

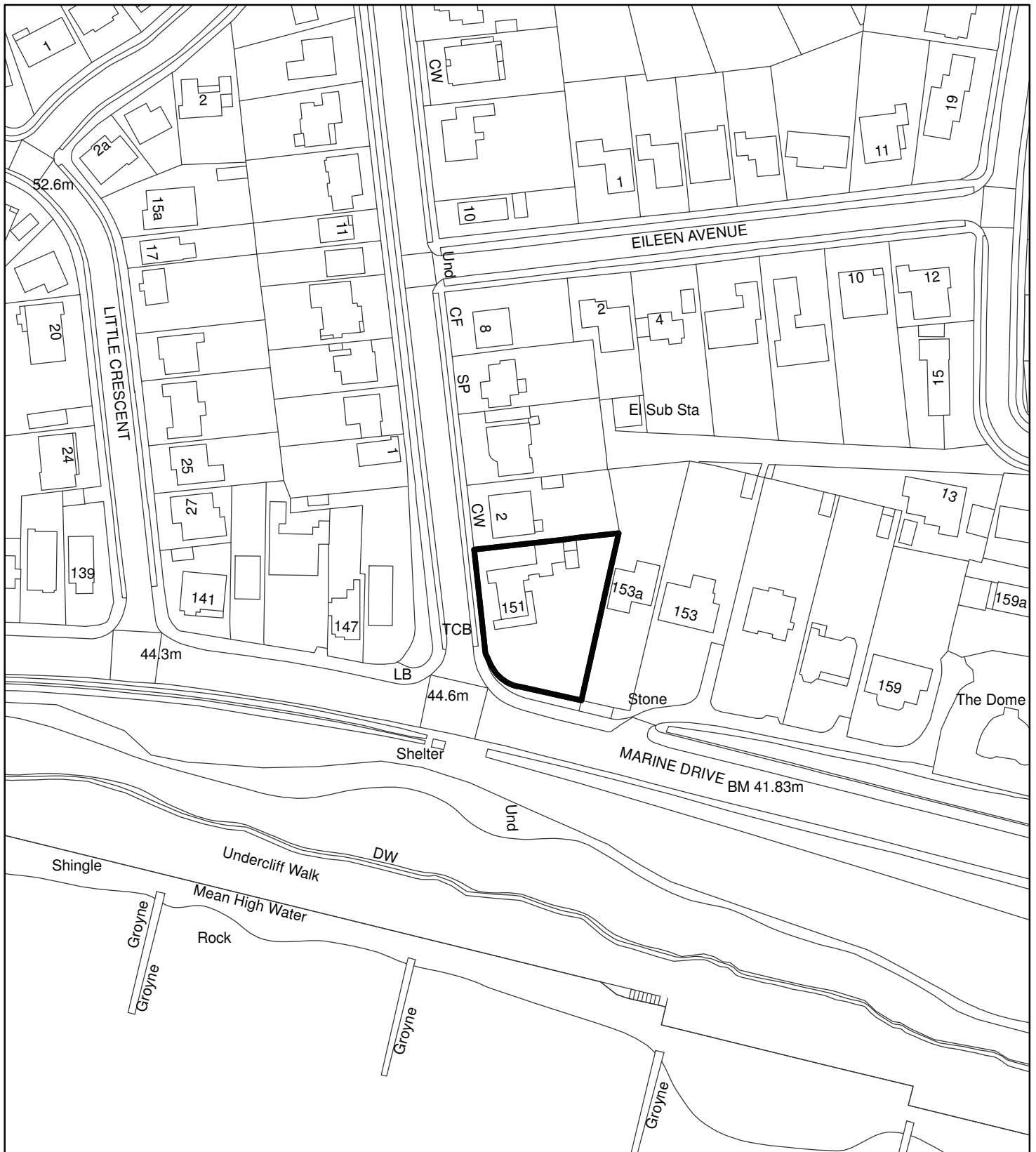
**PLANS LIST
ITEM C**

**151 & 151A Marine Drive, Rottingdean,
Brighton**

**BH2012/01545
Full planning consent**

09 JANUARY 2013

BH2012/01545 151 & 151a Marine Drive, Saltdean



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2012/01545	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	151 & 151A Marine Drive, Brighton		
<u>Proposal:</u>	Demolition of existing houses and erection of 3no detached dwellings.		
<u>Officer:</u>	Jonathan Puplett, Tel 292525	<u>Valid Date:</u>	07/06/2012
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	02/08/2012
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Kim Strasman Associates, The Studio, 1 Northgate Cottages, The Green, Rottingdean		
<u>Applicant:</u>	Mr Chris Endacott & Ms Mary Venturi, 7 Wilkinson Close, Rottingdean		

Deferred in order to allow the applicant sufficient time to submit the combination of materials proposed.

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 a corner plot situated on the eastern side of the junction of Marine Drive and Cranleigh Avenue. At present the plot contains two dwellings; no. 151 Marine Drive which is a two storey dwelling fronting onto Cranleigh Avenue, and 151A Marine Parade which is a small bungalow with accommodation in the roof situated alongside the northern boundary of the site behind no. 151, facing south. There is no formal separation between the two dwellings on the site, i.e. the garden is not divided. The garden area to the south of the two dwellings is open, with a retaining wall, a raised bank and a second retaining wall between the garden and the pavement on Marine Drive. The plot is on an elevated level in relation to Marine Drive, this in conjunction with the corner plot location of the site gives the property a prominent appearance in the Marine Drive street scene.
