



**Brighton & Hove
City Council**

Plans List

PLANNING COMMITTEE

2.00PM, WEDNESDAY, 3 NOVEMBER 2010

COUNCIL CHAMBER, HOVE TOWN HALL

**BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT**

**PLANS LIST
PLANNING COMMITTEE
Date: 3rd November 2010**

TREES - Recommendations

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**TREES
Delegated Powers or implementation of a previous Committee Decision**

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SUBSTANTIAL OR CONTROVERSIAL DEVELOPMENT OR DEPARTURES FROM POLICY

	Application Number	Area	Ward	Address	Proposal	Recommendation	Page
A	BH2010/01966	West	Regency	Mitre House, 149 Western Road	Change of use of North block and addition of fourth storey contained within a mansard roof to form hotel (C1) with associated works.	Grant	9
B	BH2010/02015	East	Hollingdean & Stanmer	William Moon Lodge, The Linkway	Application to extend time limit for implementation of previous approval BH2007/02692 for the demolition of existing building and redevelopment of the site to provide new two storey nursing home with 100 bedrooms, together with ancillary day care centre. Provision of 16 car parking spaces to include 5 disabled spaces and one ambulance bay.	Minded to Grant	33

MINOR APPLICATIONS

	Application Number	Area	Ward	Address	Proposal	Recommendation	Page
C	BH2010/01610	West	Withdean	25 Hazeldene Meads	Roof extension to South end over existing garage, 2 front dormers, extended front porch and installation	Grant	45

					of 9 solar panels.		
D	BH2010/02009	West	Central Hove	13-14 George Street	Installation of 4 No. Air Conditioning Units (Part Retrospective).	Grant	53
E	BH2010/02093	East	Rottingdean Coastal	63 Marine Drive	Conversion of existing rear ground and first floor maisonette to create 3no two bedroom maisonettes and 1no two bedroom flat, incorporating erection of rear extension and additional storey with pitched roof with front, rear and side dormers and rooflights to side.	Grant	59
F	BH2010/01825	West	Hove Park	4 Cobton Drive	Single storey rear and side extension with raised decking.	Grant	68
G	BH2010/02489	East	Patcham	162 Carden Hill	Replacement rear dormer	Refuse	74
H	BH2010/02677	East	Queens Park	24 St James's Street	Erection of additional three storeys to create 3no one bedroom flats and 3no two bedroom flats. Alterations to ground floor façades including installation of new shopfront. (Part retrospective).	Minded to Grant	78
I	BH2010/02745	East	Rottingdean Coastal	28 Marine Drive	Erection of a block of 9no flats comprising 5no two bed flats and 4no three bed flats with associated works including car parking area.	Minded to Grant	88
J	BH2009/00161	East	Rottingdean Coastal	28-30 Newlands Road	Erection of a three storey detached building to provide 12 bedroom nursing home to form part of existing home at 30-32 Newlands Road.	Minded to Grant	109

Determined Applications:

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PLEASE NOTE IN LINE WITH THE DECISION OF THE SUB-COMMITTEE TAKEN AT ITS MEETING ON 27 APRIL 2005, copies of "Determined Applications" items are now available as hard copies at public inspection points or may be downloaded from the Council website. Copies of these papers are emailed to individual Committee Members.

PLANS LIST 03 November 2010

BRIGHTON AND HOVE CITY COUNCIL

LIST OF APPLICATIONS DETERMINED BY THE DIRECTOR OF ENVIRONMENTAL SERVICES UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION

PATCHAM

Application No: BH2010/03089
Black Lion Pub, London Road

Fell 1 x Ash - limited public amenity value

Applicant: Mr J Hatch
Approved on 14 Oct 2010

Application No: BH2010/03090
Black Lion Pub, London Road

2 x Ash - 30% reduction

Applicant: Mr J Hatch
Approved on 14 Oct 2010

ST. PETER'S & NORTH LAINE

Application No: BH2010/02826
10 Portland Street

1 x Fig - cut all branches that project over the boundary wall back to the north and east boundary walls and reduce the height of the tree to approximately 15 feet from patio floor

Applicant: Mr Vincent Gizzi
Approved on 14 Oct 2010

WITHDEAN

Application No: BH2010/02641
Pinewood, Curwen Place

1 x Pine - reduce branches encroaching on property

Applicant: Mr Duncan Armstrong
Approved on 07 Oct 2010

Application No: BH2010/02874
3 Bavant Road

Fell 1 x Rowan, Fell 1 x Hawthorn - no public amenity value

Applicant: Mr Nyall Thompson
Approved on 07 Oct 2010

Application No: BH2010/02876
3 Bavant Road

1 x Vibernum - reduce crown by 2-3 ft all round, 1 x Philadelphus - trim down by 6 ft in height and reshape, 1 x Pissardi plum - 30% crown reduction over neighbour's garden

Applicant: Mr Nyall Thompson
Approved on 07 Oct 2010

Application No: BH2010/03024
14A Colebrook Road

1 x Ash (T5) - sever ivy at base, 2 x Yew (T1,T2) - 15% reshape, 1 x Yew (T9) - prune away from house, 1 x Holly (T3) - 15% reshape, 2 x Lime (T6, T7) - 25% reshape, 1 x Lime (T8) - crown lift and 20% crown thin, 1 x Privet - reduce and shape group, 1 x Sycamore (T10) - 20% crown thin, crown lift and remove low limb

Applicant: Mr Richard Green
Approved on 29 Sep 2010

Application No: BH2010/03208
Withdean Court

1 x Horse Chestnut - 30% crown reduction

Applicant: Mr Nyall Thompson
Approved on 14 Oct 2010

QUEEN'S PARK

Application No: BH2010/03029
34C Egremont Place

1 x Elder - reduce/cut back from street light and path, 1 x Apple - formative prune, 1 x Sycamore - reduce by approximately 60% and thin by 10-15%, 1 x Buddleia - reduce where overhanging street sign to just above stone wall

Applicant: Mr Earnell
Approved on 07 Oct 2010

BRUNSWICK AND ADELAIDE

Application No: BH2010/02850
Flat 1, 125 Lansdowne Place, Hove

Fell one Buddleia - inappropriate species, very limited public amenity value.

Applicant: Mr M Haynes
Approved on 07 Oct 2010

Application No: BH2010/02949
Lansdowne Court, Lansdowne Road

1 x Beech (T1) - carry out a maximum 15% crown reduction, maximum 15% crown thin and sever ivy on tree

Applicant: Ms Vicki Beadle
Approved on 07 Oct 2010

Application No: BH2010/03027
21 and 23 First Avenue

4 x Sycamore - crown reduce by approximately 30% and clean out crown

Applicant: Carlos Daly
Approved on 14 Oct 2010

Application No: BH2010/03028
17 Second Avenue

Fell 1 x Leyland cypress - no public amenity value

Applicant: Mr Carlos Daly
Approved on 14 Oct 2010

Application No: BH2010/03085
Flat 1, 24 Palmeira Square

Fell 1 x Portugal Laurel - inappropriate species, no public amenity value

Applicant: Mr Alan Ward
Approved on 14 Oct 2010

Application No: BH2010/03086
Flat 1, 24 Palmeira Square

2 x Laurel - prune longer shoots from smaller tree and prune larger tree to the height of the smaller tree.

Applicant: Mr Alan Ward
Approved on 14 Oct 2010

CENTRAL HOVE

Application No: BH2010/03084
Flat 2, 34 Ventnor Villas

Fell 1 x Conifer - no public amenity value

Applicant: Mrs Renee Elvey
Approved on 14 Oct 2010

Application No: BH2010/03088
12 Albany Villas

Fell 1 x Conifer hedge - inappropriate species, no public amenity value

Applicant: J Hatch
Approved on 14 Oct 2010

Application No: BH2010/03183
28 Albany Villas

1 x winter flowering Japanese Cherry - reduce and reshape by approximately 20%, remove lowest branch on southern side, clean out crown, prune back from house to ensure a 1.5m clearance and remove dead wood.

Applicant: Mr Carlos Daly
Approved on 14 Oct 2010

GOLDSMID

Application No: BH2010/02963
34 Denmark Villas

1 x Conifer line - reduce height by 10 ft and trim face of trees, remove dead wood on the line of trees to rear of property

Applicant: Mr Nyall Thompson
Approved on 07 Oct 2010

Application No: BH2010/03017
Gainsborough House, 4-6 Eaton Gardens

1 x Horse Chestnut - reduce and reshape crown by 40%, thin canopy by 15% and crown lift to 5m

Applicant: Mr Lee
Approved on 14 Oct 2010

Application No: BH2010/03181
Basement Flat, 31A Goldstone Villas

Fell 1 x Sycamore - causing actual structural damage

Applicant: Mrs Eileen Counsell
Approved on 14 Oct 2010

HANGLETON & KNOLL

Application No: BH2010/02546
28 Meads Avenue

2 x English Elm - 30% canopy reduction and lift to 6m

Applicant: Mr Peter Fuller
Approved on 29 Sep 2010

HOVE PARK

Application No: BH2010/03026
Park House, Old Shoreham Road

4 x Elm - clear building by 3m secondary and tertiary branches only, 1 x Elder - cut back to boundary, Oak – clear building by 3m secondary and tertiary branches only

Applicant: Mr Seaton
Approved on 14 Oct 2010

Application No: BH2010/03184
7 Onslow Road

1 x Ash - sympathetically reduce back overhang to garden of 5 Onslow Road

Applicant: Mr Peter Fuller
Approved on 14 Oct 2010

**SUBSTANTIAL OR CONTROVERSIAL DEVELOPMENT OR DEPARTURES
FROM POLICY**

<u>No:</u>	BH2010/01966	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Mitre House, 149 Western Road, Brighton		
<u>Proposal:</u>	Change of use of North block and addition of fourth storey contained within a mansard roof to form hotel (C1) with associated works.		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	07/07/2010
<u>Con Area:</u>	Adjoining Montpelier & Clifton Hill	<u>Expiry Date:</u>	06 October 2010
<u>Agent:</u>	DMH Stallard LLP, 100 Queens Road, Brighton		
<u>Applicant:</u>	Tareem Ltd c/o Montague Management Ltd, Mr Anthony Crabtree, Burnhill Business Centre, 50 Burnhill Road, Beckenham		

This application was deferred from 22nd September 2010 Planning Committee to allow further consideration of additional transport analysis submitted by the applicant on 16th September 2010.

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. BH01.01 Full Planning
2. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:-
 - i) details and samples of all external materials and colours;
 - ii) details of railings at street level to Hampton Street and first floor level to Hampton Place;
 - iii) sample elevations and sections at 1:20 scale of the glazed link extension and mansard roof extension;
 - iv) sample elevations and sections at 1:20 scale of the new Western Road entrance;
 - v) drawings at 1:20 scale of the replacement windows, which shall be traditional steel to match the opening pattern of the existing windows, unless otherwise agreed in writing by the Local Planning Authority.

The works shall be carried out in strict accordance with the approved details and maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

3. The stone window cills to the north, west and southern elevations of the

building shall be retained as existing and shall not be removed or rendered.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

4. Unless otherwise agreed in writing by the Local Planning Authority the roof of the northern block shall be kept clear of any plant, machinery, ductwork or railings other than that associated with the solar water heating system.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2, QD5 and HE6 of the Brighton & Hove Local Plan.

5. BH02.06 No cables, aerials, flues and meter boxes

6. BH02.07 Refuse and recycling storage (facilities)

7. BH03.05 Railings Non-Cons Area

8. BH07.03 Odour control equipment

9. BH07.04 Odour control equipment (sound insulation)

- 10.A Travel Plan shall be submitted to the Local Planning Authority no less than three months prior to the first occupation of the hereby approved hotel. The Travel Plan shall be agreed in writing by the Local Planning Authority and include a package of measures, proportionate to the scale of the approved development, aimed at promoting sustainable travel choices and reducing reliance on the car. It shall also set out arrangements for provisions of disabled parking for guests and employees. The measures shall be implemented within a time frame as agreed with the Local Planning Authority and should be subject to annual review.

Reason: In order to promote sustainable choices and to reduce reliance on the private car to comply with policies SU2, TR1, TR4 and TR18 of the Brighton & Hove Local Plan.

- 11.BH06.02 Cycle parking details to be submitted

- 12.No development shall commence until further details of the rooftop solar panels have been submitted to and approved in writing by the Local Planning Authority. The details shall include the siting, size and design of the panels and the works shall be carried out prior to first occupation of the development.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

- 13.BH05.05A BREEAM - Pre-Commencement (New build non-residential)

- 14.BH05.06A BREEAM - Pre-Occupation (New build non-residential)

- 15.No loading or unloading of vehicles relating to the hotel shall take place on Hampton Street except between the hours of 09.00 and 18:00 on Monday to Saturdays and at no times on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

- 16.BH07.11 External lighting

- 17.The development hereby permitted shall be carried out in accordance with the approved drawings no. 3204.EXG.101 A, 3204.EXG.102 A (x2), 3204.EXG.201, 3204.EXG.301, 3204.EXG.302, 3204.EXG.303, 3204.PL.101 B, 3204.PL.102 B, 3204.PL.103 B, 3204.PL.104 B,

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3204.PL.105 B, 3204.PL.202 A, 3204.PL.306 A & 3204.PL.800 submitted 28th June 2010; drawing no. 3204.PL.100 submitted 7th July 2010; and drawings no. 3204.PL.200 B, 3204.PL.201 B, 3204.PL.300C, 3204.PL.301 C & 3204.PL.801 B submitted 6th September 2010; and drawing no. 3204.PL.106 submitted 8th September 2010.

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

Informatives:

1) This decision to grant planning permission has been taken:-

i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below;

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR4	Travel plans
TR7	Safe Development
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU16	Production of renewable energy
QD1	Design - quality of development and design statements
QD2	Design - key principles for neighbourhoods
QD3	Design - efficient and effective use of sites
QD4	Design - strategic impact
QD5	Design - street frontages
QD14	Extensions and alterations
QD25	External lighting
QD27	Protection of amenity
HO20	Retention of community facilities
EM3	Retaining the best sites for industry
EM5	Release of redundant office floorspace and conversions to other uses
SR4	Regional shopping centre
HO8	Retaining housing
HO20	Retention of community facilities
SR4	Regional shopping centre
SR12	Large Use Class A3 (food and drink) venues and Use Class A4 (pubs and clubs)
SR14	New hotel and guest accommodation
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance

SPGBH4 Parking Standards

Supplementary Planning Documents

SPD02 Shop Front Design

SPD03 Construction and Demolition Waste

SPD08 Sustainable Building Design; and

ii) for the following reasons:-

It has been demonstrated that the existing office accommodation is genuinely redundant. The development would provide hotel accommodation within the identified core area. The proposed extension is of a scale and design which relates well to the existing building and would preserve the prevailing character and appearance of the Montpelier and Clifton Hill Conservation Area, and the setting of adjoining Listed Buildings on Hampton Place. The proposal would not harm the vitality of the regional shopping centre or result in harmful loss of light or outlook, or increased noise or disturbance, for occupiers of adjoining properties. The development would not have a significant transport impact and additional trips to and from the site can be accommodated using existing infrastructure.

2) IN05.06A Informative: BREEAM.

3) IN05.07A Informative - Site Waste Management Plans.

4) IN07.11 Informative – External lighting.

2 THE SITE

The application site relates to Mitre House on the northern side of Western Road with frontages to Spring Street, Hampton Place and Hampton Street. The site comprises two distinct blocks with the application relating to the northern block.

The northern block comprises a two to four-storey brick built building, plus lower ground floor level, with critical windows throughout. The lower ground floor level, which broadly equates to Western Road street level, comprises storage and ancillary floorspace for the Western Road commercial frontage units. The ground floor level incorporates storage space and a dance studio. The upper floors of the building comprise vacant office accommodation. The northern block is flanked by a two-storey public house at the junction of Hampton Street and Spring Street and a dental surgery at the junction of Hampton Street and Hampton Place.

The northern block lies to the south of the Montpelier and Clifton Hill Conservation Area and is adjoining by Grade II Listed Buildings on Hampton Street.

3 RELEVANT HISTORY

There are numerous applications for Mitre House, of relevance are:-

BH2007/02072: Demolition of existing sixth floor and replacement with two additional storeys at sixth and seventh floor levels to create 11 duplex apartments to front (southern) block. Extension of rear (northern) block at third floor level and formation of additional storey at fourth floor level with change of use from offices (Class B1) to form accommodation for 124 students in 23 flats, plus manager's flat. Relocation of existing dance studio (Class D1) to first floor level above retained ground floor public house at junction of Hampton Street and Spring Street. Refused. The reasons for refusal relevant for this application are considered to be nos:-

- 2) *Notwithstanding reason for refusal no. 1 Mitre House dominates the northern side of Western Road and in long views appears significantly taller than surrounding development. The proposed additional bulk and height to both the southern and northern blocks would appear excessively out of scale and create an overbearing relationship with adjoining development and grade II listed buildings at 8-28 Hampton Place (even). The additional height would also be detrimental to views into and from the Montpelier and Clifton Hill Conservation Area and the Regency Square Conservation Area. The proposal is therefore contrary to policies QD1, QD2, QD4, QD14, HE3 and HE6 of the Brighton & Hove Local Plan, and to provisions of Supplementary Planning Guidance Note 15: Tall Buildings.*
- 4) *The applicant has failed to satisfactorily demonstrate the office accommodation to the northern block is genuinely redundant having regard to flexible marketing of the premises to attract different types of business user, and an assessment of available office space in Brighton & Hove. The proposal is therefore contrary to policy EM5 of the Brighton & Hove Local Plan*
- 5) *Notwithstanding reason for refusal no. 4 the proposed student accommodation is contrary to policy EM5 of the Brighton & Hove Local Plan which seeks affordable housing if the office space is regarded as genuinely redundant. Student accommodation is not regarded as providing affordable housing as defined in the Brighton & Hove Local Plan.*
- 9) *The development fails to adequately address the need for disabled parking provision either as part of the development, the possibility of off-site provision, or through support to especially adapted public transport infrastructure. The proposal is therefore contrary to policy TR18 of the Brighton & Hove Local Plan.*
- 10) *The applicant has failed to adequately demonstrate that the proposed development would be fully sustainable and would achieve a high standard of efficiency in the use of energy. The proposal is therefore contrary to policy SU2 of the Brighton & Hove Local Plan, and Supplementary Planning Guidance Notes*

SPGBH16 (Energy Efficiency & Renewable Energy) and SPGBH21 (Brighton & Hove Sustainability Checklist).

- 12) *The development will result in the unjustified partial loss of a D1 facility and its relocation to a premises where it is not readily apparent adequate accessibility can be achieved. The proposal is therefore contrary to policy HO20 of the Brighton & Hove Local Plan.*

BH2002/02722/FP: Change of use of storeroom fronting Hampton Street to Martial arts, TAI CHI and Healthy Living Centre (use class D1). Approved. It is not apparent if this permission was ever implemented as the relevant part of the building remains in storage use.

BH2001/02209/FP: Change of use to Dental Surgery (property now known as 2 Hampton Place). Approved. This permission was implemented and the use remains in operation.

4 THE APPLICATION

The application seeks consent for a change of use within the northern block to form a 131 bedroom hotel. The existing and proposed balance of uses would be as follows:-

Type of Accommodation	Existing Area (m ²)	Proposed Area (m ²)
Retail	717	325
Office	1550	0
Storage	915	0
Dentist	138	138
Public House	291	241
Dance Studio	114	0
Managers Flat	64	0
Hotel	0	3985
Circulation	170	36
Total Area	3959	4689

(Taken from applicant's Design & Access Statement dated June 2010)

The northern block would be extended at third floor level, in the form of a mansard roof, to form an additional storey. The existing building would be rendered to all elevations with replacement windows also proposed.

The majority of the southern block does not form part of the application with the exception of an existing retail unit, at no. 150, which would be converted to a new entrance and reception for the proposed hotel.

The existing public house on the corner of Spring Street and Hampton Street would be retained with the overall ground floor area extended and an outdoor terrace area created within an existing outdoor yard area. The existing first floor of the public house would be amalgamated into the hotel use.

5 CONSULTATIONS

External:

Neighbours: Letters of representation have been received from **Broad Street – 19; Hampton Place - 2, 8, 11, 14, 15, 16, 17, 17A, 19, 28, 37; Spring Street - 23, 24, 28, 29 (x2); Victoria Road – 15; Western Road – 76** and **The Montpelier and Clifton Hill Association** objecting to the proposal for the following reasons:-

- question why site has not been marketed for offices or as a site for a doctors surgery which is badly needed;
- there is a shortage of office and residential accommodation in the City, not a shortage of hotel space;
- the local plan states hotels should be in the core area but Hampton Street is not;
- the proposal is a mass overdevelopment which would be inconsistent with the residential character of adjacent streets;
- question why the original brickwork cannot be retained;
- need to ensure the rear elevation is maintained to an appropriate standard;
- increased overshadowing and loss of light to adjoining properties;
- request a new daylight assessment to ensure previous findings are in keeping with the revised application;
- additional overlooking, and request that windows from the development are not openable;
- increased noise pollution from late night guests typical of a city centre budget hotel;
- increase in policing of site as a result of increased complaints from residents;
- question whether it could be ensured that only the Western Road entrance be used late at night: consider the Hampton Street entrance to be unnecessary;
- the development does not outline the implications for the storage of refuse bins;
- question where flues will be sited on the building;
- servicing the hotel will be difficult and cause traffic problems in the small streets of the area which are already congested and used by school parents. It would be more appropriate for servicing from Western Road;
- local parking would become even worse and it is not realistic to expect everyone would be travelling by public transport;
- parking bays are free overnight and there is no reason to think that hotel residents would not use them, illegal parking along Hampton Street overnight;
- request a stipulation that any hotel parking should only be in conjunction with the Regency Square Conservation Area;
- the Statement of Community Involvement is simply a brief update of the previous, completely different, proposal. There has been no consultation with the local community about the new planning application.

A petition of **17 addresses** objecting to the development has been received.

CAG: Welcome the proposal but request like for like in appearance critical type windows rather than the coloured PVC. Concern regarding the use of the rear door and suggest a management plan for lighting and surveillance.

Clifton Montpelier Community Alliance comments that there is a strong feeling amongst local residents against the proposal with concerns relating to noise, disturbance and traffic problems.

Councillor Kitcat objects; see attached letter.

East Sussex Fire & Rescue Service: No comment.

Environment Agency: No objections.

Internal:

Conservation & Design: In view of the predominantly rendered architecture to the north and the low architectural value of the north block, the rendering of the facades is considered acceptable, provided that the original moulded stone window cills are retained.

An additional storey is likely to be acceptable on the north block as it would be read against the mass of the taller south block in views from the north. On Hampton Place its scale and bulk is also acceptable, due to its set back. It would not appear out of scale or over dominant in the street scene particularly in oblique views where the taller south block would loom above it. However, the architectural style of a false mansard with steep sloping pitched roofs would appear incongruous and out of place on this 1930s building. A more modern approach which is more sympathetic to the building's original design is called for.

Of more concern is the loss of the building's fenestration pattern. The existing windows are particularly characteristic of buildings of this period and style and together with its stone cills are its only redeeming features. The replacement windows have far fewer divisions and result in much blander and coarser grained facades and accentuate its bulk. They do not reflect the 1930s architectural style of the building and would detract from the character of the conservation area and the setting of the nearby listed buildings.

The new glass clad fire escape stairs at the rear, which will be visible from Hampton Place, are considered acceptable.

A new entrance door with flanking pilasters in place of a shopfront on Western Road would be welcome in principle as it appears that there was originally one under a single canopy. The original fine 1930s entrance still survives on the left hand side. The existing shopfront is very poor, and its removal would be a significant improvement. However, the modern design of the door is very

disappointing, bland and unbalanced and appears incongruous alongside the original entrance. The opportunity to reinstate doors and a fanlight to match the original ones should be taken.

Environmental Health: Recommend conditions to restrict delivery / collection times, and to require further details of odour control (and its soundproofing) equipment.

Planning Policy: The office accommodation has been vacant for a prolonged period of time and whilst the applicant has sought to overcome the reason for refusal of the 2007 application by including evidence of flexible marketing and refurbishment the application this needs to be accompanied by further details of the local advertising undertaken (when and where) and the viability assessment of the cost of refurbishment to ensure that the tests of EM5 can be fully assessed.

In light of the findings of the Hotel Futures Study 2006 which found that there was no further need for new 3 Star Hotel Accommodation in the city , this application should be accompanied by evidence including a demand assessment to identify how the proposal would add to the current supply and offer of accommodation; whether it has the ability to create new demand and how it might meet needs currently unsatisfied in the city and the likely impact on midweek business for existing hotel and guest accommodation.

The retail unit to be lost to create the Western Road entrance to the hotel is located within the prime frontage of Brighton Regional Centre, and although the planning statement has indicated that there would not be a break of frontage of more than 10 metres, the applicant has not addressed the other criteria in the relevant policy SR4, in particular SR4b.

Further information is required to clarify how the dance studio will be accommodated in the public house, given overall the reduction in public house floorspace and therefore how both these aspects of the proposal accord with policy HO20 of the Brighton & Hove Local Plan which seeks to protect community facilities.

Sustainable Transport: Since the deferral of this application the applicants have submitted further transport analysis, particularly relating to the likely trip generation impact.

Parking - SPG4 would allow at most 59 general parking spaces and require at least 1 disabled bay and 1 cycle parking space. The applicants argue that general car parking provision is not necessary due to the site's 'highly sustainable location'. No substantial displaced parking problem would arise as the site is well within the CPZ. Access and parking for car borne guests would be difficult but these problems can be reduced by measures which can form part of the travel plan and it would be in the applicants' commercial interest to do this.

Whilst disabled parking provision is an issue the standards require only a minimum of 1 space and the absence of on site disabled parking is not therefore a substantial issue in policy terms or a reason for refusal. The applicants have pointed out that not all disabled guests will drive cars and that local public transport is highly accessible to disabled people. They have also made the point that it would not be practical or reasonable to reduce the (high) number of accessible rooms to reduce the potential parking problem.

The proposal to provide 9 cycle parking spaces is good but information on the detailed layout has not been provided and should be required by condition.

Traffic impact - The applicants have carried out a TRICS based analysis which establishes that there will be no significant increase in the number of person trips generated compared to those which would be expected to be generated by the extant office consent. This means that there would be no material impact on local infrastructure and no requirement for S106 contributions. The office use however has not been in use since 2001 so any trips generated are extra to the existing and recent situation.

Travel plan - A travel plan should be required by condition to be approved 3 months prior to occupation, and the condition should also require that the applicants implement any resulting measures reasonably required by the Council. The proposed timing is to allow an interval for any appropriate measures to be implemented prior to occupation. This plan should include the consideration of pro active measures to promote sustainable modes by guests as well as staff such as the provision of information on local buses, etc, at time of booking and arrangements for collection of guests from the station.

Conclusion - Provided that conditions as described above are attached to any consent the transport aspects are acceptable.

VisitBrighton: The Hotel Futures Study shows there is a considerable amount of hotel stock in the City, also in the face of the current economic uncertainty the City must look to support the existing stock in order to maintain the position as a top visitor destination.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR4	Travel plans
TR7	Safe Development
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials

SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU16	Production of renewable energy
QD1	Design - quality of development and design statements
QD2	Design - key principles for neighbourhoods
QD3	Design - efficient and effective use of sites
QD4	Design - strategic impact
QD5	Design - street frontages
QD14	Extensions and alterations
QD25	External lighting
QD27	Protection of amenity
HO20	Retention of community facilities
EM3	Retaining the best sites for industry
EM5	Release of redundant office floorspace and conversions to other uses
SR4	Regional shopping centre
HO8	Retaining housing
HO20	Retention of community facilities
SR4	Regional shopping centre
SR12	Large Use Class A3 (food and drink) venues and Use Class A4 (pubs and clubs)
SR14	New hotel and guest accommodation
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance

SPG BH4 Parking Standards

Supplementary Planning Documents

SPD02	Shop Front Design
SPD 03	Construction and Demolition Waste
SPD 08	Sustainable Building Design

7 CONSIDERATIONS

The key issues of consideration in the determination of this application relate to the loss of existing office, storage and retail floorspace; the principle of a hotel in this location and the resulting impact of the proposed use and associated external alterations on neighbouring amenity, the character and appearance of the area, transport and highway safety. The sustainability credentials of the scheme are also a consideration.

Lower ground and ground floor levels

Rear stores / loading bays

The lower ground and ground floor levels of the northern block comprise a number of uses which in the main are associated with the commercial units fronting Western Road (with the lower ground floor level of the northern block broadly corresponding the ground level of the southern block). The lower

ground floor level to the northern block provides storage areas and ancillary facilities, with loading bays and access at Hampton Street level. These floors would form part of the proposed hotel and would therefore be separated from the retail units.

At the western end of the site these floors are currently vacant and have been physically separated from the Western Road commercial units (CEX Exchange and Sainsbury's). In contrast the floors at the eastern end of the site are understood to be used in conjunction with three retail units at 151 to 154 Western Road. There is though no compelling evidence that the space is necessary for the continued vitality and viability of the affected retail units and it is noted that the adjoining units (i.e. 144 to 148 inclusive) function without similar amounts of ancillary floorspace. The remaining units remain relatively large and there is no reason to believe that loss of the storage (and ancillary uses) within the northern block would harm viability of the affected retail units or vitality of the wider regional shopping centre.

Dance studio

The development would also entail the loss of a ground floor dance studio (or other potential Class D1 use) last occupied by the Hampton Ballet Academy. The academy is understood to have vacated the premises in August 2010 and now operate from a dance studio at Patcham High School on Ladies Mile Road. In this instance, and despite the absence of supporting information, it is apparent that the existing facility has relocated to an alternative location. Whilst it would be difficult to argue that the new location is as accessible as Mitre House it is nonetheless well served by public transport.

Whilst the loss of the existing community facility is regrettable it did not benefit from planning permission and the previous user has relocated to an alternative premises. On this basis the proposal is considered to broadly comply with the aims of local plan policy HO20.

Loss of office floorspace

The first and second floors of the northern block comprise vacant office accommodation. Policy EM5 of the local plan seeks to retain office premises unless they are genuinely redundant because the site is unsuitable for redevelopment, the premises are unsuitable and cannot be readily converted to provide different types of office accommodation, or where a change of use is the only practicable way of preserving a building of architectural or historic interest.

The policy states that when assessing redundancy consideration is given to the length of time the premises have been vacant; the marketing strategy adopted; the prevailing vacancy rate for the size and type of office in Brighton & Hove; the complexity of the floor layout, the floor to ceiling height, the number of storeys in relation to total floorspace and the prominence of the main entrance; links to public transport; and the quality of the building.

The northern building comprises office floorspace at first and second floor levels and is understood to have been vacant since February 2001. The applicant has outlined details of marketing that accompanied the previous planning application (for the period 2002-2005) outlining details of the marketing strategies and reasons why the building has remained vacant. The report advises the property is unmarketable as the building is poorly located without any public frontage and poor principle entrance, an inflexible layout, a lack of modern facilities; significant modernisation is also required to meet DDA requirements and there is no on-site parking provision.

Additional information has also been submitted relating to the marketing strategy and reasons why the building has remained vacant despite this. The supporting documents on marketing since 2007 indicate that the asking rental price has been reduced and rent free periods were offered. In addition to this some office spacer was upgraded and modernised to elicit interest, with the freeholder also prepared to carry out further necessary upgrading works on the remaining office space once a tenant was identified.

The Marketing Statement indicates that refurbishment of the office accommodation on a speculative basis would be considerable (at a figure of £1 million plus) and it would not be possible to attract interest at the necessary rental levels to justify this expenditure, furthermore finance to fund this renovation could not be secured. Further information on this viability has been submitted concluding that 'whatever the level of expenditure incurred Mitre House Offices would encounter considerable difficulty in achieving an economic degree of occupancy involving extended marketing periods'.

There is no evidence to suggest that the premises have not been offered under the broadest possible office related remit. The premises have been marketed through reputable local agents over a prolonged period of time and the Council's Economic Development Team have confirmed deficiencies of the location for continued use as office accommodation. The submitted details are considered to demonstrate with sufficient conviction and force that the premises have been offered to let for employment related uses on a sustained basis at an appropriate price, on a flexible occupation basis and over an appropriate period of time. It is therefore considered that the requirements of saved local plan policy EM5 have been met and a resistance to the proposal in terms of retention of office accommodation would not be warranted.

Policy EM5 sets out that if the site is regarded as genuinely redundant, preference will be given to alternative employment generating uses. Planning Policy Statement 4, Planning for Sustainable Economic Growth, includes hotels (as a main town centre use) in its definition of economic development. On this basis a hotel use would not conflict with the aims of policy EM5. The applicant suggests that the hotel would generate 8-10 permanent jobs which would be a low level of job creation compared with an office use. Whilst there is no detailed information about the future occupation based on offPAT

employment densities the hotel could potentially provide approximately 43 jobs (1 employee per 3 bedrooms).

Proposed hotel use

The application proposes a 131 bedroom hotel throughout the five-storeys of the northern block at Mitre House. Saved local plan policy SR14 relates to new hotels and guest accommodation and states, in part, that new hotel and tourism accommodation will be permitted within the identified core area providing it would not result in a reduction in the numbers of residential units and it would not result in a loss of industrial/business land. The building is located within the identified core area in a central location with the City centre and in compliance with policy EM5 the site has been assessed as being genuinely redundant and would not result in the unjustified loss of industrial / business land.

Whilst it is not possible, or necessary, to restrict the type of hotel accommodation offered at the site the applicant has advised that the hotel is likely to operate as a 'budget' or 'upper budget' operator, and notes that the Hotel Futures Report states that the strength of demand for budget hotels, particularly at weekends, suggests potential for further budget hotel development in and around the city. The Hotel Futures Report is a material consideration in the determination of this application.

The Submission Core Strategy is also a material consideration and advises in CP18, hotel / guest house accommodation, that proposals for 'new major hotel facilities should be accompanied by a market case including a demand assessment to identify how the proposal would add to the current supply and offer of accommodation; whether it has the ability to create new demand and how it might meet needs currently unsatisfied in the city'. Planning Policy have raised concern that no supporting information relating to the operator of the proposed hotel, what type of accommodation would be provided and how CP18 is met by the proposal: this concern is also shared by visitBrighton who note the importance of protecting existing businesses within the City.

Whilst these concerns are noted the proposal is considered to comply with current adopted local plan policy on the provision of new hotel accommodation. This is considered to outweigh any conflict with emerging planning policy, although it is noted that the site is within the general search area for a main town centre use as set out in CP18, hotel / guest house accommodation. For these reasons refusal of the application as a result of conflict with the core strategy would not be warranted.

Character and appearance

Scale

The existing northern building is a three-storey building rising to four-storey towards the centre of the site. The corner building, the Shakespeare's Head, on the junction of Spring Street and Hampton Street contrasts with the remainder of the building comprising two-storeys with a hipped roof. The

proposed additional storey would rise no higher than the existing fourth-storey and incorporates a mansard roof set back from the main front elevation of the building.

In long views from Upper North Street and along Hampton Street and Spring Street the increase in scale would be viewed against the backdrop of the southern block, which, at 7/8 storeys in height, remains significantly higher than the northern block. From these vantages the additional storey would be in keeping with surrounding development and the character and appearance of the Montpelier and Clifton Hill Conservation Area would be preserved.

In short views the additional storey would be appreciably higher than the adjoining terrace to the north on *Hampton Street*, which includes a number of grade II listed buildings. It is though considered that the increased height does not represent an unsympathetic step change and the resulting change in scale, which is reduced due to the set back, would not appear over dominant or harm the setting of adjoining listed buildings or the prevailing character or appearance of the Montpelier and Clifton Hill Conservation Area.

The existing corner building fronting *Spring Street* is of a scale which reflects adjoining two-storey development to the north. The additional storey does not extend over the corner section of the building with the existing height and bulk unaltered by the proposal. The proposal would therefore preserve the existing relationship between the application site and adjoining development.

Design

As existing the northern block is of little architectural value with somewhat dull brick facades and facades relieved only by 1930's style steel windows and stone cills. In view of the predominantly rendered architecture to the north of the site and the low architectural value of the existing building the rendering of the facades is considered acceptable.

The existing windows are a key characteristic feature of the existing building and together with the stone cills represent its only redeeming features. Following amendments, and in response to comments from CAG and the Conservation & Design Team, the replacement windows would replicate the existing glazing divisions and reflect the 1930's architectural style of the building. The amended window arrangement would preserve the character of the adjoining conservation area and the setting of nearby listed buildings.

The additional storey comprises a mansard roof with steep sloping pitched roofs. The Conservation & Design Team have expressed concern that this treatment would appear incongruous and out of place on a building of this style and age and that a more contemporary approach would be preferable in this instance (and this was the design approach of an earlier application on the site).

Whilst these concerns are noted on balance it is considered that the mansard

roof would appear an appropriate addition to the building. The mansard roof is set back from the main rear elevation of the building and the front pitch reduces the bulk of the additional storey and its visual impact / prominence from street level. The additional storey, and mansard roof form, would primarily be visible in short views along adjoining streets from where it would be viewed in conjunction with improvements at lower levels of the building (as set out above). Taken as a whole it is considered that the additional storey and associated external works would create a coherent design that improves the appearance of the building.

To the rear of the existing building a glass clad fire escape would be constructed. This addition would be visible from Hampton Street. The structure is of an appropriate scale in relation to the existing building and the use of glass cladding would reduce the perceived mass of the structure. The structure is therefore considered acceptable and further details are required by condition.

There is an expectation that additional plant and machinery would be required for the hotel use. The proposed plans indicate a plant room at lower ground floor level and there is no suggestion that significant amounts of additional plant / machinery would be required. A condition is recommended restricting the approval to the plant and machinery indicated on the drawings and requiring the roof be kept clear of any plant, ductwork or railings (other than that associated with the solar water heating system).

Conclusion

The proposal would markedly improve the appearance of the existing building at street level and this would in turn enhance views into and from the adjoining Montpelier and Clifton Hill Conservation Area. There are design concerns relating to the additional storey. However, it is considered that the benefits accruing from the external alterations on the appearance of the building and adjoining conservation area outweigh concerns relating to the design and detailing of the additional storey. For this reason the proposal is considered to meet the aims of saved local plan policies QD1, QD2, QD4, QD14 and HE6.

Impact on amenity

Loss of light

It was accepted as part of a previous application on the site that a two-storey extension to the northern block would not result in significant harm to neighbouring amenity through loss of light (see section 3). This application proposes one additional-storey to the building.

The applicant considers that since the development is of a lesser scale than that previously proposed the resulting impact would be no worse than that considered acceptable as part of the earlier application. In support of this view the daylight / overshadowing analysis of the previous scheme has been submitted with a covering letter relating to the current scheme.

The existing properties to the north are already affected to varying degrees by the existing building, which includes the southern (Western Road) block which is considerable taller than the prevailing scale of development to the north. In this context it is considered that the additional storey set back from the main rear elevation and incorporating a sloping roof would not lead to further significant loss of light for occupiers of adjoining properties to the north. These adjoining properties would instead continue to be primarily affected by lower levels of the building and the dominant presence of the southern building. This view is supported by the planning history of the site where a proposal for a two-storey extension to the northern block was not refused for amenity related reasons (ref: BH2007/02072).

Overlooking

As existing there is mutual overlooking between the application site and adjoining properties to the north and south. Although the hotel accommodation would change the existing use of the building it is considered that the nature and expected use of the resulting guest accommodation would not lead to an appreciable increase in overlooking, or a perception of overlooking, for occupiers of adjoining properties.

Noise and disturbance

The proposal would introduce a potentially vibrant commercial use into the building and as such there is potential for increased noise and disturbance. A number of representations have been received objecting to the proposal on this basis.

The site is located off a principle commercial street through the City centre and trips to and from the site during normal working hours would not be uncommon in this neighbourhood. Whilst it is acknowledged that there is greater potential for late night access and egress from the building it could not be demonstrated that this would inevitably lead to noise or disturbance for occupiers of adjoining properties. It is further noted that the principle entrance to the proposed hotel would be off Western Road and it is considered that the majority of guests would use this access, rather than that to the rear on Hampton Street. For these reasons it is considered that the proposed use would be unlikely to lead to increased noise or general disturbance to the extent that would warrant withholding planning permission.

There are no conditions restricting hours of deliveries and collections to the site as existing. The Planning Statement advises that deliveries and collections to the hotel would take place between standard operating hours of 08:00 and 18:00. However, at present deliveries from Hampton Street are restricted to between the hours of 09.00 and 18.00. In recognition of this and the potential conflict between the proposed use and existing adjoining uses a condition is recommended restriction delivery hours to between 09.00 and 18.00 on Hampton Street. There are currently no restrictions for deliveries on Western Road and none are proposed by way of condition as part of this application.

Lower ground floor restaurant

The basement restaurant and bar are physically connected to the main hotel and the building as a whole would remain within the hotel Use Class (C1). The proposed works would therefore not lead to a material change of use and the resulting restaurant / bar would be ancillary to the primary use of the premises as a hotel.

The proposed plans indicate the location of extract equipment which would be vented to the southern elevation of the building, within the central courtyard area. This is considered to be the most suitable location, in design and amenity terms, and further details are required by condition.

Transport

The site is located in an area of high public transport accessibility, in close proximity to Brighton station and local bus routes. The site is also located in extremely close proximity to the services and facilities of the town centre. The proposed hotel would be accessible from Western Road which has limited access rights for private vehicles and is a key bus and taxi route through the City. The hotel would also be accessible from Hampton Street which is one-way (westbound) and accessed from Spring Street which is also one-way (southbound).

The Council's adopted parking standards, as set out in SPGBH4 (parking standards), would allow a maximum of 59 general parking spaces to be provided. The development does not allow for any dedicated guest parking and due to the constraints of the site and adjoining roads there is no scope for additional parking to be provided. The applicants argue that general car parking provision is not necessary due to the site's 'highly sustainable location'.

The application site is located well within a controlled parking zone and as such displaced parking would not arise; and existing residents of the area would not therefore be impacted by increased uptake of on-street parking spaces. In reality access and parking for car borne guests would be difficult and it would be expected that the majority of guests would be aware of this and arrive to the site by public transport. If guests arrived to the hotel by car they would need to be referred to nearby public car parks, with Regency Square the nearest (approximately 250 metres to the south).

The applicants have carried out a TRICS based analysis which establishes that there will be no significant increase in the number of person trips generated compared to those which would be expected to be generated by the existing office use. It is appreciated that the premises has been vacant for a prolonged period of time, however, as an office use could lawfully occupy the premises trips from the existing potential use (and therefore trip generation) should be taken into account when considering travel impacts. There are no reasons apparent to dispute the analysis and the development would have no material impact on local infrastructure.

There is a concern that no disabled parking provision is, or can be, made as part of the application and the proposal would therefore be relying on existing street provision. However, adopted standards would only require 1 space to be provided and the absence of disabled parking is not considered to be a substantial issue in policy terms that would warrant refusal of the application. It is considered that there is scope within the travel plan for measures to be put in place to ensure people with a mobility related disability are not put at a disadvantage by the absence of on-site disabled parking.

There are no reasons why the hotel could not consider pro-active measures to promote sustainable modes of travel by guests and an outline green travel plan has been submitted to this effect. The plan outlines a series of measures, for both guests and staff and these include the sending of promotional material to guests upon booking advising of the zero parking provision; outlining local public transport availability; public car park locations; and drop-off areas on Western Road. The plan also outlines measures for staff and given the accessible location of the site it is not anticipated that this would raised significant issues. A condition is recommended to require a travel plan be submitted prior to first occupation of the hotel, as this would allow any appropriate measures to be implemented before the hotel being brought into use.

As existing Mitre House can be serviced from Western Road or Hampton Street. There is no feasible alternative on this constrained site and the proposal would retain the existing servicing arrangements. The application would remove the ability for servicing of the Western Road commercial units from Hampton Street and only the northern block could be serviced from this street. In relation to the existing situation it is considered that the application would be unlikely to result in additional commercial traffic along Hampton Street.

The proposal allows for 9 staff cycle spaces within the basement level; there are no apparent reasons why the cycle parking could not be made available for both staff and guests. The Council's cycle parking standard specifies the provision of 1 space per 10 employees for hotels; the standard does not require cycle parking facilities for hotel guests. The provision therefore exceeds the minimum requirement and further details are required by condition.

Sustainability

The development primarily relates to conversion of an existing building with a smaller new-build element at fourth floor level. Policy SU2 requires that development proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance is contained within Supplementary Planning Document 08, Sustainable Building Design.

