

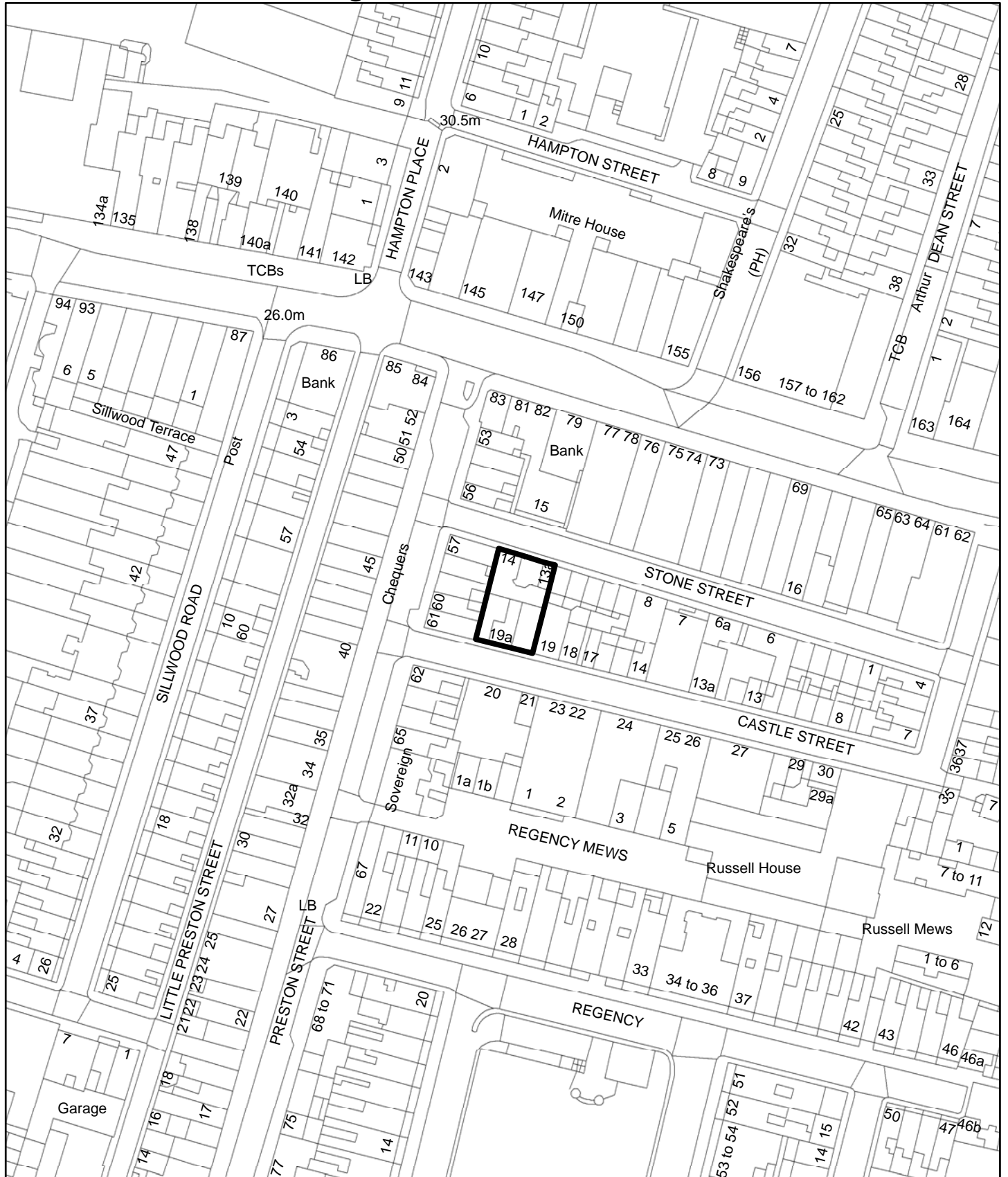
# **ITEM C**

**13A- 14 Stone Street & 19A Castle Street,  
Brighton**

**BH2013/02798  
Full planning**

**02 APRIL 2014**

# BH2013/02798 13A-14 Stone Street & 19A Castle Street, Brighton



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2013/02798</b>	<b><u>Ward:</u></b>	<b>REGENCY</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>13A-14 Stone Street &amp; 19A Castle Street Brighton</b>		
<b><u>Proposal:</u></b>	<b>Conversion of existing two storey office and storage building on Stone Street into 1no three bedroom dwelling with associated alterations and refurbishment. Demolition of existing two storey building on Castle Street and erection of three storey student accommodation block of 14no units.</b>		
<b><u>Officer:</u></b>	Jason Hawkes Tel 292153	<b><u>Valid Date:</u></b>	14 August 2013
<b><u>Con Area:</u></b>	Regency Square	<b><u>Expiry Date:</u></b>	09 October 2013
<b><u>Listed Building Grade:</u></b>	13A-14 Stone Street is Grade II listed		
<b><u>Agent:</u></b>	Mackellar Schwerdt Architects, The Old Library, Albion Street, Lewes, BN7 2ND		
<b><u>Applicant:</u></b>	Just Developments Ltd, Timbers, Rookery Way, Haywards Heath, West Sussex, RH16 4RE		

