



**Brighton & Hove
City Council**

Plans List

PLANNING COMMITTEE

2.00PM, WEDNESDAY, 15 DECEMBER 2010

COUNCIL CHAMBER, HOVE TOWN HALL

**BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT**

**PLANS LIST
PLANNING COMMITTEE
Date: 15th December 2010**

TREES - Recommendations

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

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SUBSTANTIAL OR CONTROVERSIAL DEVELOPMENT OR DEPARTURES FROM POLICY

	Application Number	Area	Ward	Address	Proposal	Recommendation	Page
A	BH2010/03259	East	Moulsecomb & Bevedean	Woollards Field, Lewes Road, Falmer	Construction of a 1-3 storey archive centre comprising lecture and educational facilities, reading room, conservation laboratories, archivist study areas, offices, cleaning and repair facilities for archives, repository block and refreshment area. Associated energy centre, car, coach and cycle parking, waste and recycling storage, landscaping including public open space and access.	Minded to Grant	15
B	BH2010/01684	West	South Portslade	Aldi Store, 2 Carlton Tce	Application for variation and removal of conditions to application BH2006/00834 to vary condition 5 to allow an extended delivery period at the store, vary wording of condition 4 to allow the premises to trade to the public between 8.00 and 20.00 hours and for ancillary activities to take place outside of these hours when the store is closed to the public, vary condition 16 to reduce free car	Split decision: Grant planning permission to vary conditions 4 & 5, Refuse planning permission to remove and vary conditions 15 & 16	52

					parking to all visitors of the Portslade Shopping Centre from 3 hours to 1 hour, removal of condition 15 in order not to provide 5 resident parking spaces.		
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MINOR APPLICATIONS

	Application Number	Area	Ward	Address	Proposal	Recommendation	Page
C	BH2010/03061	West	Withdean	25 Hazeldene Meads	Proposed roof extension incorporating additional rooflight to front.	Grant	69
D	BH2009/03105	West	Central Hove	Medina House, Kings Esplanade	New build 9 storey development including 9 residential units, ground and first floor restaurant and basement parking.	Refuse	76
E	BH2009/03120	West	Central Hove	Medina House, Kings Esplanade	Demolition of existing building.	Refuse	93
F	BH2010/02315	West	Brunswick & Adelaide	Intergen House, 65-67 Western Road	Removal of 5no existing antennas and replacement with 5no antennas and installation of an additional equipment cabinet at ground level.	Grant	99
G	BH2010/01418	West	Hove Park	7 Orchard Road	Erection of a two storey side extension incorporating existing garage and roof alterations and enlargement of existing first floor side extension.	Refuse	
H	BH2010/01967	West	North Portslade	Land adjacent 481 Mile Oak Road	Erection of 2no three bedroom semi-detached dwelling houses with off-street parking.	Minded to Grant	
I	BH2010/03359	West	Withdean	31 Maldon Road	Creation of additional floor at second floor level to create one 2no bedroom flat incorporating part mansard roof and Juliet balconies to front.	Grant	

J	BH2010/01805	East	East Brighton	Donald Hall Road & Chadborn Close	Installation of over-cladding with external insulation on 12 residential blocks of flats (Bluebell, Daisy, Stonecrop, Clematis, Magnolia, Sunflower, Sundew, Saffron, Hyssop, Pennyroyal, Chervil and Thyme).	Grant	
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Determined Applications:

Page

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: BH2010/03467 **Ward:** Woodingdean
Address: 45 Crescent Drive North
Proposal: To fell 1 x Aesculus hippocastanum (Horse Chestnut), 1 x Betula pendula (Silver Birch), 1 x Fagus sylvatica (Beech) covered by Tree Preservation Order (No. 12) 1986.
Officer: Di Morgan, tel. 01273 292929
Date Received: 28 October 2010
Applicant: R W Green Ltd, Lewes

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.

3 Description of the Application Site

3.1 The trees the subject of this application are all situated in the front garden of 45 Crescent Drive North.

4 Proposal

4.1 The applicant wishes to fell the Horse Chestnut as it is heavily infested with Camararia orhidella (Horse Chestnut Leaf Miner), which has lead to significant premature leaf drop. A stem wound is present at 300 mm above ground level, decay detection with a sounding mallet indicated no structurally significant decay at this point. A level change between the adjacent highway in Treetops Close and the ground level of the site is facilitated by a brick retaining wall. The wall is displaying signs of significant displacement as a result of soil desiccation and root movement. This is further exacerbated by the semi-mature yew hedging surrounding the front garden but primarily is attributable to the tree. This tree needs to be removed to facilitate re-landscaping of the front garden, the applicant states that extensive replacement planting will be undertaken with species conducive to inclusion in urban landscape schemes.

4.2 The applicant wishes to fell the Silver Birch, stating it is a mature tree and fair specimen located centrally within the front garden. It

is drawn up by the surrounding vegetation and largely invisible from ground level with the majority of the canopy forming above the surrounding lower canopy level. Deadwood up to 50 mm diameter is present on the main stem. Again, the tree needs to be removed to facilitate re-landscaping of the front garden, the applicant states that extensive replacement planting will be undertaken with species conducive to inclusion in urban landscape schemes.

- 4.3 The applicant wishes to fell the Beech, stating it is an early-mature fair specimen located at the northern end of the tree group closest to the property. The main stem bifurcates at 6m above ground level forming a co-dominant canopy structure from an included bark union. Due to the proximity of this tree to the adjacent property and the structural defect it is not a sustainable individual and will be the subject of repeat application to the Local Authority for heavy pruning. Again, the tree needs to be removed to facilitate re-landscaping of the front garden, the applicant states that extensive replacement planting will be undertaken with species conducive to inclusion in urban landscape schemes.

5 Relevant Planning History

- 5.1 None.

6 Considerations

- 6.1 The Horse Chestnut is approximately 12 metres high with a crown spread of 10 – 11 metres. Horse Chestnut Leaf Miner (*Camararia orhidella*) affects the leaves of the tree and whilst it may be detrimental to the tree, it does not affect the structural stability of the tree. As stated by the applicant, there is a stem wound at 300 mm above ground level, but there would appear to be no structurally significant decay at this point. It is likely that the brick retaining wall has been damaged by the root activity of the Horse Chestnut. However, the wall will need to be repaired regardless of whether the tree stays or is felled, and therefore it was felt by the Inspecting Officer that the tree could remain in situ and the wall be rebuilt around it. Engineering solutions could be sought at the time of the rebuilding of the wall that would minimise the likelihood of future root damage.
- 6.2 The Silver Birch is approximately 15 metres high with a crown spread of 8 – 9 metres. The tree is drawn up as it has grown amongst the other trees the subject of this application. The deadwood appears to be minimal at this stage and could be pruned out.
- 6.3 The Beech is approximately 13 metres high with a crown spread of 6 – 7 metres. There is a weak union at approximately 6 metres

and the tree may be closer to the property than is ideal, however, both of these issues could be overcome by regular judicial pruning.

- 6.4 None of the above trees had visible defects at the time of the inspecting officer's visit that could not be overcome by an appropriate pruning regime.
- 6.5 No loss or damage is likely to occur if the application is refused (the wall has already been damaged).

