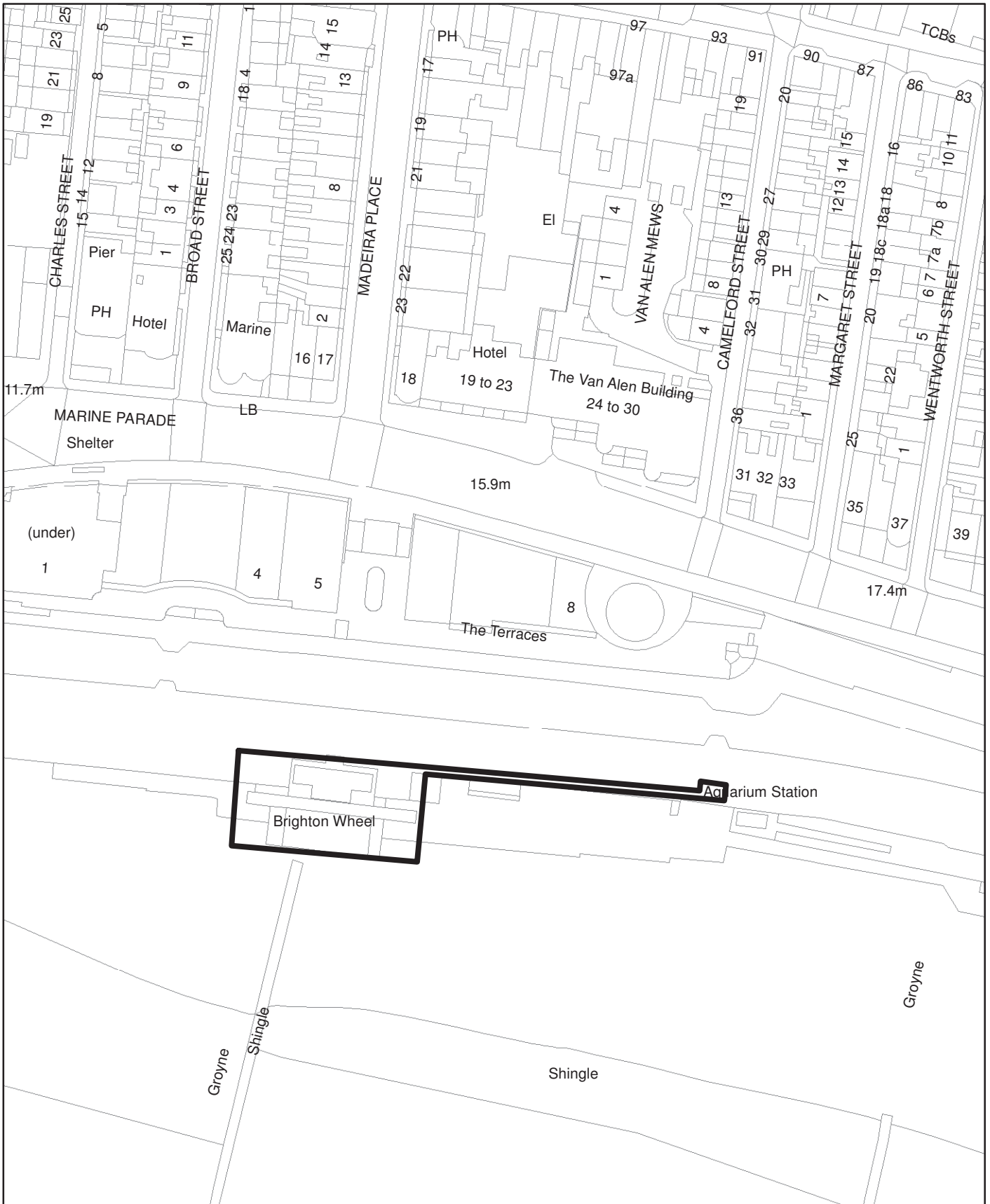
ITEM A

**Brighton Wheel, Upper Esplanade, Daltons
Bastion, Madeira Drive, Brighton**

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

24 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		

This report was deferred from the agenda of 3 June 2015 as a late legal representation was received which meant the report needed to be updated.

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: Twenty eight (28)** letters of representation have been received (see table attached at end of report for addresses) objecting to the application for the following reasons:
- There is a clear and legitimate 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
- Considerable weight has not been attached to the finding of harm to heritage -the Barnwell & Forge Field case law should be considered
- 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 **Eighty nine (89)** 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, concern about loss of 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 **One (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 **(Former) 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 via a 'non-intervention' letter that 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 HE clarify that a non-intervention response means they neither support or object to the proposal and are content not to comment, leaving the matter to be decided by the local authority, based on national and local policies, and the advice of their own in house historic environment specialists. HE confirm that had they felt the proposal was very harmful, they would have sent a different type of response in the form of a detailed advice letter, setting out these concerns and whether the proposal conforms with national and local planning policy for the historic environment.
- 5.11 **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.
- 5.12 **Kingscliffe Society:** Objection on grounds that planning legislation (para 2 b & 3 of S73 and section 62) of TCP Act 1990 means that application should be refused. This section specifically prevents re-application of a temporary nature and points towards the necessity of its conversion to an application for permanent use if the proposal has a long term validity as a planning gain. Responses from Historic England and the local Heritage team point to a refusal.
- 5.13 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.
- 5.14 **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:

- 5.15 **Coastal Protection Engineer:** No objection.
- 5.16 **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.
- 5.17 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.
- 5.18 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.
- 5.19 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.
- 5.20 **Environmental Health:** Comment that no complaints have been received about noise or light due to the wheel since it began operating.
- 5.21 **Flood Risk Management:** Comment There is no problem from a sustainable drainage perspective.
- 5.22 **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.

- 5.23 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.
- 5.24 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.
- 5.25 Under the tests now required by the NPPF as set out above, support cannot be given for the extension of the temporary approval.
- 5.26 **Planning Policy:** Comment. The proposal is acceptable in planning policy terms subject to comments from other internal consultees.
- 5.27 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.
- 5.28 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.
- 5.29 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.
- 5.30 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.

- 5.31 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.
- 5.32 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.
- 5.33 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.
- 5.34 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.
- 5.35 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 an impact 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.

- 5.36 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.
- 5.37 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.
- 5.38 **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.
- 5.39 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.
- 5.40 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.

- 5.41 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.
- 5.42 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.
- 5.43 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.
- 5.44 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.
- 5.45 **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.
- 5.46 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.

- 5.47 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.
- 5.48 **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.
- 5.49 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. There is no way of verifying the figures of attendance provided by the Wheel, and tracking individual attractions is not something the Council does. The latest visitor survey in the summer of 2014 showed that of the 946 visitors interviewed, 28 said they visited the Wheel (equating to roughly 2.9%). In 2013 there were approx 11 million visitors to the City and 2.9% of these equates to 319,000 people. This is however a fairly inaccurate way of making assumptions based on under 1000 people being surveyed and many factors influence these numbers such as seasonality, weather, capacity of Wheel, price point etc. So, based on the applicant's year 2 figures for the wheel (180,000) divided by 365 days= 493 divided by 8 hours a day = 61 approx per hour.

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
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 considered to be 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 the relevant legal framework and 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 Reasons the wheel was considered acceptable originally related to its positive impact to the economy, 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 some harm was identified to some heritage views (from Madeira Place in particular), this was 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.
- 8.11 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:

- 8.12 One of the key issues to consider is planning policy, and how this has changed since temporary consent was first granted.
- 8.13 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 considered to comply with these Local Plan policies and this remains the case.
- 8.14 In terms of changes, the two main considerations since 2011 are the advancement of policies in the City Plan Part 1 and advice in the NPPF, which is a material consideration.

- 8.15 The NPPF states that the purpose of the planning system is to contribute towards the achievement of sustainable development (para 6). There are 3 dimensions to sustainable development – an economic role, a social role and an environmental role. The NPPF seeks to build a strong, responsive and competitive economy, support strong, vibrant and healthy communities and protect and enhance our natural, built and historic environment. Proposed developments have to be judged against these key aims and the merits of each proposal weighed up accordingly. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and states that significant weight should be placed on this (NPPF para 19).
- 8.16 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 (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.
- 8.17 Key strategic development sites along the seafront are identified through the Development Plan. The purpose of these strategic development sites are to act as catalysts for the wider renewal and regeneration of the city's seafront.
- 8.18 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 Part B sets specific priorities for particular areas of the seafront. The site of wheel falls under the area 'East of Palace Pier to the Marina' which seeks to deliver the regeneration of Madeira Drive as a centre for sports and family based activities.
- 8.19 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 seeks to support existing business sectors and supports economic growth and states it is important that needs for leisure and other main town centre uses should be met in full. Whilst the NPPF identifies that leisure uses should normally be located within town centres it does not preclude such uses in edge of centre sites provided they are accessible and well connected to the town centre, and this is considered the case for the wheel.
- 8.20 Taking into account material representations received to the City Plan during the submission consultation in 2013, and the fact the policies are consistent

with the NPPF, it is considered that significant weight can be attached to policies SA1 and CP5 and strategic objective SO17.

- 8.21 The wheel, being a leisure use, broadly fits with these emerging policies in the City Plan. The wheel helps meet the strategic planning policy objective and a further granting of temporary permission is not considered to undermine the strategic vision of the City Plan. The proposal is considered to be development, as required by the NPPF.
- 8.22 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. As can be seen, the proposal fits with planning policies in the City Plan. Other 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.
- 8.23 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.
- 8.24 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 included in 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 in terms of the strategy the issue can be revisited as part of the formal adoption process.

Tourism and the economy:

- 8.25 At the time of granting the original permission, it was anticipated that the Brighton Wheel would have a positive contribution to the tourism and economy of the city and the regeneration of this area of the seafront, in line with Local Plan policy. As has been stated, emerging policies continue to give significant weight to the economy, consistent with the NPPF, and City Plan strategic objective SO17 in particular recognises the role of the seafront as being of vital importance to the tourism economy of the city.
- 8.26 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.
- 8.27 In the absence of evidence to demonstrate otherwise, however, the applicant's figures are accepted. This is a reasonable approach. 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. Their rough calculation based on the latest visitor survey supports this assumption.
- 8.28 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 and complies with planning policy and advice. It is not considered that the limited success of the Terraces can be cited as evidence the wheel is having a negative impact.

8.29 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.

8.30 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:

8.31 The site lies within the East Cliff Conservation Area and is close to a number of listed buildings including Palace Pier (grade II*) and The Terraces (grade II). There are also a number of grade II listed properties directly to the north of the wheel in Marine Parade and in Madeira Place.

8.32 The Council has statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 in relation to development affecting listed buildings and conservation areas:

8.33 S66 (1) "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses";

8.34 S72(1) "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2) [*nb these include the Town and Country Planning Act 1990*], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

8.35 The Courts have found that where harm to heritage assets is identified local authorities must give that harm considerable importance and weight and this gives rise to a strong presumption against planning permission being granted. Planning authorities can only properly strike the balance between the harm to a

heritage asset and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation. Case law therefore emphasises the considerable weight that planning officers (and Planning Inspectors) must apply to the preservation of the settings of listed buildings and conservation areas in planning decisions, and this has been usefully summarised in the 2014 High Court case of R. (on the application of Forge Field Society) v Sevenoaks DC:

- 8.36 *“... a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.”*
- 8.37 When assessing what impact and any harm the wheel has, and will continue to have, to the setting of the designated heritage assets of listed buildings and the East Cliff Conservation Area, the NPPF, current planning policy and the comments received from expert consultees have been considered.
- 8.38 The NPPF states that in determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness (para 131).
- 8.39 The NPPF at para 132 states that when considering the impact of development, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be (for example substantial harm to or loss of a grade II listed building should be exceptional and substantial harm or loss of assets of the highest significance such as grade I listed buildings, scheduled monuments and world heritage sites should be wholly exceptional).
- 8.40 Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm (NPPF para 133). Where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal (para 134).
- 8.41 In terms of the Development Plan, Local Plan policies HE3 and HE6 are particularly relevant and these seek to ensure development does not adversely affect the setting of listed buildings and preserves or enhances the character or

appearance of conservation areas. Policy CP15 of the emerging City Plan has similar aims and states that the city's historic environment should be conserved and enhanced in accordance with its identified significance, giving greatest weight to designated heritage assets and their settings. This policy is considered to hold significant weight given its advanced stage, the limited representations received and consistency with the NPPF.

- 8.42 Historic England have provided a 'non-intervention' response which means they neither support or object to the proposal and are content not to comment, leaving the matter to be decided by the local authority, based on national and local policies, and the advice of their own in house historic environment specialists. Significantly, HE confirm that had they felt the proposal was very harmful, they would have sent a different type of response in the form of a detailed advice letter, setting out these concerns and whether the proposal conforms with national and local planning policy for the historic environment.
- 8.43 This assessment by HE is somewhat at odds with the advice given by the Council's Heritage Team. Their advice is substantially unchanged from that given originally. They comment that the visualisations originally produced upon which assessment was made 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. They cannot support the proposal under the tests now required by the NPPF - they consider the harm caused to Madeira Place to be 'substantial' and the harm caused to Daltons Bastion and the East Cliff Conservation Area in general to be 'less than substantial'.
- 8.44 In accordance with the legislation referred to above this finding of harm requires the local planning authority to give that harm considerable importance and weight and gives rise to a strong presumption against planning permission being granted. This does not mean, however, that where harm is identified permission should automatically be refused. A balanced assessment needs to be reached, as per the NPPF.
- 8.45 The harm identified by the council's Heritage team is the dominance of the wheel due to its scale and height in general views of the seafront and against backdrop of listed buildings and the dominance in particular of the seaward view down Madeira Place. Also the wheel is considered to be of rather standardised design and the structures around the base are seen as rather untidy.
- 8.46 Considerable weight is given to this identified harm. It is not, however, agreed that the harm identified is substantial and the public benefits are considered to outweigh the harm. It is argued that the view from Madeira Place is just one view in one seafront street amongst many within the Conservation Area. The letter received from Historic England is given considerable weight as the statutory national heritage advisor, and they have clarified that they do not consider the proposal to be very harmful. It should also be noted that the local

Conservation Advisory Group (CAG) who advise on planning applications and a local amenity and conservation group, The Regency Society, raise no objection in principle. The harm caused is not to a designated asset of 'high' significance as identified in the NPPF. It could be argued that the wheel provides striking views from various parts of the city and makes a positive contribution to the area's character and distinctiveness. The wheel is not considered to diminish the positive contribution the East Cliff Conservation Area and listed buildings within it make to the community or the city's economy. In accordance with the NPPF, the finding of less than substantial harm is judged against the positive public benefits of the proposal and these are outlined in this report. Whilst considerable weight is given to the finding of harm, this is considered to be outweighed by the advantages of the scheme and the fact that the applicant seeks a temporary, as opposed to permanent, permission so any harm caused to heritage assets can be easily reversed.

- 8.47 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

- 8.48 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.
- 8.49 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:

- 8.50 The applicant is seeking a temporary, not a permanent, permission.
- 8.51 S73 of the Town and Country Planning Act 1990 allows the granting of permission with conditions differing from those attached to the original permission and that is what is applied for in this case. This section of the Act does not prevent the grant of a further temporary permission.
- 8.52 It is questionable whether the 'Use of Planning Conditions' section within the NPPF Planning Practice Guide is relevant as the applicant's only want a temporary permission. Nevertheless, the guidance contained within it is useful when considering this proposal. It 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.

- 8.53 Given the issues discussed in this report it is considered that there is a 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.
- 8.54 In addition, a temporary permission recognises that some harm is indeed caused by the development to historic views but weight has been given to the fact this would not be permanent and be easily reversed.
- 8.55 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).
- 8.56 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 (or longer) 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:

- 8.57 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.
- 8.58 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.

8.59 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 purpose of the planning system is to contribute towards the achievement of sustainable development. There are 3 dimensions to sustainable development – an economic role, a social role and an environmental role and these have been carefully balanced in the assessment of this proposal.

9.2 In terms of the three key reasons the wheel was originally given a temporary permission – strategic planning, visual amenity and monitoring – the wheel is considered acceptable.

9.3 The key changes since the original permission that the proposal needs to be judged against are the emerging planning policies in the City Plan and the National Planning Policy Framework (NPPF). The proposal is considered to comply with these, and adopted Local Plan policy.

9.4 Considerable weight is given to the finding of harm to heritage views as identified by the council's Heritage Team, and further considered in paras 8.41-43, and the council's statutory duty to preserve the historic environment, however, the harm caused is not considered to be substantial, Historic England have not objected and the benefits of the proposal in terms of tourism, the economy and regeneration, and the fact it is temporary, are considered to outweigh any disadvantages.

9.5 The development complies with local plan policies and emerging City Plan policy which promotes seafront tourism and economic prosperity and identifies this area of the seafront for sports and family based activities. Moreover the proposal broadly fits with the draft Seafront Strategy and does not contradict the emerging Seafront Investment Plan – albeit these latter documents have very limited planning weight

9.6 The seafront is recognised as being of vital importance to the tourism economy of the city and notwithstanding the fact that it is not possible to fully verify the applicant's visitor numbers, the proposal is considered to contribute to this and is encouraged. The proposal is considered to represent sustainable development and the support for economic growth is given significant weight in the NPPF.

9.7 Competition between rival business interests (such as with the i360) is not a material planning consideration.

9.8 Monitoring of the wheel in operation has shown this is not a problem.

- 9.9 In view of the above and given that in 5 years' time there could be a clearer adopted strategic vision for the seafront, a temporary permission is appropriate.

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 including the setting of listed buildings and the East Cliff Conservation Area. 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 (x2)	Bromwells Road	London
5	Charles Street	Brighton
18	Hanover Crescent	Brighton
4	Holly Close, Varndean Drive	Brighton
113	Ingelow Road	London
	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
Summit House,	12 Red Lion Square	London
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
14	Mafeking Road	Brighton
13 (x2)	Manchester Street	Brighton
53	Manor Farm Avenue	Surrey
Flat 3, 63	Marine Drive	Brighton
Drakes Hotel	Marine Parade	Brighton
26, Van Alen Building	Marine Parade	Brighton
Hove Park School (x2)	Nevill Road	Hove
140	Nevill Road	Hove
36a	New Broadway	Worthing
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
74	Selsfield Road	Crawley
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
St Peter's Community School Primary School	St Peters Road	Portslade
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

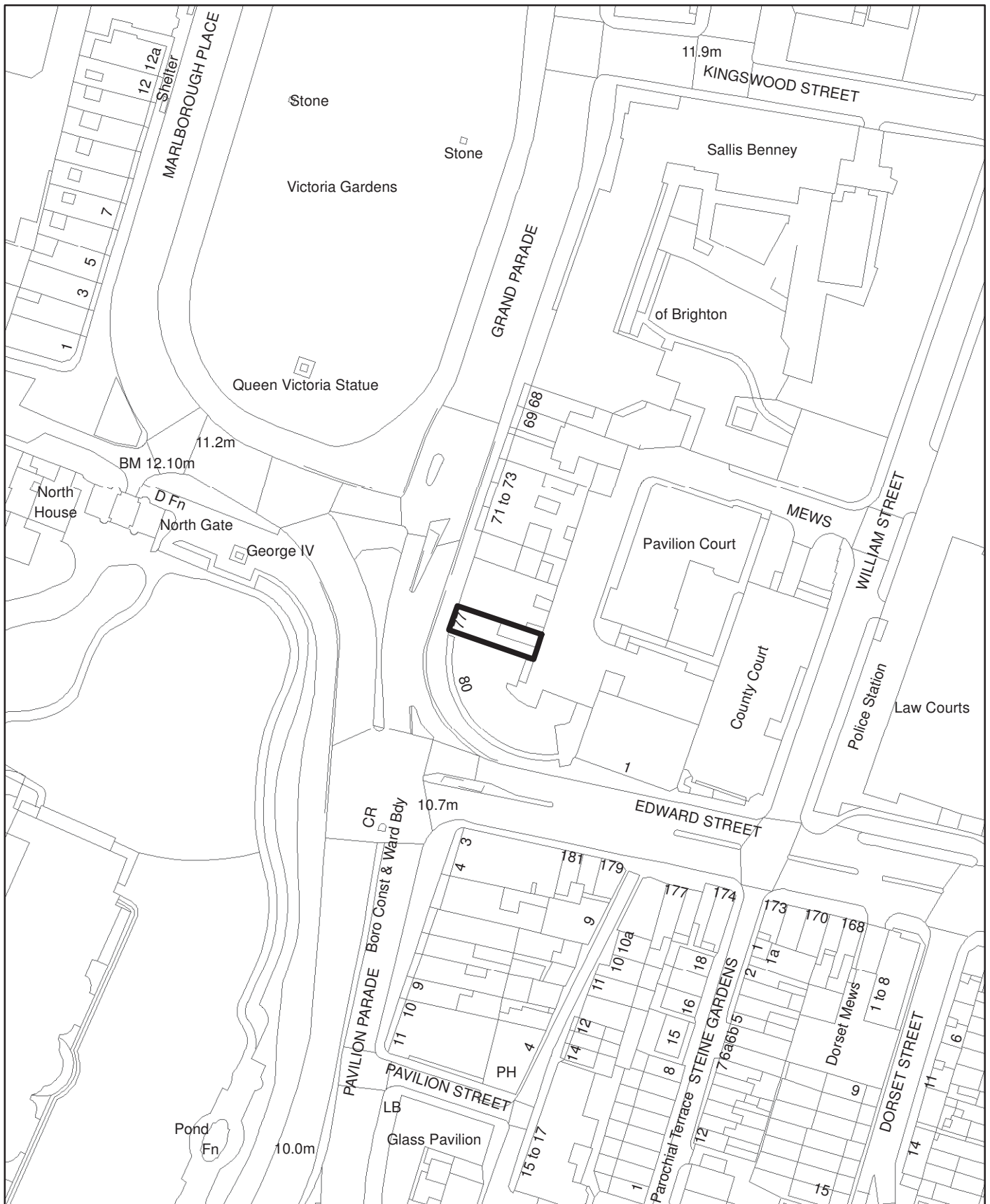
ITEM B

77 Grand Parade, Brighton

BH2015/00481
Full planning

24 JUNE 2015

BH2015/00481 77 Grand Parade, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

PLANNING COMMITTEE LIST- 24 JUNE 2015

<u>No:</u>	BH2015/00481	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	77 Grand Parade Brighton		
<u>Proposal:</u>	Change of use from offices (B1) to holiday lets (Sui Generis). (Retrospective)		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	16 February 2015
<u>Con Area:</u>	Valley Gardens	<u>Expiry Date:</u>	13 April 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	CJ Planning Ltd, 80 Rugby Road, Brighton BN1 6ED		
<u>Applicant:</u>	Mr Cameron Berry, c/o CJ Planning Ltd, 80 Rugby Road, Brighton BN1 6ED		

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 is located on the eastern side of Grand Parade just to the north of its junction with Edward Street. It comprises a four storey mid-terrace building with basement and roof accommodation. There is an enclosed external amenity space to rear. The property is currently operating unlawfully as a self-catered holiday let. The surrounding area is mixed commercial/ residential in character. Adjoining the site to the north is a four storey building in use as a backpacker's hostel. Immediately to the south is a five storey block of flats of contemporary design. To the rear of the site is a parking area, access road and beyond this a 7 storey building providing sheltered accommodation for the elderly.

3 RELEVANT HISTORY

BH2014/01790 - Approval of details reserved by condition 5, 6, 7, 8, 10 & 11 of application BH2011/01074. Split decision, 22 September 2014.

BH2013/01212 - Application for Approval of Details reserved by conditions 1-15 of application BH2011/01074. Split decision 4 July 2013.

BH2011/01074 - Change of use from offices (B1) to a guesthouse (C1). Approved 20 October 2011.

BH2009/02047: Change of use from office (B1) to Sauna/Solarium (sui generis). Approved 01/12/2009.

BH2009/01341: Change of use from office (B1) to Leisure Centre (D2) – refused 13/08/2009.

4 THE APPLICATION

- 4.1 Retrospective planning permission is sought for the change of use from offices (B1) to holiday lets (Sui Generis). The building is set out with communal kitchen facilities, dining area and lounge on the basement and ground floor and then 11 bedrooms over the upper 4 floors. The accommodation comprises of a mix of single, bunk beds and double beds, some with en-suite facilities, others with shared WC/bathrooms.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Fifteen (15)** letters of representation have been received from **76 Grand Parade, Flats 1, 7, 10, 13(x2), 16, 20, 21, 22, 26, 28, 32, Royal View, 80 Grand Parade, Flat 2, 21 Brunswick Square**, one unsolicited address objecting to the application for the following reasons:

- Noise and disturbance, often at unsocial hours, specifically from Hen and Stag parties,
- Inappropriate development for a residential area,
- Smoking and drinking on the fire escapes and rear yard,
- The property can accommodate an excessive number of people and as such all noise and disturbance issues are exacerbated,
- Increased call outs to police and council workers,
- Property owners have converted without planning permission,
- The building is unstaffed, so disturbance cannot be effectively controlled,
- No contact numbers for staff,
- Additional traffic congestion,
- Sound report does not take into account noise travelling between shared walls or noise from people loitering outside.

- 5.2 **Cllr Geoffrey Bowden** and **Cllr Stephanie Powell** object to the application. Emails attached.

Internal:

- 5.3 **Environmental Health: No objection**

The information contained within the document written by Acoustic Associates Sussex Ltd, entitled 'Field Test for Compliance with Airborne and Impact Sound Insulation Requirements for Floors and Walls', was considered satisfactory to discharge condition 6 of the permission granted for BH2011/01074 which relates to internal soundproofing. The internal soundproofing as existing is considered to be acceptable.

- 5.4 With regards to this application, objections raised by local residents and interested parties have been considered.
- 5.5 This Environmental Health have received complaints with regards to noise from the property causing a disturbance to nearby noise sensitive properties back in late 2013 when it first started operating as holiday lets.

- 5.6 A planning condition for the property states that the rear courtyard is not to be used after 22.00 hours. To ensure that this condition is being adhered to, the owner arranged for an electronic maglock to be installed on the door to the courtyard. It is fitted to a timer meaning that there is no access from 19.00 hours to 07.00 hours. As the door is also a fire escape, the lock is linked to the fire alarm system and will open automatically in the event of a fire.
- 5.7 There are doors from the basement breakfast room that also lead to the courtyard, but these are now kept locked. They were also fitted across with steel bars so that they cannot be forced open.
- 5.8 2 speaker systems that were originally in the house were also removed.
- 5.9 This property is located in a central Brighton location next to a busy main route to the seafront. Ambient and background levels of noise in this area will be relatively high throughout the day and night.
- 5.10 Any further issues arising from the change of use could be tackled with existing legislation. If this department receives any further complaint, we will assess if any noise is statutory nuisance under the Provisions of the Environmental Protection Act 1990.
- 5.11 The new Anti-social Behaviour Crime and Policing Act 2014 may also be applicable.

Conclusion

- 5.12 Should permission be granted, no further conditions for this particular change of use are recommended.

Informative

- 5.13 The applicant should be aware that whilst the requisite planning permission may be granted, this does not preclude the department from carrying out an investigation under the provisions of the Environmental Protection Act 1990, should any complaints be received with regards to noise.

Sustainable Transport: No objection.

- 5.14 The proposed change of use from offices to holiday lets is unlikely to generate additional trips to the site and is therefore acceptable and no financial contributions are to be requested.
- 5.15 The applicant is proposing no car parking on site. This is acceptable for this type of development and in this central location.
- 5.16 The applicant proposes cycle racks on a raised brick table in the rear yard. The proposed cycle parking is not considered to be policy compliant for the following reasons:
- The store only allows users to easily secure the front wheel. Both wheels and the frame need to be secured for it to be classed as secure.

- The cycle parking spaces are raised from the ground and therefore difficult to use
- There is not adequate clear space between some of the stands and adjacent walls to ensure the stands are convenient to use; and
- The cycle storage is not covered and therefore not weatherproof.

5.17 The applicant must provide a revised scheme of policy compliant cycle parking and the condition below is recommended to be attached.

5.18 Ideally, the cycle parking should be accessed from Grand Parade Mews to prevent the need for users to carry bikes through the property. A wheeling ramp could be provided on the short flight of stairs providing access down to the external yard area. The cycle store could be located in the outside yard to the rear of the property.

5.19 In order to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Highway Authority's preference is for the use of Sheffield type stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22.

Planning Policy: Comment.

5.20 The information submitted to support the application states that the building would predominantly form residential accommodation for short-term lets. The applicant's website (www.brightonpaviliongatehouse.co.uk) demonstrates that the aimed at large groups of tourists visiting the city on short breaks, for example stag/hen parties. *Trip Advisor* reviews of the property also suggest a high proportion of guests are stag/hen groups. Whilst providing short term letting accommodation only available to rent in its entirety for larger groups, and an element of service, the proposed development is considered to fall out of the C1 use class.

5.21 Brighton & Hove City Council, through a recent Scrutiny Panel, has investigated the issue of short-term letting accommodation catering for larger groups, particularly hen and stag parties. It is a growing market in Brighton & Hove and whilst contributing to the visitor economy, evidence clearly demonstrates that in some locations and without appropriate management it can have an adverse effect on residents by way of noise and anti-social behaviour. The applicant should set out what steps are to be taken to manage and minimise the risk of negative amenity effects on any neighbouring residential properties, through the submission of a robust management plan.

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

TR1	Development and the demand for travel
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD27	Protection of amenity
SR14	New hotel and guest accommodation
EM5	Release of redundant office floorspace and conversions to other uses
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance

SPGBH4 Parking Standards

Supplementary Planning Documents

SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development
CP6 Visitor Accommodation

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application are the principle of the proposed development, impact on the character and visual amenity of the Conservation Area, impact on the amenities of adjoining and nearby occupiers, highways and parking and sustainability.

Principle of the development:

- 8.2 Policy EM5 of the Local Plan seeks to resist the loss of office premises unless they are genuinely redundant. It confirms that redundancy will be determined by considering the following factors:

- a. *The length of time the premises have been vacant: together with*
- b. *The marketing strategy adopted;*
- c. *The prevailing vacancy rate for the size and type of office in Brighton & Hove;*
- d. *The complexity of the floor layout, the floor to ceiling height, the number of storeys in relation to total floorspace and the prominence of the main entrance;*
- e. *Links to public transport; and*
- f. *The quality of the building.*

If following consideration of the above criteria, the offices and/or the sites are regarded as genuinely redundant, preference will be given to:

- *Alternative employment generating uses, followed by*
- *Affordable housing.*

- 8.3 Policy SR14 confirms that the development of new hotel and tourism (including self catering) accommodation will be permitted within the identified core area provided that:

- a. *It would not result in a reduction in the numbers of residential units;*
- b. *It would not result in a loss of industrial/business land or floorspace for which a need has been identified;*
- c. *It would not have a harmful effect on the amenity or character of the area;*
- d. *It would not result in a serious increase in traffic congestion; and*
- e. *It would provide facilities for recycling trade waste proportionate to the size of the premises.*

Unless it has been identified in this Plan, outside the core area planning permission will not be granted for new accommodation unless it has been demonstrated that no suitable site can be identified firstly, within the town centre; or secondly on the edge of the town centre and it has good transport access to the town centres and tourist attractions.

- 8.4 This application follows a previously approved application for a change of use from an office (B1) to a guest house (D2). Not all of the pre-commencement

conditions to this approval were successfully discharged and the approved scheme was never lawfully implemented.

- 8.5 Notwithstanding this, the physical internal alterations, including the soundproofing were carried out and the property has been converted from office space to visitor accommodation in the form of a self-catered holiday let.
- 8.6 It is noted that in two previous 'change of use' applications (BH2009/02047 and BH2011/01074) that the applicant provided sufficient marketing information to demonstrate that the office use was redundant and as such other employment generating uses could be considered. Whilst no marketing information has been submitted with the current application the property has been converted to a holiday let which has been operating for the last three years and as such the property could not realistically be marketed as an operational office. In this context it is considered that the loss of the office has been established and the development would accord with policy EM5.
- 8.7 The application site is located outside the boundary of the Core Hotel Area as defined on the Local Plan proposals map, although this could be considered an "edge" site. This is demonstrated through the site being immediately adjacent to the centre, and being very well located for the main train station and numerous tourist facilities including The Pavilion, The Lanes, The Pier and the Brighton Wheel. In addition it would be just outside the central Brighton area (SA2) as set out within policy CP6 of Part 1 of the forthcoming City Plan.
- 8.8 Notwithstanding this, it is considered that the existing, unlawful use as a self-contained holiday let is a similar use to the guest house which was under the previously approved application and it is considered that the principle of tourist accommodation in this location has been established. Whilst the existing use is likely to directly employ a reduced number of employees in comparison to a guest house, it would indirectly provide employment opportunities and the existing use is considered to accord with policy SR14.
- 8.9 The Planning Policy Team does not object to the principle of the loss of the office or the reduced employment on the site.

Impact on the character and visual amenity of the Conservation Area:

- 8.10 Policy HE6 confirms that proposals within or affecting the setting of a conservation area should preserve or enhance its character and appearance.
- 8.11 No external works to the building are proposed and as such there would be no impact on the visual amenity of the area.

Impact on the amenities of adjoining and nearby occupiers:

- 8.12 Policy QD27 of the Local Plan seeks to ensure that development proposals do not unduly prejudice the amenities of neighbouring occupiers and policy SU10 requires development to minimise the impact of noise on neighbouring properties.

- 8.13 The impact on amenity was assessed in the previously approved application for a guest house and was considered acceptable.
- 8.14 It is recognised the current use as holiday lets does have the potential to result in greater noise and disturbance in comparison to a guest house as there are no permanent employees on site to police noise and unsociable behaviour.
- 8.15 The applicant was asked to submit a management plan which outlines measures that have been put in place to reduce noise disturbance. Measures include, only allowing access to the external yard from 7am to 7pm via a timed security door, windows that are fitted with opening restrictors to reduce noise and the use of a security firm that operate a call out response in the event of noise disruption.
- 8.16 The Environmental Health Team has assessed the application and has no objection. Previous complaints have been investigated and cases closed. It is noted that if noise disturbance does occur it can also be dealt with under separate legislation.
- 8.17 A condition is recommended limiting the use of the outside rear yard. Furthermore, a condition limiting the use of the access into the rear yard from Grand Parade Mews to emergency purposes only should preclude its use by customers and is likely to protect residential amenity. The implementation of the submitted management plan will also be conditioned.
- 8.18 The kitchen that is in situ has the character of a domestic, rather than a commercial kitchen and conditions relating to noise and odour control for mechanical plant and extraction are not considered to be necessary.
- 8.19 Subject to compliance with the relevant conditions it is not considered that the development would result in significant harm to the amenity of adjoining occupiers.

Highways and parking:

- 8.20 Policy TR1 of the Local Plan requires applicants to provide for the travel demands that their development proposals create and to maximise the use of public transport, walking and cycling.
- 8.21 The building is located in a highly sustainable location, close to numerous bus stops, and a short walk from Brighton train station. As such there are not considered to be any adverse highway impacts.
- 8.22 The Sustainable Transport Team has stated that the cycle parking installed in the rear yard is not considered acceptable. The installed facilities are only secured on one wheel, uncovered and cannot be assessed easily.
- 8.23 Notwithstanding this, the rear yard can only be accessed at certain times from within the property with the external access to the rear only for emergencies and as such the space is not considered to be appropriate for cycle storage and

as such a condition requiring details and the implementation of appropriate cycle storage will not be required.

Sustainability

- 8.24 Policy SU2 of the Local Plan requires all new development to be efficient in the use of energy, water and materials and with regard to non-residential conversions such as this, SPD08 on Sustainable Building Design requires applicants to demonstrate how energy use and water consumption will be reduced.
- 8.25 Details outlining sustainability measures used within the development have been submitted and are acceptable and the application accords in this regard.
- 8.26 Whilst details pursuant to refuse and recycling were submitted and approved in relation to the previously approved scheme this scheme was not implemented and as such a condition requiring relevant details will be added to any future permission.

9 CONCLUSION

- 9.1 The principle of the development is considered to be acceptable. There is not considered to be any significant detrimental impact on the amenities of the neighbouring occupiers and there is no harm to the visual amenity of the building or the wider Valley Gardens Conservation Area. The impact on transport and sustainability is acceptable. The proposal is considered to be in accordance with development plan policies.

10 EQUALITIES

- 10.1 None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Site location plan	77GP/05/M		13 February 2015
Block plan	P/09/014/00 1		13 February 2015
Pre-existing plans	77GP/03/M		13 February 2015
Existing plans	77GP/02/M		13 February 2015

- 2) 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.
- 3) Within one month of the date of the decision for 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 within one month of the decision for the approval of these details and the refuse and recycling storage facilities shall thereafter be retained for use at all times. **Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 4) The use of the property shall be strictly in accordance with the management plan received on 27 April 2015. **Reason:** To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 5) The existing glazing and windows shall not be altered from the existing clear glass and the windows shall not be otherwise obscured internally unless agreed in writing with the Local Planning Authority. **Reason:** To protect the character and appearance of the building itself and the Valley Gardens Conservation Area and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.
- 6) There shall be no tables or chairs situated within the rear yard/smoking area. **Reason:** To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 7) The rear entrance from the existing yard onto Grand Parade Mews is to be used as an emergency/fire exit only, and shall not be used as a general access/egress to the facility. **Reason:** To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 8) The rear yard (outdoor smoking area) shall only be available for use between the hours of 07.00-19.00 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.
- 9) The development hereby permitted shall not be occupied by the same occupier for more than 21 days in total within any one calendar year. **Reason:** The development is not considered to provide acceptable living conditions for permanent residential accommodation and to comply with policy QD27 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

PLANNING COMMITTEE LIST- 24 JUNE 2015

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 principle of the development is considered to be acceptable. There is not considered to be any significant detrimental impact on the amenities of the neighbouring occupiers and does not harm to the visual amenity of the building or the wider Valley Gardens Conservation Area. The impact on transport and sustainability is acceptable. The proposal is considered to be in accordance with development plan policies.