An Energy Assessment Report (date June 2010) has been submitted which indicates a clear commitment from the applicant to achieve BREEAM

‘excellent’ and score 60% in the energy and water sections. Whilst a detailed design for services to the additional storey has not yet been fully worked up the Energy Strategy Report makes it clear that a number of suitable technologies are being properly considered to meet SPD08 standards as required.

In relation to water efficiency the report outlines measures that would be undertaken to achieve a BREEAM rating of ‘excellent’ with a score of at least 60% in the water section (in excess of that required for an additional storey of the size proposed). There is a commitment to explore the possibility of water recovery from the rear roof and central courtyard to provide rainwater for the entry level toilets, and the requirements for such a rainwater harvesting plant have been identified. In addition other water saving measures, such as dual flush cisterns and low flow taps / showers, have been identified.

A section on energy outlining renewable energy options being considered for the building. The primary option relates to a solar water heating system that would contribute to the domestic hot water system for showers and taps: the submitted roof plan indicates the proposed siting for these panels and further details are required by condition. The report is again states compliance with the 60% requirement for energy.

It is considered that the applicant has submitted sufficient information, and commitment, that the development would achieve a BREEAM rating with high levels in the water and energy sections. On this basis it is considered that further information and certification, pre and post-completion, can be required by condition. This is considered sufficient to comply with the aims of policy SU2 and SPD08.

Western Road frontage

Proposed entrance

As existing the Western Road frontage of Mitre House incorporates a single canopy under which is the original 1930’s entrance to the southern block and a modern shopfront (to a small retail unit) which is unsympathetic to the building and adjoining conservation. The proposal seeks to replace the shopfront and form a new entrance which, following amendments, incorporates flanking pilasters, doors and a fanlight to match the adjoining original doors.

It is considered that the proposed entrance would be a significant improvement on the existing shopfront and it appears likely that as originally built there would have been an entrance in this location. The alterations are therefore considered acceptable subject to the submission of further details which are required by condition.

Loss of retail

The hotel entrance would result in the loss of a retail unit which, allowing for ancillary space to the rear, measures approximately 96 sq metres and is

within the prime frontage of the regional shopping centre. Saved policy SR4 seeks to retain retail units unless a number of criteria are met. These criteria state that as a result of the proposal there should not be a break of more than 10m in the shopping frontage (criteria a); the proportion of non-retail units in the shopping street should not exceed 25% (criteria b); the replacement use should have a positive effect on the shopping environment, encourage combined trips and attract pedestrian activity (criteria c); and the proposed use should not be detrimental to neighbouring amenity or the general character of the area (criteria d).

The proposed arrangement, and in conjunction with the adjoining entrance, would result in a gap in the retail frontage of approximately 8 metres (a) and the vast majority (and in excess of 75%) of adjoining uses would remain in retail use (b). As the primary entrance to a hotel the proposal has potential to attract new pedestrian activity to this part of the shopping centre and there would be an expectation that trips by guests would be linked to other attractions within the City (c). A commercial entrance to the building would not be out of keeping in this location, and the impact of the use on neighbouring amenity was considered in an earlier section (d).

Conclusion

The proposed entrance would enhance the appearance of the building and although a retail unit would be lost this would not harm the vitality of the regional shopping centre.

Other considerations

Public house

The existing public house, on the corner of Spring Street and Hampton Street, would be retained by the proposal. The ground floor area would be increased to approximately 161.8 sq metres but a first floor function room would be amalgamated into the hotel use. An external courtyard area would be created to the rear of the building.

There is no objection to the loss of the first floor function room which is an ancillary feature of the primary pub use, and this loss is potentially compensated for by the increased ground floor area. The total floor area of the pub already exceeded 150 sq metres and as such there is considered to be no conflict with policy SR12. The external terrace is modest in size and could not be used for extensive outdoor seating: it would though potentially reduce outdoor noise and disturbance from smokers using Spring Street and Hampton Street.

Caretaker's flat

The fourth storey to the northern block incorporates a stair well and 'caretakers flat'. The flat was historically occupied in connection with lower levels of the building and cannot be self-contained due to the presence of shared access and servicing arrangements with the office accommodation below. Whilst policy HO8 seeks to retain residential accommodation an

exception is allowed when a separate access to a unit is impractical (criteria b). As this is the case in this instance there is no objection to loss of the residential unit.

Dental surgery

The dental surgery at the corner of Hampton Place and Hampton Street would be unaffected by the proposal which allows for its retention as existing.

Statement of Community Involvement (SCI)

The applicant has submitted a SCI which primarily relates to proposals prepared in 2007 for a significantly different scheme. Whilst the scheme has been amended since the previous consultation, and refused application, there is no information to suggest residents have been involved in the preparation of the current scheme. A number of objections have been received on this basis. Whilst this omission is regrettable and it is good practice to involve residents at an early stage in the preparation of a scheme this is not considered to be a reason to refuse the application or invalidate the application.

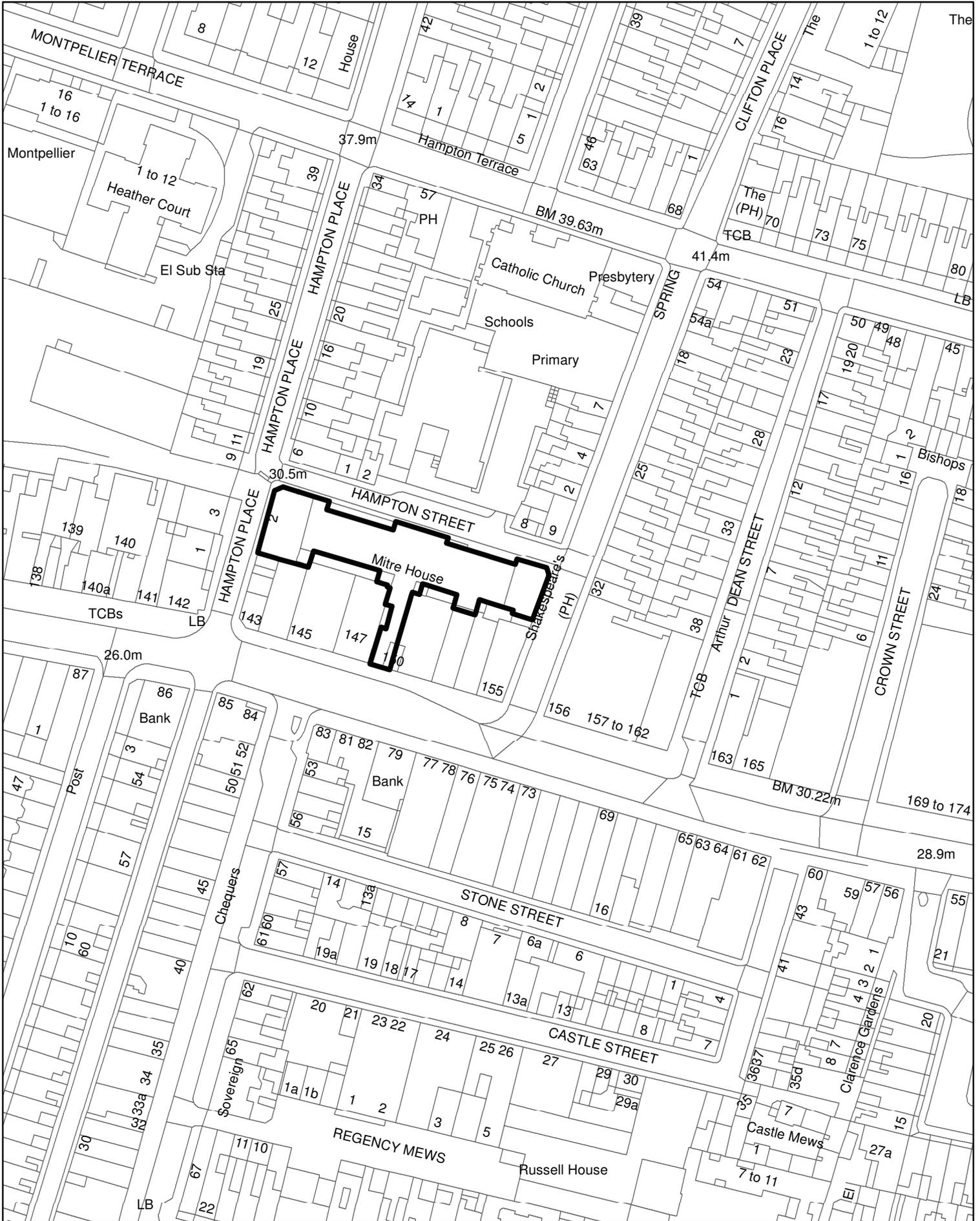
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

It has been demonstrated that the existing office accommodation is genuinely redundant. The development would provide hotel accommodation within the identified core area. The proposed extension is of a scale and design which relates well to the existing building and would preserve the prevailing character and appearance of the Montpelier and Clifton Hill Conservation Area, and the setting of adjoining Listed Buildings on Hampton Place. The proposal would not harm the vitality of the regional shopping centre or result in harmful loss of light or outlook, or increased noise or disturbance, for occupiers of adjoining properties. The development would not have a significant transport impact and additional trips to and from the site can be accommodated using existing infrastructure.

9 EQUALITIES IMPLICATIONS

The development would provide an accessible internal layout with 13 accessible rooms proposed. Whilst disabled parking is an issue it is considered the requirement for a travel plan could satisfactorily alleviate this concern.

BH2010/1966 Mitre House, 149, Western Road





Brighton & Hove City Council

PLANS LIST – 03 NOVEMBER 2010

COUNCILLOR REPRESENTATION

From: Jason Kitcat [<mailto:jason.kitcat@brighton-hove.gov.uk>]
Sent: 30 July 2010 09:28
To: Guy Everest
Subject: Objection to application BH2010/01966 for Mitre House

Dear Guy

I am writing to object to the application for Mitre House, 149 Western Road, Brighton ref BH2010/01966. If the application is likely to be approved I request that it goes to committee where I would like to speak to the item.

My objection concerns the change of use from offices to a hotel. This will change the nature of the area and will also impact on employment. As offices the building could host far more employment than will be created by a hotel use.

Furthermore there is a problem of overcapacity in the hotel trade. You will be aware of a number of hotels, such as in Oriental Place, seeking permission to convert to flats due to falling trade. More hotel rooms to fill are unwarranted in the current climate and level of hotel provision across the city.

Finally, the change of use to hotel will have an impact on local residents. The hotel will require significant service deliveries for laundry, food and other supplies - far more than an office would need. Furthermore many guest will likely attempt accessing the hotel by car in an already congested, narrow and difficult area. Due to Western Road's bus lane status, car access would be down Spring Street (past the primary school there) and into Hampton Street. This will cause congestion, noise and disturbance for residents as well as possible conflict with the school children and their parents dropping-off and collecting them.

Some guests may also try dropping off their luggage on Western Road with serious implications for safety and the free movement of buses on this key route.

A hotel in this location is likely to attract stag and hen parties as well as late night revellers wanting somewhere near to the city's clubs. Their return to bed is also likely to disturb residents who already have more than their fare share of noise and disturbance from the city's night economy.

I believe that this change of use to hotel is inappropriate, unjustified and should be refused.

Sincerely,

Cllr Jason Kitcat

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Cllr Jason Kitcat
Green City Councillor, Regency Ward
Brighton & Hove City Council

<u>No:</u>	BH2010/02015	<u>Ward:</u>	HOLLINGDEAN & STANMER
<u>App Type:</u>	Extension to Time Limit Full Planning		
<u>Address:</u>	William Moon Lodge, The Linkway, Brighton		
<u>Proposal:</u>	Application to extend time limit for implementation of previous approval BH2007/02692 for the demolition of existing building and redevelopment of the site to provide new two storey nursing home with 100 bedrooms, together with ancillary day care centre. Provision of 16 car parking spaces to include 5 disabled spaces and one ambulance bay.		
<u>Officer:</u>	Sue Dubberley, 293817	tel:	<u>Valid Date:</u> 28/06/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	27 September 2010
<u>Agent:</u>	Lewis & Co Planning, Paxton Business Centre, Portland Road, Hove		
<u>Applicant:</u>	Birchgrove Nursing Home, Mr Lindsay Shookhye, Ashton House, Bolnore Road, Haywards Heath		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves that it is **MINDED TO GRANT** planning permission subject to a Section 106 Agreement and to the following Conditions and Informatives:

S106

That a deed of variation be made to the s106 obligation relating to application BH2007/02692 binding the current application to the same obligations which are:

- Public art works to the value of £20,000, the details of which to be submitted and approved in writing by the Council prior to commencement of development and to provide, on completion of development, a breakdown of expenditure of the said public art works;
- A contribution of £40,000 towards the Sustainable Transport Strategy prior to commencement of development; and
- The ancillary day-care community facility indicated on the approved plans (drawing no. 2296/01 Rev F) shall be provided at the time of first occupation of the nursing home. The ancillary community facility hereby approved shall be retained solely for such use (use class D1) and shall not be used for an alternative use.

Conditions

1. BH01.01 Full Planning.
2. The development hereby approved shall be built in accordance with the agreed details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished floor levels of all buildings and structures

approved in writing by the Local Planning Authority on 6/3/08.

Reason: To safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, and to comply with policies QD2 and QD27 of the Brighton & Hove Local Plan.

3. The development hereby approved shall not be occupied until the details for the storage of refuse and recycling submitted to and approved in writing by the Local Planning Authority on 10/01/08 have been fully implemented and made available for use and thereafter retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage and to comply with policies SU2 and QD27 of the Brighton & Hove Local Plan.

4. The development hereby permitted shall be carried out in accordance with the approved details of materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development approved in writing by the Local Planning Authority on 10/01/08.

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

5. The development hereby approved shall not be occupied until the details for secure cycle parking facilities for the occupants of, and visitors to, the development approved in writing by the Local Planning Authority on 10/01/08 have been fully implemented and made available for use 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.

6. All existing trees on site as indicated on drawing no.2296/06 shall be retained as part of the development, and any trees which within a period of 5 years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenities of the surrounding area and the residential amenities of nearby properties and to comply with policies QD15, QD16 and QD27 of the Brighton & Hove Local Plan.

7. The details for the protection of trees which has been submitted to and approved in writing by the Local Planning Authority on 6/03/08 to be implemented and the fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

8. The development hereby approved shall not be occupied until the landscaping scheme submitted to and approved in writing by the Local Planning Authority on 6/03/08 has been fully implemented.

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

9. BH11.02 Landscaping/planting (implementation).
10. BH07.03 Odour control equipment.
11. BH07.04 Odour control equipment (sound insulation).
12. BH07.07 Soundproofing plant/machinery.
13. The development hereby permitted shall not be brought into use until the vehicle parking area shown on the submitted plans has been laid out and surfaced to the satisfaction of the Local Planning Authority. The parking area shall not be used otherwise than for the parking of vehicles of residents, staff and visitors associated with the development.
Reason: To ensure that adequate parking provision is retained and to comply with policies TR1 and TR19 of the Brighton & Hove Local Plan.
14. Prior to first occupation of the development hereby approved changing facilities and showers for cyclists shall be installed within the building, public transport information shall be displayed within the building and an information pack regarding sustainable transport modes shall be prepared for employees. The aforementioned facilities shall be implemented and maintained thereafter to the satisfaction of the Local Planning Authority.
Reason: To seek to reduce traffic generation and encourage sustainable modes of transport in accordance with policy TR1 of the Brighton & Hove Local Plan.
15. Prior to first occupation of the development the sustainability measures set out in the Supporting Statement and Sustainability Checklist submitted with this application including the proposed photovoltaic cells on the roof of the building and rainwater butts shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority
Reason: To ensure that development is sustainable and makes efficient use of energy, water and materials and in accordance with policies S1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and SU2 and SU16 of the Brighton & Hove Local Plan.
16. Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a 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.
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.
17. BH15.06 Scheme for surface water drainage.
18. BH15.04A Method of pilling.
19. If, during development, land contamination not previously identified is

found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with.

Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton and Hove Local Plan.

20. The development hereby permitted shall be carried out in accordance with the approved drawings nos. 2296/skloc, 2296/01 Rev F, 2296/02 Rev G, 2296/03B, 2296/04B, 2296/05A, 2296/07 and M399 Sheet 1 received on 16 July 2007, drawing no. 2296/08 received on 8 August 2007 and drawing no. 2296/06c received on 4 September 2007.

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

Informatives:

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

- (i) having regard to the policies and proposals in the Brighton and Hove Local Plan set out below, including Supplementary Planning Guidance and Supplementary Planning Documents:

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR4	Travel plans
TR7	Safe development
TR8	Pedestrian routes
TR13	Pedestrian network
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and reuse of construction industry waste
SU15	Infrastructure
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD5	Street frontages
QD6	Public art
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of amenity
QD28	Planning obligations
HO11	Residential care and nursing homes

HO20 Retention of community facilities
Supplementary Planning Guidance:
SPGBH4 Parking Standards
Supplementary Planning Documents:
SPD03 Construction & Demolition Waste
SPD06 Trees & Development Sites
SPD08 Sustainable Building Design
SPD11 Nature Conservation & Development; and

(ii) for the following reasons:-

The principle of the development has been accepted under BH2007/02692 and apart from the demolition of the existing building; the site has not significantly changed since permission was granted in 2007. There have been some changes in local planning policy guidance relating to sustainability in 2008 and these issues can be controlled by a suitably worded condition. The development remains acceptable in principle.

2. IN05.07A Informative - Site Waste Management Plans (3+ housing units (new build), 11+ housing units (conversion) or over 200sq m non-residential floorspace (new build))

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 and www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html

2 THE SITE

This application relates to a site located on the southern side of The Linkway. The site is currently vacant having been formerly used by the Sussex Lantern Trust and a large detached single storey building sat on the site with a D1 community use. On inspection of the site demolition was at an advanced stage and has since been completed and the site cleared.

In a wider context this site lies in a predominantly residential area. The properties on the northern side of the Linkway, directly opposite the site comprise 3 storey terraced flats, properties to the east, west and south comprise 2 storey terraced dwellings.

3 RELEVANT HISTORY

BH200702692/FP: Demolition of existing building and redevelopment of the site to provide new nursing home (2 storeys) for the frail and elderly (100 bedrooms), together with ancillary day care centre. Provision of 16 car parking spaces to include 5 disabled spaces and one ambulance bay. The

application was approved 17 October 2007 subject to conditions and a Section 106 Obligation to secure public art works to the value of £20,000, a contribution of £40,000 towards the Sustainable Transport Strategy and the ancillary day-care community facility indicated on the approved plans (drawing no. 2296/01 Rev F) to be provided at the time of first occupation of the nursing home. The ancillary community facility approved to be retained solely for such use (use class D1) and not used for an alternative use.

Conditions

1. 01.01AA Full planning permission.
2. No development shall be commenced until full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished floor levels of all buildings and structures have been submitted to and approved in writing by the Local Planning Authority. All levels shall be in metric units and related to Ordnance Survey Datum. The development shall thereafter be built in accordance with the agreed details.
Reason: To safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, and to comply with policies QD2 and QD27 of the Brighton & Hove Local Plan.
3. 02.06A Satisfactory refuse storage (BandH).
4. 03.01A Samples of materials – Non Cons Area (BandH).
5. 05.01 EcoHomes/Code for Sustainable Homes.
6. 06.02A Cycle parking details to be submitted (BandH).
7. All existing trees on site as indicated on drawing no.2296/06 shall be retained as part of the development, and any trees which within a period of 5 years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: In the interests of visual amenities of the surrounding area and the residential amenities of nearby properties and to comply with policies QD15, QD16 and QD27 of the Brighton & Hove Local Plan.
8. 04.03 Protection of existing trees.
9. 04.01 Landscaping/planting scheme.
10. 04.02 Landscaping/planting (implementation).
11. 03.03 Odour control equipment.
12. 03.04 Odour control equipment (sound insulation).
13. 03.10 Soundproofing plant/machinery.
14. 05.02A Site waste management plan.
15. The development hereby permitted shall not be brought into use until the vehicle parking area shown on the submitted plans has been laid out and surfaced to the satisfaction of the Local Planning Authority. The parking area shall not be used otherwise than for the parking of vehicles of residents, staff and visitors associated with the development.
Reason: To ensure that adequate parking provision is retained and to comply with policies TR1 and TR19 of the Brighton & Hove Local Plan.
16. Prior to first occupation of the development hereby approved changing facilities and showers for cyclists shall be installed within the building,

public transport information shall be displayed within the building and an information pack regarding sustainable transport modes shall be prepared for employees. The aforementioned facilities shall be implemented and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To seek to reduce traffic generation and encourage sustainable modes of transport in accordance with policy TR1 of the Brighton & Hove Local Plan.

17. Prior to first occupation of the development the sustainability measures set out in the Supporting Statement and Sustainability Checklist submitted with this application including the proposed photovoltaic cells on the roof of the building and rainwater butts shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that development is sustainable and makes efficient use of energy, water and materials and in accordance with policies S1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and SU2 and SU16 of the Brighton & Hove Local Plan.

4 THE APPLICATION

Consent is sought for a new planning permission to replace the extant planning permission in order to extend the time limit for implementation. The previous permission expired on the 17 October 2010; however the application was received and valid on 28 June 2010 whilst the consent was extant.

5 CONSULTATIONS

External

Neighbours: 35 The Linkway and 107 Davey Drive, object for following reasons:

- There is insufficient parking in an area where the streets are already heavily used for parking;
- This will result in an increase in traffic flow by virtue of deliveries, visitors and staff;
- The requirement for clear visibility splay will reduce parking spaces outside the site.
- The junction of The Linkway with Horton Road and Davey Drive are already unsafe increased traffic will add to this problem.
- The new building will result in overlooking and loss of privacy for neighbouring occupiers;
- This will result in increased noise for neighbours;
- There is concern that some trees have been removed already and wild life lost.
- People arriving and leaving the day-care centre will cause noise and disturbance to neighbours;
- The smell of cooking of is an issue.
- Loss of boundary trees would cause loss of privacy to neighbours.

42 Horton Road: No objection providing mature trees on the boundary are left intact, should they be removed properties in Horton Road would suffer

loss of privacy.

Environment Agency: The site overlies a principal aquifer and falls within a Source Protection Zone 2 area for Southern Water’s Lewes Road public water abstraction point. Planning permission should only be granted to the proposed development as submitted if conditions are attached to ensure that the development will have a minimal impact on this sensitive groundwater.

Internal

Public Art Officer: Public art element of the application should be kept to the value of £20,000.

Adult Social Care: Supports the application as the city is short of nursing home provision. Currently over 60 older people and older people with mental health needs are placed outside Brighton & Hove as a direct result of lack of provision within the city.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR4	Travel plans
TR7	Safe development
TR8	Pedestrian routes
TR13	Pedestrian network
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and reuse of construction industry waste
SU15	Infrastructure
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD5	Street frontages
QD6	Public art
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of amenity
QD28	Planning obligations
HO11	Residential care and nursing homes
HO20	Retention of community facilities

Supplementary Planning Guidance:
SPGBH4 Parking Standards

Supplementary Planning Documents:
SPD03 Construction & Demolition Waste
SPD06 Trees & Development Sites
SPD08 Sustainable Building Design
SPD11 Nature Conservation & Development

7 **CONSIDERATIONS**

The development proposed in this application for an extension to the time limit for implementation has already been judged to be acceptable in principle at an earlier date. The extant consent expired on the 17/10/2010. The determining issues to consider relate to whether there have been any material changes to the site, or change in local and national policy that would now render the proposed development unacceptable.

Since the application was originally approved the building on the site has recently been demolished and the site cleared. A site visit has revealed that there have been no other material changes to the site. Therefore issues relating to the design and appearance of the development, the impact on amenity, landscaping and traffic remain identical to the previous application. There has been no change in local or national policy that would affect these issues and planning conditions would be used to ensure the development remains acceptable on these issues.

Sustainability

The Local Plan Policy on Sustainability, Policy SU2, is now supplemented by an adopted Supplementary Planning Document on Sustainability Building Design (SPD08). This was adopted in 2008 and was not a material consideration when the original consent was approved. The extension to the time scale for this consent must therefore be assessed under adopted guidance. The SPD08 requires that development of this kind meets Code for Sustainable Homes Level 3. However in this case the code requirement has not changed, when the application was assessed in 2007 a Sustainability Checklist was submitted by the applicant which demonstrated that the applicant was committed to meeting Level 3 of the Code for Sustainable Homes or a 'Eco Homes rating of 'very good'.

Condition 5 of the planning approval BH2007/02692 relates to sustainability and is a pre-commencement condition which states that :

'No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority which details measures to ensure that the development hereby approved will achieve an EcoHomes rating of 'Very Good' or higher or a Code for Sustainable Homes rating of 'Level 3' or higher or an equivalent level of performance if an alternative independently assessed means of sustainability assessment is used. The

agreed scheme shall be implemented in strict accordance with the approved details prior to the occupation of the development.'

The standard approach to secure this rating is now to impose a pre-commencement condition and a post occupation condition to ensure that standard is met. However in this case the first pre-commencement condition has already been complied with a BREEAM multi-Residential report from an accredited assessor having been submitted and considered to be satisfactory. Therefore only the post occupation condition is now considered necessary and forms part of the recommendation.

Following the introduction of the Site Waste Management Plans (SWMP) Regulations 2008, it is not a planning requirement to submit a SWMP. The condition previously imposed is no longer necessary and an informative is now recommended.

Other issues

Environment Agency

The Environment Agency did not comment on the previous application; however they have now commented that the site overlies a principal aquifer and falls within a Source Protection Zone 2 area for Southern Water's Lewes Road public water abstraction point. They have therefore recommended that three conditions be attached to any approval to ensure that the development will have a minimal impact on this sensitive groundwater. The conditions concern a scheme for surface water drainage, details of the method of piling to be submitted for approval and a remediation strategy to be submitted in the event of land contamination not previously identified being found on the site. These conditions are considered acceptable and form part of the recommendation.

Neighbour objections

The objections from adjoining properties are noted however the issues raised were considered during the determination of the 2007 application.

Material commencement

Since the submission of this application demolition has taken place on the site and the site has been cleared and trenches dug out to form the foundations with some of the foundations having also been filled with concrete. The applicant is claiming that a material commencement of the development BH2007/02692 has taken place and therefore the planning permission can now run indefinitely. An officer has visited the site and confirmed that the works as described has taken place and while it appears that it may be the case that a material start has taken place, there is no official confirmation at the time of writing this report.

Conditions

Planning Approval BH2007/02692 was approved with 17 conditions attached most of the details required by pre-commencement conditions have been

submitted and they have been approved and discharged by letter. Therefore these conditions have been reworded so that details need not be resubmitted again and to ensure the development is carried out in accordance with the detail submitted. The only exceptions are condition 11 which requires details of odour control equipment to be submitted and condition 12 which requires details of the sound insulation of the odour control equipment to be submitted. The applicants have stated that they will only know the details required to discharge both conditions during the build stage when a contractor has been appointed after development commences. On the basis that these details are not considered fundamental to the development of the scheme it has been agreed that these details can be submitted during development, however the applicant has been made aware that there is an element of risk in this approach.

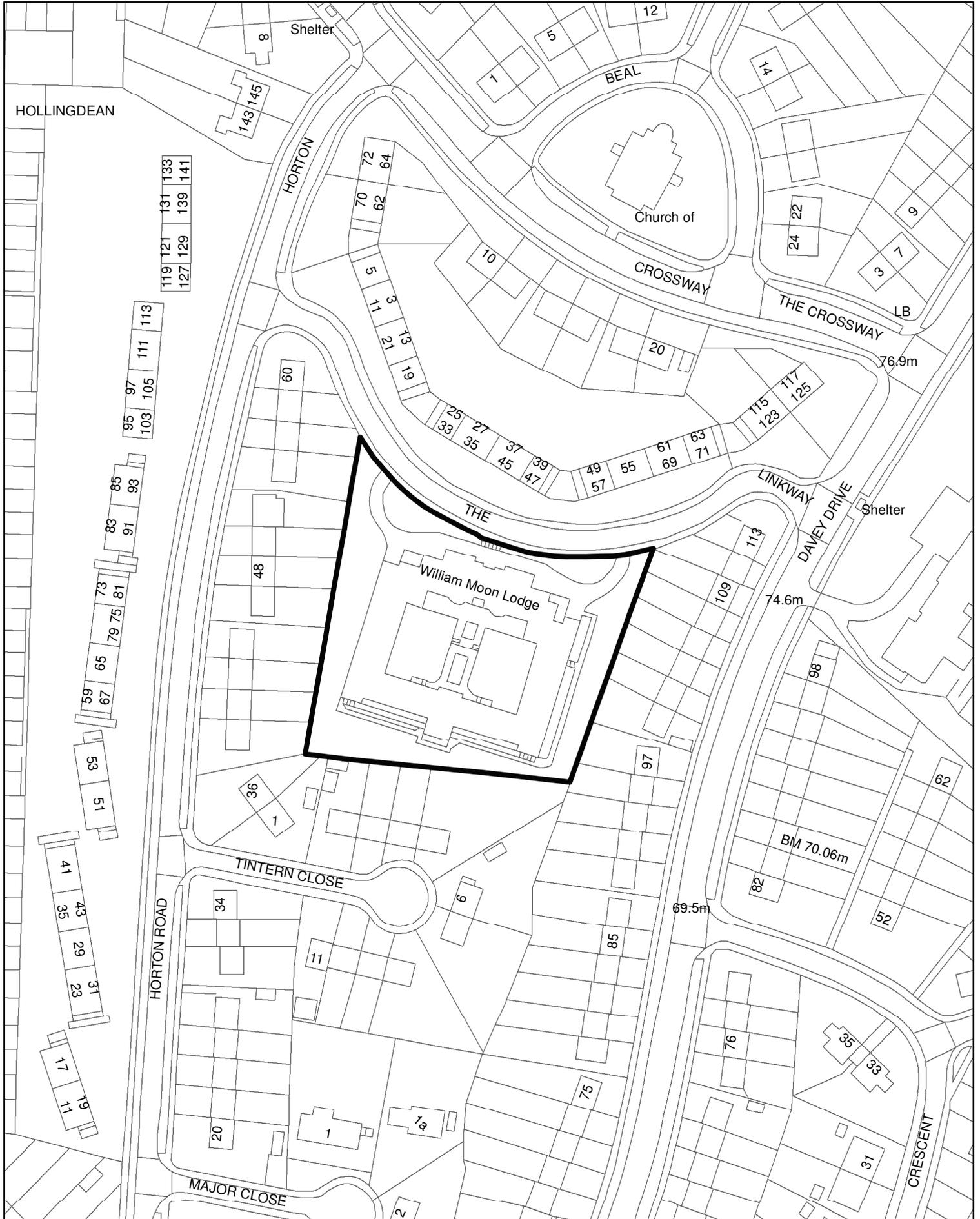
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The principle of the development has been accepted under BH2007/02692 and apart from the demolition of the existing building; the site has not significantly changed since permission was granted in 2007. There have been some changes in local planning policy guidance relating to sustainability in 2008 and these issues can be controlled by a suitably worded condition. The development remains acceptable in principle.

9 EQUALITIES IMPLICATIONS

The development would be required to meet Lifetime Homes standards.

BH2010/02015, William Moon Lodge, The Linkway



Brighton & Hove
City Council

N



Scale: 1:1,250

LIST OF MINOR APPLICATIONS

<u>No:</u>	BH2010/01610	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	25 Hazeldene Meads, Brighton		
<u>Proposal:</u>	Roof extension to south end over existing garage, 2 front dormers and installation of 7 solar panels.		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	01/06/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	27 July 2010
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Mr Steve McLean, 25 Hazeldene Meads, Brighton		

This application was deferred by Planning Committee on 22nd September 2010 to enable officers to seek clarification from the Planning Inspectorate on an error in the Inspector's appeal decision dated 20th September 2010 and to assess whether the decision would have been any different had it been based on two dormers rather than three. The response from the Planning Inspectorate is outlined in section 3 and considered in section 7.

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. BH01.01 Full Planning.
2. BH03.03 Materials to match Non-Cons Area.
3. The development hereby permitted shall be carried out in accordance with the approved drawings no. 29762/2A & 29762/2B submitted 23rd July 2010.

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

Informatives:

- 1) This decision to grant planning permission has been taken:-

- i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below:

SU2	Efficiency of development in the use of energy, water and materials
SU16	Production of renewable energy
QD1	Design - quality of development and design statements
QD2	Design - key principles for neighbourhoods

QD14 Extensions and alterations
QD27 Protection of amenity

Supplementary Planning Guidance

SPGBH1 Roof alterations and extensions

Supplementary Planning Documents

SPD08 Sustainable Building Design; and

ii) for the following reasons:-

The roof extensions and alterations are well designed, sited and detailed in relation to the existing building and surrounding area; and will not result in harm to neighbouring amenity through loss of light or outlook.

The solar panels would contribute to a more sustainable use of resources without appearing highly prominent or incongruous features of the existing building or surrounding wider area; furthermore by virtue of their location the panels would not result in harm to neighbouring amenity.

2 THE SITE

The application relates to a detached bungalow on the western side of Hazeldene Meads, a residential development off Dyke Road Avenue.

3 RELEVANT HISTORY

BH2010/03062:- Certificate of Lawfulness for proposed solar panels to South, East and West. Under consideration.

BH2010/03061:- Proposed roof extension incorporating additional rooflight to front. Under consideration.

BH2010/02834:- Certificate of Lawfulness for proposed application for front porch, side garage and crossover, rear/side dormer and side flue. Approved.

BH2010/00973: Installation of 7 no. solar panels to roof of existing rear dormer. Withdrawn.

BH2010/00242: Hip to gable roof extension to south end including 2 No. dormers, 1 No. rooflight and pitched roof porch extension at front elevation. Installation of 9 No. Solar Panels to rear over existing dormer. Refused for the following reasons:-

1. *The extended rear dormer would create an excessively sized and unduly bulky structure to the roof that would dominate the rear of the property and pay little regard to the existing scale and proportions of the building at ground floor level. In addition, the solar panels, by reason of their proliferation and level of projection above the ridge line, would appear incongruous features of the property and the wider area. The proposal would therefore detract from the character and appearance of the site and surrounding area and be contrary to*

policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan, and to the provisions of the Council's adopted Supplementary Planning Guidance Note 1 'Roof alterations and extensions'.

2. *The extended gable to the southern end of the property would result in a harmful reduction in the existing visual gap between the application site and adjoining two-storey property (No.23). This would lead to an uncharacteristic terracing effect in this section of Hazeldene Meads and would materially detract from the spatial quality, character and appearance of the site and surrounding area, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.*

A subsequent appeal against this decision was dismissed in September 2010 with the Inspector noting:-

- *“the difference in the shape and form of the two properties, combined with the set back of the extended pitched roof would reduce the appearance of a terracing effect arising from the reduction in the gap between the buildings.....(am) not persuaded that this element of the proposal would result in harm to the character and appearance of the area;*
- *the existing [rear] dormer does not comply with the current guidance, notwithstanding that the enlargement already undertaken is permitted development.....of the opinion that any further extension of this dormer window would be harmful to the character and appearance of the host property and the surrounding area;*
- *the insertion of three [front] dormer windows would fundamentally change the appearance of this bungalow, making it look much more like a two storey house and introducing features which would be alien and incongruous in the context of the immediately surrounding street scene. Added to this.....the proposed rooflight would be too deep as it would sit immediately below the ridge of the roof and its glazing would be prominent in its position above the front porch;*
- *the positioning of 9 such panels across the full width of the dormer would accentuate their visibility above the ridge line and would make the roof appear cluttered.....of the view that the introduction of so many solar panels along the ridge of this bungalow would be harmful.”*

The planning application was refused on the basis of 2 front dormers; the appeal was however dismissed on the basis of 3 front dormers. The Planning Inspectorate has since confirmed that the correct plan indicating 2 front dormers was not taken into account as part of the appeal and that it is not possible to amend the decision or reconsider the proposals.

4 THE APPLICATION

The application seeks consent for extensions and alterations to the property at roof level. The existing hipped roof would be extended over the single-storey side garage to form a barn-end; two dormers would be built in the front roofslope with associated rooflights; and seven solar panels would be angled

at 30 degrees on top of the flat roof of the existing rear dormer.

5 CONSULTATIONS

External:

Neighbours: Nineteen (19) letters have been received from:- **Hazeldene Meads - 3 (x2), 4, 5, 7, 15, 18, 20, 22, 27, 29; The Beeches - 2, 4, 6, 14, 17, 18, 19, 21** objecting to the proposal for the following reasons:-

- The rear dormer is out of keeping with surrounding properties and causes overlooking;
- The extended gable (to the southern end of the property) would result in a harmful reduction of what remains an existing visual gap between the application site and adjoining two-storey property (no. 23) leading to an uncharacteristic terracing effect. The extended roof is also excessively sized and undue bulky structure that dominates the rear of the property;
- The extended roof will increase the size to a greater extent than that allowed under permitted development and ignores that the whole construction should have been subject to a planning application, and as such this application seeks to circumvent the process;
- The solar panels, which have already been installed, appear incongruous features of the property and wider area of the estate generally. The solar panels are visible from the front and garden areas to the rear;
- Front dormers are not a feature of properties on the estate and change the character of the property and the estate as a whole. The dormers are therefore out of character;
- If this application is not refused then subsequent overdevelopment of other properties will proliferate, resulting in greater occupancy rate, noise levels, visual deterioration, traffic congestion, causal on-road storage of vehicles etc;
- Question why the applicant has been allowed to ignore the previous refusal notice and continued with the installation of the roof mounted solar panels.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

SU2	Efficiency of development in the use of energy, water and materials
SU16	Production of renewable energy
QD1	Design - quality of development and design statements
QD2	Design - key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of amenity

Supplementary Planning Guidance

SPGBH1	Roof alterations and extensions
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Supplementary Planning Documents

SPD08	Sustainable Building Design
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7 CONSIDERATIONS

The key issues of consideration in the determination of this application are the principle of development, the impact of the proposed extensions on the appearance of the building and surrounding area, and the impact of the proposed development on amenity for occupiers of adjoining properties. The sustainability merits of the development are also a material consideration.

Design

The existing rear dormer represents 'permitted development' and no planning permission was therefore required for its construction. Following amendments to the application no additional increase in the size of the existing dormer is proposed. On this basis it is not necessary to consider the rear dormer further.

Extended side roof

The property has a gable end to the northern elevation and hip to the south, and from the narrow viewpoints where the whole building is visible there is an unbalanced appearance. This application seeks to extend the existing roof over the side garage and form a new half-hip / half-gable. The adjoining two-storey property, no. 23, features an extensive flank elevation resulting from a recent two-storey side extension which has reduced the separation from the application site. The extended roof would primarily be viewed against this adjoining property which would reduce the visual impact in views along Hazeldene Meads. Although there is a concern that the roof form would unbalance the appearance of the existing building this is already the case, and given the building can not generally be viewed as a whole no significant visual harm would result from this arrangement. The prevailing character and appearance of Hazeldene Meads would therefore be maintained by the extended roof.

There was concern as part of a previous application that an extended roof to form a gable-end over the side garage would lead to an uncharacteristic terracing effect in this section of Hazeldene Meads. Whilst this concern was not supported on appeal the revised roof form now proposed retains greater separation at first floor level between the application site and adjoining property.

Solar panels

A previous application was refused in part as it was considered the proliferation and height (above ridge level) of 9 solar panels would appear an incongruous addition to the building and wider area; this concern was supported at appeal. This application seeks consent for seven solar panels to be sited on the top of the flat roofed dormer at a 30 degree angle. At this angle the solar panels would project above the main roof ridge by approximately 0.2 metres and planning permission is therefore required.

The roof of the dormer is set below the main ridge of the building and this would obscure the majority of the solar panels. The visible portion would be

restricted to the upper (slim line) section of the panel which, in short and long views along Hazeldene Meads, does not form a highly prominent or readily visible feature of the building or the wider area when taken as a whole. Whilst it may be preferable for the solar panels to be completely obscured behind the existing roof form for the reasons outlined the resulting visual impact is an improvement on that originally proposed and would not be harmful to either the existing building or wider area.

Front dormers

Although the preceding planning application was determined on the basis of 2 front dormers the subsequent planning appeal was dismissed on the basis of 3 (see section 3). This decision will not be amended by the Planning Inspectorate and as it relates to 3 front dormers would not necessarily dictate the outcome of this application which is for a materially different scheme.

The two dormers proposed for the front roofslope incorporate a gabled roof and are sited centrally above ground floor window openings. The existing building incorporates an off-set front gable and it is considered that the front dormers, which are modestly sized, would potentially add some balance to the front elevation of the property. The current scheme for 2 front dormers is distinct from that which was refused at appeal and, for the reasons outlined, is not considered to harm the character or appearance of the existing building or wider area which comprises a mixture of bungalows and two-storey dwellings.

It is noted that the 'existing' plans indicate rooflights to the front elevation which do not exist. It is not though considered that this would prevent the application being determined and the submitted drawings clearly indicate the proposed works.

Rooflights

The proposed plans also indicate rooflights to the front roofslope of the property. Whilst there are concerns that these are relatively large they would not by themselves require planning permission and, subject to conditions, would be permitted under Schedule 2, Part 1, Class C of The Town and Country Planning (General Permitted Development) Order 1995, as amended. On this basis, it is considered that refusal of the application on these specific grounds would not be warranted.

Impact on residential amenity

The extended roof would adjoin the side elevation of 23 Hazeldene Meads which does not feature any window openings that would be affected through loss of light. The alterations to the front of the property, by reason of their scale and siting, would not impinge on light or outlook for occupiers of adjoining properties.

The solar panels would not cause any harm to residential amenity though loss of light or outlook and, given their orientation in relation to adjoining properties, there is no evidence that harmful solar glare would result for

occupiers of adjoining properties.

Sustainability

The 'permitted development' works currently in progress are associated with refurbishment of the property to create a 'zero-energy home' and it is readily acknowledged that this application would contribute some way towards the attainment of this target.

Local Plan policies SU2 and SU16 support proposals which demonstrate a high standard of efficiency in the use of energy, water and materials; and incorporate power generation from renewable resources. In this respect the works taking place and proposed photovoltaic solar panels would contribute towards a more sustainable use of resources, and could be supported by the above policies.

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

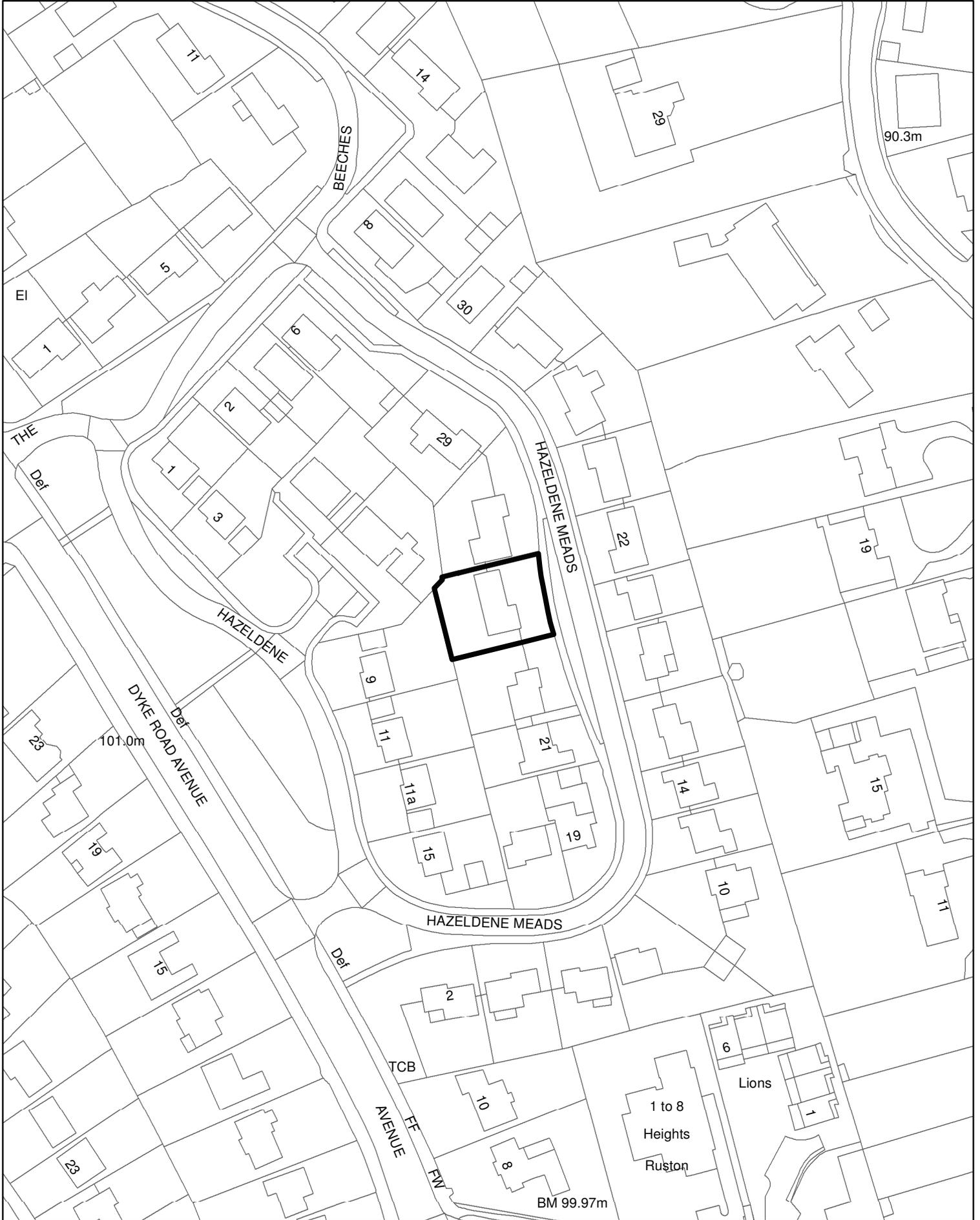
The roof extensions and alterations are well designed, sited and detailed in relation to the existing building and surrounding area; and will not result in harm to neighbouring amenity through loss of light or outlook.