7 Conclusion

- 7.1 The trees the subject of this application are of high public amenity value, being in the front garden of the property which is on the corner of 45 Crescent Drive North and Treetops Close.
- 7.2 The structural defects mentioned in the above trees are not of a nature that the trees need to be felled. A regular maintenance regime for the trees would sufficiently reduce the risk of the structural defects mentioned failing in an uncontrolled manner.
- 7.3 The Inspecting Officer agrees that the Horse Chestnut is likely to be the cause of the cracking in the brick wall, however, in the main it would appear that only the expansion joints have cracked. This wall could be rebuilt and the tree remain in situ.
- 7.4 The front garden could be re-landscaped and the trees remain in situ, however, it is appreciated that the options for landscaping are severely restricted.

BH2010/03467
45 Crescent Drive North



The trees the subject of this application.

Expanded expansion joints.



Front garden of 45 Crescent Drive North showing the trees covered by Tree Preservation Order.



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BH2010/03467 45 Crescent Drive North



Martin Randall

Martin Randall
Acting Director of Environment

PLANS LIST 15 December 2010

BRIGHTON AND HOVE CITY COUNCIL

LIST OF APPLICATIONS DETERMINED BY THE HEAD OF CITY INFRASTRUCTURE UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION

PATCHAM

Application No: BH2010/03339
36 Church Hill

1 x Silver Birch - 30-40% reduction of the side of the tree overhanging neighbouring garden

Applicant: Mr Iain Palmer
Approved on 19 Nov 2010

REGENCY

Application No: BH2010/03510
Osprey House, Sillwood Place

1 x Sycamore - 20% reduction. 1 x Poplar - 20% thin.

Applicant: Mr Duncan Armstrong
Approved on 19 Nov 2010

WITHDEAN

Application No: BH2010/03340
5 Croft Road

3 x Yew - crown lift to 4m. 1 x Holly - crown lift to 4m. 1 x cluster of Sycamores - crown lift to 4m

Applicant: Mr Iain Palmer
Approved on 19 Nov 2010

HANOVER & ELM GROVE

Application No: BH2010/02959
Brighton & Preston Cemetery

2 x Elm - crown lift light growth to 4m, prune back growth over archway to suitable growth points.

Applicant: Downs Crematorium
Approved on 22 Nov 2010

QUEEN'S PARK

Application No: BH2010/03288
Park View, 30 West Drive

3 x Elm - reduce canopies by up to 20%, clear epicormic regrowth. 1 x Elm - reduce extended branches by up to 3m and balance canopy.

Applicant: Mr James Cox
Approved on 26 Nov 2010

BRUNSWICK AND ADELAIDE

Application No: BH2010/03509
3 Norfolk Road

1 x Elm - reduce by 20% and reshape area around broken branch. 1 x Sycamore - reduce by 3m away from property to the west.

Applicant: Mr Duncan Armstrong
Approved on 19 Nov 2010

CENTRAL HOVE

Application No: BH2010/03515
11 Seafield Road

Fell 1 x Elm - no public amenity value

Applicant: Chaffin Tree Surgery
Approved on 17 Nov 2010

Application No: BH2010/03517
19 Sackville Road

5 x Elms (T1-T5) - reduce by 20%. 4 x Elms (T6-T9) - reduce by 30% and thin by 15-20%. 1x Conifer (T10) - reduce by 30%.

Applicant: Mr Charles Irving
Approved on 17 Nov 2010

GOLDSMID

Application No: BH2010/03464
Holy Trinity Church, Blatchington Road

1 x Elm - cut back 2 branches to provide space over the top of aerial of bus information board

Applicant: Ms Lesley Baker
Approved on 17 Nov 2010

HANGLETON & KNOLL

Application No: BH2010/03463
14 Meads Avenue

1 x Cherry - thin crown by 10%, reduce and reshape crown by 20% to rebalance crown.

Applicant: Mr Seaton
Approved on 19 Nov 2010

HOVE PARK

Application No: BH2010/03546
Clayton House, 17 Tongdean Road

6 x Elms - crown reduction by 1 1/2 metres, reduce height of trees by 1 metre and remove any dead branches.

Applicant: Mr Emilio Savvides
Approved on 26 Nov 2010

WESTBOURNE

Application No: BH2010/03016
39 Pembroke Crescent

1 x Robinia - reduce by 6 ft in height and reshape

Applicant: Mr Niyall Thompson
Approved on 17 Nov 2010

Application No: BH2010/03252
29/31 New Church Road

1 x Elm - 30% reduction

Applicant: Mr J Hatch
Approved on 17 Nov 2010

WISH

Application No: BH2010/03476

4 Woodhouse Close

1 x Beech - maximum 30% crown reduction to conform to BS 3998

Applicant: Mr Michael Mullan

Approved on 19 Nov 2010

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

<u>No:</u>	BH2010/03259			<u>Ward:</u>	MOULSECOOMB & BEVENDEAN
<u>App Type:</u>	Full Planning				
<u>Address:</u>	The Keep, Woollards Field, Lewes Road, Falmer, Brighton				
<u>Proposal:</u>	Construction of a 1-3 storey archive centre comprising lecture and educational facilities, reading room, conservation laboratories, archivist study areas, offices, cleaning and repair facilities for archives, repository block and refreshment area. Associated energy centre, car, coach and cycle parking, waste and recycling storage, landscaping including public open space and access.				
<u>Officer:</u>	Maria Seale, tel: 292322	<u>Valid Date:</u>	15/10/2010		
<u>Con Area:</u>	Adjoining Stanmer	<u>Expiry Date:</u>	14/1/2011		
<u>Agent:</u>	Kier Southern, Longley House, International Drive, Southgate Avenue Crawley				
<u>Applicant:</u>	East Sussex County Council, County Hall, St Annes Crescent, Lewes				

1 RECOMMENDATION

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

Section 106

- **Sustainable transport enhancements** including disabled access; bus stop enhancements; real-time bus information; a fallback payment of £28,000 towards other sustainable measures if these bus stop improvements cannot be implemented; pedestrian and cycle link improvements.
- **Travel Plan.**
- **Highway works** comprising installation of a loop on the A27/A270 slip road designed to control vehicle queue lengths.
- **New public informal open space** provision including maintenance for first 5 years then transferral to Council ownership plus sum of £13,781 for further 25 years maintenance.
- **Construction environmental management plan (CEMP).**
- **Local training and employment strategy** to include a commitment to employing 20% of construction workforce from the local area.
- **Public art** provision on the front elevation of the building to an equivalent cost of £12,000.

and to the following Conditions and Informatives:

Conditions

Regulatory Conditions:

1. BH01.01 Full Planning.

2. The development hereby permitted shall be carried out in accordance with the approved drawings no.PL01(B), PL02(E), PL03(E), PL04(E), PL05(D), PL06(D), PL08(C), PL10(C), PL11(C), PL12(D), PL13(C), PL14(C), PL15(C), PL16(D), PL17(B), PL18(B), PL19(B), PL20(C), PL21(C), PL23(C), PL24(B), PL25(D), PL26(D), PL27(C), PL28(C), PL29(D), PL30(D), PL31(D), PL32(D), PL33(C), PL34(C), PL35(C), PL37(B), PL38(B), PL39(B), PL43(B), PL44(B), PL45(B), LLD291/01 Rev 08, LLD291/02 Rev 06 and LLD291 03 Rev 07 received on 15/10/10 and PL41(B) and PL42(B) received on 18/10/10.

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

3. The main Keep building and car park hereby permitted shall not be open to visitors (excluding staff) except between the hours of 09.00 and 22.00, and there shall be no loading or unloading of vehicles on the site outside of the opening times.