COUNCILLOR REPRESENTATION

Dear Chris

Application: BH2015/00481

I am lodging an objection on behalf of myself and my fellow ward Councillor Stephanie Powell to the proposed change of use for 77 Grand Parade from B1 offices to use as a short term holiday lets property.

The owners have previously applied to operate as a hotel and had been granted permission with conditions. Instead it has been operating as a short term holiday let and, because the operation has been unsupervised, has given rise to a number of noise complaints from neighbours. These have been sufficient to warrant the attention of enforcement officers.

Number 77 adjoins a residential block, Royal Spa to the south and Kipps, a well managed hotel to the north. Its rear overlooks Pavilion Court, a retirement home reached from William Street to the east.

The proposed change of use will regularise the operation for the owners, who market the property for large single sex groups, such as hen and stag parties. The groups have given rise to disturbance and loss of amenity for residents in neighbouring properties.

Anti-Social Behaviour (ASB) associated with 'party house' operations is widespread according to evidence heard by the cross party scrutiny panel which I chaired looking into the sector (<http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/shortermletsFINALreport.pdf>).

The scrutiny directly led to the establishment of the Brighton Holiday Rentals Association, a trade body seeking to manage the market and address issues of ASB often caused by the kind of use proposed for 77 Grand Parade.

The BHRA has published guidelines, which advises against locating a short term holiday let catering for the anticipated numbers expected to be accommodated at 77 Grand Parade next to residential properties (<http://brightonholidayrentals.org/BHRA-Guidelines.pdf>). While the property is in a central location, its presence next door to a residential block to the one side, a hotel to the other and over looking a retirement home to the rear makes it wholly unsuitable for the use being applied for.

I urge you to recommend a refusal for this change of use application, as it will lead to significant loss of amenity to the residents in the neighbouring buildings through the associated disturbance an unsupervised operation of this nature can lead to.

I also ask that the application is considered in committee, rather than be determined by officers. I would also welcome the opportunity to address the committee.

Best wishes
Cllr Geoffrey Bowden
Cllr Stephanie Powell

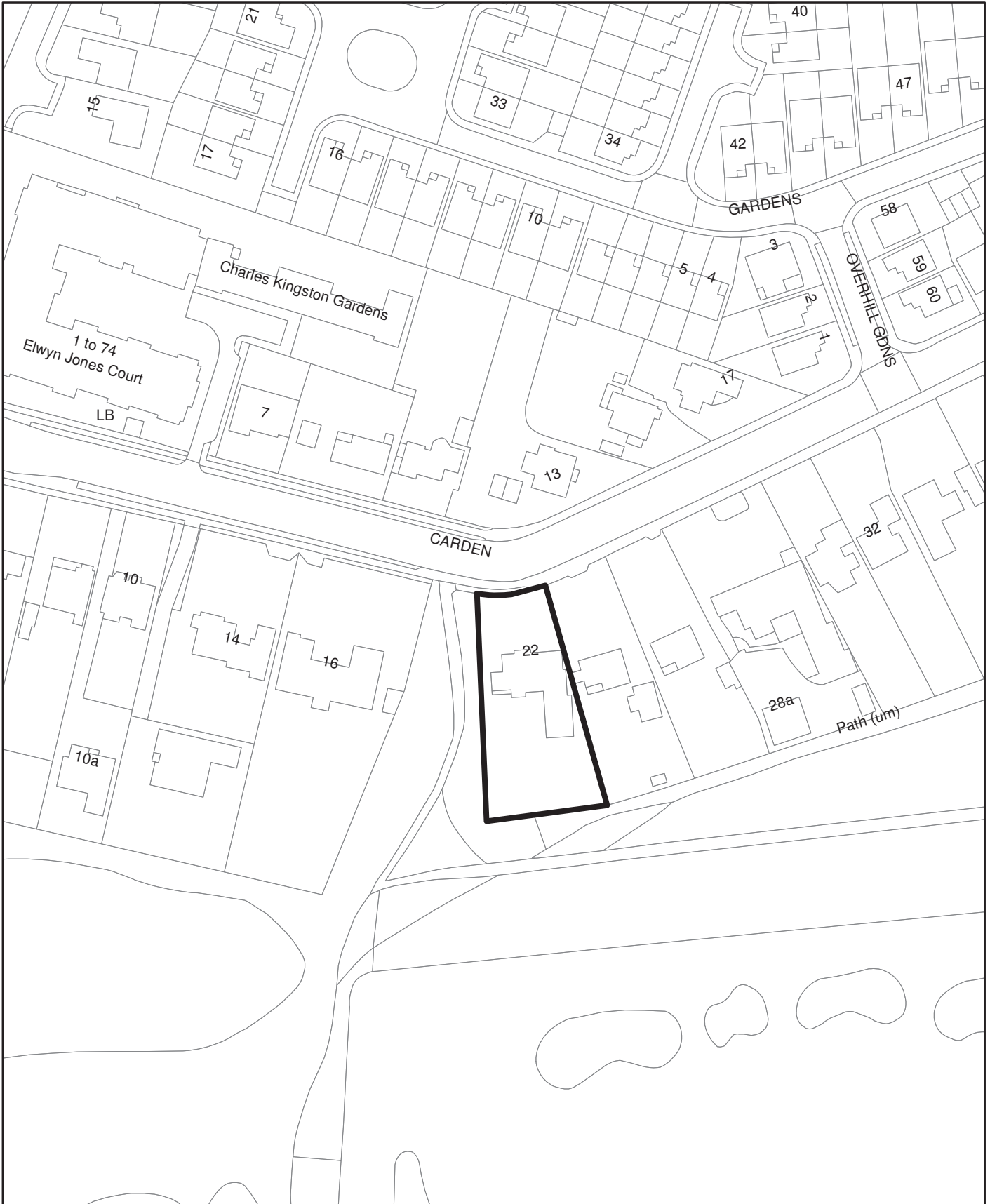
ITEM C

22 Carden Avenue, Brighton

BH2014/03875
Full planning

24 JUNE 2015

BH2014/03875 22 Carden Avenue, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/03875	<u>Ward:</u>	PATCHAM
<u>App Type:</u>	Full Planning		
<u>Address:</u>	22 Carden Avenue Brighton		
<u>Proposal:</u>	Demolition of existing day care centre (D1) and erection of two storey care home (C2).		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	05/12/2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	30 January 2015
<u>Listed Building Grade:</u> N/A			
<u>Agent:</u>	David Sayer and Associates Ltd, The Manor Farm Manor Road North Thames Ditton KT7 0BH		
<u>Applicant:</u>	CMG Ltd, The Care House Randalls Way Leatherhead KT22 7TW		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to a S106 agreement and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises a detached chalet style bungalow which was last used as a day care centre for up to 12 persons with learning disabilities. The property has a large rear garden which slope upwards steeply towards the rear of the site with some terraced level areas.
- 2.2 The section of Carden Avenue in the vicinity of the application site is primarily characterised by detached houses of mixed design set back from the highway with driveways and gardens between. A number of nursing homes and nurseries sit to the east of the site, including a recently completed large care home at the junction of Carden Avenue with London Road (Maycroft Manor Care Home).
- 2.3 No. 24 Carden Avenue to the west forms a detached chalet style residential bungalow. A footpath to woodland to the rear sits to the east, with a retirement home beyond.

3 RELEVANT HISTORY

BH2014/03938 (24 Carden Avenue) - Demolition of existing three bedroom dwelling and erection of 2no semi-detached four bedroom dwellings. Approved 27/03/2015.

BH2013/04299 (22 & 24 Carden Avenue) - Demolition of existing day care centre and chalet bungalow and erection of 4no semi-detached and 1no detached four bedroom houses (C3). Approved 10/04/2014.

BH1997/01422/FP22 (22 Carden Avenue) - Change of use of existing building to Day Care Centre for adults with severe physical and learning disabilities. Approved 29/01/1998.

BH2010/02709 (287 Dyke Road Hove) - Erection of single storey detached building to West. Approved 03/11/2010.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing day care centre (D1) and the erection of a three storey care home (C2) to provide residential care accommodation for 16 persons with learning disabilities.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Six (6)** letters have been received from **24 (x2) & 26 Carden Avenue; 58 Overhill Gardens (x2); and 145 Sackville Road**, objecting to the proposed development for the following reasons:

- Increased traffic
- Unsafe access and exit arrangements as visibility obscured by parked vehicles. Reversing onto highway likely
- Increased street parking. Existing levels have increased following the recent completion of the care home at the end of Carden Avenue (Maycroft)
- Insufficient onsite parking
- Insufficient space for vehicles to turn within the site
- The flat roofed design is at odds with surrounding pitch roofed developments
- The proposal is for a three storey building, not two
- Recent new residential care homes in the area have changed its character and resulted in the loss of houses
- The building is too large for the site
- Loss of light to first floor windows adjacent
- Noise disturbance from future occupants who may have behavioural problems
- Overlooking of the site from public footpaths to the rear

- 5.2 **Councillor Theobald and Councillor Pidgeon** have objected. A copy of the letter is attached to this report.

- 5.3 **Southern Water:** No objection

- 5.4 **UK Power Network:** No objection

Internal:

- 5.5 **Sustainable Transport:** No objection

Recommended approval as the Highway Authority has no objections to this application subject to the inclusion of the necessary conditions.

- 5.6 The proposed change of use from a day centre to a care home is unlikely to generate a significant increase in additional trips to the site therefore the Highway Authority has no objections. The Highway Authority does request that a travel plan condition is attached to encourage the use of sustainable modes of transport to the site by staff, residents and visitors.
- 5.7 The applicant is intending to use an existing vehicular crossover onto Carden Avenue. The access is on the outside of the bend and benefits from good levels of visibility. However, the Highway Authority is aware of recent changes in the nature of on-street parking in the immediate vicinity of the site. This has led to more vehicles parking on and around the bend where the existing access is sited. This has resulted in road safety concerns in relation to both visibility and swept path movements of vehicles through the bend.
- 5.8 It is acknowledged that in a response by the Highway Authority to a previous proposal at the same site (22 & 24 Carden Avenue, BH2013/04299) no request was made for parking restrictions. It should be noted that there was an alternatively sited access proposed, the road safety concerns were not apparent at that time and the level of movement was not deemed to be as frequent.
- 5.9 In order to ensure a safe access and egress to the site the Highway Authority would look for the applicant to fund the necessary TRO to implement double yellow line restrictions on the bend of Carden Avenue immediately outside the site. This should be secured by a S106 or a unilateral undertaking of £2000.
- 5.10 **Arboriculture:** No objection

6 MATERIAL CONSIDERATIONS

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
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
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU4	Surface run-off and flood risk
SU5	Surface water and foul sewerage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and reuse of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD5	Street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD27	Protection of amenity
QD28	Planning obligations
HO11	Residential care and nursing homes

Supplementary Planning Guidance:

SPGBH4	Parking Standards
--------	-------------------

Supplementary Planning Documents:

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

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the loss of the day care centre and erection of a care home, the design of the proposal and its impact on the character of the area, transport impacts as well as landscape and sustainability considerations
- 8.2 Principle of change of use
The site is currently vacant having been last in use as a day care facility for disabled children (Use Class D1). Permission for this use (BH1997/01422/FP) restricted hours of operation from 9am-4.30 on weekdays only, and restricted the number of persons onsite to 15. A number of other nursing/rest homes and sheltered housing schemes are sited within the locality, most notably at Maycroft to the east of the site. Planning permission has previously been granted for the loss of the day care facility at 22 Carden Avenue under application BH2013/04299 and its replacement with five dwellings across the site of both 22 & 24 Carden Avenue.
- 8.3 Policy HO20 states that permission will not be granted for the loss of community facilities such as day care facilities unless when an exception applies. Exceptions apply when:
- a) The community use is incorporated, or replaced within a new development; or
 - b) The community use is relocated to a location which improves its accessibility to its users; or
 - c) Existing nearby facilities are to be improved to accommodate the loss; or
 - d) It can be demonstrated that the site is not needed, not only for its existing use but also for other types of community use.
- 8.4 An assessment of the site has been submitted with the application which identifies a number of shortcomings that restrict the site's ability to continue to function as a day care facility. These focus on the layout, form and condition of the building which is in a generally poor state of repair and the sloping nature of the rear garden that restricts outside activities. The application also identifies that the day care use has been relocated to new facilities at 287 Dyke Road (BH2013/03457), thereby ensuring there is no net loss of day care facilities in the city. Accordingly the loss of the day care facility at this site is considered acceptable in accordance with exception tests a) and b) as set out in policy HO20 of the Brighton & Hove Local Plan.
- 8.5 Policy HO11 states that permission will be granted for new residential care homes where it can be demonstrated that the proposal:
- a) will not adversely effect the locality or neighbouring properties by way of noise or disturbance, or by way of size, bulk or overlooking;
 - b) provision of adequate amenity space- (a minimum depth of 10m and not less than 25m² per resident- although a lower standard may apply for nursing homes where residents are less mobile);

- c) is accessible to people with disabilities; and
 - d) provides for operational parking in accordance with council's standards.
- 8.6 The proposed building would provide residential care (Use Class C2) for up to 16 persons with learning disabilities set in two linked 8-bed units. The application identifies that the building would replace two other care homes in the area run by the applicants at 4 Vallance Gardens and 72-74 Walsingham Road which currently do not meet current Care Standards. The building would provide suitable amenity space, disabled facilities, and operational parking in accordance with criteria b)-d) of policy HO11. Matters relating to impact on the locality and neighbouring amenities are addressed separately below and considered acceptable. Accordingly the principle of providing new residential care facilities in the manner proposed is considered acceptable in accordance with policy HO11 of the Brighton & Hove Local Plan.
- 8.7 **Design and Character**
Policies QD1, QD2, QD3 and QD5 of the Brighton & Hove Local Plan set out design criteria for applications of the nature proposed. These policies require proposals to make an efficient and effective use of the site, contributing positively to the visual quality of the environment, addressing key principles for the neighbourhood in terms of height, scale bulk and design, whilst providing an interesting and attractive street frontage.
- 8.8 As existing the site forms a single storey bungalow with large extensions to the rear. The building is in a poor state of repair. The extant permission on the site is for three three-storey buildings of similar appearance to that proposed, with brick and rendered elevations and inset top floors completed in a grey lead-effect membrane. Whereas the extant permission sat three buildings across both 22 & 24 Carden Avenue, the proposed single building development sits on the site of 22 Carden Avenue only. As a result the building has a wider footprint and is set deeper on the west side than those to the extant scheme. The building is also wider than that recently approved at no.24 adjacent. Although a bulky addition to the site, the plans detail that the building would be set suitably off the east and west boundaries, would be set behind the building line of the existing bungalow, and would be of the same overall height as both extant schemes. Further the absence of any buildings directly to the west provides suitable tree screening and space around the building that lessens the impact of its bulk. As such it is considered that the building can be suitably accommodated within the site without resulting in an excessive overdevelopment of the site. The overall design approach is consistent with both extant schemes and would broadly match that approved at no.24 adjacent.
- 8.9 For these reasons the proposed development is considered suitably scaled, positioned and designed such that it would not harm the overall appearance of the site or wider streetscene in accordance with policies QD1, QD2 & QD3 of the Brighton & Hove Local Plan.
- 8.10 Trees and landscaping
An Arboricultural Implication Study and Method Statement has been submitted with the application. No trees are to be removed to facilitate the development. A

number of trees sit along the west side and rear boundaries that may be impacted by the proposals. The Study identifies that those closest to the proposed building form a group of low quality self-seeded Ash trees approximately 10m in height. A further poor quality Sycamore also sits close to the proposed building. These would be unaffected by the development. A large lime tree sits close to the front west corner of the site with a large Beech to the rear west corner. The Study identifies that the root protection zones to both trees sit well into the site, but would not otherwise be disturbed by the proposed development. A condition is attached to ensure the protective fences identified in the Method Statement are installed for the duration of works. The Council's Arboriculturalist has raised no objection on this basis. Subject to this condition the proposed development would accord with policy QD16 of the Brighton & Hove Local Plan.

- 8.11 In terms of landscaping, the plans detail areas of planting around the front parking areas and terracing to the rear garden. The terracing would be similar to existing, being in the main set at or below existing ground levels. Final details of all hard and soft landscaping, including details of all planting and boundary treatments, are secured by condition.

8.12 **Impact on Amenity**

Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

- 8.13 The main impact would be on the amenities of the adjacent occupiers to the east at 24 Carden Avenue. There are no properties to the rear or west sides that would be impacted. The proposal would not appreciably impact on the amenities of the approved development at 24 Carden Avenue.

- 8.14 No.24 Carden Avenue forms a two storey detached house set broadly level with the bungalow. There are first floor windows in the east side elevation serving a master bedroom that look across the roof of the bungalow. As initially proposed, the first and second floors of the three storey building proposed would have sat within 5.6m and 6m respectively of the closest window and considerably reduced light and outlook to the room in general. The plans have subsequently been amended to increase the separation and reduce the extent of the top floor. The arrangement and relationship now proposed closely matches that approved with no.26 (which is identical in layout to no.24) under planning consents BH2013/04299 & BH201403938. The closest window to no.24 would now sit 6.4m and 7.5m from the first and second floors respectively, similar to the 7m and 7.7m separation approved at no.22. The reduction in the depth of the top floor from 11.2m to 8.6m would also improve light levels and outlook to the rear. A daylight and outlook analysis plan has been submitted which shows that the roof of the proposed building would not break a 25° line from the first floor windows to no.24 (the threshold set out in BRE guidance whereby loss of light may become appreciable). The analysis also shows that the angle of unrestricted outlook to the front and rear from the two bedroom windows would be broadly identical to that approved to no.22. For these reasons, whilst the two bedroom windows would lose some outlook and be more enclosed than existing, this impact would be

broadly the same as that approved under BH2014/03938 on no.22 adjacent. Consequently it is not considered that the degree of harm to these windows would be so significant as to warrant the withholding of permission.

- 8.15 All first and second floor windows to the flank walls of the proposed building that face no.24 are detailed to be obscurely glazed bathroom windows therefore no significant overlooking would arise. This is secured by condition.
- 8.16 The plans include spot levels which show that the rear part of the garden and the proposed terrace to the west side are at the same level as existing, with the lower terrace set marginally below existing floor level and between 1.3m and 2.3m below garden level to no.24 adjacent. This is sufficient to ensure the proposed landscaping works and amenity spaces would not result in additional overlooking potential.
- 8.17 Objections have been raised concerned at potential noise disturbance from occupants of the development. Given the residential care nature of the proposal, it would be unreasonable to restrict outside use of the site or request a management plan. Noise associated with 16 residents would unlikely to be significantly greater than noise generated by the 15 persons permitted at the existing day care centre, notwithstanding the proposed outside areas being set closer to the boundary with no.24.
- 8.18 For the reasons set out above the proposed development would not result in significant amenity harm, in accordance with policy QD27 of the Brighton & Hove Local Plan.
- 8.19 **Sustainable Transport:**
Brighton & Hove Local Plan policy TR1 requires all new development to provide for the travel demand it creates, whilst policy TR14 requires that new development should provide covered and secured cycle parking facilities for residents.
- 8.20 The site as existing provides parking for approximately 7 vehicles on a front hardstanding access via a central dropped kerb onto Carden Avenue. The proposal seeks to formalise the 7 parking bays, including a disabled parking bay, and retain the central access point. The plans detail that the existing tall front boundary fencing is to be replaced with a low 0.6m high wall with railings above. This would improve pedestrian and vehicular visibility in and around the site. Appropriate secure covered cycle parking is proposed in the side passageway and is secured by condition.
- 8.21 Objections have been received citing increased parking pressure in the area and associated highway safety issues from parked vehicles on the highway. It was noted during the site visit that levels of street parking along Carden Avenue are high and limit visibility in places, most notably outside the application site. Sustainable Transport officers have raised no objection to the proposed development, noting the site is located on the outer side of a curve in the street and generally provides for good lines of sight along the carriageway for existing vehicles (assuming there are no parked vehicles on street). Sustainable

Transport officers have calculated that trip generation from the site would be broadly similar to existing trip generation from the day care centre, and that the seven parking spaces meets the maximum standards set out in SPGBH4. However, as parked vehicles do obstruct visibility at this point in the road, Sustainable Transport officers have recommended that the applicants fund the provision of double yellow lines outside and opposite the site to enable safer access and egress onto Carden Avenue. This is considered necessary given that the site would now generate traffic movements throughout the day and night rather than during the current limited opening hours. An appropriate contribution is secured within the Heads of Terms. Two cycle parking spaces are proposed which meets the requirements of SPGBH4. Final details are secured by condition.

8.22 Subject to these conditions the proposal would accord with policies TR1, TR7 & TR14 of the Brighton & Hove Local Plan.

8.23 Sustainability

Policy SU2 of the Brighton & Hove Local Plan, including SDP08 'Sustainable Building Design', requires new development to demonstrate a high level of efficiency in the use of water, energy and materials. Both SPD08 and policy CP8 of the submission City Plan Part One require all new non-residential development to meet BREEAM 'Very Good'. The application states that the building will include sustainable measures such as low energy hot water and heating systems and good insulation amongst others, but does not state a particular standard would be met. In this instance a condition is attached to ensure BREEAM 'very good' is secured in line with policy. Appropriate refuse and recycling facilities are proposed within the side passageway and are secured by condition.

8.24 Other Matters

The owner of 24 Carden Avenue adjacent has confirmed that the joint development of 22 & 24 Carden Avenue (BH2013/004299) is no longer being pursued, and that their development of 24 Carden Avenue (BH2014/03938) is not viable and also will not be pursued. Notwithstanding this, this application is determined on the basis of both no.24 remaining in situ and being redeveloped as per the extant permission as circumstances may change in the future.

9 CONCLUSION

9.1 The proposed development would provide residential care accommodation for up to 16 persons with learning disabilities within a suitably scaled, positioned and designed building that would not harm the appearance of the site or wider streetscene. Further the building, as revised, would not substantially harm the amenities of adjacent occupiers and would suitably mitigate its impact on the safe operation of the public highway, in accordance with development plan policies.

10 EQUALITIES

10.1 The development would be Part M compliant and includes level thresholds and wheelchair accessible bedrooms.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- Contribution of £2000 to amend the Traffic Regulation Order to provide double yellow lines on both sides of Carden Avenue outside the site.

11.2 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Site location plan	01	-	18/11/2014
Existing site plan	02	-	18/11/2014
Existing streetscene	03	-	24/11/2014
Proposed site plan	03	B	01/06/2015
Proposed site setting out plan	04	A	01/06/2015
Proposed floor plans	05	B	01/06/2015
Proposed elevations	06	B	01/06/2015
Comparison site plans	07		24/11/2014
	08	A	01/06/2015
Existing and proposed streetscene	07	A	01/06/2015
Existing house	09	-	03/12/2014

- 3) The first and second floor windows in the east side elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 4) Access to the flat roofs over the development 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 policy QD27 of the Brighton & Hove Local Plan.
- 5) The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.
Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

- 6) 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.

11.3 Pre-Commencement Conditions:

- 7) 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 & QD2 of the Brighton & Hove Local Plan.

- 8) No development shall commence until the fences for the protection of the trees adjacent to the site as detailed within the Arboricultural Method Statement received on 18 November 2014 have been fully installed. 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.

11.4 Pre-Occupation Conditions:

- 9) Unless otherwise agreed in writing by the Local Planning Authority, the non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and policy CP8 of the Submission City Plan Part One.

- 10) 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.
- 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.
- 11) The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
- Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 12) The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.
- Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.
- 13) Within 3 months of first occupation of the development hereby approved, the applicant, owner or developer shall submit to the Local Planning Authority for approval in writing a detailed Travel Plan (a document that sets out a package of measures and commitments tailored to the needs of the development, which is aimed at promoting safe, active and sustainable travel choices by its users (carers, staff, visitors, residents & suppliers).
- Reason:** To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

11.5 Informatives:

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

The proposed development would provide residential care accommodation for up to 16 persons with learning disabilities within a suitably scaled, positioned and designed building that would not harm the appearance of the site or wider streetscene. Further the building, as revised, would not substantially harm the amenities of adjacent occupiers and would suitably mitigate its impact on the safe operation of the public highway, in accordance with development plan policies.
3. The applicant is advised that a formal connection to the public sewerage system and water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel: 0330 303 0119) or www.southernwater.co.uk
4. The applicant is advised that the Travel Plan required under condition 13 shall include such measures and commitments as are considered necessary to mitigate the expected travel impacts of the development and should include as a minimum the following initiatives and commitments:
 - (i) Promote and enable increased use walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use
 - (ii) A commitment to reduce carbon emissions associated with commuter travel:
 - (iii) Increase awareness of and improve road safety and personal security:
 - (iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses:
 - (v) Identify a nominated member of staff to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.
 - (vi) Provide information such as walking & cycle maps, public transport information to staff, residents and visitors, to promote the use of sustainable travel.
 - (vii) As part of staff induction personalised travel planning should be implemented for journeys to work.

COUNCILLOR REPRESENTATION

Mr Andrew Huntley - Planning Officer
Brighton and Hove City Council
King's House
Grand Avenue
Hove
BN3 2LS

20th January 2015

Dear Mr Huntley

Planning Application BH2014/03875 - 22 Carden Avenue, Patcham

We are writing to you in our capacity of Ward Councillors for Patcham formally to object to planning application BH2014/03875 - demolition of existing day care centre (D1) and erection of two storey care home (C2).

In summary, we believe that the planning application, as submitted, is incorrect in several respects.

Firstly, according to the submitted plans, the proposed development will be on three floors, not two as stated on the application form.

Secondly, the applicant states that there will be no gain or loss of residential units as a result of the proposal. This is not correct. Five houses, over 22 and 24 Carden Avenue, which have recently been granted planning permission, will be lost at a time when there is a dire shortage of good quality family housing in Brighton & Hove. We would mention that there is already a recently built 80-bed care home on the junction of Carden Avenue and London Road - Maycroft. This development was itself achieved by the destruction of what were eight attractive family homes. There is also another substantial residential care home between Maycroft and 22 Carden Avenue and, of course, Elwyn Jones Court on the other side of Carden Avenue.

Residents, a number of whom have contacted us, are concerned that the character of this part of Patcham is changing because of the number of care homes being built, and the parking chaos that this is causing.

Thirdly, the applicant states that the site is not within an area at risk of flooding. This again we believe is not true. The whole of Carden Avenue is clearly highlighted on the Environment Agency's maps as an area at high risk of surface water flooding. No flood risk assessment has been submitted by the applicant to show how this high risk could be alleviated. Also, this development will increase pressure on the already overloaded sewerage / water pipes along Old London Road and London Road.

COUNCILLOR REPRESENTATION

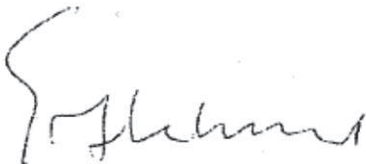
Our final objection relates to traffic issues and parking. The applicant states that the proposed development will have sixteen rooms for residents and that nineteen members of staff will be employed at the premises. This is not to mention the numerous visitors that there will inevitably be to such a care home. Yet the applicant is only proposing to provide seven general use parking spaces. It is inevitable, therefore, that there will be a large increase in demand for on-street parking in Carden Avenue and surrounding side roads.

This increase in on-street parking will potentially be dangerous as the site is situated on the bend of what is a very busy main road. Also, on-street parking will reduce the visibility of drivers of vehicles leaving the site.

As we predicted, the Maycroft care home is already causing considerable on-street parking problems, including the parking of vehicles on the pavement. Staff were supposed to be using bus services as part of an agreed Travel Plan, but many do not. These problems are so significant that the Council is considering introducing enforcement measures and/or applying double yellow lines. Either of these schemes will extend from London Road to Overhill Gardens of which 22 Carden Avenue is almost in the middle. Patcham Local Action Team, with Police presence, regularly discuss residents' concerns about the traffic situation in this part of Carden Avenue.

For all the above reasons, we urge you to reject the application under your delegated powers. However, should this not be the case, we ask that the application is brought before the Council's Planning Committee for determination and this letter be printed on the agenda.

Yours sincerely



Cllr. Brian Pidgeon
Cllr. Geoffrey Theobald

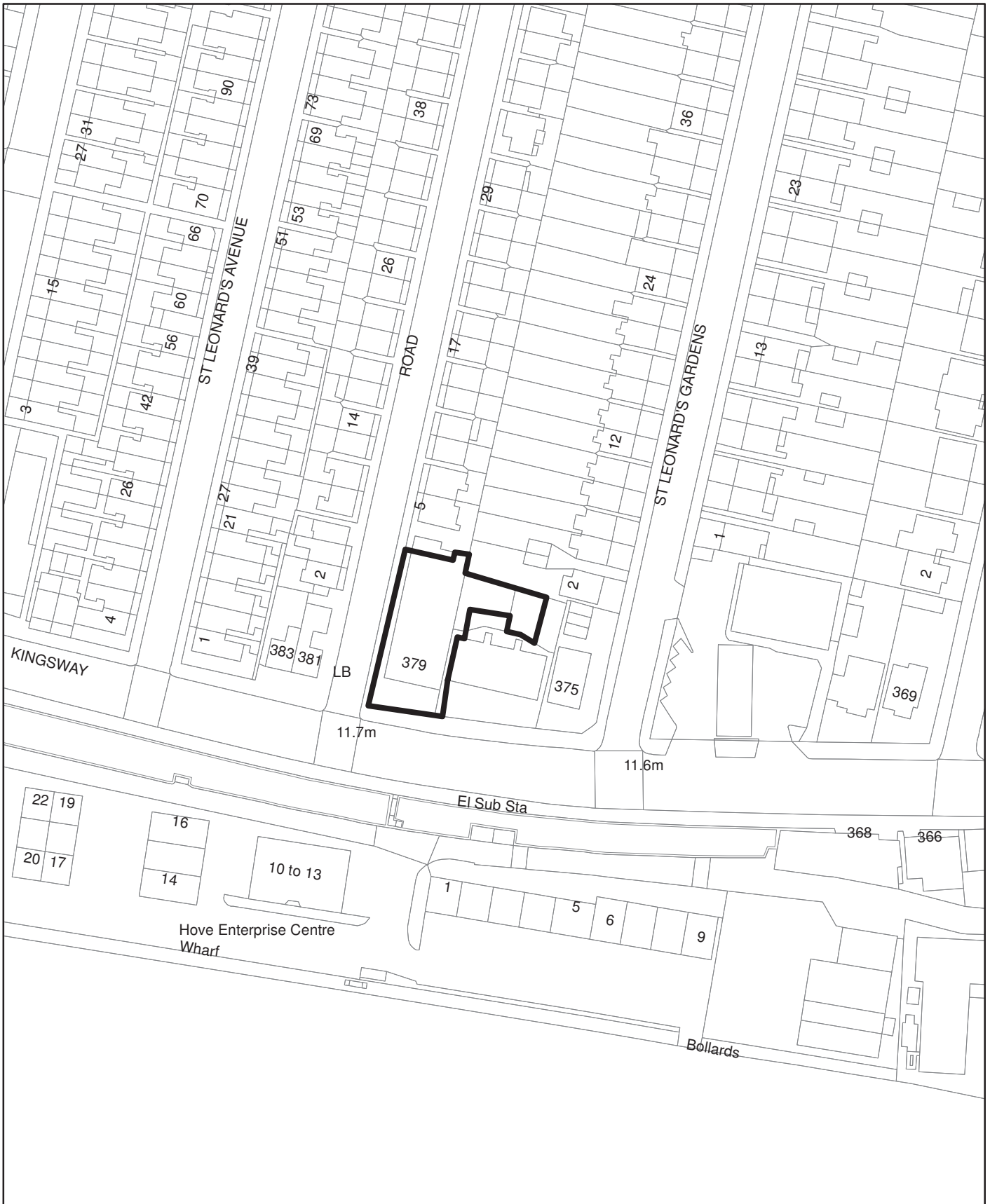
ITEM D

**379 and Land to the Rear of 377 Kingsway,
Hove**

**BH2014/02767
Full planning**

24 JUNE 2015

BH2014/02767 379 and Land to the Rear of 377 Kingsway, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/02767	<u>Ward:</u>	WISH
<u>App Type:</u>	Full Planning		
<u>Address:</u>	379 and Land to the Rear of 377 Kingsway Hove		
<u>Proposal:</u>	Redevelopment of site to provide replacement retail showroom on ground floor and 8no flats on the upper floors with associated bike and bin storage and conversion of part of rear garden at 377 Kingsway into a communal garden for both 377 and 379 Kingsway.		
<u>Officer:</u>	Guy Everest Tel 293334	<u>Valid Date:</u>	27 August 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	22 October 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, 2 Port Hall Road Brighton BN1 5PD		
<u>Applicant:</u>	High Spec Developments Ltd, Mr Alastair Redman C/O Lewis and Co Planning 2 Port Hall Road Brighton BN1 5PD		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to a S106 agreement and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises a two-storey retail building, with single-storey rear section, on the northern side of Kingsway at the junction with Erroll Road. The building is currently vacant and includes an off-road forecourt area to both the Kingsway and Erroll Road frontages. The immediate surroundings comprise residential buildings of varying type, form, design and scale. There are intermittent commercial uses along Kingsway with Shoreham Harbour to the south of the site.

3 RELEVANT HISTORY

3/88/0897: Alterations to first floor to form 2 s.c. flats including provision of new externally sited access staircase. Approved 06/12/1988 (*this permission does not appear to have been implemented*).

3/82/0235: Increase opening hours of off-license from 8.30am to 8.00pm. Approved 11/06/1982 (*N.B. this approval did not permit opening on Sundays*).

3/79/0076: Change of use from car showroom to retail shop. Approved
28/03/1979.

4 THE APPLICATION

- 4.1 Planning permission is sought for demolition of the existing building and redevelopment of the site with a building rising to 4-storeys in height. The building would comprise a ground floor retail unit with 8 self-contained flats at upper floor levels.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** Representations have been received from **2, 4, 18, 58 & 84 Erroll Road; 381B Kingsway; 38 (GFF) Roman Road; 30, 33 & 133 St Leonards Avenue** and **2 St Leonards Gardens** objecting to the application for the following reasons:-
- Loss of light;
 - Overlooking;
 - The application does not include off-street parking and there is not sufficient on-street space available to park the additional cars generated by the development.
- 5.2 **313 Kingsway** support the application which would vastly improve this ugly, rundown and unused site. The proposal would provide quality housing and retail for a neglected part of Hove seafront. The Vega building shows how this type of design fits in with the seafront location.
- 5.3 **36 Woodhouse Road** comments that parking issues in this area should be addressed before the application proceeds.
- 5.4 **Cllr Peltzer Dunn** objects – representation attached.
- 5.5 **East Sussex Fire & Rescue Service:** There should be vehicle access for a pump appliance to blocks of flats within 45 metres of all points within each dwelling. It would appear from the plan that this cannot be provided and therefore a dry fire main should be provided in accordance with the Building Regulations.
- 5.6 **Kingsway and West Hove Residents Association:** Object:-
- The proposed development without the provision of off-street parking would seriously damage the residential amenity of Erroll Road by exacerbating the existing parking and environmental problems in a narrow street of close-knit houses;
 - The application fails to adequately consider the adverse impact of the proposed uses on residents parking and nearby living conditions during the day. The assertions in the application about parking impact are therefore fundamentally flawed;
 - The various past uses of the building were primarily associated with purchases made by people needing cars or vans and this impacted on the

surrounding area. The loss of on-site forecourt parking further exacerbates on-street parking congestion;

- The nature of the proposed retail use is not specified and future occupation could be more detrimental than past occupants of the existing building;
- There is not capacity to accommodate additional demand for on-street parking in the Erroll Road area. The proposal should be amended to include off-street parking.

Internal:

5.7 **Access Officer:** No objection.

5.8 **Environmental Health:** No objection, subject to a condition relating to contamination and requiring details of soundproofing between the commercial and residential uses.

5.9 **Sustainable Transport:** No objection.

5.10 Car Parking

The 2011 car ownership census data indicates that the development is forecast to have 8 vehicles associated with it. The applicant has undertaken an on-street parking survey in the local area within 180m walking distance from the site. The surveys were undertaken on the evening of 4th June 2014 and morning of 5th June 2014. The following parking stresses were observed (*based on information within the submitted transport statement*):-

<i>Road</i>	<i>On-street parking stress – 4th June 2014</i>	<i>On-street parking stress – 5th June 2014</i>
Kingsway	93%	89%
St Leonards Road	100%	100%
St Leonards Avenue	93%	94%
Erroll Road	99%	100%
St Leonards Gardens	93%	97%
St Kenya Avenue	73%	70%

5.11 Up to 85% on-street parking stress is considered acceptable but levels above this can lead to vehicles circulating for parking spaces and an increased likelihood of inconsiderate parking. In order to assist in mitigating the potential overspill from the development the following is required as part of a s106 agreement:-

- Provision of a Residential Travel Information Pack for each residential unit. This should include, public transport information, walking and cycling information, Car Club information and the provision of 2 years membership to City Car Club (already agreed by the applicant). Further to this the applicant could provide each residential unit with a 6 month season ticket to Brighton and Hove buses.

- £6000 contribution towards footway improvements in the local area to ensure there is a suitable footway provision to and from the development and local amenities and public transport. Footway improvements in the form of kerb build outs, dropped kerbs and tactile paving will be made to enhance crossing facilities on Kingsway (A259) and to improve pedestrian access to amenities on Boundary Road. The contribution is based on the increase in trips which the development would generate.

5.12 It is considered that these measures would suitably mitigate the likely overspill car parking from the development.

5.13 Cycle Parking

The minimum cycle parking standard is 8 spaces for the residential development and 1 space for the retail element. A cycle store for 14 cycles is proposed to the rear of the site with 4 spaces to the Erroll Road frontage for the retail unit.

5.14 Vehicular Access

The southern vehicular access would be retained with the northern access on Erroll Road removed. The northern access should be reinstated to footway.