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site can be divided into two distinct parts. The first part relates to a two-storey building fronting Stone Street. The address of this part of the site is 13A-14 Stone Street. This site includes a central yard area between two single-storey buildings. The other part of the site is to the rear and faces south onto Castle Street. The address of this part of the site is 19A Castle Street. This site includes a two-storey pitched roof flint building and a single-storey building. These buildings are also divided by a yard area. The two sites at Castle Street and Stone Street form one unit with an internal link between the two. The whole of the site was formerly occupied by Hill Bros, a roofing and building contractors. Hills Bros have relocated to another premises in Hove and the site has been vacant for a number of years. All of the buildings on site are in a poor state of repair.
- 2.2 The north building on Stone Street is Listed, Grade II. The building was listed in August 2012. The south building on Castle Street is also protected by the listing by virtue of being a pre-1947 building within the curtilage of the Listed Building. The site also falls within the Regency Square Conservation Area.
- 2.3 The buildings were formerly used as purpose-built stables and a carriage house dating from the early 19th Century (probably the early 1840s). The Stone Street "fly" carriage stables are particularly interesting because of their

symmetrical layout. They comprise a two-storey rear range with central coach house flanked by slightly projecting wings, splayed at the inner corners with first-floor haylofts and ground-floor stabling, partially obscured by single-storey projecting coach houses enclosing a yard. Originally, as shown on the 1877 Ordnance Survey map, the north side had gates. The exterior has been changed by the replacement of windows apart from an original east first floor pivoting casement although most window openings have not been enlarged. The west first floor window opening on the splay was enlarged and has a sash window with vertical glazing bars. The ground floors have cambered door openings in the splay. The east coach house wing has boarded doors. There is much non-original internal partitioning. Internally no fittings survive to the stables except for some brick flooring and one coach house retains some plank dado panelling.

- 2.4 The buildings on Castle Street comprise a range of three two-storey livery stables set endwise onto the street with a detached single coach house in the north-west corner of the yard. The stable range is built of flint cobbles with brick dressings and coach house is rendered. The stable range has been patched in 20<sup>th</sup> century brick and one third has been rebuilt in concrete block and refaced in render in the 20<sup>th</sup> century. The windows and doors have been altered and the gable end rendered. The coach house has an early 20<sup>th</sup> century extension built on to the front. The three stables do not retain any internal fittings and there are none to the coach house.
- 2.5 Stone Street and Castle Street are of mixed character with both residential terraced houses, historic commercial buildings and some modern buildings, mostly in render but with some brick. 13A-14 Stone Street is on the council's Building at Risk register, and is in a very poor condition.

### 3 RELEVANT HISTORY

**BH2013/00250:** 13A-14 Stone Street & 19A Castle Street. Conversion of existing two storey office and storage building on Stone Street into 1no three bedroom dwelling with associated alterations and refurbishment. Demolition of existing two storey building on Castle Street and erection of three storey student accommodation block of 14no units. Withdrawn May 2013.

**BH2013/00249:** 13A-14 Stone Street & 19A Castle Street. Conversion of existing two storey office and storage building on Stone Street into 1no three bedroom dwelling with associated alterations and refurbishment. Demolition of existing two storey building on Castle Street and erection of three storey student accommodation block of 14no units. Withdrawn May 2013.

**BH2011/02547:** 13A-14 Stone Street & 19A Castle Street. Demolition of existing buildings to Stone Street & Castle Street. Withdrawn November 2011.

**BH2011/02546:** 13A-14 Stone Street & 19A Castle Street. Demolition of existing two storey buildings and erection of 2no two bed houses on Stone Street and 2no two bed flats and 1no three bed flat on Castle Street. Withdrawn November 2011.

**BH2009/01911:** 13A-14 Stone Street & 19A Castle Street. Demolition of existing two storey buildings and yard (excluding the flint building) and

erection of a 3 storey building containing 6no. self-contained flats and 2no. retail units. Withdrawn October 2009.

**BH2009/01912:** 13A-14 Stone Street & 19A Castle Street. Demolition of existing two storey roofing contractors office (B1/B8). Withdrawn October 2009.

#### **4 THE APPLICATION**

4.1 Planning permission is sought for the following:

- The conversion of the existing two storey office and storage building on Stone Street into 1 three bedroom dwelling with associated alterations and refurbishment.
- The demolition of the existing two storey building on Castle Street and the erection of three storey student accommodation block of 14 units including cycle parking.

4.2 A concurrent listed building application is being considered under ref: **BH2013/02799**.

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

##### **External**

5.1 **Neighbours: Twenty Two (22)** letters of representation have been received from **9, 13, 16 Flat 1, Flat 3, Flat 4, Flat 6, 16 Stone Street; 5, 13, 19, 20, 21, 33 (x2), 35, 42 & 55 Castle Street; 57, 57A, 58, 59 Preston Street & 14 Crown Street, Brighton & Hove Heritage Commission** objecting to the application for the following reasons:

- Stone Street is slowly being upgraded to residential with several new flat developments. The last thing this area needs is a youth / student accommodation unit with all the disruption that this entail including street drinking, late night shouting and parties.
- Other areas near these hostels have all suffered similar experiences with consequent drop in property values and living conditions.
- There is already concern with the brothel nearby and poor lighting on the street.
- The Preston Street area has been run down for many years and is only just beginning to come back to life.
- Castle Street is a particular haven for drunks and the unemployed making it more difficult for local businesses to present the region in a good light.
- Castle Street already has many privately owned properties that are rented to students which cause a lot of noise disturbance and disruption.
- The accommodation is for language students. Language students will always be here for short stays only and so the development will never be part of the community.
- If the Language School closes the development will be empty and possibly used for the homeless as a hostel. A further increase in hostel accommodation would be detrimental to the area.
- The scheme would be detrimental for the area due the increase in people, vehicles and more rubbish.

