

**PLANS LIST
ITEM G**

**Land to west of 42 Falmer Gardens,
Brighton**

**BH2012/00736
Full planning consent**

10 OCTOBER 2012

BH2012/00736 Land to West of 42 Falmer Gardens, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2012/00736	<u>Ward:</u>	WOODINGDEAN
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land to West of 42 Falmer Gardens, Brighton		
<u>Proposal:</u>	Erection of a 2no storey detached dwelling with associated car parking and new access.		
<u>Officer:</u>	Jonathan Puplett Tel: 292525	<u>Valid Date:</u>	04/04/2012
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	30/05/2012
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Mr Clive Stillman, Delavals Design Heron House Laughton Road Ringmer		

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 Informative set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to the rear garden area of a semi-detached dwelling situated within a corner plot on the western side of Falmer Gardens. The dwellinghouse at no. 42 Falmer Gardens is a split level property; a bungalow appearance to the front, with a two storey appearance to the rear, the ground floor of which being at a raised level in relation to the garden which slopes downwards from west to east and also slopes downwards from north to south.
- 2.2 The area surrounding the application site has a mix of bungalow and two storey dwelling designs. In the immediate vicinity of the site, nos. 52 and 53 Falmer Gardens are of bungalow design (albeit no. 53 has roof level accommodation and prominent roof dormers), no. 1 Falmer Gardens is a small semi-detached bungalow, nos. 524 and 526 Falmer Road are larger two storey dwellings which front on to Falmer Road, their side and rear elevations form part of the Falmer Gardens street scene.

3 RELEVANT HISTORY

Relating to the application site:

BH2011/02858: Erection of two semi-detached houses. Refused 10/01/2012. This application was refused for three reasons:

1. *The proposed development of two dwellings in the back garden of no. 42 Falmer Gardens would result in an overdevelopment of the site, out of keeping with the prevailing character and density of surrounding development. The plots and rear garden areas of the two new dwellings would be significantly smaller than is the case at the majority of surrounding sites. The proposed dwellings would appear as a cramped*

form of development lacking appropriate spacing from neighbouring dwellings. No significant planting or boundary treatment is proposed to the front of the dwellings; a detailed landscaping scheme has not been submitted. The proposal is therefore contrary to policies HO4, QD12, QD2, QD3 and QD15 of the Brighton & Hove Local Plan.

2. *The proposed development would result in overlooking of neighbouring dwellings and garden areas, and the dwellings would have an overbearing visual impact when viewed from neighbouring gardens and dwellings. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.*
3. *The proposal represents development in the rear garden of no. 42 Falmer Gardens, classified as Greenfield land. Given the sensitive nature of the location, the highest level of resource-efficiency must be sought for the proposed building. In order to comply with policy SU2 of the Brighton & Hove Local Plan and the guidance set out in SPD08: Sustainable Building Design, the development is required to achieve a Code for Sustainable Homes rating of Level 5. The submitted information indicates that development would meet Code for Sustainable Homes Level 3. It is not considered that the development could meet the required standard without material changes to the design. The proposal is therefore contrary to policy SU2 and the guidance set out in SPD08.*

BH2011/02398: 'Erection of detached residential dwelling.' Application withdrawn 30/08/2011.

BN81/240 (Outline application): 'Erection of bungalow to rear of no. 42 Falmer Gardens', refused 01/04/1980.

59/1619 (Outline application): 'Erection of bungalow to rear of no. 42 Falmer Gardens', refused 29/09/1959.

Relating to the neighbouring sites to west:

No. 52 Falmer Gardens was previous numbered no. 524 Falmer Road. The dwelling currently numbered no. 524 Falmer Road was built in the garden area of the bungalow now numbered no. 52 Falmer Gardens. This new dwelling was granted consent 14/08/90 under application ref. **90/0971/F**.

No. 53 Falmer Gardens, a chalet style dwelling, was constructed in what was part of the rear garden of no. 526 Falmer Gardens under application ref. 95/1319/FP granted consent **03/01/1996**.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection a dwelling in the back garden of no. 42 Falmer Gardens.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Five (5)** letters of representation have been received from nos. 1, 17, 18, 41, 52 Falmer Gardens objecting to the application for the following reasons:

- The proposed roof material is inappropriate in an area where tile is the dominant roof material. The proposed timber cladding will also be out of keeping.
- The provision of one parking space for a three-bedroom dwelling is insufficient; the proposal will lead to additional demand for on-street parking. Falmer Gardens is already heaving congested with on-street parking.
- The proposed driveway will reduce the on-street parking provision available.
- The proposed modern design will look out of character.
- The construction works which the proposed development would require would cause disruption.
- The proposed driveway would be located near the driveways of no. 52 Falmer Gardens and the garage of no. 1 Falmer Gardens, which will make manoeuvring out of these existing driveways more difficult.
- The proposed development will harm the ecology of the existing garden.