- 2.2 To the east of the site the properties along Marine Drive are of varying character and appearance, some dwellings have unusual and/or contemporary character eg. No. 157 Marine Drive. To the west of the site the properties along Marine Drive are of more traditional style and are a mix of bungalow and two-storey dwellings. There are a number of larger scale developments along Marine Drive, such as Frederick House which is situated on the eastern corner of the junction of Marine Drive and the western section of Little Crescent. Marine Drive has a varied character, a number of contemporary developments, and some corner plot buildings which are of a larger scale than the surrounding dwellings.

- 2.3 The Cranleigh Avenue street scene in the vicinity of the application site is of traditional character consisting of primarily two-storey detached dwellings with some bungalow style dwellings interspersed.
- 2.4 To the northern side of the site a driveway located between no. 151 and the boundary with no. 2 Cranleigh Avenue. No. 151A is set at the end of this driveway. The front section of the boundary wall alongside the driveway is approximately 1.5 metres high with hedging above, the wall rises to a height of approximately 2.5 metres high behind this. No 2 Cranleigh Avenue has two ground floor side windows and one first floor side window facing towards the northern elevation of no. 151 Marine Drive. To the garden area of the property the northern boundary is a 1.5 metre high brick wall with the rear garden of no. 2 Cranleigh Avenue beyond. The eastern boundary is a close board fence which is approximately 1-1.5 metres high in relation to the ground level of the application site, and is set on top of a retaining wall on no. 153a Marine Drive's side.

3 RELEVANT HISTORY

BH2007/01131: Demolition of two existing houses and construction of 6 residential dwellings comprising 1 four-bedroom house, 3 two-bedroom flats and 2 one-bedroom flats. Lower ground floor covered parking for 8 cars and 12 bicycles. Refused 19/06/2007.

BH2006/02167: Demolition of two existing houses and construction of 7 residential dwellings comprising 1 four bedroom house, 3 two bedroom flats and 3 one bedroom flats. Lower ground floor covered parking for 9 cars and 12 bicycles. Refused 11/09/2006. Appeal dismissed 28/06/2007.

BH2003/00191/OA: Outline application for 6 dwellings. Refused 11/03/2003. Appeal dismissed 18/06/2003.

