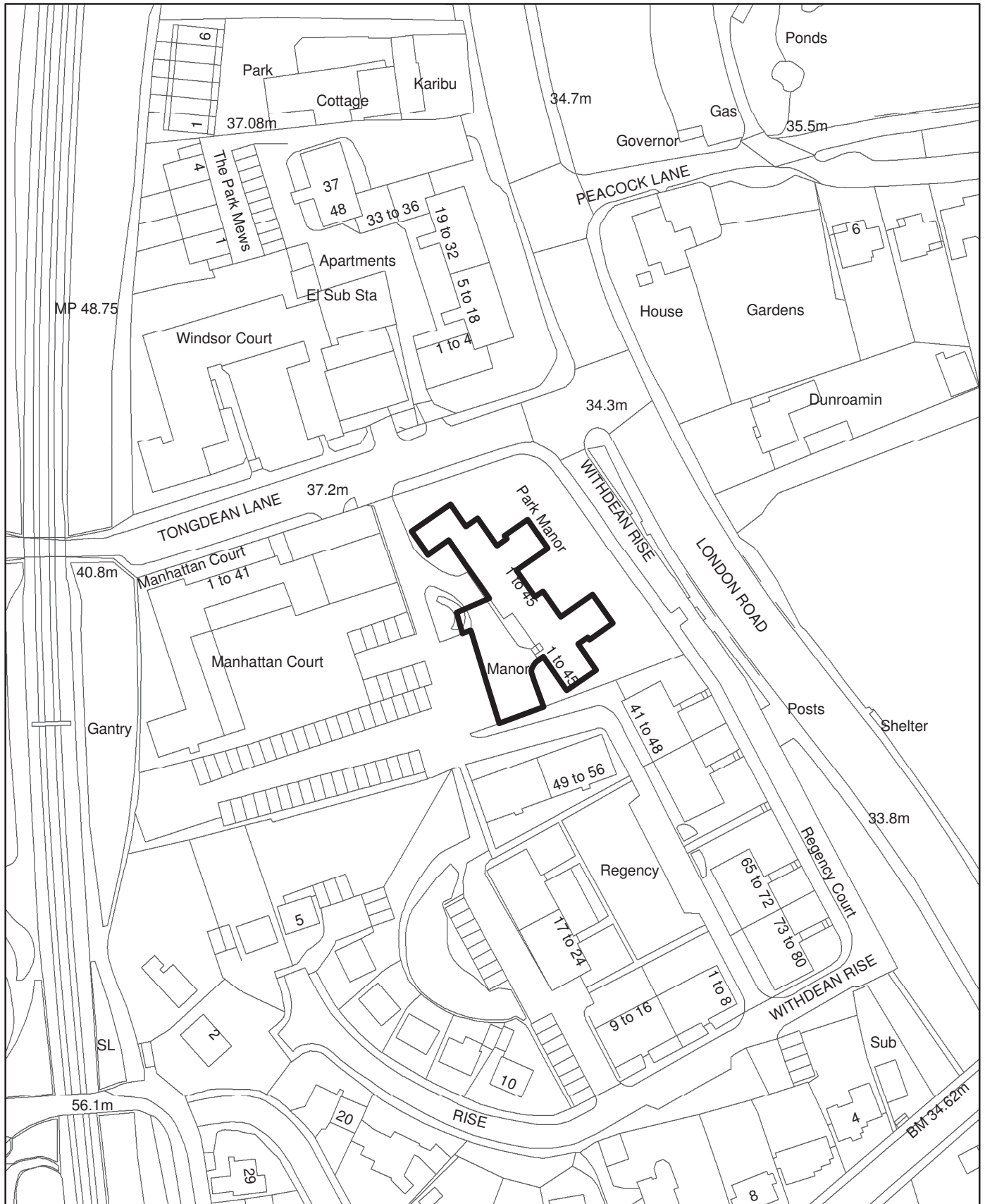


# **ITEM N**

**Park Manor, London Road,  
Brighton, BN1 6YP**

**BH2013/01800  
Full Planning**

# BH2013/01800 Park Manor, London Road, Brighton



**Brighton & Hove  
City Council**



Scale : 1:1,250

<b><u>No:</u></b>	<b>BH2013/01800</b>	<b><u>Ward:</u></b>	<b>WITHDEAN</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Park Manor London Road Brighton</b>		
<b><u>Proposal:</u></b>	<b>Roof extension to form 4no one bedroom flats and 2no two bedroom flats with private roof gardens and creation of 4no car parking spaces, 1no disabled car parking space and new cycle store.</b>		
<b><u>Officer:</u></b>	Jason Hawkes Tel 292153	<b><u>Valid Date:</u></b>	24/06/2013
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	19 August 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Strutt and Parker, 31 North Street, Chichester, West Sussex, PO19 1LY		
<b><u>Applicant:</u></b>	Anstone Properties Ltd, C/O Strutt & Parker, 31 North Street, Chichester, West Sussex, PO19 1LY		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to the completion of a Section 106 agreement and the conditions and informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a 7 storey block of 45 flats situated on the corner of London Road and Tongdean Lane. The building dates from the late 1960s and is constructed in light brown bricks with white windows; some of the flats have balconies which protrude from the front elevation. The roof of the building includes large additions for lift housing. The building is opposite Surrenden Field Park and is part of a row of other blocks of flats at Regency Court and The Park Apartments which front London Road.
- 2.2 It should be noted that there is an extant permission for a two-storey extension to an existing addition on the north side of the building which would allow an additional two flats within the site.

## 3 RELEVANT HISTORY

**BH2013/02531:** Application for approval of details reserved by condition 6 of application BH2012/03981. Currently under consideration.

**BH2012/03981:** Application for variation of condition 2 of BH2012/00382 (Erection of two storey extension to side annex to form 2no one bedroom flats and erection of cycle store), which states that the development shall be carried out in accordance with the approved drawings, to permit an increase to the approved roof height of 0.5m and remove solar panels. Approved 14<sup>th</sup> February 2013.