Reason: To safeguard the amenities of the locality and avoid conflict with surrounding uses, to comply with policies SU10, QD27 and TR7 of the Brighton & Hove Local Plan.

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

Reason: In the interests of pollution control, to comply with policy SU10 of the Brighton & Hove Local Plan.

5. The soft landscaping and ecological measures within the development which include provision of new native woodland tree planting, native hedgerow planting, native wildflower grassland and bird and bat boxes, shall be carried out in accordance with the submitted Lizard Landscape Design Landscaping and Ecology Strategy and Outline Plant Specification and Landscape and Ecological Scheme 10 Year Long-Term Maintenance Plan (October 2010) except with regard to the following:

- proposed planting on the north/north-western boundary of the site adjacent to Lewes Road
- proposed plant species for the green roof
- proposed hedgerow around north-east woodland copse adjacent to the balancing pond
- provision of a wildlife pond or other ecological measure to be agreed

A further soft landscaping/ecological scheme which shall include details of dense tree planting for this northern boundary, details of green roof planting incorporating nutrient poor chalk top soil, omission of the north-east hedgerow and details of a new wildlife pond or other ecological

measure within the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The soft landscaping and ecological measures within the site shall be carried out as per the agreed details unless otherwise agreed in writing by the Local Planning Authority. **Reason:** In the interests of the visual amenity of the locality and as additional landscaping is required for the northern boundary to help screen and soften the development, and for biodiversity, to comply with policies QD15, QD16, QD17 and QD18 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

6. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 7 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. The foliage immediately adjacent to the proposed cycleway/footway within the site shall be maintained to a height of no more than 1 metre and the tree canopies in this location shall be maintained no lower than 2 metres. The landscaping and ecological measures on the site, including green roofs, shall be maintained in perpetuity.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and for biodiversity and crime prevention, to comply with policies QD1, QD15, QD16, QD17, QD18 and QD7 of the Brighton & Hove Local Plan.

7. The felling of trees shall be carried out in accordance with the measures in Section 4 of the Ash Partnership Bat Roost Assessment Report July 2009 submitted as part of the Addendum to Ecology and Landscape Strategy on 29th November 2010 and the felling shall be in accordance with the requirements of the Habitats Regulations 2010.

Reason: In the interests of biodiversity to ensure potential bat roosts are properly managed, to comply with policy QD18 of the Brighton & Hove Local Plan.

8. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

9. All construction works in the vicinity of retained trees on the site shall be carried out in accordance with the mitigation measures contained in Section 8 of the Lizard Landscape Design Arboricultural Assessment Report October 2010 unless otherwise agreed in writing by the Local Planning Authority. Construction methods shall comply with BS 5837 (2005) Trees in Relation to Construction, NHBC Building Standards Chapter 4.2 – Building Near Trees, the AAIS Arboricultural Practice Note

No 1 Driveways Close to Trees and NJUG10 Guidelines or the Planning Installation and Maintenance of Utility Services in Proximity to Trees.
Reason: To ensure the trees within the site are adequately protected in the interests of visual amenity and biodiversity to comply with policies QD15, QD16, QD17 and QD18 of the Brighton & Hove Local Plan.

Pre-Commencement Conditions:

10. No development shall take place until a scheme for the protection and translocation of reptiles, including reptile exclusion fencing, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to any works commencing on site.

Reason: To ensure reptiles are adequately protected in the interests of biodiversity, to comply with policies QD17 and QD18 of the Brighton & Hove Local Plan.

11. No development shall take place until the tree protective fencing scheme for protecting retained trees during construction has been implemented as contained within Section 8 of the Lizard Landscape Design Arboricultural Assessment Report October 2010, unless otherwise agreed in writing by the Local Planning Authority. The scheme shall ensure all measures are in accordance with BS 5837 (2005) Trees in Relation to Construction. The fencing shall be erected prior to the commencement of all works on site and retained in place throughout construction. The fencing shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and for biodiversity to comply with policies QD1, QD15, QD16, QD17 and QD18 of the Brighton & Hove Local Plan

12. BH03.01 Samples of Materials Non-Cons Area (new buildings).

13. No development shall take place until large scale plans and further information regarding architectural details within the scheme including the frieze on the external elevations of the repository block, the louvres, the parapet detail and junctions where contrasting materials meet 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 a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan.

14. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for hard landscaping, which shall include all hard surfacing throughout the site and means of enclosure including fences, walls, barriers, bollards and gates. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

15. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details.
Reason: To enable the recording of any items of historical or archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within PPS 5 'Planning for the Historic Environment'; and Policy HE12 of the Brighton & Hove Local Plan.

16. No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate measures which will be undertaken to protect public sewers and water mains. The approved measures shall be implemented.

Reason: To protect drainage and water supply apparatus, to comply with policies SU3 and SU5 of the Brighton & Hove Local Plan.

17. No development approved by this permission shall be commenced until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The drainage works shall be completed in accordance with the details.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies SU3, SU4 and SU5 of the Brighton & Hove Local Plan.

18. No development shall take place until details of the proposed rainwater harvesting system have been submitted to and approved in writing by the Local Planning Authority. The details shall include a maintenance regime for the system. The approved details shall be implemented.

Reason: To protect the public water supply and avoid cross contamination to comply with policies SU3, SU4 and SU5 of the Brighton & Hove Local Plan.

19. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A site investigation scheme based on the Preliminary Contamination Risk Assessment Report (Ashdown SI Ltd, Reference LW/19114/ds, June 2008), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2. The site investigation results and the detailed risk assessment (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in

order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.
Reason: To ensure historical contamination does not present unacceptable risks to groundwater within a highly sensitive area and ensure development proceeds in accordance with PPS 23 and policies SU3, SU4 and SU5 of the Brighton & Hove Local Plan.

20. No development of the energy centre shall take place until details of the plant proposed within it, including the proposed boiler, exit gas velocity and chimney flue have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented.

Reason: To prevent pollution to comply with policy SU9 of the Brighton & Hove Local Plan.

21. No development shall take place until detailed drawings, including levels, sections and constructional details of the proposed road treatments, access ramps, surface water drainage, outfall disposal, and street lighting to be provided, have been submitted to and approved in writing by the Local Planning Authority. The access ramps leading to the bus stop in the north-west corner of the site shall be fully accessible for the disabled and include handrails and upstand kerbs.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large and to comply with policies TR1, TR7, and TR8 of the Brighton & Hove Local Plan.

Pre-Occupation Conditions:

22. The development shall not be occupied until a scheme including the type and location of 10 bird nest boxes and 10 bat roost boxes has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first brought into use and maintained in perpetuity.

Reason: In the interests of biodiversity, to comply with policies QD17 and QD18 of the Brighton & Hove Local Plan.

23. Prior to first occupation a Drainage Infrastructure Maintenance Plan shall be submitted to and approved, in writing, by the Local Planning Authority. The plan shall include the following elements:

- Owner Responsibilities
- On-site Staff Training
- Emergency Actions
- As built drawings of the drainage systems
- inspection and Maintenance regimes of Surface Water System
- Inspection and Maintenance regimes of Foul Water System.
- Maintenance Records Management details

Reason: To protect vulnerable groundwater resources to comply with policies SU3, SU4 and SU5 of the Brighton & Hove Local Plan.