The solar panels would contribute to a more sustainable use of resources without appearing highly prominent or incongruous features of the existing building or surrounding wider area; furthermore by virtue of their location the panels would not result in harm to neighbouring amenity.

9 EQUALITIES IMPLICATIONS

None identified.

BH2010/01610 25, Hazeldene Meads



<u>No:</u>	BH2010/02009	<u>Ward:</u>	CENTRAL HOVE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Costa Coffee, 13-14 George Street, Hove		
<u>Proposal:</u>	Installation of 4 air conditioning units, general and toilet extract and fresh air intake unit (Part Retrospective).		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	30/06/2010
<u>Con Area:</u>	Adjoining Cliftonville	<u>Expiry Date:</u>	25 August 2010
<u>Agent:</u>	Walsingham Planning, Bourne House, Cores End Road, Bourne Road, Buckinghamshire		
<u>Applicant:</u>	Costa Coffee, Whitbread Court, Houghton Hall Business Park, Porz Avenue, Dunstable		

This application was deferred by Planning Committee on 13th October 2010 to enable officers to seek further information on the installation costs of the attenuators and revised fan positions and the resulting reductions in noise levels. The information, once received, will be included in the additional representations list.

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. A scheme for painting the external ducting hereby approved a matt colour shall be submitted for the approval of the Local Planning Authority within one month of the date of this decision letter unless otherwise agreed in writing. The approved scheme shall be carried out in accordance with the approved details within 2 months of the date of the notification of the approval by the Local Planning Authority, and thereafter retained.
Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.
2. The noise attenuators and revised fan positions shall be installed, as indicated on drawing no. 11977/100, within one month of the date of this decision letter unless otherwise agreed in writing. The noise attenuators and revised fan positions shall be retained as such thereafter.
Reason: To safeguard the amenity of the occupiers of surrounding properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
3. The hereby approved roof mounted equipment shall not operate except between the hours of 07:00 and 19:00 on Monday to Saturdays, and between 09.00 and 17:00 hours on Sundays and Bank Holidays.
Reason: To safeguard the amenity of the occupiers of surrounding properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
4. Noise associated with plant and machinery incorporated within the

development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997

Reason: To safeguard the amenity of the occupiers of surrounding properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

5. The development hereby permitted shall be carried out in accordance with the approved drawings no. 12013 0.1 A, 11977/100, 11977/200 & 08011129-M01 0 submitted 30th June 2010.

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

Informatives:

- 1) This decision to grant planning permission has been taken:-

- i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below:

SU9 Pollution and nuisance control

SU10 Noise nuisance

QD14 Extensions and alterations

QD27 Protection of amenity

HE6 Development within or affecting the setting of conservation areas; and

- ii) for the following reasons:-

The development, subject to compliance with the above conditions, would not cause significant noise or disturbance for occupiers of adjoining properties; and would not result in demonstrable visual harm to the character or appearance of the surrounding area.

2 THE SITE

The application site relates to a mid-terrace commercial property on the eastern side of George Street. The site lies within the Hove Town Centre and adjoins comparable commercial uses. The rear section of the property forms the boundary with residential properties on Ventnor Villas which are within the Cliftonville Conservation Area.

3 RELEVANT HISTORY

BH2009/01393: Installation of 4 air conditioning units, general and toilet extract and fresh air intake unit (retrospective). Refused for the following reason:-

- 1. The installed plant and machinery has resulted in a noise nuisance for occupiers of adjoining properties, to the detriment of their residential amenity and contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan.*

BH2008/03689: Change of use from retail (A1) to coffee shop (A3) with ancillary retail (A1) and external seating to George Street, with new door opening to rear elevation. Approved.

4 THE APPLICATION

The application seeks retrospective permission for the installation of air conditioning units, and an extract / air intake unit. The units, and associated handrail, have been sited at second floor level on a flat roof to the rear of the site.

5 CONSULTATIONS

External:

Neighbours: 6 letters have been received from **7 (flat 3), 8 (Basement Flat, GFF), 9 (Ventnor Lodge - Flats 2, 3 & 5) Ventnor Villas** objecting to the proposal for the following reasons:-

- The Environmental Health Team have previously commented that sound from the mechanical ducts does constitute a nuisance;
- The plant operates a minimum of 13 hours a day, 7 days a week. Residents work irregular hours and need to sleep during the day, which is difficult since the vents were installed;
- Whilst the noise may be similar to existing residual sound levels there is a substantial and noticeable silence when the vents are switched off. Prior to the vents being installed adjoining gardens were peaceful;
- Residents have received little or no consideration during the period that the mechanical extract units have been installed;
- There is no information that relocating the plant and machinery to alternative locations within the application site has been considered;
- It is uncommon for plant to be installed to the flat roofs to the rear of properties. The vents have a substantial impact on the visual amenity of residents in the surrounding area and create a dangerous precedent for future alterations;
- There is no guarantee that opening hours of the coffee shop will not increase in the future;
- The applicant has incorrectly stated the distance between the application site and properties on Ventnor Villas to be 20m, the correct distance is 12m;
- There are already too many coffee houses in the area;
- Question why information relating to design, quantity, location, size, noise levels etc was not submitted with the application.

Internal:

Environmental Health: The standard approach is to establish and verify background noise levels during the period that the equipment is likely to be operating and establish the 'worst case' scenario, which is presumably when noise levels drop in the evening. If in compliance the ambient noise levels will be the same as the background, the equipment will not be making a contribution to the noise levels.

Environmental Health are satisfied that the acoustic consultants are aware of the need to take account of the possibility of a tonal component in the design of the equipment. They have reviewed the background readings taken at the time of the survey and are content that the readings fairly represent the quietest part of the day, just before the premises close for the evening. The acoustic report is therefore considered to be robust.

Recommend conditions limiting the hours of operation for the machinery, and secure the installation of noise attenuators.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

SU9 Pollution and nuisance control

SU10 Noise nuisance

QD14 Extensions and alterations

QD27 Protection of amenity

HE6 Development within or affecting the setting of conservation areas

7 CONSIDERATIONS

The main issues of consideration in the determination of this application are the visual impact of the installed plant on the appearance of the building and wider area, and its impact on neighbouring amenity.

Character and appearance

The rear of George Street can be viewed between properties on Ventnor Villas but due to the narrow gaps between buildings its prominence is limited. The installed plant and machinery cannot be seen from any public highway or open space and as such there is considered to be no harmful impact on the setting of the Cliftonville conservation area.

The plant and machinery, and associated handrail, are however visible from adjoining properties on Ventnor Villas. The flat roof of the property already featured a domed roof hatch and an adjoining structure approximately 1.3 metres in height. The air conditioning units have been sited to the rear of this structure which to some extent reduces their visual impact.

The handrail, extract fans and ducting have a steel finish which in conjunction with their height and siting creates a more visible feature of the building. However, this appearance would tone down in time and the visual impact could be reduced by painting the flues. A condition is recommended to require a scheme, and its subsequent implementation, for painting the ducting a matt colour.

It is considered that the original roof structures and required painting scheme would sufficiently merge the rooftop plant and machinery with the remainder of the building, and the installation would not appear unduly prominent or visually intrusive. The proposal is therefore considered to broadly comply with local plan policy QD14.

Impact on amenity

A previous application for the plant and machinery was refused due to the resulting noise nuisance for occupiers of adjoining properties. This application has also generated a number of representations from occupiers of adjoining properties relating to noise disturbance, and this remains the key concern regarding neighbouring amenity.

The equipments creates a low-level 'humming' noise which is audible from ground floor level at adjoining properties. In response to previous concerns the applicant has submitted an acoustic report which assesses the existing noise environment in the vicinity of the premises and the impact of the installed plant and machinery. The report concludes that 'sound level...due to plant on the roof of the premises is similar to or lower than the underlying residual sound level which means that it is audible on occasion but general masked by the existing residual soundscape'. The Environmental Health Team considers the acoustic report to be robust and as such there are no reasons to disagree with its findings.

The application allows for the installation of duct attenuators within the premises which would reduce the noise emitted from the rooftop equipment. Environmental Health Officers are satisfied that subject to the installation of these attenuators and conditions restricting hours of operation for the equipment and controlling noise levels the development would not lead to noise or disturbance for occupiers of adjoining properties.

For the reasons outlined it is considered that subject to the recommended conditions the equipment would not lead to undue noise or disturbance for occupiers of adjoining properties, and at the present time there is no evidence to suggest otherwise.

It should be noted that if in the future the rooftop equipment causes a statutory nuisance there is other, more appropriate, legislation to address any shortcomings in terms of odour or noise.

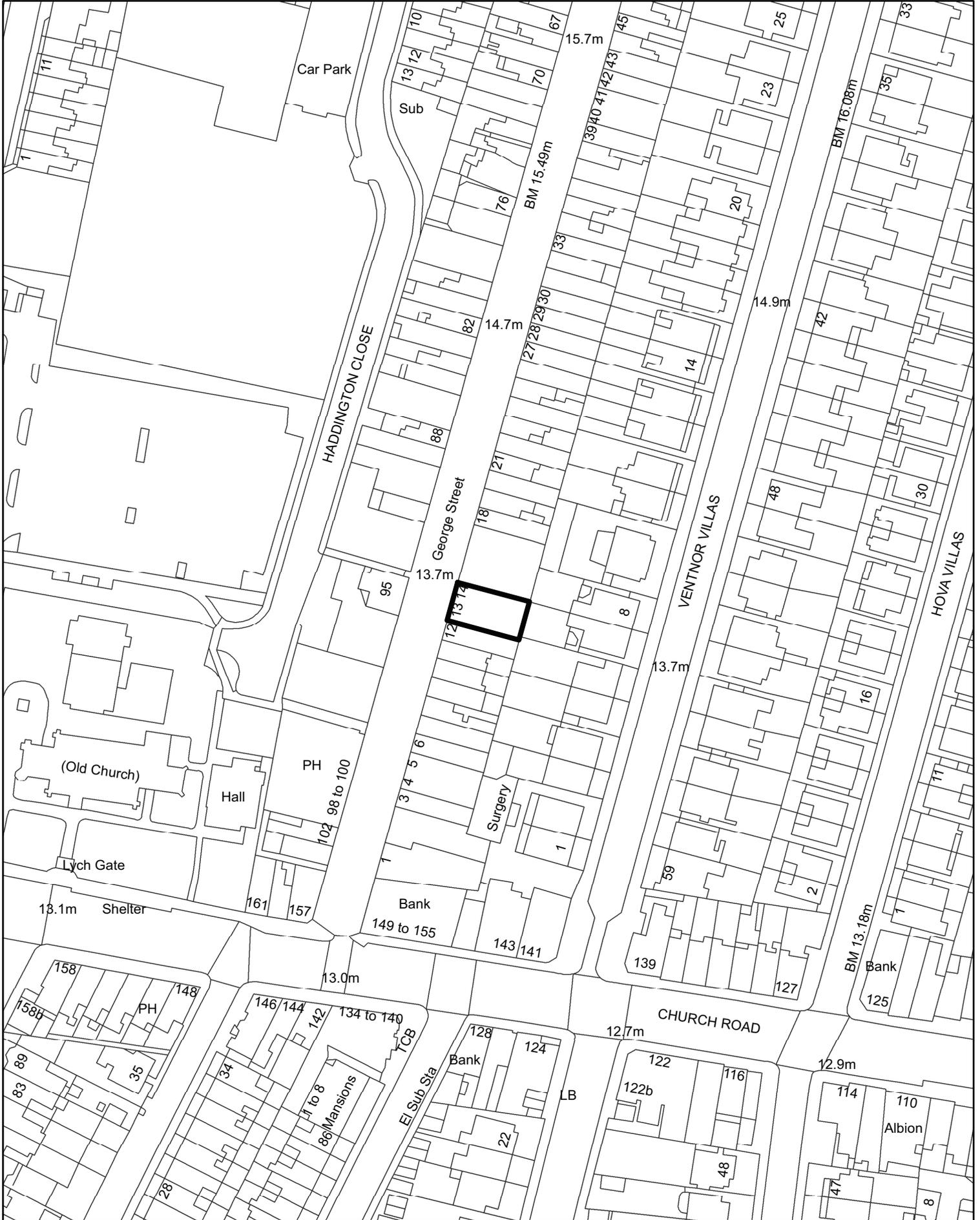
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The development, subject to compliance with the above conditions, would not cause significant noise or disturbance for occupiers of adjoining properties; and would not result in demonstrable visual harm to the character or appearance of the surrounding area.

9 EQUALITIES IMPLICATIONS

None identified.

BH2010/2009 13-14 George Street, Hove



<u>No:</u>	BH2010/02093	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type</u>	Full Planning		
<u>Address:</u>	63 Marine Drive, Rottingdean		
<u>Proposal:</u>	Conversion of existing rear ground and first floor maisonette to create 3no two bedroom maisonettes and 1no two bedroom flat, incorporating erection of rear extension and additional storey with pitched roof with front, rear and side dormers and rooflights to side.		
<u>Officer:</u>	Sue Dubberley, tel: 293817	<u>Valid Date:</u>	20/07/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	14/09/2010
<u>Agent:</u>	Parker Dann, Suite 10, The Waterside Centre, North Street, Lewes		
<u>Applicant:</u>	Mr Keith Pryke, C/O Parker Dann		

This application was deferred at the last meeting on 13/10/10 for a Planning Committee site visit.

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions

1. BH01.01 Full Planning.
2. BH03.03 Materials to match Non-Cons Area.
3. BH08.01 Contaminated land.
4. BH06.02 Cycle parking details to be submitted.
5. BH02.08 Satisfactory refuse and recycling storage.
6. BH05.03B Ecohomes Refurbishment – Pre-commencement (Residential involving existing buildings).
7. BH05.04B Ecohomes Refurbishment – Pre-occupation (Residential involving existing buildings).
8. BH16.01 Biodiversity measures.
9. The waste minimisation measures shall be implemented in strict accordance with the Waste Minimisation Statement dated 6/14/2010 received on 06/07/10.

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.

10. The development hereby permitted shall be carried out in accordance with the approved drawings no. site plan, levels, street scene, KP/22/1, 2, 3A, 4A submitted on 6 July 2010.

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

Informatives:

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

i) having regard to the policies and proposals in Brighton & Hove Local Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

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
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
QD1	Design - quality of development and design statements
QD3	Design - efficient and effective use of sites
QD14	Extensions and alterations
QD27	Protection of amenity
HO3	Dwelling type and size
HO5	Provision of private amenity space in residential development
HO7	Car free housing
HO13	Accessible housing and lifetime homes
SR6	Local Centres

Supplementary Planning Guidance

SPGBH1 Roof Alterations and Extensions

Supplementary Planning Documents

03	Construction and Demolition Waste
08	Sustainable Building Design; and

ii) for the following reasons:

The development would create an additional three residential units with an acceptable standard of accommodation throughout; is well designed, sited and detailed in relation to the existing building and surrounding area; and would not result in harm to neighbouring amenity through loss of light, outlook or privacy or through an increased demand for travel.

2. IN08.01 Informative: Land Contamination.

3. IN05.04B Informative Ecohomes Refurbishment.

2 THE SITE

The application site is located on the north side of Marine Drive in Rottingdean village, just east of the main junction with High Street. The site consists of a two storey detached building with two small shop units at ground

floor fronting Marine Drive, while the rear ground floor and upper floors are in use as a maisonette with a small garden and single garage. The entrance to the maisonette is located at the side of the building along the access road to the flat development adjacent.

To the west of the application site is a three storey building in use as a shop at ground floor with residential above. To the east of the site there is a three storey block of retirement flats. At the rear of the site is a car park for the use of the retirement flats.

3 RELEVANT HISTORY

BH2010/00646: Conversion of existing rear ground and first floor maisonette to create 3no one bedroom flats and 3no two bedroom flats. Incorporating erection of rear extension and additional storey with pitched roof with front, rear and side dormers and rooflights to side. Withdrawn 27/04/2010.

4 THE APPLICATION

The proposal is to extend the property by adding an additional storey with a pitched roof with front, rear and side dormers and rooflights to side, along with a rear extension, to allow the conversion of the existing rear ground and first floor maisonette to create 3no two bedroom maisonettes and 1no two bedroom flat, (total of 4 units). There is no change proposed to the existing shop units. No car parking is proposed and space for secure covered cycle storage is shown on the submitted drawings.

The existing building has a pitched roof set behind a parapet with gabled ends; the proposal is to replace the roof with a hipped pitched roof with two front dormers, rear dormer and rooflights. The footprint of the building would also be increased. At ground floor the current building extends further at the rear than the current first floor so that the increase in footprint is approximately 1.5m. However at second floor and third floor the footprint would increase by 3.7m with an overall increase in height of approximately 3m.

The garage would be removed and this area along with part of the existing garden would form a communal area where secure covered cycle storage would be sited along with covered refuse storage and also a communal clothes drying area.

5 CONSULTATIONS

External:

Neighbours: A total of **16** letters of objection have been received from **Flats 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 Marine Court, 65 Marine Drive**. The grounds of objection are:

- Lack of parking.
- Only 6 allocated parking spaces for residents of Marine Court and no the general public.
- Already experience problems with unauthorised parking and proposed development will exacerbate current situation.

- Marine Court is a residence for elderly people and has daily visits from doctors, nurses carers etc. and friends and relatives and the narrow entrance has to be kept clear for ambulances. Any increase in traffic will cause problems.
- The owners of the new flats would have nowhere to park and this could lead to friction if they attempt to park in those spaces allocated to Marine Court residents.
- Increase in traffic, noise and disturbance for elderly residents particularly at night and additional hazard for pedestrians using the narrow entrance to Marine Court.

Stiles Harold Williams, 1 Jubilee Street, (acting on behalf of freeholder of Marine Court) have submitted a letter of objection on the following grounds:

- East facing windows on the upper storeys will impinge on privacy of the secluded amenity space serving the occupants of Marine Court.
- There are restrictions over clients land regarding access to number 63 in respect of shared pedestrian and vehicular access
- Concern as to how development will be constructed as there is no specific pedestrian access to the flank elevation and the vehicular access is used by residents and also a local charity.
- Current arrangement permits pedestrian access for number 63 into the residential dwelling and rear garage, the proposal indicates an additional door for refuse storage increasing the unprotected shared access.

Internal:

Sustainable Transport: Would not wish to restrict grant of consent subject to the inclusion of a condition requiring the provision of cycle parking prior to occupation of the development and the applicant entering into a legal agreement with the Council to contribute £2250. This will contribute towards up grading of bus stop flags on the coast road or improving accessibility at the bus stops in Rottingdean village.

6 PLANNING POLICIES

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
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
QD1	Design - quality of development and design statements
QD3	Design - efficient and effective use of sites
QD14	Extensions and alterations
QD27	Protection of amenity
HO3	Dwelling type and size
HO5	Provision of private amenity space in residential development

HO7	Car free housing
HO13	Accessible housing and lifetime homes
SR6	Local Centres

Supplementary Planning Guidance

SPGBH1 Roof Alterations and Extensions

Supplementary Planning Documents

03	Construction and Demolition Waste
08	Sustainable Building Design

7 CONSIDERATIONS

The main issues in the determination of the application relate to the standard of the proposed accommodation, the impact of the alterations on the character and appearance of the building and surrounding area, the impact on residential amenity and traffic implications.

Additional storey and extensions

Design

It is considered that in principle there is scope for an increase in the height of the building as the adjoining buildings to the west and east are 3 stories in height. The ridge of the new roof would match that of the existing buildings either side.

There are two dormers proposed on the front elevation and one rear dormer which would all be traditional style dormers which sit within the roof slope in compliance with the supplementary planning guidance on Roof Alterations and Extensions (SPGBH1). Two small roof lights are also proposed on the rear elevation and two on the side elevation.

The materials to be used are a red brick with a tiled roof to match that of the existing building and also those adjoining, which is considered appropriate. The doors and windows would be timber. Quoin detailing has also been added to match that of Marine Court to the east of the site.

It is considered that the design is acceptable in this location and that the development would fit into the existing street scene.

Impact on amenity

The adjoining property to the west lies some 1.2m away from the application site. There is an existing ground floor extension to this property which takes up most of the rear garden. At first floor level there are windows and a glazed door to a walkway, with the door located nearest to the boundary.

It is common to use a 45° line drawn from neighbouring windows to help assess the impact of a new development. In this case, the plans show the 45° line is only just broken by the proposed first floor extension. There is also an existing trellis to the side of and in front of the door which serves as an

existing screen, therefore it is considered that there would not be a significant impact on the adjoining property to the west in terms of loss of light. While there are additional windows proposed at the rear it is not considered that these would have a significant impact, as there are existing windows on this elevation at first floor level and in this location a number of properties have rear facing windows. The windows would look out onto the car park at the rear.

While there has been an objection from Marine Court that the proposed windows on the upper floors of the east elevation will impinge on the privacy of the amenity space serving the occupants of Marine Court, there are already three windows at first floor level to the existing maisonette at first floor level. In addition these windows would face a blank wall. Although there may be oblique views these are not considered significant enough to justify a refusal on these grounds.

Proposed use

Standard of accommodation

The development would provide 4 x 2 bedroom units, three of these being maisonettes. The units are all considered to be of a reasonable size offering good quality accommodation.

Lifetime Homes

As a conversion of an existing building the proposal should incorporate lifetime home standards into the design wherever practicable. The flats have been designed to incorporate lifetime homes standards where possible with doors and corridor width incorporating minimum standards for wheelchair users. While some of the bathrooms current configurations do not allow for side transfers it would be possible to alter the layout of the bathrooms to incorporate this.

Amenity Space

Local plan policy HO5 requires the provision of amenity space where appropriate to the scale and character of the development.

In this case the rear garden would be divided into two with an area allocated to the ground and first floor maisonette. The remainder of the garden would be used to provide a communal secure bike store and drying area for the use of all four flats. While only the ground floor flat would have private amenity space, it is not unusual with conversions for such an arrangement to exist. Furthermore the site itself has the benefit of being sited close to the beach and seafront therefore this aspect of the proposal is considered acceptable.

Sustainability

Policy SU2 requires that development proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance within Supplementary Planning Document 08, Sustainable Building Design, recommends that for a development of this scale involving conversion of

existing buildings the application should achieve no net annual CO₂ emissions and EcoHomes for refurbishment and include a completed Sustainability Checklist.

A sustainability checklist has also been completed. The applicant has stated in the checklist that the development is intended to meet Code for Sustainable Homes code 3 or 'good' rating using BREEAM standards, although further details are to be submitted should planning permission be granted. It is also noted that although it is stated that solar water heating is to be provided no solar panels are shown on the building. While there is some concern as to how some of the efficiency in the use of resources will be achieved, on balance it is considered that a suitable condition could require the submission and subsequent approval of further details in this regard.

A waste management statement has been submitted which sufficiently demonstrates that construction and demolition waste could be minimised in an effective manner.

Transport

Policy TR1 of the Brighton & Hove Local Plan requires that development provide for the travel demand they create and maximise the use of public transport, walking and cycling.

There is no parking proposed within the site, however it is considered that the site is easily accessible being located close to the facilities located within Rottingdean village centre and a number of bus services operate along the coast road.

Although there is a car park to the rear of the site this is not in the ownership of the applicant and is used by St Aubyns School for bus parking or is allocated to the adjoining flats at Marine Court. There is no on- street parking available near to the site, although there are two pay and display car parks within easy walking distance of the application site.

An area of secure covered cycle parking is shown in the rear garden on the submitted plans although there are no further details this could however be dealt with by an appropriate condition.

The Sustainable Transport Team have commented they would not wish to restrict grant of consent subject to the inclusion of a condition requiring the provision of cycle parking prior to occupation of the development and a contribution of £2250, towards sustainable transport infrastructure within the vicinity of the site which will contribute towards up grading of bus stop flags on the coast road or improving accessibility at the bus stops in Rottingdean village. However, as the proposal will provide less than 5 residential units and falls below the threshold in the Council's measures to assist the development industry, this contribution has not been sought.

The concerns of the residents of the Marine Court are noted regarding the possibility of unauthorised parking in their car park from the future occupants of the development; however this is a matter which does not fall within planning controls.

Biodiversity

A biodiversity checklist has also been submitted which shows that there are no nature conservation interests in the site. However in order to provide and improvement in the overall biodiversity interest the applicant is willing to provide bird boxes on the site.

Other issues

Environmental Health previously commented on the withdrawn application that their records show that 59 Marine Parade has a previous use as a dry cleaners and 61 Marine Parade as a coal and coke merchants. These uses have the potential to cause localised contamination through the processes involved, therefore appropriate conditions requiring investigation and possible remedial action are included in the recommendation.

An objection has been received from the freeholder of Marine Court regarding access issues and right of way along with concern as to how development will be constructed as they state that is no a specific pedestrian assess to the flank elevation. These are not planning matters and are not a consideration in determining the application.

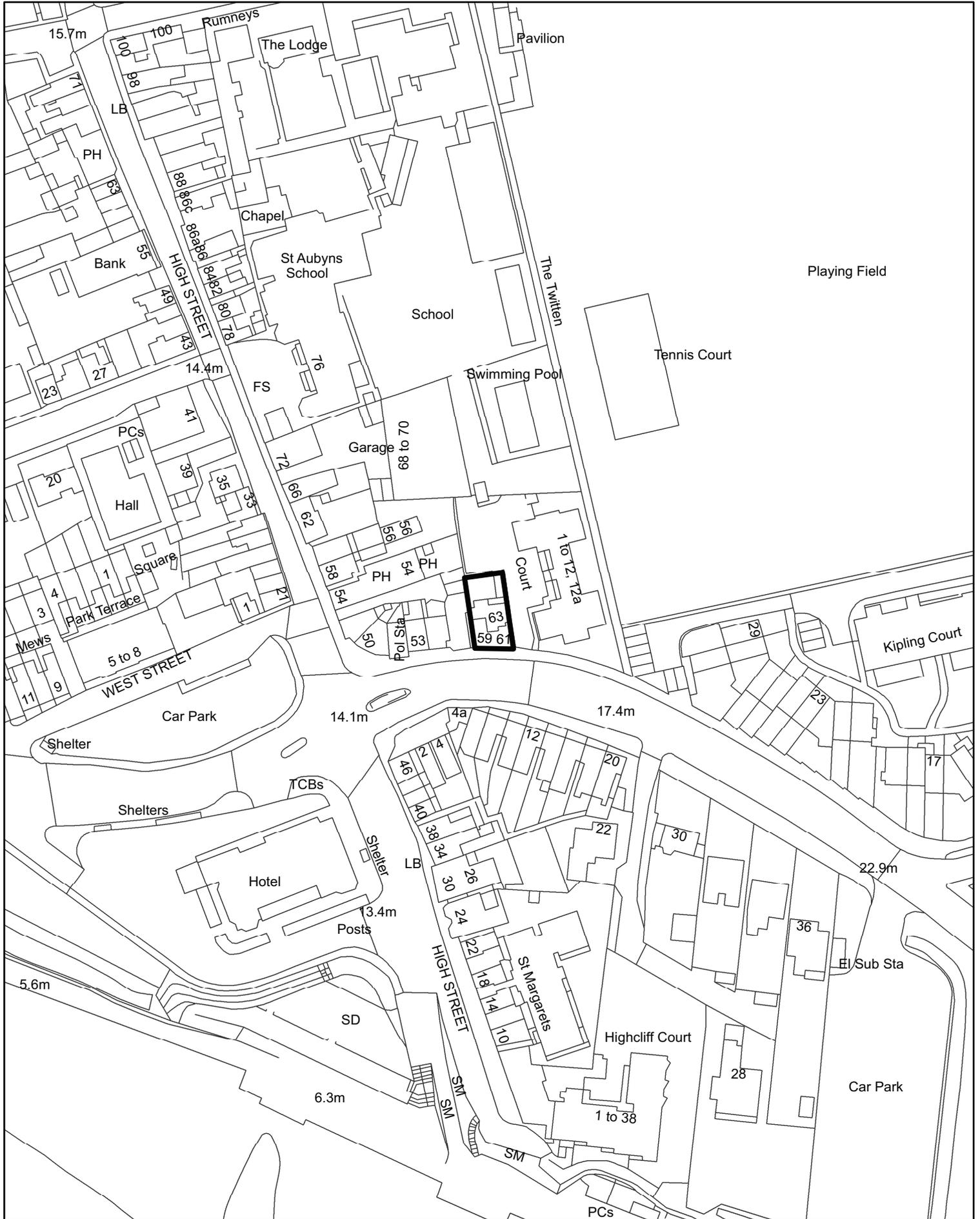
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The development would create an additional three residential units with an acceptable standard of accommodation throughout; is well designed, sited and detailed in relation to the existing building and surrounding area; and would not result in harm to neighbouring amenity through loss of light, outlook or privacy or through an increased demand for travel.

9 EQUALITIES IMPLICATIONS

The flats have been designed to incorporate lifetime homes standards where possible with doors and corridor width incorporating minimum standards for wheelchair users. While some of the bathrooms current configurations do not allow for side transfers it would be possible to alter the layout of the bathrooms to incorporate this.

59-63 Marine Drive



Scale: 1:1,250

<u>No:</u>	BH2010/01825	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	4 Cobton Drive, Hove		
<u>Proposal:</u>	Erection of single storey rear and side extension, and formation of raised decking with screening.		
<u>Officer:</u>	Wayne Nee, tel: 292132	<u>Valid Date:</u>	15/06/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	10 August 2010
<u>Agent:</u>	Challinor Hall Associates, 102A Longstone Road, Eastbourne		
<u>Applicant:</u>	Mr & Mrs Richards, 4 Cobton Drive, Hove		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawing no. 2010/55/1 received on 14 June 2010, and 55/3B and 55/4A received on 01 September 2010.

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

3. BH03.03 Materials to Match Non-Con Area.
4. Prior to the first use of the terrace, unless otherwise agreed in writing the screening shown on drawing no. 3b shall be implemented and thereafter retained as such.

Reason: To safeguard neighbouring amenity and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance:

Brighton & Hove Local Plan:
 QD14 Extensions and alterations
 QD27 Protection of Amenity
 - (ii) for the following reasons:-

The proposed extension and decking would not significantly harm the appearance of the recipient building or surrounding area and would not result in a significant impact on the amenity of any adjacent residential properties.

2 THE SITE

The application relates to a 2 storey semi detached property situated on the southern side of Cobton Drive.

3 RELEVANT HISTORY

BH2003/00900/FP: (no. 6 Cobton Drive) Single storey extension to side and rear – approved 29/04/03

4 THE APPLICATION

Planning permission is sought for a single storey extension to the side and rear of the existing property. The extension would have a pitched roof with two rooflights on top. Brick walls and clay tiles would match the existing. On the south west elevation of the extension there would be uPVC windows and a door leading out onto a raised decking area. The decking would have screening on the south east elevation facing the neighbouring boundary of no. 2 Cobton Drive. The extension itself would be 3m in depth and 3.5m high.

Following the receipt of amended plans, the proposed rear extension has been reduced in depth by 1m (initially an extension with a depth of 4m was proposed), so the extension would now extend from the rear of the property by approximately 3m. Also, the raised decking has been moved away from the boundary of no. 2 Cobton Drive by 1m. The drawings indicate screening along the boundary with no.2 Cobton Drive.

5 CONSULTATIONS

External

Neighbours: A letter has been received from **2 Cobton Drive** objecting to the application for the following reasons:

- Appearance and size is inappropriate.
- Cause overshadowing, close to boundary.
- Overlooking, loss of privacy.
- Lose afternoon and evening light to rear sitting room.
- Plans do not show rear view of both properties, which would show how large and obtrusive the extension would be.
- No change on impact with revised plans.

Cllr Bennett objects – see email attached.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD14 Extensions and alterations

QD27 Protection of amenity

7 CONSIDERATIONS

The main considerations in this application are whether the proposal is acceptable in terms of its design and appearance in relation to the recipient building and surrounding area and whether the proposal is appropriate in terms of its impact on the amenity of nearby neighbouring properties.

Design

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.

The side part of the extension would be visible from the street; however it would be set well back from the front elevation of the property. The main part of the extension would not be in clear view of the street scene, and so it is considered the proposal would not significantly detract from the character of the surrounding area.

The extension would add further bulk to the rear of the property, however now that the depth has been reduced to 3m, and taking into account the proposed matching materials and overall design, it is considered that the extension and decking would be an acceptable addition to the rear elevation.

The proposal therefore accords with policy QD14.

Amenity

Policy QD14 of the Brighton & Hove Local Plan states that extensions and alterations will only be granted if the proposed development would not result in significant loss of amenity to neighbouring properties. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to neighbouring residents, and that residents and occupiers can be seriously affected by changes in overlooking, privacy, daylight, sunlight, disturbance and outlook.

The neighbouring residents most likely to be affected by the proposal are the two adjacent properties (nos. 2 & 6 Cobton Drive). Due to the distance between the properties, the existing boundary treatment, and the fact that the neighbouring property has a large side extension (BH2003/00900/FP) where there was once a driveway, it is considered that the proposed extension and decking is unlikely to have any significant impact on the amenities of no. 6 Cobton Drive.

The proposed extension would be placed right on the boundary line of no. 2 Cobton Drive which consists of a boundary fence. The land levels in the rear gardens of nos 2 & 4 Cobton Drive decrease with increasing distance from the house. The extension would not drop in height, however, since the land level is flatter immediately at the rear of the properties it is not considered unneighbourly.

The rear elevation of no. 2 Cobton Drive has glazed double doors for the rear sitting room of the property, which are situated close to the site boundary. It is likely that the rear part of the proposed extension would result in some loss of outlook and some sense of enclosure to this rear sitting room area. However, having regard to the proposed depth of the extension, the proposed pitched roof, and the existing boundary treatment, it is considered the harm from the extension would not be so significant as to warrant the refusal of the

application.

Furthermore, it is important to point out that the proposed extension could be constructed under permitted development. The decking could not be constructed under permitted development.

As the proposed extension would be sited to the west of this neighbouring property, it is considered that any loss light to the sitting room of no. 2 Cobton Drive would be minimal.

It is considered that the siting of the raised decking - 3m from the existing rear of the property and 1m from the boundary - reduces the potential for overlooking towards no. 2 Cobton Drive. The combination of the siting and the proposed screening, which is secured by condition, as well as the existing boundary treatment consisting of a garden fence and bushes, would ensure only a limited loss of privacy would occur towards the bottom end of the rear garden of no. 2 Cobton Drive.

The proposal is therefore considered to accord with the provisions of Local Plan policies QD14 and QD27 in this regard.

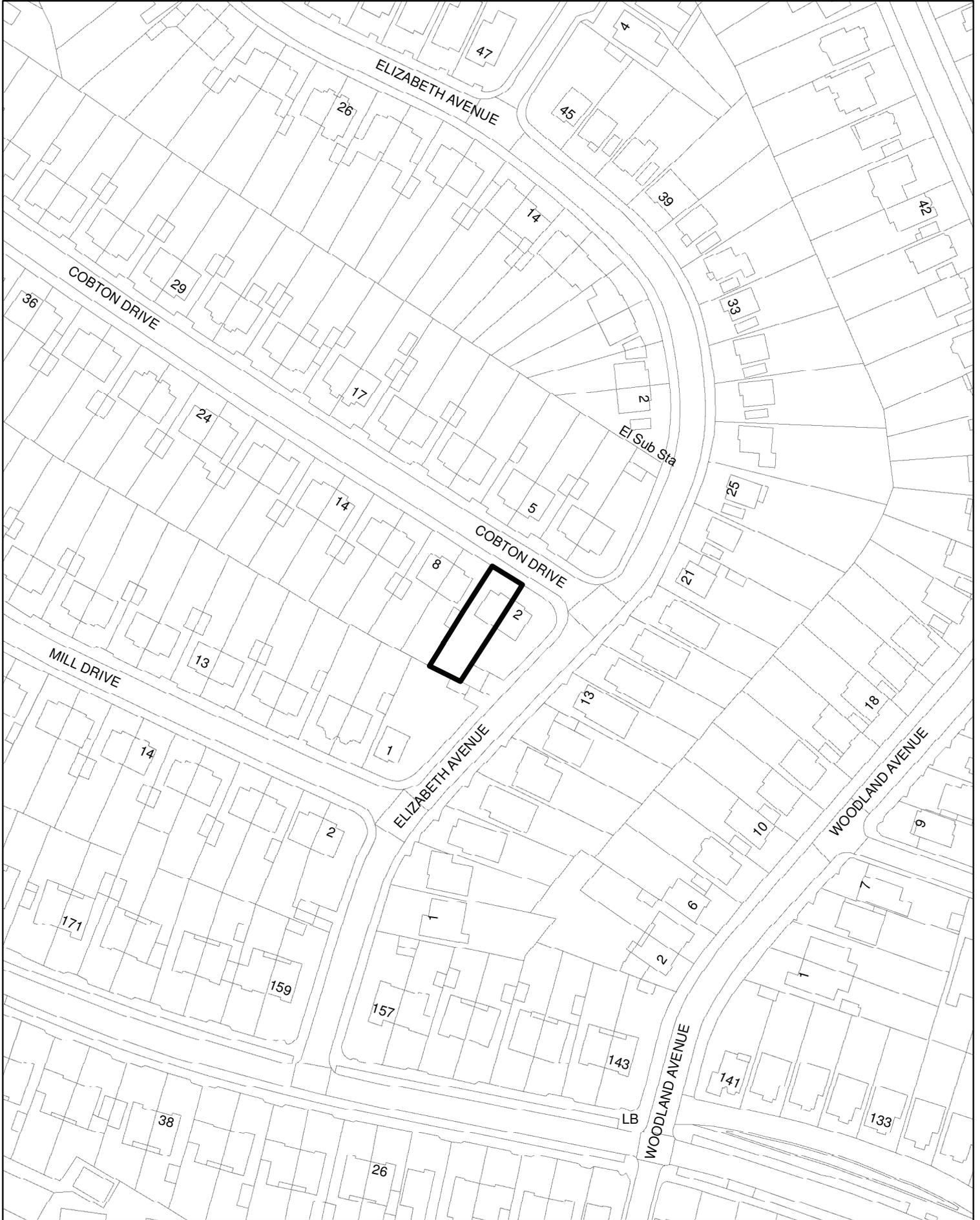
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed extension and decking would not significantly harm the appearance of the recipient building or surrounding area and would not result in a significant impact on the amenity of any adjacent residential properties.

9 EQUALITIES IMPLICATIONS

None identified.

BH2010/01825 4, Cobton Drive



Scale: 1:1,250



**Brighton & Hove
City Council**

PLANS LIST – 03 NOVEMBER 2010

COUNCILLOR REPRESENTATION

From: Jayne Bennett [mailto:Jayne.Bennett@brighton-hove.gcsx.gov.uk]
Sent: 04 October 2010 20:55
To: Wayne Nee
Subject: BH2010/01825 4 Cobton Drive, Hove

Dear Mr Nee,

As a ward councillor for the area I am writing to object to this revised application.

I am very concerned the effect this large extension will have on the adjoining property. The neighbour will suffer from overlooking and an invasion of her privacy. I don't believe the screening will be sufficient to prevent this.

I request this application goes to committee for decision and feel that a site visit would be beneficial.

Yours sincerely,

Jayne Bennett
Independent Councillor
Hove Park ward

<u>No:</u>	BH2010/02489	<u>Ward:</u>	PATCHAM
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	162 Carden Hill, Brighton		
<u>Proposal:</u>	Replacement of existing rear dormer window with new wider dormer window.		
<u>Officer:</u>	Helen Hobbs, tel: 293335	<u>Valid Date:</u>	11/08/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	06 October 2010
<u>Agent:</u>	Lewis & Co Planning, Paxton Business Centre, Portland Road, Hove		
<u>Applicant:</u>	Mrs Lena Johansson, 162 Carden Hill, Brighton		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation and resolves to **REFUSE** planning permission for the following reason:

1. The proposed rear dormer, by reason of its size, bulk and design, is considered to form an unacceptable alteration to the rear roof slope, and would be of detriment to the character and appearance of the existing building and surrounding area. As such, the proposal is contrary to policies QD2 & QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

Informative:

1. This decision is based on drawing nos. 026-PL-01, 026-PL-02, 026-PL-03 & 026-PL-04 submitted on 9th August 2010.

2 THE SITE

The application relates to a detached property on the east side of Carden Hill. The properties within the immediate area of this site are set considerably higher than the street level. The existing property has full width front and rear dormers.

3 RELEVANT HISTORY

BH2008/00716: Demolition of existing house and erection of new residential unit. Refused 23/08/2008. Dismissed at appeal 10/11/2009.

4 THE APPLICATION

Replacement of existing rear dormer window with new wider dormer window.

5 CONSULTATIONS

External

Neighbours: A total of eight letters of support have been received from residents of **No. 164 Carden Hill, 160 Carden Hill, 2 Compton Road, 21 Chelwood Close, 13 Chelwood Close, 25 Chelwood Close, 17 Chelwood**

Close and 9 Chelwood Close.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of Amenity

Supplementary Planning Guidance

SPGBH1 Roof Alterations and Extensions

7 CONSIDERATIONS

The main considerations in this application are whether the proposal is acceptable in terms of its design and appearance in relation to the existing building and surrounding area and whether the proposal is appropriate in terms of its impact on the amenity of nearby neighbouring properties.

Design

The adopted SPG on roof alterations and extensions gives clear guidance on design of roof alterations and extensions.

The Supplementary Planning Guidance for dormer windows states that they should be well-positioned and well-contained on the existing roof profile. The dormer should have a roof form and detail appropriate to the character of the property, and they should be smaller than the windows below with minimal cladding around the frames.

The property has existing front and rear dormers, for which there is no recent planning history. It is unclear when they were constructed. However under current policies and the adopted SPG BH1, these extensions would not comply, due to their size, positioning and large areas of cladding.

There are also a number of front and rear dormers in the road within the nearby vicinity of the site, for which there is no recent planning history.

The rear of the application site is highly visible from the adjoining neighbouring properties, and would also be visible in some views from Chelwood Close, which is at a higher level than the properties on Carden Hill.

The proposed rear dormer window would be wider and deeper than the existing dormer. It would project out two metres further from the rear roofslope than the existing dormer, dramatically increasing its bulk. Its volume would increase from approximately 20m³ to approximately 56m³. The dormer would not be contained within the roofslope, with minimal roofslope above and to either side and no roofslope at all visible below the dormer. The large amount of cladding is not appropriate and gives the dormer window a bulky and incongruous appearance. It would also have a poor relationship with the rear

ground floor extension. The proposed windows do not relate well with the existing fenestration and look out of character with the existing dwelling.

The dormer represents an extremely poor design that would add significantly to the bulk of the property and result, in conjunction with other extensions and alterations, in a highly cluttered and uncoordinated overall appearance to the building.