BH2002/02004/OA: Demolition of existing house and the erection of 8 dwellings (outline application). Refused 11/12/2002. Appeal Dismissed 18/06/2003.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing two dwellings and the erection of three replacement dwellings and associated hard and soft landscaping and boundary treatments.
- 4.2 During the course of the application amended plans have been submitted which clarify the boundary treatments proposed and omit a garden store which was originally proposed to the front of the garden of the eastern dwelling. Two noise reports have also been submitted during the course of the application.

5 PUBLICITY & CONSULTATIONS

External:

- 5.1 **Neighbours: Seven (7)** Letters have been received from **nos. 149 153A 155 Marine Drive, no. 2 Cranleigh Avenue, no. 2 Eileen Avenue (x2) and an 'Elisabeth Rosser' (address not provided)** objecting to the proposed development for the following reasons:

- The proposed development will result in increased on-street parking in the vicinity of the site; Cranleigh Avenue is already heavily parked and is a bus route. Increased on-street parking would create an increased highway safety risk.
- The proposed western dwelling may be converted into flats in the future which would create a greater increase in on-street parking in the vicinity of the site.
- The proposed parking provision is insufficient.
- The proposed development does not respect the building line along Marine Drive.
- The proposed development of three dwellings would be an overdevelopment of the site.
- The proposed density of development is too high.
- The height and siting of the proposed three dwellings is inappropriate.
- Two dwellings would be a more appropriate development for the site.
- Brighton has a policy of no garden development.
- The submitted OS plans are inaccurate in that they do not show no. 2 Eileen Avenue which was constructed in 2004.
- The proposed development will cause increased overlooking of neighbouring properties.
- The proposed development will cause overshadowing of neighbouring properties.
- The proposed fencing is unlikely to withstand wind levels in this exposed location.
- The proposed roof line does not follow the gradient of the road.
- Use of the proposed vehicular access will cause noise and disturbance for the occupiers of no. 2 Cranleigh Avenue.

5.2 **Rottingdean Parish Council:** A letter has been received from objecting to the proposed development for the following reasons:

- The three detached houses will constitute an overcrowding of the site in an area which is characterised by single detached dwellings.
- The proposed development would result in increased overlooking of no. 153A Marine Drive.

Internal:

5.3 **Sustainable Transport:** Recommend conditions to secure the proposed cycle and vehicular parking provision. Works to the boundary wall alongside the public highway would necessitate the 'Approval in Principle' (AIP) process.

5.4 **Environmental Health** (initial comments 10/07/12): A noise report is required to demonstrate that future occupiers of the proposed development would not suffer detrimental levels of noise disturbance.

5.5 (Further comments 06/09/12 following the submission of a noise report): A noise report has now been submitted. The report is not considered to be thorough or robust. A more thorough and robust acoustic assessment needs to be undertaken, taking into account the worst case scenarios; properly referencing the requirements in the guidance and clearly showing how the assessment and

calculations were undertaken. In the absence of such information, refusal of planning permission is recommended.

- 5.6 (Further comments 26/11/12 following the submission of a second noise report): A second acoustic survey has been carried out; the methodology of this survey is considered appropriate. The report recommends mitigation measures in the form of thermal glazed double glazing and a ventilation system. It is recommended that these measures be secured by planning condition.
- 5.7 **Air Quality:** No objection.
- 5.8 **Access Consultant:** Minor concerns regarding W.C. layouts are 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
SU4	Surface water run-off and flood risk
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
HO6	Provision of outdoor recreation space in housing schemes
HO7	Car free housing
HO13	Accessible housing and lifetime 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 proposed development in this location, the standard of accommodation which the proposed dwellings would provide, accessibility, neighbouring amenity, transport / highways, sustainability, and landscaping / nature conservation.
- 8.2 The Inspector's decision relating to planning application BH2006/02167 is considered to be a significant material consideration. This application sought consent for:
'Demolition of two existing houses and construction of 7 residential dwellings comprising 1 four bedroom house, 3 two bedroom flats and 3 one bedroom flats. Lower ground floor covered parking for 9 cars and 12 bicycles.'
- 8.3 The Local Planning Authority refused this application on four grounds:
- 1. The proposed development, by virtue of its height, bulk and scale is considered to be an incongruous feature in this location to the detriment of the appearance of the street scene contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.*
 - 2. The proposed development, by virtue of its design and external appearance is considered to be out of character with, and detrimental too, the general character and appearance of the street scene and wider neighbourhood contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.*
 - 3. The density of the proposed development at approximately 72 dwellings per hectare is considered to be an overly intensive development in this location, out of character with the general pattern and intensity of development in the*