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

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

6.3 The National Planning Policy Framework (NPPF) is a material consideration.

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

6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.

- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD15	Landscape design
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO7	Car free housing
HO13	Accessible housing and lifetime homes
SR2	New retail development beyond the edge of existing established shopping centres
SR8	Individual Shops

Supplementary Planning Guidance:

SPGBH4	Parking Standards
--------	-------------------

Supplementary Planning Documents:

SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable Buildings

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main issues of consideration in the determination of this application relate to the appropriateness of a mixed use development in this location; the visual impact on the character and appearance of the area; the impact on neighbouring amenity, transport; and, sustainability matters.

Proposed uses

- 8.2 The application site comprises a two-storey flat roof building fronting Kingsway with a pitched roof single-storey section to the rear providing approximately 405 sq metres of commercial floorspace. The building is currently vacant but was last use as a tool hire business with associated storage. The dominant use of the building was seemingly retail and as such the lawful use of the site is within Class A1.
- 8.3 The proposed development would provide approximately 342 sq metres of retail floorspace at ground floor level. Whilst this represents a reduction in the existing provision this would need to be balanced against the benefits of providing a modern mixed use development comprising commercial and residential uses on the site. As the existing lawful use of the site is for retail it is not necessary to require sequential testing or justification as to why the use could not be sited within an existing (shopping) centre.
- 8.4 The site immediately adjoins residential development to the east, west and north with Shoreham Harbour adjoining to the south and intermittent commercial uses along Kingsway. The application proposes 8 residential units at first, second and third floor levels. In principle redevelopment of the site for mixed use commercial and residential is considered acceptable and would reflect the nature of uses in the immediate surroundings.
- 8.5 At present, there is no agreed up-to-date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing provision target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (estimated to fall within the range 18,000 – 24,000 units) as the basis for the five year supply position.
- 8.6 The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Design:

- 8.7 As existing the application comprises a two-storey flat roofed frontage building with a single-storey plus pitched roof rear section. The form and design of the building does not make a positive contribution to the character or appearance of the area and as such there is no objection to its demolition. The proposed replacement building would comprise a three-storey front section with inset fourth-storey. The building would reduce in height to the rear, along Erroll Road, with a single-storey section adjacent to the northern boundary of the site.
- 8.8 The immediate section of Kingsway comprises buildings with considerable variation in form, design and scale. The scale of the building would reflect the height of the immediately adjoining buildings to the east, which are between 3 and 4-storeys in height, and would not appear unduly dominant in short or long

views along Kingsway. The proposed forward siting would reflect the existing building and would retain a gap with the adjoining building to the east. While the siting is forward of adjoining development to the east the building line in this section of Kingsway is variable, with adjoining development to the west further forward than the proposed building. The proposed building line would be viewed in this context and given the overall scale is considered acceptable the siting of the resulting building would not appear incongruous or unsightly.

- 8.9 The proposed design and detailing features extensive glazing, set within reveals, with projecting bay windows to the side elevation. This treatment would provide articulation and break up the massing of the resulting building. The proposed building, although contrasting with immediately adjoining development, would reflect recent residential developments elsewhere in the surrounding area, including the Vega building to the east of the site. The proposed materials would include render, louvred panels, metal balustrades and composite windows and doors. These are considered acceptable in this location and further details are secured through condition.
- 8.10 The adjoining development to the north, on Erroll Road, is generally of a lesser scale than Kingsway and is characterised by two-storey detached, semi-detached and terraced housing. In response the rear of the proposed building would step-down in height to reflect the prevailing scale of adjoining development to the north. While the proposed four-storey element of the proposed building would be highly visible in views south along Erroll Road this is commonplace where side streets meet Kingsway in this section of Hove. It is considered that the proposed building form would respond to the changing scale of development to the north of the site.
- 8.11 The proposed development would represent an improvement on the existing appearance of the site and, for the reasons outlined above, is considered to satisfactorily respond to the height, scale, bulk and design of existing buildings in this locality. On this basis the proposal would not constitute an overdevelopment of the site and complies with Local Plan policies QD1, QD2 and QD3.

Impact on Amenity:

- 8.12 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.

Future Occupants

- 8.13 The development would provide 8 residential units in a mix of 2x1-bed and 6x2-bed. The 1-bed units would measure a minimum of approximately 53 sq metres with the 2-bed units a minimum of approximately 62 sq metres; these unit sizes are considered acceptable. The proposed units would be dual aspect, with none solely north facing, and habitable rooms would benefit from adequate natural light and outlook. It is noted that bedrooms at first and second floor levels would feature angled projecting windows (in order to minimise

overlooking of the adjoining properties). While this is not perhaps ideal the size of the window opening would provide sufficient potential for natural light and outlook for future occupants, with the resulting standard of accommodation acceptable.

- 8.14 There is limited scope to provide private amenity space for future occupants due to constraints of the site and the relationship with adjoining properties. The proposed units would incorporate Juliet balconies where possible with the 3rd floor unit having access to a roof terrace. A communal garden would be provided to the rear of 377 Kingsway. It is considered, given the acceptable unit sizes, that the level of amenity space provided is acceptable and would not warrant the refusal of planning permission; it is noted that the site is within walking distance of public open space at Wish Park, Hove Lagoon and the seafront.
- 8.15 As a new-build development the scheme should meet Lifetime Homes standards. There are no reasons why the proposed unit sizes could not be built to these standards and this could be secured through condition.

Proposed uses

- 8.16 The existing retail use of the site is subject to a condition restricting hours of use to 08.30 to 20.00 on Monday to Saturday only (see section 3). A condition is recommended to restrict the replacement retail unit to these same opening hours. The proposed development does not constitute a change of use at ground floor level, and it is considered that this approach would prevent any additional or harmful noise or disturbance for occupants of adjoining properties.
- 8.17 There are no delivery restrictions attached to the existing retail use of the site. The proposed development represents an opportunity to prevent deliveries or servicing of the retail unit which could potentially be harmful to neighbouring amenity. A condition is therefore recommended to require a Delivery & Service Management Plan which would include details of the types of vehicles, how deliveries will take place and the frequency of deliveries. This would sufficiently protect neighbouring amenity. The transport impacts of the development are considered in a subsequent section of this report.
- 8.18 The introduction of additional residential units into an established residential location would not be expected to generate harmful levels of noise or disturbance for occupants of adjoining properties.

Proposed building

- 8.19 The application is accompanied by a '*Daylight, Sunlight & Overshadowing Report*' which is based on the BRE Guide to Good Practice on Site Layout Planning for Daylight and Sunlight. The report concludes that, generally, daylight and sunlight to adjoining properties and sunlight to adjoining gardens would not be significantly impacted by the proposed development. The specific impacts of the development on neighbouring properties are considered below.
- 8.20 *Adjoining properties to the east:*

The main height and bulk of the proposed development would reflect the forward building line of the existing building and the rear of the adjoining development to the east (377 Kingsway), a three-storey residential building (with converted roofspace). While side facing windows to this building would be affected the siting of the proposed development is considered the most appropriate for the site and would minimise the potential for loss of light and outlook to window openings within this adjoining property.

8.21 The rear of 377 Kingsway appears to provide outdoor amenity space for occupants of the building. The rear section of the proposed development, which reduces in height to the north, would be set away from the shared boundary with this outdoor space. This siting and reduction in scale is considered sufficient to prevent any harmful loss of light or outlook, and the rear of no. 377 would remain usable outdoor amenity space.

8.22 The proposal would result in the loss of outdoor space associated with no. 377, with part of the communal garden becoming attached to the proposed development. There would though remain an area of garden for residents of no. 377 and given the location of the site and presence of nearby public open space this arrangement would not result in significant harm to amenity for occupants of this building.

8.23 The use of angled bay windows to side elevations at upper floor levels of the building would prevent direct overlooking of adjoining properties and this approach would prevent any harmful loss of privacy for occupants of neighbouring properties to the east of the site.

8.24 *Adjoining properties to the west:*

The western side of Erroll Road is marked by the side elevation of 481 Kingsway, a residential building containing self-contained flats, and a terrace row of dwellinghouses. These buildings feature a number of window openings fronting the application site. The proposed building would be a minimum of approximately 15 metres from these window openings and this separation, coupled with the proposed building form, is considered sufficient to prevent a harmful loss of light or outlook for occupants of these properties. This view is supported by the submitted light report which indicates that windows to the west of the site would continue to receive sufficient light in accordance with the BRE guide.

8.25 While the western elevation of the proposed building would feature extensive glazing the resulting relationship with adjoining properties would reflect that elsewhere on Erroll Road. It is considered that the resulting overlooking would not go beyond that already established or expected in a residential location such as this. The separation provided by the highway would be sufficient to prevent any intrusive views into neighbouring properties and no significant loss of privacy would therefore result.

8.26 *Adjoining properties to the north:*

The neighbouring building to the north, 5 Erroll Road, features windows at ground and first floor level, which appear to relate to habitable rooms, and a

detached garage sited on the boundary with the application site. The proposed building would step down in height to a single-storey form along the shared boundary with no. 5. This represents a reduction in height when compared to the existing rear section of the building (which features a pitched roof and gable end on the boundary with no. 5). This reduction in height coupled with the separation distances to the higher elements of the development is considered sufficient to prevent any significant loss of light or outlook for occupants of no. 5.

- 8.27 The north facing windows at first and second floor levels are secondary windows and would be obscure glazed. This would prevent any harmful overlooking towards no. 5 and the obscure glazing is secured through condition. While the windows at third floor level would not be obscure glazed there would be a separation distance of approximately 21 metres to the side elevation of no. 5. This distance is considered sufficient to prevent any intrusive overlooking as a result of the proposed development.

Sustainable Transport:

- 8.28 Policy TR1 requires that development proposals provide for the demand for travel they create and maximise the use of public transport, walking and cycling.
- 8.29 The proposed development does not incorporate off-street parking for the residential units and is expected to generate demand for 8 on-street parking spaces. As such there is potential for displaced parking to occur as this section of Kingsway, and associated residential streets to the north, are not within a Controlled Parking Zone. The submitted Transport Statement (TS) incorporates a parking survey which indicates high levels of parking stress on streets within walking distance of the application site.
- 8.30 The Sustainable Transport Team has identified a series of measures which would suitably mitigate the likely overspill car parking from the development. These measures comprise a Residential Travel Information Pack for each residential unit, which would include, public transport information, walking and cycling information, Car Club information and the provision of 2 years membership to City Car Club; and, a £6000 contribution (based on the increase in trips which the development would generate) towards footway improvements in the local area to ensure there is a suitable footway provision to and from the development and local amenities and public transport. Footway improvements in the form of kerb build outs, dropped kerbs and tactile paving will be made to enhance crossing facilities on Kingsway (A259) and to improve pedestrian access to amenities on Boundary Road.
- 8.31 The above measures would be secured through a s106 agreement and are considered sufficient to ensure the development would not create a harmful demand for travel or a highway safety hazard, in accordance with Local Plan policies TR1 and TR7.
- 8.32 The development would make provision for cycle parking facilities for the retail and residential units in accordance with minimum standards outlined in SPGBH4. This provision is secured through condition.

Sustainability:

- 8.33 Local Plan policy SU2 and guidance within SPD08 seeks to ensure that development proposals are efficient in the use of energy, water and materials; proposals are required to demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design.
- 8.34 In order to comply with policy CP8 of the modified City Plan the proposed development should be constructed to Code for Sustainable Homes Level 4. While the submission does not commit to achieving this standard it is considered that a minimum of Code for Sustainable Homes level 4 could be secured through condition. This would ensure the development complies with the above policies.
- 8.35 In respect of the commercial element SPD08 requires 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good'. This is secured through condition.
- 8.36 The proposal involves the demolition of the existing building which would generate waste. A Waste Management Statement has been submitted with the application which outlines how waste would be managed and reduced and the level of information submitted with the application is considered acceptable. It is not therefore necessary to require further details through condition.

9 CONCLUSION

- 9.1 The proposed development would provide replacement commercial floorspace and additional housing units, making efficient and effective use of land within the built up area boundary. The development would provide a good standard of accommodation for future occupants and would not result in significant harm to neighbouring amenity or highway safety.

10 EQUALITIES

- 10.1 To accord with Local Plan policy HO13 the development would need to be built to Lifetime Homes standards, and this is secured through condition.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- A £6,000 contribution towards footway improvements in the local area in the form of kerb build outs, dropped kerbs and tactile paving to enhance crossing facilities on Kingsway and to improve pedestrian access to amenities on Boundary Road; and
- The provision of a residential travel pack for each first resident of the building, to include 2 years membership for each residential unit to City Car Club, details of pedestrian and cycle routes in the local area and local public transport timetables/maps.

PLANNING COMMITTEE LIST 24 JUNE 2015

11.2 Regulatory Conditions:

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

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

Plan Type	Reference	Version	Date Received
Location Plan	PL01		15/08/2014
Existing Site Plan	PL02		15/08/2014
Existing South Context Elevation	PL03		15/08/2014
Existing West Context Elevation	PL04		15/08/2014
Existing South Elevation	PL05		15/08/2014
Existing West Elevation	PL06		15/08/2014
Existing North Elevation	PL07		15/08/2014
Existing East Elevation	PL08		15/08/2014
Existing Ground Floor Plan	PL21		27/08/2014
Existing First Floor Plan	PL22		27/08/2014
Proposed Site Plan	PL09	A	27/03/2015
Proposed Site Plan	PL10	A	27/03/2015
Proposed Ground Floor Plan	PL11	A	27/03/2015
Proposed First Floor Plan	PL12	A	27/03/2015
Proposed Second Floor Plan	PL13	A	27/03/2015
Proposed Third Floor Plan	PL14	A	27/03/2015
Proposed South Elevation	PL15	A	27/03/2015
Proposed West Elevation	PL16	A	27/03/2015
Proposed North Elevation	PL17	A	27/03/2015
Proposed East Elevation	PL18	A	27/03/2015
Proposed South Context Elevation	PL19	A	27/03/2015
Proposed West Context Elevation	PL20	A	27/03/2015

- 3) The ground floor retail use hereby permitted shall not be operational except between the hours of 08:00 and 20:00 on Mondays to Saturdays.
Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

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

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

- 5) Access to the flat roof at first and second floor levels shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policy QD27 of the Brighton & Hove Local Plan.

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

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

- 7) 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.

11.3 Pre-Commencement Conditions:

- 8) 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.

- 9) 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 policy QD1 of the Brighton & Hove Local Plan.

- 10) No development above ground floor slab level of any part of the development hereby permitted shall take place until sample elevations and sections at a scale of 1:20 of the canopies, windows (including the projecting bay windows) and doors, including their reveals, balustrades and parapet roof detail 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 and be maintained as such thereafter.

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

11.4 Pre-Occupation Conditions:

- 11) 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.

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.

- 12) 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

PLANNING COMMITTEE LIST 24 JUNE 2015

of the Brighton & Hove Local Plan and policy CP8 of the Submission City Plan Part One.

- 13) Unless otherwise agreed in writing by the Local Planning Authority, the non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and policy CP8 of the Submission City Plan Part One.
- 14) Prior to the first occupation of the ground floor retail unit 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.
- 15) The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 16) 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.
- 17) Prior to the first occupation of the development hereby permitted the redundant vehicle crossover onto Erroll Road shall be reinstated back to a footway by raising the existing kerb and footway in accordance with a specification that has been approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton and Hove Local Plan.

11.5 Informatives:

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

The proposed development would provide replacement commercial floorspace and additional housing units, making efficient and effective use of land within the built up area boundary. The development would provide a good standard of accommodation for future occupants and would not result in significant harm to neighbouring amenity or highway safety.
3. The applicant is advised that the proposed highways works should be carried out in accordance with the Council's current standards and specifications and under licence from the Network Co-ordination team. The applicant should contact the Network Co-ordination Team (01273 293366).

Planning Application - BH2014/02767

I object to the Planning Application

Sender's details

Garry.peltzer Dunn
[REDACTED]
[REDACTED]
[REDACTED]

Garry.peltzerdunn@brighton-hove.gov.uk

Comment

I consider that the proposals represent an overdevelopment of the site. there are traffic and parking implications which must be ad dressed. I would request that this application will be considered by the committee. Thank you. use this box to provide reasons for your support or objectn of the planning application and any additional comments you would like to make.

ITEM E

38 Queens Gardens, Brighton

BH2015/00360
Full planning

24 JUNE 2015

BH2015/00360 38 Queens Gardens, Brighton



Scale: 1:1,250

<u>No:</u>	BH2015/00360	<u>Ward:</u>	ST. PETER'S & NORTH LAINE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	38 Queens Gardens Brighton		
<u>Proposal:</u>	Change of use from three bedroom single dwelling (C3) to three bedroom small house in multiple occupation (C4). (Retrospective)		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	26 February 2015
<u>Con Area:</u>	North Laine	<u>Expiry Date:</u>	23 April 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Mr Jason Garrett, Flat 64 10-14 John Adam Street, London WC2N 6HA		

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 site relates to a two storey mid terrace property to the eastern side of Queens Gardens with a walled garden to the rear. The property is currently in a C4 use. The property is sited within the North Laine Conservation.

3 RELEVANT HISTORY

- 3.1 None relevant.

4 THE APPLICATION

- 4.1 Planning permission is sought for the change of use from three bedroom single dwelling (C3) to a three bedroom small house in multiple occupation (C4). The use as a small house in multiple occupation has commenced.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Eight (8)** letters of representation have been received from **7, 9, 10, 19, 34, 37, 39** and **40 Queens Gardens**, objecting to the application for the following reasons:
- Increased noise and anti-social behaviour,
 - Potential “party house”,
 - The C4 use is not compatible within a quiet, family area,
 - Overshadowing, overlooking and loss of privacy,

- Additional traffic issues.

Internal:

- 5.2 **Sustainable Transport:** No objection. The Highway Authority has no objections to the proposals to change the use of the single dwelling house to a 3 bed small house in multiple occupation.
- 5.3 The proposals could increase trips associated with the site as there could be more people living in a HMO. However, the forecast increase is not considered to cause a significant highway impact. The Highway Authority would look for cycle parking to be secured via condition. There are site constraints on-site and therefore the Highway Authority would accept cycle parking in the rear garden in this instance.

Cycle parking scheme

- 5.4 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.

Planning Policy:

- 5.5 No comment. The application should be determined in accordance with the adopted and emerging development plans.

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
TR14 Cycle access and parking
SU10 Noise nuisance
QD14 Extensions and alterations
QD27 Protection of amenity
HO14 Houses in multiple occupation (HMOs)
HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

- SPGBH4 Parking Standards

Supplementary Planning Documents:

- SPD08 Sustainable Building Design
SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development
CP21 Student Accommodation and Houses in Multiple Occupation

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the proposed change of use, its impact on neighbouring amenity, the standard of accommodation which the proposed use would provide, transport impact and sustainability.
- 8.2 It was noted on site that the change of use had already been implemented and as such the application will be determined as retrospective.

Principle of development:

- 8.3 The application seeks planning permission for a change of use from a dwellinghouse (C3) to a C4 small HMO providing 3 designated bedrooms. Basic amenities including a kitchen and bathroom are shared. The site is located

within an Article 4 Direction area (effective from 5 April 2013) which removes permitted development rights under Class I (b) of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, to change from a C3 (dwellinghouses) Use to a C4 (houses in multiple occupation) Use. As such planning permission is required for this change of use in this location.

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

'It is recognised that in some areas of the city, a concentration of HMOs can cause various problems arising from heavy concentrations of people living within a small geographical area. Appropriate policies elsewhere in the Plan aimed at protecting amenities will also be important factors in assessing new proposals in respect of new HMOs and the loss of existing HMOs. Particularly important in this respect are policies QD27 and HO4.'

- 8.5 Policy CP21 (ii) of the submission City Plan Part One specifically addresses the issue of changes of use between use classes C3 and C4 and states that:

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

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

- 8.6 Policy CP21 (ii) within the emerging City Plan Part One is considered to carry significant weight as the adopted Local Plan is silent on the issue of C4 small Houses in Multiple Occupation.

- 8.7 The status and weighting of policy CP21 in the submission City Plan Part One has been assessed against paragraph 216 in the National Planning Policy Framework. The Plan is at a late stage of preparation (Examination stage), there are no unresolved objections to part ii of policy CP21 (relating to HMOs); and the policy is considered compliant with the NPPF.

- 8.8 Representations were received on policy CP21 at publication stage however these related to part i) of the policy only (relating to purpose built student accommodation) with no representations or objections received in relation to part ii) (C4 and sui generis HMO's). Policy CP21 was subject to discussion at an examination hearing in October 2013, however part ii) of the policy was not raised as an issue by the independent Planning Inspector in her initial conclusions (letter dated 13 December 2013). For this reason the policy is considered to have significant weight in the determination of this application.

- 8.9 A mapping exercise has taken place which indicates that there are 105 separate residential units which fall within a 50 metre radius of the site. Four of these units have been identified as being in Class C4, mixed C3/C4 or other types of HMO in a sui generis use. The percentage of HMO's within the 50m radius is currently 3.8%. The percentage of existing HMO's within the designated area is therefore below the level of 10% specified within policy CP21 and as such the C4 use would accord with policy CP21.

Standard of accommodation:

- 8.10 The dwelling layout provides a kitchen, a living room, 3 bedrooms and 1 bathroom set out over two floors. The bedrooms are considered to be of an adequate size with sufficient outlook and natural light and overall the layout is considered to provide an acceptable standard of accommodation for future occupiers.
- 8.11 It is considered that the intensified use is likely to require greater provision for refuse and recycling and cycle storage. No details of such storage have been provided, although there appears to be adequate space on site within the rear yard, and full details of which can be secured by planning condition.

Impact on Amenity:

- 8.12 A change to a flexible use comprising either a C3 Dwellinghouse or a C4 House in Multiple Occupation may result in a more intensive use of the property and a greater impact upon the immediate and surrounding area, and upon neighbouring amenity. Representations received from neighbouring occupiers reflect this. It is considered, however, that the increased impact caused in this case would not be of a magnitude which would cause demonstrable harm to neighbouring amenity and would not warrant the refusal of planning permission.

Transport:

- 8.13 The C4 use is not likely to create significantly greater trip generation than a C3 use and the proposal is acceptable in this regard.
- 8.14 Policy TR14 requires that all developments provide cycle storage for occupiers of the development and visitors to the development. Whilst cycle storage to the rear is not ideal and would require the bikes to be carried through the property there is no space to the front of the property and as such this approach is considered acceptable.
- 8.15 The Highway Authority has no objection to the change of use.

9 CONCLUSION

- 9.1 The change of use is considered to be acceptable in principle in this location and accords with the Council's emerging policy on HMO's. The development does not result in significant harm to neighbouring amenity and adequate refuse and recycling and cycle storage are to be secured by planning condition.

10 EQUALITIES

10.1 None received.

11 CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

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

Plan Type	Reference	Version	Date Received
Site location plan	-	-	25 February 2015
Existing floor plans	-	-	26 February 2015
Proposed floor plans	-	-	26 February 2015

- 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.
- 3) Within two months of the date of the granting of this planning permission a scheme for the storage of refuse and recycling and a timetable for the implementation of said scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved and to the timetable specified and the refuse and recycling storage facilities shall thereafter be retained for use at all times. **Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 4) Within two months of the date of the granting of this planning permission details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved and a timetable for the implementation of said facilities shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved and to the timetable specified and the cycle parking facilities shall thereafter be retained for use at all times. **Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 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.

PLANNING COMMITTEE LIST- 24 JUNE 2015

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 change of use is considered to be acceptable in principle in this location and accords with the Council's emerging policy on HMO's. The development does not result in significant harm to neighbouring amenity and adequate refuse and recycling and cycle storage are to be secured by planning condition.

Information on upcoming Pre-application Presentations and Requests

Date	Address	Ward	Proposal
23 rd June 2015	Land directly adjacent to American Express Community Stadium, Village Way, Falmer	Moulsecoomb & Bevendean	Erection of a 150 bedroom hotel.
23 rd June 2015	Former St. Aubyns School, High Street, Rottingdean	Rottingdean Coastal	Residential development of the site to provide 48 dwellings through refurbishment and conversion of Field House to provide 6no. apartments; refurbishment of 4no. existing curtilage listed cottages; demolition of remaining former school buildings and former headmaster's house; erection of 38 new dwellings and 62 bed care home; retention of sports pavilion and war memorial; provision and transfer of open space for public use; formation of accesses to Newlands Road and alterations to existing access off Steyning Road; provision of associated car parking and landscaping; alterations to flint wall.

Previous presentations

2 nd June 2015	Land bound by Blackman Street Cheapside and Station Street, Brighton	St Peter's and North Laine	Proposed part nine, part seven storey building to provide office and student accommodation for Bellerby's College.
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.

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 King's House on the date given after scheduled site visits unless otherwise stated.

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
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 24 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

BH2014/04018

92 Old London Road Brighton

Replacement of existing crittall windows with UPVC windows.

Applicant: T.C. Starns

Officer: Joanne Doyle 292198

Approved on 21/05/15 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 window frames shall be coloured white 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 development hereby permitted shall be carried out in accordance with 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			26 Nov 2014
Window Specifications			24 Apr 2015
Existing & Proposed Front Bedroom & Landing Windows			24 Apr 2015
Existing & Proposed Front Lounge & Bedroom Windows			24 Apr 2015
Existing & Proposed Kitchen & Bathroom Windows			24 Apr 2015
Existing & Proposed Utility Room & Cupboard			24 Apr 2015
Existing & Proposed Rear Bedroom & Lounge			24

BH2015/00523

17 Northfield Way Brighton

Erection of single storey rear extension that connects the detached garage to the main house and conversion of garage to habitable space with associated external alterations.

Applicant: Mr Lyndon Johnson
Officer: Luke Austin 294495
Approved on 21/05/15 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	CH644/001	A	17/02/2015
Existing Plans	CH644/002	-	17/02/2015
Existing Elevations and Sections	CH644/002	-	17/02/2015
Proposed Plans	CH644/004	B	25/03/2015
Proposed Elevations and Sections	CH644/005	A	25/03/2015

BH2015/00560

2 Highfield Crescent Brighton

Erection of single storey rear extension with raised decking, alterations to fenestration and replacement of garage door with window.

Applicant: Mrs Alice Kotp
Officer: Mark Thomas 292336
Approved on 28/05/15 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 raised decking shall not be brought into use until 1.8 metre high solid privacy screening to the northern boundary of the decking has been erected in accordance with drawing nos. 14/AK/02A & 03A. The screen shall be

retained as such thereafter.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	-	-	19th February 2015
Existing floor plan	14/AK/01	-	5th March 2015
Proposed floor plan	14/AK/02	Rev. A	15th May 2015
Existing and proposed elevations	14/AK/03	Rev. A	15th May 2015

BH2015/01036

4 Braybon Avenue Brighton

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

Applicant: Mr Robin Howland

Officer: Allison Palmer 290493

Approved on 15/05/15 DELEGATED

BH2015/01177

7 Denton Drive Brighton

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr Iain Palmer

Officer: Mark Thomas 292336

Approved on 28/05/15 DELEGATED

BH2015/01251

38 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 4.4m, for which the maximum height would be 2.7m, and for which the height of the eaves would be 2.7m.

Applicant: Mr Andy Cockerell

Officer: Haydon Richardson 292322

Prior Approval is required and is refused on 14/05/15 DELEGATED

BH2015/01268

17 Crabtree Avenue Brighton

Certificate of Lawfulness for proposed conversion of existing store room into habitable living space with alterations to fenestration.

Applicant: Mr Conboy

Officer: Mark Thomas 292336

Approved on 03/06/15 DELEGATED

BH2015/01305

50 Woodbourne Avenue Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.8m.

Applicant: John Tulloch

Officer: Astrid Fisher 292337

Prior approval not required on 29/05/15 DELEGATED

BH2015/01390

28 Ladies Mile 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 3.77m, and for which the height of the eaves would be 2.5m.

Applicant: Pearse Conlon

Officer: Astrid Fisher 292337

Prior approval not required on 01/06/15 DELEGATED

PRESTON PARK

BH2014/03836

9 Stanford Avenue Brighton

Application for variation of condition 2 of BH2014/02632 (Conversion of care home (C2) to form 2no one bedroom and 2no two bedroom flats (C3) with associated works including alterations to fenestration and rear Juliet balcony) to permit amendments to the approved drawings to vary the site boundary.

Applicant: Mr Lindsay Shookhye

Officer: Wayne Nee 292132

Approved on 27/05/15 DELEGATED

1) UNI

Notwithstanding the submitted plans the development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall make provision for a cycle ramp to improve access for future residents. 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.

2) UNI

The development hereby permitted shall be commenced on or before 9th October 2017.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
-----------	-----------	---------	---------------

Existing floor plans and elevations	13/149/01		05 August 2014
Proposed floor plans and elevations	13/149/02	A	05 August 2014
Proposed block plan	13/149/skBP		12 November 2014
Existing block plan	13/149/skBP		12 November 2014

4) UNI

The development hereby permitted shall not be occupied until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy SU2 of the Brighton & Hove Local Plan.

5) UNI

No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'pass' as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

6) UNI

The residential units hereby approved shall not be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

7) UNI

The external finishes of the side and rear elevations, following demolition and alteration works, 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.

BH2015/00820**54 Cleveland Road Brighton**

Installation of rooflight and porthole window to front.

Applicant: Mr John Appleton

Officer: Joanne Doyle 292198

Approved on 01/06/15 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 front rooflight 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	-	-	10 Mar 2015
Block Plan	-	-	10 Mar 2015
Existing Ground Floor & First Floor Plan	-	-	10 Mar 2015
Existing & Proposed Front Elevation	-	-	10 Mar 2015
Proposed Ground Floor First Floor & Second Floor Plan	-	-	10 Mar 2015
Proposed Section A-A	-	-	10 Mar 2015

BH2015/00830

45 New England Road Brighton

Alterations to existing shop and residential unit to form ground floor retail unit (A1) and 1no three bedroom flat (C3) including loft conversion with rear dormer and front rooflights, new entrance to flat to front elevation and associated works.

Applicant: Mr Charles Bloomstein

Officer: Adrian Smith 290478

Approved on 21/05/15 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
-----------	-----------	---------	---------------

Site plan and block plan	A.100	-	10/03/2015
Proposed block plan	D.03	C	14/05/2015
Existing floor plans	A.01	-	14/05/2015
Existing elevations	A.03	A	14/05/2015
Proposed floor plans	D.01	C	14/05/2015
Proposed elevations and sections	D.03	C	14/05/2015
	D.04	C	14/05/2015
	D.05	C	14/05/2015

BH2015/01051

39 Chester Terrace Brighton

Erection of single storey rear extension.

Applicant: Mr & Mrs Andrew Foreman

Officer: Luke Austin 294495

Refused on 22/05/15 DELEGATED

1) UNI

The proposed extension, by virtue of its wrap around design, height and roof form would result in an unsympathetic addition which would disrupt the original plan form of the building and terrace. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan and the design guidance set out in Supplementary Planning Document 12: Extensions and Alterations.

2) UNI2

The proposed extension, by virtue of its scale and depth on the boundary, would have an overbearing and enclosing impact upon occupiers of the neighbouring properties to either side of the site, at nos. 41 and 37 Chester Terrace, contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and the guidance set out in Supplementary Planning Document 12: Extensions and Alterations.

BH2015/01185

14 Lucerne Road Brighton

Erection of a single storey rear extension and roof alterations incorporation rear dormer and front and rear rooflights.

Applicant: Mr Mark Brown & Mrs Sarah Davies

Officer: Mark Thomas 292336

Approved on 02/06/15 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
Site location plan	0271-15-05	-	7th April 2015
Block plan	0271-15-05	-	7th April 2015
Existing and proposed elevations	0271-15-01	-	2nd April 2015
Existing floor plans	0271-15-02	-	2nd April 2015
Proposed floor plans	0271-15-03	-	2nd April 2015

BH2015/01199

156 Osborne Road Brighton

Erection of single storey rear extension.

Applicant: Mr & Mrs R Salt

Officer: Luke Austin 294495

Refused on 02/06/15 DELEGATED

1) UNI

The proposed extension, by virtue of its wrap around design, height and roof form would result in an unsympathetic addition which would disrupt the original plan form of the building and terrace. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan and the design guidance set out in Supplementary Planning Document 12: Extensions and Alterations.

2) UNI2

The proposed extension, by virtue of its scale and depth on the boundary, would have an overbearing and enclosing impact upon occupiers of the neighbouring property at no. 158 Osborne Road, contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and the guidance set out in Supplementary Planning Document 12: Extensions and Alterations.

REGENCY

BH2014/04216

11-12 Pool Valley Brighton

Display of externally-illuminated fascia signs to front and side elevations.

Applicant: Chapter 13

Officer: Mark Thomas 292336

Refused on 26/05/15 DELEGATED

1) UNI

1. The proposed signage would fail to respect the character and appearance of the recipient building by virtue of the inappropriate detailing of the timber fascia, the positioning of the vinyl graphic to the front elevation and the unduly prominent swan neck lighting. The proposal would therefore result in harm to amenity and would be contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and guidance within SPD07, Advertisements.

BH2014/04224

Basement Front 1a Sillwood Mansions 9 Sillwood Place Brighton

Alterations to layout and replacement of external doors and windows.

Applicant: Ms Sophia Hicks

Officer: Chris Swain 292178

Approved on 28/05/15 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 French doors hereby approved 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 meeting stiles shall be interlocking.

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

No external 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 off-white 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.

BH2014/04225**Basement Front 1a Sillwood Mansions 9 Sillwood Place Brighton**

Alterations to layout and replacement of external doors and windows.

Applicant: Ms Sophia Hicks

Officer: Chris Swain 292178

Approved on 28/05/15 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

All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

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

3) UNI

The French doors hereby approved 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 meeting stiles shall be interlocking.

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
Site location plan	0259-14-03	-	16 December 2014
Block plan	0259-14-04	-	16 December 2014
Existing and proposed plans and elevations	0259-14-01	B	8 April 2015
Proposed door and window details	0259-14-02	B	8 April 2015
Existing elevations	0259-14-07	-	16 December 2014
Existing plan and elevations	0259-14-08	-	16 December 2014

5) UNI

No external 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 off-white 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.

BH2014/04343

18 Powis Square Brighton

Internal alterations to layout of dwelling at lower ground floor level.

Applicant: Mr & Mrs Crawford

Officer: Mark Thomas 292336

Approved on 29/05/15 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 proposed extraction, pipework and svp detail for the bathroom have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

3) UNI

No works shall take place to the existing rear store room until a method statement for the damp proofing works to the store/workshop (including the walls and floor) has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved method statement.

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

4) UNI

No works to the external rear lightwell shall take place until full details of the proposed external rear steps including 1:20 scale sample elevations and 1:1 scale profiles of the steps (including treads and risers) and handrail have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

5) UNI

The French doors hereby approved shall be inward-opening off-white painted timber doors without trickle vents 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 doors and windows.

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

BH2015/00755

Royal York Buildings 41-42 Old Steine Brighton

Change of use of first floor apartment from youth hostel (Sui Generis) to residential unit (C3).

Applicant: Development Securities PLC

Officer: Liz Arnold 291709

Approved on 19/05/15 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	01	-	24th March 2015
Block Plan	01	-	4th March 2015

Existing and Proposed Ground Floor Plan	08	-	24th March 2015
Existing and Proposed First Floor Plan	09	-	24th March 2015

BH2015/01101**Lace House 39-40 Old Steine Brighton**

Prior approval for change of use from offices (B1) to residential (C3) to create 10 no one bed flats.

Applicant: Lace Group

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 22/05/15 DELEGATED

ST. PETER'S & NORTH LAINE**BH2014/03632****City College Brighton & Hove Pelham Street Brighton**

Non material amendment to BH2013/01600 to the conditions attached to the permission for minor modifications for the purpose of clarity and to facilitate the phased implementation of the consent.

Applicant: On behalf of the Governors and College Corporation

Officer: Kathryn Boggiano 292138

Approved on 14/05/15 DELEGATED

BH2014/04110**41 Bond Street Brighton**

Alterations to existing shopfront including installation of bi-folding doors and replacement of existing door.

Applicant: Mr George Gerogio

Officer: Chris Swain 292178

Refused on 29/05/15 DELEGATED

1) UNI

The proposed shopfront, by virtue of its design, proportions and the excessive width, including the uncharacteristic introduction of bi-fold doors and the installation of a glazed access door to the upper flats, represents an unsympathetic, alien and incongruous alteration that fails to preserve or enhance the character or appearance of the existing building, the Bond Street streetscene and the North Laine Conservation Area. contrary to policies QD10 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document on Shop Front Design (SPD02).

BH2015/00287**Flat 1 23-25 North Road Brighton**

Certificate of Lawfulness for existing use of residential premises for staff room.

Applicant: Infinity Foods Co-operative Ltd

Officer: Adrian Smith 290478

Refused on 27/05/15 DELEGATED

BH2015/00391

106 Lewes Road Brighton

Demolition of public house (A4) and change of use to construction compound for temporary period of 24 months and erection of associated temporary structures (Part retrospective).

Applicant: McLaren 106 Lewes Road Ltd

Officer: Mick Anson 292354

Refused on 20/05/15 DELEGATED

1) UNI

The proposed use of the site as a construction compound for a period of 24 months cannot be justified in the absence of an approved development on a neighbouring site. The current use of the site comprising modular buildings up to two storeys in height and the site hoarding have caused visual harm to the visual amenity of the site, the streetscene and the surroundings and would harm the vitality of the area. It is thus not considered to be acceptable and is contrary to policies QD5 and QD9 of the adopted Brighton and Hove Local Plan.

BH2015/00412

89-90 London Road Brighton

Application for variation of condition 2 of BH2014/01735 (Change of use of first and second floors from retails (A1) to residential (C3) with erection of first and second floor rear extension and mansard roof to create a total of 4no two bedroom flats with associated alterations. Installation of new shopfront including new access to upper floors.) to permit amendments to the approved drawings to vary third floor.

