



**Brighton & Hove
City Council**

Plans List

PLANNING COMMITTEE

2.00PM, WEDNESDAY, 28 MAY 2008

COUNCIL CHAMBER, HOVE TOWN HALL

**BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT**

**PLANS LIST
PLANNING APPLICATIONS COMMITTEE
Date: 28 MAY 2008**

TREES - Recommendations

43 Rowan Way, Rottingdean
Aylesbury, York Avenue

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TREES

Delegated powers or Implementation
Of a previous Committee Decision

Page 15

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

	Application Number	Area	Ward	Address	Proposal	Recommendation	Page
A	BH2008/00106	West	Wish	Stretton Hall, 353 Portland Road	Demolition of existing hall(D1) and construction of ground floor parking area, first floor hall (D1 use) and 3 floors of office space (B1 use) above (total 5 storeys)	Refuse	17
B	BH2008/00535	East	St Peter's and North Laine	27 -33 Ditchling Road	Demolition of existing building. Proposed change of use to mixed use development comprising (D2) Gym, (A1) Retail and (C3) 28 apartments.	Minded to Grant	25
C	BH2008/00713	West	Westbourne	Flat 26,55 & 59 – 61 New Church Road	New roof terrace. (Amendment to approval BH 2005/002267)	Grant	42
D	BH2008/00723	West	Westbourne	Flat 23, 55 & 59 -61 New Church Road	New roof terrace (Amendment to Approval BH 2005/002267.)	Grant	47
E	BH2008/00941	West	Westbourne	Flat 24, 55 &	New roof terrace.	Grant	52

				59 -61 New Church Road	(Amendment to Approval BH 2005/002287).		
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MINOR APPLICATIONS

	Application Number	Area	Ward	Address	Proposal	Recommendation	Page
F	BH2008/00196	West	Stanford	7 Elm Close	Erection of 2 new family homes on vacant plot.	Grant	57
G	BH2007/04011	West	Withdean	4 Barn Rise	Remodelling of house including ground floor, first floor and roof extensions, to front side and rear. Front, side and rear rooflights (resubmission)	Refuse	72
H	BH2007/04086	West	Withdean	188 Surrenden Road	Demolition of existing garage. Construction of part single, part two storey house with integral garage.	Refuse	78
I	BH2008/00232	East	Preston Park	Windlesham School, Dyke Road	Demolition of existing gymnasium and prefabricated classrooms. Proposed new gymnasium with internal alterations to existing building.	Grant	88
J	BH2007/04388	West	Regency	24 Castle Street	Refurbishment and extensions to existing buildings on the site to provide 6 x B1 office units, 2 x one - bedroom flats and 3x two bedroom maisonettes.	Grant	97
K	BH2007/04387	West	Regency	24 Castle Street	Partial demolition of existing building to form internal courtyard.	Grant	108
L	BH2008/00082	West	Withdean	40 Varndean Gardens	Single storey rear extension, first floor front extension, replacement porch, and associated external alterations	Grant	113

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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.

Application Number: BH2008/01517 **Ward:** Rottingdean

Address: 43 Rowan Way, Rottingdean

Proposal: To fell 1 x Acer pseudoplatanus (Sycamore), Tree number T.7 covered by Tree Preservation Order (No. 7) 1999.

Officer: Di Morgan, tel. 01273 292186

Date Received: 21 April 2008

Applicant: Mr and Mrs Wark

1 Introduction

1.1 The purpose of the report is to consider the above application.

2 Recommendation

2.1 That the Sub-Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 7 of this report and resolves to refuse consent to fell this tree.

3 Description of the Application Site

3.1 This property is situated on the very northern end of Rowan Way, where it turns the corner and backs on to Eley Drive. The tree is the only tree covered by Preservation Order situated in the rear garden of the bungalow, although there are several trees of smaller stature within the grounds of the property. The specimen the subject of this application is approximately 6 metres away from the property in a landscaped area towards the rear boundary.

4 Proposal

4.1 The applicant wishes to fell this specimen to the ground as they feel it has some rotten branches, it is a large tree in a small garden, in high winds they are scared it may fall on to the house, the smaller crab apple under the canopy is suppressed and a hawthorn 3 metres away will soon be suppressed, the property is inhabited by an elderly couple who have financial concerns regarding constant pruning, as well as lack of light to their conservatory.

5 Relevant Planning History

5.1 No planning history available for this site.

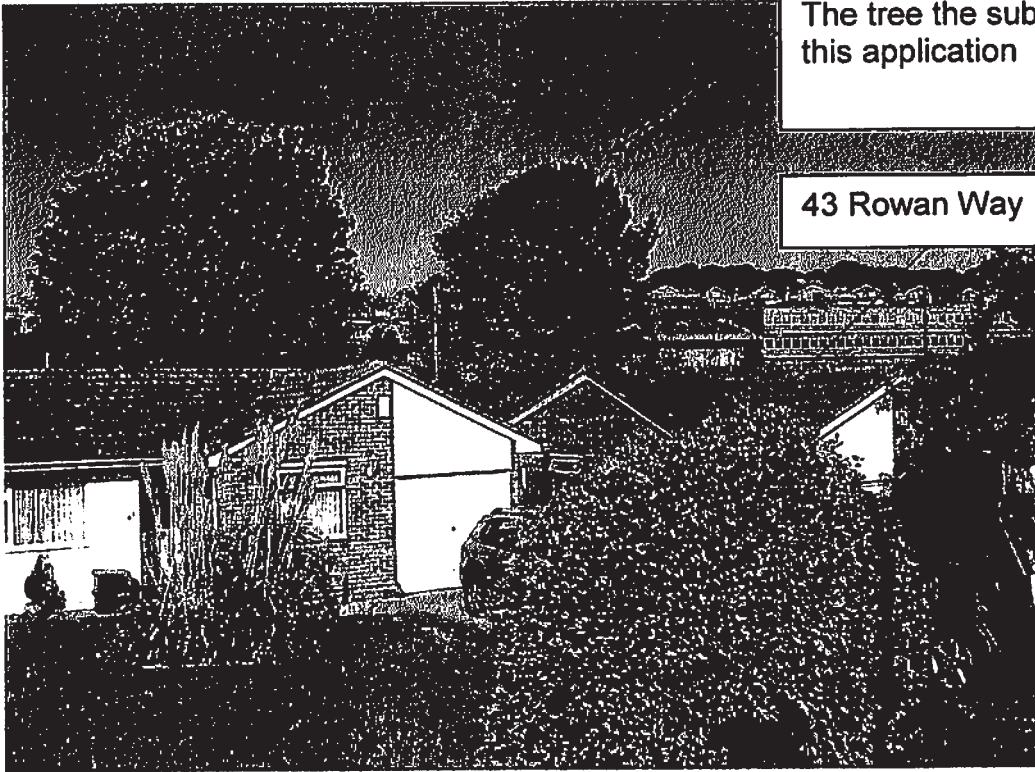
6 Considerations

- 6.1 This Acer is approximately 12 metres in height, and has previously been pollarded at approximately 5 metres. The crown is approximately 7 metres wide.
- 6.2 The tree is approximately 6 metres from the property at 43 Rowan Way and marginally less from the public road and footpath.
- 6.3 At the time of the inspecting officer's visit, the tree had no defects visible from ground level, however, the old pollard points have not received any management, and the owner of the property has not maintained the tree in 16 years. There are 2 – 3 stumps at the pollard point that have rotted back, however, the extent of the rot is not apparent from ground level.
- 6.4 The inspecting officer was of the opinion that the tree offers high public amenity value being visible both over the roof of the bungalow and from the side of the property.
- 6.5 No loss or damage is likely to occur if the application is refused to fell this tree, however, it is strongly recommended that a climbing inspection is carried out and this tree is brought under a maintenance regime.

7 Conclusion

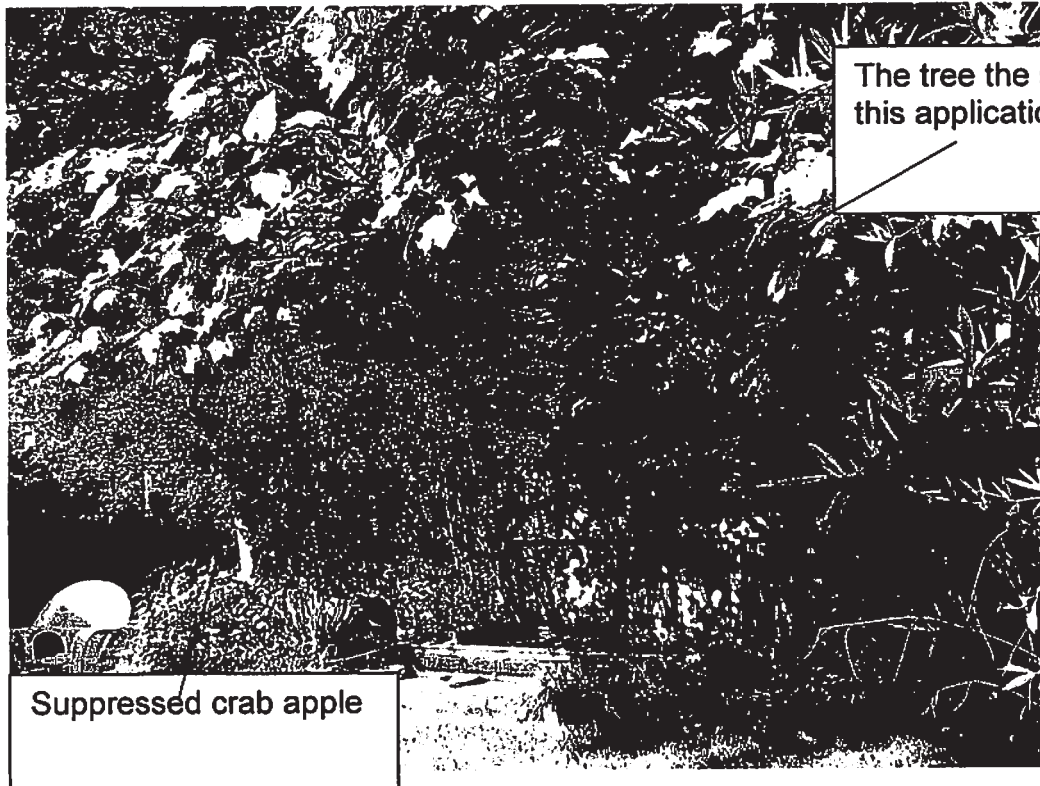
- 7.1 The tree the subject of this application is of some stature and whilst there is no disputing the fact that it needs pruning, a visual assessment from ground level did not reveal any reason why the tree should be felled.
- 7.2 It is strongly recommended that the old pollard points are assessed by a climbing arborist who may conclude that further works are necessary.
- 7.3 The tree still offers high amenity value and it is felt that the impact of its removal will be significant.

BH2008/01517
43 Rowan Way



The tree the subject of this application

43 Rowan Way



The tree the subject of this application.

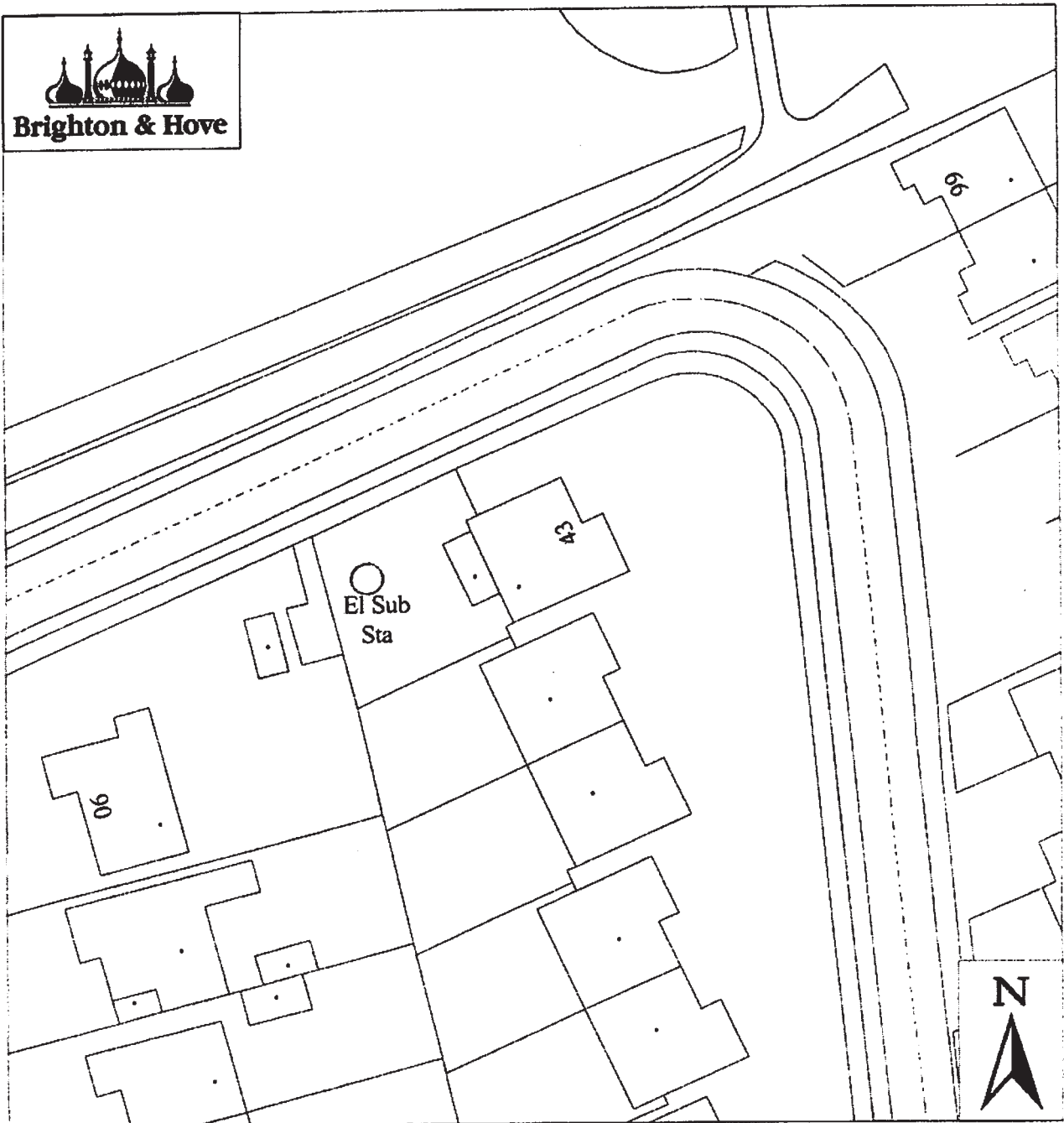
Suppressed crab apple



Old pollard points showing remaining rotten stumps of old branches.



Brighton & Hove



BRIGHTON & HOVE COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (TREE PRESERVATION) (No 7) ORDER 1999

APP. No.

BH2008/01517

ADDRESS

43 Rowan Way

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J. Rowlands

J. ROWLANDS
DIRECTOR OF ENVIRONMENT

SCALE 1:500

Application Number: BH2008/01512 **Ward:** Goldsmid
Address: Aylesbury, York Avenue
Proposal: To fell 1 x Tilia spp (Lime), Tree number T.30 covered by Tree Preservation Order (No. 2) 1995.
Officer: Di Morgan, tel. 01273 292186
Date Received: 17 April 2008
Applicant: Countrywide Property Management

1 Introduction

1.1 The purpose of the report is to consider the above application.

2 Recommendation

2.1 That the Sub-Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 7 of this report and resolves to **refuse** consent to fell this tree.

3 Description of the Application Site

3.1 Aylesbury is a large modern block of flats situated on the corner of York Avenue and Furze Hill. The boundary is comprised of a small wall, half metre in height. Adjoining the boundary is a small strip of soil (in which the subject of this application grows), and behind that the remainder of the grounds are laid to lawn. There are several other trees along this boundary and also within the grounds of the block that are covered by this Tree Preservation Order.

4 Proposal

4.1 The applicant wishes to fell this specimen to the ground as they state it is damaging the front boundary wall.

5 Relevant Planning History

5.1 No relevant planning history available for this site.

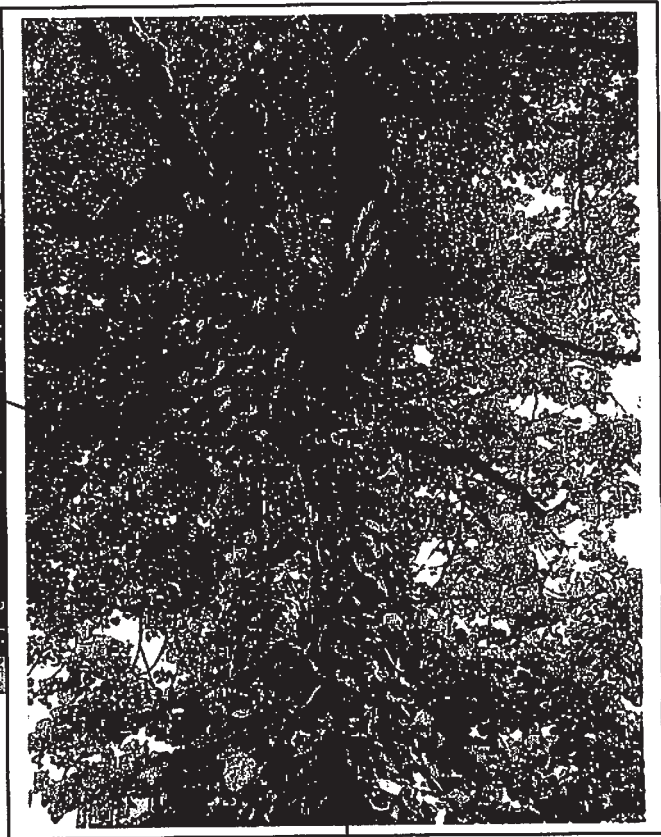
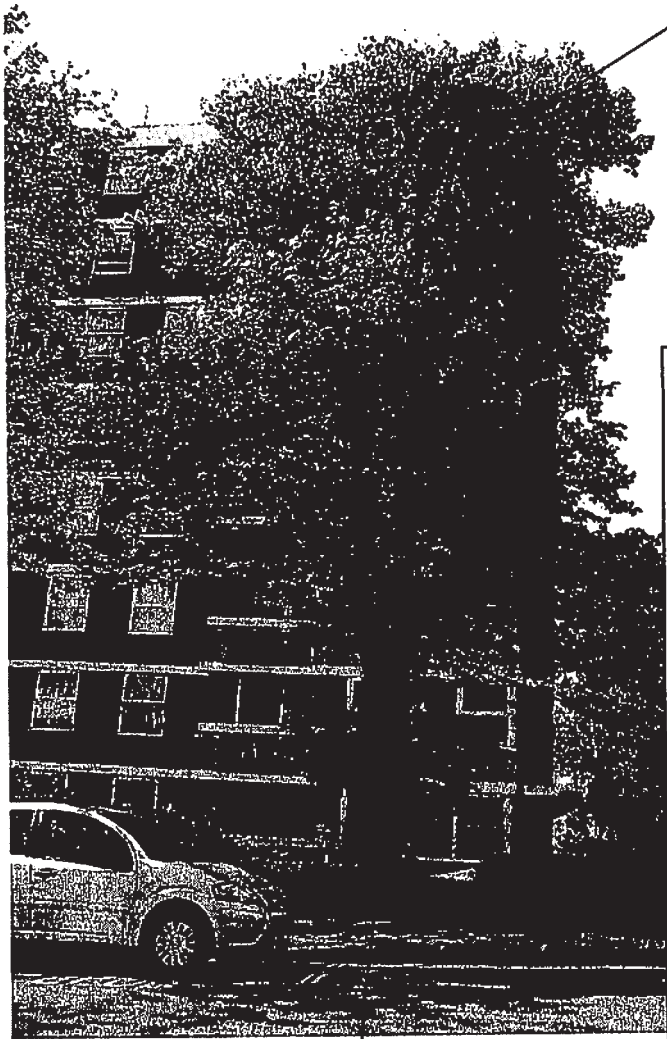
6 Considerations

- 6.1 This Tilia is approximately 14 – 15 metres in height with a crown spread of 7 – 8 metres. Crown break is at approximately 5 metres, where the tree splits into three spires. One of the branch unions at this split has included bark, which indicates that the union may be considered weak. The main bole of the tree is ivy-clad to approximately 4 metres.
- 6.2 The tree is situated in a shrubbery immediately abutting the public pavement on York Avenue.
- 6.3 At the time of the inspecting officer's visit, the tree had no immediately hazardous defects visible from ground level. The Arboricultural Section, however, strongly recommend that the previously mentioned weak branch union is assessed and crown reduction may be considered to reduce the risk of this union failing. It is the natural growth habit of a Tilia spp to produce epicormic growth. This is now close to overhanging the public footpath at ground level, which may be a hazard to pedestrians. The ivy covering the trunk may be concealing structural faults on the tree and should be removed for a full visual tree assessment. The tree supports a colony of Pulvinaria regalis (Horse Chestnut Scale), however, this is considered to be an aesthetic rather than a structural problem for the tree.
- 6.4 The inspecting officer is of the opinion that the tree offers high public amenity value.
- 6.5 The inspecting officer is of the opinion that the tree has indeed caused damage to the boundary wall, however, the wall will need to be repaired regardless of the tree. There are engineering solutions to allow the rebuilding of the wall without the necessity to remove the tree.
- 6.6 No loss or damage is likely to occur if the application is refused to fell this tree in the short term, however, it is strongly recommended that the wall is repaired / rebuilt and the tree receives attention as detailed above.

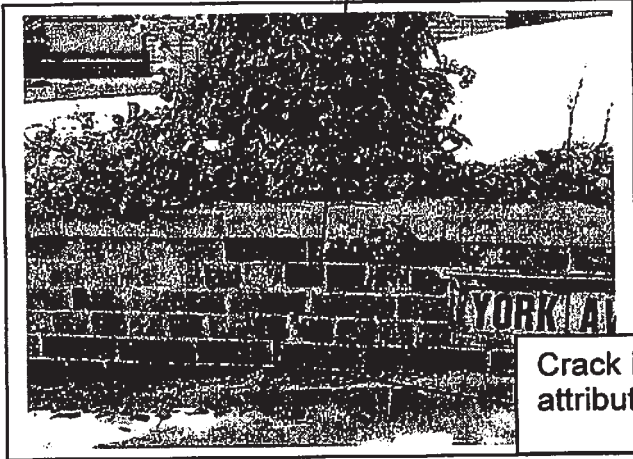
7 Conclusion

- 7.1 The tree the subject of this application is a fine specimen and offers high public amenity value. The impact of its removal would be significant.
- 7.2 A visual tree assessment from ground level did not reveal any reason why the tree should be felled.
- 7.3 The damage the tree has caused to the wall could easily be repaired without the need to remove the tree.

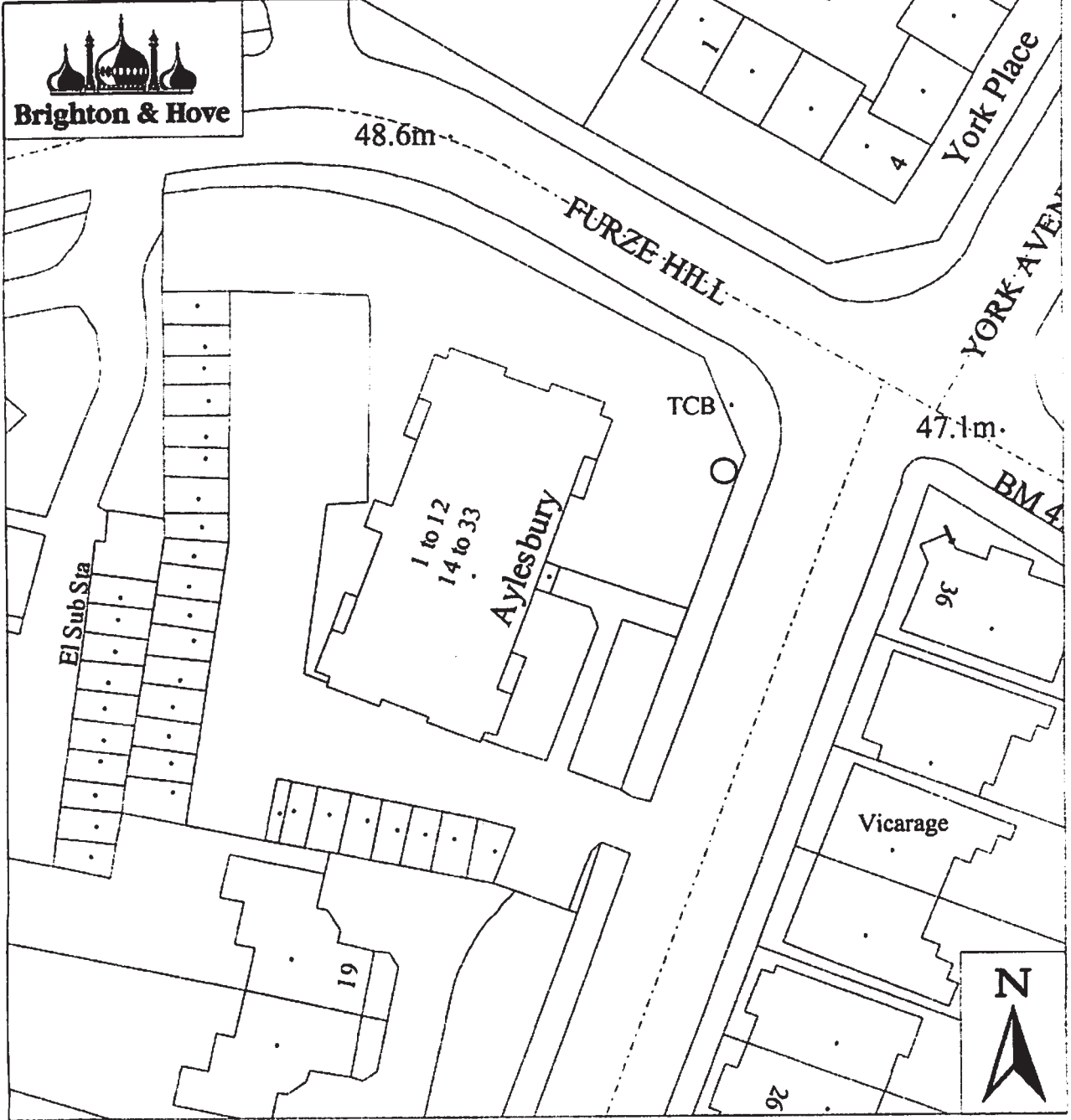
The tree the subject of this application.




Weak stem union at crown break with heavy ivy cover below.



Crack in wall attributable to tree.



**BRIGHTON & HOVE COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (TREE PRESERVATION) (No 2) ORDER 1995**

APP. No.	BH2008/01512
ADDRESS	Aylesbury York Avenue
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SCALE	1:500

PLANS LIST 28 May 2008

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

QUEEN'S PARK

Application No: BH2008/01518

Garden Flat, 30A St Georges Terrace, Brighton, BN2 1JJ

1 x Sweet Chestnut - fell

Applicant: Emily Heath

Approved on 06 May 2008

BRIGHTON & HOVE CITY COUNCIL

LIST OF MAJOR OR CONTROVERSIAL APPLICATIONS

OR APPLICATIONS CONTRARY TO COUNCIL POLICY

<u>No:</u>	BH2008/00106	<u>Ward:</u>	WISH
<u>App Type</u>	Full Planning		
<u>Address:</u>	Stretton Hall 353 Portland Road Hove		
<u>Proposal:</u>	Demolition of existing hall (D1) and construction of ground floor parking area, first floor hall (D1 use) and 3 floors of office space (B1 use) above (total 5 storeys).		
<u>Officer:</u>	Sue Dubberley, tel: 292097	<u>Received Date:</u>	09 January 2008
<u>Con Area:</u>	n/a	<u>Expiry Date:</u>	09 April 2008
<u>Agent:</u>	Alan Phillips Architects (OCA Ltd), Studio 7 Level 5, New England House, New England Street, Brighton		
<u>Applicant:</u>	Welshall Limited, c/o Mr Alan Phillips, Alan Phillips Architects (OCA Ltd), Studio 7 Level 5, New England House, New England Street, Brighton		

1 RECOMMENDATION

That the Sub-Committee has taken into consideration and agrees with the reasons for the recommendation and resolves it is **refuse** planning permission for the following reasons:

1. The building proposed for this prominent site by virtue of its height, scale and bulk would appear incongruous and unduly prominent, appear as an over dominant feature in the street scene, and thereby detrimental to the surrounding area and residential amenity. This would be contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan, which seek to ensure that new developments emphasise and enhance the positive qualities of the local neighbourhood.
2. The open frontage to the car park is unattractive and presents a bland and uninteresting street frontage. The proposal is therefore contrary to policy QD5 of the Brighton & Hove Local Plan which seek to ensure that all new developments should present an interesting and attractive frontage particularly at street level for pedestrians.
3. The applicant has failed to demonstrate that the proposed development would incorporate satisfactory measures to ensure its future sustainability and to achieve a high standard of efficiency in use of energy, water and materials and as such the proposal is contrary to policy SU2 of the Brighton & Hove Local Plan Second Deposit Draft and the Council's SPGBH21 - Brighton & Hove Sustainability Checklist.

Informatives:

1. This decision is based on drawing nos. A-01, D.01, 02, 03 submitted on 9 January 2008.

2 THE SITE

The application relates to a site located on the north side of Portland Road adjacent to the entrance to the EDF offices. The site is almost surrounded by the car park for the EDF offices. To the far north is a railway line and to the south residential detached and semi-detached two storey houses on the opposite side of Portland Road. The nearest residential properties to the west of the site, on the same side of Portland Road as the application site, are some 65m away from the site's western boundary.

The site currently contains a single storey building formerly in use as a church hall, which is now vacant.

3 RELEVANT HISTORY

M/11237/64: Pram room for Christian meeting hall. Allowed.

M/11605/65: Extension to store to existing Christian meeting hall. Granted

BH2005/01691/FP: Demolition of exiting D1 class hall, construction of 5 storey unit with new D1 community meeting facility, five 3-bedroom flats and four 2-bedroom flats above. Withdrawn.

BH2005/06665: Demolition of existing D1 class hall, construction of 5 storey building with new D1 Community Meeting facility at ground floor and four 3 bedroom flats and four 2 bedroom flats over. Current application.

BH2006/04300 Demolition of existing hall (D1 use) & construction of hall (D1 use) ground floor & 3 stories above of office space (B1 use). Approved 11 June 2007.

4 THE APPLICATION

The application is for the demolition of the existing hall (D1 use) and construction of hall (D1 use) at first floor and 3 stories of office space (B1 use) above. The building would have a shared entrance for the hall and offices. At ground floor there would be 8 parking spaces (including 2 disabled spaces).

5 CONSULTATIONS

External:

Neighbours: 386 Portland Road Object for following reasons:

- The proposed 5 storey building would tower over houses opposite and stand out like a sore thumb and cause overlooking and loss of privacy.
- Building is too tall and disproportionately narrow for its width.
- Similar to EDF building in style but EDF is set back 20 m from the road and not overpowering.
- Do not object to a building of 3 or 4 storeys in height but 5 are unacceptable for reasons given above.

Southern Water: Do not wish to comment on the application.

EDF: No objection providing rights regarding access and maintenance are maintained at all times.

Internal:

Traffic Manager: Following the receipt of a highways statement no objection subject to the inclusion of conditions relating to the access being constructed in accordance with the council approved Manual for Estate Roads and a contribution of £20850 towards improving sustainable modes of transport.

Economic Development: In general terms the application is supported and welcomed as it replaces an existing community hall building in a poor condition with a new mixed use development retaining the community hall use but increasing its capacity together with new B1 employment space over an additional 3 storeys.

The applicant states that the B1 employment space will provide employment space for 10 part time staff and 40 full time staff but gives no supporting justification for these figures. The offPAT employment densities for general office accommodation provide 5.25 jobs per 100m². This proposal provides 744m² of new office accommodation equating to 40 jobs.

Urban Designer: This application is on a particularly tight site, located within an existing industrial/ office development, and facing onto semi-detached residential properties across a busy thoroughfare. The proposal would provide 3 floors of office accommodation, whilst retaining community uses on the first floor. Parking is located on the ground floor.

The applicant has provided a possible future scenario for the area between existing low scale housing and the site, showing a transition to the dominant existing EDF office building. This demonstrates how the area to the west of the site could be developed, and that a comfortable relationship with the housing to the west of the site could be achieved. However as a stand alone development the building would be very prominent in the street scene with long views of the site from Portland Road.

This application apparently provides an efficient and effective use of the site, as required by local plan policy QD3.

There are concerns about the entrance to the car park, and the appearance of this entrance from the street. Local plan policy QD5 requires that 'all new developments should present an interesting and attractive frontage particularly at street level for pedestrians'. The open frontage into a car park is not considered to be attractive. The lack of any apparent door or gate to this area is further cause for concern, as if this area is apparently neither enclosed nor secure, and it could provide a covered place for anti-social behaviour. A wide vehicular entrance will negate the safety of pedestrians, and more details are expected of this area, including any mitigating measures.

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

PLANS LIST – 28 MAY 2008

- 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
- SU5 Surface water and foul sewerage disposal infrastructure
- SU10 Noise nuisance
- SU13 Minimisation and re-use of construction industry waste
- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites
- QD4 Design – strategic impact
- QD5 Design – street frontages
- QD7 Crime prevention through environmental design
- QD15 Landscape design
- QD16 Trees and hedgerows
- QD27 Protection of amenity
- QD28 Planning Obligations
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO13 Accessible housing and lifetime homes
- EM1 Identified employment site (industry and business)

Supplementary Planning Guidance

- SPGBH4 Parking Standards
- SPGBH16 Renewable Energy and Energy Efficiency in New Developments
- SPGBH2 Sustainability Checklist

Supplementary Planning Documents:

- SPD03: Construction and Demolition Waste

7 CONSIDERATIONS

The main considerations are the principle of an office use in this location, the design of the proposed building, the effect on the character and appearance of the street scene, the effect on surrounding amenity and sustainability. The impact on street parking in the area and highway safety are also considerations.

There is no objection in principle to the redevelopment of the site.

Community Use

The existing use of the building is a D1 community use, as it was in use as a church hall prior to it becoming vacant. A letter has previously been submitted by the applicants from Flude Commercial who acted on behalf of the applicants when they purchased the site, which states that the site was sold by the Trustees of the Brighton & Hove Meeting Rooms Trust. The Trustees had owned the church for a number of years but sold it as it became surplus to requirements when the church relocated. The same trust has also recently disposed of another church in Lancing for the same reason. The former owners were a closed religious group who conducted private services within

the building and it was not open to the general public or local community.

The D1 use is being retained in the proposed scheme with a community hall at ground floor. It is therefore considered that there is no conflict with policy HO20 which seek to retain community facilities. The proposals will provide a modern hall with improved access, a kitchen area and toilets including a disabled person's toilet. While there is no end user at this stage the applicants have previously suggested 9am to 9pm as the proposed hours of use, which is considered acceptable.

Office (B1) Use

The principle of a B1 office use on the site has already been established by the earlier approval for the construction of hall (D1 use) at ground floor with 3 stories above of office space (B1 use), approved in June of last year. There is no policy objection to the proposed use on this site as the site forms part of an allocated industrial site under policy EM1.

Economic Development generally supports the application and welcomed the redevelopment of the site as the existing building is in a poor condition. The new mixed use development retains the community hall use but increases its capacity together with new B1 employment space over an additional 3 storeys that they calculate would provide 40 jobs.

Impact on character and appearance of the locality

There is an extant permission on the site for the construction of hall (D1 use) at ground floor with 3 stories above of office space (B1 use) approved in June of last year under ref: BH2006/04300. The approved scheme was recommended for approval following negotiations over the design of the scheme and concerns over the height of the building and its prominence in the street. As a result of negotiations the height of the building was reduced from 16m to 12.5m and the design amended to be more in keeping with the style of the nearby EDF building.

The current proposal is similar in design to the approved scheme; however it is 2.1m higher than the approved scheme with a height of 14.6m. It is considered that the increase in height would make the building now proposed very prominent in the street scene, particularly as there are long views available to the east and west of the site on Portland Road. The proposed building by virtue of its scale and bulk would therefore appear incongruous, unduly prominent and over dominant in the street scene. While the existing EDF building is taller and larger in scale overall this building is set approximately 20m from the front of the site.

The applicants have submitted a drawing showing a possible scenario if the EDF car park which surrounds the site is ever developed. The urban designer is satisfied that the drawing demonstrates how the area to the west of the site could be developed, and that a comfortable relationship with the housing to the west of the site could be achieved. However as a stand alone development the building would be very prominent in the street scene with long views of the site from Portland Road and in assessing the application the

existing situation has to be taken into account.

The entrance to the parking at ground floor is also of concern policy QD5 requires that 'all new developments should present an interesting and attractive frontage particularly at street level for pedestrians'. The open frontage into a car park is not considered to be attractive and presents a bland and uninteresting street frontage.

Affect on residential amenity

While there have been an objection regarding the impact on nearby residential properties, the site itself is in a relatively isolated position. The nearest residential properties lie to the south on the opposite side of Portland road some 30m away, the EDF offices are to the east, approximately 33m away from the proposed building and to the west there are terraced residential properties which are over 65m from the site. Given these distances it is considered that that there would be no significant issues of loss of privacy, overlooking or loss of light and overshadowing arising from the development.

Traffic Issues

The Traffic Engineer had initial concerns regarding the safe use of the access to the site and the availability of on-street car parking provision. The applicant's traffic consultant then submitted a report which stated that the 8 on-site car parking spaces would be allocated spaces and the entrance to the ground floor parking would be controlled by a barrier. The traffic engineer is satisfied with this arrangement because his initial concerns were that vehicles would be reversing on to the public highway if they were unable to park because the car park was full and would have been a hazard to users of the highway.

The report also makes reference to the number of available on-street parking spaces, as the traffic engineer's initial comments were based on the fact that the site cannot provide off-street parking to accord with the Council's maximum standards as set out in SPG4 and the proposed development would have a significant impact on parking pressure in the surrounding area. A survey has been submitted as part of the traffic consultants report indicating that there was 20% spare capacity, which equated to roughly 200 spaces available within 5 minutes walk from the site. The traffic engineer is therefore satisfied that the additional car parking burden associated with this proposal will not create a material transport impact that could be supported at an Appeal.

The traffic engineer is therefore no longer objecting to the development subject to conditions relating to the access being constructed in accordance with the council approved Manual for Estate Roads and a contribution of £20850 towards improving sustainable modes of transport. The applicant is willing to pay the contribution.

Sustainability

A statement regarding waste management has been submitted which

includes the intention to re-use materials on site wherever possible; the intention is to reclaim the bricks to be used as part of the hard landscaping. Any waste removed from the site will be recycled where possible using for instance the local 'wood recycling project'. The development will also source local materials. Timber used in the development will come from sustainable sources.

Dual flush toilets would be installed and A rated dishwashers installed.

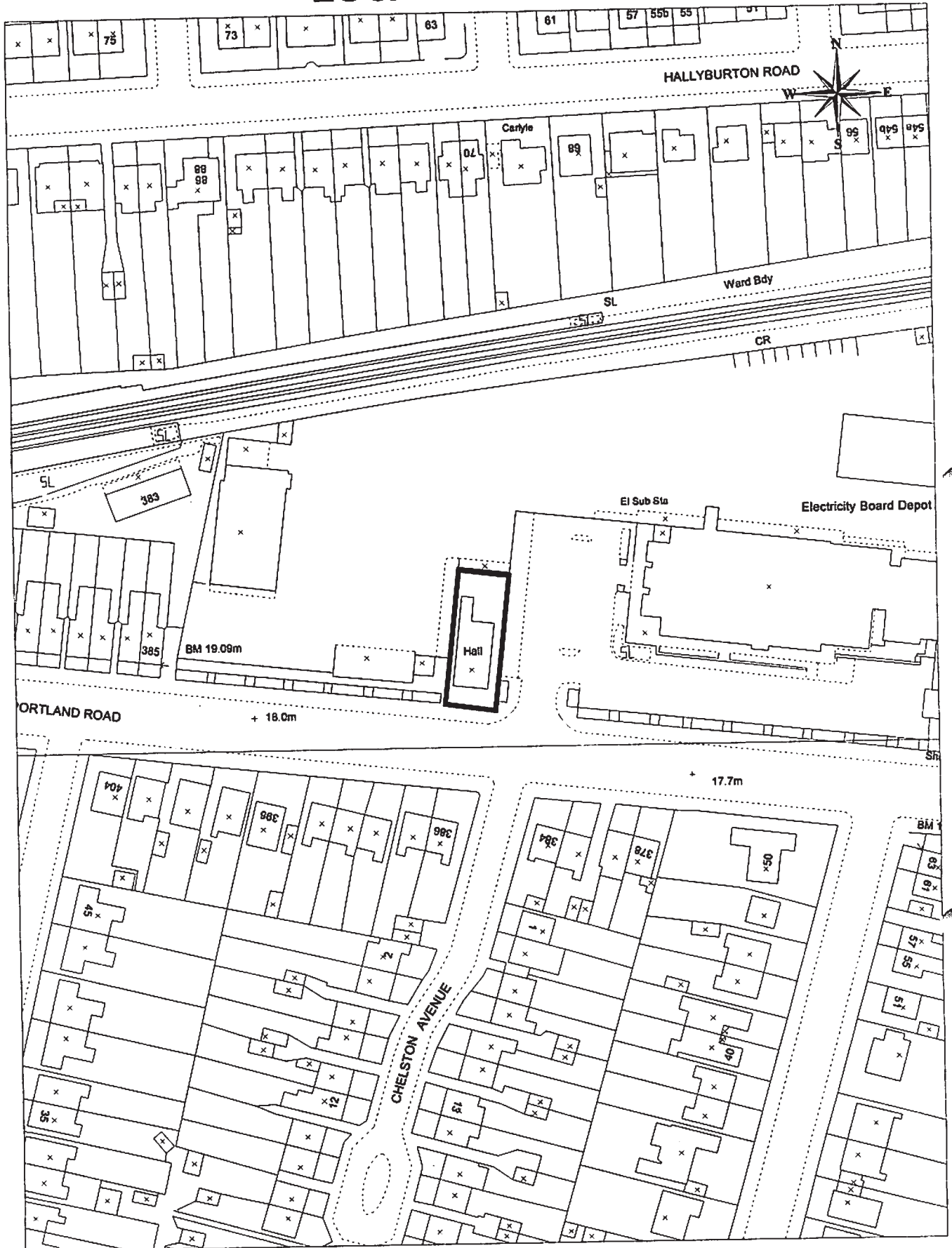
Recycling facilities and refuse storage for each floor of the proposed offices is included within the scheme.

The applicant has however not submitted a completed sustainability checklist. The purpose of the checklist is to assist in assessing to what degree a scheme fully, partially or fails to meet expectations in terms of the meeting the requirements of policy SU2. The case officer has completed the checklist and the scheme appears to only fully meet 5 of the relevant 19 criteria on the list. Given the lack of any further information, it is considered that the applicant has failed to demonstrate that the proposed development would incorporate satisfactory measures to ensure the efficiency of the development and to achieve a high standard of efficiency in use of energy, water and materials

9 EQUALITIES IMPLICATIONS

Both the proposed offices and the new community hall would be accessed by a lift with level access at ground floor and disabled person's toilets.

LOCATION PLAN



BH2008/00106

SCALE 1:1250

Stretton Hall, 353 Portland Road



Note: Any shaded or outlined areas are indicative only and should not be scaled.