neighbourhood to the detriment of its character contrary to policy HO4 of the Brighton & Hove Local Plan.

4. *The pedestrian access from Cranleigh Avenue to the 4-bedroom dwelling via the vehicle access ramp and through the basement car park is considered to provide an unacceptable and inadequate level and form of pedestrian access to the detriment of the amenity of future occupants and visitors to the site contrary to policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.*

- 8.4 The Inspector did not support the Local Planning Authority's concerns regarding density or access, but did dismiss the appeal due to concerns regarding the design of the scheme proposed. Paragraph 6 of the Inspector's decision details these concerns:
*'6. I acknowledge the proposed buildings would be similar in overall height and siting to the existing buildings on the site. **The use of what would effectively be a flat roofed design as proposed would however mean the resultant buildings would have significantly more mass and bulk at a higher level than the existing buildings and would therefore have materially greater visual impact on the street scene. This greater mass at height would also mean they would not be in sympathy with nearby buildings.** Whilst the use of white rendering on parts of the elevations would reflect the use of similar finishes on other buildings in the locality, **the use of flat or nearly flat roof forms, the almost fully glazed southern elevations and the use of cedar weatherboarding on other elevations would mean the proposed buildings would have little relationship with nearby buildings such that they would have an overly conspicuous and incongruous appearance.** In this respect the proposed development would not comply with Policies QD1(a), (b) and (c), QD2(a) and QD3.'*

- 8.5 The Inspector therefore accepted the principle of the development proposed and the density of development proposed, but considered that the flat roofed glazed blocks proposed would be out of keeping with the locality. In relation to the current application the Inspector's decision must be given weight and it must be considered whether the current proposed overcomes the concerns raised at the time of this previous appeal.

- Planning Policy:**

- 8.6 Since this appeal decision dated 28/06/2007 the planning policy context has changed. The national planning policy which was in place at this time has been revoked and replaced by the National Planning Policy Framework (NPPF). The Brighton & Hove Local Plan (2005) remains the key local planning policy document, some new local planning guidance of relevance has been adopted, specifically SPD08 and SPD11.

- 8.7 The parts of the site which are within the footprints of the existing dwellings are classed as previously developed land (brownfield), the garden areas of the site are classed as 'greenfield'.

- 8.8 The principle of the type and scale of development proposed must be considered having regard to the National Planning Policy Framework, and policies HO4, QD1, QD2, QD3 and QD4 of the Brighton & Hove Local Plan.

- 8.9 Residential gardens do not fall within the definition of ‘previously developed land’ as set out in Annex 2 of the NPPF. The parts of the site which are within the footprints of the existing dwellings are classed as previously developed land (brownfield), the garden areas of the site are classed as ‘greenfield’ In regard to the development of residential gardens, paragraph 53 of the NPPF states that:
‘Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.’
- 8.10 The Brighton & Hove Local Plan does not specifically address garden development, Chapters 3 (Design) and 4 (Housing and community facilities) do however set out aims to secure a high standard of design and development with pays respects to site constraints and the character of the area surrounding the site. As such, a residential redevelopment of the site would not be resisted in principle, but must be carefully assessed and considered. It is considered that the principle of acceptability in this case relates to the density and scale of development proposed.
- 8.11 The density of the development proposed is of a lesser nature than that considered acceptable by the Inspector in relation to application ref. BH2006/02167. The density of development is considered to be in keeping with the character of the development which surrounds the site. In regard to the scale of development, the eastern two dwellings proposed are considered to be in keeping with the character of surrounding development; the central dwelling being of two storey character with a pitched roof form, and the eastern dwelling being of chalet bungalow character.
- 8.12 The western dwelling proposed is of a greater scale; whilst the dwelling is of two-full storeys with a pitched roof, the roof is of a considerable size and would provide a significant amount of additional accommodation. Thus this dwelling is of a scale greater than a typical two storey dwelling. It is considered in this case that a dwelling of this scale would sit comfortably as it’s corner plot location allows for a scale slightly greater than the development surrounding it. This principle has been established at other corner sites along Marine Drive such as Frederick House. Overall it is considered that the density and scale of development proposed is appropriate.