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- The Conservation Area should be retained with its original features. The Castle Street building is not in keeping with area. The Castle Street buildings should be retained and protected.
- The development will overshadow the surrounding buildings. The three-storey building is too high for the area. The Castle Street development will be cramped and overdevelopment of the area.
- There is concern that the footings for a building of this size will compromise the basements of the adjoining small houses.
- If approved, the construction works are likely to have a detrimental impact on the amenity of adjacent properties.
- The increased population and proximity to others properties will inevitably reduce privacy for everyone.
- The proposed building does not have satisfactory access for people with disabilities.
- The Castle Street site is more suitable for residential development, such as affordable housing, and not student housing. Student housing would not meet Lifetime Homes standards.
- The cycle parking proposed for the student accommodation is not in line with policy TR1 of the Brighton & Hove Local Plan as it not easily accessible and is too small.
- Due to the increased building size and increased activity, there will be an increase in pollution from emissions such as gas.
- The submitted statement states that the renovation of the Stone Street building to a dwelling is dependant on funds from the Castle Street student accommodation. A condition should be secured to ensure the listed buildings do not fall into any further disrepair.
- The idea of permeable paving is unacceptable as this will detrimentally affect the structure of the basement of the adjacent property.
- The red line shown on the location plan is incorrect.
- The adjacent property at 13 Stone Street will need careful protection during the works as it is closely linked to 13A Stone Street.
- The sites are in the same ownership but are of such widely differing type and on different streets. A request is made to split the sites into two, to consider the proposed building on its separate merits.
- This would allow the granting of approval to the Stone Street development, which is not controversial, and at the same time allow the design approach of the Castle Street site, which is highly controversial among local residents and has been rejected by CAG.
- The key factors for a rethink to Castle Street would include:
  - Retention of elements from the original 19th Century stables structure.
  - Retention of at least a part of the courtyard space which is essential for the maintenance of the character of the Regency Square Conservation Area. This would require moving the lightwell from the back of the site to the front allowing its use as a courtyard. This would also require designing an irregular roof. The proposed monolithic roof results in an oppressive line of masonry which is out of keeping with the urban landscape.
- The buildings at Preston Street do not need a lightwell as no windows belonging to a living space back onto it.

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- In line with the approvals for Hannington Lane and the City College, a condition should be added for the installation of historic street names. This would enhance this part of Regency Square Conservation Area.
- 5.2 **Conservation Advisory Group: Objection**. Whilst the Group welcome the development of Stone Street, concerns were raised about the proposed student residence on Castle Street. Most of the buildings along the road are small family houses and residents are unhappy about the proposal. The Group feel the existing architecture on the Castle Street building should be maintained and restored as much as possible.
- 5.3 The proposed development on Castle Street is unacceptable and should incorporate a courtyard fronting the street and should, if possible, incorporate elements of the existing historic building.
- 5.4 **Regency Square Area Society: Objection**
- The plan to introduce student residence to a street that enjoys a tightly knit community of people who live in small terraced cottages and flats will have a negative effect on the area.
  - The scale of the 14 language student residences is out of line with anything else here and goes against the urban grain of the area.
  - The Castle Street building is an important building. Its street facing courtyard is a survival of a pattern of early commercial architecture that is now rare in Brighton.
  - The current proposal does not reflect the architectural standards required for a conservation area. The replacement structure is a bland and featureless large block of uniform size and height, flat onto the street. The proposed building will be highly destructive to the urban landscape of Regency Square Conservation Area. A better design solution should be sought.
  - The lightwell is unnecessary to the west because there are no living spaces which face to the East of the Preston Street buildings.
  - The scheme should be redesigned to incorporate a front lightwell, retain and reproduce elements of the stables buildings, remove some of the living units and allow a more complex design with an interesting and creative mix of old and new structures.
  - The Stone Street application is uncontroversial and welcomed.
- Internal:**
- 5.5 **Heritage: No objection**.
- **Alterations to the Stone Street Listed Building:** The principle of retaining, refurbishing and converting the Stone Street Grade II Listed Buildings into a single dwelling is welcomed, subject to appropriate design and detailing, particularly given that the building is on the council's Building at Risk register. The scheme as originally submitted required a number of amendments and additional details. The required amended details were submitted and no objection is raised to the conversion of the Stone Street building subject to appropriate conditions to ensure the preservation of this Listed Building.

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- **Demolition of existing buildings on Castle Street:** A report supporting that 19A Castle Street is beyond economic repair has been submitted. This outlines that the building has numerous structural defects, and has also been altered greatly over time; including the rebuilding of the gable end and end bay in concrete block and other areas in fletton brick. It appears that the amount of work required to retain the form and appearance of this building would necessitate the rebuilding of a vast proportion. Given the structural condition, its loss is considered acceptable provided its demolition is undertaken in conjunction with the restoration of 13A-14 Stone Street, and rebuilding on the site. This would allow this important listed building to be removed from the council's building at risk register. A copy of the historic building recording and archive should be deposited with the County Archaeologist before any demolition work proceeds.
  - **New building on Castle Street:** The proposed building is of an acceptable height and a flat roofed building would be acceptable in this location. The windows respect the floor heights and proportions of windows in the area. The design as originally submitted was considered unacceptable and required amendments. Amended plans were subsequently submitted which indicated amendments including a buff brick to the central bay and alterations to the windows and front door. The amended plans are deemed acceptable by the Conservation Officer and addressed concerns regarding the details of the design.
- 5.6 **Economic Development:** Objection. The scheme does not include sufficient marketing to justify the loss of the employment use.
- 5.7 **Environmental Health:** No objection subject to the submission of a full contaminated land condition.
- 5.8 **Planning Policy:** No objection. The proposal will result in the loss of a vacant employment type which is in a *sui generis* use. Policies EM3 of the Local Plan and CP3 of the City Plan seek to retain employment and industrial sites, but do not directly address the loss of *sui generis* builder's yards. Further information should be sought regarding the management of the student accommodation.
- 5.9 **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 occupants 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 development as a whole 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.
  - The development hereby permitted shall not be begun until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the



development, other than those with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

- Prior to commencement of the development, details of a scheme of works to raise the existing kerb and footway of the proposed dwelling are to be submitted to and approved in writing by the Local Planning Authority. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.
- The development shall not be occupied until details of a Student Move In Move Out Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be fully implemented from first occupation of the development hereby permitted and shall thereafter be retained for use at all times.
- The developer shall enter into a Section 106 legal agreement with the Council to secure a financial contribution of £5,000 towards improving walking facilities within the vicinity of the site.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

**7 RELEVANT POLICIES & GUIDANCE**

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
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
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
HO7	Car free housing
HO13	Accessible housing and lifetime homes
EM3	Retaining the best sites for industry
HE1	Listed Buildings
HE4	Reinstatement of original features on Listed Buildings
HE6	Development within or affecting the setting of Conservation Areas
HE8	Demolition in Conservation Area

Supplementary Planning Guidance:

SPGBH4	Parking Standards
SPGBH11	Listed Building Interiors
SPGBH13	Listed Building – General Advice

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD08	Sustainable Building Design
SPD09	Architectural Features

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
CP21	Student Housing and Housing in Multiple Occupation

**8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the loss of the employment use, the design and appearance of the proposed development and its impact on the Listed Building and surrounding Conservation Area, impact on residential amenity, standard of accommodation, the acceptability of the student accommodation, transport and highway concerns, land contamination and sustainability.