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<u>No:</u>	BH2008/00535	<u>Ward:</u>	ST. PETER'S & NORTH LAINE
<u>App Type</u>	Full Planning		
<u>Address:</u>	27-33 Ditchling Road Brighton		
<u>Proposal:</u>	Demolition of existing building. Proposed change of use to mixed use development comprising (D2) Gym, (A1) Retail and (C3) 28 apartments.		
<u>Officer:</u>	Gemma Barnes, tel: 292265	<u>Received Date:</u>	14 February 2008
<u>Con Area:</u>	Adjoining Valley Gardens	<u>Expiry Date:</u>	06 June 2008
<u>Agent:</u>	Alan Phillips Architects (OCA Ltd), Studio 7, Level 5, New England House, New England Street, Brighton		
<u>Applicant:</u>	Mr M Geary, c/o New England House, Brighton		

1 RECOMMENDATION

That the Sub-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:

- (i) Amended plans to show access to the roof terrace and ballustrading for the roof terrace.
- (ii) A Section 106 obligation to secure the following:
 - Affordable housing, comprising 6 flats for rent and 5 flats for shared ownership (5x 1-bedroom, 5 x 2-bedroom and 1x 3-bedroom);
 - Public art works to the value of £29,000 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 £47,135 towards open space provision;
 - A contribution of £14,000 towards sustainable transport improvements in the vicinity of the site;
 - A contribution of £33,900 towards education facilities;
 - 10% of the units shall be fully wheelchair accessible (Units 6 and 7) as identified on the plans submitted.

(iii) the following Conditions and Informatives:

Conditions

- 1 01.01AA Full planning permission
- 2 02.04A No cables, aerials, flues and meter boxes (BandH)
- 3 Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and improved in writing by, the Local Planning Authority.

Reason: To enable the Local Planning Authority to control foul sewerage and surface water drainage in accordance with polices SU3, SU4 and SU5 of the Brighton & Hove Local Plan

- 4 02.06A Satisfactory refuse storage (BandH)
- 5 04.02 Lifetime homes

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- 6 05.01 BREEAM. **Amend** to refer to 'excellent' rating only.
- 8 06.03A Cycle parking facilities to be implemented (BandH)
- 9. 13.01A Samples of materials Cons-Area (BandH)
- 10 06.01A Retention of parking area (BandH).
- 11 Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed highway works, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and retained as such thereafter.

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

- 12. If, during development, contamination not previously identified in the Sitesolutions Geologic Report is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy approved as part of this application, detailing how this unsuspected contamination shall be dealt with.

Reason: To protect the groundwater quality in the area and to comply with policy SU3 of the Brighton & Hove Local Plan.

- 13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect the groundwater quality in the area and to comply with policy SU3 of the Brighton & Hove Local Plan.

- 14 25.01A Surface water drainage (BandH)
- 15 25.02A Use of clean uncontaminated material (BandH)
- 16 Prior to commencement of development large scale drawings (1:10 or 1:20) of each type of window and door to be inserted into the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development in accordance with policies QD1, QD2 and HE5 of the Brighton & Hove Local Plan.

- 17 03.02 Soundproofing of building. **Add...** To accord with policies SU10 and QD27 of the Brighton & Hove Local.
- 18 03.10 Soundproofing plant/machinery. **Add...** To accord with policies SU10 and QD27 of the Brighton & Hove Local.
- 19 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, finished floor levels and ridge heights of the proposed building and neighbouring development have been submitted to and approved in writing by the

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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.

20 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 solar panels and sedum roof 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 SU2 and SU16 of the Brighton & Hove Local Plan.

21 The waste minimisation measures set out in the site waste management plan submitted with this application shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that development would include the reuse of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

22 The development hereby permitted shall not be occupied until the roof terrace hereby approved, is laid out and made available for use as a communal area for occupiers of all of the flats hereby approved. The external area shall be retained for use as a communal garden at all times.

Reason: To ensure that adequate external amenity space and to comply with policy HO5 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on drawing nos. D.01, D.03, D.04, D.09, D.13, D.14, D.15, D.16, the Gould Daylight Assessment and the BREEAM Multi Residential/Ecohomes Pre Assessment Estimator and the Sitesolutions Geologic Report, Sustainability Checklist, Waste Management Statement and the marketing details submitted on 14th February 2008, drawing no.D.12 submitted on 15th February 2008, drawing nos. A.02, A.03, A.04, D.10 submitted on 28th February 2008, the Design and Access Statement and Planning Support Statement submitted on 7th March 2008, drawing nos. D.05A, D.07A submitted on 4th April 2008, drawing nos. D-02B, D.08 and the computer generated images submitted on 24th April 2008.

2. 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, and to all relevant material considerations,

Brighton & Hove Local Plan:

TR1 Development and the demand for travel
TR2 Public transport accessibility and parking
TR4 Travel plans
TR5 Sustainable transport corridors and bus priority routes
TR7 Safe development

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- TR12 Helping the independent movement of children
- 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
- SU4 Surface water run-off and flood risk
- SU5 Surface water and foul sewerage disposal infrastructure
- SU9 Pollution and nuisance control
- SU10 Noise nuisance
- SU13 Minimisation and reuse of construction industry waste
- SU14 Waste management
- 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
- QD4 Design – strategic impact
- QD5 Street frontages
- QD6 Public art
- QD10 Shopfronts
- QD27 Protection of amenity
- QD28 Planning obligations
- HO2 Affordable housing – ‘windfall sites’
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential developments
- HO6 Provision of outdoor recreation space in residential development
- HO7 Car free housing
- HO13 Accessible housing and lifetime homes
- SR1 New retail development within or on the edge of existing defined shopping centres
- SR5 Town and district shopping centres
- HE3 Development affecting the setting of a listed building
- HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

- SPD02: Shop Front Design
- SPD03: Construction and Demolition Waste

Supplementary Planning Guidance Notes:

- SPGBH4: Parking Standards
- SPGBH9: A guide for Residential Developers on the provision of recreational space
- SPGBH16: Renewable Energy & Energy Efficiency in New Developments
- SPGBH21: Sustainability Checklist

National Policy Guidance:

- PPS1 Delivering Sustainable Development
- PPS3 Housing

PPS6 Planning for Town Centres
PPG13 Transport
PPS23 Planning and Pollution Control; and

(ii) for the following reasons:

The proposed development will make an efficient and effective use of the site by providing the city with enhanced retail facilities, a gym and 28 residential flats. The proposal would have no adverse impact upon the character and appearance of this site, the wider street scene or the adjoining Valley Gardens Conservation Area. Furthermore, there would be no harm to nearby listed buildings. The proposal can be adequately accommodated on site without detriment to the amenity of future or neighbouring occupiers. Subject to conditions to control the development in detail the proposal accords with development plan policies.

3. The applicant is advised that a formal application for connection to the water supply is required in order to service this development. To initiate this, the applicant is advised to contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester or www.southernwater.co.uk.
4. The applicant is advised that any demolition of the existing building will constitute commencement of development for the purposes of implementing this planning permission. Therefore all pre commencement conditions must be discharged prior to any demolition of the existing building.
5. The applicant is advised that this permission does not give consent for the erection of any advertisements which may require express consent in their own right.
6. The proposed development site is adjacent to the existing Brighton & Hove Air Quality Management Area, declared as a result of local traffic emissions. The area was declared in December 2004 based on estimated exceedences of the NO₂ annual average seen at this time. In recent years monitoring in the area of the proposed site has also shown exceedences of the NO₂ annual objective, however has shown a downward trend since 2004, with the most recent data showing an annual average of 41.1µg/m³ for 2006. Therefore given that the EU limit value is 40µg/m³ it is considered unreasonable/unnecessary to impose specific ventilation conditions for the residential units. However, the applicant should be aware of the recent NO₂ annual averages and exceedences for this area.

Grid Ref: 531459E 1050119N (Bias adjusted diffusion tubes)

<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
42.6	37.7	40.7	47.0	45.9	41.1

Concentrations given in µg/m³ (micrograms per meter squared).

2 THE SITE

This application relates to an end of terrace two storey property (large floor to ceiling heights) located on the corner of Oxford Place with Ditchling Road. The property is currently vacant but was formerly in use as a retail unit with ancillary storage. There is an inset hardstanding located adjacent to Oxford Place which can accommodate 8 parking spaces. A delivery and loading bay is located to the rear of the building from Oxford Court.

In a wider context this site lies in an area of mixed character, within the London Road Town Shopping Centre. In the immediate surroundings there are commercial properties at ground floor level with office and residential accommodation above. Somerfield supermarket and car park adjoins the site to the northwest. The buildings fronting Ditchling Road and the southern side of Oxford Place are of varying height ranging typically between 2 - 3 storeys. The buildings to the west of the site (London Road) are larger in scale (3 + storeys).

3 RELEVANT HISTORY

BH2007/00581/FP: Demolition of existing structure (former furniture store) with construction of mixed use development comprising leisure, retail and thirty flats. Refused 07/06/2007. *Reasons for refusal related to inaccurate plans, height, massing and detailing of the proposed building, adverse impact on neighbouring amenity, insufficient facilities to serve the retail unit, poor sustainability, lifetime homes and failure to address infrastructure requirements.*

BH2007/03476/FP: Demolition of existing structure (former furniture store) with construction of mixed use development comprising leisure, retail and thirty flats. Refused 02/01/2008. *Reasons for refusal related to poor height, scale and massing, inadequate shopfronts, pollution to control waters, lifetime homes and poor sustainability.*

4 THE APPLICATION

This application seeks permission for demolition of the existing building and erection of a new four storey plus basement level building comprising a gym in the basement, retail at ground floor level and residential above. The basement will accommodate 716sqm of floorspace for gym and services for the remainder of the building, the ground floor will accommodate 500sqm of retail floorspace. The upper floors will accommodate 28 residential units overall (14 x 1 bed units, 11 x 2 bed units and 3 x 3 bed units). A shared servicing and delivery bay for the retail unit will be located to the rear of the site as well as 1no. disabled parking space for the residential development. Both accessed via Oxford Court.

The building has been designed so that it appears as four storeys above ground at its frontage with Ditchling Road. The building is of contemporary design and will be constructed of white render and reclaimed brick on the southern elevation (Oxford Place frontage) and render on the eastern elevation (Ditchling Road frontage), part of the roof will be sedum.

5 CONSULTATIONS

External

Neighbours: Occupiers 37 Ditchling Road object to the application on the following grounds:-

- 28 flats is excessive for this site;
- Parking will be a problem;
- At least 20 of these flats will be occupied by car owners.

Occupiers 93 London Road, 35 Wilbury Avenue, 12a Fairways Dyke Road, Flat 5 Balonard Court Hove, 14 Rothbury Road Hove support the application on the following grounds:-

- This is a beautifully designed and highly sustainable new building;
- The development will complement the adjoining terrace and lift this forgotten part of Ditchling Road;
- The development will enhance views from the Valley Gardens Conservation Area;
- The new gym will help bring life to the area outside of normal trading hours and will help to attract pedestrians down this part of Oxford Place;
- The new retail units will increase the choice of premises available for businesses;
- The development will boost the economy of the area.

Environment Agency: No objection subject to recommended conditions and informative.

Southern Water: No objection subject to recommended conditions and informative.

CAG (initial comments): The group felt that they were not able to comment on the plans submitted without 3d images. *NB: the group have now been presented with 3d images, their comments will be reported on the late list.*

East Sussex Fire Service: The travel distance in the basement appears excessive for a single direction. The corridors on the first, second and third floor levels will need to be ventilated and there should be a vehicle access pump appliance within 45m of all points within each dwelling.

EDF Energy Networks: No objection.

Sussex Police: The location is a medium/high risk crime area. A number of crime prevention measures have been suggested to the Applicant prior to submission of this particular application.

Internal

Traffic Manager: We would not wish to restrict grant of consent of this Planning Application. Subject to the inclusion of the conditions to control cycle and vehicle parking, constructional details and a s106 contribution of £14,000 towards improving accessibility to bus stops, pedestrian facilities, and cycling infrastructure in the area of the site and towards amending the TRO to ensure the 'car free' status of the flats.

CYPT Capital Strategy and Development Planning: The development proposed for the former Buxton's site will require a contribution of £33,900 in terms of primary and secondary education.

City Clean: The bin store position looks fine although according to their notes in the below diagram, the bin store refuse capacity is only 2000ltrs per week. Given that the development has 28 residential units they will need 4,200ltrs of refuse capacity at least.

The dimensions of the bin store look ok but they'll have to increase the size of the containers to provide the necessary capacity. Of course larger containers might not fit through the proposed door as shown in the diagram. If the bin store and associated access doors can accommodate 1100ltr containers then 4 of these would provide adequate capacity.

Housing Strategy: Support the scheme.

Parks & Green Spaces: A contribution of £47,135 should be sought towards children equipped playspace, casual informal recreation space and adult/youth outdoor sports facilities.

Access Officer: The revised scheme is much better. The balconies for the wheelchair flats do not look big enough for wheelchair use but there may be planning reasons why you would accept this. The non residential elements will need to comply with the DDA 1995.

Design & Conservation (initial comments): The existing buildings are not considered to be of any merit and the principle of their replacement is welcomed as it has the potential to enhance the appearance and character of the Valley Gardens conservation area. This revised proposal generally addresses the concerns in respect of the previous (refused) application about the height and roofscape of the proposed development; with particular regard to the impact on important views of the grade I listed St Bartholomew's Church. The revised elevation to Ditchling Road is considered much more appropriate in terms of its proportions and rhythm, while the inclusion of a shop fascia not only addresses the concerns about future signage but also gives the ground floor a stronger visual base. However, more information is needed to demonstrate that the three dimensional modelling of the elevations is satisfactory and to resolve some apparent conflicts between drawings.

Design & Conservation (final comments): The revised plans have addressed the discrepancies on the original plans and are now considered acceptable.

The computer generated images satisfactorily show the proposal from the key viewpoints on Ditchling Road. It is considered that they demonstrate that the massing, proportions and rhythm of this elevation are appropriate in the street scene and the conservation area. The proposal has therefore now overcome the earlier concerns.

Planning Policy (summary): Policy SR5 applies. It is noted that the principle of the loss of more than a third of the retail floorspace in the Town Centre has been accepted but now every effort should be made to make the proposed retail visible and attractive to footfall from London Road. In particular the opening hours of the gym should encourage footfall to support the retail uses to compensate for the overall loss of the larger retail unit. It is not clear that the mix of housing as proposed will best meet the housing needs of the city. SU2 re energy efficiency and sustainability should be fully addressed and all units designed to meet level 3, including assessments for the basement gym and shops. HO6 Private and sporting recreation needs should be met on site as far as possible, especially for young children and if off site, access to them should be facilitated – policy TR12 is key. A Site Waste Management data sheet is required to demonstrate compliance with RPG9, policy W5. This development would generate a public art contribution of £29,000 in accordance with policy QD6.

Environmental Health: No objection subject to conditions to control soundproofing of the building and an informative regarding air pollution.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR4	Travel plans
TR5	Sustainable transport corridors and bus priority routes
TR7	Safe development
TR12	Helping the independent movement of children
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
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewerage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and reuse of construction industry waste
SU14	Waste management
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
QD4	Design – strategic impact
QD5	Street frontages
QD6	Public art
QD10	Shopfronts
QD27	Protection of amenity
QD28	Planning obligations
HO2	Affordable housing – ‘windfall sites’

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HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential developments
HO6	Provision of outdoor recreation space in residential development
HO7	Car free housing
HO13	Accessible housing and lifetime homes
SR1	New retail development within or on the edge of existing defined shopping centres
SR5	Town and district shopping centres
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD02:	Shop Front Design
SPD03:	Construction and Demolition Waste

Supplementary Planning Guidance Notes:

SPGBH4:	Parking Standards
SPGBH9:	A guide for Residential Developers on the provision of recreational space
SPGBH16:	Renewable Energy & Energy Efficiency in New Developments
SPGBH21:	Sustainability Checklist

National Policy Guidance:

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS6	Planning for Town Centres
PPG13	Transport
PPS23	Planning and Pollution Control

7 CONSIDERATIONS

The main considerations in the determination of this application relate to the principle of the demolition of the existing building and the suitability of the site to accommodate the proposed residential, gym and retail elements of the scheme having regard to the impact of the development upon the character and appearance of this site, the wider locality and important strategic views of the adjoining conservation area and nearby listed St Bartholomew's Church; the amenity requirements for occupiers of the proposed residential units and the affect upon neighbouring residential amenity. Regard will also be given to the reduction in retail floorspace, sustainability and transport issues.

This application follows extensive pre-application discussions and two previous planning refusals for this site. The applicant has sought to address previous concerns by removing the penthouse storey, minor elevational alterations, reduction in the number of units from 30 flats to 28, alterations to the internal layout of the development and submission of additional documentation to prove that the development will achieve a high level of sustainability. For the reasons demonstrated in this report the current proposal is considered to be acceptable.

Principle

PPS3 on Housing advocates sustainable development and the effective use of land for housing development. There is a national target of developing 60% of housing on Brownfield sites. It states that *“the priority for development should be previously developed land, in particular vacant and derelict sites and buildings”*. As such the land on the application site where the development is proposed constitutes previously-developed land. Subject to the retention of the existing amount of retail floorspace at ground floor level it is considered in principle, that a residential and leisure development on this site would be acceptable in accordance with policy QD3 of the Brighton & Hove Local Plan and PPS3. The development proposes a mix in size of dwellings and therefore complies with policies HO3, HO4 and QD3 by making efficient and effective use of the site.

Loss of retail

This site is located within the non-prime frontage of the London Road Town Shopping Centre. Consequently this proposal should be judged against policy SR1, and the change of use of the upper floors from A1 to residential has implications in terms of SR5.

Policy SR1 is also relevant to this application. The applicant has stated that the ground floor retail area could either be occupied as one large unit or subdivided for up to 4 separate units. Plans have been submitted identifying both possible layouts with separate areas for retail floorspace, storage, staff facilities and delivery space identified for each of the retail units on the ground floor should the ground floor be subdivided into 4 units rather than operating as one large unit. It is considered that the proposal adequately complies with the criteria set out in policy SR1.

The proposal to retain retail floorspace at ground floor level only thus reducing the overall retail floorspace by approximately 364sqm. A loss of first floor retail accommodation at this location was a concern with the previous application (BH2007/03476). In order to address this issue the applicant provided details of the marketing carried out, copies of advertisements and confirmation of the level of interest in the property in order to demonstrate there is no requirement for first floor retail in this location. This information was considered to be sufficient.

Research undertaken by Planning Policy indicates that there is a lack of large retail floorspace units available for new retail entrants into Brighton. With this in mind the Local Planning Authority would seek to resist proposals which result in a net loss of retail floorspace. However, in this instance the ground floor retail provision will be retained. This, coupled with the fact that this site does not occupy a prominent position within designated prime retail frontage weakens the Council’s position in seeking to retain retail floorspace on the upper floors. On balance, it is not considered that a refusal on the grounds of loss of retail at first floor level could be justified or upheld on appeal.

The proposed gym at basement level is considered to be acceptable as this will attract daytime and evening activity. It is considered appropriate to attach

conditions to control soundproofing to prevent significant harm to the amenity of the proposed residential properties on this site.

Design

Policies QD1, QD2, QD3, QD4, QD5, QD10, HE3 and HE6 set out the design criteria for applications of this nature. These policies require proposals to make an efficient and effective use of the site, contributing positively to the visual quality of the environment, addressing key principles for the neighbourhood in terms of height, scale, bulk and design whilst providing an interesting and attractive street frontage and protecting strategic views. Policy QD10 relates specifically to shopfronts. The onus is upon the applicant to demonstrate that new development can be integrated successfully into its context and complies with the aforementioned policies.

In order to address previous concerns with the height, scale and design of development on this site the penthouse has now been removed. The deletion of the penthouse storey is very welcome. The height of the development, whilst at the upper limit existing on Ditchling Road, would not be visually overbearing in its context and the impact of the proposal on views of St Bartholomew's Church is now considered to be acceptable.

The proposal successfully makes the transition between the Regency and Victorian context of the Ditchling Road frontage and the 20th century 'industrial' frontage of the Oxford Place frontage. Whilst the Ditchling Road frontage would clearly be a single building of contemporary design, the elevation has been broken down to respect the plot widths and rhythm of bays that exists on the buildings either side of the site, whilst the relationship of solid to void respects the prevailing proportion of the streetscape. The introduction of brick facing to the forward projecting section of the Ditchling Road elevation is welcome in breaking down the apparent massing of the building and relating it better to the mixed streetscape. The revised fenestration is more formal and regular than the previous scheme and better reflects the vertical proportions of the prevailing windows.

The introduction of a defined fascia to the shop units provides a dedicated area for commercial signage helps to give the shop units a firmer visual base and forms a clear distinction between commercial and residential uses. It also ensures that the shop units will be read as a continuation of the existing shops to the north of the site.

The contemporary design approach is considered to be acceptable in line with advice from the Council's Conservation and Design Team and on this basis the proposal is not considered to harm the Valley Gardens Conservation Area.

Amenity for residential occupiers

The proposed internal layout of the residential element of the scheme is considered to be acceptable.

Policy HO13 requires all of the residential units to be lifetime home compliant

and 2 of the dwellings to be fully wheelchair accessible. The applicant has stated in their supporting documentation that each of the residential units will be fully lifetime home compliant and units 6 and 7 will be fully wheelchair accessible. The Council's Access Officer has confirmed that the internal layout of all of the residential units does in fact meet lifetime home standards. The internal layout of units 6 and 7 are fully wheelchair accessible. However, the balconies are not of sufficient size to enable wheelchair access. On balance it is not considered appropriate to increase the size of the balconies for the wheelchair units as the balconies have been designed to match exactly the remainder of the development. Alterations to the size of these particular balconies would result in a significant change to the overall design of the south elevation which may be detrimental to the overall design of the building and views of the building from the street scene and adjacent conservation area.

Policy HO5 requires all new residential units to have private useable amenity space appropriate to the scale and character of the development. There is a communal garden (320sqm) available to all the units and 24 units will also have balconies This is considered to be adequate provision given the fact that refuse, recycling and cycle storage facilities will be located separately at ground floor level.

Policy TR14 requires all new residential developments to have secure, covered cycle storage. The plans submitted show cycle storage to be located at ground floor level.

Transport

Policy TR1 stipulates that all new development should provide for the travel demand that it creates with a particular emphasis upon promoting sustainable modes of transport. This site is located in an accessible location with good access to public transport links by way of existing bus routes. This development is intended to be 'car free' with a reliance upon sustainable modes of transport such as walking and cycling. 1no. disabled car parking space will be provided at the rear of the site and the applicant has offered to contribute to an existing car club.

This site is located within a CPZ and bearing in mind the location of the site there is no objection to a 'car free' development. However, in order to offset the lack of on site parking provision the Council would seek a financial contribution of £14,000, which will include for the costs of the car club. The remainder would be put towards the improvement of walking, cycling and public transport infrastructure in the area and for modifying the TRO to accommodate the car club vehicles and for establishing the car free status of the dwelling. It is noted that the proposal would result in an under provision of disabled car parking bays. However, as the proposal is located where disabled drivers will have access to pay and display parking facilities at no charge to 'blue badge holders' this is considered to be acceptable. Finally cycle parking facilities for 32 bikes has been identified at ground floor level. With this in mind the proposal is considered to comply with transport policies in line with advice from the Traffic Manager.

Sustainability

This application was accompanied by a BREEAM/Ecohomes Pre Assessment Estimator completed by an accredited BRE Assessor as well as a sustainability checklist. The proposed sustainability features include solar panels/solar heating system which is anticipated to provide 10% of the development's energy needs, the installation of energy efficient lighting and appliances, sunpipes, separate water and energy meters for each apartment, rain/grey water harvesting, dual flush toilets, communal laundries, external drying areas for most of the flats, high insulation standards, A-rated materials for construction and a green roof.

It has been stated that the development will achieve a BREEAM rating of 'excellent'. Based on the fact that the Pre Assessment has been completed by an Accredited Assessor it is considered that the proposal sufficiently addresses the principles of sustainable design. Subject to a condition to ensure that the development will achieve an 'excellent' rating under BREEAM/Ecohomes the proposal will comply with the principles of policy SU2, SPGBH16 and SPGBH21.

The Site Waste Management Plan is considered to be acceptable in accordance with policy SU13.

S106 issues/infrastructure requirements

As a windfall site, this proposal includes 40% affordable housing, in the form of 5 x one bed flats and 5 x two bed flats and 1 x 3 bed flats. This is considered to be acceptable in accordance with policy HO2.

Provision for public art will be required as part of a legal agreement for this development (QD6), to a sum of around 1% of construction costs (£29,000). The applicant has indicated that they would be willing to meet this requirement.

A development of this scale would generate a demand for recreation facilities/open space in accordance with policy HO6. There is insufficient recreation space on site and therefore it is considered appropriate to request a financial contribution of £47,135 towards off site recreation/open space facilities. The applicants have indicated that they would be willing to meet this requirement.

A development of this scale would generate a demand for education facilities in accordance with policy SU15. It is considered appropriate to request a financial contribution of £33,900 towards education facilities. The applicants have indicated that they would be willing to meet this requirement.

The applicants have indicated that they would be willing to meet the transport contribution requirement of £14,000.

Neighbouring amenity

It is not considered that there will be any adverse impact upon the amenity of neighbouring properties by way of overbearing impact, loss of light,

overlooking or loss of privacy.

There are no properties on the opposite side (eastern) of Ditchling Road to be affected by the proposal. The adjoining site to the west forms part of the Somerfield supermarket building and the properties located on the southern side of Oxford Place are in commercial use. Consequently it is not considered that significant harm will occur.

At the site inspection it was noted that the adjoining properties to the north of the site have a number of windows facing into the Somerfield car park, the adjoining property no. 35 Ditchling Road has windows in the rear elevation at first and second floor level which will be located in close proximity of the proposed development. In response to the concerns raised previously in this respect the applicant commissioned a daylight assessment. The assessment is based on the Building Research Establishment Guide to Good Practice "Site layout; Planning for Daylight and Sunlight". The assessment was prepared to assess the impact of the previous scheme. The assessment identified 76 window positions within surrounding buildings, that may potentially, be affected by the proposal. However, the assessment concluded that the majority of the windows will only suffer a negligible impact. A number of the windows serve commercial premises and therefore it is not considered that any loss of light to the commercial properties would be significantly detrimental.

The assessment acknowledged that 3 of the 76 windows would lose a significant amount of daylight (approx 50%). Two of the windows which would lose significant amounts of daylight are located on the north elevation of 25 Ditchling Road and the third window is located on the east elevation of the rear projection on no.37 Ditchling Road. All windows serve residential properties. However, the assessment concluded that given the nature of the development, the surroundings areas, and the relatively low number of windows that will be affected, the proposal comes within the bounds of flexibility which could reasonably be contemplated for the purposes of the BRE Guide. With this in mind it was previously considered that although 3 residential windows would have been affected by the development, on balance, the harm likely to occur would not have been significantly detrimental so as to justify refusal of the previous application. Consequently the previous application was not refused on the grounds of harm to neighbouring amenity.

This application proposes a lower building, no other alterations to the footprint or form are proposed and therefore the previous assessment in terms of impact on neighbouring properties by way of loss of light and overshadowing still apply.

It is recognized that a level of overlooking between neighbouring properties and particularly as a result of the proposed rear balconies may occur. However, given the fact that this site is located with a built up area, in close proximity to the city centre, a certain level of overlooking is to be anticipated. It is not considered that the level of overlooking that will occur would warrant refusal of this application.

In conclusion, for the reasons stated approval is recommended.

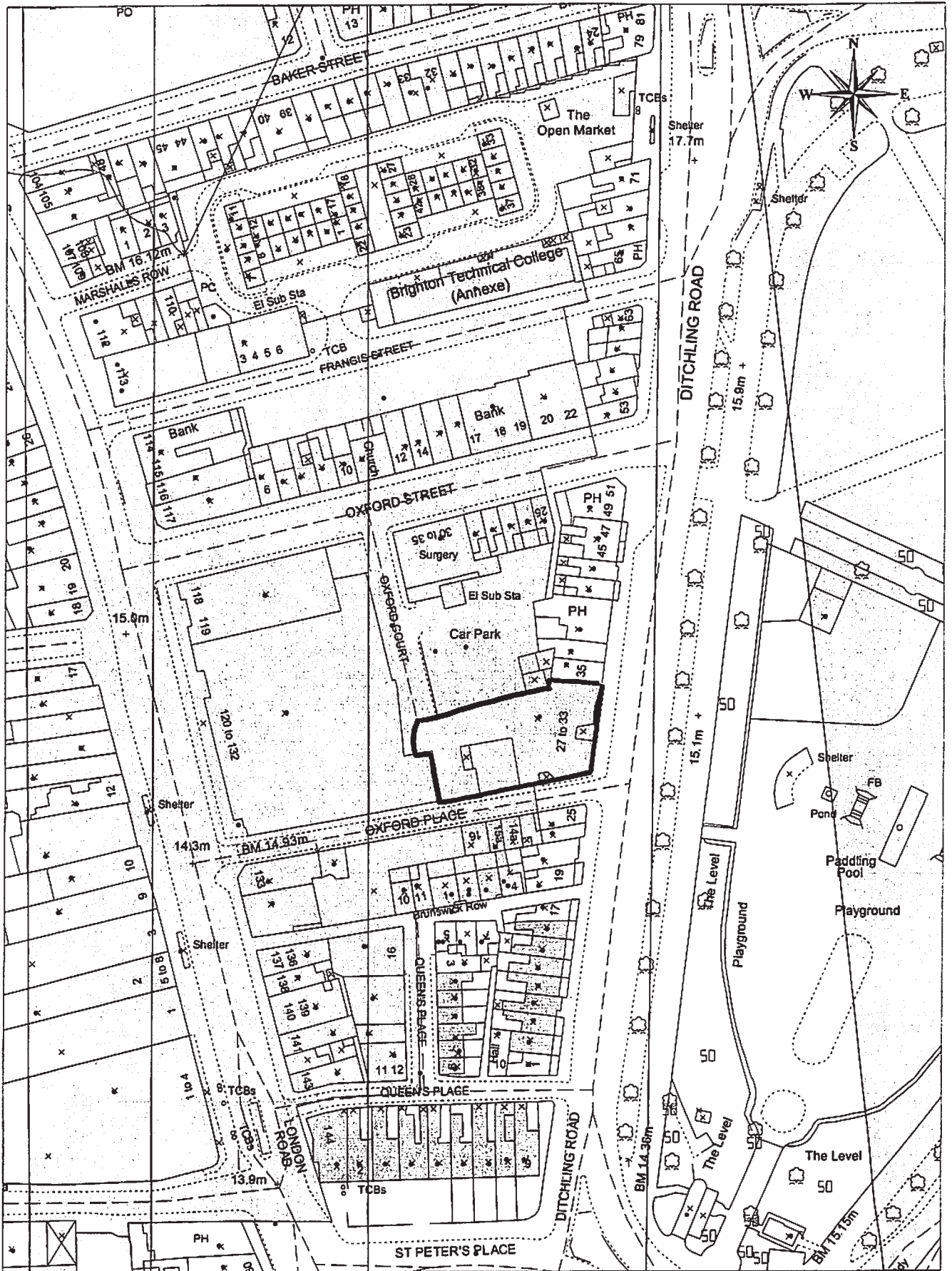
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed development will make an efficient and effective use of the site by providing the city with enhanced retail facilities, a gym and 28 residential flats. The proposal would have no adverse impact upon the character and appearance of this site, the wider street scene or the adjoining Valley Gardens Conservation Area. Furthermore, there would be no harm to nearby listed buildings. The proposal can be adequately accommodated on site without detriment to the amenity of future or neighbouring occupiers. Subject to condition to control the development in detail the proposal accords with development plan policies.

9 EQUALITIES IMPLICATIONS

The development will be required to comply with Part M of the Building Regulations, Lifetime Home Standards and the DDA 1995.

LOCATION PLAN



Application No.: BH2008/00535/FP

SCALE 1:1250

Address: Buxtons, 27-33 Ditchling Road, Brighton



Brighton & Hove

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MINOR ON NON-CONTROVERSIAL APPLICATIONS

<u>No:</u>	BH2008/00713	<u>Ward:</u>	WESTBOURNE
<u>App Type</u>	Full Planning.		
<u>Address:</u>	Flat 26, 55 & 59-61 New Church Road.		
<u>Proposal:</u>	New roof terrace. (Amendment to Approval BH2005/002267).		
<u>Officer:</u>	Paul Earp, tel: 292193	<u>Received Date:</u>	25 February 2008
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	13 May 2008
<u>Agent:</u>	PPML Consulting Ltd, Kinetic Centre, Theobald Street, Elstree, Herts.		
<u>Applicant:</u>	Belmont Homes, c/o PPML Consulting Ltd, Kinetic Centre, Theobald Street, Elstree, Herts.		

- 1 That the Sub-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. 01.01AA Full Planning.
2. 03.01A Samples of materials – non conservation areas.

Informatives:

- 1) This decision is based on drawing no's 1354 FLAT26-01, 02 submitted on 25 February 2008.
- 2) 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 Notes and Documents:

Brighton & Hove Local Plan:

- QD2 Design – key principles for neighbourhoods.
- QD14 Extensions and alterations.
- QD27 Protection of amenity.
- HO5 Provision of private amenity space in residential development

Supplementary Planning Documents:

SPD03: Construction and demolition waste.

Supplementary Planning Guidance Notes:

SSPGBH1: Roof Alterations and Extensions, and

- ii) for the following reasons:

The proposed terrace and external alterations would not adversely affect the character or appearance of the building or unduly impact on the residential amenities of the occupiers of surrounding properties. The creation of private amenity space is to be welcomed.

2 THE SITE

The application relates to a new development of 68 flats, both private and

affordable, nearing completion on the site of the former Nuffield Hospital site which is situated on the north side of New Church Road, opposite the junction with Carlisle Road. The block is in an “L” shape and is 3 to 6 storey in height. The site is not within a conservation area; however, the Sackville Gardens conservation area is to the south-east.

The surrounding area is residential in character primarily consisting of three storey Edwardian buildings. A post war block of flats known as Richardson Court adjoins the north-west corner of the site and several bungalows are situated to the north, between the site and Lawrence Road. This part of New Church Road consists primarily of 3 storey buildings although two seven storey blocks constructed in the 1960's, Derek and Edward House, and the pre-war Rutland Court are situated 30m to the east, separated from the site by two 3 storey Edwardian buildings converted into flats.

3 RELEVANT HISTORY

- **BH2005/002267/FP**, Demolition of all buildings & redevelopment of site for residential use comprising basement to 6th floor building to provide 68 flats including 28 affordable units, car parking, landscaping & access. Granted 13 April 2006.
- **BH2008/00723**, New roof terrace to flat 23. The application also appears on this agenda with a recommendation for approval.
- **BH2008/00765**, Installation of additional velux rooflights to flats 20 & 21. Retrospective amendment to BH2005/02267/FP. The application is yet to be determined.
- **BH2008/00941**, New roof terrace to flat 24. The application also appears on this agenda with a recommendation for approval.
- **BH2008/01117**, Formation of roof terrace to flat 25 (at 4th floor, west elevation). The application is yet to be determined.
- **BH2008/01141**, Installation of 2 additional velux rooflights to flat 39. The application is yet to be determined.
- **BH2008/01144**, Installation of one additional velux rooflight to flat 40. Amendment to BH2005/02267/FP. The application is yet to be determined.

4 THE APPLICATION

The proposal is for the construction of a roof terrace to flat 26, to the rear of the main building (facing north), at fourth floor level, consisting of:

- Terrace to measure 4.4m wide x 4.0m deep / floor area 17m².
- Handrail 1.4m high. Glazed panels, to be obscure glazed on east elevation.
- Window to be replaced with door to provide access.

5 CONSULTATIONS

External:

Neighbours: No comments.

Internal: None.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD2 Design – key principles for neighbourhoods.
QD14 Extensions and alterations.
QD27 Protection of amenity.
HO5 Provision of private amenity space in residential development.

Supplementary Planning Documents:

SPD03: Construction and demolition waste.

Supplementary Planning Guidance Notes:

SPGBH1: Roof Alterations and Extensions.

7 **CONSIDERATIONS**

The main considerations in the determination of the application relate to the impact of the alterations on the appearance of the building and upon residential amenity.

The application is one of several seeking amendments to a block of 68 flats nearing completion by way formation of roof terraces and rooflights to the building. These additions were not proposed/considered when the original application was considered. The building forms an “L” shape and this application relates to part of the rear roof at fourth floor level facing north.

Planning policy QD14 states that alterations to buildings, including to the roof, should be well designed and detailed in relation to the building to be altered and should not result in significant disturbance or loss of privacy, outlook or daylight to neighbouring properties. Guidance within Supplementary Guidance Note 1: Roof Alterations and Extensions, state that alterations, including roof terraces, must respect the particular character of the building and carefully relate to it. Policy QD27 aims to protect residential amenity.

Design:

The site, not within a conservation area, is situated within a residential area with buildings of varied character and appearance. The building varies in height from 3 to 6 storey, and has sections of pitched and flat roofs.

The proposed terrace is to be located on a section of flat roof to the rear of the building, partly under the eaves. This section of the building is only visible from the rear of surrounding properties and not from the street. The proposed terrace would not alter the shape of the building or roof form and the replacement of the existing window with door to match the general style of fenestration respects the character of the building.

Impact on residential amenity:

The proposed terrace is 22m from the side elevation of the nearest property 53 New Church Road, a 2 storey building with rooms in the roof forming flats, and 40m from a bungalow 53a New Church Road, to the rear. Surrounding properties are already substantially overlooked by existing development and from windows within this development. Given the location of the terrace at high level and the distance from neighbouring properties, it is not considered that its creation would be detrimental to the residential amenities of the

occupiers of surrounding properties by way of loss of privacy or disturbance. The provision of private amenity space is to be welcomed and accords with policy HO5.

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed terrace and external alterations would not adversely affect the character or appearance of the building or unduly impact on the residential amenities of the occupiers of surrounding properties. The creation of private amenity space is to be welcomed.

9 EQUALITIES IMPLICATIONS

The terrace would provide outside amenity space for occupiers with poor mobility.

<u>No:</u>	BH2008/00723	<u>Ward:</u>	WESTBOURNE
<u>App Type</u>	Full Planning.		
<u>Address:</u>	Flat 23, 55 & 59-61 New Church Road.		
<u>Proposal:</u>	New roof terrace. (Amendment to Approval BH2005/002267).		
<u>Officer:</u>	Paul Earp, tel: 292193	<u>Received Date:</u>	25 February 2008
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	17 June 2008
<u>Agent:</u>	PPML Consulting Ltd, Kinetic Centre, Theobald Street, Elstree, Herts.		
<u>Applicant:</u>	Belmont Homes, c/o PPML Consulting Ltd, Kinetic Centre, Theobald Street, Elstree, Herts.		

- 1 That the Sub-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:

3. 01.01AA Full Planning.
4. 03.01A Samples of materials – non conservation areas.

Informatives:

- 3) This decision is based on drawing no's 1354 FLAT23-01, 02 submitted on 25 February 2008.

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

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

Brighton & Hove Local Plan:

- QD2 Design – key principles for neighbourhoods.
- QD14 Extensions and alterations.
- QD27 Protection of amenity.
- HO5 Provision of private amenity space in residential development

Supplementary Planning Documents:

- SPD03: Construction and demolition waste.

Supplementary Planning Guidance Notes:

- SSPGBH1: Roof Alterations and Extensions, and

- iv) for the following reasons:-

The proposed terrace and external alterations would not adversely affect the character or appearance of the building or unduly impact on the residential amenities of the occupiers of surrounding properties. The creation of private amenity space is to be welcomed.

2 THE SITE

The application relates to a new development of 68 flats, both private and affordable, nearing completion on the site of the former Nuffield Hospital site

which is situated on the north side of New Church Road, opposite the junction with Carlisle Road. The block is in an “L” shape and is 3 to 6 storey in height. The site is not within a conservation area; however, the Sackville Gardens conservation area is to the south-east.

The surrounding area is residential in character primarily consisting of three storey Edwardian buildings. A post war block of flats known as Richardson Court adjoins the north-west corner of the site and several bungalows are situated to the north, between the site and Lawrence Road. This part of New Church Road consists primarily of 3 storey buildings although two seven storey blocks constructed in the 1960's, Derek and Edward House, and the pre-war Rutland Court are situated 30m to the east, separated from the site by two 3 storey Edwardian buildings converted into flats.

3 RELEVANT HISTORY

- **BH2005/002267/FP**, Demolition of all buildings & redevelopment of site for residential use comprising basement to 6th floor building to provide 68 flats including 28 affordable units, car parking, landscaping & access. Granted 13 April 2006.
- **BH2008/00713**, New roof terrace to flat 26. The application also appears on this agenda with a recommendation for approval.
- **BH2008/00765**, Installation of additional velux rooflights to flats 20 & 21. Retrospective amendment to BH2005/02267/FP. The application is yet to be determined.
- **BH2008/00941**, New roof terrace to flat 24. The application also appears on this agenda with a recommendation for approval.
- **BH2008/01117**, Formation of roof terrace to flat 25 (at 4th floor, west elevation). The application is yet to be determined.
- **BH2008/01141**, Installation of 2 additional velux rooflights to flat 39. The application is yet to be determined.
- **BH2008/01144**, Installation of one additional velux rooflight to flat 40. Amendment to BH2005/02267/FP. The application is yet to be determined.

4 THE APPLICATION

The proposal is for the construction of a roof terrace to flat 23, to the side of the building, facing east, at fourth floor level, consisting of:

- Terrace to measure 6.0m wide x 2.1m deep / floor area 12.6m².
- Handrail 1.4m high. Glazed panels.
- Window to be replaced with door to provide access.

5 CONSULTATIONS

External:

Neighbours: None.

Internal: None.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD2 Design – key principles for neighbourhoods.

QD14 Extensions and alterations.

QD27 Protection of amenity.

HO5 Provision of private amenity space in residential development.

Supplementary Planning Documents:

SPD03: Construction and demolition waste.

Supplementary Planning Guidance Notes:

SPGBH1: Roof Alterations and Extensions.

7 **CONSIDERATIONS**

The main considerations in the determination of the application relate to the impact of the alterations on the appearance of the building and upon residential amenity.

The application is one of several seeking amendments to a block of 68 flats nearing completion by way formation of roof terraces and rooflights to the building. These additions were not proposed/considered when the original application was considered. The building forms an “L” shape and this application relates to part of the roof to the side of the building at fourth floor level.

Planning policy QD14 states that alterations to buildings, including to the roof, should be well designed and detailed in relation to the building to be altered and should not result in significant disturbance or loss of privacy, outlook or daylight to neighbouring properties. Guidance within Supplementary Guidance Note 1: Roof Alterations and Extensions, state that alterations, including roof terraces, must respect the particular character of the building and carefully relate to it. Policy QD27 aims to protect residential amenity.

Design:

The site, not within a conservation area, is situated within a residential area with buildings of varied character and appearance. The building varies in height from 3 to 6 storey, and has sections of pitched and flat roofs.

The proposed terrace is to be located on a section of flat roof to the side, east elevation of the building. The terrace is set back 5m from the front façade of the building and is unlikely to be visible from New Church Road. The proposed terrace would not significantly alter the appearance of the building or roof form. The replacement of the existing window with door to match the general style of fenestration respects the character of the building.

Impact on residential amenity:

The proposed terrace would have an outlook towards 53 New Church Road and is 17.5m from the property. No. 53 has two dormers on the side elevation facing the terrace and whilst the terrace would be clearly seen from the neighbouring windows, given the distance between the properties it is not considered that its creation would be detrimental to the residential amenities of the occupiers of surrounding properties by way of loss of privacy or disturbance. The provision of private amenity space is to be welcomed and accords with policy HO5.