**BH2011/01313:** Erection of two storey extension to side annexe to form 1no three bedroom maisonette and erection of cycle store. Approved 29<sup>th</sup> November 2011.

**BH2010/04042:** Erection of two storey extension to side annexe to form 1no two bedroom maisonette and erection of cycle store. Refused 14<sup>th</sup> March 2011.

**BH2010/02980:** Application to extend time limit for implementation of previous approvals BH2005/01349/FP & BH2007/04485 for proposed roof extension to provide 4no three bedroom penthouse flats with private roof gardens, parking and associated works. Approved 19<sup>th</sup> November 2010.

**BH2007/04485:** Amendment to approval BH2005/01349/FP (proposed roof extension to provide 4 flats) by increasing height of roof by 0.5m. Approved 29<sup>th</sup> February 2008.

**BH2005/06329:** Proposed roof extension to provide four 2-bedroom flats with four car parking spaces, one disabled car space, new secure cycle store, new passenger lift and staircase. Refused 17<sup>th</sup> February 2006.

**BH2005/01349/FP:** Roof extension to provide four 3-bed penthouses flats with private roof gardens four reserved parking spaces (no's. 50-53 inclusive) as extent consent 68/2098 one disabled parking and new secure cycle store. Refused 8<sup>th</sup> June 2005. Appeal allowed 15<sup>th</sup> May 2006.

**BH2005/00364/FP:** Roof extension to provide four 3-bed penthouses flats with private roof gardens four reserved parking space one disabled parking and new secure cycle store. Withdrawn 30<sup>th</sup> March 2005.

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the construction of an additional floor on the building. The extension would provide an additional 6 flats (4 x one bedroom units and 2 x two bedroom units). The proposed flats include balconies to the front and side elevations for the new flats. The scheme also includes 5 additional car parking spaces (including 1 disabled space) and cycle parking for the scheme within the site to the rear of the building. The scheme involves the removal of the existing lift housing and new lift housing is included in the scheme.