Amenity

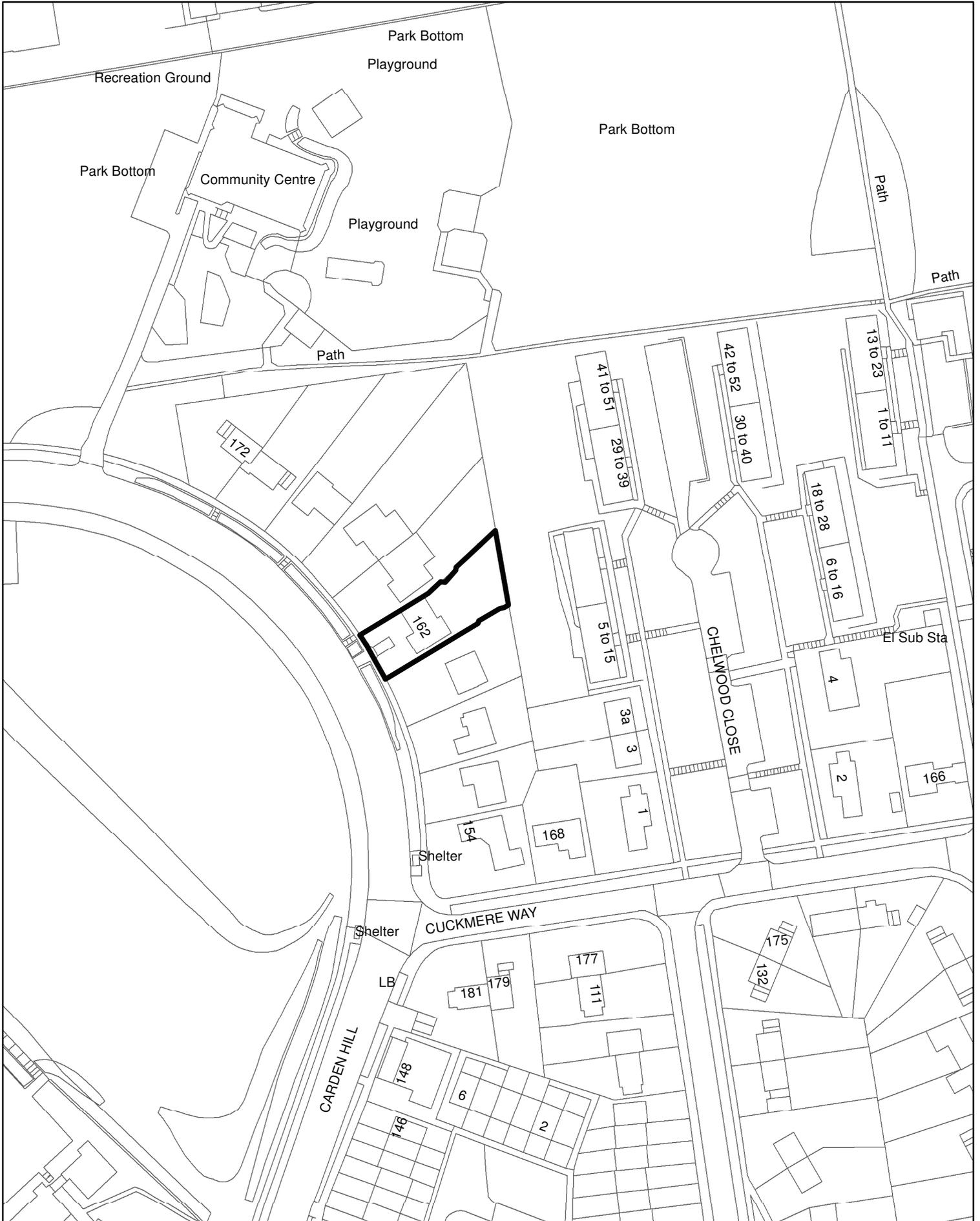
With regard to the amenity, it is not considered that the proposal would have any significant impact. The rear dormer would provide extended and elevated views to the rear but this is not considered to cause a loss of privacy to neighbouring properties.

Overall the proposed alterations are considered to have a negative impact on the character and appearance of property and the wider area which is contrary to policies in the Local Plan and contrary to Supplementary Planning Guidance. Refusal is recommended.

8 EQUALITIES IMPLICATIONS

None identified.

BH2010/02489 162, Carden Hill



<u>No:</u>	BH2010/02677	<u>Ward:</u>	QUEEN'S PARK
<u>App Type</u>	Full Planning		
<u>Address:</u>	24 St James's Street, Brighton		
<u>Proposal:</u>	Erection of additional three storeys to create 3no one bedroom flats and 3no two bedroom flats. Alterations to ground floor façades including installation of new shopfront. (Part retrospective).		
<u>Officer:</u>	Jonathan Puplett, tel: 292525	<u>Valid Date:</u>	31/08/2010
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	26 October 2010
<u>Agent:</u>	James Cubitt & Partners, 109 Uxbridge Road, Ealing, London		
<u>Applicant:</u>	J C S Enterprises Ltd, 109 Uxbridge Road, Ealing, London		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to be **MINDED TO GRANT** planning permission subject to:

- a variation to the existing Section 106 Obligation securing payments for off-site works and car-free development.

and subject also to the following Conditions and Informatives:

Conditions

1. BH01.01 Full planning.
2. No development shall take place until a sample of the painted render finish, and a sample section of the window frame type to be used in the construction 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 HE6 of the Brighton & Hove Local Plan.
3. The ventilation extract and louvered door to the northern elevation of the building hereby approved shall be finished in a colour to match the painted rendered walls of the building.
Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.
4. BH06.03 Cycle parking facilities to be implemented
5. Unless otherwise agreed in writing by the Local Planning Authority, the new residential units hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

6. Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.
7. The climate control and ventilation system hereby approved shall operate in accordance with the Lawton Environmental Services Ltd Sound Criteria Statement submitted on the 12th of October 2010.
Reason: For the avoidance of doubt, to protect the amenity of neighbouring residents and to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on drawing nos. SP/1237/06, 852 PA 008, 015, 016, 020, 021, 022 and 023 submitted on the 20th of August 2010, Lawson Environmental Services Ltd Sound Criteria Statement submitted on the 12th of October 2010, drawing nos. 852 PA 002, 003, 004, 005, 007, 009, 011, 013, 017, 018, 019 and SP/1237/09A submitted on the 14th of October 2010, and drawing nos. 852 PA 006.1, 11, SP/1237/07, 21A, and 22A submitted on the 18th of October 2010.

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

- i) having regard to the policies Brighton & Hove Local Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD10	Shopfronts
QD14	Extensions and alterations
QD27	Protection of amenity
HO3	Dwelling type and size
HO5	Provision of private amenity space in residential development
HO7	Car free housing
HO13	Accessible housing and lifetime homes

HE6 Development within or affecting the setting of Conservation Areas

Supplementary Planning Guidance:

SPGBH4: Parking standards

Supplementary Planning Documents:

SPD02: Shop Front Design

SPD03: Construction and Demolition Waste

SPD08: Sustainable Building Design; and

ii) for the following reasons:

The proposed development will not cause harm to the character of the East Cliff Conservation Area, no significant harm to neighbouring amenity would result, the residential accommodation proposed is of an appropriate mix and standard, furthermore sustainability and traffic issues have also been successfully addressed.

2 THE SITE

The application relates to a site located on the western corner of the junction of Dorset Gardens and St. James's Street. The property lies within the East Cliff Conservation Area.

A single storey retail unit was previously in place on the site and had been vacant for a number of years. In the summer of this year works commenced on site to implement the scheme approved under application BH2004/02509/FP. At present construction has been halted.

3 RELEVANT HISTORY

An application (ref. **BH2010/02674**) is currently under consideration seeking consent for alterations to the existing single storey building in relation to its proposed occupation by a Chemist.

BH2005/02457/FP: Erection of 6-storey (including basement) building comprising retail and restaurant on ground and basement floors and 8 residential units on 1st-4th floors. (Amendment to previous approvals under references BH2004/02509/FP and BH2004/02512/FP), refused March 2008.

BH2004/02585/FP: Variation to approval BH2003/01805/FP by way of layout of 5 flats and 1 cottage, approved June 2005.

BH2004/02512/FP: Change of use of basement and ground floor from A1 to A3 (restaurant) with access onto Dorset Gardens. Retain a portion of the ground floor as A1 (Retail) unit fronting St James Street. Granted April 2005.

BH2004/02509/FP: Erection of 3 no. 1 bedroom flats and 3 no.2 bedroom flats on upper floors (Amendment to BH2003/01805/FP and BH2003/02357/CA Approved 23/07/2004), granted April 2005.

BH2003/01805/FP: Demolition of existing building. Erection of a 4 storey building comprising A1 retail use at basement and ground floor level at front. 3 x 3 bedroom flats above A1 unit. 3 studio flats, 1 x 3 bedroom cottage, 2 x 2 bedroom flats to rear. Granted July 2004.

BH2003/12357/CA: Conservation Area Consent for the demolition of the existing single storey shop and store rooms, granted October 2003.

No.s 25-28 St James's Street

BH2010/02012: Redevelopment of first floor and airspace above to form residential development of 33 flats (including 13 affordable flats) over four floors above existing retail at 25-28 St James's Street Brighton, granted October 2010.

Consent has recently been granted at the site to the eastern corner of the junction of Dorset Garden and St. James's Street (nos. 25-28) for the redevelopment of the property in the form of remodelling at first floor level and the construction of three additional storeys above:

BH2008/03121: Redevelopment of first floor and airspace above to form residential development of 34 flats including 13 affordable flats over 4 floors above existing retail at 25-28 St James's Street, along with the erection of an additional storey of accommodation at 24 Dorset Gardens, granted February 2010.

4 THE APPLICATION

Following the commencement of construction works earlier this year, it was brought to the attention of Local Planning Authority that the building under construction was not in accordance with the approved plans. Subsequent discussions with the parties involved identified significant concerns regarding the practicality of implementing the approved scheme. The current application seeks part-retrospective consent for a revised proposal.

5 CONSULTATIONS

External

Neighbours: Letters have been received from the occupiers of **57 Wanderdown Drive, 97 Crescent Drive South, 14 Coundray Court, 31 Arundel Drive West, 5 Charles Street, 1 Hartington Villas, 10 Nutley Avenue, 64 Clyde Road, 7 Cornwall Gardens, and 68 Toronto Terrace**, objecting to the proposed development on the following grounds:

- The proposed building will block views of the Dorset Gardens Methodist Church Building. The Church was designed and constructed at considerable expense to appear as an attractive, visible, landmark building with an unusual 'sail' window at roof level.
- The height, mass, scale and impact which the building would have on the church and the area are inappropriate. Any building to be constructed on the site should be restricted to two storeys in height.
- The proposed building will block light to the church and outlook from windows of the church.

A letter has been received from **the freeholder of Dorset House**, which adjoins the northern boundary of the site, stating support for the application on the following grounds:

- The proposed building has a lower roofline than that previously approved and would sit well with neighbouring buildings.
- Should the construction of the building be delayed / drawn out, additional disruption and nuisance will be caused impacting upon the residents of Dorset House.

CAG: No objections subject to conditions controlling the detailing of the building.

Internal:

Design & Conservation: Consideration must be given to the scheme approved under application ref. BH2004/02509/FP in assessing the current application. The overall scale of the proposed building is considered appropriate, the height being in keeping with neighbouring buildings. The storey heights and overall height are lower than that previously approved and are considered a significant improvement. The detailing of the building proposed is also improved in comparison to the previously improved scheme, for example having regard to the proposed balconies and the entrance treatments.

Minor revisions to the proposed shopfront and a window recess were required along with further detailed drawings. These drawings have since been submitted and are considered acceptable.

Sustainable Transport: The cycle storage facilities shown in the approved plans should be implemented prior to occupation of the flats and retained as such thereafter. It is also advised that a contribution should be sought towards sustainable transport infrastructure in the vicinity of the site. It is however the case that such a contribution has already been paid in relation to the scheme as originally approved under application BH2003/01805/FP and amended under application BH2004/02509/FP. This contribution and the car free status of the development were secured by legal agreement. A Deed of Variation is required to attach the previous legal agreement and contribution to the current application.

Environmental Health: Based on the information originally submitted, it was considered that the proposed air conditioning system and vent had the potential to cause noise nuisance for occupiers of neighbouring properties. Further information has since been submitted regarding the sound outputs of the proposed system, subject to compliance with these details, the proposed development is considered acceptable; no objection is raised.

Private Sector Housing: No comments.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods

QD3	Design – efficient and effective use of sites
QD10	Shopfronts
QD14	Extensions and alterations
QD27	Protection of amenity
HO3	Dwelling type and size
HO5	Provision of private amenity space in residential development
HO7	Car free housing
HO13	Accessible housing and lifetime homes
HE6	Development within or affecting the setting of Conservation Areas

Supplementary Planning Guidance:

SPGBH4: Parking standards

Supplementary Planning Documents:

SPD02: Shop Front Design

SPD03: Construction and Demolition Waste

SPD08: Sustainable Building Design

7 CONSIDERATIONS

The main considerations in the determination of the application include the principle of the enlargement of the existing building by the addition of three storeys of residential accommodation, impact upon the surrounding street scene and the East Cliff Conservation area, the standard of accommodation which would be provided, impact on neighbouring amenity, sustainability and highways issues.

Principle of development

The principle of replacing the existing single storey building with a four storey structure consisting of a ground floor / basement in commercial use at ground floor and residential units above has previously been deemed acceptable and granted planning permission under application BH2003/01805/FP. Amendments to this scheme were granted consent under applications BH2004/02509/FP, BH2004/02512/FP, and BH2004/02585/FP. The scheme currently under consideration seeks consent for alterations at ground floor level and the addition of three storeys of residential units above, comprising 3 x two-bedroom flats and 3 x one-bedroom flats. The design of the upper floors proposed is effectively a revision of that proposed under the previously approved application BH2004/02509/FP.

Furthermore, a development of a similar scale has been approved at the site immediately opposite the application property (at no. 25-28 St James's Street, refs. BH2008/03121 and BH2010/02012).

It is therefore considered that the principle of development has already been determined as acceptable, and that the current application must be assessed in this context.

Visual impact / impact upon the East Cliff Conservation Area

As detailed above, the principle of a building of the scale proposed is considered to be acceptable. Strong concerns have been raised by users of the Dorset Gardens Methodist Church as the proposed building will block views of the church building which was designed so as to appear a landmark when viewed from St James Street / locations to the south of the church. The proposed building would block some views of the church building. This structure would however remain of prominence when viewed from the southern end of St. James's Street. Once again, it must be acknowledged that a building of the scale currently approved has received planning permission previously, and the development approved to the east of the application site at nos. 25-28 St James Street would have a similar visual impact to the proposed structure.

Whilst the impact upon the church is a material consideration, the St James's Street street scene is also relevant and generally comprises three and four storey buildings of the height currently proposed.

The submitted drawings clearly demonstrate the differences between the previously approved structure and that now proposed. The overall height of the building is lower than that previously approved by approximately 1.55m, as are the floor levels, these changes deliver a more appropriate visual relationship with the adjoining building to the west and reflect the 'step up' between the buildings as the road slopes upwards towards the east. The proposed shopfront is of a more traditional style than that previously approved, incorporating much of the design advice detailed in SPD02. A stall riser of appropriate height, inset entrance and fascia with cornice detail are proposed to the southern elevation. The to eastern (side) elevation, display windows are to be inserted which will provide visual interest and an active frontage; a significant improvement over that previously in situ. To the northern end of this elevation a door to the ground floor unit is proposed, with a covered entrance door alongside to serve the flats above. To the northern side of the building a louvered door is proposed with a vent above; these details should be finished in a colour to match the walls of the building and could be controlled by condition as such.

To the upper floors of the proposed building, south facing inset balconies are proposed; a significant improvement over the previously approved design which included protruding balconies which would have overhung the pavement. To the eastern elevation the proposed window pattern is similar to that previously approved, to the northern elevation cut out sides to the inset balconies proposed provide some visual interest. Overall the proposed scheme is considered an improvement over that previously approved; the character of the Conservation Area would not be harmed by the development.

Standard of accommodation

The proposed flats are a mix of one and two bedroom units; all of which have open plan living room / kitchens and benefit from some outdoor amenity

space in the form of inset balconies. The proposed layouts provide broad compliance with Lifetime Homes Standards and could be controlled by condition to ensure full compliance with such standards and Policy HO13.

Proposals for new residential units should provide adequate storage facilities for refuse and recycling, and cycles in compliance with Policies QD27 and TR14. Cycle storage is provided at ground floor level for 8 cycles in compliance with SPGBH4. Recycling storage is provided within each kitchen and refuse is collected via communal street bins. Overall it is considered that the proposed flats would provide an acceptable standard of accommodation.

Neighbouring amenity

The proposed development will result in some loss of light / overshadowing of the flats immediately to the north of the site (no. 30 Dorset Gardens) as the application building is set forward from this property. It is however considered that significant harm would not be caused, and that the proposed structure would not have an unduly oppressive / overbearing impact. Again it must be acknowledged that such an arrangement was considered to be acceptable at the time of the previously approved applications for structures of a similar scale to that now proposed.

Although the three flats at the rear (north) end of the development each have a balcony in close proximity to the balconies of the flats at no.30 Dorset Gardens, it is not considered that significant levels of overlooking will result owing to the positioning of the column at the north end of each balcony.

The proposed external vent to the northern elevation of the building, which serves the ventilation system for the ground floor and basement commercial use, has the potential to cause noise disturbance for residents of the proposed flats above and those of no. 30 Dorset Gardens to the north of the site. Detailed information has however been submitted regarding the sound outputs of the proposed system. Subject to compliance with these details which could be secured by condition, it is considered that no significant harm would be caused; the Environmental Health Officer has raised no objections to the proposal.

The development may cause some increased disturbance to neighbouring residents due to an increased occupancy level; this would not however be beyond the level expected in an urban setting of such density; significant harm would not be caused.

Sustainability

Policy SU2 of the Local Plan requires development to be efficient in the use of energy, water and materials. SPD08: Sustainable Building Design, states that a new build residential development of the scale proposed should meet a Code For Sustainable Homes rating or Level 3 and a Sustainability Checklist should be submitted. A checklist has been submitted detailing sustainability measures and it is proposed that a Level 3 rating will be met; a Design Stage

Certificate has been submitted. This matter can be secured by condition. Overall it is considered that the requirements of policy SU2 and SPD08 have been sufficiently addressed.

Highways issues

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

As detailed above, cycle parking is to be provided in compliance with SPGBH4. The proposed development will cause an increased traffic impact, a financial contribution towards sustainable transport has however already been paid in relation to the previous approvals and can be attached to the current application by way of a Deed of Variation. Increased parking pressure should not be caused as the legal agreement ensures that future residents of the flats will not be eligible for residents parking permits.

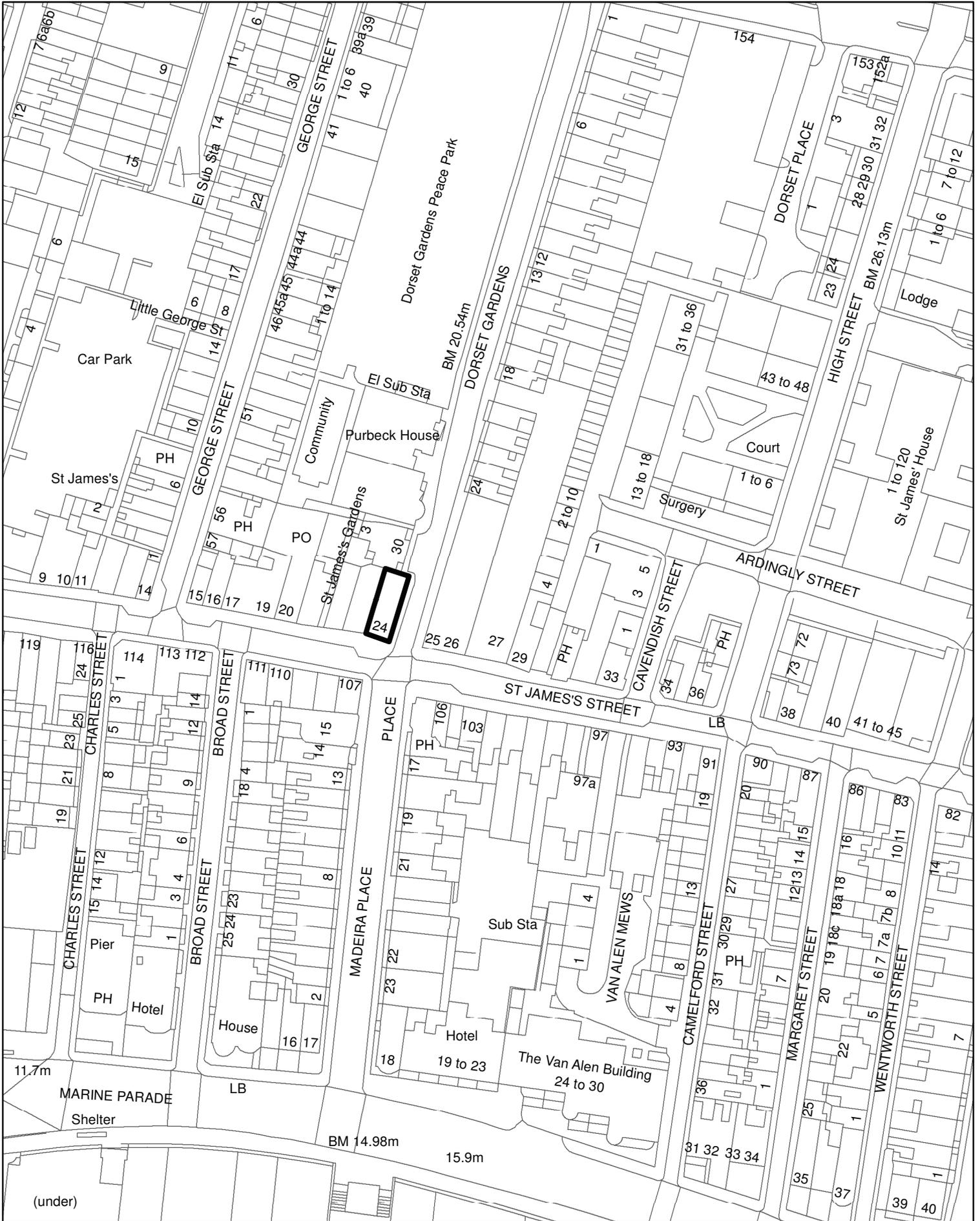
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed development will not cause harm to the character of the East Cliff Conservation Area, no significant harm to neighbouring amenity would result, the residential accommodation proposed is of an appropriate mix and standard, furthermore sustainability and traffic issues have also been successfully addressed.

9 EQUALITIES IMPLICATIONS

The proposed flat layouts demonstrate compliance with Lifetime Homes standards and can be controlled by condition as such.

BH2010/02677 24, St James's Street



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2010/02745	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	28 Marine Drive, Rottingdean		
<u>Proposal:</u>	Erection of a block of 9no flats comprising 5no two bed flats and 4no three bed flats with associated works including car parking area.		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	13/09/2010
<u>Con Area:</u>	Adjoining SSSI	<u>Expiry Date:</u>	08 November 2010
<u>Agent:</u>	Chart Plan (2004) Ltd, 65 Stoneleigh Road, Limpsfield Chart, Oxted		
<u>Applicant:</u>	Generator Group LLP, 54 Conduit Street, London		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves it is **MINDED TO GRANT** planning permission subject to a Section 106 Agreement and to the following Conditions and Informatives:

S106

- To secure a financial contribution of £18,000 towards sustainable transport improvements.

Conditions

1. BH01.01 Full Planning Permission.
2. BH03.01 Samples of Materials Non-Cons Area (new buildings).
3. The existing west hedge boundary and east hedge boundary (adjoining the rear garden of no.36) treatment shall be retained. The hedges shall not be removed unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of nature conservation and to safeguard the existing outlook to the occupiers of adjoining properties and to comply with policies QD16, QD17 and QD27 of the Brighton & Hove Local Plan.
4. The development shall not be commenced until fences for the protection of the hedges to be retained have been erected to a specification and in positions to be agreed by the Local Planning Authority. These fences shall be maintained in good repair until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.
Reason: To protect the hedges which are to be retained on the site and to comply with policies QD16, QD17 and QD27 of the Brighton & Hove Local Plan.
5. The development shall not be commenced until fences for the protection of the SSSI have been erected to a specification and in positions to be agreed by the Local Planning Authority. These fences shall be maintained in good repair until the completion of the development and no

vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences. No materials shall be stored or dumped within the SSSI boundary and there should be no access (pedestrian or vehicular) to the site from within the SSSI boundary.

Reason: To prevent damaging impacts on the adjacent nature conservation features and their setting and to comply with policy NC2 of the Brighton & Hove Local Plan.

6. All new hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site.

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

7. BH15.01 Surface water drainage.

8. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road[s], surface water drainage, outfall disposal and crossover to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with this Authority.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large to comply with policy TR7 of the Brighton & Hove Local Plan

9. Notwithstanding the submitted drawings, the development hereby approved shall not be commenced until full details of the cycle parking layout have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in full prior to first occupation in strict accordance with the approved details. A minimum of 12 cycle parking spaces shall be provided.

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.

10. BH04.01 Lifetime homes.

11. Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until:

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage Report showing that the development will achieve Code level 5 for all residential units have been submitted to the Local Planning Authority; and

- (b) a BRE issued Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 5 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.

12. Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Building Research Establishment issued Final Code Certificate confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 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.

13. BH02.07 Refuse and recycling storage (facilities).

14. BH15.04A Method of piling

15. Unless otherwise agreed in writing by the Local Planning Authority, a scheme detailing the measures to improve ecological biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the number and type of bat boxes, bird boxes and Sparrow Terraces, and details of the green wall. The development shall be carried out in strict accordance with the approved details and thereafter maintained.

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

16. Notwithstanding the submitted drawings, the development hereby approved shall not be commenced until full details of the terraces to the rear of the site (north elevation) have been submitted to and approved in writing by the Local Planning Authority, these details are to include screening, extent of usable area, and balustrade. The development shall be carried out in strict accordance with the approved details and thereafter maintained.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

17. The development hereby permitted shall be carried out in accordance with the approved drawing nos. AL(00)001 Rev A, 002 Rev A, 100 Rev B, 201 Rev A, 202 Rev A, 203 Rev A, 204 Rev A, 205 Rev A, 206 Rev B, 207 Rev C, 208 Rev A, AG(00)001, 002, 003 received 8 September 2010 and AL(00)209 Rev B, 210 Rev B, 211 Rev B received 9 September 2010.

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

Informatives:

1. This decision to grant Planning Permission has been taken:
 - i. having regard to the policies and proposals in the Brighton & Hove Local Plan, set out below, including Supplementary Planning Guidance and

Documents:

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR5	Sustainable Transport Corridors and bus priority routes
TR7	Safe Development
TR14	Cycle access and parking
TR18	Parking for people with mobility related disability
TR19	Parking Standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU4	Surface water runoff and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU7	Development within the coastal zone
SU8	Unstable land
SU13	Minimisation and re-use of construction industry waste
SU16	Production of renewable energy
QD1	Design - quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD25	External lighting
QD27	Protection of amenity
QD28	Planning obligations
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
NC2	Sites of national importance for nature conservation
NC4	Sites of Nature Conservation Importance (SNCl) and Regionally Important Geological Sites (RIGS)
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance Documents

SPGBH4	Parking Standards
SPD03	Construction and Demolition Waste
SPD08	Sustainable Building Design; and

ii. for the following reasons:

The proposal complies with relevant planning policies and guidance and is considered to be of a scale, height and design in keeping with the natural and developed background. The proposal meets local plan policies and guidance with regard to sustainability measures, parking

provision and accessibility and seeks to mitigate its potential impact on the natural environment.

3. The applicant is advised that the installation of a communal aerial or satellite dish would require planning permission and is preferable to the installation of more than one device.
4. 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).
5. The applicant is advised that all British birds, their nests and eggs are protected by law under Section 1 of the Wildlife and Countryside Act, 1981 (as amended) and the Countryside and Rights of Way Act 2000. This makes it an offence to: Kill, injure or take a wild bird; Take, damage or destroy the nest of any wild bird while that nest is in use or being built; Disturb any wild bird listed in Schedule 1* while it is nest building, or at a nest containing eggs or young, or disturb the dependant young of such a bird. * For a list of species included within Schedule 1 please refer to the Wildlife and Countryside Act 1981 (as amended). If at any time nesting birds are observed during tree works, operations should cease. The bird nesting season usually covers the period from mid-February to the end of August, however, it is very dependent on the weather and certain species of birds may nest well outside this period.
6. 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 and www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html.
7. The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
8. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the

Brighton & Hove City Council website (www.brighton-hove.gov.uk).

2 THE SITE

The site is located on the south side of the A259 coast road adjacent to the cliff edge to the south, a public car park to the east, a row of detached dwellings to the north and Highcliff Court a three storey block of flats to the west. The site has been cleared with the previously existing dormer bungalow having been demolished. Access to the site is via a private drive from the A259 that provides right of way to the block of flats and the rear of the row of dwellings to the north and a single dwelling to the west.

The site is located on the south-eastern edge of the built-up area of Rottingdean. Adjacent to the application site are a number of purpose built flatted developments along the cliff face, these include St Margarets which consist of 43 units over six storeys and Highcliff Court with 38 units over 3-5 storeys, both of which are located to the west of the site.

The land slopes east down to west and north down to south with the site being visible from part of the A259. Rottingdean Conservation Area is located 150 metres to the west. The site is adjacent to a Site of Special Scientific Interest and a Regionally Important Geological Site.

3 RELEVANT HISTORY

BH2009/02228: Demolition of existing dwelling and erection of a block of six flats and two townhouses (8 units in total) together with associated parking and bin store – Refused at Planning Committee contrary to officers recommendation on 3/02/10 for the following reasons:

- 1) The proposed scheme is considered to be over development by way of the massing, size, height and scale of the building, and the density of the proposed units and, as such, the proposal is contrary to policies QD1, QD2, QD3 and HO4 of the Brighton & Hove Local Plan;
- 2) The proposed development, by reason of its height and proximity to Highcliff Court, would cause an unacceptable loss of light and have an adverse impact on the amenities enjoyed by residents of Highcliff Court and, as such, is contrary to policy QD27 of the Brighton & Hove Local Plan;
- 3) The proposed development, by reason of its close proximity to the cliff, would be vulnerable to coastal erosion and would have an adverse impact on the Brighton to Newhaven Cliffs Site of Special Scientific Interest. The proposal is therefore contrary to policies SU7, SU8 and NC2 of the Brighton & Hove Local Plan;
- 4) The proposed development, due to its relatively inaccessible location away from the city centre, contains insufficient car parking for residents and visitors and, as such is contrary to policy TR19 of the Brighton & Hove Local Plan and Supplementary Planning Guidance BH4-Parking Standards;
- 5) The un-adopted access road by reason of its width, is considered to be inadequate and likely to cause increased danger to vehicle users and

pedestrians and the proposal is therefore contrary to policy TR7 of the Brighton & Hove Local Plan;

- 6) The proposed development does not blend into the surrounding area by reason of its design and materials and, as such, is contrary to policies QD1, QD2 and QD4 of the Brighton & Hove Local Plan.

This application is subject to an appeal to be determined by a hearing.

BH2006/01879: Demolition of existing dwelling and erection of a block of six flats and two townhouses (8 units in total) together with associated parking and bin store – approved at Committee 22/11/06.

BH2006/00413: Demolition of house and erection of block of seven 3 bedroom flats and two 3 bedroom houses, 9 units in total and associated parking and bin storage – withdrawn 4/4/06.

BH2004/01263/FP: Erection of a block of flats up to 6 storeys in height comprising 2 no.4 bed flats, 3 no.3 bed flats, 4 no.2 bed flats – 9 units in total. Associated parking (9 spaces) and bin storage – refused 30/9/04.

BH2003/02036/FP: Demolition of existing single dwelling house. Erection of an eight storey block of flats comprising 12 no.2 bedroom flats and 2 no.4 bedroom penthouses – refused 5/9/03. Appeal Decision – Dismissed 6/7/04.

86/1427F: Demolition of existing garage and erection of new garage with pitched roof – granted 7/10/80.

BN86/904F: Single storey extension on south elevation with roof terrace at first floor level – granted 5/8/06.

BN85/995F: Change of use from single dwelling house to rest home – granted 3/9/85.

BN.74.1478 (Nos. 28, 32, 34, 36): 16 Flats and 5 houses with covered parking for 22 cars – granted 12/11/74.

4 THE APPLICATION

The application proposes the erection of a block of nine flats comprising 5 no. 2 bedroom flats and 4 no. three bedroom flats, two of which are duplex units. Ten parking spaces are provided onsite in the form of undercroft parking. The proposed units will have access to either terraces or balconies and an outdoor shared garden area to the south of the proposed building.

Alterations to the proposed application when compared to the previous application include:

- The provision of 10 undercroft parking spaces, an overall increase of 5 spaces;
- A change in the design approach taken;
- An additional 2 bedroom unit; and
- The resurfacing of the existing access road.

5 CONSULTATIONS

External:

Neighbours: Occupiers of 7, 20 St Margarets Court, 1 (x2), 3, 7, 12, 16, 17, 20, 21, 22, 24, 26, 27, 28, 35 Highcliff Court, 36 Marine Drive object to

the application on the following grounds:

- The scale of the development does not compliment the surrounding properties;
- The proposed lighting would cause intrusion into bedrooms;
- Insufficient width of access road and increase in traffic generated;
- Safety concerns over the proposed access for vehicles and pedestrians;
- Erosion of the already unstable cliffs;
- The development is too large in terms of scale and bulk and represents an overdevelopment of the site resulting in overlooking, overshadowing, loss of privacy, and loss of amenity.

32 copies of a standard response letter have been received from the occupiers of **32 Marine Drive, 2 (x2), 3, 5, 8, 9, 10, 11, 14, 15, 25, 28 (x2), 29, 30, 31, 32, 34 (x2), 36, 37, 38, 41 Highcliff Court and 8, 23, 24, 31, 32, 33, 36, 39 St Margarets** objecting on the following grounds:

- Unsuitable access road for use by both vehicles and pedestrians;
- Cliffs are unstable and subject to erosion;
- The scale and bulk of the development do not compliment the surrounding; properties and would appear overbearing and dominant;
- Overlooking, loss of privacy and amenity, and overshadowing.

Rottingdean Preservation Society: Objects to the application as it would be an overdevelopment of the site to the detriment of the cliff top and its open views. Pedestrian safety will be compromised by the large increase in traffic using the service road.

The stability of the cliffs may be compromised, and adjoining blocks have already suffered subsidence problems.

The scheme will cause a loss of amenities to existing residents by the way of loss of privacy, loss of light, loss of views and increased traffic movement and noise.

Rottingdean Parish Council: Object on the grounds of the impact of the proposal upon the stability of the cliff. Access to the site is very restricted and any increase in traffic should be avoided, an increase in traffic will result in safety issues for pedestrians. Access for the emergency services will be compromised. The proposal will result in the loss of light and also light intrusion to Highcliff Court. The development will result in an increase in noise and disturbance resulting from increased vehicular movements. The development is over development of the site to the detriment of the amenities currently enjoyed by neighbouring occupiers.

Natural England: The application site is adjacent to the Brighton to Newhaven Site of Special Scientific Interest (SSSI). This reply comprises our statutory consultation response under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 28 of the Wildlife and Countryside Act 1981 (as amended).

Natural England does not object to the proposed development, subject to the inclusion of conditions relating to protection and use of the SSSI.

Internal:

Coastal Protection Engineer: Chalk cliffs are subject to erosion; the cliff line gradually recedes inland over a period of years. The speed and rate of recession is largely unpredictable and dependent on many variables including stratigraphy, rain penetration, temperature variation, etc. To adopt a specific recession rate in terms of millimetres per year is not advisable. Our experience of these cliffs has shown that large scale collapses (thousands of tonnes) can occur without warning and are interspersed with long quiescent periods (years or decades). The location of these collapses depends on the variables mentioned above.

Ground Investigation Report:

A comprehensive and thorough report with some good recommendations that should be adopted if the development is to go ahead-

Paragraph 4.2 – the suggestion by the consultant that all loads should be taken to the foot of the cliff is a sound one and should be adopted in order that the cliff face is not subjected to any additional loads that could destabilize it.

Paragraph 4.2.1 – the type of pile suggested (CFA) should also be adopted for the same reasons.

Slope Stability Report:

Paragraph 3.4 – the consultant's calculation of cliff recession should not, in my view, be relied upon. Chalk cliff recession prediction is not, at the moment, an exact science – they could be right in their assessment or they may not be. Paragraph 4.3 – In our experience Natural England are not very willing to see areas of chalk cliff obscured by concrete or netting. The cliff stabilization works we did at the Marina had to go through a public inquiry as a result of Natural England's objections before they could go ahead.

Ownership:

Understand that the owner of a cliff top is also responsible for the cliff face. This point should be established one way or another so that in future years should there be a problem then the freeholder is aware of his responsibilities; similarly in terms of insurance against third party injury from falling chalk and flint.

Also understand that there is a section of the cliff top in the ownership of someone who can no longer be located.

Planning Policy:

The previous application BH2009/02228 was refused at Planning Committee against officer recommendation in February 2010. The applicant is currently

appealing this decision and a hearing is due to be held in the next few weeks. It is understood that this new application seeks to address and overcome the concerns raised by planning committee.

Recent changes to Government Policy

Since the determination of the last application, the Government has abolished regional housing targets and made changes to Planning Policy Statement 3: Housing (PPS3). The changes to PPS3 are; the deletion of the national indicative minimum density of 30 dwellings per hectare and; changes to the definition of previously developed land so that private residential gardens are now classified as Greenfield land. Both of these changes are material considerations in the determination of this application.

Proposed Residential Density

The adopted (saved) Local Plan policies QD3 and HO4 are relevant when assessing the appropriateness of the proposal in terms of the proposed residential density, design considerations and the character of the existing area. QD3 iterates that proposals should incorporate an intensity of development appropriate to the locality/townscape.

The site is located to the south of the A259 adjacent to the cliff edge to the south. It is understood that there is a public car park to the east, detached dwellings to the north and Highcliff Court (a block of flats) to the west. The site is also adjacent to a SSSI and a RIG site although it is understood that Natural England did not object in principle in the previous application.

In terms of surrounding residential densities, the residential dwellings to the north of the site range from approximately 16 to 25 dph. Comparatively there are a two flatted developments to west of the site, St Margaret's (a 6 storey development with 43 units) and Highcliff Court (a 3 storey development with 38 units). Both of these existing developments represent high density development, with densities of over 200dph.

The density of proposed development at 28 Marine Drive, would be approximately 53 dph (based upon a site area 0.17ha including the access road). The density of the proposal excluding the access road would equate to 75ph (based on a site of 0.12ha). In this context it is considered that the proposed density accords with policy HO4 (d).

It is considered that the proposed site has good connectivity to the Rottingdean Local Centre which offers a range of services and facilities. The site is also considered to be close to transport routes and pedestrian routes and cycle network. In this respect it is considered that policies QD3 and HO4 are satisfied.

Policy QD3 states that proposals for backland development will be rigorously examined in respect to the retention of and provision of new open space, trees, grassed areas, nature conservation features and recreational facilities.

Whilst the proposal provides private amenity space in the form of private balconies for each flat, it is considered that the area of shared space is constrained by the footprint of the proposed building. In relation to policy HO5 the lack of replacement garden space is disappointing.

Sustainable Transport:

Principal of development served via an unadopted track

This latest scheme of this site is proposing to construct a shared surface access comprising of block paving for the entire length of the access road and delineating a section for pedestrians by using “a strip in a contrasting colour”. The Manual for Streets notes that pedestrians’ sharing a surface with motorist has a “self-limiting factor ... of around 100 vehicles per hour”. Traffic flows above this figure mean that pedestrians treat the general path taken by vehicles as a road to be crossed rather than a space to occupy. Table 2.1 notes traffic count data recorded on Wednesday 5th May 2010, which is defined as a neutral period for traffic surveys, therefore acceptable and should be considered as representing a robust estimate of the volume of traffic using the lane. The data showed that the access was used by 55 vehicles in total between the hours of 7am and 7pm.

The analysis of the potential increase in vehicle movements has been drafted to accord with industry standards and is considered as providing a robust estimate of the expected increase in demand. This data shows that the proposal would generate 27 additional vehicle trips over the same 12 hour period, (4.549x9x66%). Thereby this unadopted track would potentially attract 82 vehicle movements per day.

This figure is very close to the self-limiting factor noted above. It is not possible to further consider whether the proposed shared surface scheme is satisfactory in public safety terms as the no additional information has been provided about how – for instance – traffic speeds will be managed along its length.

In the summary and conclusions section of the statement it notes that the access will be an ‘unadopted shared surface road’ and that ‘maintenance of the access in perpetuity will rest with a management company’.

Insufficient information has been provided that sets out the design and safety considerations of the proposed shared space. Additional plans and a Road Safety Audit Stage 1 and 2 should be submitted to evaluate whether the transport demand will be provided for, and whether public safety will not be worsened or not.

I have no general objection to this proposal in principle but am duty bound to point out that this scale of the existing development served via the unadopted track is in excess of the level that would normally be acceptable. Historically, the maximum number of residential units that should be served off of a private unadopted track is no more than 5 units. This figure has been set at this level

by precedents over many years. It is considered that development consisting of more than this number of units should be served via an adopted road to ensure that statutory services such as sewerage, telecom, gas, electric, and emergency vehicles can be maintained to a suitable standard in perpetuity. Manual for Streets does note that *“it is not desirable for this number [number of units served via an unadopted road] to be set too high, as this would deny residents of small infill developments the benefit of being served by an adopted street”*.

The Council’s adopted street design guidance is somewhat out of date now, being last up dated in 1995. The content of the street design section of this document is no longer relevant, but the general principles of what streets should be adopted and when is still pertinent. Page 7 of appendix 6 advises that *“it is the aim of the Highway Authority to ensure that all new estate roads serving more than five dwellings are adopted at the outset”*.

There are numerous examples around the city where development has been allowed that is served via an unadopted track that has degraded to such an extent that they are unsafe, which has lead to calls from local residents and Councillors that the Highway Authority adopt and maintain the road at public expense. It would not be appropriate – given the precedents – for the Highway Authority to offer a positive recommendation to a proposal that would clearly exceed the scale of development that would normally be served via an unadopted track.

Additional Comments if the Local Planning Authority choose to approve the Application

The above view is that of the Highway Authority, as a consultee in the planning process. If the Local Planning Authority does not agree with this position or think requiring the access track to be adopted is unreasonable it is recommended that conditions relating to the resurfacing of the track, cycle parking and vehicular parking are added to any consent if granted;

And;

The applicant enters into a legal agreement with the council to contribute £18,000 towards transport measures. This contribution will go towards upgrading pedestrian crossing and bus stop facilities with Rottingdean village high street.

Parking Provision

Brighton & Hove’s development parking standards are set out in SPG4, which was originally adopted in 1997 and incorporated in the first deposit draft plan in September 2000. These standards set out the maximum level of car parking for various use classes. Use class C3 consists of residential accommodation, both flats and houses.

These parking standards require a maximum provision of 1 standard car

parking space per dwelling up to 3 beds plus 1 car parking space per 2 dwellings for visitors. This means that the site should provide up to a maximum of 12 car parking spaces. The blue badge/disabled parking provision as set out in SPG4 for this type of development is a minimum of 1 space per 10 dwellings. This would suggest that one-disabled parking spaces should also be provided in addition to the 12 standard spaces noted above.

A nationally recognised source of traffic and transport impact data for various land uses is used by developers and local councils. The residential accommodation part of the database includes average transport impacts of various land uses including a section on residential flats. This section suggests that the parking demand of six sites in similar locations to this proposal would be 0.9 spaces per unit. Using this data the car parking demand of a site with 9 flats could reasonably be expected to provide standard 9 spaces.

National Planning Policy Guidance 13 (Transport) notes that when implementing policies on parking local authorities should not require developers to provide more [car parking] spaces than they themselves with, unless in exceptional circumstances, which might include significant implications for highway safety. Based on my observation on site and surrounding area it is not considered that there are any significant circumstances that would be exacerbated by this proposal. It would therefore not be reasonable or supportable at an Appeal to make a recommendation for refusal based upon the reduced level of car parking.

Section 5.4 of the Statement notes that the provision of car parking “*does not exceed the maximum levels [of car parking] set out in the CBC Planning Obligations and S106 Agreements SPD*”. The Highway Authority are unclear on what this section is making reference to it is assumed that the section should be referring to Brighton & Hove’s SPG4 car Parking Standards document.

Unlike car parking cycle parking standards are set as a minimum, for this type of development the cycle parking requirement is calculated on a basis of 1 space per unit plus one space per 3 units for visitors. This would require a minimum level of cycle parking of 12 spaces; the Applicant is proposing 10 spaces. It is recommended that additional cycle parking facilities are provided to comply with TR14, TR19 and SPG4.

Environmental Health: No comment.