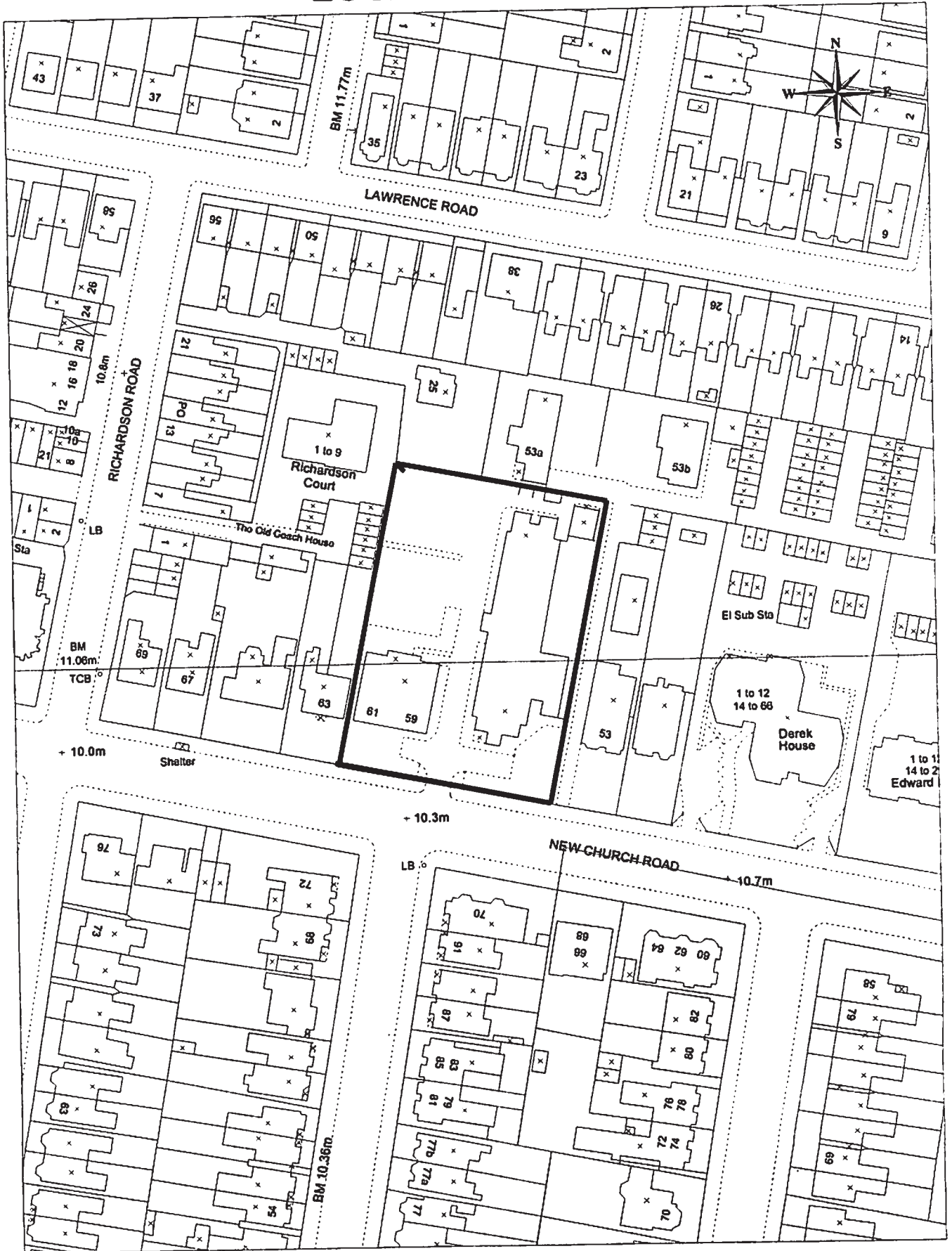
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed terrace and external alterations would not adversely affect the character or appearance of the building or unduly impact on the residential amenities of the occupiers of surrounding properties. The creation of private amenity space is to be welcomed.

9 EQUALITIES IMPLICATIONS

The terrace would provide outdoor amenity space for occupiers with poor mobility.

LOCATION PLAN



BH2008/00941

SCALE 1:1250

flat 24, 55 & 59-61 New Church Road



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<u>No:</u>	BH2008/00941	<u>Ward:</u>	WESTBOURNE
<u>App Type</u>	Full Planning.		
<u>Address:</u>	Flat 24, 55 & 59-61 New Church Road.		
<u>Proposal:</u>	New roof terrace. (Amendment to Approval BH2005/002267).		
<u>Officer:</u>	Paul Earp, tel: 292193	<u>Received Date:</u>	14 March 2008
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	13 June 2008
<u>Agent:</u>	PPML Consulting Ltd, Kinetic Centre, Theobald Street, Elstree, Herts.		
<u>Applicant:</u>	Belmont Homes, c/o PPML Consulting Ltd, Kinetic Centre, Theobald Street, Elstree, Herts.		

- 1 That the Sub-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:

5. 01.01AA Full Planning.
6. 03.01A Samples of materials – non conservation areas.

Informatives:

- 5) This decision is based on drawing no's 1354 FLAT24-01, 02 submitted on 14 March 2008.

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

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

Brighton & Hove Local Plan:

- QD2 Design – key principles for neighbourhoods.
- QD14 Extensions and alterations.
- QD27 Protection of amenity.
- HO5 Provision of private amenity space in residential development

Supplementary Planning Documents:

- SPD03: Construction and demolition waste.

Supplementary Planning Guidance Notes:

- SSPGBH1: Roof Alterations and Extensions, and

- vi) for the following reasons:-

The proposed terrace and external alterations would not adversely affect the character or appearance of the building or unduly impact on the residential amenities of the occupiers of surrounding properties. The creation of private amenity space is to be welcomed.

2 THE SITE

The application relates to a new development of 68 flats, both private and affordable, nearing completion on the site of the former Nuffield Hospital site

which is situated on the north side of New Church Road, opposite the junction with Carlisle Road. The block is in an “L” shape and is 3 to 6 storey in height. The site is not within a conservation area; however, the Sackville Gardens conservation area is to the south-east.

The surrounding area is residential in character primarily consisting of three storey Edwardian buildings. A post war block of flats known as Richardson Court adjoins the north-west corner of the site and several bungalows are situated to the north, between the site and Lawrence Road. This part of New Church Road consists primarily of 3 storey buildings although two seven storey blocks constructed in the 1960's, Derek and Edward House, and the pre-war Rutland Court are situated 30m to the east, separated from the site by two 3 storey Edwardian buildings converted into flats.

3 RELEVANT HISTORY

- **BH2005/002267/FP**, Demolition of all buildings & redevelopment of site for residential use comprising basement to 6th floor building to provide 68 flats including 28 affordable units, car parking, landscaping & access. Granted 13 April 2006.
- **BH2008/00713**, New roof terrace to flat 26. The application also appears on this agenda with a recommendation for approval.
- **BH2008/00723**, New roof terrace to flat 23. The application also appears on this agenda with a recommendation for approval.
- **BH2008/00765**, Installation of additional velux rooflights to flats 20 & 21. Retrospective amendment to BH2005/02267/FP. The application is yet to be determined.
- **BH2008/01117**, Formation of roof terrace to flat 25 (at 4th floor, west elevation). The application is yet to be determined.
- **BH2008/01141**, Installation of 2 additional velux rooflights to flat 39. The application is yet to be determined.
- **BH2008/01144**, Installation of one additional velux rooflight to flat 40. Amendment to BH2005/02267/FP. The application is yet to be determined.

4 THE APPLICATION

The proposal is for the construction of a roof terrace to flat 24, to the side of the building, facing west, at fourth floor level, consisting of:

- Terrace to measure 7.1m wide x 2.1m deep / floor area 14.97m².
- Handrail 1.4m high. Glazed panels.
- Window to be replaced with door to provide access.

5 CONSULTATIONS

External:

Neighbours: 25 Richardson Road: Object to the formation of the roof terrace which will result in a loss of privacy to this and neighbouring properties and extra noise, especially in summer when windows will be open.

Internal: None.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD2 Design – key principles for neighbourhoods.
QD14 Extensions and alterations.
QD27 Protection of amenity.
HO5 Provision of private amenity space in residential development.

Supplementary Planning Documents:

SPD03: Construction and demolition waste.

Supplementary Planning Guidance Notes:

SPGBH1: Roof Alterations and Extensions.

7 **CONSIDERATIONS**

The main considerations in the determination of the application relate to the impact of the alterations on the appearance of the building and upon residential amenity.

The application is one of several seeking amendments to a block of 68 flats nearing completion by way formation of roof terraces and rooflights to the building. These additions were not proposed/considered when the original application was considered. The building forms an “L” shape and this application relates to part of the roof to the side of the building at fourth floor level.

Planning policy QD14 states that alterations to buildings, including to the roof, should be well designed and detailed in relation to the building to be altered and should not result in significant disturbance or loss of privacy, outlook or daylight to neighbouring properties. Guidance within Supplementary Guidance Note 1: Roof Alterations and Extensions, state that alterations, including roof terraces, must respect the particular character of the building and carefully relate to it. Policy QD27 aims to protect residential amenity.

Design:

The site, not within a conservation area, is situated within a residential area with buildings of varied character and appearance. The building varies in height from 3 to 6 storey, and has sections of pitched and flat roofs.

The proposed terrace is to be located on a section of flat roof to the side, west elevation of the building. The south side elevation of the terrace would be visible from New Church Road. The façade of the building with bays, balconies and varying roof heights is complex, and whilst the terrace would be partially visible from the street it is not considered given the form of the building that the proposed terrace would significantly alter the appearance of the building. The replacement of the existing window with door to match the general style of fenestration respects the character of the building.

Impact on residential amenity:

The proposed terrace would have an outlook over the roof of the adjacent property to the west, 63 New Church Road, a 2 storey single dwellinghouse with rooms in the roof. The proposed terrace does not directly look into any windows. An objection has been received from the occupier of 25 Richardson

Road, a detached property 68m to the north. This and other neighbouring properties are already overlooked by surrounding development and from windows within this new development. Given the location of the terrace at high level and the distance from surrounding properties, it is not considered that its creation would be detrimental to the residential amenities of the occupiers of surrounding properties by way of loss of privacy or disturbance. The provision of private amenity space is to be welcomed and accords with policy HO5.

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed terrace and external alterations would not adversely affect the character or appearance of the building or unduly impact on the residential amenities of the occupiers of surrounding properties. The creation of private amenity space is to be welcomed.

9 EQUALITIES IMPLICATIONS

The terrace would provide outdoor amenity space for occupiers with poor mobility.

LOCATION PLAN



Application No.: BH2008/00713

SCALE 1:1250

flat 26, 55 & 59-61 New Church Road



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<u>No:</u>	BH2008/00196	<u>Ward:</u>	STANFORD
<u>App Type:</u>	Full Planning		
<u>Address:</u>	7 Elm Close Hove		
<u>Proposal:</u>	Erection of 2 new family homes on vacant plot.		
<u>Officer:</u>	Clare Simpson, tel: 292454	<u>Received Date:</u>	17 January 2008
<u>Con Area:</u>	n/a	<u>Expiry Date:</u>	13 March 2008
<u>Agent:</u>	Turner Associates, 19A Wilbury Avenue, Hove		
<u>Applicant:</u>	Mr Tony Thomas, C/O Agent		

This application was deferred By the Committee on 7 May 2008 to allow members to undertake a site visit

1 RECOMMENDATION

That the Sub-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 **grant** planning permission subject to the following conditions and informatives :

Conditions:

1. 01.01 Full Planning
2. 02.01A No permitted development (extensions)
3. 02.02A No permitted development (windows)
4. 02.03A Obscured glass (first floor windows rear elevation)
5. 03.01A Samples of Materials Non-Conservation Area.
6. 02.05A Satisfactory refuse storage.
7. 04.02 Lifetime Homes.
8. 05.01 BREEAM/ Ecohomes.
9. 05.03 Waste Minimisation Statement
- 10.06.03A Cycle parking facilities to be implemented
11. Prior to commencement of development 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 policy QD27 of the Brighton & Hove Local Plan.

12. No works shall commence until full details of a landscaping scheme, which includes hard surfacing, means of enclosure, planting along the boundaries of the site, and at least 6 replacement trees, have been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details 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 five years from the completion of the development die,

PLANS LIST – 28 MAY 2008

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 interests of the visual amenities of the area and to comply with policies QD1 and QD2 of the Brighton & Hove Local Plan.

13. Notwithstanding the submitted details, no development or other operations shall commence on site until a revised scheme which provides for the retention and protection of the mature trees identified to be retained on site, has been submitted and approved in writing by the Local Planning Authority. This revised scheme shall provide full details with respect to the tree preservation and protection measures in relation to the diversion of the water main. The agreed protection measures shall be in place prior to work commencing and remain in place throughout the duration of the works, until the works have been completed.

Reason: To ensure adequate preservation of these protected and mature trees and to comply with policy QD16 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on drawing nos. TA256/20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 submitted on 17th January 2008 and Arboriculture Report submitted on the 7th February 2008
2. 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:

QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD16	Trees and Hedgerows
QD17	Protection and integration of nature conservation features
QD27	Protection of amenity
QD28	Planning obligations
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes
TR1	Development and the demand for travel
TR7	Safe Development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste

Supplementary Planning Document
Construction and Demolition Waste (SPD03)
Trees and Development sites (SPD06)

Planning Policy Statement
PPS1: Delivering Sustainable Development
PPS3: Housing, and;

(ii) for the following reasons:-

The proposed dwellings, subject to compliance with the above conditions, will not result in a loss of light, overshadowing and overlooking due to the existing and proposed screening positioned along the boundaries. The distance separating the new houses from neighbouring properties is considered adequate. The design of the proposed houses are considered acceptable and will make efficient use of the land without causing significant harm to the character of the surrounding area.

2 THE SITE

This application relates to a vacant plot the south-western corner of Elm Close which previously contained a detached property, centrally located in the site. The plots adjoin properties in Elm Close, The Green, Tongdean Avenue and Woodruff Avenue. Land levels slope down towards the rear of the site with properties in Tongdean Avenue and Woodruff Avenue built on lower levels.

The line of elms which cross the northern section of the site are protected by a Tree Preservation Order (G1 - TPO no 4/1993).

The area has strong a character being part of the Barrowfield estate where substantial properties sit on large plots with mature planting. Properties are set-back from the road by grass verges which contribute to the open character of the area.

3 RELEVANT HISTORY

BH2004/02573/FP Demolition of existing dwelling and erection of 3 new dwellings and associated garages – withdrawn 29/09/2004

BH2004/03622/FP Demolition of existing dwelling and erection of 3 new dwellings and associated garaging refused on the 28/4/2005 for the following reasons:

- The site lies within the Barrowfield Area of High Townscape Merit as identified in the Hove Borough Local Plan. Policy BE24 of this document requires development of high standard in such areas. Policy QD2 of the Brighton & Hove Local Plan requires that all new developments be designed to emphasise and enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics including, amongst other criteria, the height, scale, bulk and design of existing buildings, and the natural and developed background or framework into which the development will be set against. The Local Planning Authority considers that the proposed development would, by reason of the form of buildings and layout, fail to respect the distinctive sense of place of this

- area, to the detriment of surrounding residential and general amenity
- Policies BE1 of the Hove Borough Local and QD14 and QD27 of the Brighton & Hove Local Plan Second Deposit Draft seek to protect amenity. The proposed new dwellings would, by reason of their design and scale and proximity to neighbouring properties, constitute an overdevelopment of the site have an overbearing effect on the occupiers of those properties, contrary to the policies referred to above.
 - Policy QD16 of the Brighton & Hove Local Plan requires the retention of existing trees and hedgerows and new planting as far as practicable in order to (amongst other criteria) add to the maturity of schemes, provide essential wildlife habitat, integrate developments into the environment, and contribute to the character of the town. The proposed development would fail to adequately protect trees protected by a Tree Preservation Order. In particular, it would
 - (a) result in the loss of a row of 8 elms which have yet to reach full maturity and are of fine form.
 - (b) result in the likelihood of post-construction pressures on the group of trees adjacent to the eastern site boundary, as a result of the proximity to the house on plot 1.
 - (c) fail to indicate that adequate protection measures will be taken in respect of the sycamore proposed to be retained at the site entrance and
 - (d) fail, more generally, to make adequate protection measures for trees proposed to be retained, by reason of inadequate provisions within the submitted landscape scheme/tree protection report.
 - Notwithstanding reasons 1-3 above, insufficient information has been received in respect of the context of the scheme (with particular reference to the positioning of the dwellings relative to surrounding properties), and proposed site levels, for an adequate assessment to be made as to the effects of the proposal on the character and appearance of the area and neighbouring residential amenity.

BH2005/01533/FP Demolition of existing dwelling and erection of 3 new dwelling and associated garaging (Resubmission of Refused application BH2004/03622/FP) was refused 30/08/2005 for similar reasons to the previous application outlined above. This application was then the subject of an appeal to the Planning Inspectorate. The appeal was dismissed on the 12th April 2006. The Inspector did not dismiss the appeal on the impact on neighbouring properties in relation to visual impact, overlooking or loss of privacy, nor on the impact on protected trees, but found the proposal harmed the character and appearance of the surrounding area,

BH2005/02385/FP Demolish existing house and replace with new dwelling and ancillary registered disabled persons unit – under consideration.

BH2007/02558 Proposed erection of 2 no. 3 storey, 5 bedroom houses. This application was withdrawn by the applicant on 24/09/2007 after officers raised concerns over a modern design approach for this plot.

4 THE APPLICATION

The application seeks consent for the erection of two substantial family homes on a vacant plot. The plot had previously contained a single residential unit. It is proposed that the existing plot be divided into two, with a separate driveway to each property. Accommodation would be arranged over three

floors.

The proposed houses would be constructed from a combination of facing brick, clay tile hanging and rendered panels with timber windows.

The application is accompanied by an Arboriculture Report which proposes the felling of two Elms covered by a Tree Preservation Order and a Yew tree adjacent to the entrance of the site to facilitate access of the site.

5 CONSULTATIONS

External

Neighbours: **17 Woodruff Avenue, 1, 3, 5 (x3) Tongdean Avenue, 8, 9 The Green, (x), 2, 6 Elm Close**, object to the application for the following reasons:

- it is refreshing that some effort has been made to create buildings that are more in-keeping, however other concerns remain,
- design and appearance of the property would be detrimental to the Barrowfield Area of High Townscape Merit,
- it is not possible to ascertain what parts of the building would finished with what material, however white render should be eliminated to reduce the massing, and white render is no characteristic of the area,
- due to the height of the new houses, and topography of the area, the houses would be overly dominant, and fails to respect the prevailing character of the area,
- the size and bulk of the houses are greater than appropriate for the site,
- although the houses has been brought way from the boundaries they will impact on neighbours,
- the land levels fall down towards Tongdean Avenue, and the new houses would be imposing and tower over neighbouring properties,
- the garden plots are minute compared to the size of the houses,
- the development would cause a loss of privacy and overlooking,
- the access routes would cause noise and disturbance and cause a security risk,
- a change in the sewer could restrict the flow for other properties,
- the configuration of the vehicle access creates a traffic safety hazard as vehicles cannot turn – a single access point would be more appropriate,
- the ground excavation for the entry roads to plot 2 would seriously disturb the roots of the mature tree protected by Tree Preservation Orders,
- a tree planting plan should be part of the application,
- lopping the Elms will encourage growth and result in the trees being larger,
- concerns that the boundary to 7 Elm Close is not shown accurately and that the grass verge common to Barrowfield must be reinstated,

15 Woodruff Avenue comment they would not be happy if the buildings were unsympathetic with the area, if emergency vehicles found access difficult and if the houses resulted in a loss of privacy

Internal

- **Councillor Venessa Brown** objects to the application (letter attached to

this report).

Councillor Jayne Bennett comments on a concerns over the impact on the houses in Tongdean Avenue (letter attached to this report).

Arboricultural Team

The Arboricultural Report submitted with the application is comprehensive and the arboricultural section is in agreement with its proposals.

The Yew tree proposed for removal to facilitate the driveway to plot 1 is not covered by TPO and therefore the Arb Section do not object to its loss.

The two Elm trees proposed for removal on the grounds of health and safety (these are covered by TPO) may indeed be considered poor specimens and should be felled at this time. 2-for-1 replacements should be made a condition as part of a landscaping scheme should these 3 trees be lost (ie, 6 replacements).

As outlined on R W Green's Arb Report, the remaining trees should be protected and driveways constructed as stated. Of concern to the Arboricultural Section is the proposed line of diverted water main - this appears to run a metre away from mature trees that are covered TPO. Details of how this is to be achieved without undermining the trees is required, or the water main needs to be re-diverted away from the trees.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites
- QD16 Trees and Hedgerows
- QD17 Protection and integration of nature conservation features
- QD27 Protection of amenity
- QD28 Planning obligations
- HO1 Housing sites and mixed use sites with an element of housing
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO13 Accessible housing and lifetime homes
- TR1 Development and the demand for travel
- TR7 Safe Development
- TR14 Cycle access and parking
- TR19 Parking standards
- SU2 Efficiency of development in the use of energy, water and materials
- SU13 Minimisation and re-use of construction industry waste

Supplementary Planning Document

Construction and Demolition Waste (SPD03)

Trees and Development sites (SPD06)

Planning Policy Statements

PPS1: Delivering Sustainable Development

PPS3: Housing

7 CONSIDERATIONS

The determining issues raised by this proposal are firstly, the suitability of the principle of development, in particular with respect to the impact of the new dwellings on the character and appearance of the area, secondly whether the proposed works will have a detrimental impact on the amenity of neighbouring occupiers, thirdly the impact of the proposal on the protected trees and lastly the standard of accommodation proposed.

Policy Context

Current national policy advocates the better use of previously developed land for housing, which is largely reflected in policies QD3 and HO4 of the Brighton & Hove Local Plan. QD3 and HO4 can support planning permission for higher density infill development in some circumstances. However, this must not result in 'town cramming' or cause other problems for neighbours or the future occupants of the proposed building, nor should it result in a development that is detrimental to its surroundings.

Three of the previous refusals (see planning history) were based on proposals for 3 houses on the plots, which due to the constraints of the site presented difficulties for neighbouring properties, impacts on the trees, and the character and appearance of the area. However this is a sizeable plot and there is no objection to the principle of two houses on the site. The application has been the subject to pre-application discussion and the suggestion from the Conservation and Design Team was to follow a more traditional plot layout in this instance to make efficient use of the site.

Design and impact on the character of the area

Policies QD1, QD2 and QD4 state that new development will be expected to demonstrate a high standard of design and should make a positive contribution to the environment and take into account local characteristics including the height, scale, bulk and design of existing buildings. In this instance the development must respond to an area with particularly strong character created by the Barrowfield Estate. This estate was built in the late 1920's in the garden city tradition and designed by Harold Turner. Although the site is not in a Conservation Area, Barrowfield was previously defined as an area of High Townscape Merit in the Hove Local Plan 1995 and has a strong character worthy of preservation.

The layout and positioning of the properties within the new plots has taken a lead from the originally planned layout of the estate which is still evident from the positioning of 2 and 3 Elm Close. Whilst set back from the road, the new houses continue the general rhythm of this part of Elm Close by ensuring the principle elevations and access face the road. The space between the proposed buildings is comparable to the distances which were originally planned within this estate. The retention of the mature trees and grass verges at the entrance to the plot ensures that, when viewed from Elm Close, the

new buildings blend well with the existing properties and retain the open character of the area. This will ensure that the development of two houses on the plots does not appear crammed-in and respects the area's original character.

Turning to the detail of the houses, the design and appearance of the new properties is considered sympathetic to the character of the area. Previous applications sought consent for houses which would have contrasted with the existing properties. Whilst good modern design is encouraged by local plan policies, it is considered in this location a more traditional approach is welcome. The proposed houses would be constructed from a combination of facing brick, clay tile hanging and rendered panels with timber windows. The materials proposed are in keeping with prevailing character of the area, and samples would need to be submitted to ensure they are in keeping with the character of the area.

Concerns have still been raised by neighbours that the design of the houses is not in-keeping with the character and appearance of the area. However the both the scale of the houses and size of the plots are comparable to many in the surrounding area. Much of the concern appears to be in relation to the height of the new houses.

The houses would be approx. 10.6 metres above ground level and they will be prominent when viewed from lower ground levels to the rear of the site. 10.6 metres is approximately 1.2 metres higher than the properties in proposed application BH2005/01533/FP which was the subject of the appeal. However unlike this previous submission, the proposed properties are not aligned directly parallel to the boundaries and have relief added to the elevations to break up the massing, therefore the visual impact of the development is considered to be less than those previously submitted for the site. It is acknowledged that both of the new houses incorporate lower ground floors, which are not a common feature of properties in the area. Nevertheless, given the distances from neighbouring properties, it is considered on balance that the appearance of the new houses would not be unduly intrusive and are broadly acceptable.

The application is accompanied by an Arboriculture Report. The 8 Elm trees on northern boundary are considered particularly prominent and the mature trees on the site generally make a positive contribution to the character of the area both from within and outside Elm Close. It is suggested in the report that two of the eight trees protected trees are felled as they are poor specimens with signs of disease. The Council Arboriculture Team have visited the site on a number of occasions and have agreed with the report. The submitted plans indicate that additional planting would be used on the south-west of the site to reinforce the existing planting along this boundary. No details have been received regarding the species, size and maturity of the additional planting. Given that mature vegetation is characteristic of the surrounding area, and given that some trees, (albeit judged to be diseased) would be lost from the plot, additional planting must be required by condition. The Arboriculture Team suggest 6 trees should be planted to replace the 3 proposed to be

felled. This will be secured by condition.

Notwithstanding the concern of neighbours the Arboriculture Team are confident that the construction works can be carried out whilst ensuring adequate protection to the trees which are to be retained, although further details will be required for the diversion of the water main.

Impact on amenity

A material consideration to this application, are comments of the Planning Inspector when assessing the application for three houses on the site (ref: BH2005/01533/FP). Despite the close proximity of the proposed houses to the boundaries, the Inspector found that separation distances of 17 to 19 metres was acceptable, and if boundary treatment was reinforced and bathroom windows obscured glass no loss of privacy would result. Whilst acknowledging that the outlook from these properties would be affected, he found that loss of visual amenity and loss of privacy would not result. As previously discussed the properties proposed in this application are approximately 1.2 metres higher than those proposed in the appeal. However they have been located further from the boundaries.

Plot 1 would have the most impact on 5 and 7 Tongdean Avenue. A distance of 8 to 10 metres would separate the property from the boundary. The three properties proposed under BH2005/01533 were located 4.6 to 5.0 metres from the shared boundaries and the Inspector found this distance to be acceptable. At first floor level the principle window facing the properties in Tongdean Avenue would be a secondary bedroom window which would be obscured glass, a further window serving the landing area is also identified to be obscured glass. Although roof lights are proposed, they do not present any overlooking. In term of overshadowing, the new houses are located to the north of properties in Tongdean Avenue and due to this orientation, loss of light and overshadowing would not be significant impacts. It is considered that the existing boundary treatment adequately screens the ground and lower ground floors.

Due to the change in the land levels, any houses angled parallel to this boundary to Tongdean Road would be dominant when viewed from Tongdean Road. However given that the back to back separation distances are greater than those judged to be acceptable by the Planning Inspector and given the opportunity for increased vegetation to improve screening, the impact on these properties is considered acceptable.

The retention of most of the Elms along the boundary with 6 and 7 The Green and 9 Elm Close prevents the new house on Plot 1 having a detrimental impact on these properties. Two windows proposed for the ground floor of the property on the north west elevation facing relates to a guest room and this elevation is not glazed above ground level. No loss of privacy to these properties is envisaged. One of the neighbours has commented that the additional activity associated with two new houses would cause noise and disturbance to neighbouring properties, however, given the distance from the rear elevation of these properties, it is not considered that additional traffic or

pedestrian movements would have a significant impact.

Regarding Plot 2, this property is located 8 to 10.5 metres from the south (rear) boundary affecting 15 Woodruff Avenue. Given that the rear elevation of the new house is set at an angle from the boundary, the new dwelling would not be significantly overbearing on this property. At first floor level, the two windows facing the rear relate to a en-suite and landing area and could be obscured glazed by condition to ensure the privacy of neighbouring gardens.

The east elevation of the property on Plot 2 would be 4 metres from the boundary with 6 Elm Close, however once again the elevation is at an oblique angle from the boundary which prevents it being overbearing. At first floor level, a secondary bedroom window is proposed, this would provide additional views in garden on 6 Elm Close but no loss of privacy to habitable rooms in this building.

The new houses have been designed with a adequate separation between the side elevations towards the rear of the properties. This will ensure that those bedrooms with primary windows on the side elevations of the houses will not suffer mutual overlooking.

Overall, the proposed properties have been designed so first floor accommodation on the rear of each house can be obscured glazed and therefore the development is not considered to cause a loss of privacy to neighbouring occupiers. The properties are substantial in size and will be dominant, however having regard to the Inspectors findings in 2006 which was assessed on three houses, closer to the boundaries than this proposal, the development is not considered to be overbearing or cause a significant loss of amenity to neighbouring occupiers.

Sustainability

Policy SU2 seeks efficiency of development in the use of energy resources. Natural light and ventilation is achieved for all of the rooms in house with much of the accommodation having dual aspect. The applicant has stated that the proposed development would achieve an Ecohomes rating of very good or above. It does not appear that the site has been registered for pre-assessment and as a residential property, in accordance with current standards, the house should meet code for suitable homes level 3, which is equated to Ecohomes very good or above.

Refuse and recycling facilities and cycle storage have been identified on the submitted drawings.

Policy SU13 and the Construction and Demolition Waste SPD requires development proposals to demonstrate that the minimisation and reuse of construction industry waste has been sought in an effective manner through the preparation of Site Waste Minimisation Statement. Details have been submitted with the application and it is anticipated that much of the earth excavation material will not leave the site but will be used to level the

entrance. It had also been specified that new building material will be sourced for local suppliers. Space will be allocated to enable waste materials to be separated and stored with the possibility of future re-use. Notwithstanding the details submitted further details are required which specify likely volumes of waste to ensure that the maximum amount of waste possible is diverted away from landfill.

Accessible housing and Lifetime Homes Standards:

Policy HO13 requires all new residential dwellings to be built to a Lifetime Homes standards whereby they can be adapted to meet the needs of future occupiers without major structural alterations.

The properties have covered level street access and room sizes are generous with wide doors and corridors. Several bathrooms have bath with sufficient floor area to facilitate side transfer. Scope exists within the properties for the storage and recharging of an electric scooter or wheelchair. The open-plan design of the lower ground floor and ground floor ensures that the accommodation proposed is relatively flexible and could easily accommodate adaptations where necessary.

Traffic implication:

Policies TR1 and TR7 aim to ensure that proposals cater for the demand in traffic they create, and do not increase the danger to users of adjacent pavements, cycle routes and roads.

The Traffic Engineer has no objections to the proposal subject to conditions to ensure that the crossovers are constructed in accordance to approved standards, that the car and cycle parking facilities are provided before the properties are occupied. Whilst the Traffic Engineer has sought a contribution towards sustainable transport improvements, it is considered that as the site lies outside the Controlled Parking Zone and adequate car and cycle parking has been identified on the plans, this would not be justifiable in this instance. The Traffic Engineers does not concur with neighbours that the proposed access would be hazardous. The width of the proposed access is and parking provision is considered to be acceptable.

Other matters

Neighbours have raised concerns regarding the implications of the diverted water main. The flow of the water main is not a material planning consideration, although it is shown on the submitted plans and the impacts of this on the health and longevity of the protected trees on the site. Full details of this element of the works will be required before development commences and will need to be agreed by the Arboriculture Team.

Conclusion

It is not considered that, the proposed dwellings are not likely to result in overshadowing or loss of privacy given the distances separating the proposed property and the boundaries, together with the screening positioned along the boundaries. Furthermore, the proposed dwellings are deemed to make efficient use of land without causing significant harm to the character of the

surrounding area. The application is therefore recommended for approval.

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

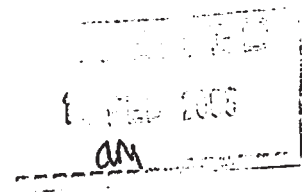
The proposed dwellings, subject to compliance with the above conditions, will not result in a loss of light, overshadowing and overlooking due to the existing and proposed screening positioned along the boundaries. The distance separating the new houses from neighbouring properties is considered adequate. The design of the proposed houses are considered acceptable and will make efficient use of the land without causing significant harm to the character of the surrounding area.

9 EQUALITIES IMPLICATIONS

The proposal dwellings would be built to Lifetime Homes standards and would have to comply with Part M of the Building Regulations.

Ms Clare Simpson
Planning Officer
Development Control
Hove Town Hall

Date: 12 February 2008
Our Ref: VBvg
Your Ref:
Phone: 01273 291012
Fax: 01273 291003



Dear Ms Simpson

Re: BH2007/00196, 7 Elm Close, Hove

As a Councillor for Stanford Ward I wish to object to the above planning application. This site forms part of the Barrowfield Area of High Townscape Merit and the design, scale and bulk of the dwellings would be out of keeping with the surrounding area.

With the fall of the land towards Tongdean Avenue these houses will be very dominant as they are so tall. I believe the houses in Tongdean Avenue would suffer overshadowing overlooking and a severe loss of privacy.

The plans show that the new water main would be very close to the existing TPO trees and could therefore damage their roots. There does not seem to be a tree planting scheme included with the plans.

I would ask that this application is determined by the Planning Committee if recommended for approval.

Yours sincerely

Councillor Vanessa Brown



Jayne Bennett

Brighton & Hove 18/02/2008 09:00

To: "Steve Walker" <Steve.Walker@brighton-hove.gov.uk>
cc: "Paul Earp" <Paul.Earp@brighton-hove.gov.uk>
Subject: Elm close

Could you please arrange for this to go to ctte please as I'm concerned about the effect on the houses in tongdean ave jayne bennett

LOCATION PLAN



Application No.: BH2008/00196

SCALE 1:1250

Address: 7 Elm Close



Note: Any shaded or outlined areas are indicative only and should not be scaled.

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<u>No:</u>	BH2008/00781	<u>Ward:</u>	WITHDEAN
<u>App Type</u>	Full Planning		
<u>Address:</u>	4 Barn Rise Brighton		
<u>Proposal:</u>	Remodelling of house including ground floor, first floor, and roof extensions, to front side and rear. Front, side, and rear rooflights. (Resubmission).		
<u>Officer:</u>	Jonathan Puplett, tel: 292525	<u>Received Date:</u>	03 March 2008
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	09 May 2008
<u>Agent:</u>	Mr M J Lewis, 25 St Nicholas Lodge Church Street Brighton		
<u>Applicant:</u>	Mr and Mrs M Johnston, 4 Barn Rise Brighton		

1 RECOMMENDATION

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

1. 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 dwelling is located in a prominent position therefore any extension must be carefully designed in compliance with the above policy. The proposed extensions would result in a significantly enlarged appearance to the dwelling which would be out of keeping with the surrounding area, and would result in an overly dominant appearance, to the detriment of the visual amenities of the surrounding area. The scheme is therefore contrary to the above policy and guidance.
2. Policies QD14 and 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 bulk of the proposed rear extension would represent an overbearing structure for residents of the neighbouring property no. 6 Barn Rise. The proposed extensions would create a sense of enclosure when viewed from the rear garden and ground floor rear windows, and would also block sunlight and daylight this area. The extension would also harm outlook from the rear bedroom window and garden areas of no. 2 Barn Rise, again resulting in an overbearing effect. The proposal is therefore contrary to the above policies.
3. Policy SU13 and Supplementary Planning Document 03 on Construction and Demolition Waste seek to reduce construction waste and require a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme in order to reduce the amount of waste being sent to landfill. No information has been

submitted with the application to demonstrate how these requirements would be met. The scheme is therefore contrary to the above policy and supplementary planning document.

Informatives:

This decision is based on drawing nos. A236 08, 09, and 10 submitted on the 3rd of March 2008.

2 THE SITE

The application relates to a detached house on the northern side of Barn Rise, approximately 50 m metres west of the junction with Eldred Avenue.

3 RELEVANT HISTORY

Planning permission was granted for a garage and ground floor extensions in August 1972 (ref. 72-1598).

BH2007/04586 planning permission was refused in February 2008 for a scheme similar to that currently proposed. An appeal has been lodged against this decision.

4 THE APPLICATION

The current application seeks consent for the construction of substantial extensions and alterations to the existing dwelling house including ground floor, first floor, and roof extensions, to front side and rear. Front, side, and rear rooflights.

The rear extension has been reduced in depth by two metres in comparison to the previous scheme, the remainder of the design is identical to that refused planning permission under application BH2007/04586.

5 CONSULTATIONS

External

Neighbours: Letters have been received from the residents of **no. 6 Barn Rise, and nos. 51 and 53 Eldred Avenue**, objecting to the proposal on the following grounds:

- The revisions to the scheme have not addressed neighbouring residents objections which were raised at the time of the previous application.
- The proposed alterations are not in keeping with the existing house or the surrounding area. The extended building would appear extremely large, overdeveloped, and would be very prominent.
- The proposed extensions would overshadow the rear windows and garden of no. 6 Barn Rise; the structure would be oppressive / overbearing when viewed from this property and other neighbouring properties.
- The proposed extension will affect the privacy of neighbouring residents.

Councillor Drake objects to this application (letter attached to this report).

Councillor Ann Norman supports this application (letter attached to this report).

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

SU13 Minimisation and re-use of construction industry waste

Supplementary Planning Document

Construction and demolition waste

Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

7 CONSIDERATIONS

The main issues of consideration relate to the impact of the development on the character and appearance of the building and the wider area, and the effect on the residential amenity of neighbouring properties.

Impact on the appearance of the property and the surrounding area

The existing detached dwelling is of a design which matches the dwelling to the north, and this design is repeated in some parts of the street scene. In general the street consists of dwellings of various designs. The dwelling in question has undergone significant extensions at ground floor level to the southern side and the rear of the property. It is acknowledged that these extensions were granted planning permission in 1972 and it is not considered that ground floor extensions necessarily provide a suitable footprint for first floor and roof extensions above.

The previous scheme was refused on grounds of design, the relevant reason from the decision stating: “The proposed extensions would result in a significantly enlarged appearance to the dwelling which would be out of keeping with the surrounding area, and would result in an overly dominant appearance, to the detriment of the visual amenities of the surrounding area.” The revisions which have been made to the scheme, which consist of the reduction in depth of the rear extension, do not represent a significant change in regard to the visual impact of the proposal on the dwelling and the street scene.

The applicant has submitted a ‘photo-montage’ to show that the visual impact of the scheme is acceptable. This photograph has been taken from an angle (to the north-west of the dwelling) which would shield the vast majority of the proposed extension behind the existing dwelling. A more realistic representation would be provided by photographs taken from in front of the dwelling or from a position nearer the junction of Barn Rise and Eldred avenue; the proposed extensions would be particularly prominent when viewed from these angles.

The proposed extensions would result in a significantly enlarged appearance to the property to the front, side and rear. The front and southern side

elevation are particularly prominent in the street scene and it is considered that the proposed scheme would result in an overly dominant bulky appearance to the dwelling, with a large blank side wall (which would be particularly visible from Eldred Avenue to the north). The size of the dwelling would not be in keeping with those in the surrounding street scene, and in particular would stand out alongside no. 6 Barn Rise to the north; at present these two dwellings form an attractive matching pair in the street. Overall, it is considered that the appearance of the building and the street scene would be harmed, to the detriment of the visual amenities of the area.

Impact on residential amenity

The rear extension proposed has been reduced in depth by 2 metres following refusal of the previous application in an attempt to reduce the impact of the scheme on neighbouring residents.

It is however still considered that the proposed first floor and roof extension to the rear of the dwelling would have a significant impact on the residents of no. 6 Barn Rise, located to the north of the application site. No. 6 has a small extension to the rear which has windows on three sides. The proposed rear extension, which is 3 metres deep, would block sunlight and daylight to the rear ground floor fenestration of no. 6 which serves a living room, and to the rear garden area. The bulk of the proposed extensions would also be overbearing and enclosing when viewed from the rear garden area in particular, and from the rear extension.

No. 2 Barn Rise to the rear is a bungalow set on a lower level to the application site with a small rear garden area, and a larger side / front garden area. The existing single storey side extensions are prominent and have an enclosing effect when viewed from these garden areas, they are also visible from the rear (bedroom) window of no. 2. The proposal to extend upwards above these existing extensions would have an increased effect of enclosure and would be overbearing for residents of no. 2. Overall the extensions are considered unacceptable due to the overshadowing they would cause, and the overbearing / enclosing effect which the increase in bulk would have.

It is not considered that the proposed rear windows and rooflights would cause significant harm to neighbouring privacy in comparison to the existing fenestration of no. 4.

Construction and demolition waste

Policy SU13 and Supplementary Planning Document 03 on Construction and Demolition Waste seek to reduce construction waste and require a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme in order to reduce the amount of waste being sent to landfill. The proposal represents a substantial amount of building work, therefore such matters are considered of importance in this case. This issue was highlighted at the time of the previous application (and constituted a reason for refusal). Notwithstanding this fact, no information has been submitted with the revised application to demonstrate how these requirements would be met. The scheme is therefore contrary to

the above policy and supplementary planning document.

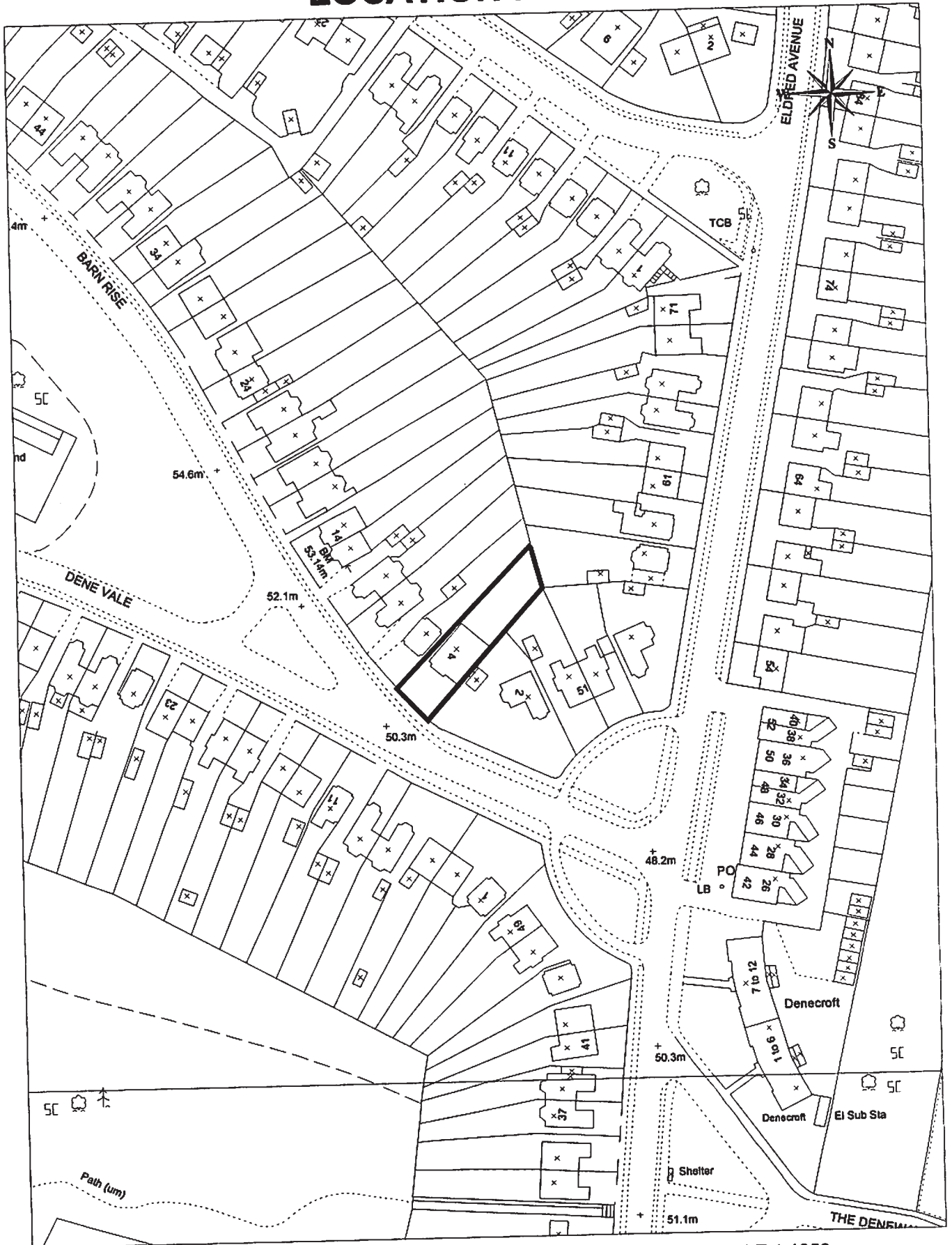
Conclusion

In conclusion, the proposed extensions are considered excessive in size, and would harm the appearance of the property and the surrounding area. The impact on neighbouring amenity in terms of overshadowing, and the overbearing / enclosing effect which the increase in bulk would have, is also considered unacceptable. Furthermore no information has been submitted in regard to the minimisation of construction and demolition waste. Refusal is therefore recommended.