Applicant: Ebury Estates

Officer: Guy Everest 293334

Approved on 14/05/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before 10th December 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
Existing Ground & First Floor Plans	001		27.05.2014
Existing Elevations	002	A	21.07.2014
Site Location Plan	003		09.02.2015
Existing Second Floor & Roof Plans	004		27.05.2014
Block Plan	005		27.05.2014
Proposed Ground & First Floor Plans	400	A	14.11.2014
Proposed Second & third Floor Plans	410	B	09.02.2015
Proposed Elevations	450	C	09.02.2015

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

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

5) UNI

No 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: 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 QD1 and QD14 of the Brighton & Hove Local Plan.

6) UNI

No development shall take place until full details and sample elevations and sections at 1:20 scale of the windows (including cills and reveals), external doors, parapets and roofing detail have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

Reason: 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 QD1 and QD14 of the Brighton & Hove Local Plan.

7) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

8) UNI

No development shall take place until a scheme for the soundproofing of the residential units has been submitted to and approved in writing by the Local Planning Authority. The measures shall include details of glazing specifications and alternative means of ventilation. The development shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

9) UNI

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

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

10) UNI

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

a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,

b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001;

and, unless otherwise agreed in writing by the Local Planning Authority,

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

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation).

Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress; and

c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under

11) UNI

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

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

12) UNI

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

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

13) UNI

The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

14) UNI

No development shall take place above until a scheme for the soundproofing of the building between ground floor commercial units and first floor residential units has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

BH2015/00452

77A London Road Brighton

Alterations to ground and first floor flat including roof terrace and new entrance door to front, Juliet balcony to rear and associated alterations. (Part Retrospective)

Applicant: Mr A Daniel

Officer: Sue Dubberley 293817

Approved on 26/05/15 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 floor plans, location	1108-PA-001	A	

and block plan		14/04/2015	
Existing elevations	1108-PA-002		11/02/2015
Existing sections	1108-PA-003		11/02/2015
Proposed plans	1108-PA-004		11/02/2015
Proposed sections	1108-PA-005		11/02/2015
Proposed section	1108-PA-006	B	14/04/2015
Proposed sections and elevations	1108-PA-007		11/02/2015

BH2015/00580

Basement & Ground Floor Lyndean House 43-46 Queens Road Brighton

Change of use from offices (B1) to retail (A1) incorporating single storey rear extension and installation of plant machinery.

Applicant: Threadneedle Asset Management Limited

Officer: Robin Hodgetts 292366

Approved on 01/06/15 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

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 SU10, QD27 and TR7 of the Brighton & Hove Local Plan.

4) UNI

If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme. Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

5) UNI

Within 3 months of the installation of the units of plant machinery hereby approved, the 4 x existing air-conditioning units as indicated on drawing No. 202A shall be removed completely from the site.

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 hereby permitted shall be carried out in accordance with 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 rear elevation	B02-001		25/03/15
Proposed rear elevation	B06-001		25/03/15
Existing and proposed rear elevation	B06-002		25/03/15
Existing front elevation	05		25/03/15
Existing ground floor	200		25/03/15
Existing basement floor	201	A	25/03/15
Proposed ground floor	202	A	28/05/15
Proposed basement floor	203	A	25/03/15
Proposed front elevation	206	K	25/03/15
Location plan	207		20/02/15
Existing block plan	208		25/03/15
Proposed block plan	209		25/03/15
Proposed mechanical layout	P-9983-300	A	27/03/15

7) UNI

Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:2014.

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

BH2015/00616

6 Jubilee Street Brighton

Display of internally illuminated fascia and projecting signs, internally illuminated menu boxes and non-illuminated vinyl.

Applicant: YO! Sushi

Officer: Mark Thomas 292336

Approved on 27/05/15 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.

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.

BH2015/00676**94-103 London Road Brighton**

Change of use of unit from retail (A1) to public house (A4).

Applicant: J D Wetherspoon PLC

Officer: Kathryn Boggiano 292138

Refused on 22/05/15 DELEGATED

1) UNI

The proposed A4 use would lead to a break of more than 15 metres of A1 retail use in the prime frontage of the London Road Town Centre. The applicant has failed to demonstrate that the A4 use would have a positive effect on the shopping environment by attracting pedestrian activity and that the A4 use would not be detrimental to the character of the area. Therefore, the proposal would have an adverse impact on the vitality, viability and character of the London Road Town Centre contrary to policy SR5 of the Brighton & Hove Local Plan 2005 and

Supplementary Planning Document 10 'London Road Central Masterplan'.

2) UNI2

The proposed A4 use would introduce a large drinking establishment into an area where there are already a number of large drinking establishments within 400 metres of the application site. The applicant has failed to demonstrate that the use would not cause a noise nuisance or increase in disturbance by reason of people leaving the premises late at night and dispersing to other destinations. As such the proposal is contrary to policy SR12 of the Brighton & Hove Local Plan.

3) UNI3

Insufficient information has been submitted in the form of noise assessments to predict the noise levels at sensitive receptors as a result of noise from the proposed A4 premises and also noise from associated plant and machinery. Therefore the applicant has failed to demonstrate that A4 use would not cause a noise disturbance to nearby residents which would cause harm to their residential amenity. As such the proposal is considered to be contrary to policies SU9, SU10, QD27, SR5 and SR12 of the Brighton & Hove Local Plan.

4) UNI4

The proposed alterations to the shopfront, by reason of the recessed seating area, balustrading and plinth, folding aluminium doors and air intake grills, would result in an incongruous shopfront which would be of harm to the character and appearance of the locally listed retained façade, the wider building and the streetscene. As such the proposal is contrary to policy QD2, QD14, and HE10 of the Brighton & Hove Local Plan and Supplementary Planning Document 10 'Shop Front Design'.

BH2015/00709

9 London Road Brighton

Installation of new shop front. Replacement of timber and aluminium windows with UPVC windows to front elevation at first and second floor levels. (Retrospective).

Applicant: Mr Essy Sharanizadeh

Officer: Sonia Gillam 292265

Approved on 22/05/15 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
Site location plan	01		02/03/2015
Block plan	Loc		02/03/2015
Existing elevation and floor plans	11		02/03/2015
Proposed elevation and floor plans	12		02/03/2015
Proposed elevation, floor plans and section	12		27/03/2015

BH2015/00740

45 Centurion Road Brighton

Replacement of 2no existing single glazed timber framed window with new double glazed timber framed units.

Applicant: Mr & Mrs Stuart McKay

Officer: Astrid Fisher 292337

Refused on 19/05/15 DELEGATED

1) UNI

The proposed windows would have frames which are bulkier than those in situ, and would not incorporate appropriate reveals and cill details. The proposed grey frame colour would contrast with the white frames of the windows of most neighbouring properties, the colour which would be expected on a building of traditional design in the conservation area. Overall it is considered that the proposed windows would not result in an appropriate appearance and the proposed development is therefore contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan.

BH2015/00915

10 Kensington Place Brighton

Erection of single storey rear infill extension, replacement of side boundary wall and replacement of rear side window.

Applicant: Mr Nick Gillard

Officer: Astrid Fisher 292337

Approved on 20/05/15 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

All new windows shall be 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 external finishes of the render within the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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

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	01	A	16th March 2015
Existing Plans	02		16th March 2015
Existing Section Elevations	03		16th March 2015
Proposed Basement, Ground Floor and First Floor	05		16th March 2015
Proposed Section and Elevation	06	A	16th March 2015

BH2015/01160

1 Park Crescent Brighton

Alterations to existing boundary wall incorporating repositioning of vehicle access.

Applicant: Mr & Mrs Geilinger

Officer: Luke Austin 294495

Approved on 29/05/15 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 walls and pillars shown on the approved plans shall not be painted and shall be finished in render to match existing and shall be retained 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 gates shown on the approved plans shall be painted black and shall be retained thereafter.

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

BH2015/01161

1 Park Crescent Brighton

Alterations to existing boundary wall incorporating repositioning of vehicle access.

Applicant: Mr & Mrs Geilinger

Officer: Luke Austin 294495

Approved on 29/05/15 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 walls and pillars shown on the approved plans shall not be painted and shall be finished in render to match existing and shall be retained 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 gates shown on the approved plans shall be painted black and shall be retained 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
-----------	-----------	---------	---------------

PLANNING COMMITTEE**Agenda Item 21(i)**

Brighton & Hove City Council

Location Plan, Block Plan, Existing and Proposed Plans and Elevations	A387-15-01		
		C1	01/04/2015

BH2015/01181**HSBC 153 North Street Brighton**

Replacement of existing external ATM with reduced height ATM, replacement of external ATM and replacement of ATM signage above.

Applicant: HSBC Bank Plc

Officer: Robin Hodgetts 292366

Approved on 02/06/15 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 plan	PA 00		02/04/2015
Existing ground floor plan	PA 01		02/04/2015
Existing elevations	PA 02		02/04/2015
Proposed ground floor plan	PA 11		02/04/2015
Proposed elevations	PA 12		02/04/2015

BH2015/01213**2 Ann Street Brighton**

Application for Approval of Details Reserved by Condition 24 of application BH2013/02511.

Applicant: Facilitas Technical Engineering Services Ltd

Officer: Jason Hawkes 292153

Approved on 03/06/15 DELEGATED

BH2015/01297**Site J New England Quarter Brighton**

Application for Approval of Details Reserved by Condition 10 of application BH2010/03999 (Block A only).

Applicant: The Hyde Group

Officer: Sarah Collins 292232

Approved on 01/06/15 DELEGATED

WITHDEAN**BH2014/04220**

29 Green Ridge Brighton

Erection of two storey detached garage/workshop incorporating side dormers, formation of hardstanding and associated landscaping.

Applicant: Mr Jeff Blundell

Officer: Helen Hobbs 293335

Refused on 22/05/15 DELEGATED

1) UNI

The proposed development, by virtue of its scale, form, position and massing, would have an excessively dominating and unduly imposing impact on both the application site and 31 Green Ridge adjacent and the wider public realm. The proposal therefore represents an overdevelopment of the site and surrounds contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.

2) UNI2

The proposed development, by virtue of its scale, position and massing, would result in an overbearing and dominant impact on the amenities of 31 Green Ridge, including overlooking and loss of privacy from the proposed rear dormers, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00123**Lower Ground Floor Flat 40 Herbert Road Brighton**

Erection of single storey rear extension.

Applicant: Ms Frances Tegg

Officer: Mark Thomas 292336

Refused on 26/05/15 DELEGATED

1) UNI

The proposed extension by virtue of its depth, height, scale, positioning and proximity to neighbouring boundaries, would have a significantly detrimental impact on the amenity of the occupiers of nos. 38 and 42 Herbert Road. The extension would have an overbearing impact on both neighbouring properties, resulting in an increased sense of enclosure, overshadowing and loss of outlook to the properties and/or their gardens. For these reasons, the proposed extension would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and SPD12- Design guide for extensions and alterations.

2) UNI2

The proposed extension by virtue of its finish, form, footprint, height and depth would relate poorly to the existing property, detracting from the original plan, scale, building lines and external materials. The extension would appear unduly bulky, representing an overextension of the rear elevation. As such, the proposed development would be contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12- Design guide for extensions and alterations.

BH2015/00331**5 Valley Drive Brighton**

Conversion of double garage into habitable living space, removal of chimney to north elevation, rendering works to front and side elevations, erection of single storey rear extension, alterations to steps in rear garden to allow for creation of patio area and associated works.

Applicant: Mr Altaf Ahmed Razak

Officer: Helen Hobbs 293335

Approved on 29/05/15 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
Block and location plan	nb01471:01	b	6th February 2015
Existing elevations	nb01471:02	a	2nd February 2015
Proposed elevations	nb01471:03	c	2nd February 2015
Existing floor plans	nb01471:04	a	2nd February 2015
Proposed floor plans	nb01471:05	d	6th February 2015
Existing and proposed photos	nb01471:010		2nd February 2015

BH2015/00417

144 Tivoli Crescent North Brighton

Extension and resurfacing of existing garage roof terrace with timber decking across part of rear garden with balustrade and associated landscaping.

Applicant: Mrs Sylvia Taylor

Officer: Astrid Fisher 292337

Approved on 26/05/15 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			9th February 2015
Existing Garden Layout	A0.1		12th February 2015
Proposed Garden Layout	A0.2		12th February 2015
Top plan of existing site detailing proposed changes	A0.3		12th February 2015
Elevation of Existing and Proposed Garden Layout	A0.4		12th February 2015

Elevation of existing and Proposed garden Layout	A0.5		12th February 2015
Existing and Proposed Side Elevation	A0.6		12th February 2015

BH2015/00728**15 Matlock Road Brighton**

Erection of a single storey side and rear extension.

Applicant: Mrs Louisa Revill

Officer: Allison Palmer 290493

Refused on 20/05/15 DELEGATED

1) UNI

The proposed extension, by virtue of its excessive height on the site boundary, would result in a significantly enclosing and overbearing impact on the rear windows to No.17 Matlock Road, resulting in an appreciable and harmful loss of light and outlook contrary to policy QD27 of the Brighton and Hove Local Plan and guidance within SPD12 'Design Guide for Extensions and Alterations'.

BH2015/00849**95 Green Ridge Brighton**

Demolition of existing garage and erection of single storey side and rear extensions, roof alterations including removal of existing dormers, hip to barn end extension with rooflights to right elevation, rooflights and dormer to left elevation and revised fenestration with Juliet balcony to rear.

Applicant: Stefan Hollingsworth

Officer: Helen Hobbs 293335

Refused on 01/06/15 DELEGATED

1) UNI

The proposed ground floor extension and roof extensions, by reason of their siting, design, height, scale and massing, have an unduly dominant, discordant and unsympathetic relationship to the form and character of the host building, to the detriment of its visual amenity and causing harm to the character and appearance of the street scene. As such the proposal is contrary to the requirements and objectives of policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guidance for extensions and alterations.

BH2015/00916**Brighton Health and Racquet Club Village Way Brighton**

Application for Approval of Details Reserved by Condition 7 of application BH2014/00859

Applicant: Virgin Active

Officer: Chris Swain 292178

Approved on 01/06/15 DELEGATED

BH2015/00928**65 Preston Drove Brighton**

Replacement of existing external timber staircase with metal staircase.

Applicant: Miss Alice Paryy

Officer: Astrid Fisher 292337

Refused on 22/05/15 DELEGATED

1) UNI

The proposed platform and staircase would appear as incongruous additions which would not be in keeping with the character of the building. The character and appearance of the building would be harmed, contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan.

2) UNI2

Users of the proposed platform and staircase would have views into neighbouring gardens and windows. And would cause harm to neighbouring amenity. Furthermore, the proposed structures would block light to the rear windows of the lower ground floor flat and would have a negative impact upon the outlook available from these windows. The proposed development is therefore contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and warrants refusal on these grounds.

EAST BRIGHTON**BH2014/03649****Volks Electric Railway 285 Madeira Drive Brighton**

Demolition of existing siding sheds and erection of new siding sheds with associated works.

Applicant: Brighton and Hove City Council

Officer: Chris Swain 292178

Approved on 14/05/15 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 ecological mitigation measures as set out within the email received 5 May 2015 and agreed by the applicant on 6 May 2015 shall be carried out in full within 6 months of the occupation of the hereby permitted development unless otherwise agreed in writing by the Local Planning Authority. Reason: To preserve the SNCI, to mitigate any impact from the development hereby approved and to comply with Policies, NC4 and QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

3) UNI

The works of demolition hereby permitted shall not be begun until documentary evidence is submitted to the Local Planning Authority for approval in writing to demonstrate that contracts have been entered into in order to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

4) UNI

No works 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 works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict

accordance with the approved details.

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

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	13050-007		29/10/2014
Existing Plans & Elevations	13050-001		07/11/2014
Existing & Proposed Plans	13050-002		29/10/2014
Proposed Plan	13050-003	A	23/03/2015
Proposed Plans & Elevations	13050-004		29/10/2014
Proposed Elevations - Long	13050-005		29/10/2014
Proposed Roof Details - A/B	13050/006		29/10/2014

6) 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.

BH2015/00245

Flats 9 & 10 3-4 Eastern Terrace Brighton

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

Applicant: Mr Forster

Officer: Haydon Richardson 292322

Approved on 14/05/15 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 windows hereby approved shall be painted white timber 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
Site Plan	300/93114&300/93125		23/02/2015
Block Plan	300/93114&300/93125		23/02/2015
Flat 9- Kitchen Window	300/93125-sheet 1		05/02/2015
Flat 9- Lounge Window (6 divisions)	300/93125-sheet 2		05/02/2015
Flat 9- Lounge Window (4 divisions)	300/93125-sheet 3		05/02/2015
Flat 10- Lounge Window (6 divisions)	300/93114-sheet 1		05/02/2015
Flat 10 -Lounge Window (6 divisions)	300/93114-sheet 2		05/02/2015
Flat 10 - Kitchen Window	300/93114-sheet 3		05/02/2015

BH2015/00623

Ground Floor Flat 26 Sudeley Street Brighton

Erection of a single storey rear extension to replace existing with associated alterations.

Applicant: Mrs Eleanor Stanley

Officer: Astrid Fisher 292337

Approved on 15/05/15 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 finish of the rear extension 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

The development hereby permitted shall be carried out in accordance with 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	0651-LOC-01	P1	24th February 2015
Existing and Proposed Plans	0651-01	P2	27th April 2015
Existing Elevations	0651-02	P3	11th May 2015
Proposed Elevations	0651-03	P3	11th May 2015

BH2015/01429

6 Marlow Road Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.999m, for which the maximum height would be 3.9m, and for which the height of the eaves would be 2.95m.

Applicant: Emran Ahmed

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 03/06/15 DELEGATED

1) UNI

The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse. The development would therefore not be permitted under Schedule 2, Part 1, Class A (j) of the Town and Country Planning (General Permitted Development) Order 2015.

HANOVER & ELM GROVE

BH2015/00618

30 Hanover Terrace Brighton

Insertion of 1 no rooflight to front roofslope.

Applicant: Mr George Birtwell

Officer: Astrid Fisher 292337

Approved on 20/05/15 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(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
Site Plan			24th February 2015
Existing and Proposed Elevations	513(PL)1a		25th March 2015

BH2015/00633

Ground Floor Flat 57 Elm Grove Brighton

Replacement of existing timber windows and door with UPVC to rear.

Applicant: Ms Donna Harrison

Officer: Luke Austin 294495

Approved on 15/05/15 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	-	-	24/02/2015
Existing Rear Elevation (Photograph)	-	-	24/02/2015
Existing Bedroom and Kitchen Windows (Photograph)			
Existing Kitchen Door (Photograph)	-	-	24/02/2015
Existing Kitchen Window (Photograph)	-	-	24/02/2015
Existing Bedroom Window (Photograph)	-	-	24/02/2015
Product Survey	-	-	24/02/2015
Technical Specification	-	-	24/02/2015

BH2015/00821

50 Shanklin Road Brighton

Installation of rooflights to front and rear.

Applicant: Mr Craig Matthewson

Officer: Luke Austin 294495

Approved on 19/05/15 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	PBP0268/02	-	10/03/2015
Block Plan	PBP0268/02	-	10/03/2015
Plans and Elevations, Existing and Proposed	PBP0268/01	-	10/03/2015

BH2015/01045**114 Islingword Road Brighton**

Prior approval for change of use of ground and lower ground floor from retail (A1) to residential (C3) to form 1no three bedroom maisonette.

Applicant: Mr & Mrs I Boyle

Officer: Joanne Doyle 292198

Prior Approval is required and is refused on 28/05/15 DELEGATED

1) UNI

The proposed external alterations would create a disjointed and incoherent appearance with contrasting commercial and residential features at ground and first floor levels of the building. The external alterations would fail to reflect the residential use of the building and would result in an inappropriate appearance to the Islingword Road and Grant Street frontages.

BH2015/01145**15 Picton Street Brighton**

Certificate of lawfulness for the existing use of the property as a four bedroom small house in multiple occupation (C4).

Applicant: Mr Robert Russell

Officer: Liz Arnold 291709

Approved on 20/05/15 DELEGATED

BH2015/01393**26 Picton Street Brighton**

Certificate of Lawfulness for existing increase in ridge height.

Applicant: Mrs Anna Carmichael

Officer: Adrian Smith 290478

Refused on 01/06/15 DELEGATED

BH2015/01510**131 Bonchurch Road Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.02m, for which the maximum height would be 3.08m, and for which the height of the eaves would be 2.75m.

Applicant: Mr Rob Fuller

Officer: Allison Palmer 290493

Prior approval not required on 01/06/15 DELEGATED

HOLLINGDEAN & STANMER**BH2014/03423****12 Shenfield Way Brighton**

Erection of single storey detached building in rear garden to facilitate change of use from a 6 bedroom small house in multiple occupation (C4) to a 10 bedroom house in multiple occupation (SG).

Applicant: Mr P Brynin

Officer: Andrew Huntley 292321

Refused on 01/06/15 DELEGATED

1) UNI

The scale of the proposed development would introduce a level of domestic

activity which would significantly alter and harm the quiet ambience of the rear garden of the site and adjoining housing. The level of activity, and resulting noise and disturbance, associated with the proposed development would be incongruous and jarring in this backland location. The resulting impact would cause significant harm to neighbouring amenity and the development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed change of use to provide 10 bedrooms as a Sui Generis House in Multiple Occupation would, as a result of communal areas of limited size, fail to provide an acceptable standard of accommodation. In addition, the separation of the shared amenities and the new building is unacceptable would provide a poor standard of accommodation for future occupants of the proposed development. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed development would appear an unduly prominent and incongruous addition to this backland location which would fail to respect the pattern of surrounding development, and which would fail to emphasise or enhance the positive qualities of the local neighbourhood. The proposal is contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

BH2014/03978**26 Hollingbury Place Brighton**

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, 2no front rooflights and rear dormer.

Applicant: Mr Andrew Brindle

Officer: Joanne Doyle 292198

Refused on 21/05/15 DELEGATED

1) UNI

The development is not permitted under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 40m³ (contrary to Class B.1 (c)).

BH2014/04033**Attenborough Centre Gardner Centre Road Brighton**

Application for Approval of Details Reserved by Conditions 4 and 6 of application BH2011/03621.

Applicant: University of Sussex

Officer: Sue Dubberley 293817

Split Decision on 18/05/15 DELEGATED

1) UNI

APPROVE the details pursuant to condition 4 and subject to full compliance with the submitted details.

1) UNI

Condition 6 is not discharged as the lighting bollards are not appropriate outside the proposed bar foyer on the south elevation or to the west side; The area around the building should remain uncluttered and stainless steel is also not typically found in this original Spence-designed part of the campus for landscaping. The Bretts Omega blocks should be in natural colour not charcoal. Therefore, the submission is contrary to policy HE1 of the Brighton and Hove

Local Plan.

2) UNI2

The details pursuant to condition 6 are NOT APPROVED

BH2014/04034**Attenborough Centre Gardner Centre Road Brighton**

Application for Approval of Details Reserved by Conditions 3 and 5 of application BH2011/03622.

Applicant: University of Sussex

Officer: Sue Dubberley 293817

Split Decision on 19/05/15 DELEGATED**1) UNI**

APPROVE the details pursuant to condition 3 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 5 are NOT APPROVED

2) UNI2

1. Condition 5 is not discharged as the lighting bollards are not appropriate outside the proposed bar foyer on the south elevation or to the west side; The area around the building should remain uncluttered and stainless steel is also not typically found in this original Spence-designed part of the campus for landscaping. The Bretts Omega blocks should be in natural colour not charcoal. Therefore, the submission is contrary to policy HE1 of the Brighton and Hove Local Plan.

BH2015/00358**8 Quarry Bank Road Brighton**

Erection of raised decking in the rear garden with side screens and steps to garden level.

Applicant: Mr Peter Small

Officer: Chris Swain 292178

Refused on 19/05/15 DELEGATED**1) UNI**

The raised terrace area, due to its elevated position, would result in overlooking and loss of privacy towards neighbouring properties and their respective private gardens to the detriment of the residential amenity of the occupiers of these dwellings. This harmful impact on neighbouring amenity is exacerbated by the large size of the raised terrace area which lends itself to more intensive use for recreational purposes. As such, the proposal is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

2) UNI2

The proposal, by reason of the excessive height and depth of the proposed boundary screening 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).

BH2015/00583**26 Hollingbury Place Brighton**

Conversion of existing garage into habitable space incorporating a single storey

rear extension and pitched roof.

Applicant: Mr Andrew Brindle

Officer: Joanne Doyle 292198

Approved on 01/06/15 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 two side windows, serving the bathroom and utility room, in the west elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7m 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 and 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 window or dormer window, other than those expressly authorised by this permission, shall be constructed on the extension without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan Block Plan Existing Floor Plans Roof Plan & Elevations	1127-01	E	30/04/2015
Proposed Floor Plans Elevations & Section	1127-02	B	30/04/2015

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

BH2015/00732

76 Roedale Road Brighton

Demolition of existing garage to rear and erection of single storey detached building for use as hairdressing salon.

Applicant: Mrs J McGonigal

Officer: Christopher Wright 292097

Refused on 01/06/15 DELEGATED

1) UNI

The layout of the site and proposed use of the outbuilding would result in a self-contained commercial unit out of keeping with the residential character of the area. Further, the introduction of an ad hoc commercial use within walking distance of a designated local shopping centre would set a precedent for further such developments to the detriment of the continued viability and vitality of the shopping centre contrary to policy SR2 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development would introduce an intensity of use and activity at the site out of keeping with the residential character of the area that would be harmful to the amenities of neighbouring occupiers, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/01069

18 Wigmore Close Brighton

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mrs Sazna Begum

Officer: Astrid Fisher 292337

Approved on 28/05/15 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2014/00858

Brighton Health & Racquet Club Village Way Brighton

Display of non illuminated directional sign.

Applicant: Virgin Active

Officer: Chris Swain 292178

Approved on 01/06/15 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.

BH2015/00748**Brighton Health and Racquet Club Village Way Brighton**

Application for Approval of Details Reserved by Conditions 3, 5, 6 and 8 of application BH2014/00859.

Applicant: Virgin Active Ltd

Officer: Chris Swain 292178

Approved on 01/06/15 DELEGATED

BH2015/00751**Brighton Health and Racquet Club Village Way Brighton**

Application for Approval of Details Reserved by Condition 4 of application BH2012/03449.

Applicant: Virgin Active Ltd

Officer: Chris Swain 292178

Approved on 01/06/15 DELEGATED

BH2015/01058**77 Ewhurst Road Brighton**

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

Applicant: Mr James Fitchett

Officer: Luke Austin 294495

Approved on 01/06/15 DELEGATED

BH2015/01097**126 The Avenue Brighton**

Prior approval for the erection of a single storey rear extension, which would

extend beyond the rear wall of the original house by 4.3m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.7m.

Applicant: Daniel Hall

Officer: Astrid Fisher 292337

Prior approval not required on 26/05/15 DELEGATED

BH2015/01300

24 The Avenue Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.7m.

Applicant: Daniel Hall

Officer: Astrid Fisher 292337

Prior approval not required on 26/05/15 DELEGATED

QUEEN'S PARK

BH2014/03779

20-21 New Steine Brighton

Refurbishment and repair works including alterations to waste pipes, roofing materials and new and replacement windows and doors to rear.

Applicant: Golden Lotus Investment Limited

Officer: Sue Dubberley 293817

Approved on 01/06/15 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

All pipes marked red on the rear elevation plan no.2010B dated 20/04/2015 shall be removed prior to the first occupation of the hotel.

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

3) UNI

No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of new windows and doors have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE6 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
Location plan	No number		14/11/2015
Block Plan	No number		14/11/2015
Existing basement plan	101	B	02/04//2015
Existing ground floor plan	102	B	02/04//2015
Existing first floor plan	103	B	02/04//2015
Existing second floor plan	104	B	02/04//2015
Existing third floor plan	105	B	02/04//2015
Existing fourth floor plan	106	B	02/04//2015
Existing roof plan	107	B	02/04//2015
Existing cross section A-A	108	B	02/04//2015
Existing front elevation	109	B	02/04//2015
Existing rear elevation	110	B	02/04//2015
Proposed basement kitchen and boiler extract plan	Sk01	A	02/04//2015
Proposed basement plan	201	F	02/04//2015
Proposed ground floor plan	202	F	02/04//2015
Proposed first floor plan	203	F	02/04//2015
Proposed second floor plan	204	F	02/04//2015
Proposed third floor plan	205	F	02/04//2015
Proposed fourth floor plan	206	F	02/04//2015
Proposed roof plan	207	B	02/04//2015
Proposed cross section	208	B	02/04//2015
Proposed front elevation	209	B	02/04//2015
Proposed rear elevation	210	B	20/04/2015

5) UNI

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

BH2014/03780

20-21 New Steine Brighton

External and internal refurbishment and repair works including alterations to waste pipes, roofing materials and new and replacement windows and doors to rear. Internal alterations to layout.

Applicant: Golden Lotus Investment Limited

Officer: Sue Dubberley 293817

Approved on 01/06/15 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 pipes marked red on the rear elevation plan no.2010B dated 20/04/2015 shall be removed prior to the first occupation of the hotel. Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of

the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of new windows and doors have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

5) UNI

All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and shall be painted black and retained as such thereafter.

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

6) UNI

The stone shelving within the vaulted cellars must be retained unaltered.

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

BH2014/03837**22 Camelford Street Brighton**

Replacement of existing windows with timber casement windows to rear with associated lowering of kitchen window sill. Installation of sills to front elevation windows. Installation of satellite dish at roof level. Internal alterations to layout of house.

Applicant: Susan Wong

Officer: Chris Swain 292178

Approved on 18/05/15 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 windows hereby approved shall be painted timber with no trickle vents and shall match 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 cills hereby approved to the front windows shall not protrude out more than 50mm from the front façade of the building.

Reason: To ensure the satisfactory preservation of this listed building and to

comply with policy HE1 of the Brighton & Hove Local Plan.

BH2014/04107

6 Lower Rock Gardens Brighton

Proposed conversion of roofspace to provide additional accommodation to existing HMO (sui generis) including 2no. rooflights to front elevation and 2no. rooflights to rear elevation.

Applicant: Geneva Investments

Officer: Chris Swain 292178

Approved on 29/05/15 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 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 converted loft space hereby permitted shall be used solely as additional residential accommodation in connection with the existing House in Multiple Occupation (sui generis) and shall not be used as a self-contained residential unit.

Reason: The Local Planning Authority considers that a self-contained residential planning unit within the loft space would result in a substandard level of accommodation with unacceptably cramped living conditions for future occupiers, contrary to policy QD27 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location and block plan	3669-LOC		5 December 2013
Existing and proposed plans and elevations	3669-01	C	17 March 2015

BH2014/04207

18 Camelford Street Brighton

Internal alterations to layout of flat. (Retrospective)

Applicant: Miss Taylor Silk

Officer: Chris Swain 292178

Refused on 22/05/15 DELEGATED

1) UNI

The subdivision of the ground floor and the creation of a corridor running the full depth of the property disrupt the original plan form of the building and significantly detract from the historic and architectural appearance and character of the of the listed building, contrary to policy HE1 of the Brighton and Hove Local Plan.

BH2015/00121

22 Windmill Street Brighton

Certificate of lawfulness for existing use of property as a 4 bedroom small house in multiple occupation (C4).

Applicant: Mrs Eleanor & Dr Rosie Cresner

Officer: Wayne Nee 292132

Approved on 22/05/15 DELEGATED

BH2015/00213

16 Burlington Street Brighton

Certificate of lawfulness for existing use of property as 6no self contained flats and 2no bedsits.

Applicant: Geneva Investment Group Ltd

Officer: Wayne Nee 292132

Approved on 21/05/15 DELEGATED

BH2015/00489

Brighton College Eastern Road Brighton

Conversion of loft space at third floor level to provide additional floor space for academic and associated facilities, incorporating creation of 14no dormers and installation 1no rooflight.

Applicant: Brighton College

Officer: Adrian Smith 290478

Approved on 21/05/15 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

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 plan	TA822/01	-	13/02/2015
Block plan	TA822/02	-	13/02/2015
Existing floor plans	TA822/03		13/02/2015
	TA822/04		13/02/2015

Existing elevations and sections	TA822/05 TA822/06 TA822/07 TA822/08		13/02/2015 13/02/2015 13/02/2015 13/02/2015
Proposed floor plans	TA822/10 TA822/11	A B	13/02/2015 12/05/2015
Proposed elevations and sections	TA822/12 TA822/13 TA822/14 TA822/15	A B A A	12/05/2015 12/05/2015 12/05/2015 13/02/2015
Proposed dormer details	TA822/17	A	12/05/2015
Proposed dormer windows existing window details	TA822/18	A	12/05/2015

BH2015/00847

Flat 1 87 Marine Parade Brighton

Internal alterations to layout of flat including removal of mezzanine level.

Applicant: Ms Alexandra Pearson

Officer: Astrid Fisher 292337

Approved on 22/05/15 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.

BH2015/01263

185 Freshfield 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 3.8m, and for which the height of the eaves would be 2.65m.

Applicant: Ms Kirsty Johnston

Officer: Astrid Fisher 292337

Prior approval not required on 28/05/15 DELEGATED

ROTTINGDEAN COASTAL

BH2014/02630

100 High Street Rottingdean Brighton

Alterations to building including new communal entrance to flats to front elevation, alterations to existing retail units, reconfiguration of existing residential units including erection of a two storey rear extension and associated works.

Applicant: Toscara Dale Ltd

Officer: Chris Swain 292178

Approved on 27/05/15 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

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) UNI

No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

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.

4) UNI

Repairs to the flintwork shall exactly match the existing flintwork, including the flint type, size, density and arrangement, and the mortar composition, colour and type of pointing.

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

5) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until full joinery details of the proposed shopfront, windows and external doors, including 1:1 sections have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

6) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of the brick and details of the design of the brick dressings and cill to the windows have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

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 block and site location plans	TA803/01		5 August 2014

Existing ZARA survey	TA803/02		5 August 2014
Existing street elevations	TA803/03		5 August 2014
Existing ground floor plans	TA803/04		5 August 2014
Existing first and second floor plans	TA803/05		5 August 2014
Existing sections AA and BB	TA803/06		5 August 2014
Existing ZARA streetscene	TA803/07		5 August 2014
Proposed block and site location plans	TA803/10		5 August 2014
Proposed ground floor plan	TA803/12		5 August 2014
Proposed upper level plans	TA803/13		5 August 2014
Proposed elevations 1	TA803/14		5 August 2014
Proposed elevations 2	TA803/15		5 August 2014
Proposed elevations 3	TA803/16		5 August 2014
Proposed high street elevation	TA803/17	A	21 November 2014
Proposed street elevation	TA803/18		5 August 2014

8) 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.

BH2014/02883

Land at Brighton Marina comprising Outer Harbour West Quay and adjoining land Brighton Marina Village Brighton

Application for variation of condition 1 of application BH2012/04048, as amended by applications BH2013/00799, BH2013/03432 and BH2014/01970 (Original Permission - Major mixed use development comprising new engineered basement structure to create platform on Spending Beach and West Quay, 853 residential units in 11 buildings ranging from 6-40 storeys, Class A, D1, D2 and B1 uses, Lifeboat Station, 496 parking spaces, alterations to pontoons and moorings, new bridges, informal and formal recreation space and alterations to access arrangements) to allow for revisions to the approved scheme including reconfiguring the type and quantum of uses within blocks F1 and F2 incorporating alterations to shopfronts, revised landscaping, relocation of the bus waiting room and changes to the RNLI station. Total number of residential units and car parking spaces to remain unchanged. (Amended description)

Applicant: Brunswick Developments Group plc

Officer: Sarah Collins 292232

Approved after Section 106 signed on 03/06/15 COMMITTEE

1) UNI

67. Within 6 months of the date of this permission, in relation to Phase 1 and Phase A of the development (as set out in the Phasing Plan agreed by condition 2):

- a) Evidence of energy efficient design resulting in energy and carbon emission savings delivering a minimum of 5% carbon reduction improvement over compliance with current Building Regulations will be achieved, and
- b) A management plan for monitoring energy performance shall be submitted to the Local Planning Authority for approval. Following the Local Planning

Authority's written approval of the management plan, evidence should be submitted once Phase 1 and Phase A is operating, within a timescale to be agreed with the Local Planning Authority, to demonstrate that the agreed energy performance targets are being achieved. The assessment of initial targets, and subsequent details submitted if targets are not met, shall be carried out by a third party such as an independent consultant, employed at the applicant's expense. Should the respective phase fall below the agreed targets, details of further measures that will be introduced to meet the target shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented.

No other Phase of the development (as set out in the Phasing Plan agreed by condition 2) shall commence above the level of the basement car parking structures until

(a) Evidence of energy efficient design resulting in energy and carbon emission savings delivering a minimum of 5% carbon reduction improvement over compliance with current Building Regulations will be achieved has been submitted to and approved in writing by the Local Planning Authority. The respective phases shall incorporate the measures required to achieve the savings agreed.

(b) A management plan for monitoring energy performance shall be submitted to the Local Planning Authority for written approval following which evidence should be submitted once the respectiv

2) UNI

68. No development of the basement car park ventilation system shall take place until details of the appearance (including structures on the West Quay promenade), noise and odour controls of the system have been submitted to and agreed in writing by the Local Planning Authority. The agreed ventilation system shall be implemented before the basement car parks are first brought into use.

Reason: In the interests of visual and general amenity, to comply with policies QD1, QD27, SU9, SU10 and SU11 of the Brighton & Hove Local Plan.

3) UNI

69. No development of the CHP and plant hereby approved shall take place until details of associated noise, odour and emission control and have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the plant is first brought into use.

Reason: In the interests of amenity, to comply with policies QD27, SU9, SU10 and SU11 of the Brighton & Hove Local Plan.