**Loss of Employment Use:**

- 8.2 The premises was formerly occupied by Hill Bros, a roofing and building contractors and included former offices, storage areas and yard areas onto Stone Street and Castle Street. Hills Bros have relocated to another premises in Hove and the site has been vacant since 2011. It is stated that Hills Bros vacated the premises due to the state of the premises. Since Hills Bros left, the premises has remained vacant and has further deteriorated. It is now in a poor state of repair and some areas now appear structurally unsound. Under the Use Class Order, the site is classed as a 'builder's yard' and is considered to be a *sui generis* use.
- 8.3 Policies EM3 of the Brighton & Hove Local Plan seeks to retain employment and industrial sites, but does not directly address the loss of *sui generis* builder's yards and therefore its loss cannot be considered contrary to local plan policies.
- 8.4 The Listed Building is in a poor state of repair and at risk of deteriorating further. The building has been recently listed by English Heritage, and securing its preservation is an important consideration. It is therefore considered that the benefits of preserving and bringing back into use this at-risk Listed Building is an important consideration in this application.

**Design:**

- 8.5 Policies QD1 & QD2 of the Brighton & Hove Local Plan states that all proposals must demonstrate a high standard of design and make a positive contribution to the visual quality of the surrounding area. Policy QD1 states that it does not seek to restrict creative design provided that new development can still be integrated successfully into its context. Policy HE6 states that proposals should preserve and enhance the character and appearance of Conservation Area.
- 8.6 Policy HE1 states that proposals involving the alterations, extension, or change of use of a Listed Building will only be permitted where:
- a) the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and
  - b) the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.

**Alterations to Stone Street Building:**

- 8.7 The site can be divided into two clear sections with the buildings for the site facing onto Stone Street to the north and the buildings facing south onto Castle Street. The Stone Street buildings at 13A-14 Stone Street have recently been listed. Consent is sought to retain these buildings with alterations to allow the use of this part of the site as a single-dwelling.
- 8.8 13A and 14 Stone Street are stated in the listings as being mid 19th Century rendered fly stables with haylofts over and projecting coach houses. The

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scheme retain the buildings on this part of this site which are to be refurbished throughout.

- 8.9 The proposal indicates that the original internal historic walls forming the central area are to be retained to form the enclosure for a new staircase. There are limited historical features within the building with exception of trusses to the main roof. The first floor trusses are to be retained and repaired as part of the repair and renovation of the roof structure. It is also proposed to remove an area of original brick paving to allow a new floor structure to be laid with a damp proof membrane. The scheme indicates that the bricks are to be relaid as part of the new floor.
- 8.10 The windows are a mixture of style with the oldest at first floor level. To the first floor is one 8 pane pivot window, one four pane vertical sliding sash and two fixed windows. It is proposed to refurbish all the windows and to replace the fixed windows with a new 4 pane pivot window. The ground floor windows are of either a fixed or casement style and are of a much later date. The scheme proposes the installation of partly glazed timber doors and windows onto the courtyard area.
- 8.11 All internal stud and plasterboard partitions and recent blockwork would be removed. Externally, the existing painted render would be repaired and redecorated to match existing. It is proposed to take up the existing tarmac surface to the courtyard area and replace with chequered brick pavers from the Castle Street area.
- 8.12 The scheme includes a new rendered wall, with a pier, and timber gates built between the two existing front stable extensions. The new rendered wall and pier would match the existing on the west side of the site. It is proposed to retain the folding timber doors of stable doors which are to be fixed shut.
- 8.13 The Conservation Officer has commented that the principle of retaining, refurbishing and converting the Stone Street Grade II Listed Buildings is welcomed, subject to appropriate design and detailing, particularly given that the building is on the council's Building at Risk register.
- 8.14 The Conservation Officer made the following comments on the scheme as originally submitted:
- A pier from the original front boundary wall survives to the west of the current entrance gates. The reconstructed boundary wall should match the height and detailing of this pier and portion of wall (rendered with incised joints, square section coping). The new double gates should sit just below the height of the coping to the piers. It should have a traditional open iron barred top section to permit the building to be seen from the street. These amendments were subsequently submitted and deemed acceptable.
  - The detailing to the gable end of each wing should be matched to that to the west wing. Matching the existing rainwater goods would also be appropriate. These amendments were subsequently submitted and deemed acceptable.