9 EQUALITIES IMPLICATIONS

None identified.

LOCATION PLAN



SCALE 1:1250

BH2008/00781

4 Barn Rise



Note: Any shaded or outlined areas are indicative only and should not be scaled.

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<u>No:</u>	BH2007/04086	<u>Ward:</u>	WITHDEAN
<u>App Type</u>	Full Planning		
<u>Address:</u>	Site at rear of 188 Surrenden Road Brighton		
<u>Proposal:</u>	Demolition of existing garage. Construction of part single, part two storey house with integral garage.		
<u>Officer:</u>	Clare Simpson, tel: 292454	<u>Received Date:</u>	06 November 2007
<u>Con Area:</u>	n/a	<u>Expiry Date:</u>	02 June 2008
<u>Agent:</u>	C J Planning, 80 Rugby Road, Brighton		
<u>Applicant:</u>	Ms L Mackenzie, c/o Agent, C J Planning, 80 Rugby Road, Brighton		

1 RECOMMENDATION

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

- 1) The proposal incorporates an unsuitable vehicle access by reason of being too narrow, unmade and having no provision for passing space which would provide a poor standard of access and potential conflict between pedestrians and vehicles movements. The site arrangement is therefore considered inappropriate for a new property. The proposal is therefore contrary to policies TR7, and QD27 of the Brighton & Hove Local Plan.
- 2) The proposal represents a back-land development accessed from a pedestrian route from Surrenden Road. The length and form of this access route, running between two separate dwellings, with separate functions is considered to be unacceptable and potentially hazardous for users. The increased level of activity generated from an additional unit would be detrimental to the residential amenities of neighbouring dwellings. The development is therefore contract to policies QD2, QD3 and QD27 of the Brighton & Hove Local Plan

Informatives:

This decision is based on drawings (un-numbered elevation and floor plans) 01a and 02a and technical information received on the 6 November 2007 and an amended site location plan received 2 April 2008 and ownership certificates and documentation received on the 4 April 2007.

2 THE SITE

The application site relates to a detached chalet bungalow set within a long but relatively narrow plot on the southern side of Surrenden Road. At the rear of the plot is a single-storey double garage which is accessed via an unmade track linking Hollingbury Copse and Surrenden Road. Also accessed through this track are several other garages associated with neighbouring properties, it appears that no properties rely solely on this lane for access.

3 RELEVANT HISTORY

87/592F).The erection of a detached double garage at the rear was granted planning permission in 1987.

BH2004/02564/FP planning permission was refused in November 2004 for the conversion and extension of existing garage to form a new dwelling house. The reason for refusal was:-

- 'The track that is the primary means of access to the proposed development is unsuitable due to being narrow, unmade and having no provision for passing space. As such the proposal is contrary to policy TR Safe Development (new policy) of the Brighton & Hove Local Plan Second Deposit Draft.'

A subsequent appeal against this decision was dismissed in May 2005, where the Planning Inspector found 'the proposed entrance arrangement would be contrived, inconvenient and unsafe and not of a standard deemed to be appropriate as the sole means of access to a new dwelling in this location.'

BH2005/01866/FP Conversion and extension of existing domestic garage to form single residential unit refused 15/08/2005 for the following reason:

- The pedestrian pathway leading from Surrenden Road, by virtue of its positioning, would provide a poor standard of access and would be of detriment to the amenities of the occupiers of 188 and 186 Surrenden Road. The proposal is therefore contrary to policies SU10, QD2, QD3 and QD27 of the Brighton & Hove Local Plan.
- The applicant has failed to demonstrate how the proposed dwelling would meet the requirements of the Lifetime Homes Standards, contrary to policy HO13 of the Brighton & Hove Local Plan.

BH2006/00113 Conversion and extension of existing domestic garage to form single residential unit. (Resubmission of Refused application BH2005/01866/FP) The reason for refusal was:-

- The proposal incorporates an unsuitable vehicle access by reason of being too narrow, unmade and having no provision for passing space; and a pedestrian pathway leading from Surrenden Road which would provide a poor standard of access and cause significant harm to residential amenity for occupiers of neighbouring properties at 186 and 188 Surrenden Road. The site is therefore considered inappropriate for this form of development. The proposal is therefore contrary to policies SU10, TR7, QD3 and QD27 of the Brighton & Hove Local Plan.

4 THE APPLICATION

The application seeks consent to demolish the existing garage building within the rear curtilage of no. 188 Surrenden Road, and construct a part single storey, part two storey residential unit. The layout of the unit would be open plan with a lounge and kitchen at ground floor level and bedrooms at first floor level. Vehicle access will be provided through an unmade track accessed from Hollingbury Copse which gives access to existing garages. A pathway will be created from Surrenden Road between no's 190 and 188 which the applicant states will be the primary access for pedestrians.

The application has been amended during the course its consideration. An amended site location plan has been submitted which shows the vehicle access route to the rear of the property as part of the application. An

amended ownership certificate has also been submitted, as the applicant was subsequently required to serve notice on all of the properties with ownership rights over the rear lane. Neighbours were also re-consulted.

5 CONSULTATIONS

External:

Neighbours: 1 (x2), 5 (x2) Hollingbury Copse, 178, 192 199, 205 (x2), 207, Surrenden Road, 157a Ditchling Rise, 24 Wellintonia Court, support the application for the following reasons:

- the proposed house is unobtrusive and would not be detrimental to neighbouring properties,
- there have been previously approved applications to convert the garages to additional accommodation,
- the location of the proposed footpath is now acceptable,
- these additional houses are a necessity,
- this application would allow the present occupiers to retire locally and provide access for the disabled,
- the last appeal was only turned down due to impact of the pedestrian route and as proposed the new pathway would allow good access without impacting on safety,
- similar developments have been granted in Preston Park Avenue,

28, 174, 186, 190, (x2) Surrenden Road, 7 (x2) Hollingbury Copse, 4, 6, 10, 12, 14, 16, 18, 20, 22, 25, 28, 34,42, Surrenden Park, Surrenden Park Residents Association, object to the application for the following reasons:

- the access is contrived, ramped and stepped for approximately 65 metres from Surrenden Road, the rear access would be simpler and is likely to be used instead,
- the access route running adjacent to no.190 Surrenden Road would be detrimental to the residential amenity of this property,
- the pedestrian access is barely one metre wide again suggesting the lane would be used instead,
- the photographic evidence is misleading and the angles on which the photographs have been taken exaggerate the distance between the application site and the neighbouring property,
- the Traffic Engineer in previous applications has consistently found the use of the rear lane to be dangerous for pedestrians and cyclists and yet the access to the rear remains the most convenient route,
- concern over the access route and implications for the disabled,
- a building of this size is unsuitable for the area and fails to respect the character of the setting,
- the new dwelling would be overlooked by the existing balcony at the rear of 188,
- a new house would overlook the gardens of Surrenden Park and result in a loss of privacy for these occupiers,
- the positioning of new windows result in the gardens of no.186 and no.190 and no 7 Hollingbury Copse being overlooked,
- increased bulk would result in restricted outlook,

- the development would cause overshadowing,
- residents would suffer noise and disturbance from increased traffic movements,
- the new property would not be accessed by emergency vehicles,
- the pathway poses a security risk,
- there are other properties who potentially have sufficient space for an additional dwelling, and if granted the safety issues raised by the Planning Inspector and Traffic Engineer would increase and pose an even greater risk,
- the development would not impact on the local wildlife environments,
- the reasons for refusing the last applications remain valid,
- the area contains well-established trees some with tree preservation orders protecting them, and digging of foundations would impact on the trees,
- the details of the application and the impact on parking is incorrect and the loss of the double garage results in a loss of car parking spaces, demand for on-street car parking will increase,

Internal:

Traffic Manager: On highway safety grounds (the unmade road is not an adopted highway) the increase in traffic generated by one house could not be considered as a material and there has never been a vehicular accident. There is concern over impact on amenity from movements associated with a new house.

Highways Team: comment that should construction and delivery vehicles use the unmade lane the wall separating the unmade lane from Surrenden Park would become more unstable.

Private Sector Housing: The layout of the house is not satisfactory. Bedrooms must not be entered via a kitchen or lounge. An alternative means of escape will be required for the bedrooms, or alternatively the layout of the house re-designed.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites
- QD16 Trees and Hedgerows
- QD17 Protection and integration of nature conservation features
- QD27 Protection of amenity
- QD28 Planning obligations
- HO1 Housing sites and mixed use sites with an element of housing
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO13 Accessible housing and lifetime homes
- TR1 Development and the demand for travel
- TR7 Safe Development

TR14 Cycle access and parking
TR19 Parking standards
SU2 Efficiency of development in the use of energy, water and materials
SU13 Minimisation and re-use of construction industry waste

Supplementary Planning Document

Construction and Demolition Waste (SPD03)
Trees and Development sites (SPD06)

Planning Policy Statements

PPS1: Delivering Sustainable Development
PPS3: Housing

7 CONSIDERATIONS

The determining issues raised by this proposal are firstly, the suitability of the principle of development, in particular with respect to the impact of the new dwelling on the character and appearance of the area and the access arrangements, secondly whether the proposed works will have a detrimental impact on the amenity of neighbouring occupiers, thirdly the standard of accommodation proposed.

Policy context and planning history

Current national policy PPS3 advocates the better use of previously developed land for housing, which is largely reflected in policies QD3 and HO4 of the Brighton & Hove Local Plan. QD3 and HO4 can support planning permission for higher density infill development in some circumstances. However, this must not result in ‘town cramming’ or cause other problems for neighbours or the future occupants of the proposed building, nor should it result in a development that is detrimental to its surroundings.

The existing curtilage of 188 Surrenden Road would be divided through the erection of a 2m high fence to create two private garden areas of a size appropriate to the scale and character of development. In terms of the size of plots, in absolute terms, these are broadly acceptable.

The primary concern raised with previous applications was the access arrangements to the proposed dwelling. The planning history shows that the Local Planning Authority have been consistent regarding the view that the rear access road is not suitable as the primary access for a new dwelling. This was upheld by the Planning Inspector. The application in 2005 proposed a pathway extending from Surrenden Road to the proposed dwelling which, it was claimed, would serve as a primary access. This was considered a poor standard of access detrimental to the amenities of both adjoining properties.

In response to these previous concerns, the most recent application in 2006 proposed a pathway to the side of no. 188 and adjacent to the shared boundary with no. 186, which would be enclosed on either side by close boarded fencing up to approximately 2.4 metres in height. The applicant had stated this pathway will be the primary access to the property, and although access will remain from the rear lane this will only apply to vehicles. The

reasons for refusal on this application related solely to the potential safety hazard of this access arrangement

The design of the proposed dwelling has not been altered significantly from previous applications, although it does now occupy the width of the plot, with no visible pedestrian access from the lane at the rear. The only access would be through the garage. This has been proposed in an attempt to separate the pedestrian and vehicle movements associated with the new dwelling. By trying to encourage vehicles to use the lane, and all other movements to use the pedestrian access from Surrenden Road, the applicant contends to have responded to the Planning Inspector who found that to rely on the rear lane for sole access was 'contrived, inconvenient and unsafe.'

On the previous applications design did not feature as a reason for refusal, although the previous case officer did have reservations regarding the appearance of the dwelling. These concerns remain in the current application. It is considered however that although the design of the dwelling is not consistent with other buildings in the locality and that the elevations are relatively uninteresting, given the planning history a reason for refusal based on design could not be justified in this instance.

Access and transport demands

Policy TR1 requires development provides for the demand for travel likely to be created. The proposed dwelling includes an integral garage. This is sufficient for the parking requirements generated by the proposal. Whilst a car associated with no. 188 may be displaced by the loss of the garage, given Surrenden Road is not within a Controlled Parking Zone and given there appears to be a supply of on-street parking on Surrenden Road this is acceptable. Secure cycle parking is allocated sufficient space within the proposed dwelling.

This application differs from the last submission by moving the pedestrian access to the opposite side of the plot. The access would now run alongside the boundary between 188 and 190 Surrenden Road. As with the previous application, the rear lane now only serves as access for vehicles. On plan form this arrangement does not result in any increased traffic movements in the rear lane. The applicant contends that current occupiers and visitors use the Surrenden Road access and the garage which results in comings and goings up and down the garden. However, in practice it is considered unreasonable to expect that all servicing and pedestrian access would utilise the footpath proposed from Surrenden Road, which is extremely narrow at ~1 metre wide and over 45 metres long, especially when a more convenient access would be from Hollingbury Copse. Given the safety concerns highlighted in previous applications and the appeal decision the proposed arrangement has the potential to create a road safety hazard for future pedestrians and vehicles accessing the property

It is noted that the applicant would register the address of the new house as 188a and that access for visitors and pedestrian would be from Surrenden Road but if the development is permitted the council would have no future

control over access to the property from either Surrenden Road or Hollingbury Copse. The applicant has stated that the use of the access could be controlled by condition, however the conditions can only be applied where practical and where enforceable. In this instance, it is not considered that the imposition of a planning condition would not be appropriate. It is once again considered that in practice the rear access would experience increased level of activity, both from vehicle and pedestrians and therefore the problems arising from the use of this lane must be considered in this application.

Impact on amenity

The proposed pathway leading from Surrenden Road to the proposed dwelling has the potential to cause harm for existing and future occupiers of both the existing house at 188 Surrenden Road and the adjoining neighbour to the west no.190 Surrenden Road. Details have been submitted highlighting the relationship of the path with both adjoining properties. The path itself will be enclosed by close boarded fencing 1.8 metres in height to the rear of the 188 Surrenden Road.

The pathway would be located on the boundary and extend down the entire rear garden of 190 Surrenden Road and most of the rear boundary of 7 Hollingbury Copse. It is considered this close relationship would have an adverse impact on present and future occupiers of these properties by way of increased noise and disturbance. No.190 Surrenden Road is on slightly higher ground than the application site and therefore the 1.8 metre fencing is considered to cause an increased sense of enclosure to the occupiers of this property.

Furthermore the siting of a new dwelling in this location would introduce noise and disturbance from the activities normally associated with a dwelling into this generally quiet area of back gardens, contrary to Local Plan Policy QD27.

The new dwelling would not result in any loss of light for occupiers of adjoining properties, and given the screening surrounding the site and adjoining structures it is unlikely the new building itself would appear overbearing or create excessive overshadowing. Although the footprint would be greater than that of the existing garage, the extended area in front of the existing garage. At ground floor level full glazing is proposed for the north elevation, facing the existing dwelling at 188 Surrenden Road, although the boundary fencing dividing the plot should adequately screen this elevation. As the land levels slope up to the this house, and given the separation distances, it is not considered to cause significant loss of privacy to neighbouring properties in Surrenden Road or Hollingbury Copse.

On the south elevation, the balcony would provide additional views over the properties in Surrenden Park. These will face the small lane and across to the rear of properties facing Hollingbury Copse and Surrenden Park. Existing mature vegetation provides effective screening and there is a separation distance of approximately 25m between the proposed dwelling and the rear boundary of no. 10 Surrenden Park. It is therefore considered the proposed dwelling will not create significant overlooking or loss of privacy to properties

located on Surrenden Park.

The distances between this property and the neighbours is not considered so significant to warrant refusal of the application. On the west elevation a single window is proposed for the wet room which would be screened by the existing boundary treatment.

Trees and wildlife

Trees located within no. 6 Hollingbury Copse, adjacent to the site, are covered by a Tree Preservation Order and if the application was successful further information regarding how existing trees can be protected during construction would need to be submitted.

The proposal would involve the increase in the footprint of the building, although this would only result in a loss of some hardstand at the front of the existing garage. This is not considered to be of high ecological value. The loss of wildlife habitat is not considered to be a justifiable reason for refusing the application in this instance.

Sustainability issues.

The applicant has stated that the development would receive an Ecohomes rating of *very good* and has submitted a sustainability checklist with the application which shows that development performs relatively well. Amongst the features proposed are the inclusion of a green roof and solar panels for the new house, and the new house would use a *Whispergen* Combined Heat and Power system. Recycling and cycle parking facilities have been identified on site.

A lifetime homes checklist has been submitted with the application indicating that the layout allows sufficient space for wheelchair turning circles in most of the rooms. The bathroom on the first floor is not compliant however, and this element would have to be amended should the application be successful. A larger bathroom at the expense of some of the laundry room would be an option. The layout of the property does not however conform to private sector housing standards, and whilst this may be easily overcome by ensuring that the bedrooms are not accessed from the lounge, this could then in turn affect the ability to meet lifetime homes standards. Cumulatively, a more significant amendment to the layout of the property may then be required if the principle of the application was successful.

Other matters

The applicant has identified some previously approved applications with long pedestrian access arrangements comparable to the arrangement proposed in this application. These have been noted, and whilst the Local Planning Authority endeavour to make consistent decisions, every application must be assessed on its own merits. Surrenden Road is characterised by properties which are in single dwelling use and which benefit from good-sized gardens generally with a high level of privacy. Where the Local Planning Authority have found pedestrian access routes for new dwellings to be acceptable, this has generally been in more urban locations where activity levels around

dwellings, and in rear gardens are generally higher. The access arrangements proposed in this application are lengthy and narrow and in this location, this is considered to be particularly inappropriate.

Residents are concerned that the development could set a precedent for further the development of garages to houses to the rear of these properties in Surrenden Road. Every application is assessed on its own merits, but it is acknowledged 186, 184, and 182 have similar sized plots to 188 Surrenden Road and have access to the lane.

The observations from the Highways Team regarding the stability of the supporting wall along the rear lane has been noted and this is considered to further emphasise the unsuitability of the rear access road to serve additional dwellings.

Conclusion

The development may in principle make a more effective use of the site and does incorporate design features relating to sustainability. However, the proposal would create a property with potentially hazardous access through the rear lane, and a pedestrian access of poor standard causing significant harm to occupiers of adjoining properties.

For the above reasons it is considered that it has not been possible to satisfactorily overcome previous concerns and provide satisfactory access to the dwelling. As such it is considered the site is not suitable for development to create a new self-contained property. The proposal is therefore recommended for refusal.

9 EQUALITIES IMPLICATIONS

The new dwelling would be required to meet lifetime homes standards.

LOCATION PLAN



Application No.:BH2007/04086

SCALE 1:1250

Address:R/O 188 Surrenden Road



Note: Any shaded or outlined areas are indicative only and should not be scaled.

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<u>No:</u>	BH2008/00232	<u>Ward:</u>	PRESTON PARK
<u>App Type</u>	Full Planning		
<u>Address:</u>	Windlesham School Dyke Road Brighton		
<u>Proposal:</u>	Demolition of existing gymnasium and prefabricated classrooms. Proposed new gymnasium with changing facilities and class rooms and internal alterations to existing building.		
<u>Officer:</u>	Kate Brocklebank, tel: 292175	<u>Received Date:</u>	23 January 2008
<u>Con Area:</u>	None	<u>Expiry Date:</u>	07 April 2008
<u>Agent:</u>	Clive Voller Associates, 15 Station Road, Burgess Hill		
<u>Applicant:</u>	Mrs S Evans, Windlesham School, Dyke Road, Brighton		

1 RECOMMENDATION

That the Sub-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. 01.01AA Full planning
2. 03.01A Samples of Materials Non-Cons Area (BandH)
3. 02.02A No permitted development (windows) (BandH) **amended to read...**no windows, other than those expressly authorised by this permission shall be constructed in the south east elevation of the building at first storey level without Planning Permission obtained from the Local Planning Authority. **Standard reason**
4. 02.05A Refuse and recycling storage (facilities) (BandH)
5. 03.03A Obscured glass (BandH) **amended to read...**the first storey window on the south east elevation of the building servicing classroom 4 shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such. **Standard reason**
6. 05.03 Waste Minimisation Statement
7. 05.01 BREEAM or equivalent
8. Details of the external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved installation shall be maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

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.

9. 06.02A Cycle parking details to be submitted (BandH)

Informatives:

7. This decision is based on drawing nos. 2402-01, 2402-02, 2402-10 Rev A, 2402-11 Rev A, Waste Management Plan and Design and Access

PLANS LIST – 28 MAY 2008

Statement submitted on 23rd January 2008 and drawing no. 2402-12 submitted on 11th February 2008.

8. 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, and to all relevant material considerations, including Supplementary Planning Guidance and Supplementary Planning Documents (SPGs and SPDs) and the East Sussex and Brighton & Hove Local Plan:

Brighton & Hove Local Plan:

TR1	Development and 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
SU9	Pollution and nuisance control
SU13	Minimisation and re-use of construction industry waste
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 and Supplementary Planning Documents

SPGBH4: Parking Standards.

SPD03 Construction and demolition waste

East Sussex and Brighton & Hove Waste Local Plan

WLP11 Construction industry waste; and

ii) for the following reasons:

The application is considered to be of acceptable design and scale in relation to the context of the site and its surroundings. The proposal will provide more modern purpose built accommodation which will have a more coherent appearance than the existing structures. Further, it is considered that the scheme will not cause demonstrable harm to the residential amenities of any neighbouring dwelling by way of overlooking, loss of privacy, overshadowing or loss of light.

9. IN.08 SPD, 'Construction and Demolition Waste'.

10. In relation to condition 6 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 (such as a member of the Institution of Lighting Engineers) shall be submitted with the details.

2 THE SITE

The site is located on the east side of Dyke Road, opposite Dyke Road Park

and covers a large, roughly square area to the rear of 182-188 Dyke Road; 190 Dyke Road forms part of the school complex. The site is bounded by residential properties on Port Hall Road to the south east with a private garden area abutting the southern boundary, Port Hall Street to the north east and Dyke Road to the south west. To the north of the site there is a complex of three blocks of flats known as Fairways, the closest block is approximately 5 metres from the site boundary. The site has two points of access from Dyke Road. There is a narrow pedestrian access to the front of 190 Dyke Road which is a large former residential dwelling. The second access is adjacent to 178 Dyke Road is a narrow vehicular access to the site.

In the wider context, Dyke Road is characterised by a mix of more modern flatted development and detached and terraced dwellings of varying design and age set back from the road. Port Hall Street and Port Hall Road have a more uniform character formed predominantly by terraced period properties with regular sized relatively shallow front gardens when compared with Dyke Road development.

3 RELEVANT HISTORY

BH2002/00469/FP – Removal of temporary classrooms and temporary swimming pool enclosure and construction of new classroom block and pool enclosure, alteration of hall and new link walkways. **Approved** 05/04/2002.

BH2002/02140/FP – New classroom block (3 storey) and pool enclosure – amendment to previously approved application BH2002/00469/FP. **Approved** 30/09/2002.

BH2003/00574/FP – Construction of external staircase to new classroom block. **Approved** 31/03/2003.

4 THE APPLICATION

The proposal seeks planning permission for the demolition of the existing pre-fabricated buildings and extension to the existing building to the south of the site.

The scheme will involve the re-organisation of the internal layout of the existing building to provide improved boys changing facilities and toilets, an enlarged medical room on the ground floor and enlarged toilet facilities on the first floor.

The additional accommodation includes two classrooms, enlarged kitchen facilities, two stores and an enlarged gymnasium on the ground floor. On the first floor two additional classrooms, an office and a viewing gallery/landing are proposed.

The design of the proposal is intended to be sympathetic to that of the existing building with a mixture of fair-faced brickwork at low level, pebbledash panels within a timber frame in matching materials. The gymnasium is of a more contemporary design constructed using a timber frame.

5 CONSULTATIONS

External:

Neighbours: Numbers 7, 13, 15, 17, 19 and 21 Port Hall Street have **objected** to the scheme on the following grounds:

- The overall scale is inappropriate.
- The building will give rise to overshadowing particularly in the evening and loss of privacy.
- The development will result in intensification of the use which will give rise to noise and disturbance.
- The external alterations do not appear to maintain the character of the existing structure which has the appearance of a large house. The building will dominate the surrounding development.
- Out of scale with surrounding development, particularly in Port Hall Street and Port Hall Road.
- The reduction of the playground area will lead to a greater concentration of pupils leading to increased noise and disturbance, as with the construction of the 'Cooper House' building.
- The development includes additional classrooms suggesting a potential increase in the number of pupils.
- By providing the ground floor below the normal ground level would add the reduction of the impact of this scheme on neighbouring dwellings.

Internal:

Traffic Manager: The Design and Access Statement submitted with the application states that, 'it is not proposed to increase the number of pupils but to improve the facilities for the existing students'. It would therefore not be reasonable to raise a concern about the transport impact generated by the site because there will be no material impact.

Environmental Health:

The nearest residential properties are located approximately 30-35 metres East to North East. To protect residents from any potential light trespass, a condition is necessary for a lighting scheme.

Approval subject to conditions regarding lighting.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of amenity

Supplementary Planning Guidance and Supplementary Planning Documents

SPGBH4: Parking Standards.

SPD03 Construction and demolition waste

East Sussex and Brighton & Hove Waste Local Plan
WLP11 Construction industry waste

7 CONSIDERATIONS

The main considerations of this application relate to the principle of the proposed development, the design of the proposed buildings, affect on the character of the area, affect on amenity for neighbouring dwellings, transport issues and consideration will also be given to sustainability.

Principle of the proposed development

The proposal seeks to demolish the existing prefabricated buildings and gymnasium to the south east side of the site and erect an extension to the existing two storey building to provide additional accommodation including classrooms, kitchen facilities and a new gymnasium. The school has expressed no intention to increase the number of pupils attending. The proposal would improve existing educational facilities and is considered acceptable in principle.

Design of the proposed buildings

Local Plan policies QD1 and QD2 set out design criteria to ensure that all proposals for new buildings demonstrate a high standard of design and make a positive contribution to the visual quality of the environment while taking account of the local characteristics.

The proposal incorporates two differing design styles. The extension to the main building to provide additional/improved accommodation is to be constructed in a similar design to the existing building with a timber frame, pebble dash finish, hipped roof and matching tiles. The gable end on the south west elevation will mirror that of the existing gable and the maximum height of the extension will not exceed that of the existing building. It is considered prudent to condition that the materials shall match those on the existing building to aid the proposal's visual integration. The gymnasium is distinctly more modern in design with a sloping roof Cedar wood cladding, powder coated aluminium windows and brick plinth with the main area of glazing on the north east elevation overlooking the play ground.

The school is surrounded by residential properties and elements of the school itself were previously residential dwellings (190 and 180 Dyke Road). As such the existing structures are of a more domestic character and scale than is perhaps usual for a school complex. The continuation of the domestic character through the extension of 180 in a similar design is considered to be in keeping with the character of the school while having regard for the residential character of the area. The gymnasium appears a more purpose built design.

The design of both elements are considered to be acceptable within the context of the existing structures on the site. Although the structure is of a larger scale than those it is replacing, it is not considered to be overly dominant and maintains visual subservience to the existing building. Further, the existing structures are prefabricated and are not considered to be of a

high standard of design. Their replacement would provide a more coherent form of development. As such the scheme is considered to adequately accord to policies QD1 and QD2 of the local plan.

Affect on the character of the area

The site is surrounded on all sides by existing development, the scale of the proposal is such that it is not considered likely that the scheme will have a negative impact on the character of the surrounding area.

Affect on neighbouring amenity

Local Plan policy QD27 relates to the protection of amenity. With respect to this the closest neighbouring residential dwelling within Port Hall Mews, to the proposed development abuts the south east boundary of the site and is approximately 5.5m away from the south west corner of the extension. The property has two windows at first storey level overlooking the site and two rear dormers. The scheme includes the insertion of two windows on the south east elevation at first storey level and one in the south west elevation in the gable end at first storey level. To preclude any adverse overlooking to the neighbouring dwelling in Port Hall Mews it is considered prudent to condition that no additional windows are inserted in the south east elevation at first storey level and the window servicing classroom 4 shall be obscured glazed.

It should also be noted that given the nature of school operations, the use of the buildings is likely to be restricted to daytime hours, during term times. Further, the maximum height of the extension is approximately 8.4m and due to the orientation of the proposed extension in relation to the neighbouring dwelling to the south east of the site, it is not considered that it will give rise to adverse overshadowing or overbearing affect or cause significant loss of light.

The remaining neighbouring properties to the south east and north east of the site are a minimum of 25 metres away. It is therefore not considered that the development will give rise to adverse overlooking, loss of privacy or overshadowing. As such it is considered that the proposed development will not cause demonstrable harm to the residential amenity of any neighbouring dwelling in accordance with policy QD27 of the Local Plan.

Transport issues

The Council's Traffic Manager has raised no objection to the proposal on the basis that the Design and Access Statement submitted with the application states that, 'it is not proposed to increase the number of pupils but to improve the facilities for the existing students'. It would therefore not be reasonable to raise a concern about the transport impact generated by the site because there will be no material impact.

Sustainability

Local Plan policy SU13 relates to minimisation and re-use of construction industry waste. The Local Planning Authority request the submission of a detailed waste management statement detailing how the scheme will incorporate measures to reduce the amount of construction waste and re-use and recycle those materials which can be. This development requires a

Waste Minimisation Statement to address the reuse and minimisation of construction waste that will be generated as a result of the proposed demolition and physical alterations. A 'Waste Management Plan' has been submitted with the application, however it contains limited information with respect to specific measures on limiting the amount of waste which is sent to landfill sites. As such an appropriately worded condition requiring the submission of a Waste Minimisation Statement is recommended.

Local Plan policy SU2 seeks to ensure proposals are efficient in the use of energy, water and materials. Proposals are required to demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design. Part of this consideration is the use of natural light and ventilation. It is considered that this development demonstrates adequate layout by way of natural light and ventilation to the majority of the rooms. Those rooms which are being provided as part of the proposed extension have the benefit of both natural light and ventilation except the two proposed store rooms on the ground floor.

A row of rooflights are to be installed to the roof slope above the boys changing rooms and the girls toilets to replace those being blocked up in the north east elevation of the building. The agent has confirmed that some natural ventilation will be provided by way of trickle vents to each of these rooflights and no division is proposed between the toilets and the changing rooms as such some light will be provided to the adjoining rooms. On balance and giving consideration to the fact that part of the scheme incorporates the use of the existing building, the scheme is considered to provide an energy efficient layout by way of natural light and ventilation.

However, the applicant has not submitted information to demonstrate what measures would be in place to seek to reduce water consumption, use of materials and methods to minimise overall energy and/or raw material inputs, have been integrated into the scheme. Given the scale of the development the use of the Sustainability checklist is not appropriate and therefore a condition is recommended.

Conclusion

On balance, for the reasons stated, this application is considered to be acceptable and therefore approval is recommended.

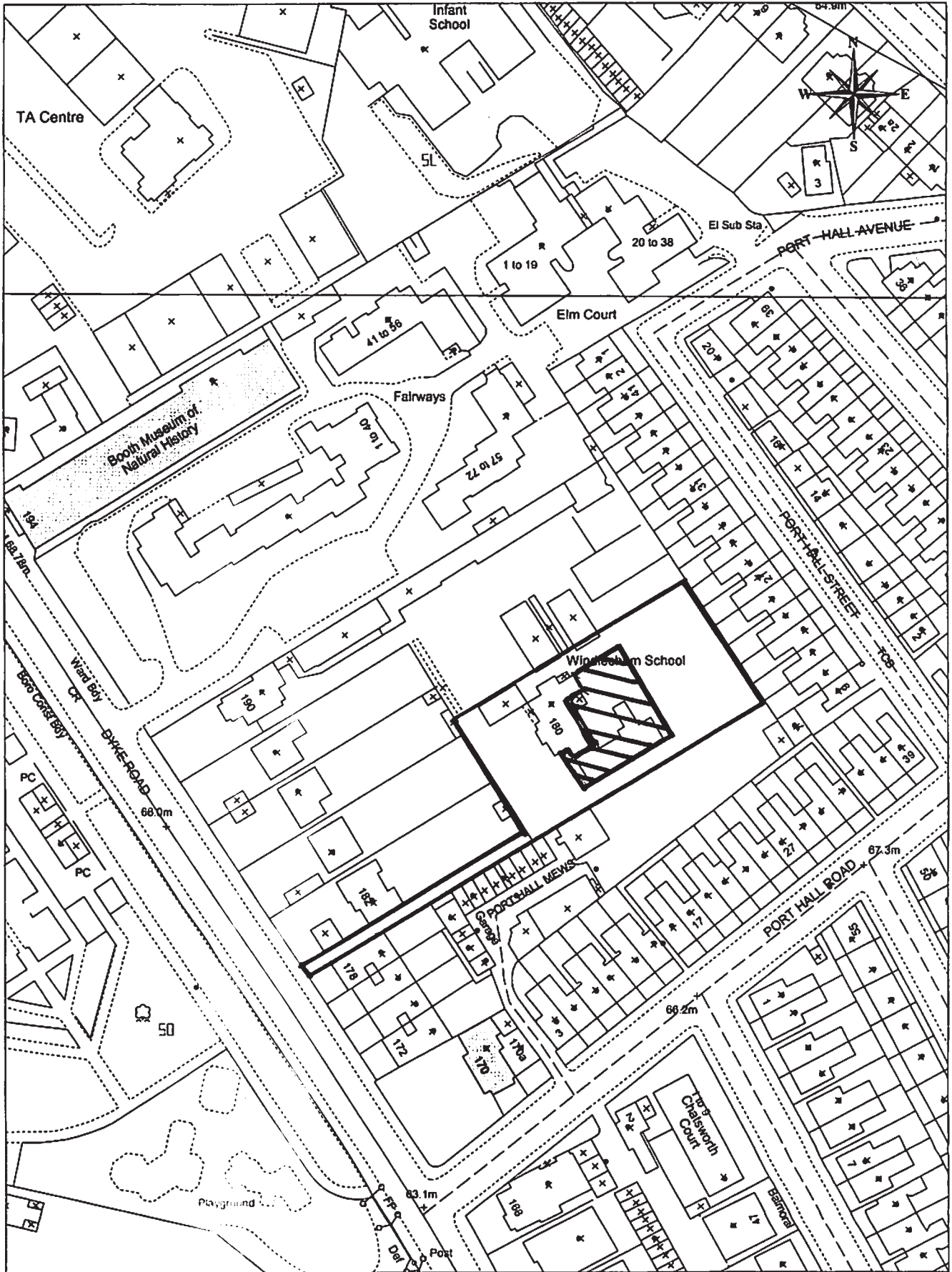
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The application is considered to be of acceptable design and scale in relation to the context of the site and its surroundings. The proposal will provide more modern purpose built accommodation which will have a more coherent appearance than the existing structures. Further, it is considered that the scheme will not cause demonstrable harm to the residential amenities of any neighbouring dwelling by way of overlooking, loss of privacy, overshadowing or loss of light.

9 EQUALITIES IMPLICATIONS

The school is required to be constructed in full compliance with Disability Discrimination Act (DDA) 1995 standards.

LOCATION PLAN



Application No.: BH2003/00232

SCALE 1:1250

Address: Windlesham School, Dyke Road, Brighton.



Note: Any shaded or outlined areas are indicative only and should not be scaled.

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<u>No:</u>	BH2007/04388	<u>Ward:</u>	REGENCY
<u>App Type</u>	Full Planning		
<u>Address:</u>	24 Castle Street Brighton		
<u>Proposal:</u>	Refurbishment and extensions to existing buildings on the site to provide 6 x B1 office units, 2 x one-bedroom flats and 3 x two-bedroom maisonettes.		
<u>Officer:</u>	Sue Dubberley, tel: 292097	<u>Received Date:</u>	28 November 2007
<u>Con Area:</u>	Regency Square	<u>Expiry Date:</u>	20 March 2008
<u>Agent:</u>	Turner Associates, 19a Wilbury Avenue, Hove.		
<u>Applicant:</u>	The Olivia Group Ltd, c/o Turner Associates, 19a Wilbury Avenue, Hove.		

1 RECOMMENDATION

That the Sub-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 :

1. 01.01AA Full planning

2. Plans, elevations and sections at 1:50 scale, shaded or hatched to show clearly the extent of demolition of the existing fabric of the building and the extent of new work, and a structural survey and method statement and plan setting out how the building's original fabric and structural integrity are to be protected, maintained and stabilised during demolition and construction works, shall be submitted to and approved by the local planning authority before works commence. The demolition and construction works shall be carried out and completed full in accordance with the approved method statement and plan and the front elevation shall be repaired and made good to match exactly its original appearance and condition, with the exception of the front entrance door which shall be replaced with one of a more suitable design.

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

3. No development shall take place until the following details have been submitted to and approved by the local planning authority in writing:
 - i) the treatment of the eaves,
 - ii) the treatment of the entrance threshold and steps, including any tiling,
 - iv the treatment of the transom infill panel and soffit above the Castle Street central entrance including a 1:10 scale section and details of materials,
 - iii) the conservation rooflights,
 - iv) samples and details of materials,
 - v) 1:20 sample elevations and sections and 1:1 scale sectional profiles of the new windows and doors, timber and glazed screens and their cills, reveals, thresholds and steps,
 - vi) 1:20 scale sample elevations and sections of the balcony and stair

PLANS LIST – 28 MAY 2008

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

4. The renderwork shall be smooth finished to match exactly the original renderwork.
5. The existing large central timber doors on the Castle Street elevation shall be retained fixed open as a feature in the entrance foyer.
6. The new and replacement windows on the Castle Street and Regency Mews frontages shall be single glazed painted timber vertical sliding sashes with no trickle vents and with concealed sash boxes recessed within the reveals and masonry cills to match exactly the original sash windows, including their architrave, frame and glazing bar dimensions and mouldings, and subcill, cill and reveal details.
7. 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.
8. All new flintwork shall match the original flint walls in the type of flints, coursing, density of stones, and the mortar's colour, texture, composition, lime content and method of pointing.

Reason: To ensure the preservation of the building in accordance with policy HE8 of the Brighton and Hove Local Plan.

9. 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.
10. 05.01 EcoHomes / Code of Sustainable Homes.
11. 04.02 Lifetime Homes.
12. 06.03A Cycle parking facilities to be implemented.
13. 02.05A Refuse and recycling storage (facilities).
14. 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 and to remain genuinely car-free at all times 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 to comply with policies HO7 and SU15 of the Brighton & Hove Local Plan.

Informatives:

11. This decision is based on drawing nos. TA293/01, 02, 03 and 04 submitted

PLANS LIST – 28 MAY 2008

on 24 January 2008 and drawing nos. TA 293/05a, 06a, 07b, 08b, 09b, 10a, 11a and 12a submitted on 31 March 2008.

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

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

- HO3 Dwelling type and sizes
- HO4 Dwelling densities
- HO5 provision of private amenity space in residential development
- HO6 Car free development
- HO13 Accessible housing and lifetime homes
- HE6 Proposals in Conservation Areas
- EM3 Retaining the best sites for industry
- QD1 Design – quality of development
- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites
- QD4 Design Strategic impact.
- QD5 Design street frontage
- QD27 Protection of amenity
- TR1 Development and the demand for travel
- TR7 Safe development
- TR12 Cycle access and parking
- SU2 Efficiency in development in the use of energy, water and materials
- SU10 Noise nuisance
- SU13 Minimisation and re-use of construction industry waste

Supplementary Planning Guidance

- SPGBH4 Parking Standards
- SPGBH16 Renewable Energy and Energy Efficiency in New Developments
- SPGBH21 Sustainability Checklist

Supplementary Planning Documents:

SPD03: Construction and Demolition Waste; and

iii) for the following reasons:

The development will bring a derelict building back into use without causing detriment to the character and appearance of the site or Regency Square conservation area. The development will not have a significant impact on amenity for occupiers of adjoining properties.

iii) A Unilateral Undertaking or Agreement under s106 of the Town and Country Planning Act 1990, to provide £3470 to fund improved sustainable transport infrastructure in the vicinity and to fund the amendment of the relevant Traffic Regulation Order to prevent future occupiers of the development for being eligible for on-street residential parking permits, could satisfy the requirements of condition 14. The applicant is requested to contact the Local Planning Authority to discuss.

2 THE SITE

This application relates to a site located on the south side of Castle Street and runs through to Regency Mews at the rear, with frontages and access to the site from both sides, and is located in the Regency Square Conservation Area. The site is currently vacant having last been used as a glass workshop, glass manufacturing and sales.

3 RELEVANT HISTORY

BH2007/04387 Partial demolition of existing building to form internal courtyard. Current application also reported on the agenda.

4 THE APPLICATION

The application is for a mixed use development of office space and residential flats. The proposal is for the refurbishment and extensions to the existing buildings on the site to provide 6 x B1 office units, 2 x one-bedroom flats and 3 x two-bedroom maisonettes. The scheme retains the facades on both frontages and proposes partial demolition in the centre of the site to create a central courtyard and allow light into the buildings.

The existing building is two storey with a basement level and the proposal is to extend the building by increasing the height on the Castle Street frontage by a approximately 3m to create two additional floors. Although the roof would slope away from the Castle Street frontage giving an increase in height of 1.9m immediately on Castle Street.

Three of the office units would be located at ground floor, one at lower ground floor and two at first floor. The flats would be arranged with the 2 x 1 bed units at first floor and the 3 x2 bed units set over two floors at second and third floors. Each of the residential units would have a private terrace facing into the central courtyard.

5 CONSULTATIONS

External:

Neighbours: 8b Stone Street, 15,16, 18, 38, Castle Street and 4 Hendon Street, object for following:

- Overdevelopment in an area of existing high density.
- Great pity to change workshop, manufacturing into office space and residential units. Original mixed usage is integral to the character of the conservation area.
- The opening up of the centre of the site to allow light in is a device to compensate for the over massing of the development at a cost of loss of light to properties in Stone Street and Castle Street who will be deprived of southerly light.
- Overlooking from the north facing windows of the offices and flats proposed.
- Proposals will maintain none of the original charm of the site and Castle Street will feel darker and hemmed in.
- Increase in traffic in an already congested area.

Regency Square Area Society – object for following reasons:

- Consider it to be over-development in this area of existing high density.
- The development will adversely impact on neighbouring properties.
- Regency Mews and Castle Street will be deprived of their original character.

Internal:

Conservation & Design: Original comments: These two industrial buildings add interest to both street scenes. The Castle Street building is a low one and a half storey building large laylights over the ridge. It has an attractive arched entrance with large boarded doors and a traditional shopfront, which are an important feature that should be retained. The Regency Mews building has been altered unsympathetically.

The refurbishment and restoration of the Regency Mews building and the reinstatement of sash windows at first floor level is welcomed. The design of the ground floor partly glazed doors is sympathetic to the industrial mews character of the building. The insertion of a central additional window opening at first floor level is acceptable. The widening of the upper level of factory laylights on the front roof slope is also acceptable. The treatment of the rear elevation of this building is also acceptable.