Private Sector Housing: No comment.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking

TR5	Sustainable Transport Corridors and bus priority routes
TR7	Safe Development
TR14	Cycle access and parking
TR18	Parking for people with mobility related disability
TR19	Parking Standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU4	Surface water runoff and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU7	Development within the coastal zone
SU8	Unstable land
SU13	Minimisation and re-use of construction industry waste
SU16	Production of renewable energy
QD1	Design - quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD25	External lighting
QD27	Protection of amenity
QD28	Planning obligations
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
NC2	Sites of national importance for nature conservation
NC4	Sites of Nature Conservation Importance (SNCl)s and Regionally Important Geological Sites (RIGS)
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance Documents

SPGBH4	Parking Standards
SPD03	Construction and Demolition Waste
SPD08	Sustainable Building Design

7 CONSIDERATIONS

The main considerations in this case are the impact of the proposal upon the visual amenity and character of the area, the residential amenity of adjacent occupiers, sustainability, traffic and highways considerations and impact on the natural environment.

Background

The previous planning permission reference BH2006/01879 which was approved by the Planning Applications Sub-Committee, lapsed as the works

were not started within the requisite time period in accordance with Section 91 of the Town and Country Planning Act 1990. The subsequent resubmission reference BH2009/02228 was refused by Planning Committee on 3 February 2010, for which an appeal has been submitted to be determined by a hearing.

This application seeks to address the Committee's concerns. It includes a new design approach, and also reports specifically addressing the previous reasons for refusal.

Principle

The proposal seeks permission to build on a site which previously housed a single dwelling. The extent of the proposal would encroach onto the previous dwellings garden area. The recent amendment to Planning Policy Statement 3 on Housing (PPS3) now excludes gardens from the definition of previously developed land. This was effective from the 9th June 2010. One of the revisions redefined gardens as greenfield land.

The change in national policy means that the Local Planning Authority can consider the specific qualities of the garden area which is proposed to be developed. Notwithstanding the change in national policy, the adopted local approach has not changed in that proposals for 'backland' development will always need to be rigorously examined in respect of the impact of the surrounding area and its impact on amenities. Special attention will be paid to the design and quality of spaces between buildings. Local plan policies remain applicable; policies QD3 and HO4 can support planning permission for backland development, including development on previously un-developed gardens providing that the proposed building responds well to the character or the area, does not harm neighbouring occupiers, and is acceptable in all other respects.

PPS3 along with Local Plan policies QD3 and HO4 seek the more effective and efficient use of development sites. However, in seeking the more efficient use of sites, PPS3 and Local Plan policies QD2, QD3 and HO4 also seek to ensure that developments are not viewed in isolation and must be characteristic of their surroundings. Considerations of layout and design should be informed by the wider context having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality. Given the sites history, location and the wider context of the surrounding locality it is considered that the site is suitable for such a redevelopment.

Design

Policy QD1 of the Brighton & Hove Local Plan states that "all proposals for new buildings must demonstrate a high standard of design and make a positive contribution to the visual quality of the environment." Policy QD2 of the Brighton & Hove Local Plan states that all new developments shall emphasise and enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics, including a) the height, scale,

bulk and design of existing buildings and b) topography and impact on skyline. Policy HE6 seeks to preserve the character and appearance of conservation areas.

The application has resulted in the reworking of the space and overall massing of the proposal resulting in a reduction in the massing of the development to the rear of the site. This has been coupled with a further reworking of the internal spacing to provide an additional 1 unit within the development. The scheme also provides 10 parking spaces within the site as undercroft parking which allays previous concerns of overdevelopment of the site as parking is now provided.

Reasons for refusal 1 and 6 of the previous application related to the design, massing, size, height, materials and density. In relation to these reasons the design principle of the development has changed significantly. The proposed design provides a contemporary design with a strong horizontal emphasis whereas the previous scheme was more of a pastiche of an art deco style building. When compared to the design of the previous application the proposed design is more akin to the simple design of the adjoining Highcliff Court. It is the proposed modern elevational treatment which stands it apart from adjoining buildings.

The proposed finish to the building is white render and darker brick sections. The use of contrasting materials provides greater horizontal emphasis within the building in an attempt to break up the overall mass of the building. Buildings finished in render are visible within the local vicinity including the neighbouring developments at Highcliff Court and St Margarets.

The proposal would be predominantly seen from the existing public car park to the east as a two-storey development. The proposed elevation treatment and use of contrasting materials and fenestration aims to break up the mass of the elevations when viewed from the east. Due to the topography of the site and the backdrop of St Margarets and Highcliff Court it is considered that the proposed development would be acceptable in this area.

The overall design of the property is considered to be of a good standard, the proposed development is therefore considered to meet the design requirements in accordance with policies QD1, QD2, QD14 and HO4 of the Brighton & Hove Local Plan.

Amenity for residential occupiers

The proposed internal layout of each of the dwellings is considered to be acceptable. The design and access statement contends that the development will attain Lifetime Homes standards and would meet Part M of the Building Regulations.

Policy HO5 requires all new residential units to have private useable amenity space appropriate to the scale and character of the development. Each

dwelling would benefit from private amenity space in the form of screened terraces which is considered to be adequate provision in accordance with policy HO5.

Policy TR14 requires all new residential developments to have secure, covered cycle storage and Policy SU2 requires the provision of adequate refuse and recycling areas. An area for adequate cycle storage has been highlighted on the submitted plans alongside refuse and recycling storage facilities. Full details of these have not been submitted however these designated areas would appear to be sufficient, in terms of size therefore a condition is requested to ensure that full details of these areas are provided in accordance with policies TR14 and SU2 of the Brighton & Hove Local Plan.

Impact on amenity of neighbouring occupiers

Reason for refusal 2 of the previous application related to the impact of the development upon the amenity of adjoining neighbours. Policy QD27 of the Local Plan will not permit development which would cause a loss of amenity to adjacent residents/occupiers.

Daylight

The BRE guidelines state that where the Vertical Sky Component (VSC) to a window is less than 27% and there would be more than a 20% reduction in levels of daylight received, the loss of light would then be noticeable to that room. The guidelines are intended to be used for adjoining properties and any existing non-domestic uses where the occupants would have a reasonable expectation of daylight. The applicant has submitted a daylight study which includes the windows along the side elevation of Highcliff Court.

The report also considers the Average Daylight Factor (ADF) which assesses the quality and distribution of light within a room serviced by a window, this takes into account the VSC value. The “No Sky” line method of assessment has also been considered. The report concludes that all of the surveyed windows would fully comply with BRE guidelines for daylight in terms of Vertical Sky Component, “No Sky” line and Average Daylight Factor.

Given the submitted report it is considered that the proposed development would not result in a significant reduction in terms of daylight and sunlight upon the adjacent occupiers of Highcliff Court in accordance with policy QD27.

Loss of outlook/privacy

The proposal is to be sited a minimum of approximately 25m from the nearest house on Marine Drive (no.36).

The impact on amenity of houses numbers 32-36 Marine Drive are considered to arise from proposed windows and terraces on the side and rear elevations of the proposal.

To the rear (north) 13 no. windows are proposed which will serve a mixture of bedrooms, bathrooms and hallways. Of the proposed windows 6 no. are proposed to be high level windows, a further 3 no. windows serve bathrooms and will be obscurely glazed. Two of the remaining windows are to serve a communal hallway where it is not expected that people will congregate. The final 2 no. windows serve bedrooms, and would be partially shrouded by an angled flank wall.

A terrace is proposed at upper-ground floor level, this is in a sensitive location due to the surrounding single family residential properties and amenity space to the north and east. It is considered that in principle the use of a rear terrace is acceptable however, the use of the full extent of the terrace may result in greater perceived overlooking into the existing amenity space it is therefore considered that a condition is necessary to include revised details of the terrace to restrict the extent of its use.

To the east there is the potential for overlooking into the private amenity space of 36 Marine Drive. Issues relating the proposed terrace have been discussed previously. There are 7 no. windows proposed 5 no. of which would directly overlook the adjoining car park to the east, the remaining 2 no. are proposed at high level and will serve a hallway and as a secondary window to a bedroom.

To the west 5 high level letter box windows are proposed along with 4 balconies. The two balconies to the rear of the development serve bedrooms whilst the larger balconies to the centre of the development serve living rooms. The balconies are purposely screened and angled along the western elevation to ensure that no direct overlooking occurs and to direct future occupiers towards the views to the south. The proposed terraces on the south elevation that would allow some oblique overlooking towards Highcliff Court.

In terms of overlooking it is considered that there is the possibility for neighbouring occupiers to perceive an increase in overlooking given the proposal, however due to the measures proposed to protect against actual overlooking and subject to appropriate conditions it is considered that the refusal on these grounds could not be sustained.

With regard to the loss of outlook, it is considered that there would be some loss to neighbouring outlook from windows, however, it is considered that this would not be significant enough to warrant a refusal on these grounds.

Whilst it is regrettable for occupiers of Marine Drive to have their sea views compromised by the development, this is not a material planning consideration. It is considered that there is sufficient distance between the houses in Marine Drive and the proposal to mitigate any potential loss of amenity, such as overshadowing, from the development.

Traffic and Highways

Reasons for refusal 4 and 5 of the previous application related to insufficient parking and highways safety. The applicant has submitted a revised transport assessment as part of this application.

The application proposes undercroft parking within the site to provide 10 no. parking spaces. The Council's Sustainable Transport Team have assessed the application and consider that whilst there should be provision for a disabled parking space, refusal on the grounds of the level of parking provided could not be sustained at appeal. It is therefore considered that the application adheres to policy TR19 of the Local Plan.

The applicant has proposed to resurface and maintain the existing access road to the development, this is to include a shared surface for both pedestrians and vehicles. Sustainable Transport have concerns over the existing access to the site and its inability to provide two-way traffic movements. A previous application in 2003 for 14 flats was refused and dismissed at appeal with the Inspector commenting that the access was considered acceptable. Having regard to the Inspector's comments, the access for the proposal would not change from the appeal proposal and as the number of units has been reduced from the appeal scheme, it is likely to be used by a reduced number of vehicles. It is not considered that a refusal of planning permission on traffic grounds could be sustained at appeal.

Sustainability

The application must be assessed with regard to the Supplementary Planning Document on Sustainable Building Design (SPD08). The recommended standards for Greenfield development are higher than the standards for previously developed land. The standard sought is Level 5 of the Code for Sustainable Homes.

The reason why a higher level is sought for Greenfield development is that some of the potential negative effects of Greenfield site development involve a reduction loss of amenity space and may involve the destruction of natural habitats. For these reasons the adopted SPD states that should the loss of Greenfield sites take place, then the highest level of resource efficiency must be sought to minimise the impact of development.

The proposal shows several design features that encourage sustainability including passive solar heating through orientation of windows, photovoltaic and solar water heating. The application is accompanied by a sustainability statement in which a Code for Sustainable Homes pre-assessment has been submitted which suggests that the development could achieve level 3 of the Code for Sustainable Homes.

As the site is a Greenfield site it is expected that the development should aim to meet as high a level of sustainability as possible. In line with SPD08 it is considered that Code Level 5 should be the target level and given the

contemporary design of the proposal it is considered that this should be secured by condition. In the absence of justification for a lower level of the code and given the requirements of being able to achieve code level 5 flexibility within the wording of the condition is provided to allow the applicant to provide justification for a lower standard if required.

Impact on the natural environment

Reason for refusal 3 of the previous application related to cliff stability and the impact of the proposed development upon the adjacent Brighton to Newhaven Cliffs Site of Special Scientific Interest.

The applicant has submitted a slope stability report, a ground investigation, a flood risk assessment and an extended phase 1 habitat survey. The Coastal Protection Engineer has raised no objections and in general agrees with the overall findings of the report.

Natural England have no objection to the scheme subject to specific conditions restricting access to the SSSI during construction and post completion. This application provides opportunities to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats, the installation of bird nest boxes or the use of native species in the landscape planting, for example. These measures can be secured by a suitably worded condition.

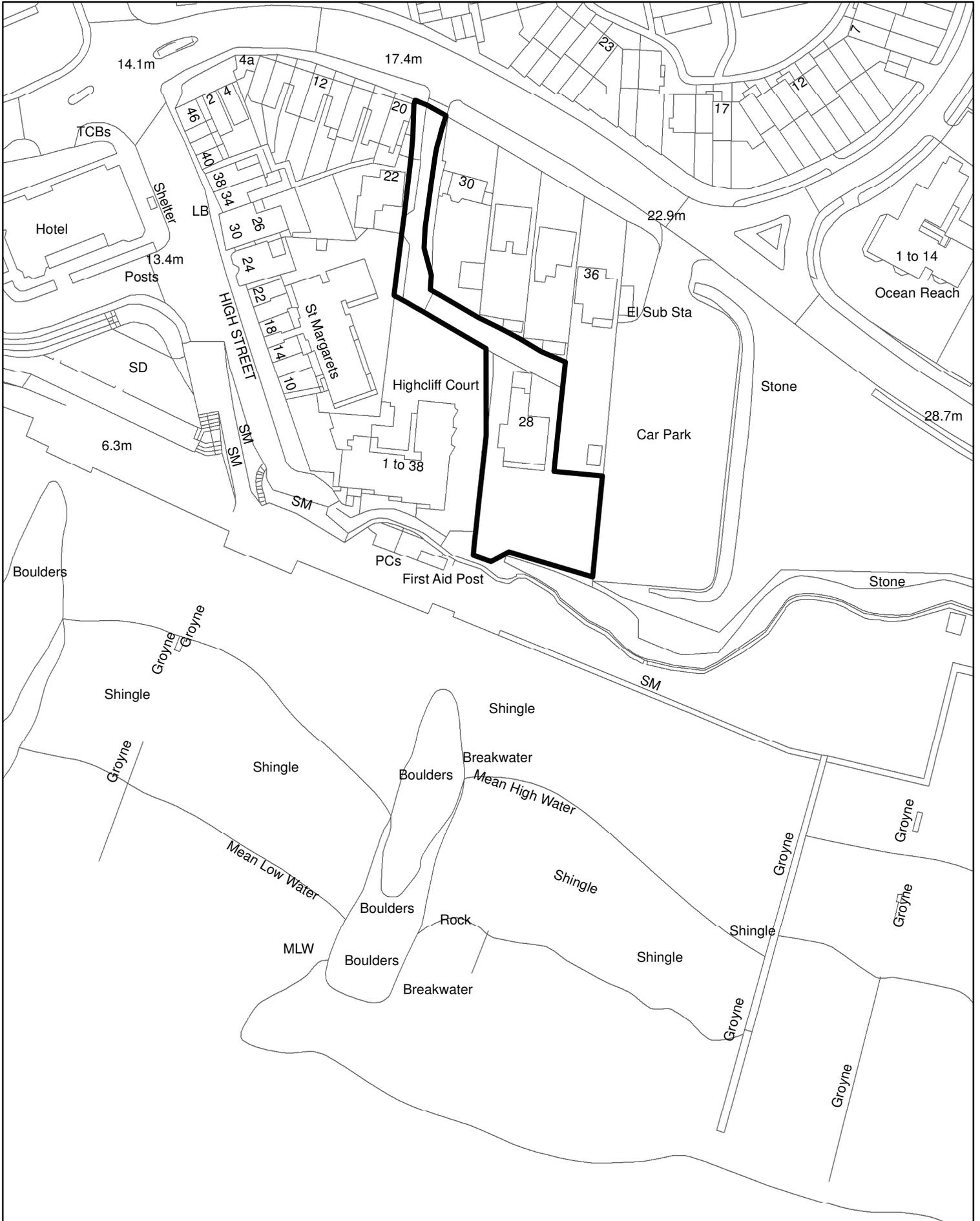
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposal meets government and local plan policies and guidance and is considered to be of a scale, height and design in keeping with the natural and developed background. The proposal meets local plan policies and guidance with regard to sustainability measures, parking provision, accessibility and attempts to mitigate potential impact on the natural environment.

9 EQUALITIES IMPLICATIONS

The plans show lifetime homes provision, internal lift provision, parking for disabled users and ramped access to the communal amenity area and viewing terrace.

BH2010/02745 28, Marine Drive



<u>No:</u>	BH2009/00161	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	28-30 Newlands Road, Rottingdean		
<u>Proposal:</u>	Erection of a three storey detached building to provide 12 bedroom nursing home to form part of existing home at 30-32 Newlands Road.		
<u>Officer:</u>	Liz Arnold, tel: 291709	<u>Received Date:</u>	21 January 2009
<u>Con Area:</u>	None	<u>Expiry Date:</u>	26 March 2009
<u>Agent:</u>	Kim Strasman Associates, The Studio, 1 Northgate Cottages, The Green, Rottingdean		
<u>Applicant:</u>	Mr John Breeds, Rottingdean Nursing Home & Care Home, 30-32 Newlands Road, Rottingdean		

On the 22nd September 2010 the Planning Committee resolved to grant this application subject to the applicant entering into a Section 106 Obligation, to the conditions listed in the recommendation below and to red roof tiles being used. However investigations both by the agent and the planning officer, have concluded that, as the roof pitch is only 22°, plain roof tiles cannot be used. The Planning Committee is therefore requested to approve the development with the proposed slate roof covering.

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves that it is **MINDED TO GRANT** planning permission subject to the applicant entering into a Section 106 Obligation and to the following Conditions and Informatives:

S106:

- £7,600 towards transport measures that will improve access to Rottingdean village from the site. These are dropped kerbs at the Newlands Rd/Steining Rd junction to ease the walking journeys and improve the accessibility to existing bus stops within the village itself. Both are within 300m of the site and required to improve the accessibility to & from the site, particularly for people with mobility problems.

Conditions:

1. BH01.01 Full Planning Permission.
2. The development hereby permitted shall be carried out in accordance with the approved drawings no. 02A submitted on the 19th March 2010 and drawing nos. 04C, 03D, 01D and 05C submitted on the 16th July 2010.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The windows in the south facing elevation of the development hereby

permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4. The development hereby approved shall not be occupied until the solid panels within the rear projecting bay windows indicated on the approved plans have been fully installed and thereafter permanently retained as such. Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
5. BH03.01 Samples of Materials Non-Cons Area (new buildings)
6. Unless otherwise agreed in writing by the Local Planning Authority, no non-residential development shall commence until:
 - a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development have been submitted to the Local Planning Authority; and
 - b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all 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.
7. Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a 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.

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.
8. The development hereby permitted shall not be commenced until further details, including siting, of the Solar Panels referred to within the SBEM Report, submitted on the 2nd June 2010, have been submitted to and

approved in writing by the Local Planning Authority. 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.

9. The development shall not be occupied until the parking areas have been provided in accordance with the approved plans or other details submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles. Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with policy TR7 of the Brighton & Hove Local Plan.
10. BH05.10 Hardsurfaces.
11. BH06.02 Cycle parking details to be submitted.
12. BH02.08 Satisfactory refuse and recycling storage.
13. BH11.01 Landscaping / planting scheme.
14. BH11.02 Landscaping / planting (implementation / maintenance).
15. BH11.03 Protection of existing trees.

Informatives:

1. 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). 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).
2. 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 and www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html
3. 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).
4. This decision to grant Planning Permission has been taken:

- (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below:

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle Parking
TR19	Parking Standards
SU2	Efficiency of development in the use of energy, water and materials
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU16	Production of renewable energy
QD1	Design – Quality of development and design statements
QD2	Design – Key neighbourhood principles
QD3	Design – Effective and efficient use of sites
QD4	Design - Strategic impact
QD5	Design - Street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of amenity
QD28	Planning obligations
HO8	Retaining housing
HO11	Residential care and nursing homes
HO13	Lifetime homes and accessibility
<u>Supplementary Planning Guidance and Documents</u>	
SPGBH4	Parking
SPD03	Construction and Demolition waste
SPD08	Sustainable Building Design; and

- (ii) for the following reasons:-

The proposed development would make provision of a 12 bed nursing home which is welcomed.

Taking account of the recent appeal decision, it is considered that the proposed development will not have a detrimental impact upon the visual amenities of the Newlands Road street scene or the wider area. In addition, subject to the compliance with the attached conditions, it is considered that the proposal will not have a significant adverse impact upon the amenities of the neighbouring properties.

2 THE SITE

The application relates to a bungalow located on the east side of Newlands Road in Rottingdean. The property includes a single detached garage located at the front of the site and cut into the raising land. The building, which is located in the Parish of Rottingdean, is still in use a residential property (C3 Use Class).

Newlands Road is characterised by a mixture of detached dwellings and plot sizes upon the eastern side and is predominantly characterised on the west side by the playing field and adjacent school. The topography of the area sees the land fall from north to south towards the coast; additionally the land slopes less steeply from west to east.

The site encompasses part of the curtilage of the adjacent residential care/nursing home (C2 Use Class).

3 RELEVANT HISTORY

28-30 Newlands Road

BH2008/02502: Erection of a 3 storey detached building to provide 15 bedroom nursing home to form part of existing home at 30-32 Newlands Road. Refused 6/11/2008. Appeal dismissed.

28 Newlands Road

61/812: Erection of a garage – granted 15/06/1961.

30-32 Newlands Road

BH2006/00180: Single storey side entrance – Approved 23/03/2006.

BH2005/06206: Construction of dormer on rear roof to form corridor. (Retrospective) – approved 26/01/2006.

BH1999/00067/FP: Construction of dormer on rear roof (to form corridor). – approved 15/02/1999

90/1909/F: Alterations to second floor (including the installation of Velux rooflights) to form additional residential bedroom – refused 01/02/1991.

88/1005/F: Alterations and extension – granted 20/09/1988

89/0801/F: Alterations and extensions to planning permission granted under 88/1005/F) – granted 05/07/89

74/505: Convalescent home to residential – granted 18/06/1974

66/286: Change of use from Guest House to Convalescent Home – granted 01/03/1966

4 THE APPLICATION

Planning permission is sought for the demolition of an existing detached bungalow and the erection of a three storey detached building to provide a 12 bedroom nursing home which will form part of the existing nursing home at 30-32 Newlands Road.

5 CONSULTATIONS

External:

Neighbours: Four (4) letters of objection from and on behalf of the occupiers of **35, 37 Chailey Avenue, 31 Steyning Road and Rotherdown, Steyning Road** on grounds of:

- need for continuity with the previous decision to refuse planning permission for a slightly larger building,
- the impact on neighbouring amenity, with regards to loss of privacy, overlooking and disturbance from deliveries,

- traffic and parking issues,
- scale and design,
- loss of family dwellinghouse
- the existing nursing home has previously been refused planning permission for rear windows on the third floor on the grounds of intrusion of privacy and this application appears to create an identical situation,
- it will dominate corner of Newlands Road,
- it will create a sense of closure and will reduced outlook for no. 26 Newlands Road.

After amendments received on the 22/03/2010 **Five (5) letters** of objection received from and on behalf of the occupiers of **35, 37 and 39 Chailey Avenue, 31 Steyning Road and Rotherdown, Steyning Road** on grounds of:

- overlooking and loss of privacy,
- the existing nursing home has previously been refused planning permission for rear windows on the third floor on the grounds of intrusion of privacy and this application appears to create an identical situation,
- additional traffic congestion,
- demand for parking,
- the bulk, scale and mass of the building are significantly increased from that of the existing,
- whilst the footprint has been reduced since the previous application (BH2008/02502) it remains of a significant and uniform size with an overbearing appearance on the street scene due to its bulk. The roof form only serves to emphasise this bulk, particularly with the projecting flank “extension”. The design and form bear no relation to surrounding buildings being neither honestly traditional nor contemporary, with the eaves height incongruous when compared to adjacent buildings,
- reduction in the visual gap between the development and neighbouring properties,
- the amendments to the scheme fail to provide a significant enough horizontal emphasis, particularly with the retention of the projecting narrow bays,
- the development does not relate to the existing nursing home nor any other building in the vicinity, the re-design has resulted in a building even more “alien” in appearance than the appeal scheme,
- as a result of its height the building will be over-bearing and dominant in the street scene and when viewed from neighbouring properties given that the existing property is single storey,
- noise and disturbance by deliveries to and waste disposal from the nursing home,
- a commercial enterprise will change the character of the residential area,
- loss of light,
- potential loss of existing trees at rear of neighbouring property.

After 16th July 2010 amendments **Four (4) letters** of objection received from

and on behalf of the occupiers of **35, 37, 39 Chailey Avenue and Rotherdown, Steyning Road**, on grounds of:

- it will overlook surrounding properties and result in loss of privacy,
- parking and it will adversely affect the increasingly congested traffic flow of the area,
- loss of light and sunlight,
- unable to discern what changes have been made to lessen the effects of the development,
- the existing nursing home has previously been refused planning permission for rear windows on the third floor on the grounds of intrusion of privacy and this application appears to create an identical situation,
- bulk, scale, design.

Internal:

Environmental Health: (02/04/2009 and 04/08/2010): Have no comments to make.

Adult Social Care (Contacts Unit) (16/02/2009 and 02/08/2010): Supports the application as the city is short of nursing home provision. Currently over 50 older people and older people with mental health needs are placed outside Brighton & Hove as a direct result of lack of provision within the city.

Sustainable Transport

(06/04/2009): Would not wish to restrict grant of consent subject to the inclusion of conditions relating to the proposed vehicle parking area, cycle parking details and the provision of a financial contribution of £7,600 towards sustainable development objectives.

(28/04/2010): Satisfied previous comments are relevant to the amended application.

(08/09/10): The applicant enters into a legal agreement with the council to contribute £7600 towards transport measures that will improve access to Rottingdean village from the site. These are dropped kerbs at the Newlands Rd/Steyning Rd junction to ease the walking journeys and improve the accessibility to existing bus stops within the village itself. Both are within 300m of the site and required to improve the accessibility to & from the site, particularly for people with mobility problems.

Sustainability Officer:

(18/01/2010): Although this is residential, confusingly, it would come under the non residential as it's a nursing home, therefore commercially managed.

Consequently, it would be classed as medium scale as its under 999sq m. Therefore it would be BREEAM Multi Residential (and 50% in energy & water sections).

BREEAM Multi Residential covers residential development not covered by the

Code for Sustainable Homes and provided that there is limited medical facilities (see below). You should ask the planning agent to have confirmation with a BREEAM assessor whether this could indeed be classed BREEAM Multi Residential or whether it would need a Bespoke BREEAM assessment or BREEAM Healthcare because there are extensive medical facilities.

(13/05/2010): Having looked at the BREEAM Multi Residential pre-assessment for this scheme I can confirm that it does not meet the standard required to meet SPD08.

The development must meet a score overall of 'Very Good' and within the water and energy sections a score exceeding 50%.

Whilst the BREEAM pre-assessment indicates that the overall score is predicted to be 'very good' and the water scores 62.5% the energy score does not exceed 50% and is just 39.13%.

Brighton & Hove set this standard within BREEAM because in order to meet policy SU2 and regional and national policies around energy and carbon reduction, a minimum acceptable standard must be achieved. This score indicates that these proposals currently fall below the minimum acceptable standard.

The scheme needs some revision and improvement.

(08/06/2010): The submitted document confirms at this stage that the development is on track to achieve 'very good' BREEAM and over 50% in energy and water sections. Within the SBEM document there is reference to Photovoltaic array: 13m² of monocrystalline PV. It would be good to see this conditioned as part of the permission.

6 PLANNING POLICIES

Brighton & Hove Local Plan

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle Parking
TR19	Parking Standards
SU2	Efficiency of development in the use of energy, water and materials
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU16	Production of renewable energy
QD1	Design – Quality of development and design statements
QD2	Design – Key neighbourhood principles
QD3	Design – Effective and efficient use of sites
QD4	Design - Strategic impact
QD5	Design - Street frontages
QD15	Landscape design

QD16	Trees and hedgerows
QD27	Protection of amenity
QD28	Planning obligations
HO8	Retaining housing
HO11	Residential care and nursing homes
HO13	Lifetime homes and accessibility

Supplementary Planning Guidance and Documents

SPGBH4	Parking
SPD03	Construction and Demolition waste
SPD08	Sustainable Building Design

7 CONSIDERATIONS

Background

A previous planning application, BH2008/02502, sought planning permission for the demolition of the existing bungalow (C3 Use Class) on the site and the construction of a three storey detached building to provide a 15 bed nursing home (C2 Use Class) which would form part of the existing nursing home which operates from within 30-32 Newlands Road. This application was refused on the following grounds;

- design, including bulk, height, width and excessive site coverage,
- overdevelopment of the site,
- net loss of an existing dwelling,
- having a harmful impact upon the amenities of the occupiers of 26 Newlands Road as a result of its siting, overbearing scale, impression of overlooking and loss of outlook,
- failure to meet travel demand,
- failure to demonstrate provision of adequate amenity space,
- failure to demonstrate that the development would meet an acceptable standard of sustainability; and
- failure to demonstrate a satisfactory construction waste minimisation strategy.

This refusal was upheld at appeal but only on the grounds that the proposed development “would harm the character and appearance of the area and be detrimental to the living conditions of neighbouring residential occupiers”.

In preparing this report, appropriate weight must be given to the comments made by the Inspector in the appeal decision relating to the previously refused application, as a material consideration in the determination of the current application.

The main issues for consideration are the housing strategy implications, the provision of an additional nursing home, the impacts of the proposed new building on the character and appearance of the Newlands Road street scene and the wider area, the impacts upon the amenities of occupiers of the neighbouring properties and sustainability and transport implications.

Loss of Existing Dwelling

At present the development site comprises a detached residential bungalow with an associated detached garage located within the front garden area. In order to accommodate the proposed nursing home this existing property and garage will be demolished. Policy HO8 prevents the net loss of residential units subject to five exception tests. The proposal does not appear to meet any of these exception tests in that the existing dwelling is not unfit for human habitation, the dwelling is served by adequate access, the building is not listed, there would be no increase in affordable housing and there are no previous uses to be considered as a material consideration in the determination of the application.

The proposed nursing home falls within the C2 (Residential Institutions) category of the Town and Country Planning Use Class Order 1987 and as such the proposal would result in the loss of one single dwellinghouses, which fall into Use Class C3 of the Order, contrary to policy HO8.

In response to the current application the Council's Adult Social Care team have stated that within Brighton & Hove there is a shortage of nursing home provision, a view they also provided in response to the proposal set out in refused application BH2008/02502. In relation to this issue, within the recent appeal decision, the Planning Inspector stated that:

"no evidence has been advanced by the Council to suggest that there is a shortage of the type of family dwelling it considers the site currently provides, nor do they challenge the need for the 15 additional nursing home bed spaces, It would seem to me therefore that in this instance, on balance, the proposal as well as helping to meet a recognised shortfall in local nursing home provision, would also go some way towards meeting the underlying objectives of LP Policy H08 in terms of seeking to make the best use of the site in providing a form of residential accommodation".

In the determination of application BH2008/03015, which related to Maycroft and Parkside, London Road and numbers 2 to 8 Carden Avenue, it was accepted that the loss of family homes to accommodate the proposed nursing home development could be considered as an exception to policy H08 based on the fact that the proposal would result in an increase in residential accommodation on the site and the release of existing dwellings back onto the open market. This view had been supported by a Planning Inspector in an earlier appeal decision for a nursing home development in Surrey (reference APP/K3605/A/03/1135684).

As a result of the comments made within the recent appeal decision relating to the site and the approval of application BH2008/03015, it is considered that the principle of the 12 bedroom nursing home is acceptable as an exception to policy HO8.

Although the proposal does not include the provision of any affordable housing the proposed development falls within the C2 Use Class rather than

C3 and therefore there is no requirement for the development to include affordable housing provision.

Provision of Nursing Home

Policy HO11 is supportive of developments which provide new residential nursing homes, provided that the proposal does not adversely affect the locality or neighbourhood by reason of noise, disturbance or size bulk or overlooking, it is accessible to people with disabilities, and provides sufficient parking.

Policy HO11 also requires that there is sufficient adequate amenity space for residents, which is stated as no less than 25m² per resident and a minimum of 10m depth. However lower standards may be accepted if the proposal is for a nursing home as residents tend to be less mobile.

The previous application was refused on grounds including failure to demonstrate that the proposed development would provide adequate amenity space for residents, especially as the proposed landscaped area would be shared with the existing adjacent care/nursing home for which total number of residents were not provided.

The proposal is for a nursing home and the applicant states that the proposed residents will be patients requiring nursing who will be confined to their bedrooms, lounge and immediate amenity space.

The site plan shows the depth of the garden immediately to the rear of the property to be approximately 27m in depth by approximately 9m. The residents of the proposed nursing home will also have unrestricted access to the existing amenity area located at the rear of no. 30 to 32 Newlands Road.

As with the previously refused application the proposal will result in a marginal loss of amenity space for the existing care/nursing home as a result of straddling the existing boundary. However the recent appeal decision states: *“there is no evidence before me to suggest that even a marginal loss of amenity space to the Rottingdean Nursing Home would be detrimental, I conclude [.....] that the proposal would provide adequate amenity space, given that the proposal is for a nursing/care home where a lesser standard than 25.0 square metres is considered acceptable”*.

Five bedrooms will be located at second and first floor levels, in addition to a bathroom at each level. At ground floor level two bedrooms, a TV lounge, residents lounge/dining room, a reception area and a bathroom will be provided.

The proposed nursing home will provide an excellent standard of accessibility for residents and staff. There will be a ramped access, a 10 person/wheelchair lift providing access to all floor levels, an accessible WC for each of the 12 bedrooms and an accessible bathroom on each floor. This

type of development is not required to comply with Lifetime Home Standards as this issue is dealt with by the National Care Standards.

Visual Amenities

The existing bungalow is situated between the northern existing care/nursing home, which appears to have a double plot width in comparison to the other properties located in Newlands Road, and a two storey residential property to the south.

The existing nursing home is located on the prominent corner of Newlands Road and Steyning Road and comprises two storeys with accommodation in the roof, created by way of dormer windows and gable end roof forms. This nursing home is dominant within the northern Newlands Road streetscene as a result of its scale, width extensions and roof design. The proposed nursing home will be related to, and operated by the manager of, the existing care/nursing home, although it will not physically be connected to the existing building.

The proposed development will replace the existing bungalow with a three storey building. The construction of a three storey building was considered acceptable in principle, and not of detriment to the character and appearance of the area, by the Planning Inspector in the recent appeal decision. The Inspector considered that the existing bungalow was of an uncharacteristic diminutive form within Newlands Road and having regard to the scale of the northern neighbouring building (no. 30 to 32 Newlands Road). The Inspector also stated that *“the eaves line and overall ridge height would reflect the topography of the site and the constraints imposed on the design by the massing of the neighbouring properties”*.

The current proposed building, which has mono-pitched roof forms, measures approximately 11.4m wide and 14.4m in depth. The ridge height of the property will be 0.42m below the ridge of number 30 to 32 Newlands Road and 0.97m above the ridge of number 26 Newlands Road. A staircase tower is located on the northern side of the proposed building, which measures approximately 2.7m wide by 5m deep and 8.8m high. This tower will be set back from the Newlands Road elevation by approximately 5.5m.

As a result of the previous refusal, and discussions with the Local Planning Authority, the design of the proposed building has been altered by way of;

- the omission of the projecting bay windows at ground floor levels,
- the omission of a recess within the front elevation,
- the omission of projecting gable end features within the front roofslope,
- the reduction in the width of the principal front elevation and the creation of a side staircase tower,
- alterations to the window proportioning and design,
- the inclusion of solid panels to parts of the projecting front and rear bay windows,
- the replacement of gable end side roofs forms within 4 mono-pitched

- forms which conceals a flat roof in the middle of the building, and
- the use of different finishing materials at ground floor levels.

The Planning Inspector described Newlands Road as: *“characterised by a mix of large detached dwellings set on rising ground on the east side of the road”*. The proposed building will retain this characteristic by being set back from and above the pavement level of Newlands Road.

It is acknowledged that the Inspector also stated *“Although the properties are fairly uniformly spaced, due to the variety of roof forms there is a general sense of spaciousness between them”*. The previously proposed gable to gable roof form was stated by the Inspector to significantly reduce the visual gap to the neighbouring buildings on either side. The roof form of the proposal has been revised and is now formed by mono-pitched roofs.

The main part of the Roedean Road elevation has been reduced from approximately 12.9m in width to 11.4m. This reduction in width has been achieved by the creation of a staircase tower on the northern side of the building, which will contain the entrance to the proposed property, which is set back from the main elevation by approximately 5.5m. The finish materials for the upper part of this proposed side section will differ to that of the main front elevation.

In respect of the street scene a distance of approximately 4.5m is proposed between the southern most elevation of no. 30-32 Newlands Road and the north facing elevation of the main section of the proposed building, an increase of approximately 1.7m in relation to the previous application, whilst a distance of approximately 0.6m will be located between the side section of the proposed building and the southern most elevation of the existing care/nursing home.

With regards to the relationship between the proposed building and no. 26 Newlands Road the distance between the southern elevation of the proposed building and the north elevation of the main part of the neighbouring property, no. 26 Newlands Road, has not altered. However as a result of the rear section of the building being set in from the shared southern boundary by approximately 2.4m the space between the rear part of the proposed nursing home and no. 26 has increased.

Despite the observations made by the Planning Inspector it is evident within the wider Newlands Road street scene that some of the properties are located closely together and that views towards the rear sections of these properties are highly visible from within Newlands Road, for example between nos. 20 and 18 Newlands Road, between nos. 18 and 16a Newlands Road, between nos. 16a and 16 Newlands Road and between nos. 16 and 14 Newlands Road, all which are located within the immediate vicinity of the site.

On balance, it is considered that the negotiations between the Local Planning

Authority and the agent/applicant has resulted in an increased sense of spaciousness between neighbouring properties and a development which is not of detriment to the character or appearance of the Newlands Road street scene or the wider area by way of an improved predominant front elevational treatment, coupled with the entrance set back, which has achieved a greater sense of separation.

At the Planning Committee on 22nd September 2010 it was resolved to grant the proposed development subject to the applicant entering into a Section 106 Obligation, the conditions listed above and to red tiles being used in the construction instead of the slate tiles which are shown on the plans submitted. Since this resolution investigations both by the planning officer and the agent have concluded that plain red tiles cannot be used in the construction of the new nursing homes as a result of the pitch of the roof being only 22°.

Within both the Newlands Road street scene and the wider area there are other examples of properties which do not have red roof tiles. Some of these properties actually have slate roofs as proposed within this application, for example the existing bungalow which will be demolished in order to accommodate the proposed development, no. 16A Newlands Road, the Ocean Reach development at the southern end of Newlands Road and nos. 16, 18, 19 and 20 Chailey Avenue.

Transport Issues

Policy TR1 requires new development to address the demand for travel which the proposal will create and requires the design of the development to promote the use of sustainable modes of transport on and off site, so that public transport, walking and cycling are as attractive as use of a private car. Policy TR7 requires that new development does not increase the danger to users of adjacent pavements, cycle routes and roads. Policy TR14 requires the provision of cycle parking within new developments, in accordance with the Council's minimum standards as set out in SPGBH4. Policy TR19 requires development to accord with the Council's maximum car parking standards, as set out in SPGBH4.

The site is located outside of the City's controlled parking zones and therefore free on-street parking is provided within the vicinity of the site.

Two off-street parking spaces will be provided at the front of the development. The applicant states that residents will not have use of their own vehicles but will have access to vehicles operated by the management of the home. Visitors to the new building will be able to utilise the parking facilities related to the existing care/nursing home. In addition the existing ambulance parking space located on the site of no. 30 to 32 will be shared with the proposed nursing home.

The Councils' Sustainable Transport Team do not raise any objections to the proposal. However in order to comply with policies TR1 and QD28 of the

Brighton & Hove Local Plan the applicant is expected to make a financial contribution of £7,600 transport measures that will improve access to Rottingdean village from the site. These are dropped kerbs at the Newlands Rd/Steyping Rd junction to ease the walking journeys and improve the accessibility to existing bus stops within the village itself. Both are within 300m of the site and required to improve the accessibility to & from the site, particularly for people with mobility problems.

The site is located in close proximity to public transport, namely a bus service.

Whilst the submitted plans do not show cycle parking provision it is considered that there is sufficient opportunity with the amenity space to provide such facilities to meet the requirements of the Council's cycle parking policy, an issue which can be ensured via a condition.

Sustainability

Under the Council's Supplementary Planning Document on Sustainable Building Design the proposal would be classified as a medium scale development (developments between 236 and 999 sq m) and although the proposal is for residential accommodation, as it relates to a commercial nursing home it would be classes as non-residential in relation to the SPD. In order to accord with the SPD and policies of the Brighton & Hove Local Plan the proposal must meet a BREEAM Multi-Residential rating of "Very Good" with the water and energy sections exceeding 50%. Documentation has been submitted to demonstrate that the proposed nursing home will be built to the standards set out in the SPD. Within the submitted SBEM document submitted reference is made to the installation of solar panels for the production of energy, it is recommended that a condition is attached to an approval to ensure that these solar panels are installed.

Impact Upon Neighbouring Properties

As with the previous application the proposed building would be of a similar height to that of no. 26 Newlands Road but its built form would be deeper. The development in application BH2008/025202 was refused on grounds that it would harm the amenities of no. 26 Newlands Road by reason of its siting, overbearing scale, impression of overlooking and loss of outlook. However the Inspector concluded that the proposal would not be significantly overbearing in scale due to the lack of windows within the flank wall of no. 26 despite the limited separation between the proposed building and no. 26 Newlands Road.

As a result of concerns of overlooking raised by the Local Planning Authority and the Planning Inspector alterations to the north facing bay windows have been made. Solid screen walls will be located on the eastern side of the rear bay windows in order to prevent overlooking and loss of privacy to the occupiers of no, 26 Newlands Road. It is recommended that a condition is attached to ensure that the solid screens are installed proper to occupancy of the rooms. Regardless of it being considered that some mutual overlooking

between neighbouring properties in this location is acceptable, due to the distance between the rear elevation of the proposed building and the rear shared common boundary, 12.5m to the boundary with Janton and 36.7m to the rear boundary with the properties located on Chailey Avenue, it is not considered that the proposal will have a significant adverse impact upon the amenities of the rear neighbouring properties.

The Planning Inspector disagreed with the Local Planning Authority on the proposal having an adverse impact upon the southern neighbouring property with regards to loss of privacy from the proposed south facing windows as these windows can be obscurely glazed and fixed shut as they relate to bathroom/WC areas.

The building form of the proposed building on the south-eastern corner has been altered in order to reduce the bulk of the property nearest to no. 26 Newlands Road. An open area has been introduced in this south-eastern section to ensure that there is neither loss of light nor loss of outlook to the southern neighbouring property. The footprint of the south-eastern section of the proposed dwelling is now less than that of the existing bungalow.

Due to the orientation of the sun in respect of the proposed development and no. 26 Newlands Road it is not considered that the proposed building will have a significant adverse impact upon the amenities of this southern neighbouring property with regards to overshadowing.

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

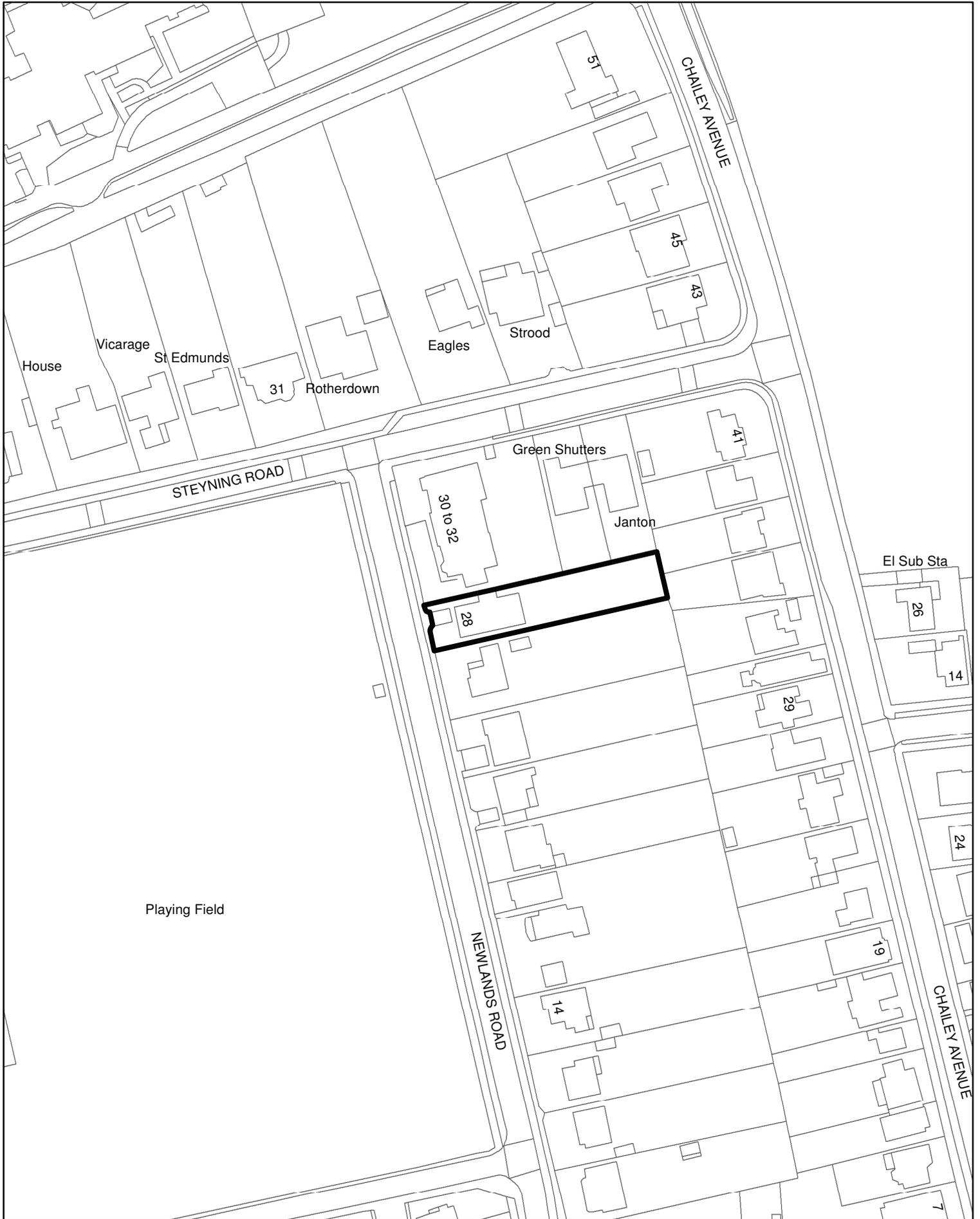
The proposed development would make provision of a 12 bed nursing home which is welcomed.