24. Notwithstanding the car parking layout as shown on the submitted drawings, no development shall place until a revised car parking layout has

been submitted to and agreed in writing by the Local Planning Authority. The revised layout shall include provision for 5 additional disabled car parking spaces to give a total of 15 unless otherwise agreed in writing by the Local Planning Authority. The approved revised car, coach and motorcycle parking areas shall be laid out and implemented prior to first occupation of the building. The vehicular parking areas shall thereafter be made available for staff and users of The Keep and for no other use. No vehicular parking other than that as laid out and shown on the approved plans shall take place within the site.

Reason: To ensure the demand for travel created by the development is met, including for the disabled, and to ensure adequate parking provision is retained, and in the interests of highway safety, to comply with policies TR1, TR7, TR18 and TR19 of the Brighton & Hove Local Plan.

25. The development hereby permitted shall not be occupied until a Car Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency. The approved Car Parking Management Plan shall be implemented.

Reason: In the interests of highway safety to comply with policy TR7 of the Brighton & Hove Local Plan.

26. The development hereby permitted shall not be first occupied until evidence has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the crime prevention measures outlined in the letter from Sussex Police dated 5th November 2010, including lighting to standards within BS5489, vehicle mitigation for out of hours, signage, peripheral physical security, an intruder alarm and secure design of the refuse and recycling store, have been implemented within the development. The crime prevention measures shall remain in perpetuity.

Reason: To reduce the opportunities for crime, to comply with policy QD7 of the Brighton & Hove Local Plan.

27. The development hereby permitted shall incorporate the sustainable measures contained in the Sustainability Planning Report including use of solar thermal and photovoltaic arrays, a biomass boiler and rainwater harvesting. The development shall not be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 70% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

28. Notwithstanding the details shown, the development hereby permitted shall not be first occupied until details of secure, covered cycle parking facilities for staff and visitors to the development hereby approved, for a minimum of 20 spaces, 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 and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and for crime prevention to comply with policies TR14 and QD7 of the Brighton & Hove Local Plan.

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

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and in the interests of sustainability to comply with policies SU2, SU14 and QD27 of the Brighton & Hove Local Plan.

Informatives

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

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

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
TR8	Pedestrian routes
TR12	Helping the independent movement of children
TR14	Cycle access and parking
TR15	Cycle network
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 sewage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
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

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QD6	Public art
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD19	Greenways
QD25	External lighting
QD27	Protection of Amenity
QD28	Planning Obligations
EM2	Sites identified for high-tech and office uses
EM3	Retaining the best sites for industry
NC3	Local Nature reserves
NC5	Urban fringe
NC7	Sussex Downs Area of Outstanding Natural Beauty
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty
HE6	Development within or affecting the setting of conservation areas
HE11	Historic parks and gardens
HE12	Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste
SPD06 Trees & Development Sites
SPD08 Sustainable Building Design
SPD11 Nature Conservation & Development; and

(ii) for the following reasons:

There is a demonstrable need for improved archive and record storage facilities. The proposal would provide an enhanced public facility and promote greater access and interest and is a culturally important facility. The proposal would generate employment. The proposal has demonstrated that there is potential on the remainder of Woollards Field to satisfactorily accommodate a significant B1 development. The design is satisfactory and will have an acceptable landscape impact including upon designated heritage and landscape assets. The scheme will be highly sustainable and will meet BREEAM excellent. The demand for travel will be satisfactorily met. The proposal will conserve and enhance biodiversity. Important trees will be retained and adequately protected. Flood risk would not be increased and adequate drainage will be provided. Archaeology assets will not be compromised by the proposal. The proposal will not compromise air quality or cause light or noise pollution. Crime prevention measures will be incorporated. The

development is subject to conditions and Section 106 obligations that will ensure the proposal meets Local Plan policy and ensure any potential adverse effects are satisfactorily mitigated against.

2. IN05.06A Informative BREEAM.
3. IN05.07A Informative - Site Waste Management Plans.
4. Any hedge planted adjacent to Network Rail's boundary fencing should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. A list of tree species that are permitted is available on request from Mike Smith, Network Rail, 1 Eversholt Street, London NW1 2DN.
5. The applicant/developer is required to enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service the development.
6. The applicant/developer is advised to have due regard to the advice contained within the enclosed letter and plan from Southern Gas Networks dated 3rd November 2010 to ensure the development does not cause undue damage to gas plant.

2 THE SITE

Woollards Field is located south-west of the Southern Water offices on the A270 at Falmer. It is a rectangular grassed field between the A270 and railway line. It was last used as overflow playing fields for schools and was declared surplus to requirements in 1990. The site is owned by East Sussex County Council (ESCC).

The site is relatively flat and contains a number of mature trees within it, some of which are covered by a Tree Preservation Order, notably a line of mature hornbeams adjacent to the railway embankment.

The site is within the defined built up area and is allocated for hi-tech and office uses under policy EM2 of the Local Plan.

3 RELEVANT HISTORY

Planning History:

The above permissions have been renewed to 'keep them alive' every few years since. The last renewal applications submitted in 2005 (refs **BH2005/01879/FP** & **BH2005/01934/FP**) are currently being held in abeyance and have not been determined. In 2004 an application for 10,000sqm B1 office development was submitted (ref **BH2004/03066**) and this also remains in abeyance. The main reasons why work on these most recent applications has been 'frozen' is due to potential conflicts with the Falmer Community Stadium development (primarily due to access arrangements) and due to the

current proposals for The Keep.

97/0003/RM Submission of Reserved Matters (including siting, design and external appearance). Approved 14/7/97.

1291/CC Outline application for 5,000sqm business development with 167 car spaces and a landscaped environmental strip/informal play area. Approved 28/4/93

Background to The Keep project:

The existing East Sussex County Council Records Office is based at The Maltings in Lewes and was set up in 1949. ESCC is responsible for the archives and records for Brighton & Hove. It is currently primarily. In 2003 and 2006 inspections by The National Archive, the regulatory body for historic archives and public records, were highly critical of the current accommodation and the licence to hold public records was granted only on the condition that there is progress towards a new record office on a single site within 5 years. There is a legal obligation for public access to records and currently the arrangements for care and access to the collections do not meet the standards of The National Archives.

In 2006 this led to development of 'The Keep' project to house the archives and records of ESCC, BHCC and the University of Sussex in one purpose built modern facility. A Joint Project Board was set up to oversee the project attended by council officers and councillors. Following a thorough county-wide site search, Woollards Field was selected as it was felt to best meet the criteria required for such facilities.

Since autumn last year a series of pre-application discussions have taken place with council officers and consultees and the scheme was presented to Planning Committee Members in July this year. The pre-application process has influenced the final scheme.

4 THE APPLICATION

Planning permission is sought for a 1-3 storey building of contemporary design to be used as a historic records and archive centre for East Sussex, Brighton & Hove and the University of Sussex.

The Keep will be a public facility and include the following:

- lecture and educational facilities
- a reading room
- conservation laboratories
- archivist study areas
- offices
- cleaning and repair facilities for archives
- a repository block
- a refreshment area (café and area for people to bring own refreshment)

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- a biomass energy centre
- car, coach and cycle parking (total 59 car parking spaces)
- waste and recycling storage
- landscaping
- new public open space
- new access road
- a new footpath and cycleway through and leading to the site

The Keep would house historic records and archives from Brighton & Hove City Council, East Sussex County Council and the University of Sussex. The collections would be of local, regional, national and international interest including the internationally renowned Mass Observation Archive. The Keep would also include the library and headquarters of the Sussex Family History group.

