

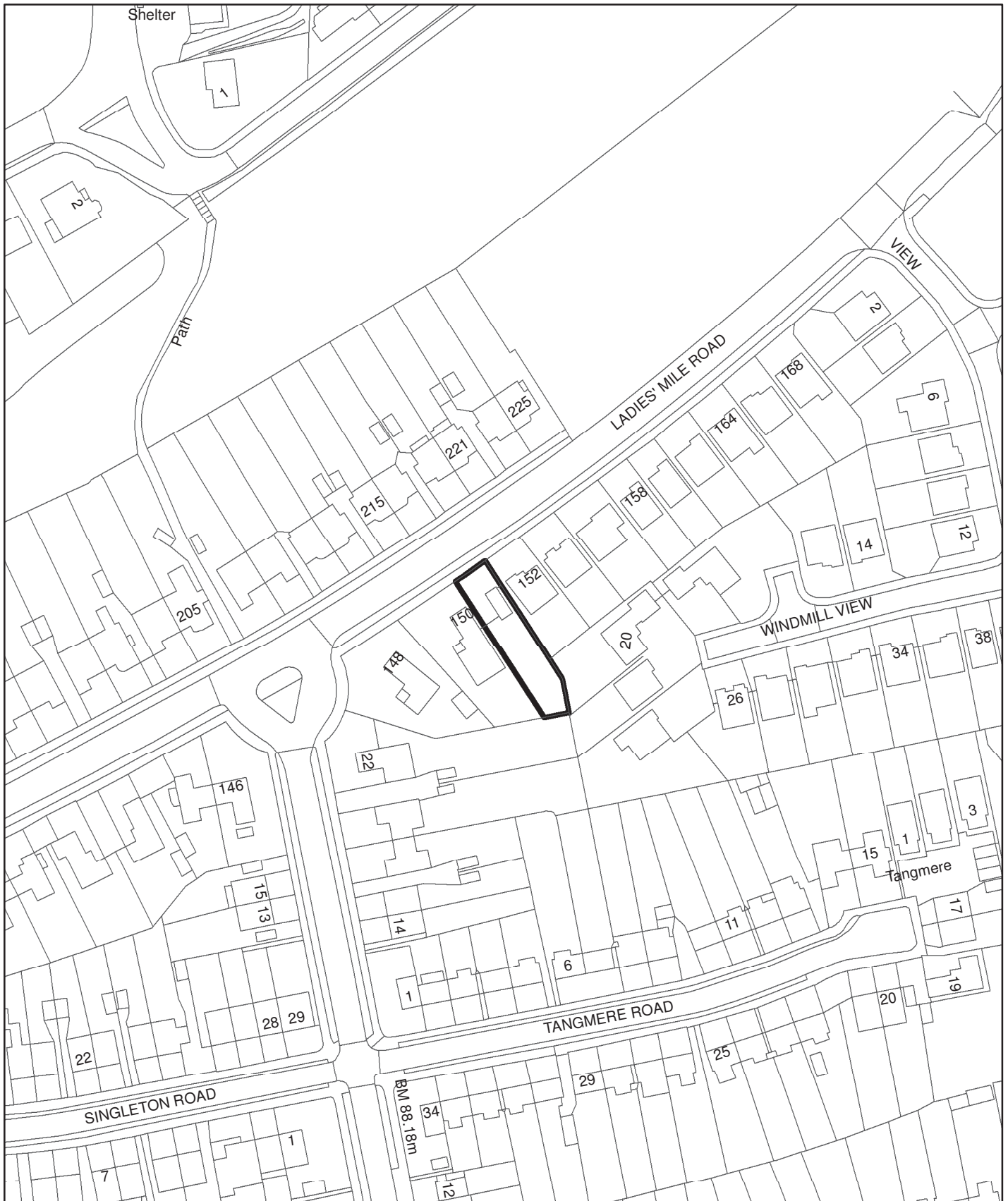
**PLANS LIST
ITEM G**

150 Ladies Mile Road, Brighton

**BH2012/03252
Full planning consent**

24 APRIL 2013

BH2012/03252 150 Ladies Mile Road, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2012/03252	<u>Ward:</u>	PATCHAM
<u>App Type:</u>	Full Planning		
<u>Address:</u>	150 Ladies Mile Road, Brighton		
<u>Proposal:</u>	Demolition of garage and outbuilding in garden to North side of existing bungalow and erection of new two storey detached dwelling.		
<u>Officer:</u>	Wayne Nee Tel 292132	<u>Valid Date:</u>	10/10/2012
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	05/12/2012
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	PlanRight UK Ltd, 464B Groby Road, Leicester		
<u>Applicant:</u>	Mr R Holness, C/O PlanRight UK Ltd		

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 is currently part of 150 Ladies Mile Road which consists of a detached bungalow. The site would be subdivided and the proposed new dwelling would replace the residential garage and out building to the north of the host bungalow. The site is located on the south-east side of Ladies Mile Road.
- 2.2 Ladies Mile Road is characterised by residential properties comprising a mixture of detached and semi-detached bungalows to the north and west of the application site, and a group of 9 detached two storey dwellings to the east.