Internal:

- 5.2 **Sustainability:** Initial comment: The information originally submitted was considered to be insufficient to demonstrate compliance with policy SU2 and the guidance set out in SPD08.
- 5.3 Further information was submitted on the 25/05/2012 which sets out that a Code for Sustainable Homes rating of Level 4 would be met, along with justification as to why a rating of Level 5 cannot reasonably be met in this case.
- 5.4 Revised comment: The information is considered acceptable and conditions to secure a rating of Level 4 are recommended.
- 5.5 **Sustainable Transport:** Comment: Recommend conditions to secure cycle parking provision, installation of a vehicular crossover, and provision and retention of the proposed vehicular parking area.
- 5.6 **Arboriculture:** Comment: No objections. Conditions are recommended to secure the protection of trees to be retained in the vicinity of the development during construction works, and the submission and implementation of a full landscaping scheme.
- 5.7 **Access Consultant:** Initial comment: Based on the drawings originally submitted a number of concerns were raised regarding compliance with Lifetime Homes Standards.
- 5.8 Revised drawings were submitted to address these concerns.
Revised comment: The revisions are considered to address the concerns previously raised.

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:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006);
 - Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.5 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
SU9	Pollution and nuisance control
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
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD06 Trees & Development Sites

SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of the application include the principle of the erection of a new dwelling in this location, visual impact, impact on neighbouring amenity, the standard of accommodation proposed, access standards, environmental sustainability, the ecological / biodiversity value of the site, trees, and traffic/highways issues.

Principle of development

- 8.2 Planning permission has been refused on two previous occasions for the erection of a single dwelling in the rear garden of the application site, and more recently since the adoption of the Brighton and Hove Local Plan (2005), in January 2012 planning permission was refused for the erection of two dwellings. Since this time the NPPF has come into force.
- 8.3 The NPPF and local plan policies do not rule out the development of residential garden sites, they are however considered to represent undeveloped / Greenfield land for the purposes of planning applications and as such, developments such as that proposed must be carefully considered. Garden development can significantly alter the character of the immediate area and cumulatively such development can change the character of a wider area. In this case it is considered that a new dwelling in the rear garden area is not, in principle, unacceptable. The existing dwelling would retain a usable rear garden area and the proposed plot size would be comparable with those of nos. 52 and 53 Falmer Gardens to the west. Other surrounding properties do, in general, have larger plot sizes, the proposed development would not however cause harm to this wider character.
- 8.4 Policy HO4 of the Brighton & Hove Local Plan states that:
To make full and effective use of the land available (in accordance with Policy QD3), residential development will be permitted at higher densities than those typically found in the locality where it can be adequately demonstrated that the proposal:
- a. exhibits high standards of design and architecture;*
 - b. includes a mix of dwelling types and sizes which reflect local needs;*
 - c. is well served by public transport, walking and cycling routes, local services and community facilities; and*
 - d. respects the capacity of the local area to accommodate additional dwellings.*
- 8.5 In regard to criterion (a), as detailed below, it is considered that the proposed development would result in an acceptable appearance and make a positive contribution to the street scene. In regard to criterion (b), only one dwelling is proposed, this is a 2/3 bedroom unit suitable for family accommodation which would serve a housing need in the city and would be in keeping with the character of development in the surrounding area. In regard to criterion (c) and (d) whilst not in a central location, the site is in close proximity to bus routes.

Services and community facilities are available in the locality of the site and city centre amenities are accessible. It is considered that, in principle, the locality can accommodate additional dwellings.

Visual Impact

- 8.6 The proposed development consists of one split level dwelling; of single storey appearance to the front and two storeys to the rear. The dwelling is of a contemporary appearance, being of timber clad walls, with a profiled steel powder coated roof and powder coated window and door frames. The submitted layout plan and a submitted visual indicate 1.8 metre high close boarded fencing to the boundaries of the properties (including the front boundary). To the front timber sliding gates are proposed of a similar appearance to the fencing. The roof of the dwelling would slope down away from the road at a shallow pitch. Glazed panels are proposed to the front of the dwelling alongside a projecting entrance lobby. To the rear high level windows are proposed at upper floor level and glazed doors at lower floor level. To the sides and rear of the dwelling timber cladding is proposed to the upper floor level of the building, painted render to the lower floor. Steps would provide access from the driveway at the front of the property to the rear garden level.
- 8.7 The proposed dwelling is of a contemporary appearance which would contrast with the more traditional style of dwellings in the surrounding street scene. The dwelling is considered to represent a high standard of design, and is of a small scale and would be set behind front boundary screening. It is therefore considered that the dwelling would sit well in the street scene and is in compliance with local and national planning policy which supports high quality contemporary design where appropriate to its setting.
- 8.8 Samples of materials, a full landscaping scheme and full details of the proposed front boundary treatment can be secured by planning condition. It is noted that the sliding gates shown on drawing no. 1207-06 do not actually appear wide enough to close fully; full details of the gates can however be appropriately secured by planning condition.