The increased height and massing of the Castle Street frontage building is acceptable in terms of its effect on the street scene in Castle Street. However there are concerns about the effect of the height and massing of its rear, which has a full height second and third floors on views from Regency Mews. There are concerns about the design of the front elevation. The increase in height of the Castle Street frontage building is achieved partly by raising the eaves level by a storey, and partly by having a steeper pitch and higher roof ridge. Although this approach is acceptable in principle, the second storey is half height at the front, with half dormers. Half dormers are not typical architectural form for industrial buildings of this type and period in Brighton and have a negative effect on the character of this building. The dormers should be set back from the eaves and not have window cills below eaves level. Alternatively, large factory style laylights could be used instead of dormers.

On the front elevation, the new short window above the arch and the narrow slot windows either side of it do not relate well to the original architectural design of the building and should be omitted. Whilst it would be acceptable for the ground and first floor windows on the right (west) side to be enlarged by raising their heads or lowering their cills. However, the window enlargements shown are excessive as they are too wide. The insertion of an additional first floor window on the left hand (east) side is acceptable.

The rear elevation of the Castle Street building is modern in design and has full height storeys, a flat roof and recessed balconies. If the building can be seen from Regency Mews, it would be harmful to the historic roofscape of the conservation area, and the rear would also have to have a pitched roof, which would reduce the building's bulk and would eliminate the third floor accommodation.

However, if it can be seen above the mews building, this approach would be

acceptable, given that it would only be visible from within the central lightwell.

Amended plans: Now acceptable subject to conditions.

Traffic Manager: No objection providing the cycle parking shown is provided prior to occupation and that the applicant enters into a legal agreement to amend the Traffic Regulation Order preventing future residents from applying for residents parking permits and makes a financial contribution of £3470 towards the Sustainable Transport fund, towards improving accessibility to bus stops, pedestrian facilities and cycling infrastructure in the area.

Economic Development: The economic development team fully supports the application on the following grounds;

The site is currently vacant after previously housing a glass works and associated business. The proposal will bring the site back into operational use providing a mixed use scheme with uses more appropriate to the location.

With regards to the commercial element of the proposal, it is proposed to replace the existing vacant commercial space with 6 No. B1 office units with a range of sizes from 47m² up to 89m² totalling some 425m² of new B1 office accommodation in comparison to the previous total floorspace of 458m² which included 87m² of storage space.

In economic development terms although slightly smaller in overall provision, when the storage space is excluded there will in fact be more 'employment space' generated from the proposal.

With regards to employment generation from the proposal, the applicant states that the proposal will create space for 35 employees but no information is provided to justify this figure. The offPAT employment densities for general office use are 5.25 jobs per 100m² and when related to the employment space proposed of 425m² this equates to 22 jobs which is considered a more appropriate level for the proposal taking into account the layout and design.

Notwithstanding this difference the proposal is welcomed in economic development terms as it provides modern business accommodation in a range of sizes to meet business needs in the city.

Planning policy:

Policy EM5 applies. B1 on its own should be the first option unless the applicant is making a case that he market housing is enabling development to achieve refurbishment. It is not clear from the evidence on file that this site has been marketed to determine redundancy and the applicant should be asked to submit evidence of redundancy.

Environmental Health: No adverse comments.

6 PLANNING POLICIES
HO3 Dwelling type and sizes

HO4 Dwelling densities
HO5 provision of private amenity space in residential development
HO6 Car free development
HO13 Accessible housing and lifetime homes
HE6 Proposals in Conservation Areas
EM3 Retaining the best sites for industry
QD1 Design – quality of development
QD2 Design – key principles for neighbourhoods
QD3 Design – efficient and effective use of sites
QD4 Design Strategic impact.
QD5 Design street frontage
QD27 Protection of amenity
TR1 Development and the demand for travel
TR7 Safe development
TR12 Cycle access and parking
SU2 Efficiency in development in the use of energy, water and materials
SU10 Noise nuisance
SU13 Minimisation and re-use of construction industry waste
Supplementary Planning Guidance
SPGBH4 Parking Standards
SPGBH16 Renewable Energy and Energy Efficiency in New Developments
SPGBH21 Sustainability Checklist

Supplementary Planning Documents:

SPD03: Construction and Demolition Waste

7 **CONSIDERATIONS**

The main issues in the consideration of this application are the principle of the partial loss of industrial floorspace, the appropriateness of the proposed redevelopment for housing and the impact the proposal would have on the character and appearance of the locality. The effects on neighbouring amenity and highway safety and on street parking are also important considerations.

Partial loss of industrial floorspace

The site was formerly used for glass manufacturing. However the change of use to B1 is considered more appropriate for the locality since the B1 floor space with residential uses in close proximity is considered to be more compatible with neighbouring uses in terms of impact on amenity than B2.

The existing floor space totals 458sqm while the proposed 6 B1 units would have a total floor space of 425sqm. However the economic development team fully supports the application on the following grounds: The site is currently vacant after previously housing a glass works and associated business. The proposal will bring the site back into operational use providing a mixed use scheme with uses more appropriate to the location. In economic development terms although slightly smaller in overall provision, the existing floor space includes 87sqm of storage space and when the storage space is excluded there will in fact be more 'employment space' generated from the proposal.

With regards to employment generation from the proposal, the applicant

states that the proposal will create space for 35 employees but no information is provided to justify this figure. The offPAT employment densities for general office use are 5.25 jobs per 100m² and when related to the employment space proposed of 425m² this equates to 22 jobs which is considered a more appropriate level for the proposal taking into account the layout and design. Notwithstanding this difference the proposal is welcomed in economic development terms as it provides modern business accommodation in a range of sizes to meet business needs in the city.

Planning policy have some concerns over the loss of floorspace and the lack of any marketing of the site or evidence to show that an enabling development in the form of housing is required to allow the refurbishment of the office. In this case the loss of floorspace is fairly minor amounting to 33sq m. The loss of floorspace has to be weighed up against the fact that the development will bring a derelict building back into use, which will benefit the Regency Square Conservation area, and will increase the housing stock. Furthermore economic development considers that the refurbishment will result in a net gain in jobs on the site given that a proportion of the previous employment floorspace included 87sq m of storage space. It is therefore considered that the benefits outweigh the concerns over the loss in floorspace in this case.

Impact on Street scene and the Regency Square conservation area.

These two industrial buildings add interest to both street scenes. The Castle Street building is a low one and a half storey building. It has an attractive arched entrance with large boarded doors and a traditional shopfront, which are considered to be important features that the conservation officer wished to see retained. The increased height and massing of the Castle Street frontage building is acceptable in terms of its effect on the street scene in Castle Street, particularly as the roof slopes away from the street and the visual impact at street level is therefore reduced.

The Regency Mews building has been altered unsympathetically in the past. Therefore the refurbishment and restoration of the Regency Mews building and the reinstatement of sash windows at first floor level is welcomed. The design of the ground floor partly glazed doors is sympathetic to the industrial mews character of the building. The insertion of a central additional window opening at first floor level is acceptable.

The conservation officer had some concerns with the detailing of the scheme and amended plans have been submitted which show on the Castle Street elevation; a dormer window omitted and replaced with a roof light, the central window over the arched entrance to the first floor office omitted and the first floor office window reduced in height. On the Regency Mews elevation, the balcony balustrade to the top storey is to be constructed of painted rendered masonry and the flat roof has been omitted and replaced with a pitched section and covered with natural slate. It is considered that the amendments have now addressed the previous concerns and subject to the conditions set out under the recommendations section above the conservation officer is now satisfied with the scheme.

Impact on neighbouring residential amenity

In terms of the impact on neighbouring residential amenity the nearest residential properties in Castle Street lie immediately opposite the site with approximately 9.2m between the houses and the application site. It is considered that properties to the rear of the site would not be significantly affected by the proposals as the increase in height is set back from 15.5 m the front of the site. There would be a distance of some 26m between the section of the site where the height is being increased and properties in Stone Street.

While the objections regarding loss of light are noted, the applicants have submitted a daylight and sunlight impact assessment. The report assesses the impact of the development on the ground and first floor windows of no.14 Castle Street a two storey terraced house which lies directly opposite the site and the ground floor window of no.15. adjacent. However no.14 is a three storey commercial building which is actually the rear of no.7 Stone Street. The next nearest residential properties are the terraced houses at nos. 8-13 to the east of the site and it is considered that the development would not have a significant impact on these properties in terms of daylight and sunlight.

The results of the assessment considers the percentage of available daylight reaching the windows as existing and with the proposed development, over an annual period and during winter (between the autumn and spring equinoxes). The results showed that although there would be some loss of sunlight and daylight the percentages would not exceed the 20% reduction in daylight recommended as the maximum permissible by the guidelines and would not reduce the winter sunlight reaching the ground floor windows at nos. 14 and 15 to below the 5% recommended by the guidelines.

Objection have also been received regarding overlooking of properties in Castle Street and Stone Street from the new north facing windows, however the amended plans included the removal of the three dormer windows proposed and replacement with three roof lights, so that there is now only one additional window proposed on the front elevation which is considered acceptable in this high density location.

Traffic / highway issues

The traffic engineer has no objection providing the cycle parking shown is provided prior to occupation and that the applicant enters into a legal agreement to amend the Traffic Regulation Order preventing future residents from applying for residents parking permits and makes a financial contribution of £3470 towards the Sustainable Transport fund, towards improving accessibility to bus stops, pedestrian facilities and cycling infrastructure in the area.

Other Issues

As a new residential building it is expected the dwelling be built to a lifetime homes standard whereby it can be adapted to meet the needs of people with disabilities without major structural alterations. The design already incorporates a number of lifetime homes criteria, particularly as the first floor

has an open plan design. The only outstanding concern is the accessibility of bathrooms where there is no side transfer shown. There is no apparent reason why these could not be redesigned and condition 5 of the recommendation therefore requires the house be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

A waste minimisation statement has been submitted which states amongst others that glass timber and metals will be separated and collected by specialist contactors, for instance any timber which cannot be reused will be collected by the Brighton and Hove Wood Recycling Project; materials will be sourced from local brickworks and timber sourced from local suppliers from managed Sussex forests

In terms of sustainability the building would have features such as rainwater recycling providing cleaning water to offices and throughout, high levels of insulation and A rated appliances installed along with A rated high efficiency boilers. It is noted that some of the flats have internal bathrooms which is not ideal however it is not considered sufficient reason alone to justify refusal of the scheme. The applicants have completed the sustainability check list and of the 21 relevant criteria they meet 8 fully and 8 partially which is considered acceptable.

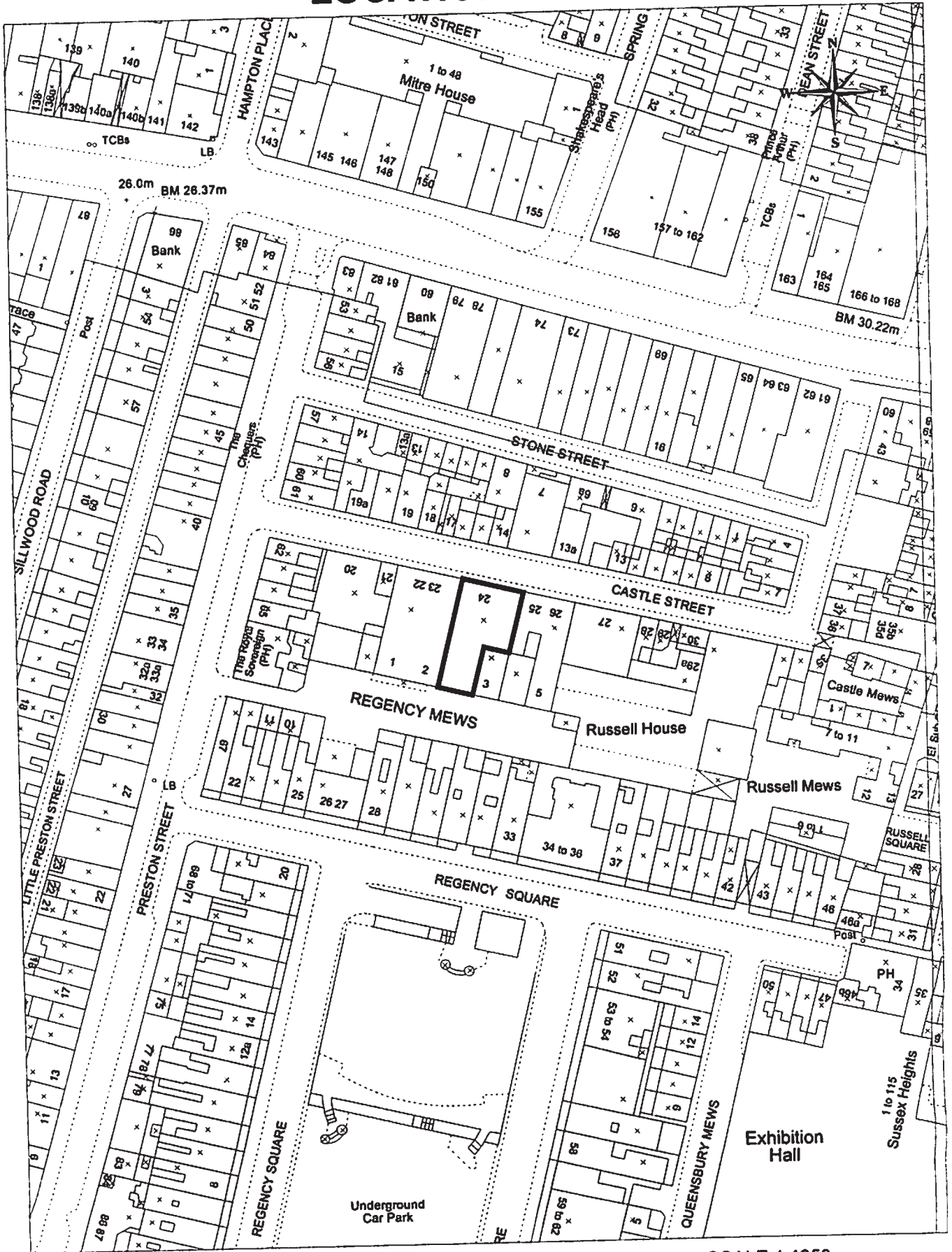
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The development will bring a derelict building back into use without causing detriment to the character and appearance of the site or Regency Square conservation area. The development will not have a significant impact on amenity for occupiers of adjoining properties.

9 EQUALITIES IMPLICATIONS

The flats would be built to Lifetime Homes standards.

LOCATION PLAN



Application No.: BH2007/04387

SCALE 1:1250

24 Castle Street



Note: Any shaded or outlined areas are indicative only and should not be scaled.

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<u>No:</u>	BH2007/04387	<u>Ward:</u>	REGENCY
<u>App Type</u>	Conservation Area Consent		
<u>Address:</u>	24 Castle Street Brighton		
<u>Proposal:</u>	Partial demolition of existing building to form internal courtyard.		
<u>Officer:</u>	Sue Dubberley, tel: 292097	<u>Received Date:</u>	28 November 2007
<u>Con Area:</u>	Regency Square	<u>Expiry Date:</u>	23 January 2008
<u>Agent:</u>	Turner Associates, 19a Wilbury Avenue Hove BN3 6HS		
<u>Applicant:</u>	Mr J Turner, c/o Turner Associates Wilbury Avenue Hove BN3 6HS		

1 RECOMMENDATION

That the Sub-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** conservation area consent subject to the following Conditions and Informatives :

Conditions:

01.04AA Conservation Area Consent

13.07A No demolition until contract signed

Informatives:

1. This decision is based on drawing nos.TA293/01, 02, 03 and 04 submitted on 24 January 2008 and drawing nos. TA 293/05a, 06a, 07b, 08b, 09b, 10a, 11a and 12a submitted on 31 March 2008.

13. This decision to grant Conservation Area Consent has been taken:

- i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below:
and HE8 – Demolition in Conservation Areas
- ii) for the following reasons:
Subject to satisfactory redevelopment proposals the demolition would not have any adverse impact on the character and appearance of the Regency Square Conservation Area.

2 THE SITE

This application relates to a site located on the south side of Castle Street and runs through to Regency Mews at the rear, with frontages and access to the site from both sides. The site is currently vacant having last been used as a glass workshop, glass manufacturing and sales.

3 RELEVANT HISTORY

BH2007/04388 Refurbishment and extensions to existing buildings on the site

to provide 6 x B1 office units, 2 x one-bedroom flats and 3 x two-bedroom maisonettes. Current application also reported on this agenda..

4 THE APPLICATION

The application is for partial demolition of the existing building in the centre of the site to create a central courtyard and allow light into the buildings.

5 CONSULTATIONS

External:

Neighbours: 8b Stone Street, 15,16, 18, 38, Castle Street and 4 Hendon Street, Object for following:

- Overdevelopment in an area of existing high density
- Great pity to change workshop, manufacturing into office space and residential units. Original mixed usage is integral to the character of the conservation area.
- The opening up of the centre of the site to allow light in is a device to compensate for the over massing of the development at a cost of loss of light to properties in Stone Street and Castle Street who will be deprived of southerly light.
- Overlooking from the north facing windows of the offices and flats proposed.
- Proposals will maintain none of the original charm of the site and Castle Street will feel darker and hemmed in.
- Increase in traffic in an already congested area.

Regency Square Area Society – Object for following reasons:

- Consider it to be over-development in this area of existing high density.
- The development will adversely impact on neighbouring properties
- Regency Mews and Castle Street will be deprived of their original character

Internal:

Conservation & Design Original Comments: These two industrial buildings add interest to both street scenes. The Castle Street building is a low one and a half storey building large laylights over the ridge. It has an attractive arched entrance with large boarded doors and a traditional shopfront, which are an important feature that should be retained. The Regency Mews building has been altered unsympathetically.

The refurbishment and restoration of the Regency Mews building and the reinstatement of sash windows at first floor level is welcomed. The design of the ground floor partly glazed doors is sympathetic to the industrial mews character of the building. The insertion of a central additional window opening at first floor level is acceptable. The widening of the upper level of factory laylights on the front roof slope is also acceptable. The treatment of the rear elevation of this building is also acceptable.

The increased height and massing of the Castle Street frontage building is acceptable in terms of its effect on the street scene in Castle Street. However there are concerns about the effect of the height and massing of its rear,

which has a full height second and third floors on views from Regency Mews. There are concerns about the design of the front elevation. The increase in height of the Castle Street frontage building is achieved partly by raising the eaves level by a storey, and partly by having a steeper pitch and higher roof ridge. Although this approach is acceptable in principle, the second storey is half height at the front, with half dormers. Half dormers are not typical architectural form for industrial buildings of this type and period in Brighton and have a negative effect on the character of this building. The dormers should be set back from the eaves and not have window cills below eaves level. Alternatively, large factory style laylights could be used instead of dormers.

On the front elevation, the new short window above the arch and the narrow slot windows either side of it do not relate well to the original architectural design of the building and should be omitted. Whilst it would be acceptable for the ground and first floor windows on the right (west) side to be enlarged by raising their heads or lowering their cills. However, the window enlargements shown are excessive as they are too wide. The insertion of an additional first floor window on the left hand (east) side is acceptable.

The rear elevation of the Castle Street building is modern in design and has full height storeys, a flat roof and recessed balconies. If the building can be seen from Regency Mews, it would be harmful to the historic roofscape of the conservation area, and the rear would also have to have a pitched roof, which would reduce the building's bulk and would eliminate the third floor accommodation.

However, if it can be seen above the mews building, this approach would be acceptable, given that it would only be visible from within the central lightwell.

Amended plans: Now acceptable subject to conditions.

Environmental Health: No adverse comments.

6 PLANNING POLICIES

Brighton and Hove Local Plan:

HE8 – Demolition in conservation areas.

7 CONSIDERATIONS

The only issue for consideration is whether the partial loss of the existing building on the site would adversely affect the character and appearance of the Regency Square Conservation Area.

The demolition proposed involves the demolition of part of the internal central section of the existing building in the centre of the site, in order to create a central courtyard and allow light into the site, to enable the redevelopment of the site as proposed by application BH2007/04388 for a mixed use office and residential development, which appears elsewhere on the agenda.

The demolition would not have any adverse impact on the character and appearance of the Regency Square Conservation Area as the demolition would not be visible from outside the site. The conservation officer has raised no objection to the demolition. The recommendation is therefore for approval.

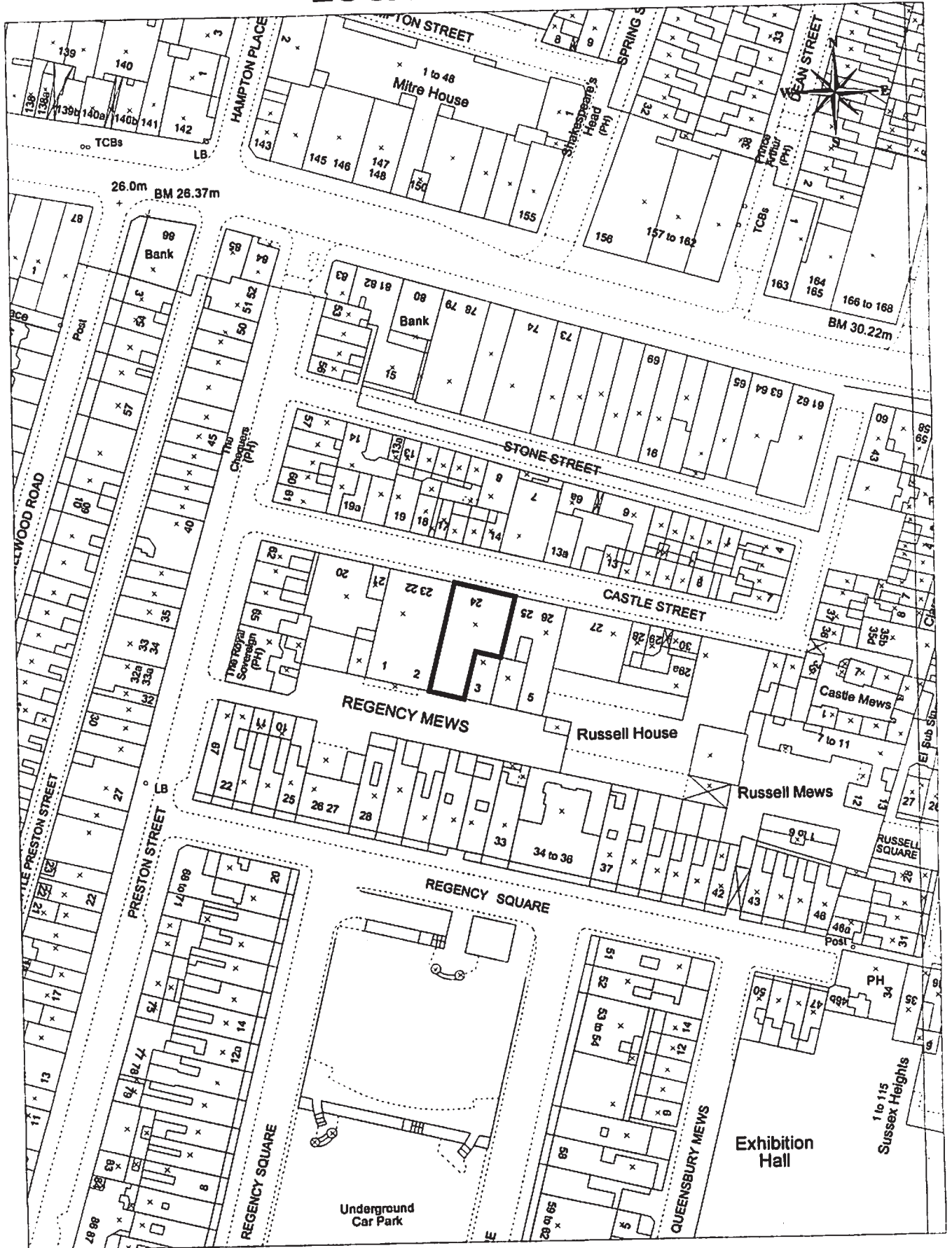
8 REASONS FOR RECOMMENDATION TO GRANT CONSERVATION AREA CONSENT.

Subject to satisfactory redevelopment proposals the demolition would not have any adverse impact on the Regency Square Conservation Area.

9 EQUALITIES IMPLICATIONS

None identified.

LOCATION PLAN



SCALE 1:1250

BH2007/04388

24 Castle Street



Note: Any shaded or outlined areas are indicative only and should not be scaled.

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<u>No:</u>	BH2008/00082	<u>Ward:</u>	WITHDEAN
<u>App Type</u>	Full Planning		
<u>Address:</u>	40 Varndean Gardens Brighton		
<u>Proposal:</u>	Single storey rear extension, first floor front extension, replacement porch, and associated external alterations.		
<u>Officer:</u>	Jonathan Puplett, tel: 292525	<u>Received Date:</u>	07 January 2008
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	12 March 2008
<u>Agent:</u>	BBM Sustainable Design Ltd, Star Gallery, Castle Ditch Lane, Lewes		
<u>Applicant:</u>	Mr & Mrs Nigel Robinson, 36 Victory Mews, Brighton		

1 RECOMMENDATION

That the Sub-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 :

GRANT planning permission, subject to the following:

Conditions:

1. 01.01AA Full Planning.
2. 03.01A Samples of materials Non-Cons Area
3. Access to the flat roof hereby approved to the rear of the dwelling shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

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

4. No development shall take place until further details of the proposed solar thermal panel to the rear roofslope of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development, to protect the amenity of occupiers of surrounding properties, and to comply with policies QD1, QD14 and QD27 of the Brighton & Hove Local Plan.

5. 05.03 Waste minimisation statement

Informatives:

1. This decision is based on drawing nos. 1234 A-201, 202 rev. A, and 203 rev A submitted on the 9th of April 2008.
2. 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:

QD1 Design – quality of development and design statements

QD14 Extensions and alterations
QD27 Protection of Amenity
SU13 Minimisation and re-use of construction industry waste
Supplementary Planning Document
Construction and demolition waste; and

(ii) for the following reasons:-

The proposed extensions and alterations will not cause significant harm the residential amenity of neighbouring, and will not detract from the character and appearance of the property or the wider street scene.

2 THE SITE

The application relates to a two storey detached house located on the south side of Varndean Gardens, immediately to the east no. 38 is a detached bungalow, to the west no. 42 is a detached two storey dwelling.

3 RELEVANT HISTORY

None.

4 THE APPLICATION

The application seeks consent for a single storey rear extension, first floor front extension, replacement porch, and associated external alterations which would modernise the appearance of the dwelling.

The original application submitted included a first floor terrace / balcony area to the rear of the property. Following discussions with the applicant, revised drawings have been submitted and this element has been removed from the scheme.

5 CONSULTATIONS

Letters have been received from the residents of no. **42 Varndean Gardens**, and **nos. 3, 4, 6, 8, 10 Fairlie Gardens** objecting to the originally submitted scheme on the following grounds:

- Users of the proposed rear terrace area [N.B. This element has been removed from the scheme] would overlook neighbouring properties, and create a noise disturbance.
- The first floor front extension would obstruct light to bedroom windows of no. 42 Varndean Gardens.
- The proposed timber cladding would be out of keeping with the surrounding area.
- The proposed development would cause overshadowing, overlooking, and noise disturbance.

Following the submission of revised drawings showing the first floor rear terrace removed from the scheme, neighbouring residents were consulted again to provide the opportunity to comment on the revised scheme.

One further letter was received, from the residents of no. **37 Varndean Gardens**, who welcome the removal of the terrace, and raise concerns regarding the disturbance which would be caused by the building works

required to carry out the proposed development.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD1	Design – quality of development and design statements
QD14	Extensions and alterations
QD27	Protection of Amenity
SU13	Minimisation and re-use of construction industry waste

Supplementary Planning Document

Construction and demolition waste

7 CONSIDERATIONS

The main issues of consideration relate to the impact of the proposed extensions and alterations on the appearance of the property, their impact on the wider street scene, and on the residential amenity of neighbouring properties.

Visual impact of the proposal

The existing two storey detached dwelling is of a unique design in the street; the surrounding section of the south side of Varndean Gardens is not defined by a uniform building design, however most dwellings are of a traditional style. Dwellings in the surrounding street scene feature a mix of brick, render, and tile finishes. This section of Varndean Gardens slopes downwards towards the west; no. 42 Varndean Gardens to the east of the application site is a two storey dwelling, no. 38 to the west is a bungalow. Given, the lack of uniformity of design, it is considered appropriate in principle to propose a scheme to remodel/modernise the appearance of the dwelling in question.

The proposed alterations which would be most visible in the street scene consist of a first floor extension above the garage, a new porch, and alterations / additions to the window layout. The new finishes proposed to the dwelling consist of a render finish to the garage and extension above, sweet chestnut cladding to the elevations of the main building and clay roof tiles to match the existing tiles. The proposed new windows are dark grey powder coated aluminium framed units. The proposed first floor extension is of a considerable size; this type of extension would not always be appropriate to the front of a dwelling. In this case however, given the relationship between the existing dwelling and the dwelling to the east, no. 42, which is located on higher ground, and set forward from no. 40, the extension would be located alongside the dwelling of no. 40. As such, it is considered that the extension would not appear as an incongruous feature.

Alterations to the rear consist of the addition of a single storey rear extension with a sedum roof above which runs across the full width of the dwelling, a solar thermal panel to the main roofslope, and a general modernisation following the same theme as the alterations to the front of the building.

Overall, it is considered that the proposed remodelling of the dwelling represents a well conceived scheme, and would result in the property having a more contemporary appearance which would not have an adverse impact

on the street scene.

Impact on neighbouring residential amenity

The majority of neighbour objections received refer to the rear terrace area originally proposed. Revised drawings have been submitted showing this terrace removed, such concerns have therefore been addressed. Some of the objections refer to the appearance of the proposed alterations, however as discussed above, the development is considered to be acceptable in this regard; the visual amenity of the surrounding amenity would not be harmed.

The proposed extensions are of a significant scale, and as such harm to neighbouring amenity should be considered. The first floor front extension would have most impact on the residents of no. 42 Varndean Gardens to the east. Given the distance between the extension and the bungalow of no. 38 to the west, it is not considered that the extension would result in significant overshadowing of this property. The extension would be located alongside a single storey section of no. 42, and the roof of the extension would affect the outlook from the west facing first floor bedroom window of no. 42 Varndean Gardens. This bedroom is also served by dormer windows to the front and rear of the building, it is therefore considered that the impact on the outlook from this secondary side window, and any overshadowing which would be caused, would not represent significant harm to the amenity of residents of no. 42.

The proposed single storey rear extension is located to the eastern side of the dwelling alongside the boundary with no. 42 Varndean Gardens. This boundary is screened by hedging approximately 3 metres in height and as such no significant overshadowing would result.

In regard to neighbouring privacy, the revised window layout to the front and rear elevation of the main building will provide similar views to the existing, and the window to the front of the first floor extension will provide views out over the street. Of greater concern are the west facing window to this extension, and side windows at first floor level. In regard to the west facing window of the extension, due to the difference in levels between no. 40 and no. 38 Varndean Gardens, views available would be primarily over the roof of the bungalow; the privacy of neighbouring residents would not be harmed.

To the side elevations of the main dwelling, there are three existing first floor windows which do provide some views of neighbouring properties. Whilst this relationship is not ideal, it is existing and established. The proposal alterations include the replacement of these windows and the addition of a small bathroom window to the west elevation; this addition would not cause significant harm to neighbouring privacy in comparison to the existing situation. New windows and a door are proposed to the west elevation at ground floor level; these would face onto existing boundary fencing and would not harm neighbouring privacy.

Sustainability

The supporting information submitted as part of the application includes substantial information regarding sustainability and materials. Furthermore a

solar thermal panel and sedum roof are proposed to the rear of the dwelling; having regard to the scale of development it is considered that a high standard of sustainability measures have been incorporated throughout. Further information would be required regarding the minimisation of construction and demolition waste; this could be requested via planning condition.

Conclusion

The proposed development is acceptable in regard to its visual impact, and no significant harm to neighbouring amenity would result. Approval of the application is therefore recommended.

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed extensions and alterations will not cause significant harm the residential amenity of neighbouring properties, and will not detract from the character and appearance of the property or the wider street scene.

9 EQUALITIES IMPLICATIONS

None identified.

LOCATION PLAN



BH2008/0082

SCALE 1:1250

40 Varndean Gardens



Note: Any shaded or outlined areas are indicative only and should not be scaled.

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BRIGHTON AND HOVE CITY COUNCIL
LIST OF APPLICATIONS DETERMINED

PATCHAM

BH2007/04278

14 Brangwyn Way Brighton

Demolition of garage and erection of two storey side extension to north elevation and addition of 1st floor over front porch (partial revision of BH2002/00628/FP).

Applicant: Emma Pook

Officer: Karen Tipper 293335

Approved on 21/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 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 and Hove Local Plan.

4) UNI

Reasonable facilities shall be given to the County Planning Authority, including rights of regular access to a person, or persons, authorised by that Authority, during any construction work in order to prepare archaeological records. At least three weeks notice in writing shall be given to the County Planning Authority, and their nominated representatives, of the date when work on site is likely to start.

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.

BH2008/00244

1 Warmdene Road Brighton

Conservatory at rear of property.

Applicant: Mr Colin Allen

Officer: Chris Swain 292178

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00378

1 Warmdene Way Brighton

1 no. new bungalow and demolition of existing garage.

Applicant: Mr R Walters

Officer: Ray Hill 292323

Refused on 02/05/08 DELEGATED

1) UNI

The proposed development by virtue of its location and poor standard of pedestrian and vehicular access, would result in increased risk to the users of Warmdene Way and Warmdene Road, contrary to policies TR1, TR7, TR8 and TR14 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development contains an excessive number of car parking spaces which would encourage the use of cars at the expense of more sustainable means of travel and, as such is contrary to Planning Policy Guidance 13: Transport, policies TR1 and TR19 of the Brighton & Hove Local Plan and SPGBH4: Parking Standards

BH2008/00416

31A Warmdene Road Brighton

Proposed first floor extension to north elevation.

Applicant: Mr James Boys

Officer: Karen Tipper 293335

Approved on 25/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.01A

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 extension, enlargement or other alteration of the building(s) 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 or to the

Report from:

17/04/2008 to: 07/05/2008

character of the area, and for this reason would wish to control any future development to comply with QD14 and QD27 of the Brighton and Hove Local Plan.

3) 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 and Hove Local Plan.

4) 02.03A

The en-suite bathroom window within the West elevation 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 and Hove Local Plan.

5) 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 and Hove Local Plan.

BH2008/00527

7 Overhill Drive Brighton

Proposed loft conversion including rear dormer.

Applicant: Mr Alcock

Officer: Louise Kent 292198

Approved on 23/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 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 and Hove Local Plan.

4) 05.03

Report from:

17/04/2008 to: 07/05/2008

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2008/00719

Land adjacent to 44 Rotherfield Crescent Brighton

Construction of a two-storey, three-bedroom detached house on garden land adjoining 44 Rotherfield Crescent.

Applicant: Mrs Jane Rowland

Officer: Chris Elphick 293990

Approved on 21/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.01A

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 extension, enlargement or other alteration of the building(s) 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 or to the character of the area, and for this reason would wish to control any future development to comply with QD14 and QD27 of the Brighton and Hove Local Plan.

3) 02.04A

No cables, wires, aerials, pipework (except rainwater downpipes as shown on 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 and Hove Local Plan.

4) 02.05A

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 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 and Hove Local Plan

5) 04.02A

Report from:

17/04/2008 to: 07/05/2008

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.

6) 06.03A

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 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 and Hove Local Plan.

7) UNI

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building on the site of 44 Rotherfield Crescent, Brighton.

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.

8) UNI

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.

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.

9) UNI

No development shall commence until there has been submitted to and approved 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 the development.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15, QD16 and QD17 of the Brighton & Hove Local Plan and SPD06.

10) 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 to comply with policies HO7 and SU15 of the Brighton & Hove Local Plan.

11) UNI

All planting, seeding or turfing comprised in the approved details 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 QD15, QD16 and QD17 of the Brighton & Hove Local Plan and SPD06.

12) UNI

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 indicated in the approved plans shall be constructed without further written 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.

BH2008/00798

7 Kenmure Avenue Brighton

Single storey rear extension (retrospective).

Applicant: Mr Steve McEwan

Officer: Sonia Kanwar 292359

Approved on 23/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 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 and Hove Local Plan.

BH2008/00851

56 Braybon Avenue Brighton

Single storey rear extension.

Applicant: Mr Reah

Officer: Sonia Kanwar 292359

Approved on 23/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 02.07A

Access to the flat roof over the extension 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 and Hove Local Plan.

4) 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 and Hove Local Plan.

BH2008/00859

25 Sunnydale Avenue Brighton

Two storey rear extension.

Applicant: Mr R Salvage

Officer: Sonia Kanwar 292359

Refused on 28/04/08 DELEGATED

1) UNI

The proposed extension, by reason of its design, scale and bulk would result in an incongruent and dominant extension that would have an overbearing impact on the neighbouring properties, contrary to Brighton and Hove Local Plan policies QD1, QD2, QD14 and QD27.

BH2008/00944

19 Braeside Avenue Brighton

Certificate of Lawfulness for the erection of ground floor extension.

Applicant: Mr Todd Slaughter

Officer: Karen Tipper 293335

Approved on 07/05/08 DELEGATED

PRESTON PARK

BH2007/04356

7 York Villas Brighton

Demolition of garage and erection of side extension.

Applicant: Mr J Lynn-Evans

Officer: Nicola France 292211

Refused on 25/04/08 DELEGATED

1) UNI

The proposed extension, by reason of its design, size, siting and massing, in particular the roof and fenestration design, results in an extension that is out of character with the existing building and would appear incongruous within the streetscene. As such the proposal would adversely impact on the character and appearance of the existing building and the surrounding area, contrary to policies QD2 and QD14 of the Brighton and Hove Local Plan.

BH2007/04461

78 Preston Drove Brighton

Conversion of existing house to 1 self-contained flat and 1 maisonette.

Applicant: Ms T Allum

Officer: Kate Brocklebank 292175

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.06A

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 works shall be carried out in full as approved prior to occupation 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 policies SU2 and QD27 of the Brighton and Hove Local Plan.

3) 02.07A

Access to the flat roof over the extension 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 and Hove Local Plan.

4) 04.02A

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.

5) 05.04

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 demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development, in accordance with policy SU2 of the Brighton & Hove Local Plan.

6) 06.02A

The development hereby permitted shall not be commenced until details of secure cycle parking facilities 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 the private car and to comply with policy TR14 of the Brighton and Hove Local Plan.

BH2007/04525

3 Ashford Road Brighton

Demolition of existing single storey extension at rear. Replace with single storey extension to rear and side of property.

Applicant: Mrs Kate Helmer

Officer: Nicola France 292211

Approved on 25/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 03.02A

Report from:

17/04/2008 to: 07/05/2008

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 and Hove Local Plan.

BH2007/04539

17 Preston Road Brighton

Rear extension to ground floor shop and extension at first floor to form additional two-bedroom flat

Applicant: Mr Kamber Koluman

Officer: Karen Tipper 293335

Refused on 18/04/08 DELEGATED

1) UNI

Cumulatively the proposal, by virtue of design, size, density and impact on neighbouring amenity represents an unsuitable overdevelopment of the site. As such the proposal is contrary to policies QD1, QD2, QD3, QD27 and HO4 of the Brighton & Hove Local Plan.

2) UNI2

The proposal, by virtue of its proximity to neighbouring properties, increase in depth and increase in windows in the south eastern elevation would result in an over-bearing impact, loss of privacy, direct overlooking and potential noise disturbance for occupants of neighbouring properties. As such the proposal is contrary to policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI3

By virtue of the information submitted the applicant has failed to demonstrate how the new dwellings would meet level 3 of Code for Sustainable Homes, contrary to policy SU2 of the Brighton & Hove Local Plan.

4) UNI4

By virtue of the information submitted the applicant has failed to demonstrate that the minimization and reuse of construction and demolition waste has been sought in an effective manner, contrary to policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document Construction and Demolition Waste (SPD03).

5) UNI5

The applicant has failed to demonstrate that the proposed development would be capable of providing secure and covered cycle storage on site, contrary to policy TR14 of the Brighton & Hove Local Plan.

BH2008/00024

19 Stanford Avenue Brighton

Replacement of rear external staircase.

Applicant: Spiritual Assembly of the Bahais of B & H

Officer: Louise Kent 292198

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

Report from:

17/04/2008 to: 07/05/2008

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 and Hove Local Plan.

BH2008/00030

96 Waldegrave Road Brighton

Roof conversion including new rooflight and dormer window.

Applicant: Juan Baeza

Officer: Nicola France 292211

Approved on 21/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 13.05A

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 and Hove Local Plan.

3) UNI

The dormer window frame shall be painted softwood and the dormer cheeks and roof shall be clad in lead.

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

BH2008/00217

North Lodge Highcroft Villas Brighton

Erection of 3 no. apartments, 2 no. beds and 1 no. bed.

Applicant: Mr Ian Fardell

Officer: Gemma Barnes 292265

Refused on 24/04/08 DELEGATED

1) UNI

The applicant has failed to demonstrate that the proposal would fully comply with Lifetime Home Standards contrary to policy HO13 of the Brighton and Hove Local Plan.

2) UNI

The proposed internal layout of the development, by virtue of the creation of all bathrooms with no natural light or ventilation, represents an energy inefficient form of development. Furthermore the applicant has failed to demonstrate that the proposal will incorporate sustainability measures to make efficient use of energy, water and materials and as such the proposal is contrary to policy SU2 of the Brighton and Hove Local Plan.

3) UNI

Report from:

17/04/2008 to: 07/05/2008

By virtue of the information submitted the applicant has failed to demonstrate that the minimization and reuse of construction industry waste has been sought in an effective manner, contrary to policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document Construction and Demolition Waste (SPD03).

4) UNI

Cumulatively the proposal, by virtue of design, height, poor standard of sustainability, inadequate internal layout, lack of amenity space and lack of external refuse and recycling storage areas represents an unsuitable, overdevelopment of the site. As such the proposal is contrary to policies QD1, QD2, QD3, QD27, HO4, HO5, HO13 and SU2 of the Brighton and Hove Local Plan.

5) UNI

The applicant has failed to demonstrate that the proposed height, scale, footprint and width of the building is acceptable in relation to the adjoining terrace. Furthermore, the detailed design of the proposed building by virtue of the roof design, floor to ceiling heights and ground floor fenestration fails to relate sympathetically to the adjoining terrace. Cumulatively the proposal fails to enhance the positive qualities of the group of properties to which it will be attached. As such the proposal would represent a visually inappropriate and unacceptable development on this site, which would harm the character and appearance of the streetscene. The proposal is therefore contrary to policies QD1, QD2 and QD5 of the Brighton and Hove Local Plan.

6) UNI

The proposed rear projection by virtue of its height and relationship with the main roof results in a crude and unsympathetic design element. The rear projection would appear bulky and overly dominant on the rear elevation which would harm the character and appearance of the host building and the adjoining terrace. As such the proposal is contrary to policies QD1 and QD2 of the Brighton and Hove Local Plan.

7) UNI

The plans submitted do not show any external amenity space for the 2no. family sized units or for the 1no. one bedroom unit. No area has been identified for external refuse or recycling storage facilities for any of the units. Consequently the proposal represents a substandard level of accommodation which is contrary to policies HO5, QD27 and SU2 of the Brighton and Hove Local Plan.

BH2008/00542

Flat 2 9 Highcroft Villas Brighton

Replacement UPVC windows and doors (retrospective).

Applicant: Ms J Mudde

Officer: Sonia Kanwar 292359

Approved - no conditions on 22/04/08 DELEGATED

BH2008/00573

105 Edburton Avenue Brighton

Loft conversion and installation of rooflights to front and rear elevations.

Applicant: Mrs Patricia Simcox

Officer: Karen Tipper 293335

Approved on 22/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 13.02A

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 and to comply with policy HE6 of the Brighton and Hove Local Plan.