#### **5 PUBLICITY & CONSULTATIONS**

##### **External**

- 5.1 **Neighbours: Ninety Four (94)** letters of representation have been received from Flat 1, 2 (x2), 3, 4, 5, 10, 11, 12, 12A, 16 (x2), 18, 19, 21, 23 (x2), 24, 25 (x3), 26, 28, 29 (x2), 30, 34, 35 (x4), 36, 37 (x2), 38 (x2), 40 (x2), 41 (x2), 42 & 45 Park Manor and Flat 1, 2, 4, 6, 9, 11, 12, 12A, 14, 15, 16, 18, 20, 21, 22, 23, 24, 26, 28, 29, 30, 32, 34, 36, 38, 39, 40, 43, 44, 46, 47, 48, 49, 50, 52, 57, 58, 59, 60, 64, 65, 68, 70, 71, 75, 76, 77, 78, 80 Regency Court, Dunroamin, London Road and 129 Newtown Road, Southampton (leaseholder of 67 Regency Court) objecting the application for the following reasons:
- There was a near identical failed application some 25 years ago and the structural report carried out at the time highlighted the problem of an extension with respect to the existing building.
  - The roof gardens will result in noise, overlooking and loss of privacy for Regency Court and existing residents at Park Manor.

- The additional parking spaces will only serve to exacerbate the already critical lack of parking spaces at Park Manor and Regency Court. The existing development has 42 apartments with only 10 parking bays for residents and visitors. There is no capacity for more parking.
- Park Manor is already at capacity in terms of its current level of occupation and associated traffic and parking. A further increase of 6 flats would stretch things to breaking point and cause intolerable increase in noise and extra traffic.
- During the construction phase, there will undue disturbance caused to existing residents.
- The development will reduce the market value of the existing properties causing hardship to the existing tenants.
- The appearance and size of the proposed development are not in character with the existing elevations.

5.2 **Brighton & Hove Archaeological Society:** The proposed development lies close to the location of a recorded burial dated to the Late Neolithic or Early Bronze Age period. The society would suggest that you contact the County Archaeologist for his recommendations.

5.3 **East Sussex County Council Archaeologist:** No objection

5.4 **Environment Agency:** No comment

**Internal:**

5.5 **Access Consultant:** No objection

5.6 **Environmental Health:** No objection

5.7 **Housing:** No comment

5.8 **Sustainable Transport:** No objection subject to the following:

- 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 residents of and visitors to the development hereby approved.
- The development hereby permitted shall not be commenced until full details of secure cycle parking facilities for the occupants of, and visitors to, the development 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.
- To comply with the Brighton & Hove Local Plan 2005 policies TR1 and QD28 and the Council Interim Guidance on Developer Contributions approved by Cabinet on the 17th February 2011 the Applicant is expected to make a financial contribution of £4,500 to help finance off-site highway improvement schemes. The improvements will mainly be finance dropped within the area.

## **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
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
QD14	Extensions and alterations
QD27	Protection of Amenity

HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance:

SPGBH4	Parking Standards
SPGBH15	Tall Buildings

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD08	Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
-----	--

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 Matters relating to loss of property value, the structural integrity of the existing block and disturbance during construction works are not material planning considerations. The main considerations in the determination of this application relate to the principle of the scheme, whether the proposal is appropriate in terms of design, residential amenity, sustainability and highway safety / demand for travel.

**Principle of development:**

- 8.2 Planning permission is sought for the erection of an additional storey on top of the existing building to form 6 flats. The planning history for this building is particularly relevant when considering the principle of an additional storey. In 2006, planning permission was granted at appeal under ref: BH2005/01349/FP for an additional storey on top of Park Manor to form four flats. Subsequently, an amendment to the scheme was allowed under BH2007/04485 in 2008. This amendment allowed an increase in height of the approved scheme. Following this, in November 2010, planning permission was allowed to extend the time limits of the two above planning applications. This permission is extant and expires on the 19<sup>th</sup> November 2013.
- 8.3 Given the appeal decision and the extant permission for an additional storey, the principle of an additional storey on top of this building has been established. It should also be noted that there are recent examples of planning permissions for similar additional storeys on apartment blocks nearby.
- 8.4 For example, in 2012 permission was granted at appeal for an additional storey at Blocks E & F Kingsmere London Road under ref: BH2011/03432. Permission has also been granted recently for an additional storey at The Excelsior, London Road under refs: BH2011/00370 & BH2007/03309. Both of these blocks are nearby on London Road.