Taking account of the recent appeal decision, it is considered that the proposed development will not have a detrimental impact upon the visual amenities of the Newlands Road street scene or the wider area. In addition, subject to the compliance with the attached conditions, it is considered that the proposal will not have a significant adverse impact upon the amenities of the neighbouring properties.

9 EQUALITIES IMPLICATIONS

The proposal would be fully accessible to the disabled by way of the inclusion of features such as a lift between all floor levels. Developments for nursing homes are not required to comply with Lifetime Home Standards as such issues are covered by the National Care Standards.

BH2009/00161 28/30, Newlands Road, Rottingdean



BRIGHTON & HOVE CITY COUNCIL
LIST OF APPLICATIONS DETERMINED BY THE DIRECTOR OF
ENVIRONMENTAL SERVICES UNDER DELEGATED POWERS OR IN
IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION

PATCHAM

BH2010/01800

Flat At 64 Woodbourne Avenue Brighton

Replacement UPVC windows and doors.

Applicant: Mr Yagnesh R Patel

Officer: Louise Kent 292198

Approved on 13/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved window specifications received on 8 June 2010.

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

BH2010/02256

Brighton Retail Park Carden Avenue Brighton

Demolition of part of unit 1, external alterations to shopfront of unit 1 and rear of units 1 & 2. Alterations to service yard and layout of car park.

Applicant: Legal & General Assurance Society Limited

Officer: Aidan Thatcher 292265

Approved on 07/10/10 DELEGATED

1) UNI

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. IL11255/003, 09.028.00(P) 100A, 101, 105D, 106, 200A, 201A, 202A, 203A, 205C, 206C, 207B, 208C and 209 submitted on 02.08.10.

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

3) UNI

Within one month of the date of this permission, details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall also 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.

4) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

BH2010/02261

43 Brangwyn Drive Brighton

Ground and first floor/roof extensions to front, side and rear, including additional roof dormers to front and rear.

Applicant: Mr Mark Hills

Officer: Jonathan Puplett 292525

Approved on 29/09/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

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 shall be constructed to the north facing side elevation of the two storey side extension hereby approved 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.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved unnumbered drawings submitted on the 19th of July 2010.

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

BH2010/02325

23 Highview Avenue North Brighton

Erection of two storey side extension and single storey rear extension requiring demolition of garage.

Applicant: Mr & Mrs Fox

Officer: Jonathan Puplett 292525

Approved on 29/09/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

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 shall be constructed to the west facing side elevation of the extension hereby approved 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.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 79810/01, 02, 101, 102, 103, location plan and block plan submitted on the 27th of July 2010.

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

BH2010/02409

14 Petworth Road Brighton

Erection of two storey side extension over existing single storey extension with roof alterations, single storey rear extension and conversion of garage to habitable room.

Applicant: Mr Chinchin

Officer: Anthony Foster 294495

Approved on 27/09/10 DELEGATED

1) 02.02A

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window or rooflight 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.

2) 03.02A

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) 15.02A

No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

4) BH01.01

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.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 1182/1156 and 1182/1275D received on 2/08/10.

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

6) UNI

Notwithstanding the approved drawings, the fenestration for the proposed extension shall match that of the existing dwelling, in materials, design and detailing, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with Policies QD1 and QD14 of the Brighton & Hove Local Plan.

7) UNI

The extension hereby approved shall be occupied solely for purposes incidental to the occupation and enjoyment of 14 Petworth Road as a dwelling and shall not be used as a separate planning unit.

Reason: The establishment of an additional independent planning unit in this form would give rise to an over-intensive use of the site and would lead to harm to the amenity of neighbouring occupiers.

BH2010/02494

Plots 1 & 2 Braypool Lane Patcham Brighton

Application for Approval of Details Reserved by Conditions 4, 5, 9, 12, 13, 15 and 17 of Outline Application BH2009/01170 and Conditions 1 and 3 of Reserved Matters Application BH2010/01347.

Applicant: Mr D Ince

Officer: Aidan Thatcher 292265

Split Decision on 30/09/10 DELEGATED

1) UNI

1. Insufficient information has been provided relating to the refuse and recycling store and thus is not acceptable to discharge condition 4.
2. No information has been provided relating to the site waste management plan, and thus it is not possible to discharge condition 9.
3. Insufficient information has been provided relating to the landscaping scheme, therefore it is not possible to discharge condition 13.
4. Insufficient information has been provided relating to the tree protection measures, therefore it is not possible to discharge condition 15.

BH2010/02538

1 Barrhill Avenue Brighton

Certificate of Lawfulness for a proposed flat roof single storey rear extension with projecting rooflight and a hipped roof rear extension.

Applicant: Mr Mick Edwards

Officer: Liz Arnold 291709

Approved on 06/10/10 DELEGATED

BH2010/02575

78 Overhill Drive Brighton

Erection of two storey residential dwelling with associated external alterations.

Applicant: Mr Papanicolaou

Officer: Anthony Foster 294495

Refused on 07/10/10 DELEGATED

1) UNI

The proposal represents development in the rear garden now classified as Greenfield land. Given the sensitive nature of the location, the highest level of resource-efficiency must be sought for the proposed building. The submitted information indicates that development would meet Code for Sustainable Homes Level 3 and the expected standards would be Code for Sustainable Homes Level 5. It is not considered that the development could meet the standards without material changes to the design. The proposal is considered to the contrary to policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document on Sustainable Building Design (SPD 08).

BH2010/02878

69 Ladies Mile Road Brighton

Certificate of Lawfulness for proposed hip to gable loft conversion incorporating rooflights to front, rear dormer with Juliet balcony and associated works.

Applicant: Mrs Cheryl Carter

Officer: Liz Arnold 291709

Approved on 11/10/10 DELEGATED

BH2010/02947

40 Windmill View Brighton

Non Material Amendment to BH2010/00685 to reduce proposed extension width by 600mm. Rear facing windows/doors amended on ground floor (south elevation) side facing bathroom window shown (West elevation 1st floor).

Applicant: Mr Paul Yeates

Officer: Helen Hobbs 293335

Approved on 13/10/10 DELEGATED

PRESTON PARK

BH2010/01864

13 Preston Road Brighton

Change of Use from retail (A1) to hot food take-away (A5) incorporating extraction flue.

Applicant: Mr Hursit Hussein

Officer: Chris Swain 292178

Approved on 24/09/10 DELEGATED

1) BH01.01

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) UNI

Noise associated with the kitchen extraction system shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB(A) below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997.

Reason: To safeguard the amenities of the locality and to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no.0293-LP-001 and a site plan submitted 11 June 2010, drawing no.EX-001 submitted on 1 July 2010 and drawing no. MHQ69-150210 submitted on 27 August 2010.

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

4) UNI

Prior to the commencement of the hot food takeaway use hereby approved, the high level termination point shall be fitted with an efflux velocity cowl and this shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To facilitate dispersion of cooking smells, to safeguard the amenities of the locality and to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

5) UNI

The premises shall not be open or in use except between the hours of 8am until 11pm Monday to Sunday (including bank holidays).

Reason: To safeguard the amenities of the locality and to comply with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

Prior to the commencement of the hot food takeaway use hereby approved, the ventilation system and associated odour / noise control measures shall be fully installed in accordance with the submitted details unless otherwise agreed in writing by Local Planning Authority.

Reason: To safeguard the amenities of the locality and to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

7) UNI

Prior to the commencement of the hot food takeaway use hereby approved, an electrostatic precipitator shall be fitted to the kitchen ventilation system in accordance with the information provided in the application and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and to comply with policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.

BH2010/01917

84 Lowther Road Brighton

Erection of 2no bedroom house to replace existing garage and associated works.

Applicant: Glynne Dobber Properties

Officer: Anthony Foster 294495

Approved on 01/10/10 DELEGATED

1) BH01.01

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) BH02.03

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

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

3) BH02.06

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

4) BH02.07

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

5) BH03.01

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 policy QD1 of the Brighton & Hove Local Plan.

6) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling[*s*] 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.

7) BH05.08A

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.

8) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

9) UNI

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.

11) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall not be commenced until phasing details and a timescale for carrying out the development of both the proposed house and the hip to gable conversion and raising of the ridge height on the adjoining part of No. 84 Lowther Road approved by planning permission BH2007/03200 (or any subsequent planning permissions for identical roof alterations to No. 84) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the agreed phasing details and timescale.

Reason: To ensure that the house hereby approved retains a satisfactory visual relationship with No. 84 Lowther Road, has a satisfactory appearance in the street scene and in accordance with policies QD1 and QD2 of the Brighton & Hove Local Plan.

12) UNI

Prior to the first occupation of the house hereby approved, the front boundary wall shown on drawing 0091.PL.001 Revision C shall be completed in accordance with the approved drawings.

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

13) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 0091.EXG.001 Rev A received on 5 July 2010 and 0091.PL.001 Rev C received on 31 August 2010. Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02096

Land rear of 5-7 Stanford Avenue Brighton

Application for removal of condition 8 of application BH2005/01863/FP (erection of 2 two-bedroom houses in rear garden) which states that planning permission shall not be initiated until an obligation is met to provide £4000.00 to the Local Planning Authority as a contribution towards the council's Sustainable Transport Strategy.

Applicant: WP Properties

Officer: Jonathan Puplett 292525

Approved on 01/10/10 DELEGATED

1) UNI

The development hereby permitted shall be commenced before the expiration of five years from the date of permission BH2005/01863/FP, the 3rd of February 2006.

Reason: In accordance with the condition applied to permission BH2005/01863/FP, and to comply with Section 91 of the Town and Country Planning Act 1990.

2) UNI

No development shall take place until samples of the materials (including colour of render, paintwork or 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 policy HE6 of the Brighton & Hove Local Plan.

3) UNI

No development shall take place until detailed drawings and information of materials to be used in any new fences to be erected as part 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 policy HE6 of the Brighton & Hove Local Plan.

4) UNI

A species-rich chalk grassland seed mix shall be sown on the lawn areas surrounding the new dwellings as indicated on approved drawing no. 731.08 in the first seeding season following the occupation of the building or the completion of the development, whichever is the sooner. In the event of the seed failing, the same seed mix shall be sown in the next planting season, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area, and to comply with policies QD15 and QD18 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for both the houses hereby permitted have been submitted to and approved in writing by the Local Planning Authority. These details should include the provision of a total of 3 secure and covered cycle parking spaces which must be easily accessible from street level. 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 the private car and to

comply with policy TR14 of the Brighton & Hove Local Plan.

6) UNI

The new dwelling(s) shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

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.

7) UNI

Prior to the commencement of development, details of measures to ensure that the development achieves a 'Very Good' or 'Excellent' BREEAM / EcoHomes rating shall be 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 is sustainable and makes efficient use of energy, water and materials and in accordance with policies S1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and SU2 of the Brighton & Hove Local Plan.

8) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policies SU2 and QD27 of the Brighton & Hove Local Plan.

BH2010/02357

41 Springfield Road Brighton

Erection of single storey rear extension.

Applicant: Mr N Chapman

Officer: Helen Hobbs 293335

Approved on 30/09/10 DELEGATED

1) BH01.01

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) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings 206 - 01, 206 - 02, 206 - 03 and location plans submitted on 29th July 2010.

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

BH2010/02380

Rear of 4 - 14 Florence Road Brighton

Application for Approval of Details Reserved by Conditions 14 and 20 of Application BH2009/02273.

Applicant: Brighton & Hove City Council

Officer: Aidan Thatcher 292265

Approved on 07/10/10 DELEGATED

BH2010/02419

48 Florence Road Brighton

Single storey rear extension and new external stairs and walkway to provide access to first floor flat (part retrospective).

Applicant: Gordon Andrew Properties Ltd

Officer: Sue Dubberley 293817

Approved on 07/10/10 DELEGATED

1) BH01.01

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) BH01.06

The development hereby permitted shall be carried out in accordance with the approved drawings no.nos.001, 002, 003, 004, 005, submitted on 3 August 2010 and 006A, 007A, 008A submitted on 23 September 2010.

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

3) BH02.051

The bathroom window on west elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) BH03.02

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.

5) UNI

Access to the first floor flat shall be maintained at all times during construction works and the alterations to the access completed before the extension is brought into use.

Reason: In order to protect the residential amenities of the first floor flat and to comply with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

Access to the flat roof (other than the area shown on the approved plans as access and walkway to the first floor flat), 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.

BH2010/02433

141 Preston Drove Brighton

Erection of single storey extensions to rear to form enlarged kitchen/breakfast room and external alterations to windows and doors.

Applicant: Mr & Mrs Hayward

Officer: Helen Hobbs 293335

Approved on 11/10/10 DELEGATED

1) BH01.01

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) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no P/01, P/03, P/04, P05, P/06, P/07 & P/08 submitted on 16th August 2010.

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

BH2010/02439

200 Balfour Road Brighton

Erection of single storey rear extension with rooflights to replace existing conservatory.

Applicant: Mr & Mrs John Fothergill

Officer: Liz Arnold 291709

Approved on 29/09/10 DELEGATED

1) BH01.01

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) UNI

No development shall commence until details of the construction of the green roof have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement and maintenance plan. The scheme shall then be carried out in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 001, 002, 003, 2009/09/01, 2009/09/02RevA, 2009/09/03, 2009/09/04 and 2009/09/05 submitted on the 4th August 2010.

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

BH2010/02476

133 Preston Drove Brighton

Installation of rooflight to front roof slope.

Applicant: Ms Anja Belz

Officer: Helen Hobbs 293335

Approved on 01/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 11401.03 and un-numbered site plan submitted on 6th August 2010.

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

3) UNI

The rooflight in the approved development shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2010/02518

27 Grantham Road Brighton

Erection of single storey conservatory extension to rear.

Applicant: Mr George Hoare

Officer: Sonia Kanwar 292359

Approved on 30/09/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 283/P1, P2, P3, P4, P5 received on 6th August 2010.

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

BH2010/02626

8 Southdown Place Brighton

Certificate of Lawfulness for proposed single storey rear extension to replace existing conservatory.

Applicant: Mr & Mrs Clarke

Officer: Helen Hobbs 293335

Refused on 13/10/10 DELEGATED

1) UNI

As a result of condition 7 of outline planning permission BN76/327 and condition 7 of the subsequent reserved matters approval BN76/1366 removing permitted development rights, the dwelling cannot be extended or enlarged without a planning permission granted by the Local Planning Authority. Therefore a planning application is required for the rear extension.

REGENCY

BH2010/01365

Town Hall Bartholomew Square Brighton

Internal alterations to the first and second floors incorporating the erection of new partitions, demolition of existing partitions and reception counter.

Applicant: Brighton & Hove City Council

Officer: Guy Everest 293334

Approved Secretary of State on 30/09/10

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

2) UNI

The new walls shall be scribed around existing features such as skirting boards, dado rails, picture rails and cornices, which shall not be cut into or damaged.

3) UNI

Where work is to be carried out to the linings and overboarding of the walls, details shall be submitted to and approved in writing by the local planning authority of the areas where the original timber panelling and matchboarding is to be re-exposed. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

4) UNI

Any fireproofing to new doors shall be an integral part of the door construction and fireproofing of original doors shall be carried out using intumescent veneers, papers or paints in such a manner as to not obscure the panelling and its moulding. Self-closing mechanisms, if required, shall be of the concealed mortice type.

5) UNI

All new joinery sections, with the exception of the hereby approved partitioning, shall match the existing original joinery sections.

6) UNI

Prior to their installation details of the ventilation fans exact location shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

7) UNI

All existing original fabric including floors, lathe and plasterwork shall be retained, except where shown to be removed in the approved drawings, and shall be repaired and made good exactly like for like, and shall not be covered over, except where otherwise agreed in writing with the Local Planning Authority. The original walls and ceilings shall not be skimmed over and only defective lathe and plaster shall be removed and shall be replaced exactly like for like using timber lathes and lime plaster.

8) UNI

All new and replacement electrical and telecommunications cabling and pipework shall be concealed and not be surface mounted, without the prior written approval of the Local Planning Authority.

BH2010/01997

3B Montpelier Road Brighton

Creation of additional first floor to existing flat incorporating photovoltaic slates.

Applicant: Mr Nik Sinclair

Officer: Paul Earp 292193

Refused on 04/10/10 DELEGATED

1) UNI

The proposed extension is in close proximity to the rear of 32 Bedford Square and would overshadow and result in a loss of light to the basement, ground and first floors flats, and in a loss of outlook to the first floor. The proposed additional floor would therefore cause undue harm to the living conditions of the occupants of this neighbouring property and conflict with policy QD27 of the Brighton & Hove Local Plan which seeks to prevent development which would cause loss of amenity to existing residents.

BH2010/02022

62 East Street Brighton

Installation of air conditioning condenser units to exterior rear side elevation of building (Retrospective)

Applicant: Allsaints Retail Ltd

Officer: Paul Earp 292193

Refused on 24/09/10 DELEGATED

1) UNI

The site is within the Old Town Conservation Area wherein alterations to buildings should preserve or enhance the character or appearance of the building and conservation area. The rear elevation forms part of the street scene and the units are visible from the forecourt area and adjacent commercial properties. The units by virtue of their position in a location visible from public view, and appearance, are considered to be harmful to the character of the building and this part of the conservation area, contrary to policies QD14 & HE6 of the Brighton & Hove Local Plan.

BH2010/02024

4 Powis Villas Brighton

Non material amendment to BH2008/00197 omission of vehicular access gates and addition of masonry piers to frame opening omission of pedestrian gate.

Applicant: Sal Wilson & Roger Wardle

Officer: Clare Simpson 292454

Approved on 12/10/10 DELEGATED

BH2010/02166

53 Ship Street Brighton

Application for variation of condition 3 of application BH2006/02312 to allow the premises to be used as a Cafe/Delicatessan.

Applicant: Mr James Wilson

Officer: Jason Hawkes 292153

Approved on 28/09/10 DELEGATED

1) BH01.01

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) UNI

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) the premises shall be used only as a café/delicatessen and for no other purpose within the A3 use class, for which a planning application must be made.

Reason: Insufficient information is available to show that any extraction equipment required for other A3 uses such as restaurants may have an adverse

impact on the listed building. The Local Planning Authority would therefore wish to retain control over any subsequent change of use of the premises, to retain the character and appearance of this Grade II listed building to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02333

5a Duke Street Brighton

Installation of fire escape stairs and door to rear yard area.

Applicant: Mr Doug Lyons

Officer: Mark Thomas 292336

Approved on 28/09/10 DELEGATED

1) BH01.01

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) UNI

Notwithstanding the submitted drawings and details the proposed staircase shall be galvanised and painted black and the proposed fire door shall be formed of vertical tongue and groove wide (i.e. 6 inch - approx. 150 mm) boarding with butt and beaded joints and painted black.

Reason: To ensure the satisfactory preservation of the adjoining Listed Building and the character and appearance of the recipient property and the wider Old Town conservation area, and to comply with policies QD1, QD2, QD14, HE3 and HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 01 received on 28th July 2010 and drawing no, 02 received on 3rd August 2010.

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

BH2010/02345

1 Middle Street Brighton

Erection of lobby to entrance of Public House.

Applicant: Entourage

Officer: Paul Earp 292193

Approved on 30/09/10 DELEGATED

1) BH01.01

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) BH01.06

The development hereby permitted shall be carried out in accordance with the approved drawing no's ADC321, ADC321/01-03 submitted on 27 July 2010.

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

3) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2010/02363

French Protestant Church of Brighton Queensbury Mews Brighton

Basement extension and creation of terrace on top of existing flat roof. Installation of glass balustrade behind North parapet wall and West wall.

Applicant: Mr Hadyn Hughes

Officer: Guy Everest 293334

Approved on 06/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. LH10-003-100, LH10-003-101, LH10-003-102 & LH10-003-103 submitted 30th July 2010; and drawings no. LH10-003-201 D, LH10-003-202 B, LH10-003-203 D, LH10-003-205 B, LH10-003-206 B, LH10-003-207 C, LH10-003-208 A & LH10-003 E (proposed elevations) submitted 3rd August 2010.

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

3) UNI

No structures or furniture, including trellises, umbrellas, planters, patio heaters, pergolas, or trees and shrubs and other plants or any other objects, that rise above the parapet wall or would be visible above it shall be erected, positioned or stored on the roof terrace.

Reason: Such items or structures would be incongruous and out of character at roof level and in order to preserve the character of the building and wider conservation area in accordance with policy HE6 of the Brighton & Hove Local Plan.

4) UNI

No development shall take place until a method statement setting out how the existing building and boundary walls are to be protected, maintained, repaired and stabilised during and after demolition, excavation and construction works has been submitted to and approved in writing by the Local Planning Authority. The demolition, excavation and construction works shall be carried out and completed in accordance with the approved method statement.

Reason: So as to ensure the preservation of the building in accordance with policy HE6 of the Brighton & Hove Local Plan.

5) UNI

No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- i) elevations and sections at 1:20 scale of the frameless glass balustrading and the door onto the roof terrace,
- ii) details and samples of materials, finishes and colours, and
- iii) details of the sun pipes.

The works shall be carried out and completed in strict accordance with the approved details and maintained as such thereafter.

Reason: So as to ensure the preservation of the building in accordance with policy HE6 of the Brighton & Hove Local Plan.

BH2010/02382

Bedford Tavern 30 Western Street Brighton

Display of 1no externally illuminated hanging sign and installation of 2no up-lighters under existing fascia signs.

Applicant: Punch Partnerships PLC

Officer: Christopher Wright 292097

Approved on 04/10/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) UNI

The illumination of the advertisements shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

8) UNI

The illumination of the signs hereby permitted shall accord with the Institute of Lighting Engineers' Technical Report No. 5 – The Brightness of Illuminated Advertisements.

Reason: In the interests of highway safety and in order to comply with policies TR7 and QD12 of the Brighton & Hove Local Plan.

BH2010/02454

6 & 8 Norfolk Buildings Brighton

Conversion of two dwelling houses to form a single dwelling house with associated works to include erection of rear extension to first floor level, integral garage, raised roof and expansion of rear roof terrace.

Applicant: Mr Cliff Tellet

Officer: Paul Earp 292193

Withdrawn on 06/10/10

BH2010/02499

30 Marlborough Street Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2010/00697.

Applicant: Mr Nigel Pamplin

Officer: Christopher Wright 292097

Approved on 07/10/10 DELEGATED

BH2010/02516

Windlesham Hall 7-9 Windlesham Avenue Brighton

Alterations and replacement of existing balconies to flats 6, 7, 10 11 & 12.

Applicant: Windlesham Hall Brighton Ltd

Officer: Charlotte Hughes 292321

Approved on 08/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no's 719/01 and 719/02 received on 10th August 2010.

BH2010/02521

2 Vernon Terrace Brighton

Replacement of existing stone slab balcony at first floor level with concrete slab painted to match existing.

Applicant: Thurnau Property Limited

Officer: Steven Lewis 290480

Approved on 30/09/10 DELEGATED

1) BH01.01

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) UNI

The reinstated cast iron railings shall be seated in lead caulking in holes cast or drilled into the concrete deck of the balcony unless otherwise agreed in writing by

the local planning authority before the development is commenced.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved Stuart Radley Associates drawings no. V37JA/PLB/01, V37JA/PLB/02, V37JA/PLB/03 & V37JA/PLB/04 submitted on 06/08/2010 and Dixon, Hurst and Kemp Drawing no. 40211/01 Rev A submitted on 06/08/2010.

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

4) UNI

The new cast balcony deck shall match exactly the existing stone balcony slabs in its dimensions, levels and texture and shall be painted to match the walls of the building.

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

BH2010/02522

2 Vernon Terrace Brighton

Replacement of existing stone slab balcony at first floor level with concrete slab painted to match existing.

Applicant: Thurnau Property Limited

Officer: Steven Lewis 290480

Approved on 30/09/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The reinstated cast iron railings shall be seated in lead caulking in holes cast or drilled into the concrete deck of the balcony unless otherwise agreed in writing by the local planning authority before the development is commenced.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved Stuart Radley Associates drawings no. V37JA/PLB/01, V37JA/PLB/02, V37JA/PLB/03 & V37JA/PLB/04 submitted on 06/08/2010 and Dixon, Hurst and Kemp Drawing no. 40211/01 Rev A submitted on 06/08/2010.

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

4) UNI

The new cast balcony deck shall match exactly the existing stone balcony slabs in its dimensions, levels and texture and shall be painted to match the walls of the building.

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

BH2010/02545

5 6 & 7 Powis Villas Brighton

Proposed construction of 3no underground car parking spaces within the garden area and associated access into existing basement lightwells.

Applicant: River Oaks Homes Ltd

Officer: Jason Hawkes 292153

Approved on 05/10/10 DELEGATED

1) UNI

The new doors leading from the light wells to the underground garages should be four panelled painted timber ones with flush panels with beaded edges to match the original timber doors to the basements of Nos. 6 and 7, and the walls of the light wells and access ways to the garages shall be smooth rendered and painted white.

Reason: In order to preserve the character and appearance of the listed buildings in accordance with policy HE1 of the Brighton & Hove Local Plan.

2) UNI

Within 3 months of the date of this permission details of an irrigation system for the ground above the garaging have been submitted to and approved by the Local Planning Authority in writing.

Reason: In order to preserve the character and appearance of the listed buildings in accordance with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

Within 3 months of the date of this permission details of the proposed landscaping scheme for the rear gardens, including hard and soft landscaping, level changes, reinstated paths, new paths and hard paving areas, new and reinstated fences, walls and gates, including fully annotated 1:50 scale plans, sections and elevations have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried out and completed in strict accordance with the approved details and maintained as such thereafter.

Reason: In order to preserve the character and appearance of the listed buildings in accordance with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02567

1 -5 Prince Albert Street Brighton

Internal and external alterations and associated works including removal of raised platform, display of hanging sign, new partitions, new doors, display of lettering and decoration to window edges of ground floor windows and installation of external lamps.

Applicant: Inn Brighton

Officer: Adrian Smith 01273 290478

Approved on 07/10/10 DELEGATED

1) UNI

Notwithstanding the details submitted and unless otherwise agreed in writing by the Local Planning Authority, within three months of the date of this consent the lamps installed to the exterior of the building shall be removed and the replacement lamps detailed within the submission installed in their place.

Reason: The lamps as installed are considered harmful to the character and appearance of the listed building, and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02569

1 - 5 Prince Albert Street Brighton

Display of 1no non-illuminated hanging sign and vinyl lettering to inside of window.

Applicant: Inn Brighton

Officer: Adrian Smith 01273 290478

Approved on 07/10/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) UNI

The development hereby permitted shall be carried out in accordance with the site plan, photomontages and approved drawing nos. 04 & 05 submitted on 12th August 2010.

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

BH2010/02679

8E Sussex Heights 14 St Margarets Place Brighton

Replacement of metal framed windows with white UPVC.

Applicant: Mrs Zeinab S Adam

Officer: Mark Thomas 292336

Approved on 06/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing 'customer window drawing' received on 20th August 2010.

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

ST. PETER'S & NORTH LAINE

BH2008/02170

2 Ashdown Road Brighton

Conversion of existing dwelling to form 3 self contained flats. Demolition of 11 no. garages and erection of 2 new dwellings.

Applicant: Pearl Developments (Brighton) LLP

Officer: Kate Brocklebank 292175

Approved after Section 106 signed on 06/10/10 PLANNING COMMITTEE

1) BH01.01

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) BH02.08

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.

3) BH04.01

The new dwelling[s] shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

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.

4) BH05.08

No development shall take place until a written Waste Minimisation Statement, 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 for 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.

5) BH05.10

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.

6) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

7) BH06.02

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.

8) BH11.02

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

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

9) BH12.01

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 policy HE6 of the Brighton & Hove Local Plan.

10) BH12.05

The rooflights in the approved development shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

11) BH12.07

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

Reason: The Local Planning Authority considers that further development could cause detriment to the character of the area and to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development proposals to comply with policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

12) UNI

No development shall take place until full details of the balcony screen around the balcony to flat 3 have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details and retained as such thereafter.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

13) UNI

No development shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of the replacement windows and front door to number 2 Ashdown Road have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in full and in strict accordance with the agreed details prior to first occupation of any of the 3 flats within 2 Ashdown Road hereby approved and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

14) UNI

All new windows in the front elevation of 2 Ashdown Road shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

15) UNI

Access to the flat roof over the ground floor flat living room and beyond the balcony to flat 3 as shown on plan number TA 340/10 revision D 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.

16) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The plan shall include dimensions, plant species and cross sections of the green roofs.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the

Brighton & Hove Local Plan.

17) UNI

Before development commences details of the treatment to all boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details prior to first occupation of the development and retained thereafter.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

18) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the converted residential units within 2 Ashdown Road hereby approved shall be occupied until an Ecohomes Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that each residential unit built has achieved an Ecohomes rating of 'pass' 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.

19) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development of 2 Ashdown Road shall commence until:

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under Ecohomes and a Design Stage Assessment Report showing that the converted units within 2 Ashdown Road will achieve an Ecohomes rating for all residential units have been submitted to the Local Planning Authority; and
- (b) a BRE issued Design Stage Certificate demonstrating that the converted units within 2 Ashdown Road have achieved an Ecohomes rating of 'pass' 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.

20) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development of the two new build dwellings shall commence until:

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage Report showing that the two new build dwellings to the rear of the site will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
- (b) a BRE issued Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for the two new build 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.

21) UNI

Notwithstanding the approved drawings, no development shall take place until details of the proposed gates within the underpass have been submitted to and approved in writing by 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.

22) UNI

Unless otherwise agreed in writing by the Local Planning Authority, neither of the new build residential units hereby approved shall be occupied until a Building Research Establishment issued Final Code Certificate confirming that each new build residential unit built to the rear of the site has achieved a Code for Sustainable Homes rating of Code level 3 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.

BH2008/02172

2 Ashdown Road Brighton

Demolition of 11 no. rear garages.

Applicant: Pearl Developments (Brighton) LLP

Officer: Kate Brocklebank 292175

Approved on 06/10/10 PLANNING COMMITTEE

1) BH01.04

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH12.08

The works of demolition 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 prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

BH2010/01027

36 Park Crescent Brighton

Internal alterations comprising of the reinstatement of the staircase between the ground floor and basement creating a single dwelling.

Applicant: Mr William Jones

Officer: Jonathan Puplett 292525

Approved on 23/09/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 09/161/ SK/loc/A, SK/blk, 001A, 002A and 003B submitted on the 6th of April 2010.

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

BH2010/01036

99 North Road Brighton

Change of use of ground floor and basement from retail unit (A1) to café (A3). (Retrospective).

Applicant: Farm Produce Ltd

Officer: Anthony Foster 294495

Approved on 11/10/10 DELEGATED

1) UNI

Notwithstanding the approved details, within 1 month of the date of this permission a scheme for the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. Within 1 month of these details being approved the scheme shall be carried out in full and shall thereafter be retained for use at all times.

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings GND EXG and BSMT EXG submitted on 7 July 2010.

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

3) UNI

The use hereby permitted shall not be open to customers except between the hours of 08:00 and 23:00 on Mondays to Fridays, 08:00 and 23:30 on Saturdays and the hours of 09:00 and 23:00 on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/01461

Top Flat 2 Chatham Place Brighton

Replacement of existing wooden framed windows with new uPVC double glazed units and renewal of existing uPVC window with new double glazed unit.

Applicant: Mike Clark

Officer: Helen Hobbs 293335

Refused on 23/09/10 DELEGATED

1) UNI

The proposed first floor front windows facing Chatham Place, by reason of their design and materials, are considered poor replacements that would lead to a mixed use of materials and joinery details that would fail to maintain a traditional and consistent appearance to the property. This would harm the character and appearance of the existing property and fail to preserve the character and appearance of the conservation area contrary to policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan.

BH2010/01813

Flat 15 The Lodge 18-19 Upper Lewes Road Brighton

Replacement of existing windows with UPVC double glazed windows.

Applicant: Miss Sarah Swanton

Officer: Sonia Kanwar 292359

Approved on 27/09/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing from Advance Glass received on the 15th September 2010 and the photos and site location plan received on 3rd August 2010.

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

BH2010/01866

Theatre Royal 35 Bond Street Brighton

Removal and replacement of existing fire escape routes incorporating internal and external associated fire precaution works.

Applicant: Brighton Theatre Royal

Officer: Helen Hobbs 293335

Approved on 13/10/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The replacement metal stairs, platforms and handrails hereby approved shall be painted black within one month of the date of installation and shall be maintained as such thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE 1 of the Brighton & Hove Local Plan.

3) UNI

No development shall take place until the following details have been submitted to and agreed in writing by the Local Planning Authority:

- i) An elevation at 1:20 scale and joinery sections at 1:1 scale of the proposed new timber sash window.
- ii) Elevations at 1:20 scale showing the proposed new internal fire doors.
- iii) A written specification of the works for the repair and restoration of the roof gutter and parapet and for the replacement glazing to the existing timber sash window.

The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE 1 of the Brighton & Hove Local Plan.

BH2010/02157

15 London Terrace Brighton

Conversion of existing lower ground floor flat to form one 2no bedroom flat and one 1no bedroom flat. Alterations to layout of doors and windows, removal of side entrance, creation of new rear access and landscaping including creation of rear patio area.(Part retrospective).

Applicant: P.I.B.

Officer: Aidan Thatcher 292265

Refused on 08/10/10 DELEGATED

1) UNI

The proposed development would represent an overdevelopment of the site by virtue of the number of units and the cramped size of the 1 bed unit on the lower ground floor, resulting in an unacceptable impact on the living condition of the future occupiers. Therefore the proposal would be contrary to policies HO4 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development fails to provide adequate external private amenity space for all of the proposed units and as such would be contrary to policy HO5 of the Brighton & Hove Local Plan.

3) UNI3

The proposed development fails to demonstrate adequate compliance with lifetime homes criteria and as such would be contrary to policy HO13 of the Brighton & Hove Local Plan.

4) UNI4

The proposal fails to demonstrate how the development would be efficient in the use of energy, water and materials and as such would be contrary to policy SU2 of the Brighton & Hove Local Plan.

5) UNI5

The proposal fails to demonstrate adequate facilities for the storage of cycles and as such would be contrary to policy TR14 of the Brighton & Hove Local Plan.

BH2010/02197

17 - 19 Oxford Street Brighton

Outline application for demolition of existing building and erection of new building comprising 6no one bed flats, 2no studio flats, and 2no commercial units to be used as either Retail (A1), Financial & Professional Services (A2), or Restaurant & Cafe (A3).

Applicant: Art Leisure Ltd

Officer: Sue Dubberley 293817

Approved on 30/09/10 DELEGATED

1) BH01.02

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

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

2) BH01.03

a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

(i) landscaping

b) The reserved matters shall be carried out as approved.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

3) BH01.06

The development hereby permitted shall be carried out in accordance with the approved drawings nos. (07/771/01, 02, 03, 04, 05 and 06 and 2010/05/01, 02, 03, 04, 05, 06, 07, 08, 09, 10, submitted on 15 July 2010.

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

4) BH02.08

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.

5) BH03.01

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 policy QD1 of the Brighton & Hove Local Plan.

6) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling[*s*] 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.

7) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 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.

8) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.

9) BH05.05A

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

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all 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.

10) BH05.06A

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a 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.

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) BH06.02

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.

12) BH07.01

The ground floor commercial units shall not be open to customers except between the hours of 08.00 to 20.00 Monday to Saturday, and 10.00 to 16.00 Sunday.

Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/02267

Land to rear of 51 Buckingham Place Brighton

Erection of new two storey dwelling.

Applicant: Ms Jo Bunday

Officer: Kate Brocklebank 292175

Refused on 28/09/10 DELEGATED

1) UNI

The applicant has failed to demonstrate that the proposed house, by reason of its size, height and close proximity to dwellings in Buckingham Place, would not have an unacceptable overbearing impact upon neighbouring properties and would not cause significant loss of light. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

2) UNI2

It is considered that by virtue of the limited plot size, close proximity to the neighbouring buildings and the plot subdivision the proposal results in overdevelopment of the plot and a cramped form of development which constitutes 'town cramming' to the detriment of the character of the area contrary to policies QD1, QD2, QD3 of the Brighton & Hove Local Plan.

3) UNI3

The proposal would involve developing the majority of the curtilage of the site placing unacceptable pressure on the limited space available for refuse/recycling, cycle parking and amenity space. The proposed provision of cycle parking prohibits the use of the shared amenity space and bin store by the existing flats as approved under BH2007/00080, the impact of which the application fails to address. The plans submitted do not sufficiently demonstrate how the existing and proposed households could use this area in addition to the occupiers of the dwelling subject of this application. Consequently the applicant has failed to demonstrate that there is sufficient private usable outside amenity space, refuse/recycling and cycle storage for each unit of accommodation on this site contrary to policies SU2, HO5 and TR17 of the Brighton & Hove Local Plan.

BH2010/02381

13-16 Vine Street Brighton

Conversion and extension of ground floor to Class B1/B8 to allow for Class B1/B8 use on ground floor, and addition of first and second floor to provide a three bedroom flat.

Applicant: Mr James Oliver

Officer: Anthony Foster 294495

Refused on 08/10/10 DELEGATED

1) UNI

The proposed second storey and roof terrace addition, by reason of their design, protrusion, form, bulk, and massing, would appear as an incongruous addition which is out of character within the existing street scene, and surrounding area including the North Laine Conservation Area, contrary to policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan.

BH2010/02535

Flat 4 21 Albert Road Brighton

Loft conversion incorporating rear dormer and velux windows at front roofslope.

Applicant: Mr W Meeten

Officer: Chris Swain 292178

Refused on 13/10/10 DELEGATED

1) UNI

The proposed rooflights are considered to be excessive in number and would result in an unsympathetic, cluttered alteration to the roofslope that relates poorly to the existing building and detracts from the appearance and character of the street scene and the West Hill conservation area, contrary to policies HE6, QD1, QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Roof Alterations and Extensions.

2) UNI2

The proposed rear dormer, by reason of its design, detailing, positioning and materials, would result in an unsympathetic alteration that relates poorly to the existing building, forming an incongruous element within the rear roofscape and detrimental to the appearance and character of the building and the surrounding West Hill conservation area. This would be contrary to policies HE6, QD1, QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Roof Alterations and Extensions.

WITHDEAN

BH2010/00657

32 Windmill Drive Brighton

Non Material Amendment to BH2008/02924 a minor amendment to the rear conservatory to replace the West side glazing to the conservatory with blockwork.

Applicant: Mr Will Macintosh

Officer: Adrian Smith 01273 290478

Approved on 30/09/10 DELEGATED

BH2010/01318

Withdean Sports Complex Tongdean Lane Brighton

Erection of single storey extension to clubhouse.

Applicant: Brighton & Hove City Athletics Club

Officer: Guy Everest 293334

Approved on 27/09/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 841.00b, 941.01b & 941.02b submitted 3rd June 2010.

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

BH2010/01863

37 Preston Drove Brighton

Change of use and conversion of existing out building with new single storey extension, to form additional nursery accommodation with an increase to 75 children.

Applicant: Raw Architecture

Officer: Guy Everest 293334

Approved on 05/10/10 PLANNING COMMITTEE

1) BH01.01

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) UNI

The day nursery shall not be open or in use except between the hours of 08.00 and 18.00 hours on Mondays to Fridays. The day nursery shall not be in use at any time on Saturdays, Sundays or Bank Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies HO26, SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. ELE 1000 A, ELE 1001 A & ELE 1002 A submitted 18th June 2010.

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

4) UNI

No amplified music or musical equipment shall be used in the outdoor play area at any time.

Reason: To safeguard the amenities of the locality and to comply with policies HO26, SU10 and QD27 of the Brighton & Hove Local Plan.

5) UNI

Prior to the commencement of development details of the management of the use of the outdoor space should be submitted to and agreed in writing by the Local Planning Authority. The outdoor space shall thereafter be used in strict accordance with the agreed details at all times the nursery is in operation.

Reason: To ensure the effective management of the outdoor space and safeguard the amenities of the locality and to comply with policies QD27 and HO26 of the Brighton & Hove Local Plan.

6) UNI

Prior to implementation of this planning permission an updated travel plan for visitors to the nursery and staff shall be submitted to and agreed in writing by the Local Planning Authority. The plan should include a travel survey of staff and parents, staggered pick up and drop off times. The travel plan shall be reviewed annually and submitted and agreed in writing by the Local Planning Authority and thereafter implemented as agreed.

Reason: To comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

7) UNI

The number of children using the day nursery at any time shall not exceed 75 at any one time.

Reason: In order to safeguard the amenities of neighbours and ensure the accommodation is adequate for the children, in accordance with policies SU9, SU10, HO26 and QD27 of the Brighton & Hove Local Plan.

8) UNI

The rear garden shall not be in use by children attending the day nursery except between the hours of 09.00 to 17.00 on Mondays to Fridays.

Reason: To safeguard the amenities of the locality and to comply with policies HO26, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/02030

24 Stamford Lodge Cumberland Road Brighton

Application to extend time limit for implementation of previous approval BH2007/02582 for the change of windows to UPVC double glazed windows.

Applicant: Mr Daniel Crunkhorn

Officer: Wayne Nee 292132

Approved on 04/10/10 DELEGATED

1) BH01.01

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.

BH2010/02354

76 Eldred Avenue Brighton

Erection of single storey rear extension with rooflights.

Applicant: VJL Design

Officer: Steven Lewis 290480

Approved on 28/09/10 DELEGATED

1) BH01.01

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) UNI

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 window, dormer window, rooflight or door, other than those expressly authorised by this permission, shall be constructed in the walls or roof of the extension hereby permitted without first obtaining planning permission 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.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved site plan, block plan & VJL Design drawings no. 1/76001 & 1/76002 submitted on.

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

BH2010/02366

74 Redhill Drive Brighton

Erection of single storey rear extension, replacement of existing rear temporary building with single storey building and erection of new canopy from side access gate to new entrance.

Applicant: The Outlook Foundation

Officer: Steven Lewis 290480

Approved on 05/10/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

No development shall commence until full details of existing and proposed ground levels within the site and on land adjoining the site to OS Datum, by means of spot heights and cross-sections, proposed siting and finished floor levels of the classroom building, have been submitted to and approved by the Local Planning Authority. The development shall thereafter be implemented in

accordance with the approved level details.

Reason: To ensure a satisfactory appearance to the development and to protect the amenity of surrounding neighbours in accordance with policies QD1, QD2, and QD27 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved RDJW drawings no. 3807-011 Rev A, 3807-003 Rev F, 3807-007 Rev B, 3807-008 rev D, 3807-010 Rev A, submitted on 30/07/2010 & 10/08/2010.