3 RELEVANT HISTORY

BH2011/02845: Demolition of garage and out building in garden to North side of existing bungalow and erection of new two storey detached dwelling – Refused 02/04/2012 (Appeal allowed 05/03/2013).

BH2008/02110: Extension to form side garage - Approved 07/08/2008. Not implemented.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of a garage and outbuilding in the garden to the north of the existing bungalow, and the erection of a new two storey detached dwelling.
- 4.2 The details of the proposal are as follows:
- Size: The dwelling would be two storeys and a pitched roof above, with a ridge height of approximately 8m. The building would have a ground floor

area of approximately 83.8m² with the rest of the site forming private amenity space.

- Siting: The dwelling would be sited in between no. 150 Ladies Mile Road and no. 152 Ladies Mile Road, and it would follow the front building line of these properties.
- Fenestration: The building would have ground and first floor windows on all elevations, with roof windows at second floor level on both sides and the rear elevation. The drawing indicates that the north elevation windows would be obscurely glazed.
- Materials: The dwelling would have brickwork walls and roof tiles to match the property to the north, as well as uPVC windows and doors.
- Amenity Space: Front and rear garden spaces.
- Car parking: One off street parking space proposed on the front driveway.
- Cycle storage: Proposed for the rear garden.
- Refuse Storage: Not shown on plans.

4.3 A previous planning application (BH2011/02845), for the erection of new two storey detached dwelling, was allowed at appeal. In this resubmission, the first and second floors have been reduced in depth at the rear by 1.7m, alterations have been made to the windows on the side elevations, and there is the addition of a lantern rooflight on the ground floor flat roof at the rear. The location, footprint and front elevation of the dwelling are unchanged from the appeal proposal. It should be noted that this revised proposal was submitted for consideration before the appeal in respect of the earlier scheme was decided. Nevertheless, the applicants have indicated they would still like a determination to be made in respect of this revised scheme.

4.4 During the process of the application, the rear doors and Juliet balcony within the gable were replaced with a single window.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: Six (6) letters of representation have been received from **152, 160, 215, 217, 225 Ladies Mile Road** and **20 Windmill View** objecting to the application for the following reasons:

- Size and scale not in keeping with existing properties;
- Over dominating appearance;
- Overlooking, overshadowing and loss of privacy to neighbouring properties on Ladies Mile Road and Windmill View;
- Loss of light to 152 Ladies Mile Road;
- Increase in noise and disturbance from additional traffic;
- Increase parking problems;
- Impact on traffic visibility.

5.2 **One (1)** letter of representation has been received from **219 Ladies Mile Road** in support of the application.

Internal:

- 5.3 **Brighton & Hove Archaeological Society:** Patcham has produced significant archaeological deposits in the past from the Bronze Age and Roman periods. The Brighton & Hove Archaeological society would suggest that you contact the County Archaeologist for his recommendations.
- 5.4 **County Archaeologist:** The proposed development is situated on the edge of an archaeological notification area defining an area of prehistoric activity, including occupation and burial areas. Excavations in advance of development in the 1990s immediately adjacent to the development site recorded remains of at least two Bronze Age round houses, associated ditches and pits and an array of contemporary finds. Archaeological investigation during the construction of Patcham Fawcett school and housing development in the 1920s also recorded remains of Bronze Age settlement, as well as evidence of Iron Age and Romano-British activity in the area. In the light of the potential for loss of heritage assets on this site resulting from development the area affected by the proposals should be the subject of a *programme of archaeological works*. This will enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded. These recommendations are in line with the requirements given in the NPPF.
- 5.5 **Access Officer:** Despite the claims in the Lifetime Homes checklist submitted with the application, the following points need attention:-
- The elevations show steps at both side doors and also at the large back door.
 - The elevations do not show a canopy over the main entrance.
 - This is a 3 bedroom house so the entry level WC should be fully accessible. That generally requires a compartment at least 1400mm wide to allow suitable approach and transfer space to the WC and the basin.
 - There should be 300mm clear space at the leading edge of doors on the entry level. The space beside the kitchen door is obstructed by the kitchen unit.
- 5.6 **Sustainable Transport:** Recommended approval as the Highway Authority have no objections to this application. The Highway Authority's previous comments on application (BH2011/02845) still stand.
- 5.7 **Trip Generation & S106:** There is not forecast to be a significant increase in trip generation as a result of these proposals. The proposals are for only one new residential unit. In light of this and the fact that the development is below the Temporary Recession Measures Threshold the Highway Authority would not look for a S106 contribution in this instance.
- 5.8 **Car Parking:** SPG04 states that the maximum car parking standard for a house outside of a CPZ is 1 space per dwelling plus 1 car space per 2 dwellings for visitors. The applicant is proposing 1 car parking space for the new development and the existing car parking provision is retained for the existing property. Therefore the proposed level of car parking is in line with the maximum standards and deemed acceptable.