**Design:**

- 8.5 Brighton & Hove Local Plan policies QD1 and QD2 require new development to be of a high standard of design that would make a positive contribution to the surrounding area and that emphasises and enhances the positive characteristics of the local neighbourhood. Policy HO4 states that residential development will be permitted at higher density where it can be demonstrated that the proposal exhibits a high standard of design.
- 8.6 As outlined above, this scheme follows a previous approval for an additional storey which was allowed on appeal (ref: BH2005/01349/FP) which has been extended and is an extant permission. This scheme approved an extension to the whole of the roof of Park Manor which formed an additional storey with front roof terraces.
- 8.7 In respect of the design of the 2005 application, the Inspector made the following comments:
- 'The existing lift housings which project above the roof are unsightly additions to the otherwise distinctive building. The new flats and their roof gardens would be no taller than the lift housing, and would respect the design of the lower floors. Because it would infill the space around the lift housings, the development would have a cohesive, flat-roofed appearance, in character with the rest of the block. The building would seem a little taller from street level, and it would not be dissimilar in height to other developments along the London Road, including the Park Apartments and Mandalay Court, nearby to the north, which serve to establish local distinctiveness. It would not, therefore, be overbearing, or an overdevelopment of the site. Park Manor is already taller than the 4-storey blocks at Regency Court, to the south, and because it is a sufficient distance from them, the modest increase in form that the proposal would cause would not be out of keeping.'*
- 8.8 In respect of the current scheme, the proposal is again for a full extension to the roof of Park Manor which forms an additional storey for 6 flats. The design of the current scheme differs from the extant permission in that it is more set back from the edges of the roof and introduces a more modern design. The previous permission proposed an extension which was built from the existing elevations, whereas the current proposal introduces greater set backs. This is similar to the alterations at Park Apartments, which is located to the north. The set back from the edges of the roof gives the scheme a more subordinate appearance and reduces the scheme's visual impact when compared to the extant permission. The set back from the front and side allows small areas for roof terraces.
- 8.9 To the front and side, the scheme includes large areas of full height windows and small areas of cladding. To the rear, the scheme extends two existing outriggers and includes windows within a rendered wall. The windows line up and match the design and scale of the existing windows on the building. To the roof of the building are new lift room extensions which extend above the roof of the addition by 400mm. The main extension extends the height of the building by 2.7m. Given the extant permission for a roof extension, it is felt that the



modern design and scale of the current scheme is preferable as it would form a more sympathetic and subordinate addition to the building.

- 8.10 It should also be noted that the scheme is in accordance with Supplementary Planning Guidance Note 15 on Tall Buildings. This SPG outlines the Council's approach to new tall buildings and extensions to existing tall buildings. The SPG identifies London Road as a 'corridor' for tall buildings. The SPG states that 'London Road/ Preston Road corridor provides a number of opportunities, whilst respecting the green residential character of the area, through a pattern of tall buildings and open spaces that emphasises the linear form of the corridor and provides a more unified approach to built form. Separated slightly from the city centre there are opportunities to reinforce the existing tall buildings and utilise the significant level change to the west to better integrate tall buildings within the townscape.'

**Impact on Amenity:**

- 8.11 Policy QD27 states that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.12 In respect of the scheme's impact on amenity, the scheme is again comparable to the extant permission for an additional storey. Park Manor is significantly larger than the adjacent neighbouring blocks of flats. The proposed extension is set back from the roof of the main building. Given the set back of the extension to the front and sides and the position and height of Park Manor in relation to its immediate neighbours, the scheme would not result in a significant impact on the amenity of any adjacent residents in respect of loss of light, overlooking or loss of outlook.
- 8.13 The scheme is also considered appropriate in respect of its impact on the amenity of the existing residents at Park Manor. The scheme does include small balconies which would allow some oblique and limited views into the existing sixth form windows. However, these windows are already partly overlooked through existing windows on the block. Additionally, the balconies are slightly set back from the front of the roof. Accordingly, it is felt that the scheme would not result in a significant loss of privacy to the existing sixth floor windows. Furthermore, in respect of noise disturbance, the proposed balconies for the six flats are not significantly large and could not host a great number of people, which could potentially result in a noise disturbance.
- 8.14 Given the previous approval and the scale and design of the current scheme, the proposal would not result in a significant impact on the amenity of any adjacent properties.

**Standard of accommodation:**

- 8.15 Brighton & Hove Local Plan policy QD27 requires new residential development to provide suitable living conditions for future occupiers. The scheme proposes 4 one bedroom units and 2 two bedroom units. The proposal provides a

suitable standard of accommodation with adequate light and outlook for the habitable rooms provided.