The type of records to be held include written records, maps, plans, photographs, films, prints, drawings, oral histories and digital and electronic records.

As well as the general public, school, colleges, universities, volunteers, community groups and local organisations would access the collections. It is anticipated that the proposal will generate approximately 16,000 visitors after year 1 and approx 19,500 visitors after year 5. It is expected that the scheme will employ 35 people (some of which will be new rather than transferred jobs).

The development incorporates sustainable building measures including solar thermal and photovoltaic arrays, rainwater harvesting and green roofs. The application includes a Pre-BREEAM Assessment that demonstrates the development is capable of achieving an 'excellent' rating. The proposal includes capacity for the next 20 years and includes the potential for future expansion after that if required.

The tallest element (the repository block) will be 14 metres high and the equivalent of approx. 4-storeys. The building is in effect split into two parts – the 'people block' and the 'repository' block. The total floor area would be 5453 sqm. The building is proposed to be partly rendered and partly brick. An 'information frieze' wrapping around the repository block is proposed comprised of cast panels of images sourced from the archives. An art/media wall is proposed to the front elevation.

The Keep is located on part of Woollards Field, towards the north-east of it. The application includes an illustrative masterplan showing potential development land for B1 office use to the south-west – but this does not form part of the application.

The application contains the following supporting documents:

- Planning Statement

- Design and Access Statement
- Landscape Character and Visual Impact Assessment
- Photomontage Images and Locations
- Landscape and Ecological Strategy and Outline Plant Specification
- Landscape and Ecological Scheme 10 Year Long- Term Management Plan
- Transport Assessment
- Flood Risk Assessment
- Noise Report
- Archaeological Desk Based Assessment
- Arboricultural Assessment Report
- SMART Waste Plan
- Sustainability Pre-Planning Report
- Energy Centre Pre-Planning Report
- External Lighting Pre-Planning Technical Report
- Land Contamination Risk Assessment Report
- Construction Environment and Management Plan
- Statement of Community Involvement

5 **CONSULTATIONS**

Internal

Neighbours: 1 letter of support from **139 Thorndean Road** on grounds that the Keep will be an asset to the area and the city as well as the two universities and school/academies in the city.

Brighton & Hove Albion Football Club: No response received.

University of Brighton: No response received.

University of Sussex: No response received.

Southern Water (as neighbour): No response received.

Residents Groups:

Resident Association of Moulsecoomb: No response received.

North Moulsecoomb Tenants & Residents Association: No response received.

Statutory Consultees and Amenity Groups:

Brighton & Hove Bus and Coach Company: No response received.

Brighton & Hove Economic Partnership: No response received.

Brighton Urban Wildlife Group: No response received.

Bus Users UK: No response received.

Conservation Advisory Group: The development would not have significant impact on the Stanmer Conservation Area or the wider historic landscape.

Cycling England: No response received.

East Sussex County Archaeologist: The development has been subject to both archaeological desk based assessment and evaluation excavation. These have shown that the site has potential archaeological significance and therefore a condition to secure a programme of archaeological works, including a written scheme of investigation, is recommended to enable any deposits or features to be adequately recorded

East Sussex County Council (Development Control – Planning & Transport): No response received.

East Sussex Fire and Rescue Service: The application appears to satisfy necessary building and fire regulations. The choice not to use an automatic fire suppression system carries risk as reliance on passive fire safety measures could mean a significant threat to these valuable items.

EDF Energy: No objection.

English Heritage: Do not wish to offer any comments and state application should be determined in accordance with national and local policy advice, and on the basis of council's specialist advice.

Environment Agency: The site lies within a sensitive area with regard to groundwater and is also a Source Protection Zone 1. Planning permission should only be granted subject to conditions relating to site investigation and a drainage infrastructure maintenance plan. Without these, the proposed development would pose an unacceptable risk to the environment. Provided only roof water is discharged to ground within the SPZ1 area, we have no objections to the proposed drainage strategy. The preliminary Contamination Risk Assessment Report has been carried out in line with relevant guidance. The recommendations for further investigations at the site to determine any required appropriate remediation works should be carried out and relevant proposal agreed with the LPA before any site clean up works are commenced.

Falmer High School: No response received.

Falmer Parish Council: No response received.

Friends of Stanmer Park: No response received.

Garden History Society: No response received.

Highways Agency: Initial concern expressed regarding site access, parking, trip generation and distribution, background traffic flows, impact of committed development, traffic flow analysis, slip road capacity and travel plan. Following submission of further supporting information to the Transport Assessment and discussions held with the applicant, many of the issues raised have been resolved and conditions are requested to secure a Construction Environmental Management Plan, a Car Parking Management Plan, a loop to control queue lengths and a Travel Plan - in the interests of highway safety and to minimise vehicle trips on the strategic road network.

Lewes District Council (Development Control): No objection.

The National Archives: We have been consulted and informed throughout the choice of site and development of plans for The Keep. We are also aware of the efforts to make this building one of the most environmentally friendly archive buildings in the UK. We have no objection to the plans and indeed warmly welcome them as having potential to offer storage and access in line with national standards for the preservation of the unique archival material.

National Council on Archives: No response received.

Natural England: As the site is adjacent to the South Downs National Park the provisions of government policy relating to NP's applies (PPS7, circulars 12/96 and 125/77). The opinion of the NP Authority should be sought. Council's need to refer to guidance contained within our standing advice to assess the impacts associated with the development upon protected species. This application has many opportunities to incorporate features in the design that are beneficial for wildlife e.g. roosting for bats, bird nest boxes, native planting. If the application is minded to grant would recommend measures to enhance the biodiversity of the site are secured from the applicant. This accords with PPS9 and we would draw you attention to Section 40 of NERC Act 2006 which states every public authority must conserve biodiversity. Any landscaping should be of native species of local provenance and existing wildlife habitats and corridors should be retained.

Network Rail: An informative is recommended to ensure the proposed landscaping (including species of trees) close to the railway border does not damage our fencing or provide a means of scaling it or prevent maintenance.

Older Peoples Council: No response received.

SEEDA: No response received.

South Downs National Park Authority (interim): It is noted that the Landscape & Ecology Strategy was written prior to the details of the development being drawn up. It is also noted that a Landscape & Ecology Management Plan has been drawn up. Providing your ecological advisors are satisfied with the details submitted, that there will be no significant harm to

ecology, and that adherence to the Landscape & Ecology Management Plan is ensured through a condition, no objection would be raised to the proposals.

South Downs Society: It is understood that the site has previously had outline permission for 5,000sqm of B1 office development and there is a pending application for 10,000sqm office. Our primary issue is the impact that any development may have on surrounding landscape including the Stanmer Conservation Area and National Park. We welcome provision of a detailed Landscape and Visual Impact Assessment Report and note the VIA concluded there would be minimal impact on setting of National Park or Stanmer Park. Much of this appears to be supported by proposals to retain vegetation and new planting to soften and filter views. The Council needs to satisfy itself as to the extent of the landscaping and the influence over time. We welcome proposals to include two new woodland blocks to soften and filter views which we agree should help in maintaining the native, woodland character of the National park and surrounding area around the development site.