- 5.9 Cycle Parking: SPG04 states that a minimum of 1 cycle parking space is required for every dwelling plus 1 space per 3 dwellings for visitors. For this development of 1 residential unit the minimum cycle parking standard is 1 cycle parking spaces in total.
- 5.10 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.
- 5.11 The applicant has indicated that they intend to provide cycle parking in the rear garden. This is deemed acceptable as there is access to the side of the property providing access to the store. Therefore the Highway Authority would recommend that the standard condition is included.
- 5.12 Vehicular Access: The existing vehicular access is retained.
- 5.13 **Sustainability** (comments from previous application): Enough work has been done to indicate that the works could achieve Code Level 4 with the exception of demonstrating the fabric performance of the dwelling on the submitted plans and supporting documents, which is crucial in achieving Code Level 4. There are references to possible use of solar technology (which may be solar thermal or PV) but no indication on the drawings or elsewhere the size of the potential array.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Design - street frontages
QD16	Trees and hedgerows
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
HE12	Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste
SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the development, the impact on the character and appearance of the area, the impact upon the amenities of neighbouring properties, transport issues, standard of living for future occupiers and sustainability issues. The

recent appeal decision is also a material consideration to which significant weight should be attached.

Planning Appeal

- 8.2 The previous application (BH2011/02845) was refused for reason of loss of sunlight and daylight on the adjoining properties at 150 and 152 Ladies Mile Road. An appeal against this refusal was allowed. This application proposes a reduction in depth of the house and revisions to the fenestration.

Principle of the New Dwelling:

- 8.3 The proposal is to demolish the garage and outbuilding on the north side of the dwelling at 150 Ladies Mile. The plot would be divided and a two storey detached dwelling would be erected in place of the garage.
- 8.4 The site currently contains the house, a garage and garden area. The site is considered to be predominantly Greenfield land under national planning guidance within the National Planning Policy Framework. This places the onus on Local Planning Authorities to determine whether the development of such sites would be harmful to the character of an area, and to determine planning applications for new development accordingly. In this instance the development pattern in the area is such that the principle of developing this particular site with a new residential property is considered broadly acceptable, subject to the acceptability of the other material considerations as detailed above.
- 8.5 Proposals for garden development will always need to be rigorously examined in respect of the impact of the surrounding area and its impact on amenities. Special attention will be paid to the design and quality of spaces between buildings. Local plan policies remain applicable; policies QD3 and HO4 can support planning permission for additional residential development, including development on previously un-developed gardens providing that the proposed building responds well to the character of the area, does not harm neighbouring occupiers, and is acceptable in all other respects. These aspects will be examined in the following sections of this report.

Design and appearance:

- 8.6 The area is characterised by detached and semi detached bungalows to the north and west of the application site. The bungalow at No. 150 Ladies Mile Road is the last bungalow on the southern side of the road. The properties from 152 – 168 (evens) Ladies Mile Road are all detached two storey dwellings.
- 8.7 The dwelling would have 2 storeys including rooms in the roof and would provide a ground floor kitchen/dining, utility room, WC and living room, 3 bedrooms on the first floor with 1 ensuite and 1 bathroom, and a further bedroom in the roof space.
- 8.8 The plot coverage and space around the proposed dwelling is considered appropriate and in keeping with the spatial characteristics of neighbouring development and would ensure the development is not cramped in appearance or unduly dominant. The space around the building would also create an appropriate setting for the style and architecture of the property proposed.