3) 13.05A

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 and Hove Local Plan.

BH2008/00794

46 Florence Road Brighton

Proposed single-storey extension to rear garden area to provide hydrotherapy pool.

Applicant: Ms Domenique Carpenter

Officer: Chris Elphick 293990

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.07A

Access to the flat roof over the extension 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 and Hove Local Plan.

3) 13.01A

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 and Hove Local Plan.

4) UNI

Prior to the commencement of works, 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, and the use of the approved extension shall not be commenced until such approved scheme has been implemented to the satisfaction of the Local Planning Authority.

Reason: In order to protect neighbours amenities and in accordance with policies SU9, SU10 and QD27 of the Brighton and Hove Local Plan.

REGENCY

BH2007/01889

121-122 Western Road Brighton

Replacement of existing windows to front elevation with folding glazed doors, new apron blinds, replacement side door (part-retrospective).

Applicant: Mr Chris Bloomfield

Officer: Jonathan Puplett 292525

Approved on 23/04/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) UNI

The folding doors to the southern elevation and the side door to the east elevation hereby approved shall not be open after 22.30 on any night.

Reason: In the interests of the amenities of surrounding occupiers, in compliance with policies SU10 and QD27 of the Brighton & Hove Local Plan.

2) UNI

The new doors and fanlight frame shall be painted timber; details of the colour of paint to be used shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development, and to comply with policies HE6, TR7 of the Brighton and Hove Local Plan and SPD02 (shop front design).

3) UNI

Notwithstanding the details of the apron blinds shown in the approved drawings, further details shall be submitted to and approved in writing by the Local Planning Authority. The details should show a revised design with supports set above 2.4 metres in height from street level. Details of the materials of construction (including a sample of the blind material), and drawings to 1:20 scale showing the blinds and their side arms shall also be submitted. The scheme shall be implemented in accordance with the approved details and thereafter permanently retained as such.

Reason: To ensure a satisfactory appearance to the development, to protect the amenity of users of the adjoining pavement, and to comply with policies HE6, TR7 of the Brighton and Hove Local Plan and SPD02 (shop front design).

BH2007/02417

55 Preston Street Brighton

Change of use of the basement and ground floors from A1 (cafe) to A5 (hot food take-away) and installation of ventilation ducting to rear.

Applicant: Silvia Burgio

Officer: Jonathan Puplett 292525

Approved on 18/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) UNI

The premises shall not be in use except between the hours of 11.00 and 23.00 Sunday to Thursday, and 11.00 and 23.30 Friday to Saturday.

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

3) UNI

No development shall take place until a scheme for the fitting of odour control equipment to the building has been submitted to and approved in writing by the Local planning Authority. Works shall be carried out in strict accordance to the approved details prior to the commencement of the use hereby approved, and retained as such thereafter.

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

4) UNI

No development shall take place until a scheme for the sound insulation of odour control equipment referred to in the condition set out above has been submitted to and approved in writing by the Local planning Authority. Works shall be carried out in strict accordance to the approved details prior to the commencement of the use hereby approved, and retained as such thereafter.

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

5) UNI

A scheme for the housing / finish of the rear ducting hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The housing / finish shall be carried out in accordance with the agreed details to match the colours of the existing building and be maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policy QD14 and HE6 of the Brighton and Hove Local Plan.

BH2007/02518

12 Meeting House Lane Brighton

Conversion and extension of existing 1st, 2nd and 3rd floor residential unit to form 5 flats and 1 retail unit at ground floor levels.

Applicant: Mr Windlelm Ltd

Officer: Guy Everest 293334

Approved on 07/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 14.06A

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 and Hove Local Plan.

3) 14.11A

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

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

4) 14.12A

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 work commencing.

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

5) 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 and Hove Local Plan.

6) 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, and to ensure the development remains genuinely car-free at all times 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 to comply with policies QD28, HO7 and SU15 of the Brighton & Hove Local Plan.

7) UNI

The development hereby permitted shall not be commenced until details of sustainability measures to be incorporated in the conversion of the existing building at 12 Meeting House Lane have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development, in accordance with policy SU2 of the Brighton & Hove Local Plan.

8) UNI

Report from:

17/04/2008 to: 07/05/2008

The development hereby permitted shall not be commenced until details of measures to ensure that the rear extension, comprising a ground floor retail unit and two dwellings, achieves a "very Good" or "Excellent" BREEAM rating have 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.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and in accordance with policy SU2 of the Brighton & Hove Local Plan.

9) UNI

No works shall take place until full details of the proposed lead canopy and external doors including 1:20 sample elevations and 1:1 profiles have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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, QD2, QD14, HE1 and HE6 of the Brighton & Hove Local Plan.

10) UNI

Notwithstanding the approved plans no development shall commence until further details demonstrating the incorporation of lifetime home standards within the rear extension (flats 3 & 4) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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.

11) 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 rear extension and glazed link 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, QD2, QD14 and HE6 of the Brighton & Hove Local Plan.

12) UNI

The external finishes of the alterations to 12 Meeting House Lane 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.

13) UNI

All new windows to the existing building at 12 Meeting House Lane shall be painted softwood, double hung vertical sliding sashes with joinery details to match originals, where existing, and shall be retained as such.

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

BH2007/03358

2 Clifton Road Brighton

17/04/2008 to: 07/05/2008

Report from:

Proposed single storey rear extension.

Applicant: Mr & Mrs Adams

Officer: Jonathan Puplett 292525

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) UNI

Notwithstanding the submitted details, works shall be carried out in strict accordance with the following requirements

a) The new rear window shall be a single glazed painted timber vertical sliding sash with no trickle vents and with concealed sash boxes recessed within the reveals and shall match exactly the original sash windows, including their frame and glazing bar dimensions and subcills.

b) The new French doors shall be single glazed in painted timber with no trickle vents and with ogee mouldings inset around the panelling on the inside and its frame and glazing bar mouldings shall match exactly those of the original sash windows and under-window panelling and shall have a masonry cill or step.

c) The widened opening between the kitchen and the new breakfast room area shall have timber linings and architraves to match the originals in the house.

d) The visible external flint facing of the utility room that is to be converted into a breakfast area shall be retained and shall not be rendered over or painted, and the Voltex tanking shall be confined to the surfaces below ground level.

e) The existing brick paviers in the basement shall be salvaged and relaid and any new paviers required to make up the numbers shall match exactly the existing ones.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14, HE1, and HE4 of the Brighton & Hove Local Plan.

3) UNI

Notwithstanding the submitted details, no development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in full in accordance with the agreed details, and maintained as such thereafter.

a) A 1:20 scale elevation and 1:1 scale joinery sectional profiles of the new sash window and 1:1 scale joinery sectional profiles of the new French doors and their frames, and 1:1 scale joinery sectional profiles of the lanternlight frame.

b) details of the doorstep to the new French doors and the brick dressings, cills, arches and cills of the new windows to the breakfast area, including 1:5 elevations and sections.

c) details and samples of the new paviers, step, cill and bricks and coping bricks.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14, HE1, and HE4 of the Brighton & Hove Local Plan.

BH2007/03370

2 Clifton Road Brighton

Proposed single storey rear extension.

Applicant: Mr & Mrs Adams

Officer: Jonathan Puplett 292525

Report from:

17/04/2008 to: 07/05/2008

Approved on 01/05/08 DELEGATED

1) 01.05AA

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

2. Notwithstanding the submitted details, works shall be carried out in strict accordance with the following requirements

a) The new rear window shall be a single glazed painted timber vertical sliding sash with no trickle vents and with concealed sash boxes recessed within the reveals and shall match exactly the original sash windows, including their frame and glazing bar dimensions and subcills.

b) The new French doors shall be single glazed in painted timber with no trickle vents and with ogee mouldings inset around the panelling on the inside and its frame and glazing bar mouldings shall match exactly those of the original sash windows and under-window panelling and shall have a masonry cill or step.

c) The widened opening between the kitchen and the new breakfast room area shall have timber linings and architraves to match the originals in the house.

d) The visible external flint facing of the utility room that is to be converted into a breakfast area shall be retained and shall not be rendered over or painted, and the Voltex tanking shall be confined to the surfaces below ground level.

e) The existing brick paviers in the basement shall be salvaged and relaid and any new paviers required to make up the numbers shall match exactly the existing ones.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1 and HE4 of the Brighton & Hove Local Plan.

3) UNI

3. Notwithstanding the submitted details, no development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in full in accordance with the agreed details, and maintained as such thereafter.

a) A 1:20 scale elevation and 1:1 scale joinery sectional profiles of the new sash window and 1:1 scale joinery sectional profiles of the new French doors and their frames, and 1:1 scale joinery sectional profiles of the lanternlight frame.

b) details of the doorstep to the new French doors and the brick dressings, cills, arches and cills of the new windows to the breakfast area, including 1:5 elevations and sections.

c) details and samples of the new paviers, step, cill and bricks and coping bricks.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1 and HE4 of the Brighton & Hove Local Plan.

BH2007/04409

104 Western Road Brighton

Replacement of existing shopfront.

Applicant: Mr Pascal Madjoudj

Officer: Jonathan Puplett 292525

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) UNI

Unless otherwise agreed in writing, notwithstanding the joinery sections shown on drawings Nos. P.02 Rev. C, P.03 Rev. A, 1:1 joinery sections of the proposed shopfront, and 1:1 section through the cornice and concealed trough light above the fascia, shall be submitted to and approved in writing by the local planning authority. Works shall be carried out in strict accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE6, QD2, and QD10 of the Brighton and Hove Local Plan.

3) UNI

Notwithstanding the submitted details, works shall be carried out in strict accordance with the following requirements:

- a) The toplights above the transom of the shopfront windows and sliding doors shall be fixed and not openable.
- b) The ceiling level behind the shopfront window shall not drop below the level of the top of the shopfront for a distance of 400mm from the front of the shop.
- c) The bottom edge of the fascia shall not come below the level of the pilaster corbels of the building.

Reason: For the avoidance of doubt, to ensure a satisfactory appearance to the development and to comply with policies HE6, QD2, and QD10 of the Brighton and Hove Local Plan.

BH2008/00040

194 Western Road Brighton

Illuminated fascia sign.

Applicant: British Bookshops & Stationers Plc

Officer: Awot Tesfai 292211

Approved on 21/04/08 DELEGATED

1) 10.01

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.

2) 10.02

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3) 10.03

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4) 10.04

Report from:

17/04/2008 to: 07/05/2008

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5) 10.05

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) 10.06

No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) UNI

For the avoidance of doubt, the signage hereby granted consent shall be illuminated only by means of fluorescent trough lights on an unlit background depicted on the drawing number 07-1077- 1 rev A, close to the top of the fascia.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton and Hove Local Plan.

BH2008/00121

The Grand Hotel Kings Road Brighton

Proposed rooftop alterations to rear blocks and refurbishment of 6th, 7th and 8th floor bedroom accommodation (phase 1).

Applicant: De Vere Hotels No3 Ltd

Officer: Guy Everest 293334

Approved on 21/04/08 DECISION ON APPEAL

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 05.03

No development shall take place until a written statement, consisting of a 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.

Report from:

17/04/2008 to: 07/05/2008

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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

3) UNI

The following details shall be submitted to and approved in writing by the Local Planning Authority before works commence:

- i) 1:1 sample elevations and sections, and 1:1 joinery sectional profiles of all new windows and external doors;
- ii) 1:20 elevational details of the new spiral stairs and 1:5 scale elevations of proposed new balustrading;
- iii) details of the timber screen to the rooftop balcony areas;
- iv) details of the lantern rooflights;
- v) samples of the roofing slates.

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

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

4) UNI

No structures or furniture including trellises, umbrellas, planters, patio heaters, pergolas, or trees and shrubs and other plants that rise above the top of the surrounding parapet walls of the building shall be placed on the rooftop terrace.

Reason: So as to preserve the roofline of the building and maintain the character of the conservation area and setting of the listed building in accordance with policies HE1, HE4 and HE6 of the Brighton and Hove Local Plan.

5) 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 preserve the character and appearance of the listed building and wider Regency Square conservation area and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

6) UNI

All existing surface mounted pipework and electrical and telecommunications cabling shall be removed and all new and replacement electrical and telecommunications cabling and pipework shall be concealed and shall not be surface mounted without the prior written approval of 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.

BH2008/00122

The Grand Hotel Kings Road Brighton

Listed building consent for rooftop alterations to rear blocks and refurbishment of 6th, 7th and 8th floor bedroom accommodation (phase 1).

Applicant: De Vere Hotels No3 Ltd

Officer: Guy Everest 293334

Approved on 21/04/08 DELEGATED

1) 01.05AA

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

2. The following details shall be submitted to and approved in writing by the Local Planning Authority before works commence:

- i) 1:1 sample elevations and sections, and 1:1 joinery sectional profiles, of all new joinery work including all types of new windows and doors including their internal panelling, shutters and architraves, staircases and their balustrading and handrails, skirting boards, dado rails and picture rails;
- ii) full details, including 1:5 scale sample plans / elevations and 1:1 sectional profiles of any new decorative plasterwork, including cornices, ceiling roses, bracketed arches and other features;
- iii) the method of fire protection of the walls, floors, ceilings and doors, including 1:5 sections through walls and ceilings, and smoke detectors, fire alarm call points, fire alarms, emergency lighting fittings and control boxes that may be required to meet fire regulations;
- iv) the method of sound and thermal insulation of the floors and walls, including 1:5 sections through walls and ceilings;
- v) details of the new ceiling levels in the rooms and corridors, including a 1:5 scale section;
- vi) details of the location and appearance of the heating and cooling and air conditioning equipment in the rooms and corridors;
- vii) 1:20 elevational details of the new spiral stairs and 1:5 scale elevations of the new balustrading in front of the windows;
- viii) details of the timber screen to the rooftop balcony areas;
- ix) details of the lantern rooflights;
- x) samples of the roofing slates.

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

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

3) UNI

No structures or furniture including trellises, umbrellas, planters, patio heaters, pergolas, or trees and shrubs and other plants that rise above the top of the surrounding parapet walls of the building shall be placed on the rooftop terrace.

Reason: So as to preserve the roofline and setting of the listed building in accordance with policies HE1 & HE4 of the Brighton and Hove Local Plan.

4) 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 preserve the character and appearance of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

All existing surface mounted pipework and electrical and telecommunications cabling shall be removed and all new and replacement electrical and

telecommunications cabling and pipework shall be concealed and shall not be surface mounted without the prior written approval of 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.

6) UNI

The blocking-up redundant internal door openings shall be carried out in brickwork and lime mortar to match the existing masonry work, and new brickwork shall be keyed into the existing.

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

BH2008/00184

The De Vere Grand Hotel Kings Road Brighton

Proposed extension of hotel to provide 41 new guest rooms; leisure facilities and ancillary accommodation; the creation of a glazed bridge link including a passenger lift; alterations to the roofs of the rear accommodation blocks to accommodate plant and the creation of an internal landscaped courtyard.

Applicant: De Vere Hotels No. 3 Limited

Officer: Guy Everest 293334

Approved on 23/04/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

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 and Hove Local Plan.

Report from:

17/04/2008 to: 07/05/2008

4) UNI

The following details shall be submitted to and approved in writing by the Local Planning Authority before works commence:

- i) sample elevations and sections at 1:20 scale of the new Cannon Place extension's features including bays, windows, doors, louvres, trellises, parapets, balustrades, copings, brises soleil, the entrance canopy, signs, curtain walling and all other features;
- ii) sample elevations and sections at 1:20 scale of the glazed link extension;
- ii) sectional profiles at 1:1 scale of new external window and door frames;
- iii) sectional profiles at 1:1 scale of all external decorative render, brick and stone mouldings;
- iv) details and samples of materials and colours;
- v) the landscaping scheme for the courtyard, including 1:50 scale plans and elevations;

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 HE1 and HE6 of the Brighton & Hove Local Plan.

5) UNI

No development shall commence until a structural survey and method statement demonstrating how the structural stability of the retained Hobden's Baths building will be maintained during and after construction works has been submitted to and approved in writing by the Local Planning Authority. The survey and statement shall include details of the structural support required for the additional storeys and the works shall be carried out in accordance with the agreed details.

Reason: In order to preserve the structural integrity of the listed Hobden's Baths building, which is of historic importance, and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

6) UNI

No structures or furniture including trellises, umbrellas, planters, patio heaters, pergolas, or trees and shrubs and other plants that rise above the top of the surrounding parapet walls of the building shall be placed on the rooftop terrace.

Reason: So as to preserve the roofline of the building and maintain the character of the conservation area and setting of the listed building in accordance with policies HE1, HE3 and HE6 of the Brighton & Hove Local Plan.

7) UNI

No development shall take place until details of a scheme for the provision of 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. The scheme 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 development does not put undue pressure on existing on-street car parking in the city and to comply with policy TR1 of the Brighton & Hove Local Plan.

8) UNI

No development shall take place until details of a scheme to provide public art has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

Report from:

17/04/2008 to: 07/05/2008

Reason: To ensure that the development contributes towards the provision of new public art in accordance with policy QD6 of the Brighton & Hove Local Plan.

9) UNI

The results of any geotechnical investigations undertaken on the site as part of the hereby approved works shall be submitted to 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.

10) UNI

A Travel Plan shall be submitted to the Local Planning Authority within three months of the first occupation of the new guest rooms and leisure facility. 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 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 and TR4 of the Brighton and Hove Local Plan.

11) UNI

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 in accordance with the agreed details.

Reason: So as to preserve the roofline of the building and maintain the character of the conservation area and setting of the listed building in accordance with policies HE1, HE3 and HE6 of the Brighton and Hove Local Plan.

12) UNI

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

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

13) UNI

Prior to the commencement of development, details of measures to ensure that the development achieves a "Very Good" or "Excellent" BREEAM 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 in accordance with policy SU2 of the Brighton & Hove Local Plan.

BH2008/00185

The De Vere Grand Hotel Kings Road Brighton

Listed building consent for proposed extension of hotel to provide 41 new guest rooms; leisure facilities and ancillary accommodation; the creation of a glazed bridge link including a passenger lift; alterations to the roofs of the rear accommodation blocks to accommodate plant and the creation of an internal landscaped courtyard.

Applicant: De Vere Hotels No. 3 Limited

Report from:

17/04/2008 to: 07/05/2008

Officer: Guy Everest 293334

Approved on 28/04/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) 01.05AA

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 following details shall be submitted to and approved in writing by the Local Planning Authority before works commence:

i) sample elevations and sections at 1:20 scale of the new Cannon Place extension's features including bays, windows, doors, louvres, trellises, parapets, balustrades, copings, brises soleil, the entrance canopy, signs, curtain walling and all other features;

ii) sample elevations and sections at 1:20 scale of the glazed link extension;

ii) sectional profiles at 1:1 scale of new external window and door frames;

iii) sectional profiles at 1:1 scale of all external decorative render, brick and stone mouldings;

iv) details and samples of materials and colours;

v) the landscaping scheme for the courtyard, including 1:50 scale plans and elevations;

vi) details of the extent of stripping and demolition work within the Hobden's Baths rear building;

vii) details of new door openings, which shall comprise symmetrical / equal doors, between the main central staircase and glazed link extension.

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 policy HE1 of the Brighton & Hove Local Plan.

3) UNI

No development shall commence until a structural survey and method statement demonstrating how the structural stability of the retained Hobden's Baths building will be maintained during and after construction works has been submitted to and approved in writing by the Local Planning Authority. The survey and statement shall include details of the structural support required for the additional storeys and the works shall be carried out in accordance with the agreed details.

Reason: In order to preserve the structural integrity of the listed Hobden's Baths building, which is of historic importance, and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

No structures or furniture including trellises, umbrellas, planters, patio heaters, pergolas, or trees and shrubs and other plants that rise above the top of the surrounding parapet walls of the building shall be placed on the rooftop terrace.

Reason: So as to preserve the roofline of the building and maintain the setting of the listed building in accordance with policies HE1 and HE3 of the Brighton & Hove Local Plan.

5) UNI

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.

Report from:

17/04/2008 to: 07/05/2008

The details shall include the siting, size and design of the panels and the works shall be carried out in accordance with the agreed details.

Reason: So as to preserve the roofline of the building and maintain the character of the conservation area and setting of the listed building in accordance with policies HE1 and HE3 of the Brighton & Hove Local Plan.

6) UNI

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

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

BH2008/00263

Heist 57 West Street Brighton

New smoking terrace to rear of building (retrospective).

Applicant: Warrick Armsby-Ward

Officer: Jason Hawkes 292153

Refused on 17/04/08 DELEGATED

1) UNI

Policy HE6 relates to development within a conservation area and states that proposals within a conservation area should preserve or enhance the character and appearance of the area. Having regard to the inappropriate design, materials and excessive size of the smoking shelter, the structure appears as an incongruous and unsympathetic feature detrimental to the appearance of the building, which fails to preserve the character and appearance of the conservation area. The proposal is therefore contrary to policy QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

BH2008/00401

Phoenix House 32 West Street Brighton

Proposed enlargement of fourth floor to occupy area of existing flat roof to provide additional office (B1) floorspace.

Applicant: Mr Jorge Frutuoso

Officer: Guy Everest 293334

Approved on 24/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 03.01A

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 QD1 of the Brighton and Hove Local Plan.

3) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

4) 05.04

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 demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development, in accordance with policy SU2 of the Brighton & Hove Local Plan.

5) UNI

A Travel Plan shall be submitted to the Local Planning Authority within three months of the first occupation of the new office accommodation. 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. 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 and TR4 of the Brighton and Hove Local Plan.

BH2008/00451

55 - 56 East Street Brighton

Non-illuminated fascia and projecting signs and gold lettering to glazing. (Retrospective).

Applicant: C/O Agent

Officer: Jonathan Puplett 292525

Approved on 22/04/08 DELEGATED

1) 10.02

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2) 10.03

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3) 10.04

Report from:

17/04/2008 to: 07/05/2008

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4) 10.05

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5) 10.06

No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

BH2008/00490

7 Clifton Hill Brighton

Alterations to driveway access and garden. Conversion of window into doors onto new balcony (part retrospective).

Applicant: Mr Jeff Howard & Mr Edward Lepper

Officer: Wayne Nee 292132

Refused on 28/04/08 DELEGATED

1) UNI

Policy HE6 states that proposals within the setting of a conservation area should preserve or enhance the character or appearance of the area, policy QD14 states that planning permission will only be granted if the proposed development is well designed and detailed, and policy HE1 states that proposals for listed buildings will only be permitted where the development would not have any adverse effect on the architectural character of the building. By removing the gate and pier to widen the driveway access, the proposed development would result in the loss of the original boundary enclosure and would have an adverse effect on the appearance of the host property and the street scene, including the wider Montpelier and Clifton Hill Conservation Area. The scheme is therefore contrary to policies HE1, HE6 and QD14

2) UNI2

Policy HE6 states that proposals within the setting of a conservation area should show a consistently high standard of design and detailing, and use materials which are sympathetic to the surrounding area. The proposed design of the French doors and the glass and stainless steel balustrading does not respect the original features

Report from:

17/04/2008 to: 07/05/2008

of this 19th Century building and would have further effect on the appearance of the host property and the street scene, including the wider Montpelier and Clifton Hill Conservation Area. The scheme is therefore contrary to policy HE1.

BH2008/00493

7 Clifton Hill Brighton

External alterations to driveway access and garden. Conversion of window into doors onto new balcony. Internal alterations, including alterations to staircase and doors (part retrospective).

Applicant: Mr Jeff Howard & Mr Edward Lepper

Officer: Wayne Nee 292132

Refused on 28/04/08 DELEGATED

1) UNI

Policy HE1 states that proposals for listed buildings will only be permitted where the development would not have any adverse effect on the architectural character of the building. By removing the gate and pier to widen the driveway access, the proposed development would result in the loss of the original boundary enclosure and would have an adverse effect on the architectural character of the listed building. The scheme is therefore contrary to policy HE1.

2) UNI2

The proposed design of the French doors, glass and stainless steel balustrading, and the built-in seating on the proposed wall does not respect the original features of this 19th Century building and would have further effect on the architectural character of the listed building. The scheme is therefore contrary to policy HE1.

3) UNI3

Insufficient information has been submitted with the application to demonstrate that the proposed design and materials for the alterations to the staircase and main entrance hall door are suitable additions. The applicant has failed to demonstrate that the proposed works would match the original design or would be appropriate for this listed building. The scheme is therefore contrary to policy HE1.

4) UNI4

The alterations to the kitchen units and the removal of the door and part of the wall in between the kitchen and utility room would result in a loss of the original plan form and footprint of the building and would therefore not be a suitable addition to the listed building. The scheme is therefore contrary to policy HE1 and SPGBH 11.

ST. PETER'S & NORTH LAINE

BH2006/03707

101 North Road Brighton

Change of use from A1 (shops) to A4 (drinking establishment)

Applicant: Zelgrain Ltd

Officer: Jason Kaye 293990

Refused on 25/04/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) UNI

The change of use of the unit is likely to result in a development having a significant adverse impact on local amenity. This is contrary to the objectives of policies QD27, SU10 and SU9 of the Brighton & Hove Local Plan.

BH2007/03821

Land to rear of 56 Roundhill Crescent Brighton

Conversion of garage building to three-bedroom sustainable house (part retrospective).

Applicant: Leo Horsfield

Officer: Gemma Barnes 292265

Approved on 17/04/08 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 and Hove Local Plan.

2) 02.06A

Within one 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. The works shall be carried out in full as approved prior to occupation 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 policies SU2 and QD27 of the Brighton and Hove Local Plan.

3) 02.07A

Access to the flat roof over the extension 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 and Hove Local Plan.

4) 04.02A

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.

5) 05.04

Within one month of the date of this permission details of sustainability measures shall be submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development, in accordance with policy SU2 of the Brighton & Hove Local Plan.

6) 06.01A

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

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17/04/2008 to: 07/05/2008

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton and Hove Local Plan.

7) 06.02A

Within one month of the date of this permission details of secure cycle parking facilities shall be 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 the private car and to comply with policy TR14 of the Brighton and Hove Local Plan.

8) 13.01A

Within one month of the date of this permission 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 shall be 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 and Hove Local Plan.

9) 13.05A

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 and Hove Local Plan.

10) 13.06A

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 extension, enlargement or other alteration of the building(s) 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 or to the character of the area, and for this reason would wish to control any future development proposals to comply with policy HE6 of the Brighton and Hove Local Plan.

11) B04.01

Within one month of the date of this permission details of 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 shall be submitted to the Local Planning Authority for approval.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with QD16 of the Brighton & Hove Local Plan.

12) B04.02

All planting, seeding or turfing comprised in the approved details 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

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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.

13) UNI

Notwithstanding the approved plans, the pedestrian access from the car parking space down to the dwelling shall be via a ramped access constructed to a standard satisfactory to the Local Planning Authority. Details of the ramped access shall be submitted and approved in writing by the Local Planning Authority within one month of the date of this permission. The ramp shall be implemented prior to first occupation of the dwelling hereby approved.

Reason: To ensure a satisfactory provision of homes for people with disabilities, to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

14) UNI

Within one month of the date of this permission 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: In order to enable the Local Planning Authority to control the height of the proposed dwelling in relation to the neighbouring properties and to comply with policy QD27 of the Brighton & Hove Local Plan.

15) UNI

The roof of the dwelling hereby approved shall be a 'green roof'. Within one month of the date of this permission a detailed methodology for the construction and aftercare of the green roof shall be submitted for approval in writing by the Local Planning Authority. The roof shall be implemented in strict accordance with the approved details prior to the first occupation of the dwelling hereby approved.

Reason: In order to ensure the satisfactory construction of the green roof which will enhance the appearance of the development and wider conservation area, and to comply with policies QD1 and HE6 of the Brighton and Hove Local Plan.

16) UNI

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 additional area of hard standing for the purposes of vehicle parking, beyond that shown on the plans hereby approved shall be laid out within the curtilage of the dwelling hereby approved without Planning Permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could lead to an excess of parking provision on this site which would be contrary to PPG13, policies TR1 and TR19 of the Brighton and Hove Local Plan and Supplementary Planning Guidance on Parking Standards (SPGBH4).

BH2007/04166

Brighton Museum and Art Gallery Church Street Brighton

Construction of internal stud wall and door.

Applicant: Jan Cadge

Officer: Karen Tipper 293335

Approved Secretary of State on 07/05/08 GOVERNMENT OF THE SOUTH EAST

1) 01.05AA

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.

BH2007/04609

Regent House Princes Place Brighton

Change of use of ground floor and basement from residential flats (class C305) and ancillary storage to restaurant (class A3). Alterations to front and side elevations.

Applicant: Baron Homes Corporation Ltd

Officer: Gemma Barnes 292265

Refused on 28/04/08 DELEGATED

1) UNI

The proposal would result in the loss of four self contained residential units. Based on the information submitted it would appear that none of the units are classified as unfit for human habitation, all units benefit from adequate access, the change of use is not required to preserve the building and the proposal would not result in any provision of affordable housing. As such the proposal is contrary to policy HO8 of the Brighton and Hove Local Plan which seeks to resist the loss of residential accommodation. Notwithstanding the planning history for this site, there are no material considerations to warrant the loss of four self contained dwellings which are fit for purpose as an exception to policy HO8 of the Brighton and Hove Local Plan.

2) UNI

Development proposals for changes of use are required to provide secure cycle storage facilities for staff and customers in accordance with policy TR14. A restaurant of this size would be required to provide cycle storage for two bikes. No cycle storage areas have been indicated on the plans and as such the proposal is contrary to policy TR14 of the Brighton and Hove Local Plan.

3) UNI

The applicant has failed to demonstrate that the proposed restaurant use will not have an unacceptable adverse impact upon the residential amenity of the occupiers of the flats located on the upper floors of this building by way of noise pollution. As such the proposal is contrary to policies SU10, SR12 and QD27 of the Brighton and Hove Local Plan.

4) UNI

The proposed change of use to a large restaurant will increase the use of energy and water on site. No information has been submitted to demonstrate how the proposed change of use will make efficient use of energy or water resources. Furthermore, no information has been submitted to demonstrate how construction waste will be minimised as part of the physical alterations required to convert the building into restaurant use. As such, based on the information submitted the

applicant has failed to satisfactorily address policies SU2 and SU13 of the Brighton and Hove Local Plan.

BH2007/04623

95 Trafalgar Street Brighton

Installation of automated teller machine - Retrospective

Applicant: Bank Machine Ltd

Officer: Nicola France 292211

Refused on 28/04/08 DELEGATED

1) UNI

The retrospective application to install an ATM is inappropriate by reason of its design, materials and position on the shopfront and is considered to be a worsenment of the situation that exists at present. The application, therefore, constitutes an inappropriate development of the site, offering no architectural merit to the overall design, and results in being detrimental to the wider conservation area, contrary to policies QD5, QD10, SR4 and HE6 of the Brighton and Hove Local Plan and Supplementary Planning Document 02 Shopfront Design.

BH2008/00386

36 Kemp Street Brighton

Replacement of existing timber door and timber framed windows on front elevation with UPVc door and windows.

Applicant: Carl Benett

Officer: Chris Swain 292178

Refused on 23/04/08 DELEGATED

1) UNI

The proposed replacement windows and front door, by reason of their materials and their design would be detrimental to the appearance and character of the property, the street scene and the wider North Laine conservation area and are contrary to policies QD1, QD2, QD14 and HE6 of the Brighton and Hove Local Plan.

BH2008/00459

73A Vere Road Brighton

Rear extension of existing shower-room to form new bathroom, new double doors to existing living room, block up kitchen door and timber decking terrace area.

Applicant: Mr P Rose

Officer: Chris Swain 292178

Approved on 23/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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.

Report from:

17/04/2008 to: 07/05/2008

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton and Hove Local Plan.

3) 02.07A

Access to the flat roof over the extension 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 and Hove Local Plan.

4) 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 and Hove Local Plan.

BH2008/00469

1 Bath Street Brighton

Erection of two storey extension to rear, new spiral staircase to rear and associated improvements to windows and front garden.

Applicant: Mr Terry Squires

Officer: Gemma Barnes 292265

Approved on 23/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.07A

Access to the flat roof over the extension 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 and Hove Local Plan.

3) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

4) 13.02A

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

Report from:

17/04/2008 to: 07/05/2008

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

5) 13.03A

Notwithstanding the approved plans all new windows 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 and Hove Local Plan.

6) UNI

The external staircase and landing area shall be used to provide access to the garden from the first floor flat only. The landing area shall not be used as a roof terrace, balcony 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 and Hove Local Plan.

BH2008/00501

25 Baker Street Brighton

Change of use from a shop (A1) to health services (D1).

Applicant: Miss Sally Watkins

Officer: Gemma Barnes 292265

Approved on 25/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.06A

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 works shall be carried out in full as approved prior to occupation 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 policies SU2 and QD27 of the Brighton and Hove Local Plan.

3) 06.02A

The development hereby permitted shall not be commenced until details of secure cycle parking facilities 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 the private car and to comply with policy TR14 of the Brighton and Hove Local Plan.

4) B03.01

The premises shall not be open or in use except between the hours of 10:00 and 19:00 hours on Mondays to Sunday inclusive, in accordance with policies SU9 and QD27.

Reason: To safeguard the amenities of the locality.

Report from:

17/04/2008 to: 07/05/2008

5) UNI

Notwithstanding the provisions of the Town and County Planning (Use Classes) Order 2005 or any amendment thereto, this unit shall be used as health clinic/treatment room only and for no other purpose in the D1 use class.

Reason: To allow the Local Planning Authority to control any subsequent change of use of the premises in the interests of protecting neighbouring amenity and to comply with policies SU10 and QD27 of the Brighton and Hove Local Plan.

BH2008/00675

8B Buckingham Place Brighton

Conversion of existing ground floor two-bedroom flat into two one-bedroom self-contained flats.

Applicant: Mr G Wayne

Officer: Gemma Barnes 292265

Refused on 28/04/08 DELEGATED

1) UNI

The proposal is contrary to policy HO9 of the Brighton and Hove Local Plan, which seeks to retain small family dwellings and which only permits the conversion into two or more residential units of a dwelling with an original floor area of more than 115m sqm or with four or more bedrooms as originally built. The policy also requires one of the units to be suitable for family occupation. The internal floor area of the flat subject of this application equates to approximately 80sqm. Consequently this property is not of sufficient size to be considered suitable for further subdivision and as such the principle of the development is unacceptable. Furthermore, a family sized unit would not be retained.

2) UNI2

The applicant has confirmed that the ground floor flat has no external amenity space. As such the proposed additional unit will not have the benefit of any external amenity space and the plans do not identify an area for cycle storage or refuse and recycling facilities. Whilst the existing situation for occupiers of the ground floor flat is beyond the control of the local planning authority, it is not considered appropriate to intensify the use of this site by allowing an additional residential dwelling that will not benefit from satisfactory amenities. By virtue of the lack of external amenity space, cycle storage and refuse and recycling facilities the proposed additional unit would result in a substandard level of accommodation. Cumulatively the proposal, represents an unsuitable form of development which would result in an over intensive use of the property. As such the proposal is contrary to policies QD3, HO4, HO5, HO9, SU2 and TR14 of the Brighton and Hove Local Plan.

BH2008/00786

7 West Hill Street Brighton

Single storey extension to rear. Conservation style roof light to front. Dormer to rear.

Applicant: Paul & Carol Allen

Officer: Chris Swain 292178

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Report from:

17/04/2008 to: 07/05/2008

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 13.05A

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 and Hove Local Plan.

BH2008/00952

St. Pauls C Of E School St Nicholas Road Brighton

Replacement of existing single glazed steel windows and external doors with new double glazed UPVC windows and external doors.

Applicant: The Governors

Officer: Chris Swain 292178

Approved on 06/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

WITHDEAN

BH2007/03360

Beech Mount 328 Dyke Road Brighton

Erection of single storey rear extension, first floor dormer to Northern elevation, conversion of integral garage to habitable room, and erection of detached garage to front of property.

Applicant: Dr & Mrs S Plant

Officer: Guy Everest 293334

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

3) UNI

The first floor dormer window to the northern elevation shall not be glazed otherwise than with obscured glass and shall be fixed shut, and shall 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

No alterations relating to the front boundary wall shall commence until details of the entrance gate have been submitted to and approved in writing by the Local Planning Authority. The alterations shall be completed in accordance with the agreed details.

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

BH2007/03790

2 The Parade Valley Drive Brighton

Change of use from retail (Class A1) to hot food takeaway (Class A5) including the installation of a ventilation flue to the rear, new shopfront and rear store (Retrospective).

Applicant: Miss C Edebali

Officer: Jason Hawkes 292153

Approved on 28/04/08 DELEGATED

1) UNI

The premises shall not be open or in use except between the hours of 11.00am and 9pm on any day.

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

2) UNI

The ventilation flue shall be used in accordance with the Acoustic Report submitted to the Local Planning Authority on 12th December 2007.

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

BH2007/04205

68 Peacock Lane Brighton

Construction of first floor extension with new roof and rear single-storey extension to allow conversion from a bungalow to a two-storey dwelling house (revised terrace layout).

Applicant: Mr & Mrs Clark

Officer: Jason Hawkes 292153

Refused on 23/04/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) UNI

The development by reason of its design, scale and arrangement would detract from the character and appearance of the existing house. It would in addition have an adverse impact on the amenities of the neighbouring properties through overlooking

Report from:

17/04/2008 to: 07/05/2008

and loss of light. The proposal is therefore contrary to policies QD1, QD14 and QD27 of the Brighton & Hove Local Plan.

BH2008/00008

80 Reigate Road Brighton

Demolition of sunroom and erection of 2 storey rear extension

Applicant: Alex Gale

Officer: Jonathan Puplett 292525

Approved on 23/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

3) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2008/00077

323 Dyke Road Hove

Demolition of existing single storey extension and garage to allow the creation of a new two storey extension.

Applicant: Mr Mike Thomas

Officer: Guy Everest 293334

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

3) UNI

No development shall take place until details of boundary screening to protect the amenity of no. 321 Dyke Road Avenue has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the amenity of adjoining properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

Notwithstanding the submitted details no development shall take place until a written statement, consisting of a 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 policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2008/00312

16 Hazeldene Meads Brighton

Demolition of existing garage and construction of two storey detached dwelling.

Applicant: Mr Graham Bull

Officer: Jason Hawkes 292153

Refused on 28/04/08 DELEGATED

1) UNI

Policies QD1, QD2, and QD3 of the Brighton and Hove Local Plan seek to ensure that developments demonstrate a high standard of design which take into account the height, scale, and bulk of existing buildings. Policy HO4 states that residential development will be permitted at higher density where it can be demonstrated that the proposal exhibits a high standard of design. The proposed dwelling by virtue of its excessive scale in this relatively small plot is considered to be an overdevelopment of the site which fails to respect the constraints of the site and its relationship to surrounding residential properties. The substantial loss of front garden as well as the design of the proposed dwelling with a glazed balustrade is also out of character with the uniform appearance of the houses and street scene. The proposal therefore results in an incongruous and cramped form of development with inadequate spacing between dwellings. The proposal is therefore contrary to the above policies.

2) UNI2

Policy HO13 of the Brighton & Hove Local Plan states that planning permission will only be granted for new residential development that are built to a lifetime homes standard whereby they can be adapted to meet the needs of people with disabilities without major structural alterations. Planning Advice Note 03: Accessible Housing and Lifetime Homes also outlines the Council's requirements for lifetime homes. The proposed first floor bathroom is of inadequate size to allow adequate provision

Report from:

17/04/2008 to: 07/05/2008

for a wheelchair user and no space has been identified for a future vertical lift. The scheme is therefore contrary to the above policy and advice note.

3) UNI3

Policy SU2 of the Brighton & Hove Local Plan requires all proposals to demonstrate a high standard of efficiency in the use of energy, water and materials. Insufficient information has been submitted with the application to demonstrate how this requirement has been met throughout the scheme. The proposal is therefore contrary to the above policy.

BH2008/00666

34 Robertson Road Brighton

Insertion of new window and addition of soil and vent pipe on front elevation. Enlargement of one window on existing rear extension. Rooflights on front and rear roof pitches.

Applicant: Mr Richard Little

Officer: Jason Hawkes 292153

Approved on 22/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

BH2008/00734

12 Bramble Rise Brighton

Certificate of Lawfulness for the proposed development of a loft conversion with rear dormer.

Applicant: Mrs M Judge

Officer: Wayne Nee 292132

Approved on 22/04/08 DELEGATED

BH2008/00779

2 Glen Rise Close Westdene Brighton

Alterations and extensions including two storey side extension, first floor rear extension, new front lobby extension and rear conservatory (following part demolition of existing).

Applicant: Mr & Mrs Bouhassane

Officer: Awot Tesfai 292211

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00954

59 Bramble Rise Brighton

Demolition of existing garage and erection of two storey side extension and new front porch.

Applicant: Mr S Love

Officer: Jonathan Puplett 292525

Approved on 06/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

3) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

4) UNI

The side (west) facing glazed door and first floor bedroom window shall not be glazed otherwise than with obscured glass. The glazing of the window and door shall thereafter be permanently retained as such.

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

EAST BRIGHTON

BH2008/00152

Whitehawk Football Club East Brighton Park Wilson Avenue Brighton

Proposed extension to changing rooms.

Applicant: Wally Sweetman

Officer: Gemma Barnes 292265

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00660

Flat 4 16 Chesham Place Brighton

Insertion of two conservation roof lights to rear roof slope. Insertion of glazing in existing front hatch and alterations to internal layout.

Applicant: Mrs Jessica Cina

Officer: Chris Swain 292178

Approved on 22/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 14.10A

The rooflights hereby approved shall be of 'conservation style' fitted flush with the adjoining roof surface to the satisfaction of the Local Planning Authority with slim section metal frames.

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

3) 14.12A

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 work commencing.

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

4) UNI

Prior to commencement of works, 1:20 elevations and a 1:1 section of the proposed additional vent on the front elevation shall be submitted to and approved by the Local Planning Authority in writing and the works shall be carried out and completed fully in accordance with these details and maintained as such thereafter.

Reason: As insufficient information has been provided and to comply with policy HE1 of the Brighton and Hove Local Plan.

BH2008/00661

Flat 4 16 Chesham Place Brighton

Insertion of two conservation roof lights to rear roof slope. Insertion of glazing in existing front hatch and alterations to internal layout.

Report from:

17/04/2008 to: 07/05/2008

Applicant: Mrs Jessica Cina
Officer: Chris Swain 292178
Approved on 22/04/08 DELEGATED

1) 01.05AA

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) 14.10A

The rooflights hereby approved shall be of 'conservation style' fitted flush with the adjoining roof surface to the satisfaction of the Local Planning Authority with slim section metal frames.

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

3) 14.12A

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 work commencing.

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

4) UNI

Prior to commencement of works, 1:20 elevations of the proposed staircase and glass screen and 1:1 section through the glass screen shall be submitted to and approved by the Local Planning Authority in writing and the works shall be carried out and completed fully in accordance with these details and maintained as such thereafter.

Reason: As insufficient information has been provided and to comply with policy HE1 of the Brighton and Hove Local Plan.

5) UNI

Prior to commencement of works, 1:20 elevations and a 1:1 section of the proposed additional vent on the front elevation shall be submitted to and approved by the Local Planning Authority in writing and the works shall be carried out and completed fully in accordance with these details and maintained as such thereafter.

Reason: As insufficient information has been provided and to comply with policy HE1 of the Brighton and Hove Local Plan.

BH2008/00702

20 Sweda Court Chesham Street Brighton

Upgrade existing window at front of property with double glazed UPVC window.

Applicant: Deidre Coogan
Officer: Chris Swain 292178
Approved on 18/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

BH2008/00906

14 Eaton Place Brighton

New door and windows to rear elevation allowing access to a new raised deck and steps down to garden.