4) UNI

70. Within 6 months of the date of this permission, details including allocated space for the proposed energy centre and district heating network (DHN) which shall serve the site-wide development in phases, and should also include electrical vehicle charging points, shall be submitted to the Local Planning Authority for approval. Submitted information should include:

a) Technical Specification of the energy centre and DHN: boilers and CHP plant specification; heat loads and energy demands; operating temperatures, distribution losses; pipe sizes; pipe-work routes; heat storage; energy centre size and location with facility for expansion to serve later phases of OHD.

b) Future proofing plans: phasing plans for extending plant and network to the Outer Harbour scheme; facility to incorporate renewable fuels in future; facility for future connection to a wider scheme; and

c) Electrical charging points.

The agreed energy centre, electrical points, connections and measures shall be implemented prior to the first occupation of the development.

Reason: To enable the future use of alternative fuels, in the interests of air quality and sustainability, to comply with policy SU2 and SU9 of the Brighton & Hove Local Plan.

5) UNI

71. Occupation of the Class A floorspace within the development hereby permitted for uses within use Class A5 shall not in total comprise more than 25% of the shopping frontage or floor area of the total Class A floorspace hereby permitted. Buildings F1 and F2 are taken as one combined stretch of frontage.

Reason: To safeguard the amenities of occupiers of nearby residential properties and to avoid concentrations of A5 uses, to comply with the aims of policies SR5 and QD27 of the Brighton & Hove Local Plan.

6) UNI

1. The development shall be carried out in accordance with the approved drawings listed below:

Existing Site:

353/050/P1 1:3000@A3 Planning Application Site Plan
353/P/100/P3 1:2500 Existing Site Plan

Proposed Development:

Site Elevations/ Elevational Sections:

353/P/400/P3 1:1500 South & East Context Elevations
353/P/300/P3 1:500 West Elevation
353/P/303/P4 1:500 North Elevation [NB Phase 1 superseded by application BH2014/02883 proposed drawings]
PL0120/P5 1:200 South Elevation [NB Phase 1 superseded by 4527 PL0123 P3]
PL0121/P4 1:200 East Elevation [NB Phase 1 superseded by 4527 PL0121 P4]
PL0122/P5 1:200 North Elevation [NB Phase 1 superseded by application BH2014/02883 proposed drawings]
PL0123/P3 1:200 West Elevation [NB Phase 1 superseded by 4527 PL 0120 P5]
PL0124 1:500 Site Section Through Promenade Looking North [NB Phase 1 superseded by 4527 PL0122 P5]
PL0125 1:500 Site Section Through Promenade Looking West
PL0126 1:500 Site Section Through Promenade Looking South [NB Phase 1 superseded by 4527 PL0123 P3]
PL0127 1:500 Site Section Through Promenade Looking West
PL0128 1:500 Cross Section Through Promenade (East)

Site Plans:

PL001/A 1:2500 Site Plan
353/P/152/P4 1:1000 Site Plan/Circulation
353/P/240/P4 1:500 Plan of Principal Pile Locations [NB Phase 1 basement car park superseded by 4527 PL130 P2]
4191 PL100 P4 Level -1 Plan (+5m to +10.5m) [NB Phase 1 is superseded by M028_00_04 P10 and 4527 1001 P3]
4626 1150 P4 1:500 Level 0 Plan (+10.0 to 13.0)
4527 1001 P3 West Quay Pub Urban Realm Layout and Elevation
353/P/204/P4 1:500 Level 7 Floor Plan [NB Phase 1 is superseded by

M028_00_12 P4]

Detailed Floor Plans:

353/P/550/P4 1:200 West Tower (Blocks K, J + A) Ground Floor Plan

353/P/551/P4 1:200 West Tower (Blocks K, J + A) First Floor Plan

353/P/552/P3 1:200 West Buildings (Blocks K, J + A) Typical (2nd-4th) Floor Layout

353/P/553/P4 1:200 Western Buildings (Blocks K, J + A) 5th Floor Plan

353/P/554/P4 1:200 We

7) UNI

4527 PL 130 P2 1:500 West Quay Level -1, -2 and -3 Car Park Plans

M028_00_04 P10 West Quay Level 00 (Blocks F1 + F2)

M028_00_05 P6 West Quay Level 01 (Blocks F1 + F2)

M028_00_06 P3 West Quay Level 02 (Blocks F1 + F2) (consented in BH2014/01970)

M028_00_07 P3 West Quay Level 03 (Blocks F1 + F2) (consented in BH2014/01970)

M028_00_08 P3 West Quay Level 04 (Blocks F1 + F2) (consented in BH2014/01970)

M028_00_09 P3 West Quay Level 05 (Blocks F1 + F2) (consented in BH2014/01970)

M028_00_10 P3 West Quay Level 06 (Blocks F1 + F2) (consented in BH2014/01970)

M028_00_11 P3 West Quay Level 07 (Blocks F1 + F2) (consented in BH2014/01970)

M028_00_12 P3 West Quay Level 08 (Blocks F1 + F2) (consented in BH2014/01970)

M028_00_13 P3 West Quay Level 09 (Blocks F1 + F2) (consented in BH2014/01970)

M028_00_14 P1 West Quay Level 10 (Blocks F1 + F2)

Detailed Building Elevations and Sections:

353/P/600/P4 1:200 Detailed West Elevation (Block A+J)

353/P/601/P4 1:200 Detailed East Elevation (Block K+J)

353/P/603/P4 1:200 Detailed Long Section West Tower (Block K+J)

353/P/605/P4 1:200 Detailed Podium Section Looking East (Block C+H)

353/P/606/P4 1:200 Detailed Section Podium Building (Block C)

353/P/607/P5 1:200 Detailed Section Promenade Tower and Podium Building

353/P/608/P4 1:200 Detailed Podium Section Looking West (Block C+H)

353/P/609/P3 1:200 Detailed Cross Section Promenade Towers and West Pier (Blocks J+H2+H3)

353/P/651/P4 1:200 Detailed West & South Elevations West Tower (Blocks J + K)

353/P/652/P4 1:200 Detailed East & North Elevations West Tower (Blocks J + K)

353/P/657/P4 1:200 Detailed Building Elevations Podium Building (Block A)

8) UNI

353/P/658/P4 1:200 Detailed Elevations Podium Building (Block B)

353/P/653/P4 1:200 Detailed Elevations Podium Building (Block C)

353/P/659/P4 1:200 Detailed Elevations Podium Building (Block D)

353/P/654/P4 1:200 Detailed Elevations Promenade Tower (Block H2)[NB Blocks

H1 + H3 are identical in elevational detail: height varies]
4527 PL 0120 P5 1:200 West Elevations (Blocks F1 + F2)
4527 PL0121 P4 1:200 East Elevations (Blocks F1 + F2)
4527 PL0122 P5 1:200 Building Elevations - West Quay (Block F1)
4527 PL0123 P3 1:200 Building Elevations - West Quay (Block F2)

Detailed Plans:

353/P/700/P3 1:50 Detailed Typical Plan West Tower (Block K)
353/P/701/P3 1:50 Detailed Typical Plan (Block J)
353/P/702/P3 1:50 Detailed Typical Plan Promenade Tower (Blocks H1, H2 + H3)
353/P/703/P3 1:50 Detailed Typical Plan Podium Building (Blocks B, C + D)
353/P/706/P3 1:50 Detailed Typical Plan Podium Building (Block A)

Module/Bay Study:

353/P/750/P3 1:20 Bay Study Elevation & Section West Tower (Block K)
353/P/751/P3 1:20 Bay Study Elevation & Section (Block J)
353/P/752/P3 1:20 East Bay Study Elevation & Section (Blocks B, C + D)
353/P/753/P3 1:20 North Bay Study Elevation & Section (Blocks B, C + D)
353/P/754/P3 1:20 East Bay Study Elevation & Section (Blocks H1, H2 + H3)
353/P/755/P3 1:20 West Bay Study Elevation & Section (Blocks H1, H2 + H3)
4527 P001 P1 1:20 Typical Lower Level Bay Study Elevation & Section West Quay Building (Blocks F1 + F2) (consented in BH2014/01970)
4527 P002 P1 1:20 Typical Upper Level Bay Study Elevation & Section West Quay Building (Blocks F1 + F2) (consented in BH2014/01970)

Landscape:

353P/906/P3 1:100 Café Space
353/P/909 P4 1:100 West Entrance details
353P/911/P4 1:100 Central Promenade and Green Space Detail
353/P/160/P4 1:500 Landscape and Surface treatment Plan (and protective pile locations) [NB Phase 1 indicative landscaping is superseded by drawing M028_00_04 P10]

Misc. Details:

353/P/800/P4 1:200 Marina Brid

9) UNI

2. The development shall be carried out in accordance with the Phasing Plan approved under application BH2013/02328 unless any variation or amendment is agreed in writing with the Local Planning Authority.

Reason: To ensure that key objectives in the Brighton & Hove Local Plan are delivered and to meet the demands of occupiers of the development and regeneration of the wider area, including the delivery of high quality landmark buildings and bridges, associated infrastructure and affordable housing, in accordance with policies QD1, QD2, QD3, QD4, QD6, HO2, HO3, HO4, TR1, R8, TR13, TR15, HE3 and HE6 of the Brighton & Hove Local Plan.

10) UNI

3. Within 6 months of the date of this permission, details of the roads and footways within Phase 1 and Phase A of the development (as set out in the Phasing Plan approved under condition 2), including construction drawings that accord with the principles of the Estate Roads Manual, shall be submitted to the

Local Planning Authority for approval. Prior to the commencement of the other Phases of the development (as set out in the Phasing Plan approved under condition 2), details of the roads and footways, including construction drawings that accord with the principles of the Estate Roads Manual, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the roads and footways shall be completed prior to first occupation of the respective Phase of the development (as set out in the Phasing Plan approved under condition 2).

Reason: To ensure a satisfactory highway provision within the development, to comply with policies TR1, TR7 and TR8 of the Brighton & Hove Local Plan.

11) UNI

4. The development shall be carried out in accordance with the details (number, location and size) of the affordable housing units approved under application BH2013/02264 and the approved Phasing Plan unless any variation or amendment is agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory mix and location of affordable units to ensure sufficient housing opportunity and choice, and to ensure sufficient numbers of affordable units are proposed within each phase of development, in accordance with policies HO2 and HO3 of the Brighton & Hove Local Plan.

12) UNI

5. The vehicle parking areas within the basement car parks hereby approved shall not be used otherwise than for the parking of RNLI emergency vehicles, private vehicles, motorcycles and bicycles belonging to the occupants of and visitors to the residential development hereby approved. The car parking area shall be clearly laid out and signed for RNLI emergency vehicles, residents, disabled users, and the car club, and shall be retained as such thereafter.

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

13) UNI

6. The RNLI building hereby approved shall not be first brought into use until the emergency RNLI parking area located within the basement car park on level B-01 has been implemented and is ready for use, unless it is agreed in writing with the Local Planning Authority that temporary parking has been provided elsewhere to the satisfaction of the RNLI.

Reason: To ensure satisfactory parking provision to serve the RNLI to comply with policies TR1 and TR19 of the Brighton & Hove Local Plan.

14) UNI

7. Each respective phase of the development (in accordance with the Phasing Plan agreed by condition 2) shall not be first occupied until the cycle parking facilities associated with that particular phase have been implemented and made available for use. The cycle parking facilities shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, in accordance with policies TR1 and TR14 of the Brighton & Hove Local Plan.

15) UNI

8. Notwithstanding the cycle parking facilities for visitors indicated on the submitted plans, a scheme for monitoring the need for additional cycle parking for visitors within the site shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the first occupation of each respective phase of the development (as set out in the Phasing Plan agreed by condition 2).

If required, the scheme shall include details of the number, location and design of any additional cycle parking facilities and shall be implemented to the satisfaction of the Local Planning Authority within an agreed timeframe.

Reason: The scheme is considered to potentially have the capacity to accommodate a number of additional visitor cycle spaces, in the interests of encouraging sustainability through the use of non-car modes of travel, in accordance with policies TR1 and TR14 of the Brighton & Hove Local Plan.

16) UNI

9. No respective phase of the development (as set out in the Phasing Plan agreed by condition 2) above the level of the basement car parking structures shall be first occupied until a Parking Strategy has been submitted to and approved in writing by the Local Planning Authority, and implemented to the satisfaction of the Local Planning Authority. The Parking Strategy shall include details of proposed designated loading/unloading areas to ensure that parking restrictions and vehicular movements are clearly conveyed to residents and visitors of the site. The Strategy should explore measures to avoid conflict with pedestrians, including the provision of yellow lines, signage and bollards and identify them on a plan. Loading/unloading shall thereafter not occur outside the designated areas.

Reason: To ensure parking does not occur haphazardly across the site and to ensure the sustainability of the scheme is not undermined, and in the interests of highway safety, to comply with policies TR1, TR4, TR7, TR8 and TR19 of the Brighton & Hove Local Plan.

17) UNI

10. No car parking (other than loading/unloading and dropping off/setting down) shall occur within the application site except within the designated parking spaces hereby approved as indicated on the submitted plans.

Reason: To prevent pedestrian and vehicular conflict, to comply with policies TR1, TR7 and TR8 of the Brighton & Hove Local Plan.

18) UNI

11. The underground car parks hereby permitted shall not be first brought into use until details of road markings, signalling systems, signage, secure access, cycle channels and other mechanisms to control vehicular and cyclist movements at the base of the entrance ramp, along the ramp and into the respective entrances to the car parks have been submitted to and approved in writing by the Local Planning Authority and implemented and thereafter retained.

Reason: In the interests of highway safety, to comply with policy TR7 of the Brighton & Hove Local Plan.

19) UNI

12. Within 6 months of the date of this permission, details of a Waste Storage and Collection Strategy for the residential and retail/commercial units of Phase 1 (as set out in the Phasing Plan agreed by condition 2) shall be submitted to the Local Planning Authority for approval. The Strategy shall include details of the following: access arrangements, including measures to ensure communal refuse is placed at agreed collection points that can be accessed by council vehicles; types and sizes of containers and frequency of collection. Prior to the commencement of the other Phases of the development (as set out in the Phasing Plan agreed by condition 2) details of a Waste Storage and Collection Strategy for the residential and retail/commercial units shall be submitted to and agreed in writing by the Local Planning Authority. The agreed Waste Storage and Collection Strategy for each respective phase of the development (as set out in

the Phasing Plan agreed by condition 2) shall thereafter be implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that satisfactory measures for refuse and recycling storage and collection are in place that are compatible with the council's waste service, to comply with policy SU2 of the Brighton & Hove Local Plan.

20) UNI

13. All the communal refuse areas serving residents shall provide recycling provision and separated storage for a minimum of two separated waste streams. Sufficient space should also be provided within the development to enable the incorporation of communal composting facilities for use by residents and others, such as landscape contractors.

Reason: To ensure provision of satisfactory facilities for the storage of refuse and recycling to comply with policy SU2 of the Brighton & Hove Local Plan.

21) UNI

14. No buildings of each respective phase of the development (and as set out in the Phasing Plan agreed by condition 2) shall be first occupied until the refuse and recycling storage facilities indicated on the approved plans serving each building have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure provision of satisfactory facilities for the storage of refuse and recycling to comply with policy SU2 of the Brighton & Hove Local Plan.

22) UNI

15. The premises for Use Class A (A1, A2, A3, A4 and A5) hereby permitted shall not be open or in use except between the hours of 07.00 and 23.30 hours Mondays to Fridays, and between 07.30 and 23.30 hours on Saturdays and between 08.00 hours and 23.00 hours on Sundays or Bank Holidays.

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

23) UNI

16. This condition has been removed as the yacht club/divers office has been relocated to another site.

24) UNI

17. The community uses in block J, Block F1, crèche in Block A (excluding outside play), visitor centre, educational premises and public viewing gallery in block K and 'Class D1' facility on the first floor in Block F1 shall not be open to the public except between the hours of 07.00 and 21.00 hours Mondays to Fridays, and between 07.30 and 21.00 hours on Saturdays and between 08.00 hours and 19.00 hours on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

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

25) UNI

18. The outside children's play area directly associated with the crèche in Block A and multi-use court located between Blocks A and B as both indicated on drawing no. 353/P/201 Rev P4 shall be used only between the hours of 08.00 and 19.00 hours Monday to Saturdays and 09.00 and 18.00 hours on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

26) UNI

19. Block A shall not be first occupied until details of the proposed multi-use court/play area located between blocks A and B, including details of surfacing, layout and boundary treatment, have been submitted to and approved in writing by the Local Planning Authority. The court shall be implemented in accordance with the agreed details and made available for use before first occupation of Block A unless otherwise agreed in writing by the Local Planning Authority. The facility shall thereafter be retained for such use at all times.

Reason: To ensure the demand created by the development for outdoor recreation space is satisfactorily met, to comply with policy HO6 of the Brighton & Hove Local Plan.

27) UNI

20. Blocks A, J and K shall not be first occupied until details of the boules pitch and bowling green located between Block F1 and Block D, including their proposed surfacing and layout, have been submitted to and approved in writing by the Local Planning Authority and the facilities implemented in accordance with the agreed details. The facilities shall thereafter be retained for such use at all times.

Reason: To ensure the demand created by the development for outdoor recreation space is satisfactorily met, to comply with policy HO6 of the Brighton & Hove Local Plan.

28) UNI

21. The residential properties within Block J shall not be first occupied until the community room and youth space located within the block have been completed and ready for occupation.

Reason: To ensure the demand created by the development for community spaces is satisfactorily met, to comply with policy HO21 of the Brighton & Hove Local Plan.

29) UNI

22. Within 12 months of the occupation of the residential properties within Block F1, the Class D1(a) medical/health facility located within the Block shall be completed and made ready for occupation.

Reason: To ensure the demand created by the development for community/health facilities is satisfactorily met, to comply with policies HO21 and QD28 of the Brighton & Hove Local Plan.

30) UNI

23. This condition has been removed as the yacht club/divers office and harbour control office have been relocated to another site.

31) UNI

24. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or amendments thereto, the Community Hall and Youth Space in Block J and educational visitor gallery (ground floor) and viewing platform (39th floor) in Block K and crèche in Block A, and as shown on plans ref. nos. 353/P/550 Rev P4 and 353/P/559 Rev P3, shall not respectively be used for any other uses within Use Class D1.

Reason: The Local Planning Authority would wish to control future changes of use in the interests of safeguarding the amenities of occupiers of nearby residential properties and the amenities of the locality and to ensure the demand created by the development for community uses is met, to comply with policies QD27 and HO21 of the Brighton & Hove Local Plan.

32) UNI

25. This condition has been removed as the yacht club/divers office has been

relocated to another site.

33) UNI

26. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or amendments thereto, the 'Class D1' use in Block F1 shall be used as a D1(a) use Medical or Health facility (excluding animal treatment) only and for no other use within Use Class D1.

Reason: The Local Planning Authority would wish to control future changes of use in the interests of safeguarding the amenities of occupiers of nearby residential properties and the amenities of the locality and to ensure the demand created by the development for health facilities is met, to comply with policies QD27, HO21 and QD28 of the Brighton & Hove Local Plan.

34) UNI

27. This condition has been removed as the harbour control office is remaining in its current premises on the West Jetty.

35) UNI

28. This condition has been removed as the offices on the first floor have been removed from the building.

36) UNI

29. Loading or unloading of vehicles in connection with the non-residential uses hereby approved (excluding the RNLI use) shall only take place between the hours of 07.00 and 19.00 hours Monday to Fridays, 07.30 and 19.00 hours on Saturdays and not at anytime on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

37) UNI

30. Occupation of the Class A floorspace within the development hereby permitted for uses within use Class A4 shall not exceed a net internal public floorspace of more than 150 square metres per individual unit.

Reason: To safeguard the amenities of occupiers of nearby residential properties and in the interests of crime prevention, to comply with policies SR12 and QD27 of the Brighton & Hove Local Plan.

38) UNI

31. Occupation of the Class A floorspace within the development hereby permitted for uses within use Class A4 shall not in total comprise more than 50% of the shopping frontage or floor area of the total Class A floorspace hereby permitted. Buildings F1 and F2 are taken as one combined stretch of frontage.

Reason: To safeguard the amenities of occupiers of nearby residential properties and to avoid concentrations of A4 uses in the interests of crime prevention, to comply with the aims of policies SR12 and QD27 of the Brighton & Hove Local Plan.

39) UNI

32. Within any units used for purposes within Use Class A3 and exceeding 150 square metres in net internal public floor area, alcohol shall only be sold or supplied to persons who are taking meals on the premises and who are seated at tables.

Reason: To safeguard the amenities of the locality and the amenities of occupiers of nearby residential properties and in the interests of crime prevention, to comply with policies SR12 and QD27 of the Brighton & Hove Local Plan.

40) UNI

33. The development hereby permitted shall incorporate measures to ensure the

development meets 'Secured by Design' standards and includes crime prevention measures indicated in the letter dated 11th February 2013 from Sussex Police and measures to control the access to the car park from both vehicles and pedestrians. Evidence shall be submitted to demonstrate the development meets Secured By Design standards such as a Developers Award Certificate. The agreed measures shall be implemented within each respective phase of the development (as agreed as part of the Phasing Plan by condition 2) before that phase is first brought into use/occupied. Details of any CCTV cameras that are not mounted on buildings shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of crime prevention and visual amenity, to comply with policies QD7 and QD1 of the Brighton & Hove Local Plan.

41) UNI

34. A scheme indicating measures taken to insulate the units from the transmission of noise (such measures shall include the sound insulation of all units within the development, whether residential or non-residential, from noise transmitted between them) shall be submitted to and approved in writing by the Local Planning Authority and implemented to the satisfaction of the Local Planning Authority before first occupation of any buildings constructed above the level of the basement car parking structures within each respective phase of the Phasing Plan (as agreed by condition 2).

Reason: To safeguard the amenity of occupiers of the development from noise arising within and/or from the scheme, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

42) UNI

35. No plant or machinery associated with the development (not including during construction) shall be first brought into use until a scheme to insulate the plant/machinery against the transmission of sound/or vibration has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority before any buildings within which the plant/machinery are proposed are first occupied. The mechanical plant associated with the development shall not give rise to an increase in noise levels above -5dB LAeq in respect of the background levels expressed as LA90 measured 1m from the facade of the nearest residential premises. Measurement periods and conditions are to be agreed with the Local Planning Authority.

Reason: To safeguard the amenity of occupiers of the development from noise arising within or from the scheme, to comply with policy QD27 and SU10 of the Brighton & Hove Local Plan.

43) UNI

36. A scheme for the fitting of odour control equipment to the non-residential buildings shall be submitted to and approved in writing by the Local Planning Authority where commercial kitchen facilities, or similar, are proposed. The agreed odour control works shall be implemented to the satisfaction of the Local Planning Authority before the premises it relates to is brought into use.

Reason: To safeguard the amenity of occupiers of the development from odours arising within or from the scheme, to comply with policy QD27 and SU9 of the Brighton & Hove Local Plan.

44) UNI

37. A scheme for the sound insulation of the odour control equipment referred to in the condition above (no.36) shall be submitted to and approved in writing by

the Local Planning Authority and shall be implemented to the satisfaction of the Local Planning Authority before the premises it relates to are brought into use.

Reason: To safeguard the amenity of occupiers of the development from noise arising within or from the scheme, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

45) UNI

38. Details of any changes to the proposed gas CHP with regard to future fuel use shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented.

Reason: To ensure the continuing protection of the environment and human health, to comply with policies SU9 and QD27 of the Brighton & Hove Local Plan.

46) UNI

39. Amplified music or other entertainment noise within any of the non-residential units shall have its volume controlled by the installation of a tamper-proof noise limiting device of a type to be agreed with the Local Planning Authority and its level shall be set at a volume to be agreed with the Local Planning Authority before it is first brought into use.

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

47) UNI

40. The materials, construction methodology and maintenance of the basement parking structures in Phase 1 and Phase A (as set out in the Phasing Plan agreed in condition 2) shall be implemented in accordance with the details submitted under application BH2013/04111, unless otherwise agreed in writing by the Local Planning Authority. No development of the other Phases (as set out in the Phasing Plan agreed in condition 2) shall take place until details of the materials, construction methodology and maintenance of the basement parking structures hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. The agreed details and measures shall be implemented.

Reason: To ensure that the development is of high quality and adequately maintained, in the interests of coastal management, safety, ecology and visual amenity, to comply with policies SU7, QD27, QD17 and QD1 of the Brighton & Hove Local Plan.

48) UNI

41. Within 6 months of the date of this permission, details of the proposed materials to be used within the exterior of all buildings and structures within Phase 1 and Phase A (as set out in the Phasing Plan agreed by condition 2) shall be submitted to the Local Planning Authority for approval. No other Phases of the development (as set out in the Phasing Plan agreed by condition 2) above the level of the basement car parking structures including the proposed bridges, shall commence until details of the proposed materials to be used within the exterior of all buildings and structures within each respective phase, have been submitted to and approved in writing by the Local Planning Authority. These details for all Phases shall include large scale drawings and/or constructional details and samples if required, of the balustrading, roof parapet and eaves design, balcony design, surface cladding systems, windows, entrances, roof plant, wind screens, shop fronts and bridges. The development shall be carried out in accordance with the approved details.

Reason: To ensure a very high quality development, to comply with policies QD1,

QD4, HE3 and HE6 of the Brighton & Hove Local Plan.

49) UNI

42. Within 6 months of the date of this decision, details of external lighting, external signage, details and samples of the proposed materials to be used for the hard landscaping, highways, street furniture and amenity and outdoor recreation areas for Phase 1 and Phase A (as set out in the Phasing Plan agreed by condition 2) shall be submitted to the Local Planning Authority for approval. No other Phases of the development (as set out in the Phasing Plan agreed by condition 2) above the level of the basement car parking structures, shall commence until details of external lighting, external signage, details and samples of the proposed materials to be used for the hard landscaping, highways, street furniture and amenity and outdoor recreation areas within each respective phase, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and completed prior to the first occupation of each respective Phase. The details for all Phases will include the following:

- (i) paving and building materials, including details of colour and texture;
- (ii) boundary walls, gates, seating, fencing, refuse stores, steps, hand rails, raised planters, seating, pergolas and screens;
- (iii) street paving plans, to include size, direction and pattern of paving;
- (iv) siting and design of all external dishes, antennae, flues and utilities cabinets;
- (v) external lighting - this shall include the proposed number, type, siting, spacing and levels of luminance and details of street lighting;
- (vi) external signage details;
- (vii) details showing how the materials are sustainable; and
- (viii) Details of ventilation structures and car park intake grilles.

Reason: To ensure the Local Planning Authority has sufficient detail to ensure that the resulting appearance of the development is of a high quality, is sustainable and to mitigate against the potential for light pollution within the development to

50) UNI

43. The Management Plan for the long term maintenance and replacement of materials within Phase 1 and Phase A of the development (as set out in the Phasing Plan agreed by condition 2) shall be implemented in accordance with the details submitted and approved in application BH2013/04269, unless otherwise agreed in writing by the Local Planning Authority. No other Phases of the development (as set out in the Phasing Plan agreed by condition 2) shall commence until details have been submitted to and agreed in writing by the Local Planning Authority relating to a Management Plan for the long term maintenance and replacement of materials within the development, including basement car parking areas, platform decks, hard landscaping and both bridges hereby approved. The maintenance of the development shall thereafter be implemented in accordance with the details of the respective approved Management Plans.

Reason: To ensure the development retains the quality of its appearance in this exposed location, to comply with policies QD1, QD4, QD15, HE3 and HE6 of the Brighton & Hove Local Plan.

51) UNI

44. This condition has been removed as the lighting details are required by condition 42 above.

52) UNI

45. Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) Order 1995 or any amendments thereto, no satellite dishes or aerials other than those shown on the submitted plans shall be installed unless otherwise agreed in writing with the Local Planning Authority.

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

53) UNI

46. No buildings above the level of the basement car parking structures shall be first occupied until details of a Design Strategy for pedestrian, cycling and general informative signage throughout the site have been submitted to and approved in writing by the Local Planning Authority, and have been implemented in accordance with each respective phase of the development (as set out in the Phasing Plan agreed by condition 2). Any signage proposed within the site shall be in accordance with the broad principles contained in the agreed Strategy.

Reason: To ensure that the resulting appearance of the development will be acceptable and to ensure a cohesive appearance to the development, to comply with policy QD1 of the Brighton & Hove Local Plan.

54) UNI

47. This condition has been removed as the submitted plans provide sufficient detail of the shop fronts for buildings F1 and F2 and signage for the individual units will require the submission of separate planning applications.

55) UNI

48. Within 6 months of the date of this permission, a scheme for soft landscaping and planting in Phase 1 and Phase A of the development (as set out in the Phasing Plan agreed by condition 2) shall be submitted to the Local Planning Authority for approval. No other Phases of the development (as set out in the Phasing Plan agreed by condition 2) above the level of the basement car parking structures shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for soft landscaping and planting in the development. All planting, seeding or turfing agreed as part of the approved landscaping schemes for all the Phases shall be carried out in the first planting and seeding seasons following occupation of the buildings in each respective Phase. Any plants or trees that die or become seriously damaged between planting and up to 5 years after completion of the development, shall be replaced with others of a similar size and species unless otherwise agreed in writing with the Local Planning Authority. The landscaping schemes for all Phases shall include plants to enhance biodiversity.

Reason: To enhance the appearance of the development, to comply with policies QD15, QD16 and QD17 of the Brighton & Hove Local Plan.

56) UNI

49. The development shall incorporate the measures within the Nature Conservation Plan (titled Mitigation/Enhancement Scheme and Ecology Management Plan July 2008 by EPAL) received on 9th July 2008 and agreed on 15th July 2008, including measures to enhance the bio-diversity of the site and prevent damage to existing habitats during construction and include provision of shingle roofs (see condition 50 below), introduction of appropriate planting in the amenity areas with interpretation boards, installation of interpretation boards on the Black Rock bridge and the installation of 35 nesting boxes within the site and 1 peregrine nesting box. The agreed measures shall be implemented on a pro-rata basis where relevant, based on each respective phase of the development (as agreed by condition 2), and shall be maintained in perpetuity.

Reason: To enhance and integrate nature conservation features within the site, in

accordance with policy QD17 of the Brighton & Hove Local Plan.

57) UNI

50. Within 6 months of the date of this permission, construction and maintenance details of the proposed shingle roofs and vegetated planters proposed within Phase 1 of the development (as set out in the Phasing Plan agreed by condition 2) shall be submitted to the Local Planning Authority for approval. No other Phases of the development (as set out in the Phasing Plan agreed by condition 2) above the level of the basement car parking structures shall take place until construction and maintenance details of the proposed shingle roofs and vegetated planters in each respective Phase have been submitted to and approved in writing by the Local Planning Authority. The aim of the shingle roofs for all Phases shall be to recreate coastal vegetated shingle habitat and shall incorporate appropriate native vegetated shingle communities. At least 75% (by area) of the planters for all Phases shall be planted with native vegetated shingle communities, and the species to be used and cultivation details for the roofs and planters shall be agreed prior to commencement of buildings in the respective Phases of the development. The agreed schemes shall be implemented to the satisfaction of the Local Planning Authority by the first planting season following first occupation of the building upon which they are located (shingle roofs) and prior to completion of the Phase within which they are located (planters).

Reason: To enhance and integrate nature conservation features within the site, in accordance with policy QD17 of the Brighton & Hove Local Plan.

58) UNI

51. The secure fencing around all vegetated areas within the Black Rock Beach SNCI as detailed in the DP9 letter and enclosures received on 9th July 2008 shall be implemented during construction. No storage of plant or equipment shall be permitted at any time within any area within the SNCI during construction, and no other use shall take place within the SNCI area other than carrying out the construction of the Black Rock Bridge and the Black Rock enhancement works.

Reason: To ensure damage to the vegetated shingle is prevented, in accordance with policies NC4 and QD17 of the Brighton & Hove Local Plan.

59) UNI

52. The Black Rock Bridge shall not be constructed during the period 1st March - 31st July.

Reason: To avoid disturbing nesting birds in the SNCI to comply with policies NC4, QD17 and QD18 of the Brighton & Hove Local Plan.

60) UNI

53. All the new dwellings hereby approved shall be constructed to Lifetime Homes standards as referred to in Policy HO13 of the Brighton & Hove Local Plan to the satisfaction of the Local Planning Authority.

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

61) UNI

54. A minimum of 50 of the residential units within the overall scheme shall be built to a wheelchair accessible standard. Included within the 50, 10% of the affordable housing units (equating to 35 units) shall be built to wheelchair accessible standard. Details, including plans, of how the units have been built to a wheelchair accessible standard on a pro-rata basis within each phase of the development (as set out in the Phasing Plan agreed by condition 2) shall be submitted to and approved in writing by the Local Planning Authority before 50%

of the total units within a particular phase have been first occupied.

Reason: To ensure satisfactory provision of homes for people with disabilities to comply with policy HO13 of the Brighton & Hove Local Plan which seeks a 5% provision of wheelchair accessible units in schemes overall, including a 10% provision within the affordable element.

62) UNI

55. All the non-residential uses and car park lift lobbies hereby permitted shall incorporate measures to ensure they are fully accessible to the disabled, including the provision of flush entrance thresholds and sufficient clear space at the leading edge of lobby doors, details of which shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented before first occupation/use of the respective phase of the development (as set out in the Phasing Plan agreed by condition 2).

Reason: To satisfactory access for people with disabilities, to comply with policies HO19 and QD10 of the Brighton & Hove Local Plan.

63) UNI

56. Prior to the first occupation of buildings A, B, C, and D (as shown on drawing no. 353/P/238 Rev P3) a scheme for the provision of screening landscaping and/or a trellis structure to be installed over (and/or adjacent to) the access road into the residents' car park over the Spending Beach that runs along the northern boundary of the site and details of the proposed planting area between the residents access road and the northern boundary of the site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented to the satisfaction of the Local Planning Authority by the first planting season following completion of the last of the aforementioned buildings (as set out in the Phasing Plan agreed by condition 2). Any plants or trees that die or become seriously damaged between planting and up to 5 years after completion of the development, shall be replaced with others of a similar size and species unless otherwise agreed in writing with the Local Planning Authority.

Reason: To improve the outlook and living conditions enjoyed by residential properties immediately adjacent to the access road, to comply with policies QD15 and QD27 of the Brighton & Hove Local Plan.

64) UNI

57. No buildings above the level of the basement car parking structures shall be first occupied until details of the wind mitigation measures referred to in Section 10 of the Environmental Statement and identified on the plans contained in this Section, have been submitted to and approved in writing by the Local Planning Authority. The wind mitigation measures shall be provided in accordance with the approved details prior to the first occupation of, or public access is first provided to, the relevant phase of the development (as set out in the Phasing Plan agreed by condition 2).

Reason: To ensure a satisfactory micro-climate for users of the development, to comply with policy QD27 of the Brighton & Hove Local Plan and SPGBH15: Tall Buildings.

65) UNI

58. The programme of archaeological work within Phase 1 and Phase A of the development (as set out in the Phasing Plan agreed by condition 2) approved under application BH2013/03568 shall be implemented accordingly. No other Phases of the development (as set out in the Phasing Plan agreed by condition 2) shall commence until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of

Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

66) UNI

59. The respective Phases of the development (as set out in the Phasing Plan agreed by condition 2) shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 58 to the satisfaction of the Local Planning Authority.

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

67) UNI

60. No development of each relevant phase of the development (as set out in the Phasing Plan agreed by condition 2) shall take place until details of a scheme of: (a) steel submarine netting or other suitable material to be installed between the protective piles of the development; and (b) linked mesh or other suitable material to be installed around the outer piles of the development has been submitted to and approved in writing by the Local Planning Authority for that relevant phase and the approved scheme shall be implemented in full before the completion of each respective basement car park structure. The scheme shall identify temporary openings within the nets.

Reason: In order to enhance the protection provided against vessels that could potentially collide with the proposed development, in the interests of safety, to comply with policy QD27 of the Brighton & Hove Local Plan.

68) UNI

61. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water from parking areas and hardstandings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor. Ongoing maintenance of the interceptor shall be provided in accordance with the manufacturer's instructions.

Reason: To prevent pollution of the water environment and in accordance with the policy SU3 of the Brighton & Hove Local Plan.

69) UNI

62. Details of the proposed means of foul sewerage and surface water disposal relating to Phase 1 and Phase A of the development (as set out in the Phasing Plan agreed by condition 2) as approved in application BH2013/03669 shall be implemented accordingly. No other Phase of the development (as set out in the Phasing Plan agreed by condition 2) shall commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The approved details shall be implemented.

Reason: To prevent pollution of the water environment and in accordance with

the policy SU3 of the Brighton & Hove Local Plan.

70) UNI

63. The scheme of drainage controls and protective systems to prevent contamination (including saline pollution) and extensive vertical migration of groundwater relating to Phase 1 and Phase A of the development (as set out in the Phasing Plan agreed by condition 2) as approved in application BH2013/03669 shall be implemented accordingly. No other Phase of the development (as set out in the Phasing Plan agreed by condition 2) shall commence until a scheme of drainage controls and protective systems to prevent contamination (include saline pollution) and extensive vertical migration of groundwater has been submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved measures.

Reason: To mitigate against the potential impact on groundwater in accordance with the policy SU3 of the Brighton & Hove Local Plan.

71) UNI

64. Within 6 months of the date of this permission a feasibility study which identifies the most appropriate form of renewable energy generation for Phase 1 and Phase A of the development (as set out in the Phasing Plan agreed by condition 2) shall be submitted to the Local Planning Authority for approval. No other Phases (as set out in the Phasing Plan agreed by condition 2) above the level of the basement car parking structures, shall commence until a feasibility study which identifies the most appropriate form of renewable energy generation for the development has been submitted to and approved in writing by the Local Planning Authority. For all Phases, Photovoltaic panels shall be used to power the street and car park lighting as a minimum. Should renewable energy additional to the photovoltaics prove to be feasible and reasonable in all other respects, it shall be implemented within the development in accordance with the agreed details. The use of water source heat pump technology should be explored and included within the feasibility studies.

Reason: To ensure a sustainable development, to comply with policy SU2 of the Brighton & Hove Local Plan.