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- The reduction in height of the wall will require the reduction in height of the flat-roofed extension to the west wing. The detail of the courtyard elevation is also inappropriate, particularly the window proportions and design. The most appropriate solution would be to locate French doors/bifolding doors in this location, to the same design as other doors on the site. This would be more in keeping with the stabling history of the site, but would also (particularly when the doors are open) allow the entirety of the yard to be read as a once-open space. These amendments were subsequently submitted and deemed acceptable.
- The windows to the first floor are generally appropriate, as they aim to match the surviving small paned pivot window. The detailing of these can be secured by condition to ensure they exactly match the design and dimensions of this window. The application however indicates that these will be finished with a timber stain. This was deemed inappropriate. All windows should be painted white. This amendment is shown on revised drawings.
- The size of the openings to each splayed reveal at ground floor level is significant (to allow horses to enter). The size of the openings should not be altered (as proposed).
- It is proposed that the double doors at first floor level has opening upper windows. It would be appropriate for these to be fixed shut, so that the detailing of these doors can exactly match the other doors at this level. Ideally they would be solid boarded, but it is acknowledged that this may give insufficient light levels.
- The scheme originally proposed sunpipes to the roof of the main building. As the sunpipes appear to be proposed for rooms at first floor level, and it is understood that rooms at this level are intended to be open to the roof pitch (trusses exposed), the Conservation Officer commented that rooflights are likely to be more appropriate in appearance, and just as effective. Revised plans were subsequently submitted which indicate rooflights to replace the proposed sunpipes.
- As originally submitted, rooflights were proposed to the internal facing wings of the stable buildings. The Conservation Officer commented that these should be located in the outer roof slope in both cases so that they are readily visible from the street scene. Revised plans were subsequently submitted to address this concern.
- Internally, the majority of original walls appear to be retained, and therefore the original plan form will largely be readable. The loss of non-original partitions is welcomed.
- Any surviving plank dado panelling or other historic features should be retained and reinstated.

8.15 Having regard to the scheme, as amended, the proposal has addressed the concerns raised by the Conservation Officer. Subject to conditions, the proposal would preserve the architectural and historic character and appearance of this building which is at risk.

### **Demolition of Castle Street Building:**

8.16 The applicant has submitted a Structural Engineer's Report supporting the application. This outlines that all of the buildings on site have numerous

structural defects and has also been altered greatly over time. This includes the rebuilding of the gable end and end bay of the Castle Street flint building in concrete block and other areas in flint brick. It appears that the amount of work required to retain the form and appearance of this flint building would necessitate the rebuilding of a vast proportion of it anyway.

- 8.17 Given the structural condition, the Conservation Officer has commented that its loss is considered acceptable provided its demolition is undertaken in conjunction with the restoration of 13A-14 Stone Street, and rebuilding on the site. This would allow this important Listed Building to be removed from the council's building at risk register.

**New Building on Castle Street:**

- 8.18 To replace the demolished flint building and single-storey buildings, a three-storey building is proposed to provide student accommodation. The building would be three-storeys high with a flat parapet roof. The building is contemporary in design. The building is proposed in an 'L' shape with courtyard area to the area adjacent to an existing courtyard to the rear of 59 and 60 Preston Street.
- 8.19 Fronting Castle Street, the building would appear lower than the side elevation of 61 Preston Street to west and would be higher than the immediate two-storey building at 19 Castle Street. The proposed building would form an appropriate addition between the two buildings onto Castle Street. It should also be noted that Castle Street includes a number of three-storey buildings and the proposed scale of the building would match the scale of the buildings on the street.
- 8.20 The building is proposed with a rendered finish with an inset central panel in buff brick. The proposed windows are aluminium framed sash windows set back into the façade with stone cills. The main door is also proposed in aluminium frames and includes two small side lights either side.
- 8.21 The Conservation Officer has commented that the proposed building is of an acceptable height and a flat roofed building would be acceptable in this location. The windows respect the floor heights and proportions of windows in the area.
- 8.22 Properties in the street are generally two bays wide, and the flanking white rendered two bay portions to each side reflect this. The render should come all the way down to meet the pavement, and there should be no drip moulds or expansion joints. As amended, the scheme includes buff brick to the central section. The windows and doors to the central section would include a brick soldier course. The addition of the buff brick and soldier courses give the scheme some visual interest which was deemed lacking by the Conservation Officer in the original submission.
- 8.23 Overall, it is felt that the design, as amended, of the three-storey building is acceptable and would preserve the character and appearance of the

adjacent listed building and would match the character and appearance of the street scene.

**Impact on Amenity:**

- 8.24 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.
- 8.25 The scheme would most affect the immediate properties which adjoin and are adjacent to the Stone Street and Castle Street buildings. In respect of the site at Stone Street, the scheme would retain and renovate the existing Listed Buildings and does not propose any extensions which would detrimentally affect the amenity of any adjacent residential properties. Additionally, the use of the Stone Street buildings as a dwelling would not detrimentally affect the amenity of any adjacent properties in respect of noise disturbance.
- 8.26 The proposal includes rooflights to the roofslopes of the Stone Street single-storey buildings facing east and west. The rooflights facing east would face the side wall of 13 Stone Street and would not result in any loss of privacy or overlooking. The rooflights facing west are adjacent to no.57 Preston Street. 57 Preston Street includes a first floor flat (57A Preston Street) which has a rear balcony. The balcony would allow views into the rooflights which serve a kitchen. To stop overlooking into the proposed kitchen area, it is recommended that these rooflights are obscure glazed.
- 8.27 Turning to the Castle Street side of the site, the scheme proposes the demolition of the existing buildings on site and the construction of a three-storey building to form student accommodation. The building is 'L' shaped and includes a courtyard area to the rear. The proposed courtyard area is adjacent to the existing rear courtyard at 59 & 60 Preston Street.
- 8.28 The main bulk of the proposed building would be set adjacent the boundaries with 19 Castle Street and 61 Preston Street. Set adjacent the two-storey building at 19 Castle Street, the scheme would not detrimentally affect the amenity of the residents of this property. Similarly, set adjacent the rear three-storey elevation of no.61 Preston Street and with the proposed courtyard in place, the proposed three-storey building would not significantly affect the amenity of any of the immediate adjacent properties at 59-61 Preston Street.
- 8.29 The potential impact of the use of the Castle Street building for student accommodation is addressed below.

**Student Accommodation:**

- 8.30 There are no specific policies in the current Brighton & Hove Local Plan which relate to the provision of student accommodation. However, the provision of new student accommodation is covered by policy CP21 of the emerging City Plan.