Applicant: Ms Rosalind Southcott

Officer: Sonia Kanwar 292359

Refused on 28/04/08 DELEGATED

1) UNI

The proposed decking, balustrade and steps to the garden are considered to result in a detrimental impact on the architectural and historic character and appearance of the building, and additionally have an overbearing impact on the setting of the listed buildings in Eaton Place, thereby adversely affecting the setting of the listed building and the East Cliff Conservation Area. The scheme is therefore contrary to policies QD1, HE1, HE3 and HE6 of the Brighton & Hove Local Plan and to the Council's Supplementary Planning Guidance Note SPGBH13: Listed Buildings - General Advice.

BH2008/00913

14 Eaton Place Brighton

Internal alterations, new door and windows to rear elevation allowing access to a new raised deck and steps down to garden.

Applicant: Ms Rosalind Southcott

Officer: Sonia Kanwar 292359

Refused on 28/04/08 DELEGATED

1) UNI

Policy HE1 of the Brighton and Hove Local Plan states that alterations to a listed building will only be permitted where the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building. Policy HE3 states that development will not be permitted where it would have an adverse impact upon the setting of a listed building. The proposed decking, balustrade and steps to the garden are considered to result in a detrimental impact on the architectural and historic character and appearance of the building, and additionally adversely affect the setting of the listed building. The scheme is therefore contrary to policy HE1 and HE3 of the Brighton & Hove Local Plan and to the Council's Supplementary Planning Guidance Note SPGBH13: Listed Buildings - General Advice.

HANOVER & ELM GROVE

BH2008/00206

42 Brading Road Brighton

Change of use from ground floor office to two bedroom flat with associated external alterations and demolition of rear garage.

Applicant: Mr Taylor

Officer: Katherine Rawlins 292232

Refused on 22/04/08 DELEGATED

1) UNI

The proposed change of use would result in the loss of valuable employment space and the applicant has failed to demonstrate that the unit is genuinely redundant or that there are other starter units available in the neighbourhood at a comparable rental. The proposal is considered to be contrary to Policies E5 and E6 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and Policies EM5 and EM6 of the Brighton and Hove Local Plan.

BH2008/00520

17 - 19 Brading Road Brighton

Replacement of timber framed windows with UPVc windows at front and rear and to side elevations of rear projection.

Applicant: Mark Leach

Officer: Chris Swain 292178

Refused on 21/04/08 DELEGATED

1) UNI

The proposed windows, by reason of their design, subdivision, glazing bars, proportions and method of opening, would form a visually inappropriate alteration to the building and adversely affect the character and appearance of the streetscene and as such are contrary to policies QD2 and QD14 of the Brighton and Hove Local Plan.

BH2008/00536

20 Hanover Crescent Brighton

Relocation of existing boiler from lower ground floor to first floor, including new flue outlet.

Applicant: Mrs P Smith

Officer: Sonia Kanwar 292359

Approved on 17/04/08 DELEGATED

1) 01.05AA

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

Before the development commences a colour scheme for the flue should be submitted to and approved in writing by the Local Planning Authority. The scheme should be implemented in accordance with the approved details and retained as such thereafter.

Reason: So as to ensure the preservation and enhancement of the Listed Building in accordance with policies HE1 and HE4 of the Brighton and Hove Local Plan.

BH2008/00711

1 Arnold Street Brighton

Removal of lean-to conservatory and construction of a single storey flat roof rear extension.

Applicant: Mrs Chantel

Officer: Karen Tipper 293335

Approved on 01/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00795

47 Islingword Road Brighton

Reinstatement of existing basement pavement windows and new in-pavement light wells.

Applicant: Ms B.E.N Birtwell

Officer: Karen Tipper 293335

Approved on 22/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00854

102 Islingword Road Brighton

First floor rear extension over existing, rear dormer and rear roof terrace.

Applicant: Mr & Mrs S Cambers

Officer: Sonia Kanwar 292359

Refused on 25/04/08 DELEGATED

1) UNI

The proposed rear dormer, by virtue of its size, inappropriate design and positioning, would form an incongruous feature, detrimental to the appearance of the building and the surrounding area. The proposal is therefore contrary to the objectives of development plan policies QD1 and QD14 of the Brighton and Hove Local Plan and to Supplementary Planning Guidance Note SPGBH1: Roof Alterations and Extensions.

2) UNI2

Due to the position and height of the rear terrace in close proximity to the adjacent properties, the proposal results in a significant loss of privacy and overlooking of the neighbouring properties and gardens. The terrace due to its position, size and use

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will also result in a significant noise disturbance on adjacent properties. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

3) UN13

The proposed first floor extension, by virtue of its siting, size and massing would result in the proposal having an overbearing impact on adjacent properties, and would result in a loss of outlook and a heightened sense of enclosure. As such the proposal would adversely impact on the residential amenities of adjacent properties and is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

HOLLINGBURY & STANMER

BH2006/02966

Stanmer House Stanmer Park Brighton

Proposed alterations to cellar and external alterations to means of escape hatch.

Applicant: Cherrywood Investments

Officer: Rachael Hobman 292175

Approved on 22/04/08 DELEGATED

1) 01.05AA

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) 14.01A

No works shall take place until samples of the materials (including colour of render, paintwork or colourwash, sample of hand painted balustrade, paint colour, brick samples for the stairs and restoration of brick vaulted cellars, timber hatch and fire doors) to be used in the construction of the external surfaces of the works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

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

3) 14.06A

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 and Hove Local Plan.

4) 14.07A

No development shall take place until a schedule of all features to be removed, moved, replaced or reinstated has been agreed with the Local Planning Authority in writing. Replacement/reinstatement features must match exactly the original in materials and detail. Photographs/drawings/sections recording the features to be replicated must be submitted along with 1:1 scale drawings of proposed items for prior approval by the Local Planning Authority.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and in accordance with policy HE1 and HE4 of the Brighton and Hove Local Plan.

5) 14.12A

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 work commencing.

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

6) 14.14A

The smoke detectors, fire alarm call points, fire alarms, emergency lighting fittings and control boxes shall be located in unobtrusive positions in the corners of rooms and their electrical cabling systems shall not be surface mounted but concealed within the floors, ceilings and walls, except where otherwise approved, and the walls, floors and ceilings made good to the satisfaction of the Local Planning Authority.

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

7) UNI

Notwithstanding the detail of the drawings hereby approved, constructional details and finishes of the new lobby at the foot of the existing brick staircase, at a scale of 1:20, shall be submitted to and approved in writing by the Local Planning Authority. The works shall proceed in accordance with the details as approved.

Reason: To ensure an acceptable design is achieved that is appropriate for the character and appearance of the house and to ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton and Hove Local Plan.

8) UNI

Notwithstanding the detail of the drawings hereby approved, detailed drawings of the new timber fire doors, at a scale of 1:20, shall be submitted to and approved in writing by the Local Planning Authority. The works shall proceed in accordance with the details as approved.

Reason: To ensure an acceptable design is achieved that is appropriate for the character and appearance of the house and to ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton and Hove Local Plan.

9) UNI

Notwithstanding the detail of the drawings hereby approved, drawings at a scale of 1:20 providing details of upgrading the existing timber door (d6) and repositioning of the door to open inwards shall be submitted to and approved in writing by the Local Planning Authority. The works shall proceed in accordance with the details as approved and shall be retained as such thereafter.

Reason: To ensure an acceptable design is achieved that is appropriate for the character and appearance of the house and to ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton and Hove Local Plan.

BH2007/03722

University of Sussex Arts B Lewes Road Brighton

Listed building consent for external stair lift for disabled access.

Applicant: Rob French

Officer: Louise Kent 292198

Approved on 22/04/08 DELEGATED

1) 01.05AA

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 existing entrance doors shall be reused in the new position. The works shall be carried out in strict accordance with the approved details.

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

3) UNI

No works shall take place until colour samples of the materials to be used in the stairlift and associated rails hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

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

BH2007/04389

128 Hollingdean Terrace Brighton

Loft conversion with one rooflight to front, four rooflights to rear and dormer to side elevation.

Applicant: Mr T Whittington

Officer: Nicola France 292211

Refused on 21/04/08 DELEGATED

1) UNI

The proposed side dormer window would have a detrimental impact on the character and appearance of the dwelling and surrounding streetscape by creating a loss of symmetry in roof design and with the adjoining property (130 Hollingdean Terrace) contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Guidance Note 1 Roof Alterations and Extensions.

BH2007/04636

19 Hawkhurst Road Brighton

Reserved matters application for the erection of a detached two storey

Applicant: Mr Hills

Officer: Jason Kaye 293990

Refused on 25/04/08 DELEGATED

1) UNI

The proposed development, by reason of its design, orientation and siting would fail to provide a suitable standard of design and appearance for new development, would relate very poorly to neighbouring development, fails to respect the Hawkhurst

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Road building line and would result in a prominent and incongruous appearance within the streetscene, which would be detrimental to the character of the local area, contrary to Brighton and Hove Local Plan policies QD1, QD2 and QD3.

2) UNI2

The proposed development, by reason of its orientation, fenestration, internal layout and proximity to No. 3 Nanson Road, would cause significant overlooking to the garden of No. 3 Nanson Road and, as such, is contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2008/00427

3 Coldean Lane Brighton

Certificate of Lawfulness for proposed demolition of existing shed and construction of new annexe to rear of house.

Applicant: Mrs Val Nash

Officer: Gemma Barnes 292265

Approved on 23/04/08 DELEGATED

BH2008/00676

Sussex House Lewes Road Falmer

Replacement balcony window with aluminum double glazed door & windows.

Applicant: Mr Rob French

Officer: Louise Kent 292198

Approved on 23/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

MOULSECOOMB & BEVENDEAN

BH2008/00085

36 Coombe Road Brighton

Conversion of existing shop and first floor flat to single dwelling.

Applicant: Mr Calvin James

Officer: Chris Elphick 293990

Approved on 18/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.06A

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 works shall be carried out in full as approved prior to occupation 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 policies SU2 and QD27 of the Brighton and Hove Local Plan.

3) 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 and Hove Local Plan.

4) 06.03A

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 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 and Hove Local Plan.

5) 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 to comply with policies HO7 and SU15 of the Brighton & Hove Local Plan.

6) UNI

Prior to the first occupation of the house hereby approved, the first floor front windows shall be replaced by timber sliding sash windows in accordance with the details shown on drawing DPA-01 Revision 01 submitted on 4 January 2008. The windows shall be retained as such thereafter. 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.

BH2008/00657

6 Jevington Drive Brighton

Single storey side extension and extended raised terrace to rear.

Applicant: Mr Darren Redman

Officer: Louise Kent 292198

Refused on 21/04/08 DELEGATED

1) UNI

The full-width raised decking area at the rear would cause increased overlooking and loss of privacy to the surrounding occupiers, harming the residential amenity of

the area. The proposal is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2008/00740

7 Belle Vue Cottages Brighton

Certificate of Lawfulness for proposed dormer roof extension to rear and two rooflights to front roofslope.

Applicant: Delford Reid

Officer: Sonia Kanwar 292359

Approved on 21/04/08 DELEGATED

BH2008/00852

32 Hillside Brighton

Single storey extension to rear.

Applicant: Mr Toby Hamilton

Officer: Chris Swain 292178

Refused on 02/05/08 DELEGATED

1) UNI

The length, siting, height and design of the proposal would, by reason of loss of light and outlook, overshadowing and its overbearing impact, adversely impact on the residential amenity currently enjoyed by the adjoining property No.30 Hillside, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

QUEEN'S PARK

BH2007/01575

102 Marine Parade Brighton

Conversion of existing four-storey (plus basement) house into 5 flats (4 two-bedroom units and 1 one-bedroom unit), including construction of new mansard roof accommodation at fourth floor level, replacing existing roof. Construction of bin/cycle store on front amenity area.

Applicant: Mr & Mrs K McClymont

Officer: Rachael Hobman 292175

Refused on 28/04/08 DELEGATED

1) UNI

The proposed development, by reason of the principle of the proposed roof extension and the size, massing, design and detailing of the proposed roof extension, would be detrimental to the architectural and historic character and appearance of the listed building and would disrupt the historic roofline of the building and the roofscape of the trio of listed buildings and would fail to preserve or enhance the character of the East Cliff Conservation Area contrary to policies QD1, QD2, QD3, QD14, HE1, HE3 and HE6 of the Brighton and Hove Local Plan and Supplementary planning guidance notes SPGBH1, SPGBH11 and SPGBH13 and Planning Policy Guidance 15 - Planning and the Historic Environment.

2) UNI

The proposed development fails to provide adequate provision for secure cycle parking at ground floor level in accordance with the Council's standard, and is therefore considered to be inconsistent with the aim to encourage alternative means of travel, contrary to policies TR1 and TR14 of the Brighton & Hove Local Plan.

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17/04/2008 to: 07/05/2008

3) UNI

The applicant has failed to demonstrate that the proposal would incorporate adequate measures to reduce the use of raw materials, water and energy and as such would be likely to result in excessive use of these limited resources. This would be contrary to policy SU2 of the Brighton & Hove Local Plan.

4) UNI

The application has failed to demonstrate detail of construction waste minimisation measures and is therefore considered to be contrary to policy SU13 of the Brighton & Hove Local Plan and SPD03: Construction and Demolition Waste.

5) UNI

The proposed refuse and cycle storage enclosure, by reason of bulky and incongruous appearance, would be detrimental to the appearance of the formal garden area and consequently to the setting of the listed building, contrary to Brighton and Hove Local Plan policies QD2, HE3 and HE6.

6) UNI

The application fails to provide provision for the storage of recyclables, contrary to policies QD27 and SU2 of the Brighton & Hove Local Plan and PAN05 Design Guidance for the Storage and Collection of Recyclable Materials and Waste.

7) UNI

The proposed development, by reason of additional stopping, turning and reversing traffic arising from the development and additional demand for on-street car parking and displacement of existing resident car parking, would be detrimental to highway safety and neighbouring amenity, contrary to Brighton and Hove Local Plan policies TR1, TR7, TR19 and QD27.

8) UNI

The applicant has failed to demonstrate that the proposal would make adequate provision for travel demand arising from the proposed flats and as such the proposal is contrary to policies TR1 and HO7 of the Brighton and Hove Local Plan.

BH2007/01576

102 Marine Parade Brighton

Internal and external alterations, with mansard roof extension to enable conversion of house into 5 flats. Construction of bin/cycle store on front amenity area.

Applicant: Mr & Mrs McClymont

Officer: Rachael Hobman 292175

Refused on 22/04/08 DELEGATED

1) UNI

The proposed development, by reason of the principle of the proposed roof extension and the size, massing, design and detailing of the proposed roof extension, and the bulk and incongruent positioning of the proposed cycle and refuse store, would be detrimental to the architectural and historic character and appearance of the listed building and would disrupt the historic roofline of the building of the trio of listed buildings. The proposed development would fail to preserve or enhance the character of the listed building or the setting of those adjoining and as such is contrary to policies HE1 and HE3 of the Brighton and Hove Local Plan and Supplementary planning guidance notes SPGBH1, SPGBH11 and SPGBH13 and Planning Policy Guidance 15 - Planning and the Historic Environment.

2) UNI2

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The proposed development would harm the historical and architectural form and character of the Listed Building by removing original internal features and altering the historic building form and layout contrary to policy HE1 of the Brighton and Hove Local Plan and Supplementary planning guidance notes SPGBH11 and SPGBH13.

BH2007/02805

50 Grand Parade Brighton

Demolition of existing garage and rear extension, construction of new 4 storey rear extension and the conversion of part of the 1st, 2nd and 3rd floor levels from offices (B1) to 3 no. one-bedroom flats.

Applicant: N. Enever

Officer: Ray Hill 292323

Refused on 06/05/08 DELEGATED

1) UNI

The proposal, by reason of its height, scale and depth, represents an unsympathetic and excessive extension to the existing building, overdevelopment of the site and, as such, is contrary to policies QD1, QD2, QD3 and QD14 of the Brighton & Hove Local Plan.

2) UNI2

The proposal constitutes an overdevelopment of the site which would be detrimental to the amenities enjoyed by the occupiers of the adjoining residential property at No. 49 Grand Parade, by reason of loss of privacy, and, as such, the proposal is contrary to policy QD27 of the Brighton and Hove Local Plan.

3) UNI3

The proposal constitutes an overdevelopment of the site which would provide an unsatisfactory standard of accommodation for the future occupiers of the proposed flats by virtue of lack of private amenity space, poor outlook and lack of privacy contrary to policies QD3, QD14, QD27, HO4 and HO5 of the Brighton and Hove Local Plan.

4) UNI4

The proposed development, by virtue of its failure to incorporate a mix of dwelling types and sizes that reflects and responds to Brighton and Hove's housing needs, would be contrary to Policy HO3 of the Brighton & Hove Local Plan which seeks to ensure that new residential development incorporates a mix of dwelling types and sizes that reflects and responds to Brighton and Hove's housing needs.

5) UNI5

The applicant has failed to demonstrate that the proposal would incorporate adequate measures to reduce the use of raw materials, water, and energy and as such the proposal would be likely to make excessive use of these limited resources contrary to Policy SU2 of the Brighton & Hove Local Plan.

BH2007/04316

Flat 4 96 St James Street

Installation of gas central heating.

Applicant: Marina Palmer

Officer: Sonia Kanwar 292359

Approved on 25/04/08 DELEGATED

1) 01.05AA

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

Prior to the commencement of works, details of the exact route of the pipe work, with reference to the locations on the walls, should be submitted to and approved in writing by the Local Planning Authority. Details could include photographs and/or measured drawings.

Reason: As insufficient details have been provided, to preserve the character of the listed building and comply with policy HE1 of the BH Local Plan.

BH2007/04410

19-21 Montague Place Brighton

Change of use of ground floor of 19-21 and first floors of 19 from veterinary practice to 3x studio flats and 1x 2 bedroom maisonette. External alterations including increase in height of wall to College Street elevation, new external staircase, new windows, blocking up of redundant openings, new gate access on College Street and removal of parts of existing ground floor to form patios.

Applicant: Mr Tony Cowie

Officer: Gemma Barnes 292265

Approved on 22/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.04A

No cables, wires, aerials, pipework (except rainwater downpipes as shown on 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 and Hove Local Plan.

3) 02.06A

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 works shall be carried out in full as approved prior to occupation 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 policies SU2 and QD27 of the Brighton and Hove Local Plan.

4) 04.02A

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.

5) 05.04

Report from:

17/04/2008 to: 07/05/2008

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.

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, in accordance with policy SU2 of the Brighton & Hove Local Plan.

6) 06.02A

The development hereby permitted shall not be commenced until details of secure cycle parking facilities 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 the private car and to comply with policy TR14 of the Brighton and Hove Local Plan.

7) 08.01

No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have 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;
- (b) A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and
- (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 nomination of a competent person to oversee the implementation of the works.

The development hereby permitted shall not be occupied or brought into use until verification has been submitted to the Local Planning Authority by the agreed competent person that any remediation scheme has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority). 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 approved remediation scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution and in accordance with policy SU11 of the Brighton and Hove Local Plan.

8) 13.02A

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 and to comply with policy HE6 of the Brighton and Hove Local Plan.

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9) 13.04A

The railings shown on the approved plans shall be painted black prior to the occupation of the development hereby permitted and shall be retained as such.

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

10) 13.05A

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 and Hove Local Plan.

11) UNI

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents. The window dimensions shall match exactly those at No.21 Montague Place. The windows shall be installed prior to occupation of the development hereby approved and shall be retained thereafter.

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

12) UNI

The waste minimisation measures set out in the waste minimisation statement submitted with this application shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that development would include the reuse of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy SU13 of the Brighton and Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

13) UNI

All new doors shall be timber and of the same design and detailing as the ground floor front door at No.21 Montague Place. The doors shall be thereafter retained as such.

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

BH2007/04589

1 Royal Crescent Brighton

Enlarged patio door and rooflight at rear.

Applicant: R Dupere

Officer: Kate Brocklebank 292175

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 14.02A

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

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

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17/04/2008 to: 07/05/2008

3) 14.06A

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 and Hove Local Plan.

4) 14.13A

All existing doors are to be retained, except where indicated on the drawings hereby approved. All new doors shall be of timber construction with recessed panels, and details of those on the ground floor to the 'family room' and kitchen from the hallway shall be submitted to and approved by the Local Planning Authority within 3 months of the date of this permission. Any fireproofing to doors should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type.

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

5) UNI

All joinery shall be painted softwood.

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

6) UNI

The rooflight hereby approved shall be painted softwood and shall be retained as such.

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

BH2007/04690

Flat 8 86 Marine Parade Brighton

Internal alterations to form ensuite and reposition internal walls including new entrance door.

Applicant: Mrs C Harrington/Mr M Maskell

Officer: Louise Kent 292198

Approved on 02/05/08 DECISION ON APPEAL

1) 01.05AA

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) 14.02A

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

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

3) 14.06A

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.

Report from:

17/04/2008 to: 07/05/2008

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

4) 14.12A

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 work commencing.

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

5) 14.13A

All existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels, and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. Any fireproofing to doors should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type.

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

BH2008/00547

New Steine Gardens Brighton

Installation of bronze figurative sculpture of two human torsos mounted on a plinth.

Applicant: Simon Burgess

Officer: Steve Lewis 292321

Approved on 25/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) UNI

The statue and plinth shall not exceed a total of 4m in height and the plinth shall not exceed 1.2m in width.

Reason: In the interests of conformity to the approved planning permission and to ensure the character and appearance of the conservation area is maintained. According with policies QD1 and HE6 of the Brighton and Hove Local Plan.

3) UNI

The development hereby permitted shall not be commenced until details of crime prevention measures to be incorporated into the scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be resistant to graffiti, vandalism, theft and antisocial behaviour. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development less susceptible to vandalism and the area to antisocial behaviour are included in the development, in accordance with policies QD1, QD15, QD27 and HE6 of the Brighton & Hove Local Plan.

4) UNI

Report from:

17/04/2008 to: 07/05/2008

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme for landscaping of the site adjacent to the development hereby approved, which shall include planting of the development, and details of any to be retained, together with measures for their protection in the course of development.

Reason: To ensure a satisfactory scheme of landscaping, in the interests of the visual amenity of the area and to accord with policies QD15 and QD16 of the Brighton and Hove Local Plan.

5) UNI

All planting, seeding or turfing comprised in the approved details 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.

Reason: To ensure implementation of a satisfactory scheme of landscaping, in the interests of the visual amenity of the area and to accord with policies QD1 and QD15 of the Brighton and Hove Local Plan.

6) UNI

Prior to the commencement of development, a scheme for:

- (i) hard landscaping; and
- (ii) lighting

associated with the statue shall be 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 and completion to the development, to preserve the character and appearance of the East Cliff conservation area, in accordance with policies QD1, QD15, QD25 and HE6 of the Brighton and Hove Local Plan.

BH2008/00731

142A Queens Park Road Brighton

Replacement uPVC windows and uPVC back door to basement flat.

Applicant: Miss Katherine Barnes

Officer: Louise Kent 292198

Refused on 23/04/08 DELEGATED

1) UNI

The proposed replacement uPVC windows to the front elevation, by virtue of their materials and appearance, including the method of opening of the windows, would be detrimental to the appearance of the property and fail to preserve or enhance the character or appearance of the Preston Park Conservation Area, contrary to policy HE6 and Qd14 of the Brighton & Hove Local Plan.

BH2008/00752

Unit 9 Freshfield Industrial Estate Stevenson Road Brighton

New and replacement signage (non-illuminated) (resubmission of BH2007/04408).

Applicant: Mr Paul Richards

Officer: Sonia Kanwar 292359

Report from:

17/04/2008 to: 07/05/2008

Approved on 18/04/08 DELEGATED

1) 10.01

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.

2) 10.02

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3) 10.03

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4) 10.04

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5) 10.05

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) 10.06

No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

BH2008/00915

69 Marine Parade Brighton

Insertion of two conservation style roof lights to mansard roof to rear elevation.

Applicant: Mr Jasper Middleton

Officer: Chris Swain 292178

Approved on 02/05/08 DELEGATED

Report from:

17/04/2008 to: 07/05/2008

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 14.12A

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 work commencing.

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

3) UNI

Notwithstanding the rooflight specification details stated on drawing PL/04 the rooflights should be cast iron, black painted, flush fitting type with a central glazing bar. Prior to the commencement of works details of the rooflights should be submitted to and approved by the Local Planning Authority in writing and the works shall be carried out and completed fully in accordance with these details and maintained as such thereafter.

Reason: To safeguard the appearance of the building and to comply with policies QD1, QD2, HE1 and HE6 of the Brighton and Hove Local Plan and the Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

BH2008/00917

69 Marine Parade Brighton

Insertion of two conservation style rooflights to mansard roof to rear elevation.

Applicant: Mr Jasper Middleton

Officer: Chris Swain 292178

Approved on 02/05/08 DELEGATED

1) 01.05AA

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) 14.12A

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 work commencing.

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

3) UNI

Notwithstanding the rooflight specification details stated on drawing PL/04 the rooflights should be cast iron, black painted, flush fitting type with a central glazing bar. Prior to the commencement of works details of the rooflights should be submitted to and approved by the Local Planning Authority in writing and the works shall be carried out and completed fully in accordance with these details and maintained as such thereafter.

Reason: To safeguard the appearance of this listed building and to comply with policy HE1 of the Brighton and Hove Local Plan and the Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

ROTTINGDEAN COASTAL

BH2007/03448

Sandmere Founthill Road Brighton

Proposed side and rear extension comprising two additional storeys over existing ground floor.

Applicant: Mr M Oakley

Officer: Liz Holt 291709

Refused on 28/04/08 DELEGATED

1) UNI

The proposed side extension, by virtue of its design, height, massing, materials and relationship with the roof of the existing host property, would result in an awkward, visually intrusive and bulky addition which is unsympathetic to the design of the existing dwelling. As such the extension would have an adverse impact on the character and appearance of the existing dwelling and the surrounding area, contrary to policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan and Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

BH2007/04076

46 Sussex Square Brighton

Listed Building Consent for removal of rear lower ground floor external doors and side lights, including window and internal stair. Reinstatement of floors and sidelights, plus new adjacent door.

Applicant: Mr Mark Harper & Mr Hari Singh Virk

Officer: Liz Holt 291709

Approved on 28/04/08 DELEGATED

1) 01.05AA

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) 14.02A

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

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

3) 14.05A

No works shall take place until full details of the proposed works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved by the Local Planning Authority. The scheme 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 in accordance with policy HE1 of the Brighton and Hove Local Plan.

Report from:

17/04/2008 to: 07/05/2008

4) 14.12A

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 work commencing.

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

5) 14.13A

All existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels, and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. Any fireproofing to doors should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type.

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

BH2007/04157

36 Roedean Crescent Brighton

Two storey rear extension, roof extension and general refurbishment.

Applicant: Mr & Mrs Foreman

Officer: Liz Holt 291709

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

4) UNI

The solid first floor balcony side screens shall be fully implemented in accordance with the approved scheme prior to the use of the elevated amenity area and shall be retained and maintained thereafter.

Reason: In order to protect adjoining properties from overlooking and loss of privacy and to comply with policy QD27 of the Brighton and Hove Local Plan.

5) UNI

The first floor en-suite windows on the east elevation shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of No. 38 Roedean Crescent and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2007/04613

113 Dean Court Road Rottingdean

Roof extension, insertion of front and rear dormers.

Applicant: Mr K L Gest

Officer: Sonia Kanwar 292359

Approved on 07/05/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 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 and Hove Local Plan.

BH2008/00171

51 Chichester Drive West Saltdean Brighton

Replacement of existing conservatory at rear with single storey extension.

Applicant: Mr Mark Buss

Officer: Chris Swain 292178

Approved on 18/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 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 and Hove Local Plan.

4) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2008/00357

Flat 1 1 Arundel Terrace Brighton

Alterations to existing flat including re-positioning of front door and gas meters and re-paving of front courtyard area.

Applicant: Rodger Barton

Officer: Nicola France 292211

Approved on 21/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 14.02A

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

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

3) 14.06A

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 and Hove Local Plan.

4) 14.12A

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 work commencing.

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

5) UNI

The doors hereby approved as shown on drawing numbered 0108/01 shall consist of timber frames 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.

6) UNI

Unless agreed in writing with the Local Planning Authority, the brick to be used for the front courtyard shall consist of Rudgwick: Air Paviers 50mm, 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

The entrance door hereby approved shall be of timber construction 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.

BH2008/00544

33 Falmer Road Brighton

Rear extension to roof with two dormers and rear conservatory.

Applicant: Mr A Gaudiere

Officer: Chris Swain 292178

Approved on 01/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00630

58 Lenham Avenue Saltdean

Single storey extension at rear with roof terrace.

Report from:

17/04/2008 to: 07/05/2008

Applicant: Mr Graham Caddock

Officer: Nicola France 292211

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.07A

Access to the flat roof over the extension 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 and Hove Local Plan.

3) 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 and Hove Local Plan.

4) UNI

The existing boundary hedge adjoining Nos. 56 and 60 Lenham Avenue shall be protected during the construction works and retained for the purposes of screening and maintained thereafter. Should the head become diseased or sections of it die, the required areas will be replanted as necessary.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14, QD16 and QD27 of the Brighton and Hove Local Plan.

BH2008/00662

Zizzi 7 The Waterfront Brighton Marina Brighton

2 no. internally illuminated signs to shopfront, 1 no. internally illuminated projecting sign, 1 no. externally illuminated vertical sign, 1 no. internally illuminated free-standing menu box (retrospective).

Applicant: Mr Gordon Lee-Fisher

Officer: Sonia Kanwar 292359

Approved on 07/05/08 DELEGATED

1) 10.01

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.

2) 10.02

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3) 10.03

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4) 10.04

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5) 10.05

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) 10.06

No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) 10.07A

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton and Hove Local Plan.

BH2008/00751

250 Eastern Road Brighton

Certificate of Lawfulness for the use of the property as a single dwelling.

Applicant: Mr John Messinger

Officer: Chris Elphick 293990

Refused on 25/04/08 DELEGATED

BH2008/00797

114 Lustrells Vale Saltdean

First floor rear extension including balcony.

Applicant: Mr Kenneth Stagles

Officer: Sonia Kanwar 292359

Refused on 29/04/08 DELEGATED

1) UNI

The proposed extension, by virtue of its siting, design, size and massing would result in the proposal appearing overbearing and would result in loss of light and outlook to neighbouring properties, in particular No.116 Lustrells Vale and a heightened sense of enclosure. As such the proposal would adversely impact the residential amenity at this property and is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

2) UNI

The proposed extension, by virtue of its design, siting, size and massing would form an incongruous and unsympathetic feature resulting in an overextended appearance of the building which would be detrimental to the character and appearance of the existing building and the visual amenities of neighbouring properties. The proposal is therefore contrary to policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan.

BH2008/00834

98 Longhill Road Brighton

Construction of first floor accommodation and ground floor extension at front (resubmission).

Applicant: Next Investment Properties Ltd

Officer: Karen Tipper 293335

Refused on 02/05/08 DELEGATED

1) UNI

The proposed additional first floor, by reason of its design, size, scale and awkward roof form, in particular the proposed front extension, would be prominent within the streetscene and would adversely affect the character and appearance of the property and the surrounding streetscene contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 1 on Roof Alterations and Extensions (SPGBH1).

WOODINGDEAN

BH2007/04046

3 Rudyard Road and land behind 31 and 33 The Ridgway Brighton

Demolition of 3 Rudyard Road and erection of two 3-bedroom houses. Erection of one 4-bedroom bungalow and detached double garage at rear of 31 and 33 The Ridgway with vehicle access to Rudyard Road.

Applicant: Jason Raynsford

Officer: Steve Lewis 292321

Refused on 29/04/08 DELEGATED

1) UNI

The proposal is an overdevelopment of the site which is not considered to emphasise or enhance the positive qualities of the character and appearance of the neighbourhood by reason of the bungalow's excessive footprint, scale, siting, part backland location and overall increase in density within the site. This is contrary to policies QD1, QD2, QD3 of the Brighton and Hove Local Plan.

2) UNI

The proposed development contains an excessive number of car parking spaces, which would encourage the use of cars at the expense of more sustainable means of travel and, as such is contrary to Planning Policy Guidance 13: Transport, policies

Report from:

17/04/2008 to: 07/05/2008

TR1 and TR19 of the Brighton and Hove Local Plan and SPGBH4: Parking standards.

3) UNI

The applicant has failed to demonstrate that the windows on the eastern facing elevation of the proposed bungalow would receive adequate daylight and outlook and as such the proposal is contrary to policies QD27 and SU2 of the Brighton & Hove Local Plan.

4) UNI

The amenity space provision for the proposed bungalow is outside of the application site as defined on plan numbered B/OS/1 and as such the proposal is contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

5) UNI

The applicant has failed to demonstrate that the proposal would achieve an Echomes rating of 'Very Good' or higher or a Code for Sustainable Homes rating of Level 3 or higher, and as such the proposal is contrary to policy SU2 of the Brighton & Hove Local Plan.

BH2007/04475

1 Ravenswood Drive Brighton

Construction of side extensions to north and south.

Applicant: Mr S. Cahalane

Officer: Nicola France 292211

Refused on 02/05/08 DELEGATED

1) UNI

The proposed lounge extension on the south facing elevation by reason of its siting, length and design, would result in an incongruous addition to the existing building which would adversely impact on the character and appearance of the existing building, the adjacent buildings and the streetscene. As such, the proposal is contrary to policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan.

2) UNI2

The proposed utility extension on the north facing elevation, by reason of its siting, height and design, would adversely impact on the residential amenity of the adjoining property, No. 3 Ravenswood, by reason of loss of light, aspect and overbearing impact, and as such is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

BH2008/00443

Land Rear of 87 Cowley Drive Brighton

Outline application for a detached dwelling.

Applicant: Mr D Barnett

Officer: Gemma Barnes 292265

Refused on 02/05/08 DELEGATED

1) UNI

The Applicant has failed to demonstrate that the site can adequately support a dwelling, that the proposal would reflect the positive qualities of the key neighbourhood principles of the area and would reflect the spacing characteristics of the neighbourhood. As such the applicant has also failed to demonstrate that the proposal would not result in overdevelopment of the site and would not have a detrimental impact on the streetscene and the character and appearance of the

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surrounding area. As such the proposal is contrary to policies QD1, QD2, QD3 and HO4 of the Brighton and Hove Local Plan.

2) UNI2

The Applicant has failed to demonstrate that adequate private outdoor amenity areas of sufficient sizes can be provided for the existing dwelling No.87 Cowley Drive, and the proposed dwelling. As such it is considered that the proposal would adversely impact on the residential amenity and levels of private outdoor space currently enjoyed by occupiers of No.87 Cowley Drive, and would be detrimental to the residential amenity of future occupiers of the proposed dwelling, contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

BH2008/00586

12 Kevin Gardens Brighton

Proposed conservatory to rear of property.

Applicant: Mr D Choudrie

Officer: Chris Swain 292178

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 02.03A

The windows on the south facing elevation shall not be glazed otherwise than with obscured glass and fixed shut 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 and Hove Local Plan.

4) 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 and Hove Local Plan.

BH2008/00593

12 Warren Rise Brighton

Demolition of existing bungalow and outbuildings with construction of two new detached houses with garage and widening of existing crossover.

Applicant: Mr Richard Ickeringill

Officer: Gemma Barnes 292265

Refused on 06/05/08 DELEGATED

1) UNI

Cumulatively the proposal, by virtue of siting, relationship between each of the proposed dwellings, inadequate amenity space and lack of cycle storage facilities represents an unsuitable and cramped overdevelopment of the site. As such the proposal is contrary to policies QD1, QD2, QD3, QD27, HO4 and HO5 of the Brighton and Hove Local Plan.

2) UNI2

The proposal by virtue of the siting of Houses 1 & 2 and their relationship to one another would result in an unacceptable outlook from the bedroom of House 1, in that the only outlook would be to the blank elevation of House 2 with a distance of only 2.0m between the window and the elevation of House 2. Furthermore, the only outlook from bedroom 3 of House 1 would be via a narrow window in the side elevation, due to the fact that the primary windows in the rear elevation would be obscure glazed. The applicant has failed to demonstrate that the proposal would not lead to a loss of amenity for future occupiers of House 1 contrary to policy QD27 of the Brighton and Hove Local Plan.

3) UNI3

The proposed external amenity space for both properties would comprise relatively small rear gardens. Both properties would be largely reliant upon the front gardens to provide useable external amenity space. Furthermore the front garden for House 1 would be dominated by the provision of 2 vehicle parking spaces. The resultant provision of amenity space would be insufficient provision for large family sized dwellings and would be out of keeping with this suburban locality where predominantly neighbouring properties benefit from substantial plots with generous gardens. Consequently the applicant has failed to demonstrate that there is sufficient private usable outside amenity space for each unit of accommodation appropriate to the scale and character of the development individually and appropriate to other development in this area. As such the development is contrary to policies QD27 and HO5 of the Brighton and Hove Local Plan.

4) UNI4

The applicant has failed to demonstrate that each dwelling will benefit from covered and secure cycle storage facilities contrary to policy TR14 of the Brighton and Hove Local Plan.

5) UNI5

Policy SU2 requires all new residential development to provide refuse and recycling storage facilities. No facilities have been identified on the plans submitted. As such the proposal is contrary to policy SU2.

6) UNI6

The proposed window in the rear elevation of House 1 intended to serve bedroom 3 would provide an unacceptable level of overlooking into the habitable windows of the neighbouring property no.10 Warren Rise. This could not be overcome by obscure glazing the windows and there would be an opportunity for overlooking when the windows were open. Consequently the applicant has failed to demonstrate that the proposed dwellings would not lead to a loss of amenity for occupiers of neighbouring properties. As such the proposal is contrary to policy QD27 of the Brighton and Hove Local Plan.

7) UNI7

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The applicant has failed to demonstrate that the minimization and reuse of construction industry waste has been sought in an effective manner, contrary to policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document Construction and Demolition Waste (SPD03).

BH2008/00645

Sussex & Nuffield Hospital Warren Road Brighton

Proposed new 1200mm high tubular steel bowtop fence.

Applicant: Mr Phillip Dolphin

Officer: Sonia Kanwar 292359

Approved on 22/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) UNI

The fence hereby approved shall be constructed of tubular steel and painted black and shall be retained so thereafter.

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.

BRUNSWICK AND ADELAIDE

BH2007/02699

63 Holland Road Hove

Demolition of existing building.

Applicant: Michael Norman Antiques

Officer: Nicola Hurley 292114

Approved on 07/05/08 DELEGATED

1) 01.04AA

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) 13.07A

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 is commenced in accordance with a scheme for which Planning Permission has been granted within a period of 6 months following commencement of demolition.

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 and Hove Local Plan.

BH2007/04331

35 Brunswick Place Hove

Removal of Condition 7 of BH2007/01458 to remove obligation to enter into a S106 Agreement to ensure residents of the development are not eligible for parking permits and requiring a scheme for sustainable transport & infrastructure.

Applicant: Mr Howard Alexander

Officer: Guy Everest 293334

Approved on 21/04/08 DELEGATED

1) UNI

No development shall take place until details of arrangements to ensure the development shall remain genuinely car free at all times have been submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall be implemented before any of the units are first occupied unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development does not place undue pressure on existing on-street car parking and provides for the travel demands it creates to comply with policies TR1 and HO7 of the Brighton & Hove Local Plan.

BH2008/00358

Third Floor Front Flat 17 Brunswick Square Hove

Internal alterations to combine existing one bedroom studio flat with an existing larger flat to create a two bedroom flat.

Applicant: Mr Michael Jackson

Officer: Jason Hawkes 292153

Approved on 17/04/08 DELEGATED

1) 01.05AA

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) 14.11A

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

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

BH2008/00749

Upper Flat 3 Lansdowne Place Hove

Removal of existing mono-pitch roof to rear to form a new roof terrace, with frosted glass balustrade. Also includes the relocation of existing water closet and utility room.

Applicant: Mr & Mrs Callaghan

Officer: Stephen Ssejjemba 292336

Refused on 06/05/08 DELEGATED

1) UNI

The property is a Grade II Listed Building and the site lies within Brunswick Town Conservation Area. Policy HE1 of Brighton and Hove Local Plan requires proposals

involving amongst others, the alteration and extension of a listed building to only be permitted where; the proposal would not have any adverse effect on the architectural and historic character or appearance of the building and respects the scale, design, materials and finishes of the existing building (s), and preserves its historic fabric. In addition, Policy HE6 of Brighton and Hove Local Plan requires development to preserve and enhance the character and appearance of the conservation area. The design of the proposed balcony or terrace relying on excessive balustrade including high glass is considered inappropriate due to the effect on the proportions of the structure and the addition of contrasting materials which would make the development unduly prominent and would spoil the appearance and integrity of the property and appear as an unsympathetic out of character addition, resulting in significant harm to the original integrity of the parent property and entire terrace, contrary to the above.

2) UNI2

Policy QD27 of the Brighton and Hove Local Plan seeks the protection of amenity in way of ensuring that all new development would not result in significant noise disturbance or loss of privacy, outlook, daylight or sunlight to neighbouring properties. The proposed balcony or terrace would be detrimental to the amenities of occupiers of adjoining properties, by reason of loss privacy plus overlooking due to its wide range of view and positioning on an already prominent rear projection , and potential to create an undue level of noise and disturbance to neighbouring occupiers, and would thereby conflict with policy QD27.

BH2008/00947

24 Palmeira Square Hove

Relocation of security light (resubmission of refused application BH2007/04325).

Applicant: Mrs Susan Hunter

Officer: Wayne Nee 292132

Approved on 07/05/08 DELEGATED

1) 01.05AA

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 security light and cables shall be painted to match the parent building

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

BH2008/01015

Upper Flat 3 Lansdowne Place Hove

Removal of existing mono-pitch roof to rear of the building to form a new roof terrace with frosted glass balustrade around the perimeter and internal alterations.

Applicant: Mrs & Mrs O'Callaghan

Officer: Stephen Ssejjemba 292336

Refused on 06/05/08 DELEGATED

1) UNI

The property is a Grade II Listed Building and the site lies within Brunswick Town Conservation Area. Policy HE1 of Brighton and Hove Local Plan requires proposals

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involving amongst others, the alteration and extension of a listed building to only be permitted where; the proposal would not have any adverse effect on the architectural and historic character or appearance of the building and respects the scale, design, materials and finishes of the existing building (s), and preserves its historic fabric. The proposed development is unacceptable by reason of the proposed removal of the original rear mono-pitch roof to create a balcony or roof terrace of excessive balustrade including high glass in an inappropriate way due to the effect on the proportions of the structure and the addition of contrasting materials, making the development unduly prominent. It would thereby spoil the appearance and integrity of the property and appear as an unsympathetic out of character addition, resulting in significant harm to the original integrity of the parent property and entire terrace, contrary to the above policy.

CENTRAL HOVE

BH2008/00320

Kings House Grand Avenue Hove

Erection of 20m high, free standing helical type wind turbine, on grassed area West of Kings House at south end of Grand Avenue (resubmission of withdrawn application BH2007/02050).

Applicant: Ms Catherine Vaughan

Officer: Clare Simpson 292454

Refused on 23/04/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) UNI

The proposed wind turbine by reason of its scale, location and arrangement are considered to have an adverse impact on the setting of the listed building and views into an out of the conservation area. The proposal is therefore contrary to the objectives of policies QD4, HE6 and HE1 of the Brighton & Hove Local Plan.

2) UNI2

The proposed wind turbine by reason of its scale, location and arrangement are considered to have an adverse impact on the amenities of nearby residents. The scheme is not considered to be energy efficient. The proposal is therefore contrary to policies QD27 and SU10 of the Brighton and Hove Local Plan.

BH2008/00321

Kings House Grand Avenue Hove

Erection of six 1.8m diameter wind turbines on plant room roof of the 1970's extension of Kings House. (Resubmission of withdrawn application BH2007/02048).