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

5) UNI

All planting, seeding or turfing comprised in the detailed scheme of landscaping approved within the application, Lizard Detailed Planting Plan LLD299/01 Rev 01 and Soft Landscaping Plan LLD229/03, Soft Landscape Management Plan and Planting Schedule; shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area, to provide adequate screening to prevent a loss of neighbour amenity and to comply with policies QD1, QD14, QD15 and QD16 of the Brighton & Hove Local Plan.

BH2010/02376

31 North Road Preston Brighton

Demolition of existing rear extension and erection of new single storey rear extension.

Applicant: Mr Nigel Fairs

Officer: Wayne Nee 292132

Approved on 04/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with drawing nos. 0330-PA-001, 002, 010 received on 02 August 2010.

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

BH2010/02493

54 Eldred Avenue Brighton

Display of 1no externally illuminated fascia sign, 2no internally illuminated light boxes and 1no non-illuminated wall plaque.

Applicant: Dr Vanessa Woods

Officer: Christopher Wright 292097

Refused on 07/10/10 DELEGATED

1) UNI

The proposed illuminated signage on the front elevation of the building, together with the two lightboxes proposed, would, by reason of their size, position and means of illumination, appear unduly dominant and discordant with the residential

character of the building and would have a detrimental effect on amenity as a consequence. For these reasons the proposal is contrary to policy QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD07: Advertisements.

BH2010/02514

1 Copse Hill Brighton

Erection of single storey side extension.

Applicant: Mr Scott Brady

Officer: Mark Thomas 292336

Refused on 28/09/10 DELEGATED

1) UNI

Policies QD14 and QD27 of the Brighton & Hove Local Plan states that development will only be granted planning permission if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed development by virtue of its bulk, height, positioning, and proximity to the neighbouring boundary, forms an inappropriate addition to the property. The development would result in an unacceptable level of overlooking, loss of privacy, overshadowing, loss of outlook and increased sense of enclosure for the residents of no. 71 Eldred Avenue. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The proposed development represents an incongruous and inappropriately bulky addition to the side elevation of the recipient property and would result in unacceptable harm to the character and appearance of the recipient building and the wider area. Further, given the existing extensions and alterations to the original building it is considered that the proposed development would result in the property having an overextended appearance. The proposal is therefore contrary to the above policy and guidance.

BH2010/02594

3 Valley Close Brighton

Certificate of lawfulness for proposed extension of existing side dormer and rooflights to front, side and rear roofslopes.

Applicant: Mr & Mrs Nick Grey

Officer: Mark Thomas 292336

Approved on 29/09/10 DELEGATED

BH2010/02609

Cranbrook Maldon Road Brighton

Loft conversion incorporating dormers to rear and rooflights to front and conversion of existing garage to study room.

Applicant: Mrs S Anderson

Officer: Mark Thomas 292336

Refused on 29/09/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. Further advice is contained within supplementary planning guidance on roof alterations and

extensions (SPGBHI). The proposed dormer windows are inappropriately sized and represent overly bulky additions to the rear roof slope. Further, the dormer features inappropriately large areas of tile hung cladding contrary to guidance contained within SPGBH1. The proposal is therefore contrary to the above policy and guidance.

BH2010/02645

79 Tivoli Crescent North Brighton

Erection of additional two storeys with flat roof incorporating balcony areas and associated works.

Applicant: Mr John Wignall

Officer: Mark Thomas 292336

Refused on 07/10/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The proposed development by way of its positioning, bulk and form represents an overdominant and incongruous element of the street scene relative to surrounding properties. The proposal is therefore contrary to the above policy and guidance.

2) UNI2

Policies QD14 and QD27 of the Brighton & Hove Local Plan states that development will only be granted planning permission if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed development would result in an unacceptable level of overlooking and subsequent loss of privacy for the residents of no. 81 Tivoli Crescent North. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02775

10 Hillcrest Brighton

Non Material Amendment to BH2009/02232 to replace open railings on North and East terrace elevations with stainless steel tubular handrail and 10mm clear toughened glass lower infill panels.

Applicant: Mr Michael Brown

Officer: Steven Lewis 290480

Approved on 04/10/10 DELEGATED

EAST BRIGHTON

BH2010/01990

14 Chichester Terrace Brighton

Installation of internal stairlift in common ways between ground and first floor.

Applicant: Mr Jack Voss

Officer: Louise Kent 292198

Approved on 23/09/10 DELEGATED

1) BH01.01

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) BH09.03

The internal stairlift hereby permitted shall be implemented only on behalf of Mr and Mrs Jack Voss. It shall be wholly removed from the premises and the

existing staircase made good within three months of the cessation of occupation of Flat 8 by Mr and Mrs Jack Voss.

Reason: This permission is granted exceptionally in view of the personal circumstances of the applicants and to protect the historic character and appearance of the listed building in accordance with policy HE1 of the Brighton & Hove Local Plan.

3) BH13.12

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

BH2010/02398

6 The Broadway Brighton

Change of Use from Retail (A1) to Betting Office (A2).

Applicant: Ladbrokes Plc

Officer: Jonathan Puplett 292525

Approved on 04/10/10 DELEGATED

1) BH07.02

No development shall commence until a scheme for the soundproofing of the building 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 prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. BW/WHAWK/01 Rev. A, location plan, and supporting statement submitted on the 2nd of August 2010, and marketing evidence submitted on the 27th of September 2010.

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

3) UNI

The premises shall not be in use except between the hours of 09.00 and 22.00.

Reason: To safeguard the amenities of the locality and comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

BH2010/02503

56 Bennett Road Brighton

erection of first floor rear extension on top of existing ground floor extension.

Applicant: Mr Boyle

Officer: Chris Swain 292178

Approved on 05/10/10 DELEGATED

1) BH01.01

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) BH02.04

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 window, dormer window, rooflight or door

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.

3) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 689/01 and 689/02, a site plan and a block plan submitted on 9 August 2010.

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

BH2010/02552

Wellsbourne Childrens Centre Whitehawk Road Brighton

Non Material Amendment to BH2009/00630 for the construction of a new tarmac link pathway.

Applicant: Ashley House PLC

Officer: Aidan Thatcher 292265

Approved on 30/09/10 DELEGATED

HANOVER & ELM GROVE

BH2010/00271

15 Hanover Crescent Brighton

Erection of steel railings and gate to enclose front garden and pave pathway and rear courtyard with natural stone (Part Retrospective).

Applicant: Mr Joseph Muscat

Officer: Chris Swain 292178

Approved on 29/09/10 DELEGATED

1) BH01.01

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) UNI

No works to the path and rear courtyard hereby approved shall commence until a drawings showing the areas to be repaved and samples of the sandstone paving slabs to be used in the construction of the path and rear courtyard 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 the Valley Gardens conservation area and to comply with policy HE1 and HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with a site plan, an annotated drawing showing alterations to the front boundary wall and railings submitted on 15 March 2010, a block plan and section of the front footpath submitted on 2 June 2010, a floor plan and a drawing showing details of the proposed side gate submitted on 26 July 2010 and a drawing showing the proposed front gate and adjoining railings submitted on 29 July 2010. For the

avoidance of doubt and in the interests of proper planning.

4) UNI

The railings and associated gates hereby approved shall be painted black and retained as such thereafter.

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

HOLLINGDEAN & STANMER

BH2010/02161

IDS Building University of Sussex Falmer Brighton

Replacement powder coated aluminium double glazed windows on ground floor.

Applicant: Estates and Facilities Management

Officer: Helen Hobbs 293335

Approved on 27/09/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 21490-01-GA.P.001/P1329, 21490-01/LP.001/P1329, 21490-01-EL.P.001/P1329, 21490-01.EL.E.001/P1329, 01/LP.EP.002/P1329, 21490-01-GA.E.001/P1329 submitted on 2nd August 2010 and un-numbered drawings submitted on 15th July 2010 and window sample submitted on 16th September 2010.

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

BH2010/02196

71 Rushlake Road Brighton

Erection of two storey extension to front and side incorporating garage and roof alterations.

Applicant: Mr G Beckman

Officer: Anthony Foster 294495

Refused on 23/09/10 DELEGATED

1) UNI

The proposed development by virtue of its design, siting and height would result in an over dominant addition, to the detriment of the character and appearance of the existing building, the pair of semi detached properties and the surrounding area. As such the proposal is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

BH2010/02217

Land adjacent to 1 Rushlake Close Brighton

Application for Approval of Details Reserved by Conditions 4, 6 and 13 of application BH2009/01786.

Applicant: Mr John Panteli

Officer: Liz Arnold 291709

Approved on 30/09/10 DELEGATED

BH2010/02280

65 Park Road Brighton

Erection of rear conservatory and wooden decking area in rear garden.

Applicant: Mr Lewis Wood

Officer: Helen Hobbs 293335

Approved on 06/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved un-numbered drawings submitted on 22nd July 2010 and 29th September 2010.

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

BH2010/02411

Varley halls Coldean Lane Brighton

Demolition of Chailey House and the Laundrette/Gym Block.

Applicant: University of Brighton

Officer: Kate Brocklebank 292175

Prior approval not required on 24/09/10 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2010/02389

58 Heath Hill Avenue Brighton

Reinstatement of windows including installation of electric security shutters.

Applicant: Bevendean Children's Centre Association

Officer: Helen Hobbs 293335

Approved on 01/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 1902.01 rev A and the Securifix SF38 Electric Shutter details submitted on 6th August 2010.

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

BH2010/02404

Land Adjoining Brighton Health & Racquet Club

Display of individual non-illuminated letters.

Applicant: University of Brighton

Officer: Aidan Thatcher 292265

Approved on 12/10/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

BH2010/02418

81 Bear Road Brighton

Replacement of front bay windows.

Applicant: Miss Caroline Edwards

Officer: Helen Hobbs 293335

Approved on 05/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved un-numbered drawings and window details submitted on 2nd August

2010.

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

BH2010/02571

79 Southall Avenue Brighton

Loft conversion incorporating installation of dormer window, rebuilding of existing front extension to form porch, alterations to existing ramp and replacement windows. (Part Retrospective).

Applicant: Mr Bruno Silva

Officer: Jonathan Puplett 292525

Refused on 07/10/10 DELEGATED

1) UNI

The proposed roof extensions would harm the character and appearance of the property and would result in an unbalanced appearance to the pair of semi-detached properties. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and the design guidance of SPGBH1: Roof alterations and extensions.

2) UNI2

The proposed development would result in the loss of the residential unit previously in place at first floor level, contrary to Policy HO8 of the Brighton & Hove Local Plan.

3) UNI3

In the absence of sufficient information regarding the proposed expansion of the surgery use, the proposed development is considered likely to cause increased harm to the amenity of neighbouring residents and an increased traffic impact. The scheme is therefore contrary to policies QD27, SU10, and TR1 of the Brighton & Hove Local Plan.

QUEEN'S PARK

BH2007/04074

Land adjoining 24 Tower Road Brighton

Construction of a new dwelling house attached to 24 Tower Road (amended design).

Applicant: Mr & Mrs N Davey

Officer: Aidan Thatcher 292265

Approved on 11/10/10 PLANNING COMMITTEE

1) BH01.01

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) BH02.03

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

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

3) BH02.06

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

4) BH02.08

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.

5) BH04.01

The new dwelling shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

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

6) BH05.01

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

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage Report showing that the development will achieve a minimum of Code level 3 for all residential units have been submitted to the Local Planning Authority; and
- (b) a BRE issued Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve a minimum of Code level 3 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.

7) BH05.08

No development shall take place until a written Waste Minimisation Statement, 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 for 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.

8) BH05.10

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.

9) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

10) BH06.02

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

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

11) BH12.01

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 policy HE6 of the Brighton & Hove Local Plan.

12) UNI

Prior to the commencement of the development 1:20 drawings of each elevation shall be submitted to and approved in writing by the Local Planning Authority. The drawings shall include all details of all architectural detailing including fenestration.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

13) UNI

The Elm trees located on and adjacent to the site shall be protected to BS 5837 (2005) Trees related to construction; including the erection of protective fencing , prior to works commencing on the site. The protective measures shall be retained during all construction works.

Reason: To protect two Elms Trees located on and adjacent to the site, in the interests of the amenity of the area and to accord with policies QD1, QD16 and QD27 of the Brighton & Hove Local Plan.

BH2010/00156

12A Richmond Parade Brighton

Application to extend time limit for implementation of previous approval BH2004/03584/FP for the demolition of existing two storey B1/B8 building. Construction of 4 storey building comprising workshop/studio in basement accessed from ground floor and 3 self-contained flats on upper floors.

Applicant: Mr Edward Derby

Officer: Anthony Foster 294495

Approved on 30/09/10 DELEGATED

1) BH01.01

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) BH02.06

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

3) BH02.07

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

4) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling[*s*] 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) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

6) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 20318-301, 302, 303, 304 and 305 submitted on 3 November 2004, drawing no. 20318- 301 rev A submitted on 29 November 2004, floor plans as existing submitted on 19 January 2005 and drawing nos. 320 and 321 received 26 August 2010.

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

7) UNI

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
- (b) Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 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.

8) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.

9) UNI

Notwithstanding the details on the approved plans, prior to commencement of the development, details relating to 1.8 metre high screens to be installed on the proposed balconies and roof terrace along the eastern boundary of the development are to be submitted to and approved in writing by the Local Planning Authority. The approved screens shall be implemented in full before the balconies hereby approved are brought into use.

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.

10) UNI

No development shall take place until a scheme for the suitable treatment of all plant and machinery associated with the studio workspace against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. No flats hereby permitted shall be occupied until the approved scheme has been fully implemented.

Reason: To ensure the amenity of residential properties in the building are protected in accordance with policy QD27 of the Brighton & Hove Local Plan.

11) UNI

No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority indicating measures to be taken to insulate the development against the transmission of noise from the studio workspace (such measures shall include the sound insulation of all units within the development from noise transmitted between them). No flats hereby permitted shall be occupied until the approved sound insulation scheme has been fully implemented.

Reason: To ensure the amenity of residential properties in the building are protected in accordance with policy QD27 of the Brighton & Hove Local Plan.

12) UNI

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any amendment thereto the studio workspace hereby approved shall be used only for uses within Class B1 and for no other use.

Reason: To ensure the amenity of residential properties in the building are protected and to ensure a business use is retained on the site, in accordance with policies QD27 and EM6 of the Brighton & Hove Local Plan.

13) UNI

Notwithstanding the details of the materials indicated on the submitted plans and application form, a schedule of alternative materials, including samples, to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority before development commences. Revised elevations indicating a contrasting band of

material to break up the expanse of blank cladding on the east and west elevations shall be submitted for approval. The information submitted should include details of the proposed green roof. Development shall be carried out in accordance with the approved details.

Reason: The materials to be used require further consideration to ensure a satisfactory appearance to the development as the materials indicated are considered inappropriate and incongruous to the character and appearance of the locality and to comply with policies QD1, QD2, QD4 and HE6 of the Brighton & Hove Local Plan.

14) UNI

The studio workspace hereby approved shall not be open or in use expect between the hours of 08.00 to 18.00 Monday to Friday, 08.00 to 13.00 Saturdays and not at any time on Sundays or Bank Holidays.

Reason: To ensure the amenity of residential properties in the building are protected in accordance with policy QD27 of the Brighton & Hove Local Plan.

BH2010/01571

9 Wyndham Street Brighton

Alterations to roof to form roof terrace, terrace room and associated access works. Removal of rear chimney.

Applicant: Mr Leslie Phillips

Officer: Helen Hobbs 293335

Refused on 28/09/10 DELEGATED

1) UNI

The proposed terrace and roof extension, by reason of their inappropriate design, size, materials and impact upon the existing roof profile, together with the removal of the rear chimney, would form incongruous additions, detrimental to the character and appearance of the listed building, street scene and surrounding East Cliff Conservation Area. The development is therefore contrary to policies QD 1, QD 2, QD 14, HE 1 & HE 6 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note SPGBH1: Roof Alterations and Extensions.

2) UNI2

The proposed roof terrace would be located in close proximity to bedroom windows of the adjoining properties; use of the proposed roof terrace would result in an unacceptable increase in noise disturbance for residents of these flats. The privacy of neighbouring residents would also be harmed due to the direct overlooking of windows which use of the terrace would cause. The proposal is therefore contrary to QD 14 and QD 27 of the Brighton & Hove Local Plan.

BH2010/02314

5 Walpole Terrace Brighton

Certificate of Lawfulness for existing use of property as 4no one bedroom flats.

Applicant: Mr Mark Lower

Officer: Jonathan Puplett 292525

Approved on 01/10/10 DELEGATED

BH2010/02364

Queens Park Primary School Freshfield Place Brighton

Alterations to layout of school and associated works including erection of two storey extension to East elevation and single storey extension to West elevation, demolition of part of building to South elevation and external alterations including installation of new windows and doors and new lean-to roof incorporating rooflights.

Applicant:Brighton & Hove City Council

Officer: Anthony Foster 294495

Approved on 13/10/10 DELEGATED

1) BH01.01

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) UNI

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

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.

3) UNI

No development shall commence until fences for the protection of trees to be retained have been erected in accordance with the scheme contained within the arboricultural report submitted with the application. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

4) UNI

No development shall commence until a scheme for the access and storage of construction vehicles, materials and waste within the site has been submitted to and approved in writing by the Local Planning Authority. The facilities shall be retained until the completion of the development.

Reason: To ensure that construction vehicles, materials and waste do not impact on highway safety, to protect the amenities of adjacent occupiers and to comply with policies TR7, SU13 and QD27 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 002, 103, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, received on 30 July 2010.

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

6) UNI

At least six months prior to the first occupation of the development hereby approved a 'School Travel Plan' (a document setting out a package of measures tailored to meet the needs of the site and aimed at promoting sustainable travel choices and reduce reliance on private motor vehicles including students, visitors, staff, deliveries, servicing, parking management and other uses of the site) for the development shall be submitted to the Local Planning Authority. The school travel plan shall be approved in writing by the Local Planning Authority prior to the first occupation of the development and shall be implemented as approved thereafter and shall be subject to annual review in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To seek to reduce traffic generation by encouraging alternative means of transport to private motor vehicles and to comply with policy TR4 of the Brighton & Hove Local Plan.

7) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be occupied until a scheme to upgrade the existing zebra crossing located in Queens Park Rd. immediately south of Albion Hill to a signalised puffin crossing, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been carried out in strict accordance with the approved measures and thereafter retained as such.

Reason: To ensure that the proposed development provides for the demand for travel it creates and does not increase the danger to pedestrians walking to and from the site and to comply with policies TR1, TR7, TR8 and SU15 of the Brighton & Hove Local Plan.

8) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be occupied until the sustainability measures detailed within the application have been fully implemented, and these measures shall thereafter be retained for use at all times.

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.

9) UNI

The proposed windows located on the first floor extension on the southern elevation of the building adjacent to The Graperies shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, a scheme detailing the measures to improve ecological biodiversity on the site shall be submitted to and approved in writing by the local planning authority. These details shall include the number and type of bat boxes, bird boxes and Sparrow Terraces, and details of the green wall. The development shall be carried out in strict accordance with the approved details and thereafter maintained.

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

11) UNI

No development shall take place until samples of the materials (including colour of render, paintwork, cladding 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.

12) UNI

Unless otherwise agreed in writing by the Local Planning Authority, within three months of the date of completion of the development the temporary classroom hereby permitted shall be removed from the site and the land returned to its former condition.

Reason: The temporary classroom hereby approved is not considered suitable as a permanent form of development to safeguard the appearance of the site and to comply with policies QD1 of the Brighton & Hove Local Plan.

BH2010/02375

91 Queens Park Road Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2009/01437.

Applicant: Wild Cherry Ltd

Officer: Jonathan Puplett 292525

Approved on 27/09/10 DELEGATED

BH2010/02379

14 - 17 Manchester Street Brighton

Application for Approval of Details Reserved by Conditions 2 and 3 of application BH2010/00816.

Applicant: Ms Angi Mariani

Officer: Anthony Foster 294495

Approved on 27/09/10 DELEGATED

BH2010/02426

Victoria Mansions 76A Marine Parade Brighton

Internal alterations to layout of flat and replacement of existing timber sash windows with double glazed timber sash.

Applicant: Mr C Secrett

Officer: Helen Hobbs 293335

Approved on 11/10/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

BH2010/02460

9 Wyndham Street Brighton

Alterations to roof to form roof terrace, terrace room and associated access works. Removal of rear chimney.

Applicant: Mr Leslie Phillips

Officer: Helen Hobbs 293335

Refused on 05/10/10 DELEGATED

1) UNI

The proposed terrace and roof extension, by reason of their inappropriate design, size, materials and impact upon the existing roof profile, together with the removal of the rear chimney, would form incongruous and acceptable alterations that would be severely detrimental to the character and appearance of the listed building. The development is therefore contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2010/02482

70 Carlton Hill Brighton

Replacement of existing wooden windows with UPVC windows at lower ground floor level to South and East elevations. (Retrospective).

Applicant: American Express (Europe) Ltd

Officer: Sonia Kanwar 292359

Approved on 11/10/10 DELEGATED

BH2010/02534

Ebenezer Chapel Richmond Parade Brighton

Application for Approval of Details Reserved by Condition 4 of application BH2007/01591.

Applicant: Hyde Housing

Officer: Aidan Thatcher 292265

Approved on 11/10/10 DELEGATED

BH2010/02625

Ground Floor Flat Rufford Court 109 Marine Parade Brighton

Replacement of existing balcony enclosure with glazed balustrading.

Applicant: Mr & Mrs F Kilvington

Officer: Chris Swain 292178

Approved on 12/10/10 DELEGATED

1) BH01.01

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) UNI

No works shall take place until full details of the fixed and sliding screens, frames and operating mechanisms, including 1:1 scaled drawings, have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.9213 PL01 received on 11 October 2010.

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

ROTTINGDEAN COASTAL

BH2010/01264

The Outlook 2 Roedean Path Brighton

Conversion and extension of existing garages to form ancillary residential living space.

Applicant: Mr Mark Bennett

Officer: Jonathan Puplett 292525

Approved on 05/10/10 PLANNING COMMITTEE

1) BH01.01

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) BH14.02

No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work

shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. PP_EX_ELEV_005 and EX_01_SITE_PP submitted on the 28th of April 2010, nos. PP_PR_00_GFL_003, PP_PR_ELEV_006, and PP_EX-PR_SECS_007 submitted on the 12th of July 2010, and nos. PP_PR_00_BLK_003 and PP_PR_00_GFL_FRGM_007 submitted on the 14th of July 2010.

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

4) UNI

No development shall take place until further details of the materials to be used in the construction of window frames; door, garage doors and top light frames 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.

5) UNI

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

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

6) UNI

The converted garage hereby approved shall only be used as ancillary accommodation in connection with the use of the main property as a single private dwelling house and shall at no time be converted to a self-contained unit.

Reason: In order to protect the amenities of neighbouring properties and in accordance with policies QD27 of the Brighton & Hove Local Plan.

7) UNI

The walls of the extension hereby approved shall be of a brick finish to match that of the existing garage.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

BH2010/01297

Brighton Marina Village Brighton Marina Brighton

Display of non-illuminated lamppost banners on existing columns.

Applicant: Brighton Marina

Officer: Sonia Kanwar 292359

Split Decision on 08/10/10 DELEGATED

1) BH10.01

Grant advertisement consent for the 11 no. advertisements proposed at Park Square subject to the following Conditions and Informatives:-

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

1) UNI

Refuse advertisement consent for 7 no. advertisements proposed at the roundabout for the following reasons:-

The proposed advertisements, by reason of their siting, number and visibility in conjunction with existing signage in the vicinity, would result in a visually intrusive and cluttered appearance and adversely affect the visual amenity of the area. The advertisements are therefore contrary to policies QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document 07 'Advertisements'.

BH2010/01637

Flat 2 & 3 30 Sussex Square Brighton

Internal alterations to layout of flat.

Applicant: Mr Geoffrey Bowden

Officer: Sue Dubberley 293817

Approved on 04/10/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.06

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

3) BH13.12

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

4) UNI

Details of the proposed two external vents must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The works shall be carried out in strict accordance with the agreed details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE 1 of the Brighton & Hove Local Plan.

BH2010/02006

10B Lewes Crescent Brighton

Replacement of existing timber and metal windows with timber sash windows to rear courtyard.

Applicant: A Ashford

Officer: Sue Dubberley 293817

Approved on 11/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos.A01 and A02 received on 30 June 2010 and drawing nos.D02a and D01B received on 22 September 2010.

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

BH2010/02007

10B Lewes Crescent Brighton

Replacement of existing timber and metal windows with timber sash windows to rear courtyard.

Applicant: A Ashford

Officer: Sue Dubberley 293817

Approved on 11/10/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.12

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

BH2010/02202

9 Challoners Close Rottingdean Brighton

Certificate of lawfulness for proposed part demolition and extension of existing garage.

Applicant: Mr P Ghazal

Officer: Liz Arnold 291709

Approved on 04/10/10 DELEGATED

BH2010/02332

20 Roedean Crescent Brighton

Erection of external spiral staircase to South facing elevation (Retrospective)

Applicant: Mark Thomas

Officer: Anthony Foster 294495

Approved on 24/09/10 DELEGATED

BH2010/02391

6 Chichester Drive West Saltdean Brighton

Alterations to existing first floor balcony increasing projection and installing new steel balustrade and support post.

Applicant: Mr Andrew Barnett

Officer: Chris Swain 292178

Approved on 24/09/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 8780/01 and 8780/02, a site plan and a block plan submitted on the 30 July 2010.

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

BH2010/02490

60 Greenways Brighton

Demolition of existing conservatory and garage at rear, erection of two storey rear extension with accommodating roof alterations incorporating dormers to front and rear, and rooflights to side elevation, erection of single storey side/rear extension and alterations to existing front porch.

Applicant: Mr A Patel

Officer: Liz Arnold 291709

Refused on 12/10/10 DELEGATED

1) UNI

The combination of the proposed hip to half hip side roof extensions, the two storey pitched roof rear extension, the front and rear dormer window extensions, the roof of the attached side garage extension and the gable end hipped roof to the front porch, in conjunction with the existing first floor mono-pitched roof feature, results in a visually intrusive, complicated and bulky roof configuration to the property. The proposal is considered to adversely affect the appearance and character of the host building, the Greenways street scene and the wider street scene. The development is therefore contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

2) UNI2

The insertion of three dormer windows to the front and rear roofslopes results in visual clutter to roof of the property to the detriment of the character and appearance of the host property, the Greenways street scene and the wider area. The proposal is therefore contrary to policy QD1, QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

3) UNI3

The proposal results in the lower part of the existing first floor mono-pitched roof feature intersecting with the proposed porch gable end hipped roof, an element which would be of detriment to the character and appearance of the host property, the Greenways street scene and the wider area. The development is therefore contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

BH2010/02554

43 Ainsworth Avenue Brighton

Erection of first floor rear extension above existing, erection of single storey rear infill extension with rooflights, conversion of garage to habitable room, alterations to front porch, addition of French doors to side elevation, alterations to windows on all elevations and cladding to exterior (part-retrospective).

Applicant: Mr & Mrs Gene Payne

Officer: Sonia Kanwar 292359

Approved on 07/10/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of

the Brighton & Hove Local Plan.

3) UNI

The windows to the first floor western elevation serving the bathroom and en suite shower room shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. AA43PRO/01, 02, 03, 04, 05, 06, 07, 08, 09, 10 received on 12th August 2010.

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

BH2010/02633

50 Arundel Drive East Saltdean Brighton

Alterations to existing front dormer including pitched roof and balcony.

Applicant: Mr Steven Kennedy

Officer: Sonia Kanwar 292359

Refused on 13/10/10 DELEGATED

1) UNI

The proposed development, by virtue of its size, positioning and inappropriate design forms an incongruous addition, detrimental to the appearance of the building and the surrounding area. The development is therefore contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan and to Supplementary Planning Guidance Note SPGBH1: Roof Alterations and Extensions.

BH2010/02652

105 Marine Drive Rottingdean Brighton

Conversion of existing building to create a 9 unit residential development comprising 6no two storey houses and 3no flats. Erection of first floor extension to North elevation and dormer to South elevation and associated altered fenestration and landscaping.

Applicant: HR Investments

Officer: Kate Brocklebank 292175

Refused on 11/10/10 DELEGATED

1) UNI

The design of the extension is considered unacceptable by reason of its scale, overly bulky and dominant form. It would relate poorly to and fail to maintain visual subservience, architectural rhythm and continuity with the rest of the development, particularly when viewed from the east and is therefore contrary to policies QD1, QD2, QD3 and HO4 of the Brighton & Hove Local Plan.

2) UNI2

The proposed extension would cause an unacceptable impact on neighbouring amenity by reason of its increased bulk, scale and close proximity to the west and north boundaries resulting in an unneighbourly form of development having an overbearing impact dominating the neighbouring gardens to the west, particularly when considered in context with the existing development. In the absence of evidence to the contrary and given the scale, bulk and close proximity of the proposal to the north boundary, it is likely to cause unacceptable loss of sunlight/daylight to the primary windows to the kitchen and dining room of number 8 Lenham Road West. Therefore the proposal would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

WOODINGDEAN

BH2010/01455

14 Downs Valley Road Brighton

Non material amendment to app/Q1445/A/06/2033153 deleting from plan, en suite shower room window at rear and replacing with roof light. Install additional obscure glazed window on east elevation to provide natural additional light to hall and stairs.

Applicant: Mrs Joan Mills

Officer: Anthony Foster 294495

Approved on 08/10/10 DELEGATED

1) UNI

APPROVE the proposed changes to application BH2006/01672 as non-material amendments under Section 96A of the Town and Country Planning Act 1990, as amended, for the following reason:

The proposed revisions to the front, side and rear elevation; namely the removal of a window to the rear elevation, the addition of a new rooflight and addition of a new obscurely glazed window to the side, and new hipped roof on the front elevation to the scheme approved under application BH2006/01672 are not considered so significant that they warrant the submission of a further application for planning permission.

BH2010/01948

278 Cowley Drive Brighton

Demolition of front porch and erection of single storey extension to front.

Applicant: Mrs Carroll

Officer: Louise Kent 292198

Approved on 06/10/10 DELEGATED

1) BH01.01

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) BH01.06

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 01/0610b received on 8 July 2010.

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

BH2010/02147

Land at the rear of 3 The Ridgway Brighton

Application for Approval of Details Reserved by Conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of application BH2008/02436.

Applicant: Bailey Brothers Ltd

Officer: Aidan Thatcher 292265

Split Decision on 04/10/10 DELEGATED

1) UNI

Approval of the discharge of conditions 3 6a, 7, and 11 subject to full compliance with the submitted details.

1) UNI

REFUSE approval of the discharge of conditions 6b, 9, 10, 13, 14 and 16 for the following reasons:

2) UNI2

A Design Stage Certificate has not been submitted and thus it is not possible to discharge condition 6b.

3) UNI3

No legal agreement has been completed to provide the sustainable transport contribution thus it is not possible to discharge condition 9.

4) UNI4

Insufficient information has been provided of the proposed details of levels/sections/access road/surface water drainage/outfall disposal and street lighting. Therefore it is not possible to discharge condition 10.

5) UNI5

A final report detailing the archaeological findings must be submitted before condition 13 can be fully discharged.

6) UNI6

Insufficient information has been provided of the proposed details of landscaping. Therefore it is not possible to discharge condition 14.

7) UNI7

Insufficient information has been provided of the proposed details of tree protection measures. Therefore it is not possible to discharge condition 16.

BRUNSWICK AND ADELAIDE

BH2010/00814

63 Holland Road Hove

Erection of 1no 5 storey building incorporating retail/office and restaurant facilities at ground floor and basement levels and 7no self contained flats above.

Applicant: Mr Dan Fox

Officer: Clare Simpson 292454

Approved after Section 106 signed on 05/10/10 PLANNING COMMITTEE

1) BH01.01

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) BH02.05

The window serving the rear stairwell shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) BH02.06

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

4) BH02.08

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.

5) BH04.01

The new dwellings shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

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

6) BH05.01

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

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
- (b) a BRE issued Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 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.

7) BH05.02

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Building Research Establishment issued Final Code Certificate confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.

8) BH05.05

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

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'standard' BREEAM or a 'bespoke' BREEAM) and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development have been submitted to the Local Planning Authority; and
- (b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all 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.

9) BH05.06

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a 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.

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

10) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

11) BH08.01

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 desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,

(b) 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,

(c) 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 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) (c) above that any remediation scheme required and approved under the provisions of (i) (c) 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

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.

12) BH12.01

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 policy HE6 of the Brighton & Hove Local Plan.

13) BH12.08

The works of demolition 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 prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

14) UNI

No development shall take place until full details of the window and door frames, including sections and samples 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 a satisfactory appearance to the development and to comply with policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

15) UNI

Prior to commencement of external finishes of the building, full details of the balustrading to the balcony areas, including samples, 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 a satisfactory appearance to the development and to comply with policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

16) UNI

No development shall take place until full details of the boundary treatments, including sections and samples, 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 a satisfactory appearance to the development and to comply with policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

17) UNI

Access to the flat roof 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 except for the area shown as a roof terrace on the approved plans.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

18) UNI

No development shall take place until a scheme demonstrating how solar panels will be incorporated into the scheme has been submitted to and approved in writing by the Local Planning Authority. The information will include technical details and profiles of the panels on the roof. The approved scheme shall be implemented prior to the premises opening and shall be retained as such thereafter.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and in accordance with policies S1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and SU2 of the Brighton & Hove Local Plan.

19) UNI

No vehicular movements for the loading or unloading of vehicles to the commercial units at ground floor level shall take place between the hours of 20.00 to 08.00 on Monday to Saturday and not at any time on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the occupiers of adjoining properties and in accordance with policies SU10 and QD27 of the Brighton & Hove Local Plan.

20) UNI

Prior to occupation of units, a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration is submitted to and agreed in writing by the Local Planning Authority. The use of the premises shall not commence until all specified works have been carried out in accordance with the agreed details and thereafter be retained to the satisfaction of the Local Planning Authority.

Reason: To protect residential amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

21) UNI

Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises shall not exceed a level 5dB below the existing LA90 background noise level. Rating level and existing background noise levels to be determined as per the guidance provided in BS 4142: 1997.

Reason: To safeguard the amenities of neighbouring occupiers and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

22) UNI

Prior to occupation of the commercial units a scheme for the fitting of odour control equipment to the building has been submitted to and agreed in writing by the Local Planning Authority. The use of the premises shall not commence until all odour control equipment works have been carried out in accordance with the approved details and thereafter be retained to the satisfaction of the Local Planning Authority.

Reason: To protect residential amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

23) UNI

Prior to occupation of the approved commercial units a scheme for sound insulation of odour control equipment referred to in the condition set out above shall be submitted to and agreed in writing by the Local Planning Authority. The use of the premises shall not commence until all sound insulation works have been carried out in accordance with the agreed details and thereafter be retained to the satisfaction of the Local Planning Authority.

Reason: To protect residential amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

24) UNI

Prior to occupation of the approved units, details of the external lighting of the site has been submitted to and approved in writing by the Local Planning Authority. The lighting installation shall comply with the recommendations of the Institution of Lighting Engineers (ILE) "Guidance Notes for the Reduction of Light Pollution" (dated 2005) for zone E or similar guidance recognised by the council. A certificate of compliance signed by a competent person shall be submitted with the details. The approved installation shall be maintained and operated in accordance with the approved details and thereafter be retained to the satisfaction of the Local Planning Authority.

Reason: To protect residential amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

25) UNI

The commercial units shall not be open or in use except between the hours of 09.00 and 00.00.

Reason: To safeguard residential amenity and to comply with policy QD27 of the Brighton & Hove Local Plan.

BH2010/01915

Flats 1 & 3 12 - 13 Brunswick Terrace Hove

Internal alterations to convert ground floor flat 3 and lower ground floor flat 1 into two bedroom maisonette incorporating an internal staircase.

Applicant: Valerie Haigh

Officer: Paul Earp 292193

Approved on 28/09/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

No works shall take place until full details of the proposed doors, architraves, and ceiling mouldings have been submitted at a scale of 1:20 and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02018

Lower Ground Floor Flat 45 Selborne Road Hove

Infilling of space under ground floor rear extension to form further living accommodation.

Applicant: Mr Shahid Khan

Officer: Steven Lewis 290480

Approved on 27/09/10 DELEGATED

1) BH01.01

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) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved unnamed drawing nos. 0173/01 & 0173/02, site location plan, design and access statement and heritage statement submitted on 14/07/2010.

BH2010/02038

12 Church Road Hove

Erection of two storey rear extension, amendments to rear boundary wall, erection of bicycle park and bin enclosure.

Applicant: Dr Bruno Silva

Officer: Steven Lewis 290480

Approved on 28/09/10 DELEGATED

1) BH01.01

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) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2010/02316

70 Brunswick Place Hove

Conversion and extension of existing garage to residential dwelling unit including new gates to boundary wall.

Applicant: Baron Homes

Officer: Charlotte Hughes 292321

Refused on 29/09/10 DELEGATED

1) UNI

The proposal to convert and extend the existing garage into a unit of residential would involve development within the rear garden of no.68 Brunswick Place and, as a result, less than half the garden area of this property would remain undeveloped. It is considered that this would result in overdevelopment of the site and amount to 'town cramming' which would fail to make a positive contribution to the local environment. Furthermore it is considered that insufficient amenity space would be retained for the residents of host dwelling and that their residential amenity would be harmed by an increased sense of enclosure. The proposal would therefore be contrary to policies QD1, QD2, QD3 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

Policy HE6 of the Local Plan states that development should preserve or enhance the setting of a conservation area by reflecting the scale and character or appearance of the area, including the payout of streets, development patterns, building lines and building forms. Policy HE3 states that it is rarely considered appropriate to partition off a garden to a listed building, particularly where the remaining grounds would appear mean or undersized relative to the size and status of the listed building. It is considered that the proposal to cover over more than half of the existing garden of no.68 Brunswick Place would have an adverse impact on the historic grain of the conservation area and be detrimental to the setting of the Grade II listed building, contrary to policies HE3 and HE6 of the Brighton & Hove Local Plan.

3) UNI3

Policies HE3 and HE6 of the Brighton & Hove Local Plan seek to secure a high standard of design and ensure that new development preserves or enhances the surrounding conservation area and the setting of listed buildings. It is considered that, due to the design and detailing of the roof, the resultant building would have a greater visual presence within the street scene and draw attention to what should be a low key development. The proposal would therefore cause harm to the character and appearance of the conservation area and the setting of the Grade II listed buildings, contrary to policies HE3 and HE6 of the Local Plan.

BH2010/02317

70 Brunswick Place Hove

Conversion and extension of existing garage to residential dwelling unit including new gates to boundary wall.

Applicant: Baron Homes

Officer: Charlotte Hughes 292321

Refused on 29/09/10 DELEGATED

1) UNI

Policy HE3 states that it is rarely considered appropriate to partition off a garden to a listed building, particularly where the remaining grounds would appear mean or undersized relative to the size and status of the listed building. It is considered that the proposal to cover over more than half of the existing garden of no.68 Brunswick Place would be detrimental to the setting of the Grade II listed building and be contrary to policy HE3 of the Brighton & Hove Local Plan.

2) UNI2

Policies HE1 and HE3 seek to ensure that alterations and extensions do not have an adverse effect on the historic character and appearance of the listed building or its setting. It is considered that, due to the design and detailing of the roof, the resultant building would have a greater visual presence within the street scene and draw attention to what should be a low key development. The proposal would therefore cause harm to the setting of the Grade II listed buildings, contrary to policies HE1 and HE3 of the Local Plan.

BH2010/02526

Flat 1 35 Adelaide Crescent Hove

Application for Approval of Details Reserved by Conditions 2 and 3 of application BH2010/00906.

Applicant: Mr Paul Stead

Officer: Mark Thomas 292336

Approved on 28/09/10 DELEGATED

BH2010/02541

12 - 13 Brunswick Terrace Hove

Replacement of existing roof covering to front pitched roof with Welsh slate (Part Retrospective).

Applicant: Hannah House Freehold Ltd

Officer: Paul Earp 292193

Approved - no conditions on 05/10/10 DELEGATED

BH2010/02556

Graze Restaurant 42 Western Road Hove

Display of non-illuminated awning/canopy to front of Restaurant.

Applicant: Mr Neil Mannifield

Officer: Christopher Wright 292097

Approved on 06/10/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

BH2010/02656

Graze Restaurant 42 Western Road Hove

Erection of non-illuminated awning and signage to front of restaurant.

Applicant: Mr Neil Mannifield

Officer: Christopher Wright 292097

Approved on 11/10/10 DELEGATED

1) BH01.01

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) UNI

The finish of both the awning surface and the box into which the awning retracts, shall be of a colour that matches as closely as possible the predominant colouring of the shopfront and maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD11 and HE6 of the Brighton & Hove Local Plan and

BH2010/02765

Flat 3 35 Adelaide Crescent Hove

Application for approval of details reserved by condition 2 of application BH2010/00343.

Applicant: Mr Richard Neal

Officer: Mark Thomas 292336

Approved on 08/10/10 DELEGATED

CENTRAL HOVE

BH2010/01702

20 The Drive Hove

Demolition of 6no existing garages and construction of underground car park incorporating the erection of 5no replacement garages over.

Applicant: Bergman Rubenstein Hotels Ltd

Officer: Adrian Smith 01273 290478

Refused on 07/10/10 DELEGATED

1) UNI

Policies QD1 and HE6 of the Brighton & Hove Local Plan seek to ensure that developments within conservation areas demonstrate a consistently high standard of design which takes into account the character or appearance of the area. The plans as submitted, amended and supplemented fail to adequately and consistently detail the scale of the existing and proposed structures and boundaries. Furthermore, insufficient information has been supplied to ensure that the proposed construction, demolition and excavation works would not detrimentally impact on the stability of the historic rear boundary wall. Given such inaccuracies and lack of detail it is not reasonably possible for the Local Planning Authority or other interested parties to make an accurate assessment of the design proposal having regard to the context of the site, its surrounds, and its potential impact on the Willett Estate Conservation Area. Without such information the proposal conflicts with policies QD1 & HE6 of the Brighton & Hove Local Plan, and PPS5 'Planning and the Historic Environment'.

BH2010/01703

20 The Drive Hove

Demolition of 6no existing garages.

Applicant: Bergman Rubenstein Hotels Ltd

Officer: Adrian Smith 01273 290478

Refused on 07/10/10 DELEGATED

1) UNI

Policy HE8 of the Brighton & Hove Local Plan permits the demolition of buildings within Conservation Areas which are identified as harming the character or appearance of the area, subject to a suitable replacement building having gained planning consent. The proposed demolition of the garage compound would enhance the character and appearance of the Conservation Area without the need for a suitable replacement scheme, however, notwithstanding this judgement, insufficient and inaccurate evidence has been supplied with the application to certify that the proposed demolition would not be harmful to the fragile historic boundary wall that physically adjoins the compound. For this reason it cannot be reasonably certified that the proposed demolition would not cause harm to the adjoining historic wall and Willett Estate Conservation Area,

thereby conflicting with the above Policy and PPS5 'Planning and the Historic Environment'.

BH2010/01720

43 Osborne Villas Hove

Erection of wooden balcony and staircase incorporating storage area underneath to replace existing.

Applicant: Mr Neil Bloomfield

Officer: Wayne Nee 292132

Approved on 06/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the unnumbered drawings received on 20 July 2010 and 11 August 2010.

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

BH2010/02231

Flat 4 Hova Court 54 - 56 Hova Villas Hove

Replacement of front door with authentic hardwood door and replacement of rear window with timber double glazed window.

Applicant: Miss Sandra Ventris

Officer: Wayne Nee 292132

Approved on 08/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the supporting information received on 16 July 2010 and 13 August 2010.

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

BH2010/02313

Rear of 9 Hove Manor Hove Street Hove

Application for Approval of Details Reserved by Condition 4 of application BH2009/02760.

Applicant: Rimex Investments Limited

Officer: Paul Earp 292193

Approved on 05/10/10 DELEGATED

BH2010/02463

8 Medina Terrace Hove

Application for Approval of Details Reserved by Conditions 1, 2, 3, 4, 5 and 6 of application BH2008/03235.

Applicant: Mrs Polly Samson

Officer: Clare Simpson 292454

Approved on 29/09/10 DELEGATED

BH2010/02544

8 Medina Terrace Hove

Application for Approval of Details Reserved by Conditions 1, 2, 3, 4 and 5 of application BH2009/01336.

Applicant: Mrs Polly Samson

Officer: Clare Simpson 292454

Approved on 29/09/10 DELEGATED

BH2010/02580

8 Medina Terrace Hove

Application for Approval of Details Reserved by Conditions 1, 2 and 3 of application BH2008/03233.