72) UNI

65. The sustainability measures contained in chapter 13 of the Environmental Statement shall be implemented within the development. The development shall achieve a Code for Sustainable Homes Level 3 rating as a minimum, with a minimum overall percentage rating of 60% score for residential buildings; and the wheelchair accessible units within each respective phase of the scheme shall achieve a Code for Sustainable Homes Level 4 as a minimum (equating to approximately 10% of units). The non-residential units shall achieve a 'very good' BREEAM rating with a minimum 50% rating in energy and water sections of relevant BREEAM assessment. Insulation used for all units shall be 15% better than Part L of current Building Regulations.

(a) Within 6 months of the date of this permission, evidence of how these standards will be met and sustainability measures incorporated within Phase 1 and Phase A of the development (as set out in the Phasing Plan agreed by condition 2) shall be submitted to the Local Planning Authority for approval. No other Phase of the development (as set out in the Phasing Plan agreed by condition 2) above the level of the basement car parking structures, shall commence until evidence of how these standards will be met and sustainability measures incorporated within each respective Phase has been submitted to and

approved in writing by the Local Planning Authority. The measures for all Phases shall be implemented in strict accordance with the approved details.

(b) Within 6 months of the date of this permission, evidence shall be submitted to the Local Planning Authority for approval that the residential units within Phase 1 of the development (as set out in the Phasing Plan agreed by condition 2) are registered with an accreditation body or Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage/Interim Certificate for each unit shall be submitted demonstrating that a minimum of Level 3 and an overall score of at least

73) UNI

c) Within 6 months of the date of this permission, evidence shall be submitted to the Local Planning Authority for approval for Phase 1 and Phase A (as set out in the Phasing Plan agreed by condition 2) that: the non residential units and/or development are registered with the BRE under a relevant BREEAM scheme and a Design Stage/Interim Certificate for each unit has been submitted demonstrating that a minimum of 'very good' standard', and evidence that a minimum score of 50% in the energy and water sections of BREEAM has been achieved. No other Phase of the development (as set out in the Phasing Plan agreed by condition 2) above the level of the basement car parking structures, shall commence until evidence is submitted to and approved in writing by the Local Planning Authority that: the non residential units and/or development are registered with the BRE under a relevant BREEAM scheme and a Design Stage/Interim Certificate for each unit has been submitted demonstrating that a minimum of 'very good' standard', and evidence that a minimum score of 50% in the energy and water sections of BREEAM has been achieved.

(d) None of the residential units within each respective phase (as set out in the Phasing Plan agreed by condition 2) shall be occupied until a Final/Post Construction Code for Sustainable Homes Certificate issued by a Code accreditation body confirming that each unit built has achieved a minimum of Level 3 and an overall score of at least 60% and each wheelchair accessible unit within each respective phase of the scheme has achieved a minimum of Code for Sustainable Homes Level 4 has been submitted to, and approved in writing by, the Local Planning Authority.

(e) None of the non-residential units within each respective phase (as set out in the Phasing Plan agreed by condition 2) shall be occupied until a Final/Post Construction BREEAM Review Certificate issued by the BRE confirming that each unit built has achieved a minimum standard of 'very good', an

74) UNI

66. Within 6 months of the date of this permission, a Sustainable Energy Scheme which demonstrates that Phase 1 and Phase A of the development (as set out in the Phasing Plan agreed by condition 2) will achieve a minimum of 20% carbon reduction in annual energy use from low and zero carbon technologies, shall be submitted to the Local Planning Authority for approval. No other Phase (as set out in the Phasing Plan agreed by condition 2) shall commence above the level of the basement car parking structures until a Sustainable Energy Scheme which demonstrates that the respective Phase will achieve a minimum of 20% carbon reduction in annual energy use from low and zero carbon technologies has been submitted to and agreed in writing by the Local Planning Authority. No building which would incorporate any of the measures set out in the Sustainable Energy Schemes of any phase shall be constructed until the relevant Scheme has been approved in writing by the Local Planning Authority. The approved Scheme for

each phase shall thereafter be implemented in accordance with its provisions, unless otherwise agreed in writing with the Local Planning Authority.

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

BH2014/04054

15 Chiltington Close Saltdean Brighton

Erection of hip to gable roof extension with front, side and rear rooflights and side and rear windows and alterations to ground floor fenestration.

Applicant: Mr & Mrs Hamilton

Officer: Mark Thomas 292336

Refused on 01/06/15 DELEGATED

1) UNI

The proposed development, by virtue of the scale of roof extensions including a flat top section, represents an unduly bulky roof form which would give the recipient property a top heavy appearance that fails to respect the character and appearance of the recipient property or the continuity of the scale and bulk of roofs within the Chiltington Close streetscape, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12: Design guide for extensions and alterations.

BH2015/00134

23 Saltdean Drive Brighton

Erection of single story side extension.

Applicant: Mr & Mrs Topping

Officer: Chris Swain 292178

Approved on 29/05/15 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
Site location plan	ADC618/LP	-	19 January 2015
Block plan	ADC618/BP	-	19 January 2015
Existing plans	ADC618/01	-	19 January 2015
Existing elevations	ADC618/02	-	19 January 2015

Proposed plans	ADC618/05	A	27 May 2015
Proposed elevations	ADC618/06	C	27 May 2015

BH2015/00483

Land to Rear of 28 and 30 Longhill Road Brighton

Outline application with some matters reserved for the demolition of 28 Longhill Road and erection of 4no dwelling houses.

Applicant: Mr D Hunter

Officer: Adrian Smith 290478

Refused on 29/05/15 DELEGATED

1) UNI

It has not been demonstrated that four dwellings can be satisfactorily accommodated on the site without necessitating a significant reduction to the woodland to the east part of the site, thereby resulting potentially significant loss of nature conservation features and exposing the site to longer views from the east. In the absence of information to demonstrate otherwise, the loss of the woodland would be contrary to policies QD16 & QD17 of the Brighton and Hove Local Plan and policy SA4 of the submission City Plan Part One. Further, an amended layout that places the four dwellings to the front part of the site only would represent an intensity of development uncharacteristic of the area and an overdevelopment of the site contrary to policies QD2, QD3 & HO3 of the Brighton & Hove Local Plan.

2) UNI2

Insufficient information has been submitted to identify the biodiversity interest of the site, including the habitats of protected species, and address whether the biodiversity interest could be suitably mitigated to allow development to proceed, contrary to policies QD17 & QD18 of the Brighton & Hove Local Plan.

3) UNI3

The proposed development, by virtue of the number of vehicle movements within the site directly adjacent to residential properties, would result in significant amenity harm by way of increased noise and light disturbance, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00559

29 Withyham Avenue Saltdean Brighton

Certificate of lawfulness for proposed creation of side dormer.

Applicant: David Walker

Officer: Astrid Fisher 292337

Refused on 27/05/15 DELEGATED

BH2015/00703

65 Chichester Drive West Saltdean Brighton

Certificate of lawfulness for proposed creation of 2no side dormers.

Applicant: Mr & Mrs Michael Meik

Officer: Chris Swain 292178

Approved on 14/05/15 DELEGATED

BH2015/00704

14 Rodmell Avenue Saltdean Brighton

Front bay window to be removed and replaced with front extension.

Applicant: Mr John Challoner
Officer: Haydon Richardson 292322
Approved on 01/06/15 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			12/03/2015
Proposed development Statement			12/03/2015
Existing and Proposed Front elevation			12/03/2015
Existing and Proposed Side elevation			12/03/2015
Existing Floor Plan			12/03/2015
Proposed Floor Plan			12/03/2015

BH2015/01016

17 Falmer Avenue Saltdean Brighton

Roof alterations incorporating raised ridge height, rooflights to front and dormers to rear.

Applicant: Mr D Southon
Officer: Luke Austin 294495
Approved on 18/05/15 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	-	-	23/03/2015
Existing and Proposed Plans and Section	DS/001	A	23/03/2015
Existing and Proposed	DS/002	A	23/03/2015

BH2015/01046

Saltdean Lido Saltdean Park Road Brighton

Application for Approval of Details Reserved by Condition 6 of application BH2014/03415.

Applicant: Saltdean Lido Community Interest Company

Officer: Kathryn Boggiano 292138

Approved on 18/05/15 DELEGATED

BH2015/01067

Saltdean Lido Saltdean Park Road Brighton

Application for Approval of Details Reserved by Condition 5 of application BH2014/03416.

Applicant: Saltdean Lido Community Interest Company

Officer: Kathryn Boggiano 292138

Approved on 18/05/15 DELEGATED

BH2015/01193

49 Lustrells Crescent Saltdean Brighton

Certificate of lawfulness for proposed loft conversion incorporating front rooflights and rear dormer.

Applicant: Mrs Sarah Wheatley

Officer: Astrid Fisher 292337

Approved on 02/06/15 DELEGATED

BH2015/01306

10 Eley Drive Rottingdean Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.25m, and for which the height of the eaves would be 3.25m.

Applicant: Mr A Van Wensveen

Officer: Allison Palmer 290493

Prior Approval is required and is refused on 20/05/15 DELEGATED

WOODINGDEAN

BH2015/00958

24 Brownleaf Road Brighton

Application for Approval of Details Reserved by Condition 4 of application BH2014/02795.

Applicant: Mrs Marie Clare Hogan

Officer: Robert Hermitage 290480

Approved on 27/05/15 DELEGATED

BH2015/01063**117 Crescent Drive South Brighton**

Certificate of lawfulness for proposed single storey rear extension, front porch and loft conversion incorporating hip to barn end roof extension with rear dormer and insertion of 3no. front rooflights.

Applicant: Mr Wayne Collins

Officer: Jason Hawkes 292153

Split Decision on 19/05/15 DELEGATED**1) UNI**

The proposed roof extensions, single-storey rear extension and rooflights are permitted under Schedule 2, Part 1, Class A, B & C of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

1) UNI

The proposed porch would be over 3m in height. The proposal is therefore contrary to Schedule 2, Part 1, Class D of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2015/01215**117 Crescent Drive South Brighton**

Erection of a part one part two storey rear extension with roof alterations incorporating hip to barn end roof extensions and front roof lights with erection of a new porch to front elevation.

Applicant: Mr Wayne Collins

Officer: Jason Hawkes 292153

Refused on 03/06/15 DELEGATED**1) UNI**

The proposed extensions, by virtue of their overall size, prominence and inappropriate design, would form incongruous and unsympathetic features, detrimental to the appearance of the building and the surrounding area. The proposal is therefore contrary to the objectives of policy QD14 of the Brighton & Hove Local Plan and to advice in Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2015/01259**60 Farm Hill Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 3.8m, and for which the height of the eaves would be 2.3m.

Applicant: Mr R Webster

Officer: Jason Hawkes 292153

Prior Approval is required and is refused on 20/05/15 DELEGATED**1) UNI**

The proposed development would result in an increased sense of enclosure, loss of outlook and a loss of light for the adjacent properties to the north and south. The scheme therefore leads to a loss of amenity.

BH2015/01331**328 Cowley 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 5m, for which the maximum height would be 4m, and for which the height of the eaves would be 2.4m.

Applicant: Mr David Sawyer
Officer: Chris Swain 292178
Prior approval not required on 22/05/15 DELEGATED

BRUNSWICK AND ADELAIDE**BH2014/01636****Flat 31 Embassy Court Kings Road Brighton**

Internal alterations to layout. (Retrospective).

Applicant: Susan Gasson
Officer: Helen Hobbs 293335

Refused on 26/05/15 DELEGATED

1) UNI

The design of the replacement internal doors and the introduction of the kitchen swing door are inappropriate and unsympathetic features which fail to respect the historic character and appearance of the building. For these reasons the proposed works fail to preserve the special historic and architectural character and significance of this Grade II* Listed Building, contrary to policy HE1 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 9, Architectural Features.

BH2015/00079**36b Brunswick Square Hove**

Internal alterations to layout of flat incorporating damp proofing and rewiring.

Applicant: Ms Lucie Carr
Officer: Joanne Doyle 292198

Approved on 21/05/15 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 proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of the new doors have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

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.

BH2015/00508

Flat 2 22 Cambridge Road Hove

Replacement of existing windows and door with UPVc windows and door.

Applicant: Mrs L Billing

Officer: Liz Arnold 291709

Approved on 22/05/15 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 Plan	-	-	19th March 2015
Block Plan	-	-	19th March 2015
Floor Plan	02/15/CR-01	Sheet 1 of 3	24th March 2015
Existing Elevations	02/15/CR-01	Sheet 2 of 3	24th March 2015
Proposed Elevations	02/15/CR-01	Sheet 3 of 3	24th March 2015
Premier Window Door Details	-	-	19th March 2015
Premier windows Window Details	-	-	19th March 2015

BH2015/00722

Basement 4 Adelaide Crescent Hove

Alterations to rear garage including installation of rooflights, creation of entrance into basement flat and internal alterations to layout. Installation of replacement aluminium doors and window to rear courtyard of basement flat. (Retrospective).

Applicant: Mr Martyn Roberts

Officer: Luke Austin 294495

Approved on 20/05/15 DELEGATED

BH2015/00800

Flat 1 2B Lansdowne Place Hove

Replacement of existing timber framed window with UPVC double glazed window.

Applicant: Mr Oliver Welby

Officer: Luke Austin 294495

Refused on 20/05/15 DELEGATED

1) UNI

The proposed UPVC window by way of its material would be detrimental to the appearance of the front elevation of the building. Furthermore it has not been demonstrated that the proposed windows would adequately replicate the appearance of the windows above in regard to detail and dimensions. The proposal is therefore contrary to policies QD14, HE6 of the Brighton and Hove

Local Plan and guidance within Supplementary Planning Documents 12: Design Guide for Extensions and Alterations and 9: Architectural features.

BH2015/01105**Selborne House 6 Selborne Road Hove**

Application for Approval of Details Reserved by Condition 3 of application BH2014/03068.

Applicant: Selborne House Management Company

Officer: Mark Thomas 292336

Approved on 22/05/15 DELEGATED

CENTRAL HOVE**BH2014/03741****Flat 1B 3 Kings Gardens Hove**

Internal alterations to layout of flat, relocation of boiler with flue and damp-proofing works.

Applicant: Ms Fiona McCarvill & Mr Jose Araujo

Officer: Mark Thomas 292336

Approved on 01/06/15 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 front bedroom doors which are to be fixed shut shall not be covered or plastered over on the hallway side.

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

3) UNI

All existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. Any fireproofing to doors should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type.

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

4) UNI

The damp-proofing works hereby permitted shall be carried out in full accordance with the method statement within the emails dated 27th and 28th April 2015 from Robert Walpole and within the plaster specification document received 11th May 2015.

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

5) UNI

Within three months of the installation/ relocation of the boiler and flue hereby permitted, the redundant flue shall be removed and the masonry and finishes shall be made good to match the surrounding materials and finishes.

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

BH2014/04131**60 - 62 Blatchington Road Hove**

Conversion of first and second floors from retail (A1) to 2no self-contained flats (C3).

Applicant: Blatchingtons

Officer: Christopher Wright 292097

Approved on 19/05/15 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 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

If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

4) UNI

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

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

5) 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: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

6) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			18 Dec 2014
Survey of Existing	1		5 Dec 2014
Proposed Flats	2		5 Dec 2014
Existing Rear Elevation	3		9 Jan 2015

7) UNI

Unless otherwise agreed in writing the development hereby permitted shall not begin until details of sustainability measures to include an Energy Saving Trust Home Energy Report, have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

BH2015/00430

Ground Floor Flat 50 Stirling Place Hove

Installation of bi-fold doors to rear elevation and blocking up of window to side elevation with associated external alterations.

Applicant: Paul Green

Officer: Guy Everest 293334

Approved on 21/05/15 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 bi-folding doors shall comprise white aluminium frames 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.

3) UNI

The works to the side elevation at ground floor level shall match the colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policy QD14 of the Brighton

& Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location, Existing & Proposed Plans			10/02/2015

BH2015/00443

Garages Rear of 3 & 4 Connaught Road Hove

Demolition of existing garages and erection of single storey dwelling house (C3), incorporating creation of patio, new access from Miles Walk and associated works.

Applicant: Mr I Guile

Officer: Liz Arnold 291709

Approved on 22/05/15 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 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 character of the area and to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development proposals to comply with policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be undertaken in accordance with the Waste Minimisation Statement received on 10th 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.

4) 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.

5) 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.

6) 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.

7) UNI

No development above ground floor slab level shall take place until a scheme for the soundproofing of the building has been submitted to and approved in writing by the Local Planning Authority. All the residential unit must meet the internal 'good' noise level standards of BS8233:2014 and World Health Organisation for living rooms and bedrooms and internal individual noise events do not exceed 45dB L_{Amax} as per BS8233:2014. Consideration must also be given to the ventilation design. The measures shall be implemented in strict accordance with the approved details prior to the first occupation of the development and shall thereafter be retained as such.

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

8) UNI

No development above ground floor slab level shall take place until full details of the windows within the eastern elevation fronting Miles Walk 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 works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

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

9) 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 policy HE6 of the Brighton & Hove Local Plan.

10) UNI

No development shall commence until fences for the protection of the tree within the garden area of no. 2 Connaught Road 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.

11) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the construction of the green roof have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roofs shall then be constructed in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

12) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the proposed green walling and maintenance and irrigation programme have been submitted to and approved in writing by the Local Planning Authority. The walls shall thereafter be constructed, maintained and irrigated in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

13) 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.

14) UNI

Notwithstanding the details submitted 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.

15) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

16) UNI

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 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.

17) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan and Block Plans	AL-100	Rev. A	30th March 2015
Existing Ground Floor Plan	AL-101	Rev. A	20th March 2015

Existing Roof Plan	AL-102	Rev. A	20th March 2015
Existing Eastern Elevation	AL-103	-	10th February 2015
Existing Western Elevation	AL-104	-	10th February 2015
Existing Southern & Northern Elevations	AL-105	-	10th February 2015
Proposed Ground Floor Plan	AL-106	Rev. C	20th May 2015
Proposed Roof Plan	AL-107	Rev. B	11th May 2015
Proposed Eastern Elevation	AL-108	Rev. B	20th May 2015
Proposed Western Elevation	AL-109	Rev. A	20th May 2015
Proposed Southern & Northern Elevations	AL-110	Rev. B	20th May 2015
Proposed Southern Elevation (Viewed from Boundary)	AL-111	Rev. A	20th May 2015

18) UNI

Access to the flat roof over the dwelling 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.

19) 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.

20) 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.

BH2015/00464

3 Hova Villas Hove

Erection of single storey rear extension to lower ground floor.

Applicant: Mr J Beecher

Officer: Mark Thomas 292336

Approved on 22/05/15 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 external walls 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 and block plan	PL006	-	27th March 2015
Existing plan and elevation	PL001	-	25th March 2015
Proposed plan and elevation	PL002	-	25th March 2015
Existing and proposed side elevation	PL003	-	25th March 2015
Sketch perspectives	PL004	-	25th March 2015
Proposed sections	PL005	-	25th March 2015

BH2015/00759

Hove Town Hall Norton Road Hove

Application for Approval of Details Reserved by Conditions 4, 6 and 7 of application BH2014/01854.

Applicant: Brighton & Hove City Council

Officer: Jason Hawkes 292153

Approved on 21/05/15 DELEGATED

BH2015/00790

100 Church Road Hove

Internal alterations to layout and refurbishment.

Applicant: Raise Bakery Ltd

Officer: Paul Earp 292454

Approved on 20/05/15 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 existing entrance door shall be retained and re-used.

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 proposed partition wall shall incorporate cornice and skirting profiles to match those it is to adjoin.

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

BH2015/00844

51 Norton Road Hove

Change of use from care home (C2) to residential property (C3) comprising of 5 no one bedroom flats, 1 no two bedroom flat and 1 studio with associated internal alterations.

Applicant: Bray, Hall and Wells Properties

Officer: Liz Arnold 291709

Refused on 15/05/15 DELEGATED

1) UNI

The applicant has failed to demonstrate that the care home cannot reasonably comply with the respective standards set out for residential care/nursing homes and as such the proposed development would result in the unacceptable loss of housing for older people. The proposal is therefore contrary to policy HO11 of the Brighton and Hove Local Plan.

2) UNI2

The layout of the basement two bedroom flat (annotated as Flat 2) and the first floor one bedroom flat (annotated as Flat 5) would provide inadequate and a poor standard of accommodation, with a cramped and confined internal environment to the shared kitchen and living room areas with little circulation space and minimal space for furniture and personal belongings. The proposed basement flat (annotated as Flat 1) would receive a poor level of natural light, ventilation and outlook due to the basement nature of the unit, the limited size of the front basement lightwell and the lack of window openings in the proposed bedroom area. As such the proposal would fail to provide adequate living conditions for future occupants contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00895

Flat 35 4 Grand Avenue Hove

Replacement of existing single glazed crittal metal balcony doors and crittal sidelights with double glazed metal framed units.

Applicant: Alan Bromley

Officer: Haydon Richardson 292322

Approved on 19/05/15 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 crittal frames to the doors and sidelights hereby approved shall be coloured white.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plan	1122015/01	-	13/3/15
Existing doors and sidelights	1122015/02	-	13/3/15
Proposed replacement doors and sidelights	1122015/03	-	13/3/15
Proposed door and window	1122015/04	-	13/3/15

sections

BH2015/00896

Flat 35 4 Grand Avenue Hove

Replacement of existing single glazed crittal metal balcony doors and sidelights with double glazed crittal metal framed units.

Applicant: Alan Bromley

Officer: Haydon Richardson 292322

Approved on 19/05/15 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 crittal frames to the doors and sidelights hereby approved shall be coloured white.

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

BH2015/00960

177 Church Road Hove

Change of use from retail (A1) on basement and ground floors to retail and one bedroom maisonette (A1/C3) to rear with associated works.

Applicant: LAN Estates

Officer: Liz Arnold 291709

Approved on 01/06/15 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 commence until full details of the proposed lightwell including the width, projection and appearance have been submitted to and approved in writing by the Local Planning Authority. The development shall take place 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 policy HE6 of the Brighton & Hove Local Plan.

3) UNI

No development shall commence until a scheme for soundproofing between the hereby approved commercial and residential units has been submitted to and approved in writing by the Local Planning Authority. The soundproofing scheme shall be designed to achieve a sound insulation value of 5dB better than Approved Document E performance standard. The approved scheme shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: 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.

4) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

5) UNI

Prior to first occupation of the development hereby permitted, details of sustainability measures to reduce the energy and water consumption of the development shall have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to first occupation and thereafter be retained as such.

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

6) UNI

Prior to first use of the rear garden area hereby permitted, the planter adjacent to 1A Connaught Road shall be installed and planted in accordance with the approved plans and thereafter retained as such.

Reason: In order to protect the adjoining properties from overlooking and loss of privacy and to comply with policies QD14 and QD27 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 development hereby permitted shall be carried out in accordance with 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	A01	Rev. A	18th March 2015
Block Plan	A02	Rev. A	18th March 2015
Site Plan	A03	Rev. A	18th March 2015
Existing Plans Ground & Basement	A04	Rev. A	18th March 2015
Existing Elevations North & South	A05	Rev. A	18th March 2015
Proposed Plans Ground & Basement	D01	Rev. E	6th May 2015
Proposed Elevations North & South	D02	Rev. D	5th May 2015
Proposed West Elevations	D03	Rev. D	6th May 2015

Proposed Elevation North & Front Glass Detail	D04	Rev. C	5th May 2015
Proposed Elevation North & West	D05	Rev. D	6th May 2015

9) UNI

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

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

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,

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

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation).

Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress; and
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under

BH2015/01004**Hove Town Hall Norton Road Hove**

Application for Approval of Details Reserved by Conditions 5 and 6 of application BH2014/04239.

Applicant: Brighton & Hove City Council

Officer: Jason Hawkes 292153

Approved on 18/05/15 DELEGATED

BH2015/01332**6 Connaught Terrace Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.25m, for which the maximum height would be 3.01m, and for which the height of the eaves would be 2.6m.

Applicant: Mr & Mrs Clive Campbell

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 03/06/15 DELEGATED

1) UNI

The extension, by reason of its siting, height and orientation to the south, would result in a significant loss of light and outlook for occupants of 8 Connaught Terrace. The proposal would therefore lead to a significant loss of amenity for occupants of this property, and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

GOLDSMID

BH2014/03034

33 & 35 Goldstone Villas Hove

Erection of 2no two storey semi detached houses to the rear with access via existing driveway parallel to 33 Goldstone Villas.

Applicant: Ms Deborah Dalton

Officer: Andrew Huntley 292321

Refused on 21/05/15 DELEGATED

1) UNI

The development, by reason of its footprint, and the resulting bulk and mass, and design and detailing, would alter the character of the backland location and would appear a poorly proportioned cramped overdevelopment of the site. The proposal therefore fails to emphasise and enhance the positive qualities of the local neighbourhood. This harm outweighs the benefit provided by the additional dwellings. The proposal is therefore contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

2) UNI2

The development, by reason of rooms and outdoor amenity space of limited size and, at first floor level, restricted headroom, would create cramped living accommodation which would fail to meet the likely needs of future occupants. This harm outweighs the benefit provided by the additional dwellings. The proposal is therefore contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

BH2014/03789

45 Cromwell Road Hove

Installation of wood pellet heat generation boiler and fuel storage hopper to side elevation.

Applicant: Montesorri Place

Officer: Adrian Smith 290478

Refused on 19/05/15 DELEGATED

1) UNI

The proposed development, by virtue of its scale, position and appearance, represents a bulky and incongruous addition to the building that would be detrimental to the appearance of the building, streetscene and wider Willet Estate Conservation Area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

Insufficient information has been submitted to demonstrate that the proposed boiler and store would not result in significant amenity harm to neighbouring

occupiers by way of noise disturbance, contrary to policies SU10 & QD27 of the Brighton & Hove Local Plan.

BH2015/00240**20 Colbourne Road Hove**

Certificate of lawfulness for proposed enlargement of existing rear dormer, creation of dormer to outrigger and insertion of 4no front rooflights.

Applicant: Mrs Kate Alexander

Officer: Joanne Doyle 292198

Approved on 21/05/15 DELEGATED

BH2015/00525**23 Cambridge Grove Hove**

Conversion of 3no garages and storage at ground floor level into 1no residential dwelling (C3) with associated alterations.

Applicant: Mr Norman Woolf

Officer: Helen Hobbs 293335

Refused on 01/06/15 DELEGATED

1) UNI

The proposed conversion, would result in the loss of garages/workshops/storage which have not been sufficiently demonstrated as being redundant. Furthermore no employment space would be retained at ground floor level. The proposal is therefore contrary to policies EM6 and EM11 of the Brighton and Hove Local Plan.

2) UNI2

The proposed windows, door and sidelight to the front, due to their inappropriate design and size, would appear incongruous and out of keeping within the street, therefore causing significant harm to the character and appearance of the existing property and surrounding conservation area. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan.

3) UNI3

Insufficient information has been submitted in the form of a noise assessment which predicts the noise levels within the proposed residential unit which takes into account noise generated from the adjacent commercial units. Therefore, it has not been demonstrated by the applicant that the adjoining commercial units would not cause noise and disturbance which is harmful to the residential amenity and living conditions of future occupants of the proposed residential unit. As such the proposal is contrary to policies SU10 and QD27 of the Brighton and Hove Local Plan.

4) UNI4

The proposed layout of the proposed flat, by reason of the size and position of the living area and the bedrooms which would be served only by small high level windows, would not provide satisfactory accommodation for future occupiers in terms of natural light, ventilation and outlook. As such the proposal is contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2015/00619**Somerhill Junior School Somerhill Road Hove**

Erection of a two storey building to provide 2no classrooms for a temporary period of four years.

Applicant: Brighton & Hove City Council

Officer: Christopher Wright 292097

Approved on 19/05/15 DELEGATED

1) UNI

The temporary classroom building hereby permitted shall be permanently removed from the site on or before 4 years from the date of this decision notice, and following this removal the land shall be reinstated to its former condition.

Reason: The building hereby approved is not considered suitable as a permanent form of development, to safeguard residential and visual amenity and to comply with policies QD1, QD2 & QD27 of the Brighton & Hove Local Plan.

2) UNI

Within 3 months of occupation of the development hereby approved, an updated School Travel Plan (a document that sets out a package of measures tailored to the needs of the site, which is aimed at promoting sustainable travel choices by pupils, staff, deliveries and parking management) shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved thereafter.

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

The development hereby permitted shall be carried out in accordance with 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	100	A	24 Feb 2015
Block Plan	101	A	24 Feb 2015
Proposed Two Storey Modular Classroom Block	14-17278-01	A	24 Feb 2015
Proposed Two Storey Modular Classroom Block	14-17278-02		24 Feb 2015

BH2015/00649

11 Cromwell Road Hove

Removal of external fire escape to rear.

Applicant: 11 Cromwell Road (Hove) Ltd

Officer: Helen Hobbs 293335

Approved on 01/06/15 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 a method statement for the works of repair to the rear elevation has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved method statement.

Reason: To ensure a satisfactory appearance to the development and to comply

with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

2. Notwithstanding the approved drawings, all embedded metalwork associated with the stairs and landings shall be removed from the masonry.

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

BH2015/01018

9 Denmark Villas Hove

Installation of cast iron soil vent pipe to front elevation.

Applicant: Mr Colin Haeusler

Officer: Astrid Fisher 292337

Approved on 01/06/15 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 existing mouldings shall be retained except where an opening is required for the hereby approved soil vent pipe, which shall be sited flush against the main wall. The mouldings to be retained shall be protected throughout construction and all damage or disturbed surfaces shall be made good at the time of the works using materials of matching composition, form and finish to those of the existing mouldings.

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

3) UNI

The hereby approved soil vent pipe shall be cast iron and painted black, 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
Location Plan	D91PC/HP/01		23/03/2015
Block Plan	D91PC/HP/02		23/03/2015
Part Floor Plans and Elevations as Existing	D91PC/HP/03		23/03/2015
Part Floor Plans and Elevations as Proposed	D91PC/HP/04		23/03/2015
Email Correspondence			29/04/2015

BH2015/01431

5 Newtown Road Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum

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

Applicant: Mrs J Aloof

Officer: Joanne Doyle 292198

Prior approval not required on 01/06/15 DELEGATED

HANGLETON & KNOLL

BH2014/03768

386 Old Shoreham Road Hove

Erection of 1no single storey, one bedroom dwelling (C3) to side of existing church.

Applicant: Arabic Evangelical Church

Officer: Liz Arnold 291709

Approved on 18/05/15 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 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) (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.

3) UNI

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

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

4) UNI

The door in the southern elevation of the development hereby permitted shall be used for emergency means of escape only and shall contain obscure glazing and thereafter permanently retained as such.

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

5) UNI

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

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

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

and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001;

and, unless otherwise agreed in writing by the Local Planning Authority,

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

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress; and

c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the

7) 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 the proposed window and door; and

c) 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.

8) 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.

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.

9) 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.

10) UNI

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

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
As Existing	A.001	-	10th November 2014
As Proposed	D.001	Rev C	27th April 2015
As Proposed	D.002	-	13th November 2015

12) UNI

No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land 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.

BH2014/04027

5-7 The Parade Hangleton Road Hove

Installation of plant machinery with fencing, bollards and railings to rear and new shop front.

Applicant: The Co-operative Group

Officer: Paul Vidler 292192

Approved on 26/05/15 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

Noise associated with plant and machinery incorporated within the commercial development shall be controlled and maintained so that the Rating Level, measured at 1-metre from the façade of the nearest noise sensitive premises shall not exceed the LA90 background noise levels, as outlined in the Environmental Acoustic Test Report by Box Clever Engineering Ltd., dated May 2015, version number BC010020 v 1.2 (Full). The Rating Level 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.

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, Site and Block Plans	2654-1		28/11/14
Plans & Elevations	2654-2		28/11/14
Arctic Circle Plant Specification Sheet dated 29/10/14			28/11/14
Box Clever Environmental Acoustic Test	BC010020	V1.2(Full)	05/05/15

BH2015/01049

64 Hallyburton Road Hove

Certificate of lawfulness for proposed loft conversion incorporation hip to gable roof extensions, rear dormer and front rooflights with associated alterations.

Applicant: Mr Michael Shepherd

Officer: Luke Austin 294495

Approved on 28/05/15 DELEGATED

NORTH PORTSLADE

BH2015/00785

18 Stonery Road Portslade

Erection of a single storey conservatory extension to rear.

Applicant: Mr & Mrs T Ward

Officer: Luke Austin 294495

Approved on 15/05/15 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	-	-	06/03/15
Block Plan	-	-	06/03/15
Existing Plan and Elevations	099/85138 p. 1 of 2	-	06/03/15
Proposed Plan and Elevations	099/85138 p. 2 of 2	-	06/03/15

BH2015/01461

31 Beechers Road Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 2.6m.

Applicant: Mr Jacob Wrightman

Officer: Guy Everest 293334

Prior Approval is required and is refused on 02/06/15 DELEGATED

SOUTH PORTSLADE

BH2015/00152

230 Old Shoreham Road Portslade

Erection of single storey rear extension. (Part Retrospective)

Applicant: Miss Sharon Driver

Officer: Haydon Richardson 292322

Approved on 18/05/15 DELEGATED

1) UNI

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plan	04		19/02/2015
Plans and Elevations as Existing	01		12/02/2015
Plans and Elevations as Proposed	02	A	12/02/2015

BH2015/00478

53 St Andrews Road Portslade

Certificate of lawfulness for proposed erection of single storey rear extension and alterations to first floor side and rear windows.

Applicant: Mrs Claire Connell

Officer: Joanne Doyle 292198

Approved on 27/05/15 DELEGATED

BH2015/00944

5 Robins Row Portslade

Internal alterations including replacement of floor and replacement of existing beam with steel beam.

Applicant: Miss Rachael Hobbs

Officer: Luke Austin 294495

Approved on 02/06/15 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 new and disturbed surfaces shall be made good at the time of the hereby approved works using materials of matching composition, form and finish to 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.

BH2015/01001

49 Links Road Portslade

Certificate of lawfulness for proposed loft conversion incorporating hip to barn end roof extension and insertion of rear rooflights.

Applicant: Matthew Austin
Officer: Haydon Richardson 292322
Approved on 15/05/15 DELEGATED

BH2015/01002

49 Links Road Portslade

Demolition of existing garage and erection of garage.

Applicant: Matthew Austin
Officer: Haydon Richardson 292322
Approved on 15/05/15 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 plan and block plan	-	-	20/03/2015
Existing sections, floor plans, and elevations	-	-	20/03/2015
Proposed sections, floor plans, and elevations	-	-	20/03/2015

HOVE PARK

BH2014/03811

77 Dyke Road Avenue Hove

Erection of 2no five bedroom dwelling with 2no single storey detached garages.

Applicant: Mr Jogi Vig
Officer: Jason Hawkes 292153
Refused on 20/05/15 DELEGATED

1) UNI

The development, by virtue of the proposed footprint and resulting scale and mass, would harmfully alter the character of the backland location and would appear unduly prominent and incongruous in views from the surrounding area. The proposal therefore fails to emphasise and enhance the positive qualities of the local neighbourhood. This harm outweighs the benefit provided by the additional dwellings. The proposal is therefore contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

2) UNI2

The development would be clearly visible from surrounding properties and would appear dominant and overbearing additions in close proximity to the boundaries. The scheme would result in an unneighbourly form of development, a loss of outlook and an increased sense of enclosure for adjacent residential properties. The proposal therefore results in a loss of amenity and is contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The site has potential to provide roosting, commuting and / or foraging habitat for bats. A bat survey is therefore required to assess the impact of the development on protected bats. In the absence of this information the proposal is contrary to policy QD18 of the Brighton & Hove Local Plan.

BH2014/04315

Homebase 182 Old Shoreham Road Hove

Application for variation of condition 10 of planning permission 3/92/0057(F) to extend the range of goods to be sold to allow the sale of non-food goods by a catalogue showroom retailer up to a floor space of 185 square metres of the existing sales area.

Applicant: Home Retail Group

Officer: Mick Anson 292354

Approved on 22/05/15 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

Not Used

3) UNI

If any tree on the site shown on the deposited plan to be retained shall be lopped, felled or otherwise interfered with without the agreement in writing of the Local Planning Authority it shall be replaced by a tree of the same species and of as nearly as possible the same maturity having regard to current arboriculture practise.

Reason: To assimilate the development into the landscape and to safeguard the appearance and character of the area in accordance with policy QD16 of the adopted Brighton and Hove Local Plan.

4) UNI

Not Used

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	3477/101		15.05.15

6) UNI

Not Used

7) UNI

Not Used

8) UNI

All existing vehicular/pedestrian access, access/service roads, service yard, walkways and the car parking shall be retained as such, to the satisfaction of the Local Planning Authority.

Reason: In order to ensure the safe operation of the development in accordance

with policy TR7 and TR8 of the adopted Brighton and Hove Local Plan.

9) UNI

The development hereby permitted shall be used only for the retail sale (with ancillary storage) of DIY, home improvement, builder's merchants, garden and associated products and domestic electrical goods, furniture and carpets and motor accessories, inclusive of the sale of non-food goods by a catalogue retailer up to 185 sq. metres of the existing sales area of Unit 1 and for no other purpose (including any other purpose in Class A1 of the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to the class in any Statutory Instrument revoking and relaxing the Order.

Reason: To enable the Local Planning Authority to regulate and control the type of sales from the unit and protect the vitality or viability of existing established shopping centres in Hove in accordance with Policy SR3 of the adopted Brighton and Hove Local Plan.

10) UNI

There shall be no external illumination or floodlighting of the site, the car park, the access road or the retail units without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control the development on the site, in the interests of the residential amenities of the locality in accordance with policies QD25, QD26 and QD27 of the adopted Brighton and Hove Local Plan.

11) UNI

Not Used

12) UNI

No goods, merchandise, or any article of any description shall be stacked or stored anywhere within the garden centre or service yard at a height greater than the enclosing wall fronting Old Shoreham Road shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual and residential amenities of the locality in accordance with policy QD27 of the Brighton and Hove Local Plan.