- 8.9 The dwelling would have a two storey projecting gable feature which is a common feature on the two storey dwellings to the east. The proposed dwelling would also attempt to match the detailing of the adjoining dwellings such as the brickwork pattern, window styles and the front bay window. The front bay window would be similar to the bay at No. 152 Ladies Mile Road.
- 8.10 The proposed dwelling would be a similar height to the two storey dwellings and although it would be narrower than these properties, it would continue the uniformed spacing of approximately 2m between each dwelling. The amended set back and design to the rear is considered acceptable.
- 8.11 For reasons including safeguarding the character of the area and the amenity of adjoining residents it is recommended a condition is suggested to be imposed removing permitted development rights for future extensions and alterations to the proposed dwelling.
- 8.12 Overall it is considered that the proposed dwelling would respect the plot size and would relate sufficiently well to surrounding residential properties. The proposed dwelling would not be out of keeping within the street scene and would not harm the character and appearance of the surrounding area. In view of the above the proposal is considered to comply with policies QD1, QD2 and QD3 of the Local Plan.

Standard of accommodation:

- 8.13 The proposed dwelling layout provides generous accommodation for a four bedroom dwelling. The dwelling as proposed forms a good sized standard of accommodation with adequate provision of natural light and ventilation. The level of private amenity space is considered an acceptable amount in accordance with planning policy HO5.
- 8.14 The submitted Lifetime Homes checklist indicates that the dwelling would meet the required criteria; however this has not been completely demonstrated on the plans. In this case, given the size and layout of the proposed dwelling, to ensure compliance with the Lifetime Homes criteria, a condition is suggested to be attached to the approval.

Impact on Amenity:

- 8.15 The properties most likely affected by the proposed development are no. 150 Ladies Mile Road and 152 Ladies Mile Road.
- 8.16 With regards to the potential impact upon No. 150 (the host property), this site would be sub divided to accommodate the new dwelling, however the existing bungalow would still be left with adequate amenity space. The proposed dwelling, given its height and close proximity, is likely to result in an impact upon the host property, particularly by way of loss of outlook and light to the ground floor side windows facing the proposed dwelling. However, these rooms also have sufficient outlook and light from the windows on the rear elevation, which would be unaffected by the proposed dwelling. Also some significant weight must be given to the fact that the owners of No. 150 are also the applicant for this proposal.

- 8.17 The proposed dwelling would have windows inserted on the side elevation. The windows to the upper floors would only provide views across the roof slopes of No. 150. The ground floor windows would provide views into this neighbouring property, and there have been no details of any boundary screening submitted with the application. Details of the proposed boundary treatment would be requested by condition, to ensure that the boundary adequately screens these windows to prevent any overlooking.
- 8.18 With regards to the neighbouring property to the east, No. 152 Ladies Mile Road, the proposed bulk of the dwelling is significantly greater than the existing garage. This neighbouring property is a two storey dwelling, set higher than the application site and a gap of approximately 2.7m would be retained. No. 152 is also angled away from the site towards the rear.
- 8.19 No. 152 has two windows and a glazed door which face the application site. Given the height and proximity of the proposed dwelling it would have an impact in terms of loss of light and loss of outlook to these openings. However these serve a hallway, W.C. and kitchen, and therefore any harm caused here is not considered justification for refusal of the application. The Inspector on the recent planning appeal agreed with this assessment:
- 8.20 *There are two windows and a glazed door in the side elevation of No 152 but they are not main windows to habitable rooms and although there would be a loss of light through these apertures I do not consider that the proposed development would cause oppressive or claustrophobic conditions for the occupiers because they are not the main sources of natural light in the house.*
(Planning Inspectorate March 2013)
- 8.21 The rear building line of the proposed dwelling would project beyond the rear building line of the neighbouring property, by approximately 2.2m at ground floor level. To reduce the impact upon this neighbouring property, the first floor and gabled roof have been set in by 2.8m from the ground floor footprint. The upper floor levels would be set back a further 1.7m from the alignment of the rear of the appeal proposal which was considered to be acceptable to the Planning Inspector. Given that the upper floors would not project beyond the rear of no. 152 Ladies Mile Road, coupled with the gap and existing boundary treatment, it is considered that the proposed dwelling would not have a harmful impact upon this property.
- 8.22 Side windows would be positioned on the north elevation of the proposed dwelling. A condition is recommended requiring these windows to be obscure glazed and therefore they would not compromise the privacy of No. 152.
- 8.23 The dwelling would be approximately 10m from the rear boundary of the site, and there are no neighbouring properties immediately adjacent to this boundary. Therefore it is considered that the proposal would not have a harmful impact upon the properties to the south east and south west.
- 8.24 Objections have been received from No.20 Windmill View on the basis of overshadowing and overlooking. It should be noted that the distance between

the rear of the proposed house and the rear of No.20 is 22m. Given the distance it is not considered that there would be an adverse impact.