Although the impact of the development may on balance have only a slight impact on the South Downs and the National park, it would consist nonetheless of a fairly considerable new building being introduced to the landscape which, at 3 storeys in height, would be visible from the South Downs. Given that the 10,000sqm application could result in 1x4 storey building and 2x3 storey building, this application for The Keep would on balance seem to be preferable option for the land. Notwithstanding this we would ask that the council satisfy itself that the external design and appearance of the main building, which appears rather uninspiring and bland, would indeed respond sympathetically to the surrounding area including the National Park. Also we believe the current layout could be challenged as to whether the required capacity could be met by a building or buildings of say, no more than 2 storeys high.

Southern Gas Networks: A plan showing pipes owned by SGN is included for information. You will note the presence of a gas main in proximity to the site and advice regarding safe excavation is given in order to prevent damage to SGN plant.

Southern Water: Conditions are recommended to protect drainage and water supply apparatus. There are no public surface sewers in the area to serve the development. The Flood Risk Assessment indicates that the hardstanding areas including car park and main access road will discharge into foul sewer running through the site but regrettably there is inadequate capacity. The proposal development would increase flows to the public sewerage system, and existing properties and land may be subject to greater risk of flooding as a result. Additional off-site sewers, or improvements to existing, will be required and an informative is recommended to ensure the applicant enters into a formal agreement with us to provide the necessary sewerage infrastructure required to service this development. The Council's Building

Control officers should be asked to comment on the adequacy of the soakaways. A condition requiring details of foul and surface water drainage is recommended prior to commencement of development. The applicant has proposed a rainwater harvesting system that will be used for WC flushing and landscape watering – they must be installed to high standards to ensure protection of public water supply. And a condition requiring details and a maintenance regime is recommended.

Stanmer Preservation Society: No response received.

Sussex Family History Group: Fully support the proposal. The facility at The Maltings in Lewes has for many years been unfit for purpose. There is a statutory requirement for both councils to properly house their records and the proposed new building will be fully compliant and meet highest standards. In addition The Keep will provide accommodation for the Sussex Family History Group in which to house and allow access to its records, many of which are complimentary to the holdings of the two councils. The proposed site is exceptional in that is central to the catchment area served by 2 councils, is in an area given to non residential use and it will have excellent access by both road and rail.

Sussex Gardens Trust: No response received.

Sussex Past: No response received.

Sussex Police (Community Safety): Crime Prevention is a material planning consideration. The level of crime in this location is average compared to the rest of Sussex and we do not have concerns about this proposal. As a result of pre-application discussion it is pleasing to note that aspects of crime prevention have been incorporated into the Design and Access Statement. The decision to opt for landscaping to define the boundaries of the site as opposed to security fencing combined with the design and layout has created active frontage on 3 sides of the building, providing good open surveillance. Implementing suitable lighting, and CCTV will provide the capable guardian needed during out of hours. The footpath/cycleway through to Ashurst Road will need clear lines of observation with ground foliage no higher than 1 metre and tree canopies no lower than 2 metres. It is to be lit to the relevant standards as defined in BS 5489. Vehicle mitigation out of hours will be considered in the form of bollards or barrier positioned across the vehicle access at the northern boundary of the development. Adequate signage can be provided throughout. All staff entry will be controlled by an access control system. Peripheral physical security can be achieved. A monitored intruder alarm is recommended. The external recycling store should be secured.

Sussex Wildlife Trust: No response received.

Sustrans: No response received.

Internal

Access Officer: Ideally more detail about the ramps is needed – they need upstand kerbs and handrails. Also they seems to discharge straight into the car park and go through bike sheds. The footpath alongside the energy building has potential for doors open across footpath which is not ideal. There appears to be suitable spaces for toilets but no details are shown. There are also the required refuges on the escape stairs.

Arboriculturist: There are many trees on this site including a line of 50+ mature hornbeams. A Tree Preservation Order covers the majority of the site, dating from 1974, meaning that any tree present at that time would be covered. The proposed development allows for the retention of over 70 trees and the loss of 29 in total, however, some of those to be lost are already dead, in dangerous condition or may not have been present in 1974 and thus not covered by the TPO. We are pleased to note that that the majority of the worthy trees on site are to be retained, and this is to be commended for a scheme of this magnitude. The Arboricultural Assessments and Landscape Strategies are extremely comprehensive, and include a 10 year long term management plan for the proposed new areas of planting. The landscaping proposed is exhaustive and includes a new native species woodland block next to the balancing pond, gapping up the existing line of hornbeams, new planting area next to existing play area, filling in of gaps in northern boundary and new trees in the car park.

We have been involved in all pre-application stages and we are pleased to note all documents involving the trees and landscaping are comprehensive and all-encompassing. We are in full agreement with them, and subject to conditions, we would have no objection to the current proposal. Conditions are recommended to ensure protection of trees during construction and shall include fencing and hand excavation where necessary.

City Clean: The recycling and waste will be serviced commercially and not by CityClean. The layout and area on the plan appears satisfactory.

City Neighbourhood Coordinator: Comments received from residents are quite enthusiastic, some examples as follows: “It will make use of that land, it is just hoped when it’s up and running its accessible for everyone and that there will be jobs for local people; “I am very happy with the plans. It will be a very interesting building, something for everyone to see in there.”; “Good idea, it will be interesting for people”; “They listened to us when they were asked questions about the gates on the car park”; “I think its good and don’t know anyone who’s not happy with it; “It’s a good idea, so long as it benefits the local community”.

City Parks: We agree to taking over the new public open space after a 5 year maintenance period, with the proviso that we are able to agree original layout and planting plans and subject to the area being maintained to our satisfaction for those 5 years and payment of the maintenance fund (for 25

years) of £13,781 indexed, and to other agreements already outlined by planning requirements.

Children & Young People's Trust: The proposal will be a welcome addition to the city and will provide research opportunities for schools/pupils that do not exist at the moment and therefore the proposal is to be welcomed. It is not envisaged that allowing pedestrian and cycle access through the railway tunnel linking to Falmer Station will cause an issue for Falmer Academy as the new development there provides a new fence and main gate so the site will be secure.

Culture & Enterprise (Libraries): Fully supports the application as the value of preserving and archive materials and making them accessible to the public is understood.

The council has a statutory duty to both care for and make accessible public records and the current storage and preservation facilities for the city's archive material are completely inadequate and better solution is needed as a matter of urgency. The licence granted by the National Archives to ESCC was only renewed on condition that an acceptable long term solution was found. Identifying appropriate facilities that meet the requirements of the National Archives is difficult, and a number of locations were looked and rejected as they did not meet the standards needed for the long term housing, preservation and accessibility required.

A purpose built archive centre within the boundaries of the city that is served by good transport links is very much to be welcomed, as it means our own residents will have particularly good access. If the Keep project does not go ahead, the risks to the public records and historic archive material belonging to Brighton & Hove will significantly increase, as the current storage facilities, managed by East Sussex County Council are unsuitable. It would not make sense to withdraw from the joint arrangements with our partners, ESCC, as our ability to provide the right level of care and access to these resources on our own would be difficult and probably more expensive. It would also have a detrimental effect on service users. Our own experience in Libraries Services is that there is a significant and growing interest in local history materials and archives, and the development of the Keep will bring together a range of these resources currently kept in disparate locations, so that local people will have greatly improved access, with expert support and knowledge available on site. The Keep also provides the opportunity for the council to preserve and make accessible other collections in the correct environmental conditions, and to add to those collections in the medium term. There is also a golden opportunity to develop new education and audience development programmes, focussed on the collections and engaging the public's growing interest in local and family history.