Applicant: Ms Catherine Vaughan

Officer: Clare Simpson 292454

Refused on 23/04/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) UNI

The proposed wind turbine by reason of their scale, location and arrangement are considered to have an adverse impact on the listed building and views into and out of the conservation area. The proposal is therefore contrary to the objectives of policies HE6 and HE1 of the Brighton & Hove Local Plan.

BH2008/00322

Kings House Grand Avenue Hove

Erection of six 1.8M diameter wind turbines on plant room roof of the 1970's extension of Kings House (resubmission of withdrawn application BH2007/02049)

Applicant: Ms Catherine Vaughan

Officer: Clare Simpson 292454

Refused on 23/04/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) UNI

The proposed wind turbines by reason of their scale, location and arrangement are considered to have an adverse impact on the setting of the listed building and views into an out of the conservation area. The proposal is therefore contrary to the objectives of policies QD4, HE6 and HE1 of the Brighton & Hove Local Plan.

2) UNI2

The proposed wind turbines by reason of their scale, location and arrangement are considered to have an adverse impact on the amenities of nearby residents. The scheme is not considered to be energy efficient. The proposal is therefore contrary to policies QD27 and SU10 of the Brighton and Hove Local Plan.

BH2008/00582

Flat 5 4 St Aubyns Gardens Hove

Replacement of front doors and window with UPVC.

Applicant: Mr Joe Whiting

Officer: Stephen Ssejjemba 292336

Refused on 01/05/08 DELEGATED

1) UNI

The site lies within the Old Hove Conservation Area. Policy HE6 of Brighton and Hove Local Plan relates to development in conservation areas and states that all development should preserve and enhance the character and appearance of the area. Furthermore, policy QD14 of the local plan requires all development to use material sympathetic to the parent building. The proposed use of uPVC material together with window fenestration pattern differing from the original sash windows would be at variance with the majority of windows and doors below on the parent property and adjacent traditional properties in the surrounding conservation area, resulting in significant harm to the character and appearance of the building and the conservation area, contrary to policies HE6 and QD14 of Brighton and Hove Local Plan.

BH2008/00938

149-155 Church Road Hove

Proposed removal of existing fascia, windows and stall riser from front and side, installation of new single-pane windows.

Applicant: Barclays Bank Plc

Officer: Clare Simpson 292454

Approved on 01/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

BH2008/00951

149-155 Church Road Hove

Proposed 3 no. illuminated fascia signs and 1 no. illuminated projecting sign.

Applicant: Barclays Bank Plc

Officer: Clare Simpson 292454

Approved on 01/05/08 DELEGATED

1) 10.01

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.

2) 10.02

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3) 10.03

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4) 10.04

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5) 10.05

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) 10.07A

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton and Hove Local Plan.

GOLDSMID

BH2007/04478

Unit B Peacock Industrial Estate Davigdor Road Hove

Certificate of lawfulness for proposed warehousing and storage use. Proposals to include the provision of an ancillary and 'de minimis' trade counter area.

Applicant: Howdens Joinery Properties

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Officer: Guy Everest 293334
Approved on 28/04/08 DELEGATED

BH2007/04685

The Wardley Hotel 10 Somerhill Avenue Hove

Rear extension to northern elevation over four floors (basement, ground, first and second), together with additional accommodation at roof level, to allow increased provision of 15 bedrooms (total of 40). New dining room accommodation and lift shaft.

Applicant: Mr Kasim Najafi
Officer: Sue Dubberley 292097
Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.03A

The north facing bedroom windows at second and third floors shall not be glazed otherwise than with obscured glass and fixed shut 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 and Hove Local Plan.

3) 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 and Hove Local Plan.

4) 05.02A

No development shall take place until a written statement consisting of a Site Waste Management Plan, 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

5) 05.04

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 demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development, in accordance with policy SU2 of the Brighton & Hove Local Plan.

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6) B03.03

A scheme for the fitting of odour control equipment to the building shall be submitted to the Local Planning Authority and no development shall commence until a scheme is approved by the Local Planning Authority. The use of the premises shall not commence until all odour control equipment works have been carried out to the satisfaction of the Local Planning Authority. The odour control equipment shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interest of the amenity of adjoining and nearby occupiers and to secure compliance with policy QD27 of the Brighton and Hove Local Plan.

7) B03.04

A scheme for the sound insulation of odour control equipment referred to in the condition set out above shall be submitted to the Local Planning Authority and no development shall commence until all sound insulation works have been carried out to the satisfaction of the Local Planning Authority. The sound insulation works shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interest of the amenity of adjoining and nearby occupiers and to secure compliance with policy QD27 of the Brighton and Hove Local Plan.

8) B03.10

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.

Reason: In the interest of the amenity of adjoining and nearby occupiers and to secure compliance with policy QD27 of the Brighton and Hove Local Plan.

9) UNI

Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. 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 (such as a member of the Institution of Lighting Engineers) shall be submitted with the details. The approved installation shall be maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

Reason: In the interest of the amenity of adjoining and nearby occupiers and to secure compliance with policy QD27 of the Brighton and Hove Local Plan.

10) 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 to comply with policies HO7 and SU15 of the Brighton & Hove Local Plan.

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BH2008/00278

Tudor Grange 13 The Upper Drive Hove

Demolition of existing house and erection of no. 7 self contained flats.

Applicant: Mrs Linda Harmer-Strange

Officer: Paul Earp 292193

Approved on 07/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 02.06A

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 works shall be carried out in full as approved prior to occupation 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 policies SU2 and QD27 of the Brighton and Hove Local Plan.

3) 03.01A

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 QD1 of the Brighton and Hove Local Plan.

4) 05.01A

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.

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.

5) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of

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the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

6) 06.02A

The development hereby permitted shall not be commenced until details of secure cycle parking facilities 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 the private car and to comply with policy TR14 of the Brighton and Hove Local Plan.

7) B04.01

No development shall take place until there has been submitted to and approved 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 in accordance with policy QD16 of the Brighton & Hove Local Plan.

8) B04.02

All planting, seeding or turfing comprised in the approved details 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 in accordance with policy QD16 of the Brighton & Hove Local Plan.

9) B04.03

The development shall not be commenced until fences for the protection of trees 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 trees which are to be retained on the site and in accordance with policy QD16 of the Brighton & Hove Local Plan.

10) UNI

The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the 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 and to comply with policy TR7 of the Brighton and Hove Local Plan.

11) UNI

Prior to commencement of development 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.

12) 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 to comply with policies HO7 and SU15 of the Brighton & Hove Local Plan.

13) UNI

Details of the solar panels and facilities to enable the reuse of grey-water shall be submitted to and approved by the Local Planning Authority before works commence. The panels shall be installed and maintained as approved thereafter.

Reason: To ensure satisfactory provision of solar gain and to comply policy SU2 of the Brighton & Hove Local Plan.

14) UNI

Notwithstanding the approved floor plans, the development hereby permitted shall not commence until details of sustainability measures shown on the approved plans have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials, in particular securing natural light and ventilation to the main bathrooms and en suite bathroom areas. 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, in accordance with policy SU2 of the Brighton & Hove Local Plan.

15) UNI

Notwithstanding the approved floor plans, no development shall take place until revised floor plans which demonstrate how the proposal complies with lifetime home standards have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the agreed details and thereafter retained.

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.

BH2008/00450

Flat 9 Steyning Court Eaton Gardens Hove

Replacement of existing windows at front and side with UPVC.

Applicant: Mr Ian Warburton

Officer: Stephen Ssejjemba 292336

Refused on 23/04/08 DELEGATED

1) UNI

The site lies within The Willett Estate Conservation Area. Policy HE6 of Brighton and Hove Local Plan relates to development in conservation area and states that all development should preserve and enhance the character and appearance of the area. Furthermore, policy QD14 of Brighton and Hove Local Plan relates to all development and states that all development should be well designed and use material sympathetic to the parent building. There is inconsistency in the opening mechanism of the proposed Lounge window as shown on the submitted product survey sheet as well as on the scaled drawings. Irrespective of this, the design of part of the proposed Lounge and bedroom windows relying on bottom hungs in views of the street, would appear at variance and incongruous with the majority of flats on the block, resulting in unsympathetic replacement and causing significant harm to the original integrity of the parent building as well as The Willett Estate Conservation Area. The proposed development would thereby be contrary to the above policies.

BH2008/00730

63 Wilbury Crescent Hove

Proposed replacement roof to rear of dwelling with 2 roof lights.

Applicant: Mrs N Jasper

Officer: Jonathan Puplett 292525

Approved on 22/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00918

104 Addison Road Hove

Certificate of lawfulness for the proposed development of a loft conversion, including 2 no. rear dormers and 2 no. front rooflights.

Applicant: Mr Andrew Gill

Officer: Wayne Nee 292132

Approved on 02/05/08 DELEGATED

HANGLETON & KNOLL

BH2007/03619

Barclays Bank 218 Hangleton Road Hove

2 x fascia and 1 x projecting sign to be internally illuminated.

Applicant: Barclays Bank Plc

Officer: Awot Tesfai 292211

Approved on 02/05/08 DELEGATED

1) 10.01

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.

2) 10.02

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3) 10.03

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4) 10.04

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5) 10.05

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) 10.06

No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

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 comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Report from:

17/04/2008 to: 07/05/2008

BH2008/00594

100 Boundary Road Hove

Proposed rear extension to ground floor, two new rear dormer windows and two new rooflights to front elevation along with sub-division of existing shop to form two shop units. (Re-submission of BH2007/01733).

Applicant: Mr Enterprise Unlimited

Officer: Clare Simpson 292454

Refused on 01/05/08 DELEGATED

1) UNI

The proposal to create an additional unit in the roofspace is considered an overdevelopment of the roofspace. The restricted height of the second floor accommodation results in a small amount of useable floor space. The proposed unit appears cramped with minimal natural light and natural ventilation and very poor outlook. The accommodation is therefore considered below the standard that the council would reasonably expect and contrary to policies HO3, HO4 and QD27 of the Brighton and Hove Local Plan.

BH2008/00805

25 Summerdale Road Hove

Conservatory to rear elevation.

Applicant: Mr S Hill

Officer: Jonathan Puplett 292525

Approved on 24/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) UNI

The windows / glazed panels to both sides (east and west facing) of the conservatory hereby approved shall not be glazed otherwise than with obscured glass and shall be thereafter permanently retained as such.

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

BH2008/00848

104 Hallyburton Road Hove

Extend existing single storey front to 2 storeys, creating a new room in the increased roof space (resubmission).

Applicant: Mr Scott Theobald

Officer: Jonathan Puplett 292525

Approved on 01/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 05.03

Report from:

17/04/2008 to: 07/05/2008

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

3) UNI

Unless otherwise agreed in writing, the east-facing side of the dwelling shall be of a white painted render finish to match the proposed finish to the front of the dwelling, and shall be retained as such thereafter.

Reason: For the avoidance of doubt, in accordance with details of materials submitted, and to comply with policies QD1, QD2, and QD14 of the Brighton and Hove Local Plan.

BH2008/00865

20 Burwash Road Hove

Certificate of lawfulness for proposed roof extension to form a rear dormer and a full gable end.

Applicant: Mr Abdul Khaliq

Officer: Stephen Ssejjemba 292336

Approved on 06/05/08 DELEGATED

BH2008/00922

32 Holmes Avenue Hove

Room in roof with rear dormer and side half gable.

Applicant: Mr & Mrs G Davies

Officer: Jonathan Puplett 292525

Refused on 02/05/08 DELEGATED

1) UNI

The guidance contained within Supplementary Planning Guidance Note SPGBH1 (Roof Alterations and Extensions) states that roof extensions such as that proposed, that alter the basic shape of the roof, will be unacceptable. The proposed extension would lead to an imbalance between the semi-detached pair and create a visually heavy roof to one half. The proposed side roof extension by virtue of its design and location on one side of the semi-detached pair of dwellings represents an unsightly addition, contrary to policies QD1 and QD14 of the Brighton and Hove Local Plan, and to guidance contained within SPGBH1 (Roof Alterations and Extensions).

NORTH PORTSLADE

BH2007/03935

160 Valley Road Portslade

Single storey rear extension.

Applicant: Mr S Simkus

Report from:

17/04/2008 to: 07/05/2008

Officer: Awot Tesfai 292211

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00308

130 Thornhill Rise Portslade

Loft conversion with barn hipped gable end and front and rear dormers.

Applicant: Mr Neil Farley

Officer: Jason Hawkes 292153

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

3) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

4) UNI

Access to the flat roof of the rear extension from the rear dormer 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.

BH2008/00391

21 Sheppard Way Portslade

Proposed single storey rear extension.

Applicant: Mr T Price

Officer: Awot Tesfai 292211

Approved on 17/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 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 and Hove Local Plan.

3) 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 and Hove Local Plan.

SOUTH PORTSLADE

BH2007/04511

53 Fairfield Gardens Portslade Brighton

Removal of porch and erection of a single storey rear extension with adjoining conservatory.

Applicant: M & A Foy

Officer: Awot Tesfai 292211

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00434

56 Shelldale Road Portslade

Demolition of existing garage, to be replaced with 2 two-bedroom three storey semi-detached houses.

Applicant: Brighton Business Centre

Officer: Clare Simpson 292454

Refused on 24/04/08 DELEGATED

1) UNI

The subdivision of the side garden to form two additional plots containing three - storey properties is considered to be an overdevelopment of the site. The resultant plot sizes fail to respect the prevailing character of development on this side of Shelldale Road which turn makes the two properties on the site appear cramped-in and detrimental to the street scene. The development is contrary to policies QD1, QD2, QD3, HO3 and HO4 of the Brighton & Hove Local Plan.

2) UNI

The proposed houses by virtue of their design and appearance with accommodation over three stories, is inappropriate for an area characterised by two storey properties. The bulk, form and massing of the buildings are therefore detrimental to the character and appearance of the streetscene in The development is contrary to policies QD1, QD2, QD3, HO3 and HO4 of the Brighton & Hove Local Plan.

3) UNI

Policy HO13 of the Brighton and Hove Local Plan requires new residential accommodation to meet lifetime homes standards whereby the accommodation can be adapted to meet the needs of people with disabilities without major structural alteration. No information has been submitted to demonstrate how these standards can be met. The application fails to comply with the requirements of policy HO13.

4) UNI

The applicant has failed to demonstrate that the proposal has incorporated efficient use of energy water and resources in to the development and relies on two small internal bathrooms. Adequate provision for refuse and recycling, and cycle storage have not been identified and no evidence has been submitted to demonstrate that the proposal could meet minimum standards with regard to sustainable construction. The development is therefore contrary to policy SU2 and TR14 of the Brighton and Hove Local Plan.

5) UNI

The applicant has failed to demonstrate that the minimization and reuse of construction industry waste has been sought in an effective manner, contrary to policies SU13 of the Brighton & Hove Local Plan and WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and Supplementary Planning Document Construction and Demolition Waste (SPD03).

BH2008/00494

Belgrave ICES Store Clarendon Place Portslade

Re-roofing of the eastern side.

Applicant: Mr Paul Skinner

Report from:

17/04/2008 to: 07/05/2008

Officer: Stephen Ssejjemba 292336

Approved on 17/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2008/00583

1 Denmark Road Portslade

Two storey side extension and conversion to form 2 no. 2 bedroom flats.

Applicant: Mrs M Redshaw

Officer: Jonathan Puplett 292525

Refused on 28/04/08 DELEGATED

1) UNI

Policy HO9 of the Brighton and Hove Local Plan seeks to retain smaller dwellings suitable for family accommodation, and as such only permits the conversion of dwellings into smaller units of self-contained accommodation when the original internal floor area of the dwelling is greater than 115m² or the original dwelling has more than three bedrooms as originally built. The existing dwelling is a three bedroom house with an internal floorspace (excluding extensions) of less than 115m² and is therefore unsuitable for conversion to smaller dwellings.

2) UNI2

Policy TR1 of the Brighton and Hove Local Plan requires that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling. No supporting information has been submitted as part of the application in this regard. The proposal appears to make no provision for the increase in traffic likely to be generated and will result in an increased demand for on-street parking in an area where provision is limited.

3) UNI3

Policy HO13 of the Brighton and Hove Local Plan requires new residential units incorporate Lifetime Homes criteria wherever practicable, whereby the accommodation can be adapted to meet the needs of people with disabilities without major structural alterations. Insufficient information has been submitted in this regard; it is unclear whether the proposed bathrooms could accommodate a suitable layout, and the ground floor kitchen area provides very limited circulation space. The proposal is contrary to the above policy.

4) UNI4

Report from:

17/04/2008 to: 07/05/2008

Policy SU13 and Supplementary Planning Document 03 on Construction and Demolition Waste seek to reduce construction waste and require a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme in order to reduce the amount of waste being sent to landfill. No information has been submitted with the application to demonstrate how these requirements would be met. The scheme is therefore contrary to the above policy and supplementary planning document.

5) UN15

No information has been submitted regarding a suitable scheme for the storage of refuse and recycling, the proposal is therefore contrary to policy SU2 of the Brighton and Hove Local Plan.

6) UN16

Policy TR14 of the Brighton and Hove Local Plan states that in all proposals for new development and change of use, suitable facilities for secure, sheltered cycle storage should be provided. No information has been submitted in this regard, the proposal is therefore contrary to the above policy.

7) UN17

Policy H05 of the Brighton and Hove Local Plan states that all new residential development should provide a private usable amenity space. No information has been submitted as to whether the rear garden area is to be split into two sections to provide a private amenity space for both flats proposed. In the absence of such information, the proposal is contrary to the above policy.

BH2008/00638

46 Foredown Drive Brighton

Certificate of Lawfulness for proposed removal of existing rear lean to and bay window and erection of ground floor rear extension.

Applicant: Mr Norman Miller

Officer: Jonathan Puplett 292525

Approved on 18/04/08 DELEGATED

BH2008/00652

26 - 28 Franklin Road Portslade

Certificate of lawfulness for proposed use as a yoga centre, with treatment rooms and to include some internal alterations to accommodate the proposed new use.

Applicant: Mr & Mrs P Roberts

Officer: Guy Everest 293334

Approved on 01/05/08 DELEGATED

BH2008/00701

34 Shelldale Road Portslade

Certificate of Lawfulness for a proposed development of a rear dormer and 2 no. front roof lights.

Applicant: Mr W Li

Officer: Wayne Nee 292132

Approved on 18/04/08 DELEGATED

BH2008/00817

Ground floor flat 184 Old Shoreham Road Portslade

Demolition of existing rear store and construction of a single storey rear extension.

Applicant: Pier Properties Ltd

Officer: Wayne Nee 292132

Approved on 01/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

3) 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 and Hove Local Plan.

BH2008/00824

79 North Street Portslade

Demolition of existing industrial building and erection of four storey building comprising four live-work units, two one bed units, two studio units, with B1 office space to east at first and second floor levels and ground floor courtyard for parking etc. (Resubmission)

Applicant: North Street Capital Ltd

Officer: Guy Everest 293334

Refused on 28/04/08 DELEGATED

1) UNI

The application site lies within the South Portslade Industrial Area which is allocated by policy EM1 of the Brighton & Hove Local Plan for industrial and business use under Use Classes B1 and B2. The proposed residential and live-work units are contrary to the aims of this policy and would result in the loss of a site suitable and allocated for industrial and business uses.

2) UNI2

The proposed dwelling density is significantly higher than surrounding development which when combined with the industrial units would result in a level of activity and development disproportionate to the size of the site to the detriment of neighbouring amenity. The proposal is therefore contrary to policies QD3, QD27 and H04 of the Brighton & Hove Local Plan.

3) UNI3

The development would create an inappropriate mix of residential and industrial uses on the application site, and within the South Portslade Industrial Area, which would cause undue noise and disturbance for occupants of the proposed residential

Report from:

17/04/2008 to: 07/05/2008

units. The proposal is therefore contrary to policies SU10, QD27 and EM1 of the Brighton & Hove Local Plan.

4) UNI4

The development would create residential accommodation below the standard the Council would reasonably expect by reason of inadequate natural light, ventilation and outlook within single aspect units; a proliferation of internal bathrooms; an absence of private amenity space appropriate to the scale and character of the development; and a lack of privacy for future residents due to significant overlooking across the central open space. The proposal is therefore contrary to policies SU2, QD27 and HO5 of the Brighton & Hove Local Plan.

5) UNI5

The development by reason its height, bulk, detailing, materials and plot coverage would appear an overbearing and incongruous addition to the street scene detrimental to the character and appearance of the area. The proposal is therefore contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

6) UNI6

Insufficient information has been submitted to demonstrate the proposed development would not cause significant loss of light to adjoining properties to the north of the site. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

7) UNI7

Insufficient information has been submitted to demonstrate the proposed wind turbine would not cause significant noise and disturbance for adjoining, and proposed, properties. The proposal is therefore contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan.

8) UNI8

Policy TR1 of the Brighton & Hove Local Plan requires development provide for the demand for travel created. In the absence of information to demonstrate otherwise the proposal makes inadequate provision for the increase in traffic likely to be generated and will create additional demand for on-street parking in an area where availability is limited and in heavy demand.

9) UNI9

The applicant has failed to adequately demonstrate that the proposed development would achieve a high standard of efficiency in the use of water and energy. The proposal is therefore contrary to policy SU2 of the Brighton & Hove Local Plan, and Supplementary Planning Guidance Notes BH16 and BH21.

STANFORD

BH2007/02614

Hove Park Cafe Park View Road Hove

Extension to provide additional restaurant space, enlarged kitchen, toilet facilities and disabled access (resubmission of BH2006/02290).

Applicant: Mr G Fox

Officer: Paul Earp 292193

Refused on 06/05/08 DELEGATED

1) UNI

The land to be developed is open space considered to be a greenfield site. National and local planning polices aim to protect such land unless it is clearly demonstrated

Report from:

17/04/2008 to: 07/05/2008

that the land is surplus to requirement and that the proposal would be ancillary to the park use and bring benefits to the park and its users. Within the park is a larger vacant building. In the absence of a business plan, or costings on the renovation of the nearby vacant building, it is considered that insufficient evidence has been submitted to justify the development of this greenfield land. For these reasons the proposal is contrary to PPG17: Open space, sport and recreation, and SR20 and QD20 of the Brighton and Hove local Plan.

BH2007/03082

64 - 66 The Upper Drive Hove

Two storey rear extension to form an additional 4 studio flats, and 1 two bedroom flat.

Applicant: Geneva Investments

Officer: Guy Everest 293334

Refused on 28/04/08 PLANNING APPLICATIONS SUB-COMMITTEE

1) UNI

The development by reason of its design, detailing, bulk and projection would detract from the character and appearance of the existing building and represents an overdevelopment of the site. The development therefore fails to enhance the positive qualities of the local neighbourhood and would harm the visual amenities of the area. The proposal is therefore contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

2) UNI

The development would create residential accommodation below the standard the Council would reasonably expect by reason of inadequate outlook, natural light and ventilation associated with existing and proposed studio units at ground and first floor levels and the two-bedroom flat at second floor level. The proposal is therefore contrary to policies SU2 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The development would result in the significant loss of communal amenity space available to existing and future residents. The retained communal space to the rear of 64 The Upper Drive is not considered sufficient for a site comprising 24 households. The proposal would therefore be contrary to policy QD27 of the Brighton & Hove Local Plan.

4) UNI

The proposed residential units would not be built to a lifetime home standard whereby they could be adapted to meet the needs of people with disabilities without major structural alterations. The proposal is therefore contrary to policy HO13 of the Brighton & Hove Local Plan.

5) UNI

The presence of primary window openings on the south-western (side) elevation of the proposed extension would lead to significant overlooking for adjoining residential properties. Furthermore the presence of private amenity space adjoining a window opening associated with a separate studio unit within 66 The Upper Drive would lead to significant loss of privacy for occupiers of this unit. The proposal would therefore result in significant harm to neighbouring amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

6) UNI

Report from:

17/04/2008 to: 07/05/2008

Policy TR1 of the Brighton & Hove Local Plan requires development provide for the demand for travel created. In the absence of information to demonstrate otherwise the proposal makes inadequate provision for the increase in traffic likely to be generated and will create additional demand for on-street parking in an area where availability is limited and in heavy demand.

7) UNI

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, water and materials. 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).

BH2007/04191

211 Nevill Road Hove

Certificate of lawful development for proposed wrap around loft dormer, 2 velux windows and a proposed out building at end of garden.

Applicant: Mrs Angela Griffith

Officer: Awot Tesfai 292211

Approved on 02/05/08 DELEGATED

BH2008/00015

67 Cranmer Avenue Hove

Erection of conservatory to side and porch to rear.

Applicant: Mr S J English

Officer: Wayne Nee 292132

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00150

Cottesmore St Marys RC Primary School The Upper Drive Hove

Installation of new double fire exit doors from the main hall leading to playground (Retrospective).

Applicant: Cottesmore St. Marys Rc Primary School

Officer: Stephen Ssejjemba 292336

Approved - no conditions on 17/04/08 DELEGATED

BH2008/00288

17 Dyke Road Avenue Hove

Proposed two-storey front extension and single-storey rear extension with a vehicular crossover (Resubmission of BH2007/02539).

Applicant: Mr & Mrs W Newton

Officer: Clare Simpson 292454

Refused on 06/05/08 DELEGATED

1) UNI

Notwithstanding the inaccuracies in the submitted drawings, the proposed extension projecting approximately 4 metres to the front of the property and constructed from the existing gable feature is a prominent addition to the front elevation which fails to respect the existing architectural features. The extension fails to relate well to the existing features of the property detracting from its strong character and appearance. The proposal would be contrary to policies QD1 and QD14 of the Brighton and Hove Local Plan.

BH2008/00360

8 Orchard Gardens Hove

Proposed ground floor rear and side extension and proposed loft conversion including hip to gable roof extension, 2 no. rear dormers, side window and solar panel on front elevation.

Applicant: Mrs Breda Bennett

Officer: Wayne Nee 292132

Refused on 23/04/08 DELEGATED

1) UNI

Policy QD14 of the Brighton and 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. There is further advice contained within supplementary planning guidance on roof alterations and extensions (SPGBHI). The proposal to replace the existing hipped roof with a gable end would imbalance the symmetry of the semi-detached pair to the detriment of the appearance of the properties, and would create a visually heavy roof to one half. The proposal is therefore contrary to policies QD2 and QD14 of the Brighton and Hove Local Plan and Supplementary Planning Guidance Roof Alterations and Extensions (SPGBH1).

2) UNI2

The proposed rear dormers, by reason of their size and design, are considered to form an unacceptable alteration to the rear roof slope. As such, the proposal is contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

BH2008/00381

1A Frith Road Hove

Roof extension to form a dormer at the rear.

Applicant: Mr Mark Jackson

Officer: Stephen Ssejjemba 292336

Refused on 25/04/08 DELEGATED

1) UNI

Policies QD1 and QD14 of the Brighton and Hove Local Plan seek to ensure all new development demonstrates a high standard of design and makes a positive contribution to the visual quality of the environment; and is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The proposed dormer would change the basic shape of the roof in way of appearance from the public views and over mass the the original roof slope of the terrace, and appear unsightly, bulky and excessive, resulting in significant harm to the character and appearance of the property and the wider public scene, contrary to policies QD1 and QD14 of Brighton and Hove Local Plan and to the provisions of Supplementary Planning Guidance Note SPGBH1: Roof Alterations and Extensions.

2) UNI2

Supplementary Planning Guidance Note 1: Roof Alterations and Extensions (SPGBH1) requires dormer extensions to be kept as small as possible, that their overall width should be no wider than the windows below. The proposed dormer would, by virtue of its size including excessive width in comparison to the windows beneath, appear unsympathetic addition to the existing roof slope resulting in significant harm to the character and appearance of the property and the public scene, contrary to policy QD14 of Brighton and Hove Local Plan and the approved Supplementary Planning Guidance Note SPGBH1: Roof Alterations and Extensions.

BH2008/00528

First floor flat 2 Landseer Road Hove

2 roof lights to be fitted to front and rear of roof.

Applicant: Mr Alexander Gregory

Officer: Ray Hill 292323

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

BH2008/00596

42 Tongdean Avenue Hove

Proposed demolition of existing bungalow and erection of two detached dwellings with garages and cycle store.

Applicant: Mr M Bernstein

Officer: Clare Simpson 292454

Refused on 29/04/08 DELEGATED

1) UNI

The subdivision of the site to form two plots containing three-storey properties is considered to be an inappropriate development of the site. The resultant plot sizes fail to respect the prevailing character of this the part of Tongdean Avenue which is characterised by large plots with generous spacing between buildings. As a result two properties on the site appear cramped-in and detrimental to the street scene and the character of the Tongdean Conservation Area. The development is contrary to policies QD1, QD2, QD3, HO3 HO4, and HE6 of the Brighton & Hove Local Plan.

2) UNI

Report from:

17/04/2008 to: 07/05/2008

The proposed houses by virtue of their scale, height and design, fail to relate to adequately to the neighbouring properties. The properties appear excessively high and due to their relatively narrow form appear disproportionate when compared to the wider house which characterise the area. In addition the ridge heights of the properties fail to bridge the height differences of no.40 and no.44 Tongdean Avenue. As a result two properties which are unduly high and which have strong vertical emphasis appear out of character of with the Tongdean Conservation Area. The development is contrary to policies QD1, QD2, QD3, HO3 HO4, and HE6 of the Brighton & Hove Local Plan.

3) UNI

The proposed roof terraces to the rear of the new properties by virtue of their size and elevated position will give rise to extended views of gardens of neighbouring properties causing a loss of privacy. This element of the design is considered un-neighbourly and contrary to policies QD3 and QD27 of the Brighton & Hove Local Plan,

4) UNI

Notwithstanding the inaccuracies in the submitted Arboriculture report, the proposed development involves the loss of a large number of mature and semi-mature trees which are considered to make a positive contribution to the Conservation Area. In the absence of sufficient justification and in the absence of a future landscaping plan for the site, the applicant has failed to demonstrate that the loss of the trees will not harm the character and appearance of the site and the surrounding area. The development is therefore contrary to policies QD15, QD16 and HE6 of the Brighton & Hove Local Plan.

BH2008/00599

42 Tongdean Avenue Hove

Demolition of existing bungalow.

Applicant: Mr M Bernstein

Officer: Clare Simpson 292454

Refused on 29/04/08 DELEGATED

1) UNI

Policy HE8 of the Brighton & Hove Local Plan relates to demolition in conservation areas and states that demolition will not be considered without acceptable detailed plans for the site's development. In the absence of an approved planning application for the redevelopment of the site, the demolition of the building would be premature and result in an empty site, contrary to the policy, to the detriment of the visual amenities of the Tongdean Avenue Conservation Area.

BH2008/00635

47 Hill Drive Hove

Alteration of the main roof pitch, installation of 3 no. velux style rooflights in rear of slope and 2 no. velux style roof windows in front roof slope.

Applicant: Mr Farnood Asghari-Coliveri

Officer: Clare Simpson 292454

Refused on 17/04/08 DELEGATED

1) UNI

The extended height of the roof increases the bulk and massing of an approved scheme which is already considered to be towards the limits of acceptability. The

Report from:

17/04/2008 to: 07/05/2008

increased height and the change in levels would result in an increased sense of enclosure to no.41 Hill Drive which would be detrimental to the residential amenity of the occupiers of this property. The proposed development is contrary to policy QD1, QD3, and QD27 of the Brighton and Hove Local Plan.

2) UNI2

Land levels in this section of Hill Drive slope down resulting in the roof lines of properties decreasing in a staggered manner down to south east. The proposal would result in ridge height of the property would extend above that of the property to the north west, disrupting the rhythm of the streetscene and detracting from the character of the area. The proposed development is contrary to policy QD1, QD2, and QD3, of the Brighton and Hove Local Plan.

BH2008/00646

83 Hove Park Road Hove

Proposed two-storey side and rear extensions and single-storey rear extension. (Re-submission of BH2007/02612).

Applicant: Mr Glover & Mrs McCluskey

Officer: Clare Simpson 292454

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

3) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2008/00802

20 Chalfont Drive Hove

New first floor extension over existing garage.

Applicant: Mr Chris Weatherstone

Officer: Stephen Ssejjemba 292336

Approved on 29/04/08 DELEGATED

Report from:

17/04/2008 to: 07/05/2008

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

3) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2008/00819

24 Woodland Avenue Hove

Roof space development with side and rear roof extension.

Applicant: Mr Alan Bell

Officer: Jonathan Puplett 292525

Refused on 22/04/08 DELEGATED

1) UNI

The submitted drawings include a number of substantial inaccuracies such as an incorrect roof plan, and proposed plans some of which show gable-end roof extensions to the sides of the dwelling whilst some show barn-end extensions, and inaccurate floor plans. Windows shown on the floorplans do not appear on the proposed elevations and vice versa. Furthermore, details such as the existing detached garage to the front of the property and the timber detailing to the front elevation of the dwelling have not been shown. However, based on the drawings and details submitted it is considered that the application is in principle contrary to development plan policies, as detailed below.

2) UNI

Policy QD14 of the Brighton and 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 contained within supplementary planning guidance on roof alterations and extensions (SPGBH). The proposed side roof extensions would result in a bulky, top heavy appearance and would be out of keeping with the prevailing character of the street scene which features hipped roofs in general. The proposed extension would harm the appearance of the property to the detriment of the visual amenities

of the surrounding area. The scheme is therefore contrary to the above policy and guidance.

BH2008/00842

28 Orchard Avenue Hove

Single storey extensions to side elevations.

Applicant: Mr D Wilson and Mrs C Marsh

Officer: Stephen Ssejjemba 292336

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

3) 05.03

No development shall take place until a written statement, consisting of a 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, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2008/00893

21 Nevill Avenue Hove

Certificate of lawfulness for the proposed development of a single storey rear extension.

Applicant: Sam Cuthbertson

Officer: Wayne Nee 292132

Approved on 06/05/08 DELEGATED

BH2008/00893

21 Nevill Avenue Hove

Certificate of lawfulness for the proposed development of a single storey rear extension.

Applicant: Sam Cuthbertson

Officer: Wayne Nee 292132

Approved on 06/05/08 DELEGATED

1) UNI

Certificate of lawfulness for the following reason:

The proposed rear extension has an approximate volume of 14.7m³ and is therefore permitted under Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) Order 1995 (as amended).

WESTBOURNE

BH2008/00174

2 Langdale Gardens Hove

Conversion of loft into studio flat.

Applicant: Mrs Dunnett

Officer: Jonathan Puplett 292525

Refused on 28/04/08 DELEGATED

1) UNI

Policy QD27 of the Brighton and Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and / or adjacent residents. The proposed new flat located in the roof space of the building would not provide an acceptable standard of accommodation for future residents. The rooms are dictated by roof pitches that reduce the amount of habitable floor area, and the rooms rely on rooflights for outlook. The proposal would be detrimental to the amenities of the future occupants and contrary to policies QD3, HO4 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

Users of the existing first floor rear roof terrace which is to be attached to the proposed new flat would have direct views into the rear windows of the first floor flat, and would also create an unacceptable level of potential noise disturbance for residents of the first floor flat. This element of the proposal is therefore also contrary to policy QD27 of the Brighton and Hove Local Plan.

3) UNI3

Policy TR1 of the Brighton and Hove Local Plan requires that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling. Insufficient supporting information has been submitted as part of the application in this regard. The proposal appears to make no provision for the increase in traffic likely to be generated and will result in an increased demand for on-street parking in an area where provision is limited.

4) UNI4

The applicant has failed to demonstrate that the scheme would incorporate measures to ensure a satisfactory level of sustainability the council would reasonably expect; the main room would benefit from limited daylight levels due to a reliance on rooflights, and the proposed bathroom is internal, contrary to policy SU2 of the Brighton & Hove Local Plan.

5) UNI5

It is not clear that cycle storage could be accommodated in the space proposed without blocking access to the rear ground floor flat. In the absence of a correct and feasible scheme for cycle storage, the proposal is contrary to policy TR14 of the Brighton and Hove Local Plan.

BH2008/00296

Flat 1 34 Sackville Road Hove

Replacement of existing rear window and installation of french doors.

Applicant: Mr Paul Glock

Officer: Wayne Nee 292132

Approved on 28/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 13.02A

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 and to comply with policy HE6 of the Brighton and Hove Local Plan.

BH2008/00422

Garden Flat Stride House 18 Pembroke Crescent Hove

Installation of roof lantern on rear kitchen flat roof.

Applicant: Sylvia Palermo

Officer: Wayne Nee 292132

Approved - no conditions on 28/04/08 DELEGATED

BH2008/00505

47 Pembroke Crescent Hove

Proposed single storey rear extension.

Applicant: Mr & Mrs P Seaton

Officer: Jonathan Puplett 292525

Approved on 29/04/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

2) 13.02A

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 and to comply with policy HE6 of the Brighton and Hove Local Plan.

BH2008/00655

174 Portland Road Hove

Conversion of upper floors Maisonette into one 1-bed flat and one two bed flat. Rear single storey extension to provide store for ground floor shop and refuse and cycle stores for flats above. Insertion of rear rooflight. Extension to rear dormer.

Applicant: Mr Bill Packham

Officer: Clare Simpson 292454

Report from:

17/04/2008 to: 07/05/2008

Refused on 28/04/08 DELEGATED

1) UNI

The proposal is contrary to policy HO9 of the Brighton and Hove Local Plan, which seeks to retain small family dwellings and which only permits the conversion into additional residential units if a dwelling has a floor area of more than 115m² or more than three bedrooms. Consequently this property is not of sufficient size to be considered suitable for further subdivision, and as such the principle of the development is unacceptable. In addition although a two-bed flat would be retained in the property, this unit appears to be cramped offering a poor standard of accommodation, which is symptomatic of an overdevelopment of the site.

2) UNI2

The proposed dormer window extension and alterations result in the dormer window being constructed from the eaves of the property, disrupting the original roof form. In addition the reduction in the glazing of the dormer window emphasises the bulky form of the dormer window. The extension fails to respect the existing features of the property development is therefore contrary policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Guidance on Roof Alteration and Extensions.

BH2008/00682

35 Channings 215 Kingsway Hove

Replacement UPVC windows to front elevation.

Applicant: Mrs E Roberts

Officer: Stephen Ssejjemba 292336

Refused on 18/04/08 DELEGATED

1) UNI

Policy QD14 of Brighton and Hove Local Plan relates to all development and states that all development should be well designed and use material sympathetic to the parent building. The design of part of the proposed front windows relying on buttom-hungs which are uncharacteristic of the majority of flats on the block, would appear incongruous, resulting in unsympathetic replacement to the parent building and inconsistent appearance with the rest of the windows on the building failing to comply with the above policy, causing significant harm to the character and appearance of the building and the surrounding area as a whole.

BH2008/00735

86 Cowper Street Hove

Certificate of Lawfulness for proposed alterations, loft conversion with rear dormer and front rooflights, and reinstatement of front bay windows.

Applicant: John Francis

Officer: Jason Hawkes 292153

Refused on 23/04/08 DELEGATED

BH2008/00783

76 Coleridge Street Hove

Certificate of lawfulness for proposed single storey extension at the rear.

Applicant: Mr E Tyndale Biscoe and Miss C Rhodes

Officer: Stephen Ssejjemba 292336

Report from:

17/04/2008 to: 07/05/2008

Refused on 28/04/08 DELEGATED

BH2008/00830

23 Braemore Road Hove

Certificate of Lawfulness for proposed roof extension to form side and rear dormers and a front roof light.

Applicant: Mr & Mrs C O'Ragan

Officer: Stephen Ssejjemba 292336

Approved on 01/05/08 DELEGATED

WISH

BH2008/00113

Portslade Railway Station Portland Road Hove

Electrical renewal work to station building. Replacement of lighting columns and re-clamping of existing columns.

Applicant: Network Rail (Infrastructure) Limited

Officer: Ray Hill 292323

Approved on 02/05/08 DELEGATED

1) 01.05AA

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

Wherever possible the new cabling shall be concealed within existing trunking, or under floors or in ceiling voids or chased in and the walls made good. Where it is not feasible to do this, new surface mounted cable trunking shall be routed unobtrusively in locations to be agreed on site with a representative of the Local Planning Authority. On the exterior of the building and in public internal areas surface mounted trunking shall be of steel.

Reason: To ensure the satisfactory preservation of this Listed Building and to comply with policy HE1 of the Brighton & Hove Local Plan

3) UNI

All trunking and cabling shall be painted to match the existing structures and buildings.

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 new lamp posts shall be painted to match the existing ones.

Reason: to ensure the satisfactory preservation of this Listed Building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2008/00363

36 Boundary Road Hove

Conversion of shop and store rooms with residential accommodation to form a front ground floor retail unit, a one-bedroom ground floor flat with basement room, a three

bedroom first/second floor maisonette, and a one bedroom cottage to the rear of the premises.

Applicant: Mr P Fowle
Officer: Clare Simpson 292454
Refused on 17/04/08 DELEGATED

1) UNI

The proposal involves the loss of 121.4m² of retail floor space in the Town and District Shopping Centre where current policies require planning applications to preserve the vitality of the shopping area. The applicant has failed to demonstrate that retail use is no longer viable and the resulting small retail unit is cramped with no storage. The proposal to change the retail space to residential is contrary to the vitality of the shopping area and contrary to policy SR5 of the Brighton and Hove Local Plan.

2) UNI2

The construction of a one-bed cottage deep within the curtilage of the site, relying on a contrived and lengthy access in close proximity to a separate residential unit is inappropriate form of development, detrimental to the residential amenity of future occupiers. The proposal is an overdevelopment of the site contrary to policies QD3, HO3, and HO4, and QD27 of the Brighton and Hove Local.

3) UNI3

The applicant has failed to demonstrate how the development will fully meet sustainability objectives in terms of efficiency in use of energy and materials and the accommodation is poorly served in terms of natural light and ventilation. In addition adequate refuse and recycling facilities have not been provided. The proposal is therefore contrary to policy SU2 of the Brighton Local Plan.

4) UNI4

Policy HO13 of the Brighton and Hove Local Plan requires new residential dwellings to be built to a lifetime homes standard whereby the accommodation can be adapted to meet the needs of people with disabilities without major structural alteration. No information has been submitted with application to comply with the requirements of policy HO13 have been met.

5) UNI5

Policy TR1 of the Brighton & Hove Local Plan requires applicants to provide for the travel demands that their development proposals create and maximise the use of walking and cycling. No information has been submitted to show how the proposal can meet the travel and transport demands created by the additional units. The proposal would therefore be contrary to policies TR1, TR14 and TR19 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note BH4

BH2008/00621

15 Brittany Road Hove

Proposed single storey rear extension.

Applicant: Mrs Joanne Buck
Officer: Wayne Nee 292132
Refused on 28/04/08 DELEGATED

1) UNI

Policy QD14 of the Brighton and Hove Local Plan requires extensions and alterations will only be granted if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed single storey

Report from:

17/04/2008 to: 07/05/2008

rear extension, by virtue of its location adjacent to the boundary with no. 13 Brittany Road, fails to take into account its relationship with the adjoining semi detached property, and represents an addition which would, in accumulation with the existing two storey rear extension, result in a significant loss of outlook and a heightened sense of enclosure to no. of 13 Brittany Road. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

BH2008/00921

Flat 1 25 Boundary Road Hove

Proposed single storey rear extension to provide additional bedroom.

Applicant: Mr A Haagman

Officer: Wayne Nee 292132

Approved on 02/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00957

43 Marmion Road Hove

Proposed single storey rear extension with lean-to roof.

Applicant: Dr Jackie O'Reilly

Officer: Wayne Nee 292132

Approved on 06/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.

BH2008/00963

234 New Church Road Hove

Demolition of existing garage and construction of access staircase to first floor level with ground floor extension below. Replacement of window with door and fence/wall.

Applicant: Mr Gary Peltzer-Dunn

Officer: Jonathan Puplett 292525

Approved on 06/05/08 DELEGATED

1) 01.01AA

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

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 and Hove Local Plan.