Impact on Amenity:

- 8.9 The proposed development would have greatest impact upon occupiers of nos. 41 and 42 Falmer Gardens. The dwelling has been designed to minimise overlooking of these properties, with no side windows proposed and upper level windows set above internal eye level. The bulk of the proposed dwelling would have a significant impact upon the outlook from the rear windows and garden areas of nos. 41 and 42 Falmer Gardens. It is considered however that this bulk would be set far enough away from the rear of these properties to ensure that the new structure would not have an overbearing impact. The relationships created would be similar to those in place at nos. 52 and 53 Falmer Gardens and the plots which adjoin these two neighbouring sites.
- 8.10 A wood burner is proposed. Such features can cause nuisance by way of smoke, it is therefore considered necessary to secure further details of the burner and its extraction by planning condition. The addition of extensions and alterations such as new windows to the dwelling in the future could have a

significant detrimental impact to neighbouring occupiers, it is therefore considered necessary to remove 'permitted development' rights by planning condition.

Standard of accommodation and access:

- 8.11 The proposed dwelling would provide a large living space, kitchen and accessible W.C. at upper floor level, and three bedrooms / two bedrooms and a study, and two bathrooms at lower floor level. To the front curtilage of the dwelling a driveway, cycle and refuse storage are proposed, to the rear a garden area incorporating planting, a raised bed and compost bins is proposed. It is considered that overall the proposed development would provide an acceptable standard of accommodation. The proposed layout indicated in the submitted plans would provide compliance with Lifetime Homes Standards and can be secured by planning condition as such.

Sustainable Transport:

- 8.12 The proposed development includes off-street parking for one vehicle. This is in accordance with local plan policy and the guidance set out in SPGBH4 which specifies maximum parking provision. Neighbouring residents have objected to the development on the grounds that it may cause increased demand for on-street parking. This may be the case, it does not however appear that the demand for on-street parking in the vicinity of the site is so extreme that the application would warrant refusal on these grounds. Cycle parking is proposed, full details of this provision is not provided but could be secured by planning condition.
- 8.13 The development would create an increased burden on sustainable transport infrastructure within the vicinity of the site; the Sustainable Transport Team have therefore advised that a contribution towards such infrastructure is required to ensure compliance with policy TR1 of the Brighton & Hove Local Plan. Under the current temporary measures to assist the development industry, improvements to / contributions toward improvements to sustainable transport infrastructure would not however be sought in relation to a development of the scale proposed.
- 8.14 Overall, having regard to transport considerations the proposed scheme is considered acceptable subject to conditions securing the vehicular parking proposed, appropriate cycle parking provision, and the instatement of a vehicular crossover. The proposed development would not cause an increased highway safety risk.

Sustainability:

- 8.15 Policy SU2 of the Brighton & Hove Local Plan states that:
Planning permission will be granted for proposals which demonstrate a high standard of efficiency in the use of energy, water and materials provided that they are otherwise in accordance with the other policies of the development plan.
Proposals will be required to demonstrate how the following factors have been integrated into their siting, layout and design:
a. measures that seek to reduce fuel use and greenhouse gas emissions;

- b. the incorporation / use or the facilitation of the use, of renewable energy resources;*
 - c. measures that seek to reduce water consumption;*
 - d. measures that enable the development to use grey-water and rainwater; and*
 - e. the use of materials and methods to minimise overall energy and / or raw material inputs.*

- 8.16 *When considering these factors, particular regard should be given to the following:*
 - i. daylight / sunlight;*
 - ii. orientation;*
 - iii. building form;*
 - iv. materials;*
 - v. the use of natural ventilation;*
 - vi. fenestration;*
 - vii. landscaping;*
 - viii. provision of space within each planning unit and general facilities for refuse, waste recycling and composting; and*
 - ix. suitable space for occupier and visitor cycle parking.*