Visual Impact:

- 8.13 As detailed above, the scale of the proposed dwellings is considered to be acceptable. The dwellings are of traditional pitched roof form and are considered to address the concerns raised by the Inspector in relation to application ref. BH2006/02167. Balconies and supporting framework are proposed to the two eastern dwellings, a balcony is also proposed to the eastern dwelling. The dwellings would be detailed in a contemporary nature. Proposed materials are as follows:
- Walls: White painted render and blue grey bricks below dpc line, grey cladding.
 - Roofs: Dark grey slate and lead clad dormers.
 - Windows and doors: Blue grey powder coated aluminium framed windows and grey painted timber doors.

- Boundary treatments: Timber panel fences and stone walls.
- 8.14 The proposed dwellings would be of contemporary character which would contrast with the predominantly traditional dwellings in the immediate vicinity of the site. As detailed above however there is a mix of property styles along Marine Drive, and as a corner plot it is considered that a slightly different scale and character of development can be accommodated without appearing incongruous. The proposed boundary treatments between the three garden areas consist of timber fencing with planting to the front sections of the boundaries. It is considered that this would result in an acceptable appearance when viewed in the Marine Drive street scene. Full details of materials and design details can be secured by planning condition.
- 8.15 Overall it is considered that the proposed development would have an acceptable visual impact. The proposed design is considered to overcome the concerns raised by the Inspector in relation to application BH2006/02167.

Neighbouring amenity:

- 8.16 The proposed dwellings, in comparison to the existing, do represent an overall increase in bulk and would have an impact upon neighbouring amenity. The properties most affected would be no. 2 Cranleigh Avenue to the north and no. 153a Marine Drive to the east. Neighbouring properties in the wider vicinity would be impacted upon to some extent, by for example a change to their outlook and some increased overlooking, the impact on these wider properties would not be of a magnitude which would warrant the refusal of planning permission and was not an issue raised by the Inspector on the dismissed appeal.
- 8.17 The outlook from the south facing side windows of no. 2 Cranleigh Avenue would be enclosed to some extent, as would the rear garden of no. 2 Cranleigh Avenue. The outlook from a west facing first floor side windows of no. 153a Marine Drive would be enclosed to some extent. The proposed development would significantly alter the aspects from the side windows and rear gardens of these two neighbouring properties; the resulting situation is would not however be significantly detrimental in comparison to the existing situation. Some increased overshadowing would result; it is not however considered that this impact would be of a magnitude which would warrant the refusal of planning permission, and again was not an issue or reason for refusal raised by the previous Inspector.
- 8.18 In regard to privacy, the proposed south facing windows and balconies are not of concern as they would primarily provide views across Marine Drive and beyond. Some north facing windows are proposed to each dwelling at first floor level and one north facing window at roof level to the western dwelling. These windows can be controlled by condition as obscure glazed to ensure that neighbouring amenity would not be harmed.
- 8.19 The relationships created between the three dwellings would be relatively close knit and is considered acceptable. The proposed balconies would result in some mutual overlooking of garden areas and balconies within the proposed development; this is not however considered to warrant the refusal of planning permission.