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- 8.31 The policy states that the council will encourage the provision of purpose built accommodation to help meet the housing needs of the city's students. Proposals for new purpose built student accommodation will need to demonstrate that the following criteria have been addressed:
1. Proposals should demonstrate that there will be no unacceptable impact upon residential amenity in the surrounding area through issues such as increased noise and disturbance;
  2. High density developments will be encouraged but only in locations where they are compatible with the existing townscape (see CP12 Urban Design);
  3. Sites should be located along sustainable transport corridors where accommodation is easily accessible to the university campuses or other educational establishments by walking, cycling and existing or proposed bus routes;
  4. Proposals should demonstrate that they would not lead to an unacceptable increase in on-street parking in the surrounding area;
  5. Proposals should be designed to be safe and secure for their occupants whilst respecting the character and permeability of the surrounding area;
  6. Schemes should have the support of one of the city's two Universities or other existing educational establishments within Brighton and Hove. The council will seek appropriate controls to ensure that approved schemes are occupied solely as student accommodation and managed effectively;
  7. Permanent purpose built student accommodation will not be supported on sites with either an extant planning permission for residential development or sites identified as potential housing sites.
- 8.32 The applicant has submitted evidence and information that shows that the scheme would meet the above criteria. The British Study Centre: School of English has committed to taking on the student accommodation for the use by their language students. This is in accordance with criterion 6 which requires schemes to be supported by an existing educational establishment.
- 8.33 Criterion 1 states that proposals should demonstrate that there will be no unacceptable impact upon residential amenity in the surrounding area through issues such as increased noise and disturbance. Criterion 6 states also states that the council will seek appropriate controls to ensure that approved schemes are occupied solely as student accommodation and managed effectively. This can be secured through a Section 106 Agreement.
- 8.34 The site at Castle Street is in close proximity to residential properties and, if not controlled properly, its use as student accommodation could result in a detrimental impact on the amenity of adjacent properties. This concern is reflected in the objections received from neighbouring properties.
- 8.35 To address this concern, the applicant has submitted a Management Plan for the use of the student accommodation. The Plan outlines the following measures:



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- The accommodation will be managed by Harringtons Lettings who have experience in dealing with student accommodation in the city, delivering high standards.
- Harringtons include a administration team based in office open through the week and there is also a 24 hour call out service in the case of emergencies.
- Harringtons undertake a weekly inspection of the site.
- Rooms are allocated to interested parties who can prove their student status. Student registration numbers are registered by Harringtons.
- Access to the building will be via a secured intercom. Staff can access student rooms if required in exceptional circumstances.
- The Management Company positively discourages the use of cars by the students. Students are required to arrange a moving in time to avoid traffic congestion.
- The Management team have clear rules and policies in encouraging responsible behaviour.
- Keeping the environment clean and not abusing the facilities is high on the list of management principals.
- Harrington Lettings is clearly aware of the need to be a good neighbour and is alert to the needs of the wider communities. Adjacent residents have entitlement to access internal complaints procedure and Harringtons have a duty to ensure adjacent residents are aware of this procedure.
- Students are encouraged to respect the peace and quiet enjoyment of the neighbours when entering and leaving accommodation, travelling to and from the University or accessing the City in general.
- The control of music systems or other sound generated media is monitored and kept under control, with particular emphasis on making sure windows are closed when music is being played.
- Harringtons Lettings would consider any persistence after a warning in breach of the tenancy agreement and students will be asked to leave the accommodation.
- The development will be maintained and serviced in respect of fire safety, window cleaning, emergency light and portable appliance testing.
- In the event of a complaint, the management team follow a strict procedure.

8.36 With the above Management Plan in place, the scheme is deemed in accordance with criterion 1 and 6 and the use of the student accommodation would not result in a detrimental impact on the amenity of any adjacent residential properties. The proposal is also in accordance with the above policy in that this central area is suitable for high density development, with good transport links and that there is no extant planning permission for a residential use of this site. The scheme is also deemed appropriate in respect of its demand for travel as outlined below.

8.37 Having regard to the above, the scheme is deemed in accordance with policy CP21 of the emerging City Plan.

**Standard of Accommodation:**

- 8.38 Policy QD27 states that permission for development will not be granted where it would cause material nuisance and loss of amenity to existing and proposed adjacent residents as well as future occupiers.
- 8.39 In respect of the conversion of the 13A-14 Stone Street, the conversion of this property is worked around the existing plan form of the listed building. To some extent this impedes on the standard of accommodation for this building whereby some habitable rooms would have limited light and outlook through windows. The applicant has addressed this concern through the addition of rooflights which would allow additional light to some of the habitable rooms. Taking into account the addition of the rooflights and the need to preserve the historic and architectural character of the listed building, the standard of accommodation for 13a-14 Stone Street is deemed acceptable in this instance.
- 8.40 Turning to the student accommodation onto Castle Street, each student room would include a window and each room would have its own bathroom. Each floor of the student accommodation also includes a common area / kitchen.
- 8.41 Policy HO5 requires the provision of private amenity space in new residential development where appropriate to the scale and character of the development. In accordance with the policy, 13a-14 Stone Street includes a yard area for the proposed dwelling and 19A Castle Street includes a small yard. Given the restraints of the site, the amenity spaces provided are deemed acceptable.
- 8.42 Policy HO13 responds to the objectives of securing equal to housing for people with disabilities and meeting the needs of households as their occupants grow older or circumstances change. As 13A-14 Stone Street is a listed building and also a conversion of an existing property, the conversion of this property would not be required to fully meet Lifetime Homes standards.
- 8.43 Policy SU2 requires the provision of space and general facilities for refuse storage and waste recycling. This area is served by communal bin stores on the street. Additionally, there is outside space within the residential and student accommodation proposed which could house additional refuse storage. These details can be secured by an appropriate condition.

**Sustainable Transport:**

- 8.44 In accordance with policy TR1, any development should provide for the demand for travel it creates and maximise the use of public transport, walking and cycling.
- 8.45 The Highway Authority has raised no objections to the proposal, subject to conditions and the submission of further details. The scheme is in a central location with access to good transport links. The scheme indicates one off-

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street car parking space for the dwelling at 13A-14 Stone Street and space for 14 bicycles for the student accommodation.