- 8.17 The guidance set out in SPD08 expands upon this policy and advises that in regard to Greenfield sites, new build development should achieve a Code for Sustainable Homes rating of Level 5. In this case, information has been submitted to demonstrate that a Code rating of Level 5 cannot practicably be met. This justification has been considered and accepted by the Sustainability Officer. A rating of Level 4 is proposed and this is considered to be reasonable and acceptable in this case (and can be secured by planning conditions). Proposed sustainability measures include:
 - Code for Sustainable Homes rating of Level 4
 - Low & zero carbon technologies: 12m² Solar PV array (shown in drawing 12/02/01/05)
 - Passive design has been incorporated into the dwelling via use of natural light and cross ventilation;
 - Heat recovery from extract ventilation
 - Sustainable drainage techniques to be incorporated into development
 - Designated food growing area in the garden
 - Rainwater harvesting
 - Compost bins
 - Waste minimisation statement submitted

- 8.18 As detailed below, a full landscaping scheme and nature conservation measures can be secured by planning condition. Overall it is considered that the proposed development would successfully address the requirements of policy SU2 and the guidance set out in SPD08.

Landscaping, Trees and Ecology/Nature Conservation:

- 8.19 The submitted layout plan indicates areas of grass, planting and a raised bed for vegetables. An existing tree is to be retained. This tree and trees / hedging in the vicinity of the site should be protected during construction works, further

details of such measures can be secured by planning condition. The proposed landscaping scheme is of a basic nature, full details of the landscaping scheme can be secured by condition to ensure compliance with policies QD15 and QD16.

8.20 The application site is undeveloped and therefore has ecological value as a habitat. Policy QD17 of the Brighton & Hove Local Plan states that:
Development proposals affecting nature conservation features outside protected sites will be granted planning permission provided:

- a. *the proposal can be subject to conditions that prevent damaging impacts on those features; or*
- b. *the impact is minimised and as many existing features as possible are protected and enhanced and compensating and equivalent features are provided for any that are lost or damaged.*

New nature conservation features will be required as part of development schemes. These features should be provided for early on in the design stage so that they are appropriate to the location, suitably sited and are fully integrated within the scheme. Suitable schemes where such features have not been incorporated, will be refused.

8.21 SPD11 provides further guidance as to the scale and type of features required to ensure compliance with policy QD17. It is considered that further details of nature conservation measures can be secured by planning condition.

Other Considerations:

8.22 Neighbouring residents have objected to the proposed development on the grounds that the construction works would cause disturbance and traffic congestion, these matters are not material planning considerations.

9 CONCLUSION

9.1 The proposed development is considered to be acceptable in this location; the dwelling would sit comfortably in the Falmer Gardens street scene and no significant harm to neighbouring amenity would be caused. Detailed matters relating to sustainability, transport, access and landscaping can be secured by planning condition. Approval is recommended.

10 EQUALITIES

10.1 The proposed development would comply with Lifetime Homes Standards and can be secured by condition as such.

11 CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

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

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- 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			08/03/2012
Block plan			08/03/2012
Lower ground floor plan	1207-001		23/08/2012
Upper ground floor plan	1207-002		23/08/2012
Elevations	1207-003		23/08/2012
Elevations	1207-004		23/08/2012
Roof plan and section	1207-005		23/08/2012
Layout and landscaping plan	1207-006		23/08/2012
Street scene	1207-007		23/08/2012
Lower ground floor site plan	1207-014		23/08/2012
Site survey	12/02/01/08		08/03/2012
Section	12/02/01/12		25/05/2012
Section	12/02/01/13		25/05/2012

- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

- 4) Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

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

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

11.2 Pre-Commencement Conditions:

- 6) No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been

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submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 7) No development shall take place until full details including scale elevation drawings and material samples of the proposed gates and fencing to the front boundary of the site have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 8) No development shall take place until full details including product specifications of the proposed wood burner and its extraction have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU9 and QD27 of the Brighton & Hove Local Plan.

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

(a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and

(b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

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

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

- 11) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and

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hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

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

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

11.3 Pre-Occupation Conditions:

- 13) Unless otherwise agreed in writing by the Local Planning Authority, the dwelling hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 has been submitted to, and approved in writing by, the Local Planning Authority.

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

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

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

- 15) The dwelling hereby approved shall not be occupied until the vehicular parking area shown on the approved plans has been implemented. The vehicle parking area shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

- 16) The dwelling hereby approved shall not be occupied until the vehicular crossover to provide access to the development has been constructed in accordance with the Council approved Manual for Estate Roads and under license from the Highway Operations Manager.

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

11.4 Informatives:

1. 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 is considered to be acceptable in this location; the dwelling would sit comfortably in the Falmer Gardens street scene and no significant harm to neighbouring amenity would be caused. Detailed matters relating to sustainability, transport, access and landscaping are successfully addressed subject to compliance with the above conditions.