Culture & Enterprise (Museums): support the application for following reasons:

- The Public Records Act 1957 establishes legal framework by which the public have a statutory right to access public records. The management of these records needs to conform to TNA standards, which include standards for access, storage and preservation, acquisition and staffing. Same standards apply to both county and unitary records.
- Current storage and preservation facilities for city council (and county) are historically and legally important and are completely inadequate – a long term solution is needed as a matter of urgency. Failure to proceed with the Keep will contribute to rapid deterioration or loss of BHCC records.
- A number of sites and alternatives were considered however none met the requirements of the National Archives. The selection of a site within the city boundaries served by good transport links should be welcomed
- The Keep will provide right environment for long term preservation for archives and means there is opportunity to relocate sensitive material currently housed in unsuitable storage in the museum service to the Keep. It would include adequate space for growth (20 years).
- The National Archives could withdraw the licence and seek to place material elsewhere, most likely outside the city. Removal of material would be embarrassing for the partners, impact negatively on reputation of city's commitment to culture and heritage and have a detrimental effect on service users.
- The Keep will also ensure long term preservation of other 2d material currently held in inadequate storage within RP&M sites
- The Keep will provide a focus for new public engagement and learning programmes, partnership working would bring better value to the respective organisations involved and ensure that material will be used to maximise its public value. The Keep would provide the city with a vibrant community resource and a centre for excellence. It will be a leading model in the engagement of new audiences with historical resources and pioneering new ways of working with collections, through the provision of new models for learning and participation.
- The new centre will represent the next generation of archive buildings in the UK in line with Archive Policy and is on target to be the most sustainable archive building of this type in the country.

Design & Conservation: Recommend approval with conditions. The project will provide a public facility of considerable cultural importance, the principle of which is supported. The development will significantly change the landscape character of the site, but a change that accords in principle with the Development Plan. The location is judged appropriate in terms of use, general form and its public accessibility along the A270 sustainable transport corridor. The design is a reasonable response to the Council's planning proposal for the site, and to specific legal and technical constraints applicable to the site and its use.

The South East Regional Design Panel

The SERDP were consulted at the pre-application stage and raised some reservations regarding the coherence of the scheme and ‘the arrival experience’ and its appropriateness within the landscape context. Overall the Panel did not consider that the building expresses its civic significance as well as it might nor provides the visual excitement such a building deserves. Subsequent amendments include a ‘frieze’ around the repository block and added planting within the car park. There are no other significant changes in response to the SERDP. The applicant argues the design is a logical response to the function of the building. It has been consciously split between 2 discrete parts, namely public and storage and has been designed having regard to the very particular requirements of the use, the constraints of the site, and the available budget.

Design and materials

The building is of simple construction and its appearance is satisfactory if uninspiring. It has no strong visual identity and is reliant on a possible art/media wall to enliven the entrance/approach. Nevertheless the design concept is clear – that is to produce a high quality resource centre that meets the necessary national standards and to budget. Whilst disappointing that the project could not deliver a building of higher architectural quality or greater civic significance, it clearly meets the brief, provides adequate access and safeguards land for future expansion and other commercial uses.

The proposed brick (Warnham Yellow Multi stock) will site quietly in the landscape and compliment the other materials proposed. Equally a brown/red brick could be considered. The colour of the metal roofs and louvres should reflect the natural colours of the surrounding landscape, since these elements will be primarily viewed from higher ground against a backdrop of woodland and red brick/tiled housing rather than sky. A grey or silver finish would not be appropriate.

Wider landscape context

The documents, including the visual impact assessment, are comprehensive and generally sound. They help demonstrate that the building will not have a significant impact on any designated heritage or landscape asset, including the Stanmer Park Conservation Area or the Stanmer Park registered historic park or garden, and the South Downs National Park, so long as (i) adequate planting is secured to enhance the existing landscape and to reinforce the existing boundary hedge lines and (ii) the external cladding materials are carefully chosen. The upper parts of the building will however be clearly visible from the adjacent A270, Lewes Road, and will appear bulky in appearance. A reduction in height would be the preferred response, alternatively greater tree planting on site is recommended.

When visible, the building will be viewed as a stand alone structure on the valley floor in a wooded landscape context. From elevated positions from within the National Park it will be seen in the context of other assorted developments along the Lewes Road valley, rather than in open countryside.

From longer viewpoints the contained landscape setting can absorb a ‘quiet’ understated building. There are only limited views of the site, and subject to careful choice of external cladding materials (see above), its visual impact will be slight. It will have little if any impact on the landscape setting of the Stanmer Park Conservation Area or the registered historic park.

Immediate landscape setting.

The height of the building and its footprint, has been driven at least in part by a need to safeguard part of the field for future B1 commercial development. The restrictions that this has placed on the development has resulted in a suburban ‘business park’ feel, and only passing reference to its rural setting.

From the A270 and the Moulsecoomb housing area the building will be seen through and over the trees along the site boundary, and in the context of the various woodland tree belts. It will be hidden from many locations, yet its unrelieved bulk and large ‘industrial’ scale will still be apparent and lack appeal, particularly from the elevated A270. Whilst the proposed frieze around the repository will provide some visual interest and give a visual clue to the building’s purpose, additional mixed tree screening is recommended to create a denser tree belt. Simply ‘infilling’ existing gaps will not provide the desired foil or counterpoint.

A landscape strategy will need to be agreed to ensure successful renewal, replacement and protection of existing and proposed woodland areas.

Conclusion

Subject to conditions to carefully control architectural detail, public art, materials and landscaping, it is considered that the scheme will satisfactorily meet the design and historic environment policies of the Local Plan.

Ecologist: It is highly regrettable that the trees within the woodland copse which have bat roosting potential are not to be retained (due to location of the development). However, given that a bat roost has never been found in any of the trees, despite specific searches at the right time of year, it is not considered reasonable to require their protection. In order to ensure the requirements of the Habitats Regulations 2010 are followed, the recommendations regarding tree felling described in section 4.6-4.9 (of the Bat Report) should be conditioned, as should the types and locations of the proposed bat roosting boxes. The interior of the field has been longer tussocky grass and is suitable for reptiles. Whilst it is a sub-optimal habitat for reptiles, they should be protected during construction via a strategy agreed by condition.

The proposed hedges around the new woodland proposals will not protect the new tree planting as intended because they will be too small to offer any protective affect until the trees are grown to sufficient size to no longer require protection, by which point the hedgerow will be shaded out by the trees. The hedge would not have significant ecological value and should be replaced

with other features (such as a wildlife pond) in order for the scheme to ‘earn’ the necessary nature points as per SPD11 if the scheme is to represent an enhancement. The composition of the proposed green roof should be amended to ensure it is of nutrient poor chalk subsoil and this could be sourced from the site.

Economic Development: Fully support the proposal. As this is an allocated employment site (policy EM2) the application is a departure from policy. However, the proposal will provide a much needed facility for the city and county on a site that has not come forward for development under policy EM2. The site has previous permissions that have not been implemented. There is provision made on the remainder of the site that is not included within the application to develop up to 5,640 sqm of B1 office space and access to this part of the site is made available with the current application and is therefore supported by the Economic Development Team. The proposal will provide a small element of employment generation – stated as 35 jobs (and a number will be new jobs as well as transfers). These are considerably lower than could be expected from a B1 development of similar size however are still welcomed as the remainder of the site (if developed) will make a significant contribution to increased employment levels in the city. The applicant is committed to working with the Local Employment Scheme ensuring a proportion of construction jobs created will be provided to Brighton & Hove residents. – this needs to be secured prior to commencement through the Section 106 Agreement so that we may detail how local employment will be sourced and used during the development stages. A percentage of 20% local employment is recommended.