- 8.16 Policy HO5 requires suitable external amenity space to be provided for new residential development. The scheme includes balconies for each flat. Balconies are classed as outside amenity area in policy HO5 and the scheme is considered in accordance with the policy.
- 8.17 Brighton & Hove Local Plan policy HO13 requires new development to comply with Lifetime Homes standards. The applicant has outlined some Lifetime Homes measures in the submitted Planning Statement which include adequate space for wheelchair turning and circulation and appropriate dimensions for doorways and hallways. The Council's Access Officer has commented that, subject to the balconies provided having a level access, the scheme is deemed acceptable.

**Sustainable Transport:**

- 8.18 Brighton & Hove Local Plan policy TR1 requires new development to address the related travel demand, and policy TR7 requires that new development does not compromise highway safety.
- 8.19 To accommodate the additional 6 units, the scheme includes 5 additional parking spaces within the site, one of which is shown as a disabled space. The scheme also includes an area for additional cycle parking. The Transport Manager has assessed the scheme and commented that the scheme is acceptable in relation to its demand for travel, subject to a contribution of £4,500. This is to be secured via a Section 106 agreement.
- 8.20 The contribution will go towards footway improvements in the local area. This contribution will go towards mitigating the forecast increase in trips to and from the development and ensuring the development is in accordance with Local Plan policies TR1, TR7 and TR8 by providing safe walking routes to and from the development.
- 8.21 The applicant is proposing 5 additional on-site car parking spaces in total, 1 of which will be a disabled space. This is as per the previous permission BH2010/02980. There are currently 30 car parking spaces on-site. Supplementary Planning Guidance Note 4 on Parking Standards states that the maximum car parking standard for a residential development outside a CPZ is 1 car parking per unit and 1 space per 2 units for visitors. Therefore the proposed level of car parking is in line with SPG04 and deemed acceptable.
- 8.22 The applicant states that they intend to provide 1 disabled car parking space. However, the submitted drawings do not indicate the intended dimensions of the bay. The Transport Manager has commented that the disabled bays should be designed in line with the guidance provided in the Department for Transport (DfT) produced Traffic Advisory Leaflet 5/95. The bays should also be located as close to the main entrance as is possible to provide a convenient and safe route to the building. An informative is recommended stating that the disabled bay should meet the above standards.

- 8.23 SPG 4 states that a minimum of 1 cycle parking space per residential unit plus 1 space per 3 dwellings for visitors. 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.
- 8.24 The applicant intends to provide a cycle store which they say can accommodate 12 additional cycle parking spaces. This level of cycle parking is welcomed, however it is not apparent from the information submitted whether the proposed Bristol Bike compound allows horizontal bike parking and the user to easily secure the frame and both wheels of the bike. Therefore the Highway Authority recommend that this aspect is secured via condition.
- 8.25 Overall, subject to the provision of cycle parking and the contribution towards improving sustainable infrastructure in the area, it is felt that the scheme is appropriate in respect of demand for travel and its impact on traffic and parking in the area.

**Sustainability:**

- 8.26 Policy SU2 states that planning permission will be granted for proposals which demonstrate a high standard of efficiency in the use of energy, water and materials.
- 8.27 Under Supplementary Planning Document 8 on Sustainable Building Design, new build residential for 3-9 units is required to meet Level 3 of the Code for Sustainable Homes. As with similar extensions in the area, the extension to the roof is classed as new build and is required to meet this standard. A condition is therefore recommended requiring the submission of the relevant documents at the pre-commencement and pre-occupation stage that indicate the scheme would meet Level 3 of the Code for Sustainable Homes.

**Other Considerations:**

- 8.28 The previous permission for an additional floor included a condition requiring the lift housing to be enclosed in sound insulating material and mounted in such a way to minimise transmission of structure borne sound. This condition is recommended for the current scheme to protect the amenity of future residents of the flats.

**9 CONCLUSION**

- 9.1 Having regard to the previous permissions and extant permission for an additional floor to Park Manor, the principle of additional flats on top of this building has been established. The development would form an appropriate addition on the building and would be a sympathetic addition in the context of the street scene. The proposal also provides suitable accommodation and would not significantly detract from the amenity of adjacent residents or significantly affect highway safety and parking in the area.