BH2015/00397**12 Bishops Road Hove**

Erection of single storey extension and raised terrace to rear and erection of new front porch and ramped access to front elevation. Roof alterations including extension, rear rooflights, side rooflight and removal of chimney and installation of insulated render and timber cladding to external walls. Enlargement of first floor rear bay window, revised fenestration and associated works.

Applicant: Mr Gurprit Pannu

Officer: Adrian Smith 290478

Approved on 20/05/15 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 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 render (including details of the colour of render/paintwork to be used)
- b) samples of all timber cladding to be used, including details of their treatment to protect against weathering
- c) samples of the proposed window 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 policies QD1 & QD14 of the Brighton & Hove Local Plan.

3) UNI

Access to the flat roofs over the extensions 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.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan and block plan	AP-001	-	16/02/2015
Existing site plan	AP-002	-	16/02/2015
Existing floor plans	AP-003	-	16/02/2015
Existing elevations	AP-004	-	16/02/2015
Proposed floor plans and roof plan	AP-101	C	16/02/2015
	AP-102		16/02/2015
	AP-103	B	01/05/2015
Proposed elevations	AP-105	B	01/05/2015
	AP-106	D	01/05/2015

5) UNI

The first floor window in the north side elevation of the rear first floor extension 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.

BH2015/00480

The Pantiles 122 Shirley Drive Hove

Conversion of existing dental surgery (D1) at lower ground floor level into 1no self contained flat (C3) and associated works.

Applicant: Mr & Mrs M Austin

Officer: Jonathan Puplett 292525

Approved on 01/06/15 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 occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

3) UNI

The development hereby permitted shall not be occupied until the sustainability measures detailed within the Sustainability Checklist received on the 25th of February 2015 have been fully implemented, and such measures shall thereafter be retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
LOCATION PLAN			12/02/2015
EXISTING FLOORPLAN	D2	B	12/02/2015
EXISTING FLOORPLAN	D5	A	12/02/2015
SITE PLAN	D6		12/02/2015
PROPOSED FLOORPLAN	D7		12/02/2015
PROPOSED ELEVATIONS	D8	A	12/02/2015
EXISTING ELEVATIONS	D20	A	12/02/2015
EXISTING ELEVATIONS	D21	A	12/02/2015

5) UNI

Prior to first occupation of the development hereby permitted, full details of the proposed 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.

BH2015/00529

11 Radinden Drive Hove

Remodelling of dwelling incorporating two storey front and rear extensions, roof

alterations, enlargement of existing garage including additional floor and associated works.

Applicant: Dr Leung & Mr Morris

Officer: Joanne Doyle 292198

Approved on 21/05/15 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

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

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

Plan Type	Reference	Version	Date Received
Site Location & Block Plan	001		17 Feb 2015
Existing Floor Plans	002		17 Feb 2015
Existing Elevations	003		17 Feb 2015
Proposed Ground Floor Plan	004		17 Feb 2015
Proposed First & Second Floor Plan	005	C	09 Apr 2015
Proposed Front & Rear Elevation	006		17 Feb 2015
Proposed Side Elevations	007	C	09 Apr 2015
Proposed Street Scene	008		17 Feb 2015
Existing Garage Floor Plans & Elevations	009		17 Feb 2015
Proposed Garage Floor Plans	010		17 Feb 2015
Proposed Garage Elevations	011		17 Feb 2015

3) UNI

The windows in the north west elevation of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

4) 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.

5) UNI

Prior to the first occupation of the development hereby permitted the privacy screens to each side of the rear first floor level terrace shown on the drawings hereby approved shall be installed and thereafter permanently retained as such.

Reason: In order to protect adjoining properties from overlooking and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

6) 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.

7) UNI

Access to the second floor level flat roof hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2015/00596**50 Cobton Drive Hove**

Certificate of Lawfulness for proposed single storey rear extension. Loft conversion incorporating hip to gable roof extension, including creation of rear dormer and installation of rooflights to front.

Applicant: Mr & Mrs Heard

Officer: Guy Everest 293334

Approved on 01/06/15 DELEGATED

BH2015/00687**274 Old Shoreham Road Hove**

Application for Approval of Details Reserved by Conditions 10, 11 and 12 of application BH2011/03791.

Applicant: Metric Property (Hove) Ltd

Officer: Helen Hobbs 293335

Approved on 19/05/15 DELEGATED

BH2015/00688**4 Barrowfield Close Hove**

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.

Applicant: Mr & Mrs J T Platt

Officer: Liz Arnold 291709

Approved on 21/05/15 COMMITTEE

1) UNI

The development hereby permitted shall be commenced on or before 5th December 2017.

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

2) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

3) UNI

No extension, enlargement or other alteration of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A, B and C 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 for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The first floor windows in the eastern elevation, facing no. 4 Barrowfield Close, hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

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

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

7) UNI

No hedgerow, tree or shrub shall be removed from the site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

Reason: To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

8) UNI

Unless otherwise agreed in writing with the Local Planning Authority the measures set out in the Site Waste Management Statement submitted on the 23rd May 2014 shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

9) UNI

The external finishes of the approved development shall be in accordance with the materials approved under application BH2014/04342 and shall be retained as such thereafter.

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

10) UNI

The land levels, height and floor levels of the approved development shall be in accordance with the details approved under application BH2014/04342

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 scheme for landscaping of the approved development shall be in accordance with the details approved under application BH2014/04342.

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

12) UNI

No development shall commence until the scheme which provides for the retention and protection of the hedges growing on or adjacent to the site has been implemented in accordance with the details approved under application BH2014/04342. No development or other operations shall take place except in complete accordance with the approved protection scheme. No hedges within the site which are shown as being retained within the approved information in respect of condition 5 shall be wilfully damaged or destroyed or removed without the prior written consent of the Local Planning Authority. Any hedges removed without such consent, or which die or become severely damaged or seriously diseased

within 5 years from the completion of the development hereby permitted shall be replaced with hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: this pre-commencement condition is necessary to protect the hedges which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

13) UNI

The development approved shall be constructed to a minimum of Code for Sustainable Homes rating level 4, in accordance with the details approved under application BH2014/04342.

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

14) UNI

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

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

15) UNI

The new crossover and access shall be constructed prior to the first occupation of the development hereby permitted.

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

16) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

17) UNI

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

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

Plan Type	Reference	Version	Date Received
Block & Location Plan	001	-	26th February 2015
Proposed Floor Plans	ADC736/05	Rev. A	23rd March 2015
Proposed Elevations	ADC736/06	Rev. A	23rd March 2015

BH2015/00773

20 The Drove Way Hove

Erection of rear conservatory extension.

Applicant: Mr & Mrs Packham

Officer: Astrid Fisher 292337

Approved on 26/05/15 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
Sit and Location Plan	AC/20TD/OS/1		5th March 2015
Existing Rear Conservatory	AC/20TD/02		5th March 2015
Proposed Rear Conservatory	AC/20TD/04	A	14th May 2015
Technical Information			5th March 2015

BH2015/00961

42 Goldstone Crescent Hove

Erection of a single storey side extension to replace existing garage.

Applicant: J Sterry

Officer: Astrid Fisher 292337

Refused on 20/05/15 DELEGATED

1) UNI

The proposed extension, by virtue of its width and forward siting, in relation to the existing garage, would relate poorly to the character and appearance of the property and would appear as an intrusive and incongruous element within the streetscene. The development would therefore be contrary to policy QD14 of the Brighton & Hove Local Plan and guidance in Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2015/00989

18 Woodruff Avenue Hove

Certificate of lawfulness for proposed conversion of existing garage into habitable living space, creation of rear dormer and other associated alterations.

Applicant: Mr & Mrs A Sassi

Officer: Astrid Fisher 292337

Split Decision on 22/05/15 DELEGATED

1) UNI

A lawful development certificate for the proposed conversion of an integral garage to habitable accommodation, replacement of an existing garage door with a window and brickwork surround, replacement of the flat roof of a garage with a pitched roof, replacement of windows to the front, sides and rear of the building,

installation of glazed doors to the main rear wall of the dwelling, and the addition of a rear dormer roof extension for the following reasons:-

1. The proposed conversion of an integral garage to habitable accommodation, replacement of an existing garage door with a window and brickwork surround, replacement of the flat roof of a garage with a pitched roof, replacement of windows to the front, sides and rear of the building, installation of glazed doors to the main rear wall of the dwelling, are works permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended.
2. The proposed rear dormer is permitted under Schedule 2, Part 1, Class B and G of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

1) UNI

A lawful development certificate for the installation of glazed doors and a roof lantern to the existing single storey rear extension for the following reason:-

1. The resultant structure 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 extension extends beyond the rear wall by more than 4 metres.

BH2015/00995

57 Woodland Drive Hove

Erection of two storey rear extension.

Applicant: Mr Tam Rustom

Officer: Allison Palmer 290493

Approved on 18/05/15 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 window in the north elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
-----------	-----------	---------	---------------

Existing site location plan & proposed block plan	TA859/01		19/03/2015
Existing floor plans	TA859/02		19/03/2015
Existing elevations	TA859/03		19/03/2015
Proposed elevations	TA859/11		19/03/2015
Proposed plans	TA859/10		19/03/2015

BH2015/01157

22 Orchard Gardens Hove

Certificate of lawfulness for proposed loft conversion incorporating hip to barn end roof extension, rear dormer, side window and 3no front rooflights.

Applicant: Mr & Mrs Lee & Laura Davies

Officer: Mark Thomas 292336

Approved on 27/05/15 DELEGATED

BH2015/01183

102 Shirley Drive Hove

Variation of condition 2 of application BH2014/02775 (Demolition of existing garage and erection of 1no three bedroom detached dwelling) to permit amendments to the approved drawings for creation of a basement level with patio and light well.

Applicant: Mr & Mrs Moon

Officer: Jason Hawkes 292153

Approved on 02/06/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before the 14th October 2017.

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

2) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

3) UNI

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

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

4) UNI

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

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

5) UNI

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

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

6) 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, C, D & E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: To protect the amenity of adjacent properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

7) UNI

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

(a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,

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

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (b) above that any remediation scheme required and approved under the provisions of (i) (b) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress; and
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i) (b).

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

8) UNI

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

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

9) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, boundary treatments, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

10) UNI

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

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

11) UNI

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: 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.

12) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the proposed patio terrace at 102 Shirley Drive, including elevation drawings, have been submitted to and approved by the Local Planning Authority in writing. The development shall be constructed in accordance with the agreed details prior to occupation of the hereby approved dwellinghouse and shall thereafter be retained as such.

Reason: To enhance the appearance of the development and to preserve the amenity of adjacent properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

13) UNI

Not used.

14) UNI

No development above ground floor slab level of any part of the development hereby permitted until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and

approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

15) UNI

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 the residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and policy CP8 of the Submission City Plan Part One.

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
Block & Site Plan	TA865/01		2nd April 2015
Existing Site Survey	TA865/02		2nd April 2015
Existing Site Plan	TA865/03		2nd April 2015
Existing Street Elevations	TA865/04	A	2nd April 2015
Proposed Block Plan	TA865/10	A	2nd April 2015
Proposed Site Plan	TA865/11	A	2nd April 2015
Proposed Floor Plans	TA865/12	A	2nd April 2015
Proposed Elevations 1	TA865/13	A	2nd April 2015
Proposed Elevations 2	TA865/14	A	2nd April 2015
Proposed Section AA	TA865/15	A	2nd April 2015
Proposed Street Scene	TA865/16	A	2nd April 2015

BH2015/01229

268 Old Shoreham Road Hove

Prior approval for change of use from post office/shop (A1) to residential (C3) to create 2no one bed flats.

Applicant: Mr Vjai Sethi

Officer: Allison Palmer 290493

Prior Approval is required and is refused on 27/05/15 DELEGATED

BH2015/01334

42 Cobton Drive Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.619m, for which the maximum height would be 3.465m, and for which the height of the eaves would be 2.78m.

Applicant: Mr Tito Cesa

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 27/05/15 DELEGATED

WESTBOURNE

BH2014/04181

Sheridan Mansions Sheridan Terrace Hove

Erection of single storey and three storey side extension to form 4no one bedroom flats incorporating new cycle stores, replacement of existing cycle stores and associated works.

Applicant: Staimon Securities Ltd

Officer: Helen Hobbs 293335

Refused on 21/05/15 DELEGATED

1) UNI

The proposed rear extension, due to its design, siting and detailing, would form an unsympathetic and incongruous addition that would relate poorly with the main building and the adjoining property to the south. The rear extension would result in a loss of openness in this section of street and would create a cramped overdeveloped appearance to the site. The proposal therefore fails to emphasise and enhance the positive qualities of the local neighbourhood and would instead detract from the character and appearance of the existing building and surrounding area. This harm outweighs the benefit provided by the additional dwellings. The proposal is contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

BH2015/00013

Flat 1 181 Kingsway Hove

Erection of single storey rear extension.

Applicant: Mr B Murphy

Officer: Joanne Doyle 292198

Approved on 28/05/15 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

The rear door hereby approved shall be white painted softwood 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 Location Plan			05 Jan 2015
Block Plan			08 May 2015
Existing & Proposed Floor Plans & Elevations	10457	1c	20 May 2015

BH2015/00636**Garage to Rear of 58 New Church Road Hove**

Demolition of existing garage and erection of 1 no bedroom residential dwelling.

Applicant: Mr Robert Shingerland

Officer: Adrian Smith 290478

Refused on 15/05/15 DELEGATED**1) UNI**

The proposed dwelling, by virtue of its limited floorspace, layout, single northerly aspect, and lack of private amenity space, would provide for an unduly cramped, gloomy and oppressive form of residential accommodation contrary to policies QD27 and HO5 of the Brighton & Hove Local plan.

2) UNI2

The proposed dwelling, by virtue of its increased height and overall massing, would have an enclosing and dominating impact on the amenities of the adjacent occupiers at 58b New Church Road and 79 Walsingham Road, thereby resulting in a loss of amenity contrary to policy QD27 of the Brighton & Hove Local plan.

3) UNI3

The proposed building, by virtue of its limited scale and proportions and proposed residential use, fails to suitably the prevailing character of the adjacent buildings and wider Sackville Gardens Conservation Area, contrary to policies QD1, QD2 and HE6 of the Brighton & Hove Local plan.

BH2015/00646**38 Hove Street Hove**

Application for variation of condition 2 of application BH2014/00823 (Demolition of existing dwelling and erection of two semi-detached dwellings with associated parking and landscaping) to allow for creation of roof terraces with rooflights, guarding and screening.

Applicant: Mr John Robinson

Officer: Christopher Wright 292097

Refused on 19/05/15 DELEGATED**1) UNI**

1. The proposed roof terraces would, by reason of the height and siting, allow future residents to overlook neighbouring properties resulting in a loss of privacy and give rise to noise and disturbance in close proximity to the first floor windows of neighbouring houses. As such the proposal is considered detrimental to residential amenity, contrary to the requirements of policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2015/00922**19 Byron Street Hove**

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

Applicant: Mrs Nicole Ingerson

Officer: Guy Everest 293334

Approved on 01/06/15 DELEGATED

BH2015/01072

18 Reynolds Road Hove

Certificate of Lawfulness for proposed loft conversion incorporating rear dormer with Juliet balcony and front rooflights.

Applicant: Mrs Aime Krumins

Officer: Astrid Fisher 292337

Approved on 20/05/15 DELEGATED

WISH

BH2015/00293

36 Alpine Road Hove

Erection of a single storey rear extension with associated alterations.

Applicant: Alex Oprey

Officer: Luke Austin 294495

Approved on 01/06/15 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	-	-	27/05/2015
Block Plan	-	-	27/05/2015
Elevations and Plans Existing and Proposed	AR659	b	27/05/2015

BH2015/00657

21 Portland Villas Hove

Certificate of Lawfulness for proposed single storey rear extension and loft conversion incorporating insertion of rooflights to side and rear.

Applicant: Pacuas Development Ltd

Officer: Guy Everest 293334

Approved on 01/06/15 DELEGATED

BH2015/00761

5 Portland Avenue Hove

Certificate of lawfulness for proposed conversion of 2no flats into single dwelling (C3).

Applicant: Coastal Management Ltd
Officer: Christopher Wright 292097
Approved on 22/05/15 DELEGATED

BH2015/00853

7 Alpine Road Hove

Certificate of lawfulness for proposed single storey rear infill extension and loft conversion incorporating front rooflights and rear dormer.

Applicant: Ms Jasmin Robertson
Officer: Luke Austin 294495
Approved on 22/05/15 DELEGATED

BH2015/00856

Flat 3 9 Norman Road Hove

Erection of single storey rear extension.

Applicant: Mr M Sorokin
Officer: Liz Arnold 291709
Approved on 22/05/15 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

Notwithstanding the details shown in the approved drawings, no development shall take place until drawings have been submitted to and agreed in writing by the Local Planning Authority confirming the dimensions and design of the proposed bedroom window.

Reason: As the submitted drawings are contradictory, to ensure a satisfactory appearance to the development and to comply with policy QD14 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Floor Plans as Existing, as Proposed and Block and Location Plan	3741-01	Rev. C	15th May 2015

BH2015/00934

2 Portland Avenue Hove

Erection of a part one part two storey side extension and a single storey rear extension. Roof alterations incorporating extension and rooflights with associated external alterations.

Applicant: Mr & Mrs S Hall

Officer: Liz Arnold 291709

Approved on 28/05/15 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

Access to the flat roof over the extensions hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
As Existing Ground and First Floor Plans	01	-	17th March 2015
As Existing Loft and Roof Plans	02	-	17th March 2015
As Existing Elevations	03	-	17th March 2015
Location Plan, Existing and Proposed Block Plans and Construction Section	04	-	6th May 2015
Proposed Ground and First Floor Plans	05	Rev. B	21st May 2015
Proposed Loft and Roof Plans	06	Rev. B	21st May 2015
Proposed Elevations	07	Rev. B	21st May 2015

BH2015/01000

257 New Church Road Hove

Display of internally illuminated fascia, projecting and ATM signs and non illuminated information signs.

Applicant: RBS

Officer: Mark Thomas 292336

Approved on 15/05/15 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.

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.

BH2015/01009**372 - 374 Portland Road Hove**

Change of use of ground floor from beauticians (sui generis) to halo therapy health centre (D1).

Applicant: Julie Dunn

Officer: Adrian Smith 290478

Approved on 26/05/15 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 not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

3) UNI

Notwithstanding the provisions set out within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), the premises shall be not be used as a crèche, day nursery, day centre or other educational establishment without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan, block plan, existing and proposed floor plans	01	A	13/05/2015

Withdrawn Applications

PLANS LIST 24 June 2015**BRIGHTON AND HOVE CITY COUNCIL****LIST OF APPLICATIONS DETERMINED BY THE HEAD OF CITY
INFRASTRUCTURE UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF
A PREVIOUS COMMITTEE DECISION****PATCHAM****Application No: BH2015/01326****3 Patcham Grange, Brighton**

1no Indian Horse Chestnut - remove stubby branch to the left, down to the fork, remove two branches to the left of the strap, remove the curved branch above the strap (leaving the lower branch on the right); 1no Sycamore - remove forked branch off upright branch growing at 4.75 metres (15ft); 1no Beech - remove one hung up branch.

Applicant: Ms L Baker

Approved on 29 Apr 2015

Application No: BH2015/01505**2 Southdown House Mews Cottages, Old London Road, Brighton**

1no Sycamore (T1) - reduce height and lateral spread by 1.5 - 2 metres to shape and balance, ensure natural shape and form retained typical of species. 1no twin-stemmed Sycamore - reduce height by approx. 1.5 metres, reduce lateral spread by 1.5 - 2 metres to shape and balance, ensure natural shape and form retained typical of species, crown clear and thin by 10%.

Applicant: Mr W Heath

Approved on 05 May 2015

PRESTON PARK**Application No: BH2015/01205****84 Southdown Avenue, Brighton**

Fell one large golden conifer.

Applicant: Mrs Debbie Trinnaman

Approved on 05 May 2015

Application No: BH2015/01452**57 Beaconsfield Villas, Brighton**

1no Copper Beech (T1) - Reduce crown by 1.5m. Thin crown by 10%. Raise crown by 1m. 1no Holly (T2) - Reduce crown by 2m.

Applicant: Mr Geoffrey Place

Approved on 05 May 2015

Application No: BH2015/01536**76 Stanford Avenue, Brighton**

2no Sumachs - cut back overhanging branches to the boundary line.

Applicant: Ms M Smalley

Approved on 12 May 2015

Application No: BH2015/01547

78 Stanford Avenue, Brighton

Fell one Plum tree. (Tree has no public amenity value.)

Applicant: Ms M Smalley

Approved on 12 May 2015

Application No: BH2015/01722

6 Preston Park Avenue, Brighton

1no Holly Tree (T3) - reduce height by 1-2ft and re-shape to neaten crown.

Applicant: Mr N Thompson

Approved on 26 May 2015

REGENCY

Application No: BH2015/01407

9 Vernon Terrace, Brighton

1no Elm (T1) - reduce crown by approx 2m

Applicant: Miss Susie Dove

Approved on 05 May 2015

Application No: BH2015/01447

Osprey House, Sillwood Place, Brighton

2no Sycamore (G1) - reduce the canopies of both trees by up to 1.5m in height and spread from 15m to 13.5m (estimated height). 1no Norway Maple (T2) - reduce the canopy by up to 1.0m in height and spread, thin the canopy by up to 15%. 1no Sycamore (T3) - reduce the canopy by up to 1.5m in height and spread from 11m to 9.5m (estimated height).

Applicant: Mr James Cox

Approved on 05 May 2015

Application No: BH2015/01448

Osprey House, Sillwood Place, Brighton

Fell 1no Poplar (T4) - Fell to ground level due to poor form/historic pruning. Replant with more suitable species TBC. (The tree is in very poor form and not sustainable in the long-term.)

Applicant: Mr James Cox

Approved on 05 May 2015

Application No: BH2015/01583

Sillwood Court, Montpelier Road, Brighton

Report from: 28/04/2015 to: 08/06/2015

1no Sycamore T1 - to be pruned back to property boundary line.

Applicant: Mr Glenn Nevill

Approved on 19 May 2015

Application No: BH2015/01854

3 Clifton Hill, Brighton

1no Flowering Cherry - prune overhang to No. 4 Clifton Hill.

Applicant: Mrs Carole Moorhouse

Approved on 08 Jun 2015

ST. PETER'S & NORTH LAINE

Application No: BH2015/01226

38 Compton Avenue, Brighton

Fell 1no Eucalyptus (T1). (Tree has limited public visibility and is not sustainable in the long-term.)

Applicant: Mr Peter French

Approved on 28 Apr 2015

Application No: BH2015/01325

23 Frederick Gardens, Brighton

Fell one Crab Apple (T1) and one Portuguese Laurel (T2). (Both trees have a modest level of public amenity but are not sustainable in the long-term.)

Applicant: Mr J Hatch

Approved on 28 Apr 2015

Application No: BH2015/01657

112 -114 Richmond Road, Brighton

Fell 1no Ash

Applicant: Mr Robin Morley

Approved on 26 May 2015

Application No: BH2015/01842

33 Buckingham Place, Brighton

1no Bay Tree (T1) - reduce by 2-3m in height and 1-2m in width.

Applicant: Mr Ed Haunton

Approved on 29 May 2015

WITHDEAN

Application No: BH2015/01526

91 Surrenden Road, Brighton

1no Norway Maple (T1) - thin crown by 20%; 1no Norway Maple (T2) - lightly crown thin by no more than 1.5m; 1no Copper Beech (T3) - selective crown thin by no more than 1.5m to keep at a reasonable size for garden and to shape.

Report from: 28/04/2015 to: 08/06/2015

Applicant: Mr Richard Green
Approved on 11 May 2015

Application No: BH2015/01816
12 & 13 Varndean Holt, Brighton

2no Hornbeams (T65 & T66) - crown reduction by 30%.

Applicant: Geoffrey Place
Approved on 02 Jun 2015

Application No: BH2015/01818
Tudor Cottage, 263 London Road, Brighton

1no Holm Oak (T19) - reduce lateral growth growing over the pond back by up to 2 metres, balancing crown accordingly.

Applicant: Mr George O'Flanagan
Approved on 26 May 2015

MOULSECOOMB & BEVENDEAN

Application No: BH2015/01179
Southern House, Lewes Road, Brighton

1no Ash (T2) - remove deadwood from crown and one limb leaning over road

Applicant: Mr Adam Cuffley
Approved on 29 Apr 2015

Application No: BH2015/01341
Southern House, Lewes Road, Brighton

Fell 1no Sycamore (T1) & 1no multi-stemmed Ash (T3).

Applicant: Mr Adam Cuffley
Approved on 29 Apr 2015

QUEEN'S PARK

Application No: BH2015/01665
32 Upper St James' Street, Brighton

Fell 1no Group of Sycamore. (Tree has no public amenity value).

Applicant: Mr J Hatch
Approved on 27 May 2015

ROTTINGDEAN COASTAL

Application No: BH2015/01319
The Rectory, Greenways, Ovingdean, Brighton

1no Sycamore - crown reduction of 30%.

Applicant: Mr L Ellis
Approved on 11 May 2015

Report from: 28/04/2015 to: 08/06/2015

Application No: BH2015/01549

11 Ainsworth Avenue, Brighton

3no Sycamore (T1 - T3) - reduce crown all over by 2m, reduce crown overhanging garden of 19 Ainsworth Close by 2.5m, thin remaining crown by 20%.

Applicant: Mr C Daly

Approved on 11 May 2015

Application No: BH2015/01708

Rectory Cottage, Greenways, Ovingdean, Brighton

1no Sycamore - reduce canopy height by up to 30% and lift crown height by removing some lower limbs, and remove dead limbs to make tree safe.

Applicant: Mr L Ellis

Approved on 27 May 2015

BRUNSWICK AND ADELAIDE

Application No: BH2015/01446

27 First Avenue, Hove

3no Sycamore trees (G1) - removal of weak and damaged branches, crown reduction to 10m height and 5m radial spread (currently 15m high and 8m spread).

Applicant: Mr D Armstrong

Approved on 05 May 2015

Application No: BH2015/01517

48 First Avenue, Hove

Fell 1no Sycamore. (Tree has no public visibility, thus no public amenity value.)

Applicant: Miss Augusta Lynch

Approved on 19 May 2015

Application No: BH2015/01584

87 Lansdowne Place, Hove

2no Sycamores - 20% crown thin, 20% crown reduction.

Applicant: Mr Phillip Else

Approved on 19 May 2015

Application No: BH2015/01588

50 First Avenue, Hove

1no Sycamore - reduce overhang back to live growth points by 2 - 3m.

Applicant: J Hatch

Approved on 19 May 2015

Application No: BH2015/01663

14 Holland Mews, Hove

1no Eucalyptus - reduce by 2-3m.

Report from: 28/04/2015 to: 08/06/2015

Applicant: J Hatch
Approved on 26 May 2015

Application No: BH2015/01811
50 First Avenue, Hove

Fell 5no Sycamores. (Trees not visible from any public area, thus have no public amenity value.)

Applicant: Mr J Hatch
Approved on 02 Jun 2015

Application No: BH2015/01888
61 & 63 Lansdowne Street, Hove

1no Cordyline (in garden of No. 63) - reduce in size to a third (cut back to growth points); 1no Eucalyptus (in garden of No. 61) - reduction to half the height.

Applicant: Mrs D Wilson
Approved on 08 Jun 2015

Application No: BH2015/01889
61 & 63 Lansdowne Street, Hove

Fell one Sycamore. (Tree has no public amenity value.)

Applicant: Mrs D Wilson
Approved on 08 Jun 2015

CENTRAL HOVE

Application No: BH2015/01227
24 Hova Villas, Hove

Fell 1no Robinia (T1). (Tree is not sustainable in the long-term and lacks public visibility.)

Applicant: Mrs Julia Schwaiger
Approved on 28 Apr 2015

Application No: BH2015/01349
24 Hova Villas, Hove

1no Robinia (T2) - reduce crown by 30%.

Applicant: Mrs Julia Schwaiger
Approved on 28 Apr 2015

Application No: BH2015/01477
Flat 1, 7 Grand Avenue, Hove

1no Horse Chestnut (T1) - reduce height from approx. 18m to 14m, 1no Horse Chestnut (T2) - reduce height and radial spread from approx. 18m to 12m, 1no Horse Chestnut (T3) - reduce from approx. 18m to 12m, 1no Horse Chestnut (T4) - reduce height from approx. 18m to 16m, reduce radial spread to West from approx. 6m to 4m, maintaining balanced crown and small twig work on trees.

Report from: 28/04/2015 to: 08/06/2015

Applicant: Mr Daniel Smith
Approved on 12 May 2015

Application No: BH2015/01589
214 Church Road, Hove

Fell 1no Sycamore - Complete fell, stump removal and replant.

Applicant: Mr Ed Haunton
Refused on 08 Jun 2015

Application No: BH2015/01656
54-55 Ventnor Villas, Hove

Fell 1no Leylandii

Applicant: Kate McKenzie
Approved on 12 May 2015

Application No: BH2015/01720
16 Fourth Avenue, Hove

1no Chestnut (T1) - 30% crown reduction, 4ft off top. 1no Sycamore (T2) - 30% crown reduction, 8ft off top. 1no Laburnum (T3) - remove north-east stem approx 15cm diameter at 2.3m high, reduce remainder by 30% and thin 30%. 1no Sycamore (T4) - 30% crown reduction - 10ft off top. 1no Sycamore (T5) 30% crown reduction - 10ft off top and 10% crown thin.

Applicant: Nyall Thompson
Approved on 26 May 2015

GOLDSMID

Application No: BH2015/01707
52 The Drive, Hove

1no Oak (T1) - remove dead and diseased wood, reduce the lowest limb growing over the garden back to 4-5 metres (to the first main growth point), reduce in the remaining lower branches by up to 3 metres, shaping in accordingly. 1no Elm (T2) - remove the lowest branch/limb growing towards the church, remove the next 3-4 branches back to sources.

Applicant: Mr G O'Flanagan
Approved on 27 May 2015

Application No: BH2015/01796
Eaton Hall, Eaton Gardens, Hove

1no Sycamore (T6) - reduce by 1-2m.

Applicant: Mr J Hatch
Approved on 02 Jun 2015

Application No: BH2015/01839
Veric, 16-18 Eaton Gardens, hove

Report from: 28/04/2015 to: 08/06/2015

Fell 1no Laurus nobilis.

Applicant: Mr Nigel Duffy

Approved on 01 Jun 2015

Application No: BH2015/01840

Veric, 16-18 Eaton Gardens, hove

1no Sycamore - removal of stem overhanging rear car park adjacent to car park space no. 27.

Applicant: Mr Nigel Duffy

Approved on 01 Jun 2015

Application No: BH2015/01850

5 Cambridge Mews, Cambridge Grove, Hove

1no Sycamore (T1) - reduce canopy height by 3 metres and radial growth by 3 metres, removal of epicormic growth and reduce lowest branch over main road by 2 metres.

Applicant: Mr Stephen Duanace

Approved on 01 Jun 2015

SOUTH PORTSLADE

Application No: BH2015/00861

Swedish Folk High School, Loxdale, Locks Hill, Portslade

Fell one Sycamore (T1), one Ash (T3), and one Sycamore (T4).

Applicant: Ms Lesley Baker

Approved on 29 Apr 2015

Application No: BH2015/01142

Loxdale, Locks Hill, Portslade

5no Sycamores (LC01 on plan) - reduce in height by 1.5m and back to suitable growth points around previous reduction; 1no Elm (LC12 on plan) - reduce crown by 1m and back to healthy growth points; 1no Holm Oak (LC19 on plan) - crown raise over drive; various trees (LC20 on plan) - crown raise to 3m; 1no Sycamore (LC29 on plan) - create clearance of 0.5m from 'phone line.

Applicant: Mrs Anna Thatcher

Approved on 29 Apr 2015

Application No: BH2015/01210

Loxdale, Locks Hill, Portslade

Fell 1no Leylandii (LC03 on plan), 1no Cupressus (LC25 on plan), and 1no Acacia (LC26 on plan).

Applicant: Mrs Anna Thatcher

Approved on 29 Apr 2015

Application No: BH2015/01211

Loxdale, Locks Hill, Portslade

Report from: 28/04/2015 to: 08/06/2015

Fell 1no Holly (LC09 on plan).
Applicant: Mrs Anna Thatcher
Approved on 29 Apr 2015

Application No: BH2015/01519
Swedish Folk High School, Loxdale, Locks Hill, Portslade

Fell one Cherry (T2).
Applicant: Ms Lesley Baker
Refused on 29 Apr 2015

HOVE PARK

Application No: BH2015/01010
25C Shirley Drive, Hove

Fell 1no Copper Beech (T1).
Applicant: Mr Jerry Dalton
Refused on 05 May 2015

Application No: BH2015/01436
142 Woodland Drive, Hove

1no Tulip tree (T1) - reduce in height by approx. 2-2.5m, prune back laterals all around by approx. 1-1.5m, remove hanging branches and major dead wood.
Applicant: Mr John Grant
Approved on 12 May 2015

Application No: BH2015/01450
6 Woodlands, Hove

1no Fagus sylvatica (Beech) - reduce by 2.5m and thin out by 10%. 1no Fraxinus (Ash) - remove dead wood.
Applicant: Mr Kim Smith
Approved on 05 May 2015

Application No: BH2015/01518
77 Dyke Road Avenue, Hove

10no Beech trees (G1) - treat trees' canopy as one single tree and reduce crown size by 30%, reduce the side closest to the house to give clearance of 2 metres from the building, resulting in an overall reduction in size of approx. 2 metres.
Applicant: Mr Joginder Vig
Approved on 26 May 2015

Application No: BH2015/01711
3 Woodlands, Hove

1no Deodar Cedar (T69) - reduce the height by 2 metres (young growth) and thin the top, remove branch growing at 2 metres over the verge.
Applicant: Ms L Baker

Report from: 28/04/2015 to: 08/06/2015

Approved on 26 May 2015

Application No: BH2015/01797

8 Waterworks Cottages, Woodland Drive, Hove

1no Ash (T17) & 1no Sycamore (T18) - reduce by 2-3m back to live growth points.

Applicant: Mr J Hatch

Approved on 02 Jun 2015

Application No: BH2015/01798

8 Chartfield, Hove

2no Sycamores (T12 & T13 - reduce by 2-3m back to live growth points.

Applicant: Mr J Hatch

Approved on 02 Jun 2015

Application No: BH2015/01828

Villas Fleurs, 7 Tongdean Road, Hove

Group of Leylandii (G1) - reduce height down to approximately 4-5m from ground level, reduce in lateral spread.

Applicant: Mr George O'Flanagan

Approved on 01 Jun 2015

Application No: BH2015/01829

Villas Fleurs, 7 Tongdean Road, Hove

Fell 1no Variegated Holly (T3), Leylandii & shrub (G4), 2no Leylandii (G5).

Applicant: Mr George O'Flanagan

Approved on 01 Jun 2015

WESTBOURNE

Application No: BH2015/01409

17 Sackville Gardens, Hove

Fell one Horse Chestnut on north side of rear garden. (Tree has no public amenity value.)

Applicant: Mr Iain Smith

Approved on 11 May 2015

Report from: 28/04/2015 to: 08/06/2015

NEW APPEALS RECEIVED**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

BH2014/04059

50 Hill Drive Hove

Demolition of existing six bedroom two storey house and erection of 2no four bedroom houses and 1no three bedroom house, with a one-bedroom annexe, associated alterations and landscaping.

APPEAL LODGED

14/05/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

BH2014/03843

72 & 72A The Drove Hove

Demolition of existing dwellings and ancillary buildings and erection of 1no three bedroom and 3no five bedroom houses (C3) with associated landscaping, parking, cycle and refuse storage.

APPEAL LODGED

14/05/2015

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WISH**

BH2014/04251

33 Woodhouse Road Hove

Erection of single storey side and rear extension. (Retrospective)

APPEAL LODGED

14/05/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****SOUTH PORTSLADE**

BH2014/03952

53 St Andrews Road Portslade

Erection of single storey rear extension.

APPEAL LODGED

28/05/2015

Delegated

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

APPEAL APP NUMBER BH2014/04032
ADDRESS 55 Lewes Road Brighton
DEVELOPMENT DESCRIPTION Remodelling and extension of existing building to form a 4 storey building with bank (A2) at basement and ground floor level and 6no self contained flats above.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 28/05/2015
APPLICATION DECISION LEVEL

WARD **ST. PETER'S & NORTH LAINE**
APPEAL APP NUMBER BH2014/04314
ADDRESS 24 Buckingham Street Brighton
DEVELOPMENT DESCRIPTION Conversion of existing dwelling into 1no two bedroom maisonette and 2no one bedroom flats including a loft conversion with rear dormers and front rooflight.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 28/05/2015
APPLICATION DECISION LEVEL Delegated

WARD **WESTBOURNE**
APPEAL APP NUMBER BH2014/02571
ADDRESS 36 Walsingham Road Hove
DEVELOPMENT DESCRIPTION Conversion and part demolition of detached garages to form 1no. one bedroom single-storey dwelling (C3) with associated extension and alterations (amended design).
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 29/05/2015
APPLICATION DECISION LEVEL Delegated

WARD **WOODINGDEAN**
APPEAL APP NUMBER BH2014/03230
ADDRESS Toby Inn 104 Cowley Drive Brighton
DEVELOPMENT DESCRIPTION Extensions and alterations to existing building including rooms in roof to facilitate change of use from public house (A4) to short term lets (Sui Generis) comprising of 16no self contained rooms and 2no self contained studios.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 01/06/2015
APPLICATION DECISION LEVEL Delegated

WARD **WOODINGDEAN**
APPEAL APP NUMBER BH2014/04354
ADDRESS Land at the Rear of 59 Foxdown Road Brighton
DEVELOPMENT DESCRIPTION Demolition of existing double garage and erection of 1no two storey dwelling (C3) with off street parking accessed from Larch Close.