- 8.20 The addition, in the future, of features such as windows, roof alterations, and extensions to the dwellings proposed could cause significant harm to neighbouring amenity. It is therefore considered necessary and appropriate to restrict permitted development rights by planning condition.
- 8.21 Overall it is considered that the proposed development would have an acceptable impact upon neighbouring amenity.

Standard of accommodation:

- 8.22 In regard to the internal layouts and garden areas proposed, it is considered that the dwellings have the potential to provide an acceptable standard of accommodation. Each dwelling would benefit from vehicular parking, cycle storage, refuse and recycling storage, and a usable private outdoor amenity space.
- 8.23 A fundamental concern has been raised by the Environmental Health Officer; due to the proximity of Marine Drive which is heavily trafficked at some times of the day, the applicant is required to demonstrate that future occupiers of the development would not suffer detrimental levels of noise disturbance. To this effect, Environmental Health in their initial comments requested that a noise report be carried out.
- 8.24 A noise report was submitted by the applicant. This report was not considered to be robust and it was recommended that further survey work be carried out. A second report was submitted by the applicant on the 23rd of November 2012. The methodology of the survey work carried out in relation to this second report is considered to now be appropriate and robust. The report recommends that, in order to ensure acceptable noise levels for future occupants of the proposed development, mitigation measures be included in the development in the form of thermal double glazed windows and a ventilation system. The ventilation system would ensure that future occupiers could keep the windows of the properties closed and still benefit from adequate ventilation. It is considered that further details of such mitigation measures and the implementation of these measures can be appropriately secured by planning condition.
- 8.25 Overall, subject to compliance with appropriate conditions, it is considered that the proposed development would provide an acceptable standard of accommodation.

Access:

- 8.26 Policy HO13 states that Planning permission will only be granted for new residential dwellings that are built to a lifetime homes standard whereby they can be adapted to meet the needs of people with disabilities without major structural alterations. The proposed dwelling layouts provide broad compliance with these standards and full compliance can be secured by planning condition.

Transport:

- 8.27 Policies TR1 and TR19 of the Local Plan require development to cater for the travel demand generated and meeting the maximum parking standards and minimum cycle parking standards set out in SPGBH4: Parking standards.

- 8.28 The proposed development would result in an uplift in trip generation. The development would create an increased impact on sustainable transport infrastructure within the vicinity of the site; the Sustainable Transport Team have therefore advised that a contribution towards such infrastructure would be required to ensure compliance with policy TR1 of the Brighton & Hove Local Plan. Under current short term recession measures, improvements to / contributions toward improvements to sustainable transport infrastructure would not however be sought in relation to a development of the scale proposed.
- 8.29 Vehicular parking is proposed; two spaces in association with the western dwelling and one space each for the other two dwellings. This parking provision is below the maximum standards set out in SPGBH4 and is considered to be acceptable. It is proposed that the existing vehicular crossover from Cranleigh Avenue would be utilised. Cycle storage is proposed; a separate store for each dwelling would be provided. The proposed vehicular and cycle storage can be secured by planning condition.
- 8.30 Neighbouring occupiers have raised concerns that the proposed development would result in increased demand for on-street parking and may therefore create an increased highway safety risk, particularly on Cranleigh Avenue which is a bus route. Local planning policies and guidance specify maximum parking standards; the Local Planning Authority does not therefore have a remit to require additional off-street vehicular parking over and above the provision proposed. It is accepted that the development could create additional on-street parking; it is not however considered that this would necessarily cause an increased highway safety risk. Furthermore any increased on-street parking caused is unlikely to be of a magnitude which would cause significant harm to neighbouring amenity and is acceptable.