Applicant: Mrs Polly Samson

Officer: Clare Simpson 292454

Approved on 30/09/10 DELEGATED

BH2010/02758

32 Clarendon Villas Hove

Replacement of existing timber windows and doors with white PVCU windows and doors.

Applicant: Mr P Volanthen

Officer: Mark Thomas 292336

Approved on 08/10/10 DELEGATED

1) BH01.01

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) UNI

Conditions:

The development hereby permitted shall be carried out in accordance with the approved drawing nos. GA/490 B, GA/045 N, GA/565 B, GA/485 B, and photos received on 27th August 2010 and unnumbered drawings and photos received on 20th September 2010.

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

GOLDSMID

BH2010/00740

69 Wilbury Avenue & 14 Wilbury Villas Hove

Erection of three storey storey building plus lower ground floor level on land to rear to form 4 two-bedroom dwellings with associated landscaping, car parking and cycle storage, with demolition of existing rear extension to 69 Wilbury Avenue.

Applicant: HML Properties Ltd

Officer: Guy Everest 293334

Approved on 04/10/10 DELEGATED

1) BH01.01

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) BH02.07

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

3) BH03.01

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 policy QD1 of the Brighton & Hove Local Plan.

4) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, 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) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and
- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

6) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 has been submitted to, and approved in writing by, the Local Planning Authority.

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

7) BH05.10

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.

8) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

9) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

10) BH11.01

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

11) BH11.02

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

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

12) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. TA463N/02, TA463N/03, TA463N/04, TA463N/TA463N/05, TA463N/06, TA463N/07, TA463N/08, TA463N/09, TA463N/10, TA463N/11 & TA463N/12 submitted 16th March 2010; and drawing nos. TA463N/01 A, TA463N/40 A, TA463N/41 B, TA463N/42 A, TA463N/43 C, TA463N/44 A, TA463N/45 A, TA463N/46 A & TA463N/47 B submitted 12th July 2010.

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

13) UNI

No development shall commence until fences for the protection of the Monterey Cypress to the north of the site and a hedgerow to the west of the site have been erected in accordance with the details specified on drawing no. RG-NDJ-JTWA 002 (tree protection plan) within the R W Green Ltd Arboricultural Report. The

fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

14) UNI

No development shall commence until full details of existing and proposed ground levels within the site and on land adjoining the site to OS Datum, by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved level details.

Reason: To ensure a satisfactory appearance to the development and to protect the amenity of surrounding neighbours in accordance with policies QD1, QD2, and QD27 of the Brighton & Hove Local Plan.

15) UNI

No development shall commence until details of fixed shut obscure glazing to the lower half of rear window openings at ground floor level and above have been submitted to and approved in writing by the Local Planning Authority. The obscure glazing to the rear facing windows shall be carried out prior to first occupation of the units and shall be maintained as such thereafter.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/00741

69 Wilbury Avenue & 14 Wilbury Villas Hove

Alterations and extensions to existing building comprising 7 flats incorporating demolition of existing extension to rear and erection of porch to East elevation at 69 Wilbury Avenue and erection of lower ground, ground and first floor extensions to rear of 14 Wilbury Villas

Applicant: HML Properties Ltd

Officer: Guy Everest 293334

Approved on 04/10/10 DELEGATED

1) BH01.01

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) BH02.07

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

3) BH05.10

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.

4) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

5) UNI

All planting, seeding or turfing in the scheme of landscaping, as outlined in the RW Green Limited report dated August 2010, shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

6) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. TA463C/01, TA463C/02, TA463C/03, TA463C/04, TA463C/05, TA463C/06, TA463C/07, TA463C/08, TA463C/09, TA463C/10, TA463C/11, TA463C/12, TA463C/34 & TA463C/39 submitted 16th March 2010; drawing nos. TA463C/12, TA463C/13, TA463C/14 & TA463C/42 submitted 21st April 2010; drawing nos. TA463C/20 A, TA463C/32 B, TA463C/33 B, TA463C/36 A, TA463C/37 A & TA463C/43 A submitted 29th April 2010; and drawing nos. TA463C/30 B, TA463C/31 C, TA463C/35 B, TA463C/38 B, TA463C/41 B & TA463C/44 B submitted 14th July 2010.

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

7) UNI

Access to the flat roof over the hereby approved lower ground floor extension to 14 Wilbury Villas 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.

8) UNI

The alterations at lower ground floor level to the east and southern elevations of the building shall match the existing ground floor level of the building to the east and southern elevations in material, colour, style, bonding and texture.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

9) UNI

Prior to their erection details of the replacement boundary walls to Wilbury Avenue and Wilbury Villas and of the new retaining walls / balustrading to lower ground floor level patios shall be submitted to and approved in writing by the Local Planning Authority. The details shall include samples of materials and drawings at a 1:20 scale. The development shall be completed in accordance with the agreed details and be maintained as such thereafter.

Reason: To ensure satisfactory appearance to the development and to comply with policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

BH2010/01406

6 Nizells Avenue Hove

Application for approval of details reserved by conditions 3, 4, 5, 7 and 8 of application BH2009/02379.

Applicant: Mrs Linda Zeitlin

Officer: Adrian Smith 01273 290478

Approved on 04/10/10 DELEGATED

BH2010/01737

58A Palmeira Avenue Hove

Erection of a single storey three bedroom detached dwelling.

Applicant: Mr Michael Geary

Officer: Adrian Smith 01273 290478

Approved on 27/09/10 DELEGATED

1) BH01.01

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) UNI

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the residential unit will achieve Code level 5 have been submitted to the Local Planning Authority; and
- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the residential unit will achieve Code level 5 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.

3) UNI

No development shall commence until full details of land levels of the proposed development relative to surrounding properties shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels and 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.

4) UNI

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

before the development is occupied.

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

5) UNI

No development shall commence until the fences for the protection of trees to be retained have been erected in accordance with the submitted arboricultural method statement. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

6) UNI

Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the vehicular access shall be submitted to the Planning Authority and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

7) UNI

Prior to the occupation of the development hereby permitted, the new crossover shall be constructed and the existing crossover extinguished in accordance with the Council approved Manual for Estate Roads and under licence from the Highways Operations Manager.

Reason: In the interests of highway safety and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

8) UNI

Prior to commencement of development, details of the proposed boundary treatments shall be submitted to, and approved in writing by, the Local Planning Authority. Such details should include the materials to be used in the construction of the boundaries and their heights relative to surrounding structures, including the approved dwelling. The scheme shall be implemented in accordance with the approved details and thereafter retained at all times.

Reason: To ensure a satisfactory appearance to the development and to safeguard the amenities of the occupiers of nearby properties and to comply with policies QD1, QD2, QD14 and QD27 of the Brighton & Hove Local Plan.

9) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall at all times be undertaken in accordance with the submitted arboricultural method statement.

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

10) UNI

No development shall commence until details of the arboricultural consultant to be employed during construction works shall be submitted to, and approved by, the Local Planning Authority, in accordance with paragraph 8 of the arboricultural method statement submitted with the application. Such details shall include the name, employer, contact details and time periods for the consultant's presence onsite.

Reason: To ensure the adequate protection of the protected trees which are to be retained on the site in the interest of the visual amenities of the area and to

comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

11) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be constructed using the 'Housedeck Tree Protection System' as detailed within the application.

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

12) UNI

The development hereby permitted shall be carried out in accordance with the design and access statement and approved drawing nos. GH.01, GH.02, GH.03, GH.04, GH.05, GH.06, GH.08 & GH.11 submitted on the 7th June 2010; and drawing nos. GH.07a, GH.09b, GH.10b, GH.12a, GH.14a, GH.15a & GH.16a, submitted on 31st August 2010.

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

13) UNI

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

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

14) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

15) UNI

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 policy QD1 of the Brighton & Hove Local Plan.

16) UNI

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

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

17) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 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.

18) UNI

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

BH2010/01799

Cambridge House, 121-123 Davigdor Road, Hove

Change of Use of first and second floors from offices (B1) to natural health treatment rooms (D1).

Applicant: Equantra Ltd

Officer: Adrian Smith 01273 290478

Withdrawn on 06/10/10

BH2010/02133

159 Sackville Road Hove

Application for further temporary consent until December 2011 for the overboarding of windows on the South and West elevations (Part Retrospective).

Applicant: The Salvation Army

Officer: Charlotte Hughes 292321

Approved on 06/10/10 DELEGATED

1) UNI

The over boarding hereby permitted shall be removed and the building shall be restored to its former condition, or a condition to be agreed in writing by the Local Planning Authority, on or before the expiration date of 31st December 2011.

Reason: To enable the Local Planning Authority to review the circumstances under which this permission is granted, and to comply with policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

BH2010/02247

189 Dyke Road Hove

Installation of railings to front and side of property with vehicle and pedestrian access gates.

Applicant: Association of Clinical Pathologists

Officer: Helen Hobbs 293335

Refused on 27/09/10 DELEGATED

1) UNI

The proposed front boundary wall and railings, due to their excessive height and appearance, would be out of keeping with the character and appearance of the surrounding area, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

BH2010/02349

66 Davigdor Road Hove

Conversion of first floor flat and loft to create 3no residential units incorporating rear dormers and rooflights to sides and rear.

Applicant: Will Brandt

Officer: Adrian Smith 01273 290478

Approved on 27/09/10 DELEGATED

1) BH01.01

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) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be occupied until the sustainability measures detailed within the submitted Sustainability Checklist have been fully implemented, and such measures shall thereafter be retained as such.

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.

3) UNI

Unless otherwise agreed in writing by the Local Planning Authority, 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.

4) UNI

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall be carried out in accordance with the design and access statement, waste minimisation statement, site plan, block plan and approved existing and proposed drawings submitted on the 29th July 2010.

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

BH2010/02365

191-193 Dyke Road Hove

Replacement of 28no timber sash windows with uPVC units.

Applicant: Young Sussex Nursery

Officer: Wayne Nee 292132

Approved on 04/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with drawing no. 01 received on 30 July 2010.

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

BH2010/02432

Top Floor Flat 12 Lorna Road Hove

Installation of rooflight and sun tube to flat roof on second floor of property.

Applicant: Mr Fraser Dingley

Officer: Mark Thomas 292336

Approved on 30/09/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved unnumbered drawing received on 7th September 2010.

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

BH2010/02623

30 Cromwell Road Hove

Internal alterations and refurbishment to form 1no one bedroom flat.

Applicant: Mr R Harrison

Officer: Clare Simpson 292454

Approved on 13/10/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent. The reinstatement of fireplaces in the living and bedroom, and ogee moulding to the ceiling boarding and replacement door to the hall shall be completed in accordance with the details approved under conditions 3, 4, and 6 before occupation of the residential units and retained 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.

2) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3) UNI

No works shall take place until a 1:1 section showing the ceiling overboarding, complete with ogee moulding and its relationship to the retained cornicing, is submitted to and approved by the Local Planning Authority in writing. The ogee moulding shall be separated from the cornice by a 20mm gap. The works shall be carried in strict accordance with approved details and retained in place thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

No works shall take place until full details of the service routing for the new bathroom and kitchen, including ducting and piping have submitted to and approved by the Local Planning Authority in writing. The works shall be carried in strict accordance with approved details and retained in place thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton &

Hove Local Plan.

5) UNI

No works shall take place until 1:1 sections and 1:20 elevations of the replacement door between the inner lobby and the hall have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried in strict accordance with approved details and retained in place thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

The reinstatement of fireplaces in the living and bedroom, and ogee moulding to the ceiling boarding and replacement door to the hall shall be completed in accordance with the details approved under conditions 3, 4, and 6 before occupation of the residential units and retained 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.

7) UNI

No works shall take place until a 1:20 scale drawing of the proposed kitchen units have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried out in strict accordance with the approved details and retained in place thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

8) UNI

No works shall take place until the details of the reinstated fireplaces to the bedroom and living room have been submitted to and approved by the Local Planning Authority in writing. The works shall be undertaken in accordance with the approved details and retained in place thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02662

17 Cambridge Grove Hove

Conversion of flat to form 2no 2 bedroom maisonettes with retention of offices at ground floor level.

Applicant: Mr S D A Perry

Officer: Steven Lewis 290480

Approved on 08/10/10 DELEGATED

1) BH01.01

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) BH02.07

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

3) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, 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.

4) BH05.03B

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

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under Ecohomes (or an equivalent or successor assessment tool) and a Design Stage Assessment Report showing that the development will achieve an Ecohomes Refurbishment rating for all residential units have been submitted to the Local Planning Authority; and
- (b) a BRE issued Design Stage Certificate demonstrating that the development has achieved an Ecohomes Refurbishment rating 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.

5) BH05.04B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until an Ecohomes Design Stage Certificate (or certificate from equivalent or successor assessment tool) and a Building Research Establishment issued Post Construction Review Certificate confirming that each residential unit built has achieved an Ecohomes Refurbishment rating 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.

6) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

7) BH08.01

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 desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,
- (b) 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,

(c) 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 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 provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) 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

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.

8) UNI

The development hereby permitted shall be carried out in accordance with the approved Turner Associates drawings no TA436/01, TA436/02, TA436/03, TA436/04 Rev D, TA436/05 Rev B & TA436/06 submitted on 20/08/2010, 27/09/2010 7 30/09/2010.

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

9) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be occupied until the sustainability measures detailed within the submitted Sustainability Checklist have been fully implemented, and such measures shall thereafter be retained as such.

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.

10) UNI

All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and painted to match the colour of the background walls.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

11) UNI

All roof ventilation and extract outlets shall use flush, concealed slate or tile vents to match the roof covering, and concealed ridge and eaves ventilators.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

12) UNI

The replacement ground floor window shall be single glazed painted timber vertical sliding sashes with no trickle vents to match exactly the original sash windows, including their architrave, frame and glazing bar dimensions and mouldings, and sub cill, masonry cill and reveal details and shall have concealed sash boxes recessed within the reveals and set back from the outer face of the building to match.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

13) UNI

No development shall take place until the following details have been submitted and approved in writing by the local planning authority.

- i) The rooflights, which shall be traditional cast steel or iron
 - ii) Samples and details of paving materials for the recessed forecourt
 - iii) 1:20 Elevations and sections and 1:1 scale sectional profiles of the new ground floor glazed screen and doors and their cills, thresholds and steps
 - iv) Details of the conversion of the existing garage doors to sliding folding doors including 1:20 elevations and sections 1:1 scale sectional profiles;
- And the works shall be carried out in strict accordance with the approved details and thereafter retained.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

14) UNI

The window serving the lightwell of bedroom 2 of maisonette 2 shall not be glazed otherwise than with obscured glass and both windows serving the lightwell fixed shut below 1.7 of floor level and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02683

102 Addison Road Hove

Addition of timber veranda to rear of property and relocation of back door.

Applicant: Mrs P Liddel

Officer: Mark Thomas 292336

Approved on 07/10/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. COOP 03 submitted on 23rd August 2010.

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

HANGLETON & KNOLL

BH2010/02089

3 Burwash Road Hove

Installation of new aluminium double glazed shop front. (Retrospective)

Applicant: Mr Karim Baghbanpoor

Officer: Mark Thomas 292336

Approved - no conditions on 29/09/10 DELEGATED

BH2010/02266

Benfield Valley Pavilion Brighton

Infill of existing doors at rear elevation and replacement with high level windows to match existing incorporating security grills over.

Applicant: Portslade Cricket Club

Officer: Christopher Wright 292097

Approved on 30/09/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

BH2010/02312

42 Stapley Road Hove

Certificate of lawfulness for proposed erection of front porch.

Applicant: Mrs Manara Uddin

Officer: Wayne Nee 292132

Refused on 06/10/10 DELEGATED

BH2010/02385

63 Holmes Avenue Hove

Certificate of lawfulness for erection of single storey pitched roof extension to rear replacing existing conservatory. Enlargement of existing side dormer at first floor level.

Applicant: Mrs June Jarrett

Officer: Wayne Nee 292132

Approved on 24/09/10 DELEGATED

BH2010/02611

146 Nevill Avenue Hove

Erection of conservatory to rear to replace existing.

Applicant: Mr R Hyttner

Officer: Steven Lewis 290480

Approved on 11/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved unnamed existing and proposed drawings no. C004039 submitted on 17/08/2010.

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

3) UNI

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 window, dormer window, rooflight or door, other than those expressly authorised by this permission, shall be constructed in the walls or roof of the extension hereby permitted without first obtaining planning permission 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.

BH2010/02692

60 Meadway Crescent Hove

Certificate of lawfulness for proposed hip to gable roof extension, rear dormer, front rooflights, single storey rear extension and detached outbuilding.

Applicant: Mr Simon Beeny

Officer: Mark Thomas 292336

Approved on 07/10/10 DELEGATED

NORTH PORTSLADE

BH2010/02248

13 Sefton Road Portslade

Erection of single storey rear extension.

Applicant: Mr Matthew Gheytsi

Officer: Steven Lewis 290480

Approved on 07/10/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

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 window, dormer window, rooflight or door, other than those expressly authorised by this permission, shall be constructed in the walls or roof of the extension hereby permitted without first obtaining planning permission 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.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved Matthew Gheytsi unnumbered drawings submitted on 06/08/2010, 13/08/2010 & 01/10/2010.

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

5) UNI

The side facing window of the extension shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02260

98 Thornhill Rise Portslade

Certificate of lawfulness for a proposed dormer to rear elevation

Applicant: Mr Mohammed Rahman

Officer: Wayne Nee 292132

Approved on 29/09/10 DELEGATED

BH2010/02628

31 Brasslands Drive Portslade

Erection of an additional storey to bungalow.

Applicant: Mr & Mrs Goldstein

Officer: Adrian Smith 01273 290478

Approved on 13/10/10 DELEGATED

1) BH01.01

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) UNI

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 additional windows other than those expressly authorised by this permission shall be constructed in the rear or northwest side elevations of the extension hereby permitted 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.

3) UNI

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved amended drawing no. 1221/1412c submitted on the 4th October 2010.

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

SOUTH PORTSLADE

BH2010/01891

8 Locks Hill Portslade

Erection of single storey extension incorporating conversion of side store, roof lights and internal alterations.

Applicant: Ian Dodd

Officer: Adrian Smith 01273 290478

Approved on 29/09/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The proposed internal link door hereby permitted shall match exactly in design, detailing, scale, material, colour, bonding and texture those of similar design existing within the property.

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

3) UNI

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) UNI

The rear double doors hereby permitted shall match exactly in design, detailing, scale, material, colour, bonding and texture those existing within the rear elevation of the property.

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

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 170/1 & 170/3 submitted on the 16th June 2010; the amended drawing no. 170/2/R submitted on the 27th September 2010; and the additional drawing no. 170/4 and method statement submitted on the 27th September 2010.

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

6) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the external finishes of the works hereby permitted shall match in material, colour, style, bonding and texture those of the existing building and lean-to extension.

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

BH2010/02515

2 Abinger Road Portslade Brighton

certificate of lawfulness for a proposed loft conversion with rear dormer and front rooflight.

Applicant: Mr D Quinn

Officer: Mark Thomas 292336

Approved on 28/09/10 DELEGATED

BH2010/02517

6 Park Close Portslade

Demolition of existing conservatory and erection of single storey rear extension.

Applicant: Mr Richard O'Hare

Officer: Mark Thomas 292336

Refused on 29/09/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The proposed development represents an inappropriately designed, detailed, and excessively sized and bulky addition to the rear elevation of the recipient property and would result in unacceptable harm to the character and appearance of the recipient building. Further, it is considered that the proposed development would result in the property having an overextended appearance. The proposal is therefore

contrary to the above policy and guidance.

HOVE PARK

BH2010/01240

19 Mallory Road Hove

Demolition of existing garage and erection of 1 no three bedroom house.

Applicant: Dr Rupert Hall-Smith

Officer: Charlotte Hughes 292321

Approved on 24/09/10 DELEGATED

1) BH01.01

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) BH02.03

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

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

3) BH02.07

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

4) BH03.01

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 policy QD1 of the Brighton & Hove Local Plan.

5) BH04.01

The new dwelling shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

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

6) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 4 for all residential

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

A completed pre-assessment estimator will not be acceptable.

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

7) BH05.02

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Building Research Establishment issued Final Code Certificate confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 has been submitted to, and approved in writing by, the Local Planning Authority.

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

8) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

9) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

10) BH11.01

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

11) BH11.02

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

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

12) UNI

The window of bedroom 2 in the west elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the part of the window which can be opened are more than 1.7m above the floor of the room in which they are installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

13) UNI

The height of the building hereby approved in relation to the adjoining properties shall be constructed in strict compliance with contextual drawing no. 492/07/A received on 18th August 2010.

Reason: For the avoidance of doubt to ensure a satisfactory appearance to the property, to safeguard the amenity of residents of neighbouring properties, and to comply with policies QD1, QD2, QD14 and QD27 of the Brighton & Hove Local Plan.

14) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no's 492/01, 492/04, 492/05, 492/06 received on 28th April 2010, 492/01/A, 492/08, 492/09, 492/10, 492/12 received on 20th May 2010, 492/13 received on 3rd June 2010 and 492/02/A, 492/03/B and 492/07A received on 18th August 2010.

15) UNI

All trees to be retained, including the on-street Elm, shall be protected to BS 5837 (2005) Trees in Relation to Construction. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the area enclosed by such fences.

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

BH2010/01400

55 Tongdean Avenue Hove

Erection of single storey extension to front and side.

Applicant: Mr Saied Abdulkhani

Officer: Steven Lewis 290480

Approved on 04/10/10 DELEGATED

1) BH01.01

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) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The hedge located on the Eastern Boundary shall be pruned to BS3998 (2008) - Tree Pruning Operations standard.

Reason: In the interest of the health of the trees and the visual amenity of the area and to accord with policies QD16 and HE6 of the Brighton & Hove Local

Plan and Supplementary Planning Document 06 (trees and development sites).

4) UNI

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme for the planting of replacement trees not less than one in number, of a size and species and at the site. The planting of the replacement trees shall be carried out in the first planting season following commencement of the development, and any trees which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size and species.

Reason: To ensure appropriate and satisfactory replacement of trees of the amenity value in the interests of maintaining amenity and in compliance with policies QD16 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 06 (trees and development sites).

5) UNI

The development hereby permitted shall be carried out in accordance with the approved site plan, block plan, drawings nos. 01/1005486, 02/105486, 03/1005486, 04/1005486, 05/1005486, 06/1005486, 08/1005486, 09/1005486 submitted on 13/05/2010, 010/1005486 submitted on 02/06/2010, 07/1005486 & 10/1005486 submitted on 06/08/2010.

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

6) UNI

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 window, dormer window, rooflight or door, other than those expressly authorised by this permission, shall be constructed in the walls or roof of the extension hereby permitted without first obtaining planning permission 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.

BH2010/01714

16 Chartfield Hove

Lower ground floor garage extension with associated landscaping and external works to create new front access stairway. Two-storey ground and first floor front extension above garage with pitched dormer roof.

Applicant: Mr & Mrs Stuart

Officer: Wayne Nee 292132

Approved on 05/10/10 PLANNING COMMITTEE

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with drawing nos. TA 519/01, 02, 03, 04, 05, 06, 10, 11, 12, 13, and 14 submitted on 04 June 2010.

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

4) UNI

The proposed first floor side (south) elevation window hereby approved shall not be glazed otherwise than with obscured glass to the lower 2 rows of window panes, and shall have fixed shut casements with only the top fan light openable. The windows shall thereafter be permanently retained as such.

Reason: To safeguard the privacy of the occupiers of neighbouring properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/01758

47 Hill Drive Hove

Application for Approval of Details Reserved by Condition 9 of application BH2009/02893.

Applicant: Mr Farnood Asghari-Coliveri

Officer: Clare Simpson 292454

Approved on 06/10/10 DELEGATED

BH2010/01837

26 Benett Drive Hove

Non material amendment to BH2009/02891 comprising reduction in size of approved patio area and erection of glazed balustrade around patio area, widening of flat roof by 0.2m, and alterations to rear fenestration and rooflights.

Applicant: Mr Prince

Officer: Adrian Smith 01273 290478

Approved on 23/09/10 DELEGATED

BH2010/02189

4 Orpen Road Hove

Demolition of existing bungalow and erection of 2no 4 bedroom three storey dwelling houses.

Applicant: Mr Steve Jones

Officer: Christopher Wright 292097

Approved on 23/09/10 DELEGATED

1) BH01.01

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) BH02.03

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

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

3) BH02.04

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 window, dormer window, rooflight or door

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.

4) BH03.02

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.

5) BH04.01A

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

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

6) BH05.10

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.

7) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

8) BH11.01

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

9) UNI

The development hereby permitted shall be implemented in accordance with the Waste Minimisation Statement submitted ('Waste Minimisation during Construction') and in accordance with Supplementary Planning Document 03: Construction and Demolition Waste, in order to ensure demolition and construction waste will be recovered and reused on site or at other sites. 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.

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of at least Code level 3 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) UNI

No development shall take place until a drawing showing the position of the proposed crossovers in relation to existing trees has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure there is no adverse effect on highway safety and in accordance with policies QD16 and TR7 of the Brighton & Hove Local Plan.

12) UNI

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall include the photovoltaic panels/tiles to be integrated into the roof slopes and demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and 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 policies QD1 and SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

13) UNI

No development shall take place until details of a scheme to provide sustainable transport infrastructure to support the demand for travel generated by the development has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development does not put undue pressure on existing on-street car parking in the city and improves sustainable transport infrastructure provision in the vicinity of the site in response to the additional person trips to and from the site brought about by the development and to comply with policies TR1, QD28 and SU15 of the Brighton & Hove Local Plan.

14) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans and described in the design and access statement, including facilities for composting, have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

BH2010/02362

44 Tongdean Avenue Hove

Erection of two storey side extension to South East elevation.

Applicant: Mr & Mrs Prince

Officer: Wayne Nee 292132

Approved on 28/09/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with drawing nos. 106-E001, E002, E003, E004, SK001C, SK002D, SK003D, SK004C, SK005, SK006, SK007, and SK008D received on 29 July 2010.

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

BH2010/02368

The Pantiles Shirley Drive Hove

Conversion of ground and first floor single dwelling to form 2no self contained flats with retention of existing dental surgery within basement below.

Applicant: Mr & Mrs M Austin

Officer: Guy Everest 293334

Approved on 30/09/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 1640 D2 B, 1640 D5, 1708 D20 A, 1708 D21 A, 1708 D22 & 1708 D23 submitted on 5th August 2010; and drawing no. 1708 D24 C submitted 24th September 2010.

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

3) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be occupied until the sustainability measures detailed within the submitted Sustainability Checklist and accompanying information (dated 16th September 2010) have been fully implemented, and such measures shall thereafter be retained as such.

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.

4) UNI

The rear curtilage shall be made available for use as outdoor amenity space for occupants of both hereby approved flats and shall be retained as such thereafter, as shown on approved plan no. 1708 D24 C.

Reason: To ensure the provision of amenity space appropriate to the scale and character of the development and to comply with policy HO5 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall not be occupied until the secure and covered cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

BH2010/02388

106 Woodland Drive Hove

Conversion of existing garage into living accommodation and existing car port into garage. Reconstruction of front porch including new pitched roof to front. (Retrospective).

Applicant: Mr P Moore

Officer: Charlotte Hughes 292321

Approved on 04/10/10 DELEGATED

BH2010/02406

21 Woodruff Avenue Hove

Erection of single storey side extension.

Applicant: Mr Stagg

Officer: Charlotte Hughes 292321

Approved on 27/09/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no's 1345/1409 and 1345/1410B received on 2nd August 2010.

BH2010/02442

1 Orpen Road Hove

Erection of single storey rear infill extension with rooflight.

Applicant: Ms Mimi Spencer

Officer: Adrian Smith 01273 290478

Approved on 29/09/10 DELEGATED

1) BH01.01

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) UNI

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. S0, P0, P1, P2, P3, P5 & P6 submitted on the 5th August 2010.

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

BH2010/02452

Coral Sports And Leisure Club Orchard Road Hove

Display of 2no non-illuminated vinyl banners and 2no non-illuminated printed board signs screw fixed to boundary wall.

Applicant: Gala Coral

Officer: Guy Everest 293334

Approved on 07/10/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

BH2010/02513

32 Tongdean Avenue Hove

Application for Approval of Details Reserved by Condition 3 of application BH2010/00496.

Applicant: Mr Christopher Hartfield

Officer: Mark Thomas 292336

Approved on 28/09/10 DELEGATED

BH2010/02619

5 The Green Hove

Erection of post and wire screen to rear garden.

Applicant: Mr Jonathan Onyett

Officer: Mark Thomas 292336

Approved on 29/09/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 01 and site/block plan received on 18th August 2010.

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

BH2010/02675

49 Tongdean Avenue Hove

Erection of two storey rear extension.

Applicant: Mr Julian Lazarus

Officer: Christopher Wright 292097

Approved on 06/10/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

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, doors, rooflights, dormer windows or other openings, other than those expressly authorised by this permission, shall be constructed at first floor level or above, on the flank elevations of the extension hereby permitted, 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.

WESTBOURNE

BH2010/01931

170A Westbourne Street Hove

Alteration to existing pitched roof to form mono pitched roof and balustraded roof terrace.

Applicant: Mr Etkin-Bell

Officer: Steven Lewis 290480

Refused on 27/09/10 DELEGATED

1) UNI

The roof alteration consisting formation of a roof terrace and screening is poorly designed by reason of its form and materials and would result in an incongruous alteration to the roofscape and appearance of the area; harming the character of the parent property and the visual amenity of the area. This is contrary to policies QD1, QD2, QD14, QD27 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 1 (roof alterations and extensions).

2) UNI2

The roof terrace would have an overbearing impact upon the adjacent residential properties in Coleridge Street giving an impression of overlooking and loss of privacy. This is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02088

13 Walsingham Road Hove

Erection of single storey rear extension to replace existing lean-to.

Applicant: Mr John Oades

Officer: Wayne Nee 292132

Approved on 04/10/10 DELEGATED

1) BH01.01

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.

BH2010/02279

72 Pembroke Crescent Hove

Reinstatement of 3no windows to side elevation and addition of rooflights to front and rear elevations.

Applicant: Ms Diana Dickenson

Officer: Charlotte Hughes 292321

Approved on 05/10/10 DELEGATED

1) BH01.01

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) BH12.05A

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 a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no's 01 received on 22nd July 2010, 05 received on 10th August 2010 and 02/A, 04/A received on 4th October 2010.

BH2010/02421

13 Prince's Crescent Hove

Replacement of existing wooden fence with brick wall at front elevation.

Applicant: Mr Alan Rawlinson

Officer: Steven Lewis 290480

Approved on 29/09/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved unnumbered Tim Cording drawings submitted on 02/08/2010.

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

BH2010/02441

Barford Court 157 Kingsway Hove

Internal fire precaution works.

Applicant: Royal Masonic Benevolent Institution

Officer: Paul Earp 292193

Approved on 05/10/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

Within one month of completion of works details shall be submitted to the Local Planning Authority setting out the findings of the opening up of the ceilings, including the construction of the ceilings, and details of any works necessary to upgrade the walls.

Reason: To ensure the satisfactory preservation of the building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.

3) UNI

All ceilings opened up or otherwise disturbed as part of the works hereby approved shall be reinstated in matching materials and to a matching finish.

Reason: To ensure the satisfactory preservation of the building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.

BH2010/02573

Rear of 69 New Church Road Hove

Demolition of existing garage and erection of detached 2no bedroom dwelling.

Applicant: Portland Properties Ltd

Officer: Clare Simpson 292454

Refused on 04/10/10 DELEGATED

1) UNI

The subdivision of the site to form a plot containing an individual house is considered to be an inappropriate development of the site. The resultant plot size would fail to respect the prevailing character of the street scene. As a result, a new house on the site would appear crammed-in and would represent an overdevelopment of the site detrimental to the street scene and harmful to the character of the area. The development is contrary to policies QD1, QD2, QD3, HO3 and HO4, of the Brighton & Hove Local Plan.

2) UNI2

Policy HO5 requires the provision of private useable amenity space in new residential development. The proposed development would result in the loss of the private amenity space for the flats in 69 New Church Road. The development would result in poor quality and insufficiently sized private amenity space, for the occupiers of these flats. The proposal is therefore contrary to requirements of HO5 and QD27 of the Brighton & Hove Local Plan.

3) UNI3

The design and appearance of the new house, including curved roof with overhang, bland and featureless west and north elevation and formation of basement accommodation would result in residential development which is out of character with the surrounding area. In addition, the new house would project forward of neighbouring properties giving the new house an unduly prominent presence within the street scene. The development would detract from the character and appearance of the street-scene and the proposal is thereby contrary to policies QD1, QD3, QD4 of the Brighton & Hove Local Plan

BH2010/02599

39 Walsingham Road Hove

Conversion of existing stables to form ancillary guest annexe.

Applicant: Ms Heather Gratton

Officer: Clare Simpson 292454

Approved on 06/10/10 DELEGATED

1) BH01.01

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) BH02.051

The window/s in the south elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the

window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no131 /P1 received on the 13th August 2010 and 131/P2A and P3A received on the 22nd September 2010.

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

5) UNI

The development hereby granted consent is for guest accommodation which shall at all times be used as ancillary to the main house at 39 Walsingham Road and at no time be used as a separate dwelling.

Reason: To protect the residential amenity of neighbouring properties in accordance with policy QD27 of the Brighton & Hove Local Plan.

BH2010/02654

30A & 30B Coleridge Street Hove

Certificate of Lawfulness for existing use of the premises as 1no flat and 1no maisonette.

Applicant: Bula Properties Limited

Officer: Mark Thomas 292336

Approved on 04/10/10 DELEGATED

WISH

BH2009/03014

331 Kingsway Hove

Mixed commercial and residential development comprising of a four storey plus basement block of 40 apartments (16 affordable) and 870 square metres comprising of a D1 medical centre on ground and first floors and B1 office on second floor with associated parking and amenity space.

Applicant: Southern Housing Group

Officer: Clare Simpson 292454

Approved after Section 106 signed on 01/10/10 PLANNING COMMITTEE

1) BH01.01

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) BH02.06

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

3) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, 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.

4) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 4, 60% in water and energy sections for all residential units have been submitted to the Local Planning Authority; and
- (b) Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4, 60% in water and energy sections 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.

5) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4, 60% in water and energy sections 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.

6) BH05.05A

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

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of Excellent 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent'* for all 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.

7) BH05.06A

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' 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.

8) BH07.11

No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

9) BH11.01

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

10) BH11.02

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

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

11) UNI

The development hereby approved shall not be occupied until the refuse and recycling facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

12) UNI

The second floor B1/D1 unit shown on drawing numbers 108C shall only be used for the purposes of providing a business uses under the B1 use class and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure satisfactory levels of employment remain on site and to comply with policy EM9 of the Brighton & Hove Local Plan.

13) UNI

The ground and first floor areas indicated on drawing 107C and 108C shown as D1 clinic and associated rooms shall only be used for the purposes of providing a medical practice and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

14) UNI

Prior to occupation the 90m² photovoltaic panels outlined on drawing number 109B shall be installed on the roof of the approved building and these panels shall be maintained and permanently retained in place thereafter:

Reason: To secure micro-generation technologies for the site and to comply with policy SU2 of the Brighton & Hove Local Plan and the Supplementary Planning Document on Sustainable Building Design SPD08.

15) UNI

No development shall be commenced until full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished floor levels of all levels of the development and have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved level details.

Reason: To safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policies QD2, QD14 and QD27 of the Brighton & Hove Local Plan.

16) UNI

Notwithstanding the details provided within the application, revised details of the cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The revised facilities shall show a minimum of 55 accessible spaces for the residential use and a minimum of 7 accessible cycle spaces for the B1/D1 use. These facilities shall be fully implemented and made available for use in strict accordance with the approved details 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.

17) UNI

Prior to the commencement of development a scheme for the provision of ecological mitigation and enhancement of the site, together with a maintenance plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The scheme shall be implemented in accordance with policies QD15 and QD17, of the Brighton & Hove Local Plan 2005.

18) UNI

Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997.

Reason: To safeguard the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

19) UNI

The development shall be completed in strict accordance with the recommendations of the report by Acoustic Associates on the Assessment of the Impact of Road Traffic and Commercial Noise for 331 Kingsway Hove, dated 23rd November 2009 prepared by George Orton will be implemented. This must include the provision of a 2 metre high wall or 2 metre high acoustic timber fence of 20mm with cover strips along the north and west edge of the car park as outlined in the report. The development shall be implemented in strict accordance with the approved details and retained as such thereafter.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policies SU9 and SU10 of the Brighton & Hove Local Plan.

20) UNI

A scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration shall be submitted to and approved by the Local Planning Authority. The use of the premises shall not commence until all specified works have been carried out to the satisfaction of the Local Planning Authority and retained as such thereafter:

Reason: To safeguard the amenities of the occupiers of adjoining properties health of future residents or occupiers of the site and to comply with policies SU9 and SU10 of the Brighton & Hove Local Plan.

21) UNI

Prior to occupation of the B1 accommodation, an operation plan shall be submitted and agreed in writing to the Local Planning Authority detailing how the office space shall be serviced. This shall include details of frequency of deliveries and collections, times of deliveries and collections; associated areas and plant and vehicle types. The B1 accommodation shall operate in strict accordance with the operational plan agreed at all times.

Reason: To safeguard the amenities of future occupiers and to comply with policy QD27 of the Brighton & Hove Local Plan.

22) UNI

Prior to occupation of the D1 accommodation, an operation plan shall be submitted and agreed in writing to the Local Planning Authority detailing how the D1 unit shall be serviced. This shall include details of frequency of deliveries and collections, times of deliveries and collections, associated areas and plant and vehicle types. The D1 unit shall operate in strict accordance with the operational plan agreed at all times.

Reason: To safeguard the amenities of future occupiers and to comply with policy QD27 of the Brighton & Hove Local Plan.

23) UNI

No servicing (i.e. deliveries to or from the business premises) shall occur outside the hours of 8am and 6pm or on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the occupiers and to comply with policy QD27 of the Brighton & Hove Local Plan.

24) UNI

The medical clinic hereby permitted shall not be open to patients and clients except between the hours of 0730 and 1930 on Mondays to Fridays and 0900 and 1230 on Saturdays and not at anytime on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

25) UNI

No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:

(i) (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; 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 monitoring. Such scheme shall include 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 a competent person approved under the provisions of condition (i)b that any remediation scheme required and approved under the provisions of condition (i)b 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;

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 condition (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.

26) UNI

Prior to the commencement of development, full details of the proposed passive ventilation system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details and retained as such thereafter and the passive ventilation shall be fully operational prior to the first occupation of any of the flats hereby approved.

Reason: To ensure the occupants of the units do not suffer from adverse air quality and to comply with policies SU9 and QD27 of the Brighton & Hove Local Plan.

27) UNI

The second and third floor north facing windows shown as obscured glass on the drawing number 114B shall not be glazed otherwise that with obscured glass and non-opening, unless the parts of the windows what can be opened are more than 1.7m above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

28) UNI

Prior to development commencing, the technical specifications of the proposed combined heat and power plant shall be submitted to and approved by the Local Planning Authority in writing. The specification must demonstrate that exit velocity

of emissions from the flue during normal operation are at least 5m/second.

Reason: To ensure the emissions from the development are acceptable in accordance with policy SU9 of the Brighton & Hove Local Plan.

29) UNI

Prior to the commencement of the development details of the proposed means of surface water disposal have been submitted to and approved by the Local Planning Authority in consultation with the Southern Water, in writing. The scheme shall be implemented in accordance with the agreed details

Reason: To ensure surface water drainage is considered in regard to existing capacity and to comply with SU4 and SU5 of the Brighton & Hove Local Plan.

30) UNI

Within 6 months of the occupation of the medical centre, a travel plan for medical centre staff and visitors shall be submitted to and agreed in writing by the Local Planning Authority. The plan should include a travel survey of staff and patients and include measures to encourage travel by sustainable modes of transport. The travel plan shall be reviewed annually and submitted and agreed in writing by the Local Planning Authority and thereafter implemented as agreed.

Reason: To comply with policies TR1, TR2, TR4 and TR7 of the Brighton & Hove Local Plan.

31) UNI

Prior to the development commencing a scheme for the provision of public art shall on the site shall be submitted to and approved by the Local Planning Authority in writing and the works undertaken in accordance with the approved details and thereafter maintained on site:

Reason in the interests of the public realm improvements and in accordance with policy QD6 of the Brighton & Hove Local Plan.

32) UNI

A minimum of four residential units (two within the affordable accommodation and two within the market accommodation) are to be built to wheelchair standards to the satisfaction of the Local Planning Authority.

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

33) UNI

Access to the flat roofs of the building 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.

34) UNI

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash, paving) 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 policy QD1 of the Brighton & Hove Local Plan.

BH2010/02484

Mackleys Wharf Basin Road North Portslade Brighton

Amendment to condition 1 of approval BH2002/01978/FP (which states that the change of use of the land for B2 purposes shall terminate before 03/12/2012 and the land reinstated to B1/B8 use) to extend the temporary B2 use of the site for a further 3 years until 30 September 2015.

Applicant: Hopegar Properties Ltd

Officer: Paul Earp 292193

Approved on 05/10/10 DELEGATED

1) BH01.06

The development hereby permitted shall be carried out in accordance with the approved unnumbered location plan submitted on 6 August 2010.

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

2) UNI

The use hereby permitted shall cease no later than 30 September 2015 and the land reinstated to its former B1/B8 use.

Reason: To enable the future use of this site within Shoreham Harbour to be developed in accordance with policy EM12 of the Brighton & Hove Local Plan.

BH2010/02485

11 Middleton Avenue Hove

Construction of rear paved patio with wall to replace raised decking area. (Part retrospective).

Applicant: Mr Ant Lloyd

Officer: Jason Hawkes 292153

Approved on 29/09/10 DELEGATED

1) UNI

The new fencing, as indicated on drawing no.CH325/003A, shall be installed within 3 months of the date of this permission, unless otherwise agreed with the Local Planning Authority in writing. The fencing shall be no lower than 1.8m when measured from the finished level of the patio and shall be retained as such thereafter.

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.

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.CH325/002A, 003A & 004 received on the 21st September 2010.

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

BH2010/02487

58 Marmion Road Hove

Certificate of Lawfulness for proposed loft conversion with rooflights to front and dormer with French doors to rear elevation.

Applicant: Mr Steve Chisholm

Officer: Wayne Nee 292132

Approved on 04/10/10 DELEGATED

BH2010/02504

2 Western Esplanade Portslade

External alterations to front including enclosure of ground and first floors, external alterations to rear including removal of roof access staircase, extension of roof parapet and repositioning and replacement of windows. Removal of rear boundary wall to facilitate new parking arrangements with crossover and infilling of rear basement to provide street level parking.

Applicant: Mr Cassion Castle

Officer: Adrian Smith 01273 290478

Approved on 04/10/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. LO2, PO1, PO2, PO3, PO4, PO5, EO1, E02, EO3 & EO5 submitted on the 9th August 2010.

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

BH2010/02557

97 St Leonards Road Hove

Alterations to front dormer replacing flat roof with double pitched roof.

Applicant: Cocoon Property

Officer: Christopher Wright 292097

Refused on 29/09/10 DELEGATED

1) UNI

The proposal would, by reason of the size, position and design of the dormer together with the form of the double pitched roof, appear unduly dominant on the roof slope, detract from the character of the host dwelling and maintain an incongruous appearance within the terrace row which forms a uniform grouping of similar dwellings. As such the development would be harmful to visual amenity and would fail to enhance the positive characteristics of the locality. The application is therefore contrary to the requirements of policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and design guidance in SPGBH1: Roof alterations and extensions.

BH2010/02561

48 Portland Villas Hove

Erection of single storey side/rear infill extension with rooflights and addition of 2no windows to existing side elevation (part retrospective).

Applicant: Mrs Rona Prentice

Officer: Wayne Nee 292132

Approved on 07/10/10 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with drawing nos. PV48PRO/01, 02, 03 and 04 received on 12 August 2010.

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

BH2010/02603

9 Saxon Road Hove

Erection of single storey side extension and single storey rear extension. Loft conversion incorporating hip to gable roof extensions, front rooflights and 1no. window to north gable end.

Applicant: Mr Henry Stach

Officer: Mark Thomas 292336

Approved on 11/10/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 02 rev a, 03 received on 16th September 2010.

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

Withdrawn Applications

BH2010/03051

313 Kingsway Hove

Certificate of lawfulness for a proposed hip to gable loft conversion incorporating rooflights to front and rear.

Applicant: Mr Michael Johnson

Officer: Mark Thomas 292336

WITHDRAWN ON 08/10/10