Sustainability:

- 8.25 Policy SU2 of the Brighton & Hove requires that proposals demonstrate a high standard of efficiency in the use of energy, water and materials. SPD08 provides further guidance on the level of sustainability which development should achieve. The application site is on partially developed, and partially undeveloped garden land and SPD08 advises that in regard to new-build developments located on previously developed land, a Code for Sustainable Homes rating of Level 3 should be met, whereas on undeveloped (greenfield) land, it is advised that a Code for Sustainable Homes rating of Level 5 should be met. As the proposed dwelling would be on part Greenfield and part Brownfield land it is considered on balance that Code Level 4 is acceptable in this circumstance.
- 8.26 The Sustainability Team commented on the previous application and considered it feasible that this level of sustainability could be met. There are references to possible use of solar technology (which may be solar thermal or PV) but there is no indication on the drawings the size of the potential array. However a planning condition would be attached requesting details of the sustainability measures to be submitted for approval to ensure that Code Level 4 would be achievable. This would be consistent with the conditions attached by the Inspector in respect to the recently allowed appeal.
- 8.27 Policy SU2 requires all new developments to make provision for adequate refuse and recycling storage facilities. The applicant has not identified a location for bin storage but there is space within the curtilage of the site for this and can therefore be conditioned.

Transport Issues:

- 8.28 The site is not within a controlled parking zone and an off street park space would be provided in front of the proposed dwelling. The Transport Planning Team has advised that the application results in the loss of a garage. It is stated that this garage has not been used to store vehicles in some time. The existing driveway is to be retained as part of the scheme, including the existing crossover, and is sufficient in size to adequately park a car. For these reasons the development is considered to comply with policies TR1 and TR7 and would not result in a material impact on the operation of the local highway.
- 8.29 There is a sufficient space within the rear garden of the dwelling where the location of a cycle store would be positioned and this would also be secured through condition.

Archaeology:

- 8.30 The County Archaeologist has raised concerns that the site lies within an area of archaeological sensitivity. The archaeological record for this part of Brighton, include numerous finds of settlement and burials from the Bronze Age, as well as a number of burials dated to the Roman period. An archaeology condition is therefore recommended.

Other Issues

- 8.31 As the proposed dwelling replaces a garage, to ensure safe development of the new premises, it is appropriate to apply a discovery condition that will allow any unexpected findings or discoveries to be dealt with during the construction phase. This is appropriate given the length of time that the buildings have been identified as being on site. Historical mapping suggests these as early as 1951.

9 CONCLUSION

- 9.1 The site is the subject of an allowed appeal for a dwelling. The proposal for a dwelling on the site is acceptable in principle and would not cause harm to the character of the surrounding area. No significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and transport issues. Landscaping and measures to preserve ecology/biodiversity are secured by appropriate planning conditions. The scheme is a reduced version of the dwelling recently allowed on appeal which has established the acceptability of a new house on the site.

10 EQUALITIES

- 10.1 A condition is recommended to ensure the development complies with Lifetime Homes standards.

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
Proposed floor plans	n/a	C	21/11/2012
Proposed elevations	n/a	C	21/11/2012
Existing site plan	n/a		10/10/2012
Proposed site layout	n/a		10/10/2012
Street scene details	n/a		10/10/2012
Site plan	n/a		10/10/2012
Side elevation	n/a		10/10/2012

- 3) No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted, including the boundary walls and gates, 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.
- 4) 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 to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 5) 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.
- 6) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants. Any further development shall be carried out in accordance with the approved method statement.
Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.
- 7) Prior to occupation, the side windows on the north elevation of the development hereby permitted shall be obscure glazed and non-opening, unless part of the windows 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 & Hove Local Plan.
- 8) 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.

- 9) No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details.

Reason: To enable the recording of any items of historical or archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with policy HE12 of the Brighton & Hove Local Plan.

- 10) No development shall take place until full details of the boundary treatments 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 privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

- 11) Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall not be occupied until a Building Research Establishment issued Final Code Certificate confirming that the unit has achieved a Code for Sustainable Home 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.

- 12) The development hereby approved shall not be occupied until details of refuse and recycling and cycle parking facilities, 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 shall be thereafter retained as such.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and the parking of cycles and to comply with policies TR14 and QD27 of the Brighton & Hove Local Plan.

11.2 Informatives:

1. In accordance with the National Planning Policy Framework 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 site is the subject of an allowed appeal for a dwelling. The proposal for a dwelling on the site is acceptable in principle and would not cause harm to the character of the surrounding area. No significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and transport issues. Landscaping and measures to preserve ecology/biodiversity are secured by appropriate planning conditions. The scheme is a reduced version of the dwelling recently allowed on appeal which has established the acceptability of a new house on the site.
3. The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Home, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk)
4. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).