- 8.46 In line with policy TR14, cycle parking must be secure, convenient, well lit, well signed and where practical sheltered. The Highway's Authority preference is for the use of Sheffield type stands. The Highway Authority has commented that the proposed cycle parking standards for the student accommodation does not meet the required standards. Whilst the amount proposed is acceptable, the details indicate that users of the stands would be unable to secure their bicycle frame. On this basis, a condition is recommended requiring the submission of further details to secure appropriate cycle parking for the student accommodation. A condition is also recommended requiring details of cycle parking for the dwelling at 13A-14 Stone Street.
- 8.47 Currently, both sides of the site onto Castle Street and Stone Street are served by crossovers. With this proposal in place, the Castle Street crossover would be redundant. The 13A-14 Stone Street crossover would also need to be narrowed. In the interests of highway safety and the appearance of the area, a condition is recommended for the Stone Street crossover to be reinstated and for the Castle Street crossover to be amended.
- 8.48 Policy HO7 states that planning permission will be granted for car free housing in locations with good access to public transport and local services where there are complimentary on-street parking controls. In this central location, it is appropriate for the student accommodation to be car free. As the conversion of 13A-14 Stone Street includes an off-street car parking space, this part of the development cannot be car free. A condition is therefore recommended requiring the submission of details to ensure that the student accommodation is car free and maintained as such.
- 8.49 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 Transport Manager has commented that the applicant should make a financial contribution of £5,000 to help finance off-site highway improvement schemes in the area.

### **Land Contamination:**

- 8.50 Policy SU11 of the Brighton & Hove Local Plan states that proposals for the development of known or suspected polluted land will ensure that the application is accompanied by a site / building assessment and details for the treatment, containment and / or removal of the source of contamination.
- 8.51 The Council's Environmental Health department has commented that the properties involved have been identified as potentially contaminated land. 14 Stone Street was once a coal and coke merchants and 19 Castle Street was once a motor car engineers, an electrical engineers and fertiliser manufacturer. Due to the possibility of localised land contamination resulting

from these past uses, a full land contamination condition is recommended as part of this permission.

**Sustainability:**

- 8.52 Policy SU2 of the Brighton & Hove Local Plan requires new development to demonstrate a high level of efficiency in the use of water, energy and materials.
- 8.53 For the purposes of sustainability the proposed student accommodation is defined within SPD08 is considered to be a medium scale development. The SPD states that as new build non-residential, the scheme is required to meet 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good'. A condition is recommended requiring the submission of these details prior to commencement of works at the design stage and also at completion of the works prior to occupation.
- 8.54 In respect of the new dwelling at Stone Street, a condition is recommended requiring details of sustainability measures to be submitted and approved by the Local Planning Authority prior to commencement of works.
- 8.55 Brighton & Hove Local Plan policy SU13 requires the minimisation and re-use of construction waste. Further detail of the information required to address this policy is set out in SPD03 Construction and Demolition Waste. The applicant has submitted a waste minimisation statement. The statement does not go into detail regarding waste minimisation measures. Given the amount of demolition involved, a condition is recommended requiring the submission of a further more detailed statement to be approved by the Local Planning Authority prior to commencement of works.

**Other Considerations:**

- 8.56 The applicant's have stated that the funds raised by the student accommodation at Castle Street would fund the redevelopment of the Stone Street Listed Building. If the development at Castle Street was seen as enabling development, then a condition or legal agreement could be put in place to secure the redevelopment of Stone Street through the funds raised through the student accommodation.
- 8.57 As outlined in English Heritage's guidance (Enabling Development and the Conservation of Heritage Assets), 'enabling development' is seen as development which 'would normally be rejected as clearly contrary to other objectives of national, regional or local planning policy. Such proposals are put forward on the basis that the public benefit of rescuing, enhancing or even endowing the heritage asset would outweigh harm to other material interests and so justify their being carried out,'
- 8.58 As outlined above, the Castle Street student accommodation is not considered enabling development as it is considered acceptable in its own right and accords with the relevant Local and National plan policies. As an acceptable form of development, the student accommodation cannot therefore be considered as enabling development. Consequently, it would be

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unwarranted to secure the development of the Stone Street conversion through the funds raised by the student accommodation.

### 9 CONCLUSION

- 9.1 Subject to conditions, the alterations to the Stone Street buildings would preserve the architectural character and appearance of the Listed Building. Given the structural integrity of the flint building onto Castle Street, the demolition of this building is deemed acceptable. Additionally, the new build to Castle Street is deemed acceptable in terms of its appearance and would preserve the character and appearance of the adjacent Listed Building.
- 9.2 The scheme is also deemed appropriate in respect of standard of accommodation, sustainability and impact on parking and demand for travel. Subject to the implementation of a student Management Plan, the proposal would not result in a significant impact on the amenity of any adjacent residential properties.

### 10 EQUALITIES

- 10.1 The new dwelling is required to comply with Part M of the Building regulations and the Council's Lifetime Homes policy.

### 11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

- 11.1 Section 106 agreement to secure:

- Contribution of £5,000 towards improving sustainable highway infrastructure in the area.
- A restriction on the occupation of the student accommodation to only those attending courses at an educational provider in Brighton & Hove.
- A Student Accommodation Management Plan to be submitted and agreed prior to first occupation, to include details of student management and the written agreement of both the education provider and the management company.