**10 EQUALITIES**

10.1 The new flats would be required to fully comply with Part M of the Building Regulations and meet Lifetime Homes standards in accordance with policy HO13.

**11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES**

11.1 Section 106 agreement to secure:

- Contribution of £4,500 to finance off-site highway improvement schemes such as footway improvements in the local area.

and subject to the following Conditions and Informatives:

11.2 Regulatory Conditions:

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

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

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

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

Plan Type	Reference	Version	Date Received
Site & Location Plan	A1413/01	B	24 <sup>th</sup> June 2013
Existing Sixth Floor Plan	A1413/02	A	4 <sup>th</sup> June 2013
Existing East Elevation	A1413/03	A	24 <sup>th</sup> June 2013
Existing West Elevation	A1413/04		24 <sup>th</sup> June 2013
Existing S & N Elevations	A1413/05	A	24 <sup>th</sup> June 2013
Proposed Seventh Floor Plan	A1413/07		4 <sup>th</sup> June 2013
Proposed Seventh Floor Plan	A1413/08	A	4 <sup>th</sup> June 2013
Proposed East Elevation	A1413/09	B	4 <sup>th</sup> June 2013
Proposed West Elevation	A1413/10	A	4 <sup>th</sup> June 2013
Proposed S & N Elevations	A1413/11	B	4 <sup>th</sup> June 2013
Existing Roof Plan	A1413/12	A	4 <sup>th</sup> June 2013
Proposed Roof Plan	A1413/13	B	4 <sup>th</sup> June 2013
Proposed Seventh Floor Pan	A1413/14	A	4 <sup>th</sup> June 2013
Existing Parking Plan	A1413/15		24 <sup>th</sup> June 2013
Parking & Cycle Store	A1413/16		24 <sup>th</sup> June 2013
Comparison Plan			4 <sup>th</sup> June 2013
Bike Store Details			24 <sup>th</sup> June 2013

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

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

- 4) The new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.  
**Reason:** To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
- 5) The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.  
**Reason:** To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.
- 6) No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.  
**Reason:** To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

11.3 Pre-Commencement Conditions:

- 7) No development shall take place until details of the proposed lift plant and machinery to be used on the premises have been submitted to and approved in writing by the Local Planning Authority. The details shall indicate the lift plant and machinery enclosed with sound-insulating materials and mounted in a way which will minimise transmission of structure borne sound. Development shall be carried out in accordance with the approved details.  
**Reason:** To protect residential amenity of the occupiers of the building and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 8) Notwithstanding the details submitted, 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.
- 9) No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
**Reason:** To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.
- 10) No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local

Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

- 11) No residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves Code level 3 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

#### 11.4 Pre-Occupation Conditions:

- 12) 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 3 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

#### 11.5 Informatives:

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

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

- (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:

(Please see section 7 of the report for the full list); and

- (ii) for the following reasons:-

Having regard to the previous permissions and extant permission for an additional floor to Park Manor, the principle of an additional storey on top of this building has been established. The development would form an appropriate addition on the building and would be a sympathetic addition in the context of the street scene. The proposal also provides suitable accommodation and would not significantly detract from the amenity of adjacent residents or significantly affect highway safety and parking in the area.

3. The applicant is advised that new legislation on Site Waste Management Plans (SWMP) was introduced on 6 April 2008 in the form of Site Waste Management Plans Regulations 2008. As a result, it is now a legal requirement for all construction projects in England over £300,000 (3+ housing units (new build), 11+ housing units (conversion) or over 200sq m non-residential floorspace (new build)) to have a SWMP, with a more detailed plan required for projects over £500,000. Further details can be found on the following websites: [www.netregs.gov.uk/netregs/businesses/construction/62359.aspx](http://www.netregs.gov.uk/netregs/businesses/construction/62359.aspx) and [www.wrap.org.uk/construction/tools\\_and\\_guidance/site\\_waste\\_2.html](http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html)
4. Please note that the Transport Manager has commented that the disabled bays should be designed in line with the guidance provided in the Department for Transport (DfT) produced Traffic Advisory Leaflet 5/95. The bays should also be located as close to the main entrance as is possible to provide a convenient and safe route to the building.
5. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)), on the Department for Communities and Local Government website ([www.communities.gov.uk](http://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](http://www.brighton-hove.gov.uk)). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.