Sustainability:

- 8.31 Policy SU2 requires that all developments demonstrate a high standard of efficiency in the use of energy, water and materials. SPD08 provides detailed guidance as to how the requirements of policy SU2 can be met having regard to the scale and type of development proposed. Were the site to be entirely brownfield, SPD08 advises that a Code for Sustainable Homes rating of Level 3 should be met. Were the site to be entirely greenfield, SPD08 advises that a Code for Sustainable Homes rating of Level 5 should be met. As detailed above, the application site is classified as part-brownfield and part-greenfield. It is proposed that a Code for Sustainable Homes rating of Level 4 would be met; this level of sustainability is considered to be acceptable in this case and can be secured by planning condition.

Landscaping and nature conservation:

- 8.32 Policies QD15 and QD17, and the guidance set out in SPD11 require that development proposals include high quality landscaping and nature conservation enhancements.
- 8.33 The submitted layout plans show some landscaping; it is considered that details and implementation of a full landscaping condition can be secured by planning condition. Details and implementation of nature conservation features can be secured by condition to ensure compliance with policy QD17.

Other matters:

- 8.34 Neighbouring occupiers have raised concerns that the western dwelling proposed could be converted in to flats in the future. This is not a matter to be considered under the current application. Any such proposal would require planning permission and would be considered at the time of a formal application being submitted.

9 CONCLUSION

- 9.1 The proposed development would deliver a net increase of two housing units suitable for family occupation. The proposed development would result in an acceptable appearance, would provide an acceptable standard of accommodation, and would not cause significant harm to neighbouring amenity. Compliance with policies relating to sustainability, transport, landscaping and nature conservation can be secured by planning condition. Approval is recommended.

10 EQUALITIES

- 10.1 The proposed dwellings layouts provide broad compliance with Lifetime Homes Standards and full compliance can be secured by planning condition.

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.
- 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 levels survey			21/05/2012
Location plan	P01		21/05/2012
Block plan	P02		21/05/2012
Block plan	P03	A	07/08/2012
Site plan	P04	A	07/08/2012
Proposed ground floorplans	P05	A	07/08/2012
Proposed first floor plans	P06		21/05/2012
Attic and roof plans	P07		21/05/2012
Street elevations	P08		21/05/2012
Site elevations facing street	P09		21/05/2012
Site elevations facing street	P10		21/05/2012
Plot 1- west house propose elevations	P11		21/05/2012
Plot 2- middle house proposed elevations	P12		21/05/2012

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Plot 3- east house proposed elevations	P13		06/06/2012
Existing block plan	P14		06/06/2012
Noise assessment	1181		23/11/2012

- 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 dwellinghouses hereby approved shall be carried out without planning permission obtained from the Local Planning Authority.
Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan
- 4) All north facing (rear) first floor, second floor and roof level windows to the dwellings hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 5) The dwellings hereby permitted shall be constructed to Lifetime Homes standards and shall be retained as such thereafter.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
- 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 each property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.
- 7) The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.
Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

11.2 Pre-Commencement Conditions:

- 8) No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:
- (a) Samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development
 - (b) 1:20 sample elevations and 1:1 sections, and samples of windows and doors to be installed.

Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 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) No development shall take place until details of noise mitigation measures including thermal double glazing and ventilation systems have been submitted to and approved in writing by the local planning authority. These measures shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

Reason: To ensure that future residents of the development do not suffer harmful noise disturbance and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

- 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 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 a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

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

11.3 Pre-Occupation Conditions:

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

11.4 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 would deliver a net increase of two housing units suitable for family occupation. The proposed development would result in an acceptable appearance, would provide an acceptable standard of accommodation, and would not cause significant harm to neighbouring amenity. Compliance with policies relating to sustainability, transport, landscaping and nature conservation is secured by planning condition.

PLANS LIST – 09 JANUARY 2013

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2. The applicant is advised that this planning permission does not override the need to go through the Approval in Principle (AIP) process for the necessary works adjacent to the highway, prior to the commencement of any construction works. Please contact the Council's Highway Engineering & Projects Team for further information. Specifically Bo Furdas (Senior Project Engineer), Tel: 01273 292 237, Email: bo.furdas@brighton-hove.gov.uk.