- 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
Stone Street Elevation (existing)	0609/504/1		14 <sup>th</sup> August 2013

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Castle Street Elevation (existing)	0609/504/2		14 <sup>th</sup> 2013	August
Roof Plan (Existing)	0609/504/3		14 <sup>th</sup> 2013	August
Location Plan, Proposed Block Plan / Site Plan	8647/01	B	19 <sup>th</sup> 2013	November
Proposed Lower and Upper Ground Floor	8647/02	E	13 <sup>th</sup> 2014	January
Proposed First Floor and Second Floor	8647/03	E	13 <sup>th</sup> 2014	January
Proposed Roof Plan	8647/04	D	19 <sup>th</sup> 2014	January
Proposed South Elevation (Castle Street) and North Elevation (Stone Street)	8647/05	F	13 <sup>th</sup> 2014	January
Existing Lower and Upper Floor Plans	8647/06	A	14 <sup>th</sup> 2013	August
Existing First Floor Plan	8647/07	A	14 <sup>th</sup> 2013	August
Demolition Plan and Elevations	8647/08	A	14 <sup>th</sup> 2013	August
Proposed Sections	8647/10	A	14 <sup>th</sup> 2013	August
Courtyard Elevations	8647/11	B	13 <sup>th</sup> 2014	January

- 3) The rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.  
**Reason:** To ensure the satisfactory preservation of this Listed Building and to comply with policy HE1 of the Brighton & Hove Local Plan.
- 4) The west facing rooflights for the Stone Street building adjacent 57 & 58 Preston Street shall be obscured glazed and thereafter retained as such.  
**Reason:** To protect the amenity of the future occupiers of the new residential unit and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 5) The render to the Castle Street building shall be smooth rendered down to ground level and shall not have bell mouth drips above the damp proof course or above the window openings and the render work shall not use metal or plastic expansion joints.  
**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policies HE1 & HE6 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

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the approved drawings, without the prior consent in writing of the Local Planning Authority.

**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policies HE1 & HE6 of the Brighton & Hove Local Plan.

- 7) All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron to match existing and shall be painted to match the colour of the background walls and retained as such thereafter.  
**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policies HE1 & HE6 of the Brighton & Hove Local Plan.
- 8) Any re-rendering to the Stone Street building and front boundary wall will be smooth rendered in a cement/lime/sand render mix down to ground level and shall be lined out with ashlar joint lines to match the original building and shall not have bell mouth drips above the damp proof course or above the window, door and archway openings and the render work shall not use metal or plastic expansion joints, corner or edge render beads and shall be painted in a smooth masonry paint to match the original building and shall be maintained as such thereafter.  
**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.
- 9) 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.
- 10) The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.  
**Reason:** To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.
- 11) 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 windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.  
**Reason:** To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

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### 11.3 Pre-Commencement Conditions:

- 11) The development hereby permitted shall not be commenced until details of sustainability measures for the new dwelling fronting Stone Street have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

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

- 12) The works of demolition to the buildings on Castle Street hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

**Reason:** To ensure a suitable development and preserve the appearance and character of the Regency Square Conservation Area in accordance with policies HE and HE6 of the Brighton & Hove Local Plan.

- 13) 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.

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

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

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

(b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and



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- monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.
- (ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (b) above that any remediation scheme required and approved under the provisions of (i) (b) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:
- a) as built drawings of the implemented scheme;
  - b) photographs of the remediation works in progress; and
  - c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i) (b).

**Reason:** To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

- 15) No non-residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for the non-residential development 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.
- 16) 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.
- 17) The development hereby permitted shall not begin until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the student accommodation, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.  
**Reason:** To ensure that the development is car-free and to comply with policy HO7 of the Brighton & Hove Local Plan.

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- 18) No development shall commence until full details of the existing and proposed land levels of the proposed student accommodation in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.  
**Reason:** To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 19) No works shall take place until samples of the materials (including render) to be used in the construction of the external surfaces of the works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.  
**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policies HE1 & HE6 of the Brighton & Hove Local Plan.
- 20) Notwithstanding the submitted details, no development shall take place until a written Waste Minimisation Statement, in accordance with Supplementary Planning Document 03: Construction and Demolition Waste, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.  
**Reason:** To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

### 11.4 Pre-Occupation Conditions:

- 21) Prior to the first occupation of the development hereby permitted the redundant vehicle crossovers to Castle Street and partly to Stone Street shall be reinstated back to a footway by raising the existing kerb and footway in accordance with a specification that has been approved in writing by the Local Planning Authority.  
**Reason:** In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.
- 22) None of the non-residential development hereby approved shall be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.

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**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:-

Subject to conditions, the alterations to the Stone Street buildings would preserve the architectural character and appearance of the Listed Building. Given the structural integrity of the flint building onto Castle Street, the demolition of this building is deemed acceptable. Additionally, the new build to Castle Street is deemed acceptable in terms of its appearance and would preserve the character and appearance of the adjacent listed building.

The scheme is also deemed appropriate in respect of standard of accommodation, sustainability and impact on parking and demand for travel. Subject to the restriction in the occupation of the student accommodation and the Management Plan, the proposal would not result in a significant impact on the amenity of any adjacent residential properties.
3. The applicant is advised that the scheme required to be submitted by Condition 17 should include the registered address of the completed development; an invitation to the Council as Highway Authority (copied to the Council's Parking Team) to amend the Traffic Regulation Order; and details of arrangements to notify potential purchasers, purchasers and occupiers that the development is car-free.
4. The applicant is advised that the proposed highways works should be carried out in accordance with the Council's current standards and specifications and under licence from the Network Co-ordination team. The applicant should contact the Network Co-ordination Team (01273 293366).

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5. The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites ([www.breeam.org](http://www.breeam.org)). Details about BREEAM can also be found 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)).
6. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website ([www.communities.gov.uk](http://www.communities.gov.uk)).
7. The applicant is advised that the above condition on land contamination has been imposed because the site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. To satisfy the condition a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of (i) (b) and (i) (c) of the condition. It is strongly recommended that in submitting details in accordance with this condition the applicant has reference to Contaminated Land Report 11, Model Procedures for the Management of Land Contamination. This is available on both the DEFRA website ([www.defra.gov.uk](http://www.defra.gov.uk)) and the Environment Agency website ([www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)).