<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	01/06/2015
<u>APPLICATION DECISION LEVEL</u>	Delegated

**INFORMATION ON HEARINGS / PUBLIC INQUIRIES
24th June 2015**

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 30 th June 2015
Location:	Metropole Hotel, Kings Road, Brighton BN1 2FU

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

	Page
A – 23 WAYLAND AVENUE, BRIGHTON - WITHDEAN	233
Application BH2014/03378 – Appeal against refusal to grant planning permission for conversion of garage and new build double garage to front. APPEAL DISMISSED (delegated decision)	
B – 88 WALDEGRAVE ROAD, BRIGHTON – PRESTON PARK	235
Application BH2014/03013 – Appeal against refusal to grant planning permission to replace existing timber sliding sash windows to the front elevation with upvc sliding sash windows to the same design. APPEAL DISMISSED (delegated decision)	
C – WILLOW SURGERY, 50 HEATH HILL AVENUE, MOULSECOMBE & BEVENDEAN	239
Application BH2013/00331 – Appeal against refusal to grant planning permission redevelopment to provide for replacement surgery and student halls without complying with a condition attached to planning permission BH2012/03818, dated 19 November 2013. APPEAL ALLOWED (delegated decision)	
D – 103 WESTERN ROAD, BRIGHTON – REGENCY	243
Application BH2013/04306 - Appeal against refusal to grant listed building consent to “keep the painting” works carried out to the building. APPEAL DISMISSED (delegated decision)	
E – 67 PRESTON STREET, BRIGHTON - REGENCY	245
Application BH2012/0557 – Appeal against execution of a notice in contravention of listed building control in the execution of various works to the west and south facing elevations of the building. APPEAL DISMISSED AND ENFORCEMENT NOTICE UPHELD (subject to corrections) (delegated decision)	
F – 4 GRANVILLE ROAD, HOVE – GOLDSMID	251
Application BH2014/01135 – Appeal against refusal to grant planning permission for conversion of existing small house into multiple occupation (C4) and one flat to form 5 no. one bedroom flats (C3) with associated alterations including loft conversion incorporating rear dormer, front and rear rooflights and alterations to fenestration. APPEAL ALLOWED (delegated decision)	



Appeal Decision

Site visit made on 5 May 2015

by R J Marshall LLB DipTP MRTPI

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

Decision date: 02/06/2015

Appeal Ref: APP/Q1445/D/15/3005697
23 Wayland Avenue, Brighton, BN1 5LW

- 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 Tony Ascough against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/03378, dated 7 October 2014, was refused by notice dated 17 December 2014.
 - The development proposed is conversion of garage and new build double garage to front.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal property is in an attractive residential suburb. It fronts onto Wayside Avenue at a point close to a sharp bend. To the north-west of the appeal site Wayside Avenue runs roughly level albeit with a slight rise up and down. Here the frontage dwellings are roughly level with the height of the road, through the lie of the land means that the appeal building is slightly above road level. Just south of the appeal site beyond the sharp corner Wayside Avenue runs steeply downhill with houses notably above road level and generally rather better screened from the road. This gives this part of Wayside Avenue a different character and appearance from that part onto which the appeal site lies.
4. The appeal building, with a pitched roof, has most of its habitable accommodation on one level. The lie of the land at this point has enabled the dwelling to be constructed with a garage and small bedroom below the main floor. Forward of the garage, which is to one side of the property, is an extensive paved driveway cut into the ground. To one side of this, against the other side boundary, is a grassed front garden at a higher level and with a low retaining wall around it.
5. It is proposed to convert the garage to provide additional accommodation. The front garage door would be replaced by a window. A replacement garage would

be provided in the form of a substantial flat roof double garage extending well forward of the house to a point not far from the back edge of the pavement. It would occupy an area to be excavated and on which the front lawn currently lies.

6. A structure of the size of the proposed garage, and extending so far forward on the site, would appear intrusive and out of keeping on the appeal site and in this setting. For to the north of the appeal site Wayside Avenue is characterised predominantly with dwellings set back from the road with no structures if the type proposed forward of them. The harm found would be exacerbated by the extensive flat roof of the proposed garage at odds with the pitched roof of the dwelling.
7. Furthermore, the proposed window in the garage to be converted would not line up with the window above. The extent to which this would be so would have a detrimental effect on the symmetry of this part of the building to the detriment of its character and appearance. I am not convinced that a minor adjustment suggested by the appellant, and which could potentially have been secured by condition had I been minded to allow the appeal, would greatly overcome this harm.
8. Some way to the north of the appeal site along Wayside Avenue a bungalow has a detached garage forward of it. However, this is an anomaly and in any event it is a much smaller and less intrusive structure than what is proposed. Along the other length of Wayside Avenue from the appeal site, going down the steep hill, are a number of garages forward of houses. However, the different character and appearance of this part of the road, and the fact that it is not seen in conjunction with the appeal site, means that this development is not supportive of what is proposed.
9. It is concluded that the proposed development would detract from the character and appearance of the surrounding area. As such it would be contrary to Policy QD14 of the Brighton and Hove Local Plan 2005 which seeks to prevent harm from poorly sited and designed extensions.

Conclusion

10. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR

Appeal Decision

Site visit made on 30 April 2015

by P B Jarvis BSc (Hons) Dip TP MRTPI

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

Decision date: 20 May 2015

Appeal Ref: APP/Q1445/D/15/3004743
88 Waldegrave Road, Brighton, BN1 6GG

- 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 Tim Packwood against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/03013, dated 8 September 2014, was refused by notice dated 24 November 2014.
 - The development proposed is to replace existing timber sliding sash windows to the front elevation with upvc sliding sash windows to the same design.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the Preston Park Conservation Area.

Reasons

3. The dwelling on the appeal site is a two-storey Victorian terraced property with a painted front elevation. It is within a row of similar properties which, in the main, have retained their original form and appearance and overall provide a high quality frontage to the residential streetscene. I note that the area is the subject of an Article 4 Direction (made in 2000) which removes permitted development rights relating to works to the frontage of properties. This part of the conservation area is characterised by similar Victorian terraces.
 4. Although within the wider area there is evidence of some inappropriate replacement windows, the majority of the dwellings in the terrace within which the appeal site is located have retained their original timber sash windows. These are traditional features of buildings of this age and, overall, they provide a uniformity and consistency that contributes significantly to the character and appearance of the conservation area.
 5. Policy HE6 of the Brighton & Hove Local Plan (2005) (LP) seeks, amongst other things, a consistently high standard of design and detail reflecting the scale and character or appearance of the area; a footnote to this element of the policy states that the alteration of the style and detail of traditional panelled timber doors and timber sliding sash, or original timber or metal casement windows, will be resisted. The supporting text states that the loss of original features
-

- that contribute to an area's special character is nearly always harmful to its quality. LP Policy QD14 is a more general policy but seeks well designed and detailed development that uses materials sympathetic to the parent building.
6. The Council's Design Guide for Extensions and Alterations, (June 2013) SPD12, provides more detailed guidance to support the development plan policies. In the section on conservation areas, it states that plastic windows will not be acceptable on elevations visible from the street where the original windows were designed to be timber and the Council will seek the retention or re-instatement of timber windows.
 7. Further guidance is found in SPD09 (2009), Architectural Features, which states that original or historic windows should be retained unless beyond economic repair and new and replacement windows must match closely the originals in their style, method of opening, proportions and external details. On street elevations the original material must be matched. Improved energy efficiency is commended where it can be sensitively carried out and supports environmentally sustainable building. It indicates that the installation of new double-glazed windows in old buildings is rarely economic unless existing windows and their frames are so damaged or rotten as to need replacement. Alternative simple and benign measures are recommended.
 8. The appellant has indicated that the existing windows have fallen into disrepair and on-going maintenance would be very labour intensive and uneconomic. However, there appears to be no detailed evidence to support this or to demonstrate that the existing windows are beyond economic repair. From my observations on site whilst the windows are clearly in need of maintenance they did not appear to be in such an advanced state of decay that replacement is necessary or the only option.
 9. I acknowledge that the proposed replacement windows are well designed and incorporate many of the features and form of the traditional timber sash windows of the existing property. They would be bespoke designs and would very closely match the detail and proportions of the original windows. There would be slight differences in terms of the position of the rails and overall depth of the windows and the 'horns' would have a more simplified profile than the existing ones. However, despite the close resemblance, particularly at a distance, the use of upvc would introduce a non-traditional material and its use would therefore need to be fully justified to satisfy policy.
 10. I consider therefore that the unjustified loss of the existing windows would result in harm to the character and appearance of the Preston Park Conservation Area and would thereby conflict with LP policies HE6 and QD14. In addition the proposal would fail to satisfy the guidance in SPD12 and SPD09, which specifically set out the circumstances where such replacement windows may be acceptable.
 11. However, it is necessary to consider all material considerations, including the policies of the National Planning Policy Framework (the Framework). In considering policies relevant to the conservation and enhancement of the historic environment, the Framework seeks to ensure that heritage assets are conserved in a manner appropriate to their significance. In this context the heritage asset is the conservation area and taking into account my findings

above, I consider that the proposal would result in a level of harm that would be less than substantial. Paragraph 134 states that in these circumstances, this harm should be weighed against the public benefits of the proposal. Paragraph 65, which relates to development that promotes high levels of sustainability, is also relevant in this context.

12. In this regard, the specific benefits referred to by the appellant include that the proposed replacement windows will achieve an A energy rating therefore greatly increasing the energy efficiency of the property and leading to much more comfortable modern day living conditions for the occupants. I acknowledge that such energy efficiencies have a knock on effect in terms of climate change and will be in accord with the Framework's policy to actively support energy improvements to existing buildings. Furthermore, on-going maintenance would be reduced and the windows would be likely to retain a more 'pristine' appearance for longer. These factors result in wider public benefit.
13. However, as noted in the SPD, it is also relevant to consider other relative 'environmental costs' including embodied energy and the long-term effects and costs, including the use of renewable or recycled materials. The appellant has provided detailed information in this regard and has referred to the recent BRE 'Green Guide' which rates pvc-u windows equal or better than timber windows when it comes to sustainability, environmental impact and energy efficiency. The appellant also notes that the cost of such replacement windows has come down in real terms whilst energy costs have been increasing. Given the date of adoption of the Council's SPD09 I agree with the appellant that it is likely that it will be somewhat out of date in this regard. However, little detailed information has been provided setting out the comparative costs of the alternatives.
14. Overall, it seems to me that on the basis of the information available there will be public benefits. However, given the circumstances set out above, I consider that these benefits are insufficient to outweigh the harm arising.
15. The appellant has indicated that approximately 25% of the properties in Waldegrave Road have inappropriate replacement windows; however, as noted above there appeared to be few such unsympathetic replacements within the appeal site terrace. In any event, it seems likely that many of these will have pre-dated the Article 4 Direction and the more recent SPD's referred to above. There are also examples of more sympathetic replacements, not dissimilar to the current proposal, but the circumstances of those cases are not provided. I have also noted the appeals referred to by the appellant but in both instances there appear to be different circumstances notably, in the first case, the very poor condition of the existing windows and in the second, the recognition that windows such as those proposed were commonplace.
16. I find therefore, having regard to the particular site circumstances and taking into account all factors put forward, that the harm arising to the heritage asset is not outweighed by the public benefits. The conflict with the development plan is therefore not outweighed by material considerations.
17. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR



Appeal Decision

Site visit made on 23 April 2015

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 21 May 2015

Appeal Ref: APP/Q1445/W/14/3001891

Willow Surgery, 50 Heath Hill Avenue, Brighton BN2 4FH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by W P Properties against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/00331, dated 10 February 2014, was refused by notice dated 3 September 2014.
 - The application sought planning permission for redevelopment to provide for replacement surgery and student halls of residence without complying with a condition attached to planning permission Ref BH2012/03818, dated 19 November 2013.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans; 050205/S11, S12 and 05A.
 - The reason given for the condition is: For the avoidance of doubt and in the interests of the proper planning of the area.
-

Decision

1. The appeal is allowed and planning permission is granted for redevelopment to provide for replacement surgery and student halls of residence at Willow Surgery, 50 Heath Hill Avenue, Brighton BN2 4FH in accordance with the application Ref BH2014/00331, dated 10 February 2014, without compliance with condition number 2) previously imposed on planning permission Ref BH2012/03818, dated 19 November 2013 but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect and subject to the following new condition:
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 050205/24, 050205/S12, 050205/05A and 13102/03A.

Preliminary Matters

2. The original grant of permission in 2013 was for a replacement surgery and 19 units of student accommodation and condition 2) was attached listing the drawings. This condition was required in order to provide for non-material and minor alterations to extant, but not implemented, planning permissions, following the advice in the Department of Communities and Local Government publication '*Greater Flexibility in Planning Permissions*'. That advice is now to be found in the web-based Planning Practice Guidance. The effect of the

condition is to allow for an application under Section 73 of the Town and Country Planning Act 1990 to 'vary' the terms of the condition. In this case that variation would be the substitution of drawing 03A, showing changes to the internal arrangements and fenestration, to provide for 24 units of accommodation.

3. The permission was granted on appeal (Ref; APP/Q1445/A/13/2200971) and I was the Inspector appointed to consider that appeal and make the Decision. That Decision was made in accordance with the Development Plan, along with other material considerations as appropriate, as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004. The planning history of the site and proposals was a matter of significant weight in determining that the proposal then before me was acceptable, as the reasons for refusal of previous applications and appeals had been substantially overcome. Since the present application and appeal does not constitute a criticism of the 'disputed' condition, but is rather the correct way of seeking a minor alteration to an acceptable design in accordance with Government guidance, there is no detriment to any party in my determining the current appeal. This determination is again in accordance with the Development Plan and other material considerations.
4. Lastly in this section I need to make it clear, in response to representation objecting to the principle of the development, that in addition to the principle having been found acceptable in 2013, that planning permission would remain extant and capable of being implemented for the replacement surgery and 19 units, whatever the result of this appeal.

Main Issues

5. Having mind to the above, the main issues are the effect of the additional 5 units on the following matters;
 - The living conditions of nearby residential occupiers, with particular regard to noise and disturbance.
 - Highway safety, transport use and parking provision.

Reasons

Generally

6. Whilst there are minor changes proposed to the external appearance of the building, including to a canopy, a ground floor window and two doors, to bring about the change in the accommodation, the main physical changes are internal. The appellant expresses the view that these could be carried out after the development had been completed as approved, without the need for further permission. Be that as it may, it is the case that the external changes in appearance are minor and would have no adverse effect on the character and appearance of the area. As a result it is concluded that the appearance of the building remains acceptable.

Living Conditions

7. Saved Local Plan Policy SU10 states that proposals for new development will be required to minimise the impact of noise on the occupiers of proposed buildings, neighbouring properties and the surrounding environment. Policy

QD27 provides for planning permission for any development or change of use not to be granted where it would cause material nuisance and loss of amenity to the proposed, existing and adjacent users, residents, occupiers or where it is liable to be detrimental to human health. The additional units of accommodation are formed by the deletion of the first and second floor communal facilities and the placing of cooking facilities in the individual flats. The result is a higher quality of accommodation, providing for better living conditions for the residents of the units. To the extent that there would be less likelihood of gathering in kitchens and the like, this could also result in less risk of noise from within the building.

8. The additional units would represent an increase in occupiers of just over a quarter, but the location of the block on a corner, opposite a large area of open space has not changed and the number and proximity of other residential uses remains as before. In addition, and as an updated position from that reported to the Committee, the appellant has submitted a new unilateral undertaking which make provision for a management plan to be entered into with one of the universities which are located not far away. That would ensure that not only would unacceptable behaviour and disturbance be addressed, but this possibility and the attendant risk of losing the right to stay at these good-quality halls, should act as an incentive to acceptable behaviour that does not adversely affect the living conditions of existing residents.
9. To conclude on this issue, much of the proposal remains unchanged and hence remains acceptable. With the provisions of the unilateral undertaking and the management plan that would flow from it, to minimise the impact of noise on the occupiers of neighbouring properties, the additional numbers of residents of the block would not be such as to cause material nuisance and loss of amenity to existing residents and would not be liable to be detrimental to human health. The proposed increase in numbers accord with the aims of Policies SU10 and QD27.

Highway and Travel

10. Policy TR1 requires development proposals to provide for the demand for travel they create and maximise the use of public transport, walking and cycling. There is a bus route passing the site as a loop before returning to the city centre and the unilateral undertaking makes an increased contribution to public transport, pedestrian and cycling infrastructure, in line with the increased occupancy, and it continues to make provision for parking restrictions on Auckland Drive. Observations at the site inspection for this appeal showed that the road surface had recently been re-laid and that there are presently only parking restrictions nearer the school and either side of the pedestrian crossing. Instances were observed of parking on the verge which results in unsightly damage and inconvenience to pedestrians. It was noted again that commercial vehicles use the junction for access to the business park.
11. The highway authority do not object to the increase in residents, and with provision for cycle storage on the site, and ready access to public transport, in line with Government policy on sustainable development, together with the prevention of harmful parking, the proposals would not be likely to cause harm to the existing situation. Some residents are concerned that additional student users of the buses might cause elderly and frail users to be prevented from boarding, but with four buses an hour for much of the day, two an hour on

Sundays, together with this being near the start of the route, the addition of five occupiers would be unlikely to be a major contributor to such harm.

12. The original proposal for 19 units was found to be acceptable in the terms of Policy TR1 and the addition of five further residents, with a commensurate increase in the contribution would not cause harm to highway safety, travel facilities and parking and would also accord with the requirements of that policy.

Conditions and Undertaking

13. The application and appeal was to 'vary' condition 2) for the reasons previously explained. The grant of a new permission with the varied condition listing drawing 03A showing 24 units of accommodation does not replace the original 2013 permission, but constitutes a new permission that will exist alongside the original one. That new permission varies only condition 2) and all of the other conditions remain in force, including the time limit for implementation being three years from the date of the original grant of permission. I have reviewed the original conditions and can see no reason why they should not be attached to the new permission. There is no need to restate them in this Decision.
14. For the reasons set out previously, the new unilateral undertaking provides the appropriate level of contributions and management control for the increased numbers of residents and continues to provide for a temporary surgery. It satisfies the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010, being necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. Full weight can be accorded it in this Decision.

Conclusions

15. The provision of new healthcare facilities is of significant weight as a material consideration and with conditions and the provisions of the undertaking, the addition of 5 units of student accommodation would be acceptable and not cause the level of effect sought to be avoided by the adopted Development Plan policies. For the reasons given above it is concluded that the appeal should succeed. A new planning permission is granted without the disputed condition but substituting another and retaining the non-disputed conditions from the original permission.

S J Papworth

INSPECTOR



Appeal Decision

Site visit made on 24 February 2015

by Cullum J A Parker BA(Hons) MA MRTPI AIEMA

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

Decision date: 27 May 2015

Appeal Ref: APP/Q1445/E/14/2217774
103 Western Road, Brighton, BN1 2AA

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Ben Ameer Sabri against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/04306, dated 13 January 2014, was refused by notice dated 11 March 2014.
 - The works are described as 'to keep the painting'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note the description used on the application form and saw from my site visit that the works applied for have been undertaken. I have therefore proceeded on that basis.

Main Issue

3. The main issue is whether the works preserve the special architectural and historic interest of the Grade II listed building and preserve or enhance the character or appearance of the Regency Square Conservation Area.

Reasons

4. The appeal building, 103 Western Road, is a three storey Grade II listed building, which, with segmental bays to the first and second floors and sashes of original design, appears to date from the early 19th Century. On the ground floor there is a restaurant, which has a timber framed shop frontage probably dating from the 20th Century. Overall the front elevation is well-proportioned and detailed with plain stuccoed surfaces relieved by architectural detail; suggesting that the building was meant to form part of a longer terrace. Moreover, the commercial features of the street scene are limited to the ground floor level. To the contrary, the flank elevation, which presumably was meant to be hidden by an adjoining building, should be a neutral feature. In this case, the flank wall is painted with a mural from the first floor up, depicting palm trees, blue skies and sand. This is visible from street level from along Western Road to the junction with Montpelier Road to the east and up to the chimney stacks.

5. There has been no specific assessment of significance of the heritage asset by the appellant, as advised by the National Planning Policy Framework (the Framework) at Paragraph 128. Nonetheless, the significance of the conservation area and listed building appears to derive from the fact it lies within a part of the town developed in the early 19th century in a consistent pattern of urban streets, with the combination of facades contributing to a coherent townscape. The painting on the flank wall of the appeal building detracts from the side elevation of the building and lacks any discernible link with the 19th Century origins of the listed building or the wider conservation area and subsequently their significance. I was able to see that the previously visually neutral flank wall has become an assertive and dominant feature within the street scene, competing with the importance of the front elevation. Moreover, the mural introduces a commercial character to the upper floors of the listed building in a highly prominent position. As such, the painting has a negative impact on the significance of the listed building.
6. The appellant points to the fact that the painting has been there for some time, and also alludes to earlier planning investigations and the removal of a telephone number from the painting. Nonetheless, the ground floor restaurant benefits from advertising within the existing frontage at ground floor level which is in keeping with the typical signage in the locality. In any case, further public awareness for the ground floor restaurant, in the form of the painting in this case, does not provide a public benefit. I note the references in terms of public support for the works and concerns over how the current situation has arisen. However such evidence is not before me. In any case, this would not alter my assessment in terms of the impact of the works on the listed building. Subsequently, the works fail to preserve the special interest of the listed building and its wider setting which includes the historic character and appearance of the Regency Square Conservation Area, and thus would be contrary to the policies of the Framework and to Policies HE1 and HE3 of the Brighton and Hove Local Plan.
7. Whilst the harm in this case would be less than substantial, I am nonetheless required to give considerable weight to the statutory duty to preserve the listed building and its setting, which are protected for their inherent qualities. Accordingly, in this case, I do not find that any public benefits exist which would outweigh the harm. For the reasons given above I conclude that the appeal should fail.

Cullum J A Parker

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: 19 May 2015

Appeal Reference: APP/Q1445/F/14/2223069

67 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 the Regency Property Partnership against a listed building enforcement notice issued by Brighton & Hove City Council.
- The Council's reference is 2012/0557.
- The notice was issued on 26 June 2014.
- The contravention of listed building control as alleged in the notice may be summarised as the execution of various works to the west and south facing elevations of the building. 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 various elements to the west and south facing elevations of the building. 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 six months after the notice takes effect.
- The appeal is proceeding on the ground set out in section 39(1)(g) 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 (subject to corrections).

Preliminary points

1. In some places, in describing the remedial works required, the Notice states that the new work "should" be constructed in a particular way. That is imprecise, of course, but can be remedied by substituting the word "must" for "should", throughout the Requirements stated in the Notice (Section 4 of the Notice). No party would be prejudiced by the correction of these errors and the Notice will be corrected accordingly.
2. In the Enforcement Notice at Requirement 8 reference is made to a photograph dated "1976", while at Requirement 6 reference is made to a photograph dated "1979" (a copy of which is attached to the Notice). The date "1976" is given in error for "1979". This typographical error can readily be corrected, however. No party would be prejudiced by the correction of the error and the Notice will be corrected accordingly.

The Appeal Building and its Surroundings

3. Number 67 Preston Street was originally a terraced house, dating mainly from the early nineteenth century. It is faced with painted brickwork under slate roofs and designed in an imposing classical style. It stands at the corner of Regency Square and Preston Street, in a prominent location within the Regency Square Conservation Area, and is listed (Grade II) as a building of special architectural or historic interest.
4. At the time of the site visit, the exterior of the building was partially obscured by scaffolding, since a significant amount of work is currently being carried out. It has been noted, in this context, that the site has a complex planning history, including the issue of an earlier Enforcement Notice that was withdrawn by the Council for technical reasons.
5. The site lies at the centre of Brighton and the surrounding area is historic in character, in the Conservation Area. It is a bustling location, with many leisure outlets in the vicinity, including bars and restaurants, and busy shopping frontages in Western Street, a short way to the north. Various buildings in Preston Street are historic in character, while Regency Square is an imposing architectural creation with terraces dominating a large open space that is open towards the sea at the south.

The Appeal on ground (g)

6. The appeal on ground (g) is submitted on the ground "*that the requirements of the notice exceed what is necessary for restoring the building to its condition before the works were carried out*".
7. Specifically, the appellant argues that point 4 of the requirements imposed by the Enforcement Notice ought not to be supported. In essence, it is asserted that the Council's requirements for remedial works to create a new stone plinth and to reinstate the railings would not be in keeping with the historic building and would not achieve a logical form of construction.
8. 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.
9. 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".
10. 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, Policy HE1 and HE4 of the 'Brighton and Hove Local Plan' are specifically aimed at protecting the historic heritage.

11. The portico on the Preston Street elevation of the building stands proud of the main part of the elevation, as a particular architectural feature. The plinth and railings to the lightwell now connect to the front face of this portico in a way that creates an awkward junction between the railings and the building and detracts from the portico itself.
12. It is argued by the appellant that the creation of a return to the railings and plinth alongside the portico would be structurally illogical (since the plinth would span a void, albeit against the side wall of the portico) and that a stone plinth would be inappropriate. Nevertheless, the effect of the railings on the portico is serious enough to necessitate the remedial works that form a requirement of the Enforcement Notice, in order to maintain the architectural quality of the listed building and to remedy the harm done to the listed building. Moreover, the use of stone (rather than concrete) for the plinth is necessary to preserve architectural and historic integrity.
13. Similarly, other works that have been carried out to elements of the south and west elevations of the listed building have caused significant harm to it and the works required by the Enforcement Notice to remedy the damage are necessary and proportionate. Indeed, the scheme of remedial work that is required makes some concessions to the practicalities of modern construction, to replicate the appearance of the original while using some modern materials (such as a stainless steel mesh to provide a key for a render finish).
14. To summarise, I have concluded that the works that have been carried out (including the plinth and railings on the Preston Street elevation) have harmed the special qualities of the listed building and hence that they harm its setting in the Conservation Area. I am convinced that the arguments in favour of the appeal 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 (and, in particular, the work required to the plinth and railings) or on the merits of the appeal as a whole. I will uphold the listed building enforcement notice with corrections and refuse to allow alternative details.

Decision

16. The listed building enforcement notice is corrected by substituting the word "must" for "should", throughout the Requirements stated in the Notice (Section 4 of the Notice). The listed building enforcement notice is also corrected by substituting the date "1979" for the date "1976" at Requirement 8.

17. Subject to these corrections, 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:

Preston Street elevation (west facing elevation)

- i. The introduction of a timber sash window to the north side of the portico and a blind window to the south side of the portico.
- ii. Blocking up of the former shopfront to the southern end of the west elevation of the building with concrete blockwork and brickwork and the removal of the shopfront fascia.
- iii. The installation of three replacement windows on the western elevation above the existing shopfront – the middle single sash window to the first floor and the two sash windows to the second floor.
- iv. Creation of a lightwell and the erection of area railings which are set into a concrete plinth and fixed into the portico.

Regency Square elevation (south facing elevation)

- vi. The installation of steelwork to the ground floor bay on the south facing elevation and associated damage to the curved rendered masonry returns and lower spandrel.
- vii. The installation of a flush external door to the basement entrance in the lightwell area to the Regency Square frontage.

4. WHAT YOU ARE REQUIRED TO DO

Preston Street (west facing elevation)

1. The blind window to the south side of the portico on the western elevation should be made to match exactly the cill and window head heights of the new ground floor window to the north of the portico and the reveal depth of the first and second floor blind windows above.
2. Make good the elevation using materials of matching composition, form and finish to those of the existing listed building. This must involve the following works:
 - a. Remove timber noggin-pieces positioned between ground and first floor level and plug the holes using matching material.
 - b. Prepare, prime and protect the steel beams and pack the recess with fixed vertical timber battens with a stainless steel mesh applied to provide a key for a render finish.
 - c. Apply a smooth render finish above the shopfront in place of the removed fascia and to the areas of exposed concrete blockwork and brick either side of the portico. The render should not have bell mouth drips above the damp proof course or above the window, door

and archway openings and the render work must not use metal or plastic expansion joints, corner or edge render beads.

- d. The render shall be prepared to a sound base and redecorated in accordance with the paint manufacturer's instructions using a smooth masonry paint to match the existing colour scheme.
3. The three unauthorised window openings (as described in 3. (iii) above) shall be altered to match exactly the opening width and the depth of reveals of the original openings to the first floor, and to conceal the timber sash boxes. The windows must be painted timber, double hung, sliding sash windows with concealed sash boxes to exactly match the appearance of the original first floor windows (i.e. the sash windows either side of the unauthorised, 1st floor window on the western elevation).
4. Carefully remove the railings and salvage them for re-use. Replace the concrete plinth with a natural limestone plinth to match the scale (including size, height, form), design and finish of the existing plinth to the area railings to the Regency Square elevation. The new plinth must be of reduced length, so that it returns to abut the main face of the building and not the portico.
5. The salvaged railings shall be reinstated using the traditional method of fixing; the uprights shall be individually leaded into the stone plinth and the top rail shall be leaded into the main face of the building.

Regency Square elevation (south facing elevation)

6. The curved bay spandrel detail must be reinstated to exactly match that shown on the attached photograph of the building taken in 1979. The curved masonry and rendered finish must be achieved either by leaving the angular steel in situ or, alternatively, carefully removing the existing steel and replacing it with a curved steel beam. The curve must exactly match the radius of the bay above.
7. The masonry should be re-built in bricks and lime mortar.
8. The curved masonry returns and bottom spandrel panel shall then be rendered using a matching render mix with a smooth finish and rustication detail scribed to exactly match the detail shown in the attached 1976 photograph.
9. The render shall be prepared to a sound base and redecorated in accordance with the paint manufacturer's instructions, using a smooth masonry paint to match the existing colour scheme.
10. The flush timber door to the basement entrance within the lightwell to the Regency Square elevation shall be replaced with a simple timber plank and batten door with discreet hinges. The timber door shall be painted black.



Appeal Decision

Site visit made on 31 March 2015

by **Philip Willmer BSc Dip Arch RIBA**

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

Decision date: 21 May 2015

Appeal Ref: APP/Q1445/W/14/3001416

4 Granville Road, Hove, East Sussex, BN3 1TG.

- 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 Bayleaf Homes against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/01135, dated 3 April 2014, was refused by notice dated 4 September 2014.
 - The development proposed is conversion of existing small house in multiple occupation (C4) and one bedroom flat to form 5 no. one bedroom flats (C3) with associated alterations including loft conversion incorporating rear dormer, front and rear rooflights and alterations to fenestration.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing small house in multiple occupation (C4) and one bedroom flat to form 5 no. one bedroom flats (C3) with associated alterations including loft conversion incorporating rear dormer, front and rear rooflights and alterations to fenestration at 4 Granville Road, Hove, East Sussex, BN3 1TG in accordance with the terms of the application, Ref BH2014/01135, dated 3 April 2014, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawings numbered: 2310/01A, 02D, 03A and a location plan scale 1:1250.
 - 3) 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.

Procedural Matters

2. I have noted the Council has acknowledged that there is not an agreed up-to-date housing provision target for the City against which to assess its five year
-

housing land supply position. On this basis I will consider the appeal against paragraphs 14 and 49 of the National Planning Policy Framework (the Framework), which set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Main Issues

3. I consider the main issues to be:

- a) whether the proposed development would result in the loss of a House in Multiple Occupation (HMO) contrary to an identified need;
- b) whether the proposal would provide an appropriate mix of unit sizes;
- c) whether the proposed development would provide a standard of accommodation to meet the reasonable living conditions of future occupiers; and
- d) the effect of the proposed rooflights to the front roof slope on the character and appearance of the existing property and the streetscene.

Reasons

Loss of an HMO

4. The property the subject of this appeal comprises one self-contained flat and four bedsits served by a common bathroom. From my observations on site I would concur with the Council that the existing accommodation is poor.
5. The appellant proposes the conversion of the existing roof void, incorporating a rear dormer and front and rear rooflights, together with necessary alterations to the property to form five one bedroom flats (C3). This would result in the loss of the HMO.
6. Saved Policy HO14 of the Brighton and Hove Local Plan (2005) (LP) seeks to retain HMO accommodation, unless it can be demonstrated that the proposal meets an identified housing need or where the loss represents the only practicable means of preserving a listed building, which this building is not.
7. The supporting text to the policy says that the need for HMO accommodation will be monitored throughout the period of the plan and the policy reviewed. The Council's Housing Strategy 2009-2014 stated that at the time the study was undertaken, nearly 7 in 10 households in the City could not afford to buy or privately rent a one bedroom flat and that HMOs often provided accommodation for more vulnerable households. This strategy has now been updated by the Council's *Housing Strategy 2015* published in March 2015. The new strategy identifies that HMO accommodation can provide vital accommodation for single working people and students but recognises that the quality of the existing HMO stock should be improved. However, the new strategy, in contrast to other forms of accommodation, does not seek to retain or provide additional HMOs in the City.

8. I would therefore not necessarily conclude, as the Council has done, that there is still an identified need for HMO housing in the City. Even if there is, I have not been provided with any information so as to judge its overall level.
9. By reference to a number of planning applications the appellant has shown that in respect of the Council's own stock of HMOs, it has sought to convert a number of these to self-contained accommodation, stating in support of those applications that 'the current units no longer meet the strategic housing needs of the city'. I find this evidence more persuasive than the Council's stated need to retain the four bedsits here, that it is agreed are in poor condition and to my mind do not currently provide an acceptable level of accommodation.
10. I appreciate that the development might result in the loss of what might well be low cost rented accommodation which has the potential to be harmful to people already excluded from much of the housing market. This would of course equally be the case if for example the property, by way of permitted development rights, was converted to a single dwelling or the present accommodation upgraded to attract more affluent tenants seeking simple mid week bedsit style City accommodation.
11. The result of the proposal is that four substandard bedsits would become four self-contained one bedroom flats offering more acceptable living conditions with no loss of overall residential accommodation. On balance, therefore, as a justified departure from saved LP Policy HO14 and in accordance with the relevant provisions of the Framework, I conclude that in respect of the first main issue, in the light of the lack of any substantive evidence to the contrary, that the proposed development would represent a sustainable form of development that would help meet an identified housing need as a result of the Council's current housing land supply position.

Mix of units

12. Saved LP Policy HO3 seeks to ensure that proposals for new residential development and residential conversions incorporate a mix of dwelling types and sizes that reflects and responds to the Council's housing needs. An exception to this is where, amongst other things, a mix of dwellings would be inappropriate due to either the location or limitations of the site itself.
13. In my judgement, due to the original layout of the property, location of the front door, stairs and main load bearing walls and the first floor of the rear outshoot being set lower than the main accommodation at that level, I concur with the appellant that the proposed layout does, in this case, represent the most practicable response to the physical constraints of the building. In addition, the introduction of larger unit/s would, having regard to the Council's lack of housing land supply, result in a loss of one or more self-contained residential units of accommodation.
14. I therefore conclude, in respect of the second main issue, that due to the limitations of the existing building a mix of dwelling types and sizes would be inappropriate here. The proposal therefore complies with the aims of saved LP Policy HO3 having regard to the more general objectives of Policy CP19 of the emerging Brighton and Hove City Plan Part One (submission document) and paragraph 50 of the Framework which seek to secure a mix of dwelling types.

Living conditions

15. The Council contends that as all of the units would be limited in size, this would create a cramped form of development. In addition, it is concerned about the amount of useable floorspace proposed for the second floor unit and that the flat would only be served by rooflights that it considers would result in a loss of outlook for future residents.
16. In my judgement and based on my observations on site, I consider that the four flats on the lower levels would be spacious, light and airy as a result of the proposed layout. An inspection of the application drawings shows that the majority of the headroom at second floor level would be above 2.0 metres and the proposed roof windows would be positioned in the roof slope so as to allow the occupiers to enjoy views to both the rear and over the street at the front. I am therefore not persuaded, based on the limited evidence provided to the contrary, that the five self-contained flats would be limited in size or, in respect of the second floor flat, would provide such limited usable floorspace as to provide a poor form of accommodation in its own right with limited outlook.
17. I therefore conclude, in respect of the third main issue, that the proposed development would provide a standard of accommodation suitable to meet the reasonable living conditions of future occupiers. It would therefore accord with the objectives of saved LP Policy QD27 as it relates to the protection of residential living conditions.

Character and appearance

18. The proposed development includes minor alterations to the fenestration of the rear outshot and the construction of a rear facing dormer, together with two rooflights in the rear roof slope and three to the front. While the Council generally finds these external alterations acceptable, it is concerned that as a result of the proposed layout the three rooflights to the street elevation would appear excessive and thereby detrimental to the appearance of the streetscene.
19. A number of properties in both Granville Road and the neighbouring streets have had rooflights installed, including in some cases two or more. Clearly, therefore, they are not an alien feature in the roofscape of the area. In any case, to my mind, the rooflights proposed are modest in size, relatively well sited and would from some angles be screened by the pitched roofs of the building's two prominent projecting bays.
20. Accordingly, I conclude in respect of the final issue that the proposed external alterations would not cause undue harm to the architectural integrity of the host building, its visual character or that of the streetscene. The proposal would therefore accord with the aims of the Council's Supplementary Planning Document SPD12 *Design Guide for Extensions and Alterations* (adopted June 2013) and saved LP Policy QD14 as they relate to the quality of development and the protection of the character of the area.

Conditions

21. Notwithstanding the Council's suggestion, I see no need to attach a condition about materials as these are shown on the appellant's plans. However, to make sure that satisfactory facilities are provided for the parking of cycles and to

encourage travel by other means than private motor vehicles, I shall require the proposed cycle parking to be provided before the flats are occupied and thereafter maintained. For the avoidance of doubt and in the interests of proper planning, I shall impose a condition requiring the development to be carried out in accordance with the approved plans. However, I shall not as suggested by the Council, include the Site Waste Management Plan, Sustainability Checklist or the Planning Statement all dated 8 April 2014 as none of these describe the development approved.

Conclusions

22. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should succeed and planning permission granted.

Philip Willmer

INSPECTOR