Environmental Health: The development uses suitable glazing and construction methods to achieve protection from road and rail traffic noise. All plant should be able to achieve the council’s noise standard of 5dB(A) below background and a condition is recommended to ensure this. The external lighting will be switched off between 23.00hrs and 07.00hrs. It is considered best practice for a condition to be imposed to satisfactorily deal with any unexpected contamination. The CEMP should include: a requirement to submit a section 61 application for working hours, measures for noise control, a review process, monitoring for noise and dust and a process to manage noise complaints. The information submitted with regard to the energy centre is reasonable. Emissions from the wood powered boiler are unlikely to impact on adjacent buildings. It is the developers intention to install a biomass unit from the Defra exemption list and the location of the flue will be in compliance with the Clean Air Act. Further details of the flue, boiler and exit gas velocity will be required.

Planning Policy: It has been demonstrated that there is a requirement for a new, single public records centre to properly hold the ESCC and B&HCC public records as well as archives/collections from the University of Sussex. After a site selection process using criteria agreed by this City Council (Capital Projects Team) the applicants consider that this is the best practical

location for the proposed public records office. This scheme offers tangible public and community benefits, including the proper and safe storage of public historical records, a visitor's centre, the provision of educational facilities and school curriculum activities in its role as historical resource centre, a multifunction room to be made available for community hire, and just over half a hectare of new, laid out informal public open space adjacent to the existing equipped children's play area. The sustainability measures and adherence to BREEM Excellence standards are welcomed.

When considering urban open space and the application of policy QD20, a pragmatic and robust approach is to be taken to balance the competing claims of different land uses. The principle of developing this open space site in compliance with policy EM2 (the provision of high-tech and office uses) was considered during the Local Plan process. The Brighton & Hove Local Plan recognised the importance of urban open space (QD20), and also the requirement for high tech and office land use, and allocated this site for development compliant with EM2. Thus, in relation to this site development proposals that meet EM2 are acceptable in principle. Policy QD20 needs to be considered alongside policy EM2 here and does not override the respective employment allocation.

Since the adoption of the Brighton & Hove Local Plan in 2005 two relevant studies have been published which include the site – the Open Space, Sport and Recreation Study – as a quantitative study it is considered PPG17 compliant, and an Employment Land Study was published in 2006 with an update in 2009. These studies are considered to be material considerations and uphold the relevance of the aims and objectives of policies EM2 and QD20.

Therefore, in taking a pragmatic and robust approach to development at this location, how the scheme proposes to incorporate the aims and objectives of both policies EM2 and QD20 must be considered. To seek to demonstrate that there is capacity for the site to deliver both The Keep and a useful quantum of high tech and office use in line with policy EM2, an illustrative Masterplan has been prepared. From the planning history it can be seen that there has been an extant B1 permission on this site for a number of years which has never come forward for development.

With regard to policy QD20 and Urban Open Space, there will be provision made for the transfer to Brighton & Hove Council of 0.525 hectares of currently private open space (just outside the EM2 allocation boundary) immediately adjacent to the existing play area to the south, landscaped and laid out, with an appropriate 25 year financial maintenance agreement. Furthermore, the proposals include an on-site public amenity area thus improving and securing part of the remaining surrounding open space for public use, new tree planting, green roofs, ecology mitigation measures and new on site public footpath and cycleway. The existing situation is that none of the site has been available for public use.

The University of Sussex is a partner to The Keep project, and intends to make use of this site through the relocation of some of their existing archives and collections from the University Library to The Keep for public use. The University will also support and enhance the offer of the academic and educational facilities. Emerging policy DA3 – ‘Lewes Road Area’ within the submission version of the emerging Core Strategy supports proposals which further develop and enhance the role of Lewes Road as the city’s academic corridor by supporting proposals which improve secondary, further and higher education provision in the Lewes Road area. Woollards Field lies within the DA3 Lewes Road Area. Through the University’s involvement, and the provision of educational facilities and school curriculum activities that form part of the proposal, The Keep complies with and supports the Academic corridor concept and aspirations of emerging Core Strategy policy DA3.

Bearing in mind all the specific circumstances –including the community and wider public benefit of a unified, accessible public records and historical resource centre with academic and educational facilities and rooms for community use, an area of new informal public open space adjoining the existing play area with a 25 year maintenance sum, one further on site public amenity area, ecology and sustainability measures, the capacity to still deliver a useful quantum of high tech and office use – it is considered that in this particular case the aims and objectives of policies QD20 and EM2 have been acceptably absorbed into the Masterplan, that the loss of part of this EM2 allocation and open space can be pragmatically justified, and that it is acceptable for The Keep Records Office and Historical Resource Centre to be sited here as part of the overall comprehensive scheme.

Sustainability: All standards recommended in SPD08 have been met except the zero carbon expected for Greenfield sites. In many other aspects the proposals meet and in cases exceed standards in SU2 and SPD08. The energy strategy includes proposals for an energy centre containing biomass boiler fuelled by locally sourced woodchip, and a substantial photovoltaic and solar thermal array. A rainwater harvesting system is proposed as part of the approach to water management which exceeds recommended water standards through SD08.

The proposals commit to meeting BREEAM ‘excellent’ and plan to exceed 70% in water and energy sections. This guarantees a development that has high levels of water and energy efficiency. The development also proposes considerable use of renewable technologies: with heat for the buildings provided by biomass boiler fuelled by local woodchip; plus a significant solar array of photovoltaic and solar thermal panels totalling 368 square meters.

As a Greenfield site it is recommended through SPD08 that development be zero carbon. This has not been achieved by The Keep, which is predicted to emit an estimated 45tonnes of CO2 annually. There are technical reasons that make SPD08 energy standards for zero carbon development on

Greenfield sites particularly hard to achieve and these are explained in the submitted *Sustainability Planning Report* (Atkins). These include the requirement for internal environments for the archived material that demand through British Standards: specific temperature and humidity controls; protection from sunlight; and protection from pollution (infiltrating from nearby road). This restricts the potential for passive design determines building whose internal environments must be tightly controlled. In pre-application discussions the possibility of compensating for CO2 emissions was discussed. This explored implementing the methodology proposed in SPD08 of providing a financial contribution to reduce emissions elsewhere in the city. However, financial constraints meant this approach was not pursued. Whilst this is disappointing the proposals still represent a highly sustainable development which meets SPD08 and SU2 policies in other respects, and has addressed well the challenge delivering low carbon design in a building with challenging requirements for internal environments.

Water strategy includes water efficient design and incorporates a rainwater harvesting system which will provide water for WCs and (grass) roof irrigation.

Mitigation of urban heat island effect has been addressed by significant planting through out the site, and a grass roof on part of the main building; a composting area will offer provision for landscaping waste but disappointingly not food waste from the development; information about use of materials does not indicate a particularly sustainable approach. Use of daylight is welcomed (roof lights in Search area).

Sustainable Transport:

Traffic Impact

The applicants have demonstrated using the TRICS database that the expected traffic impact of the development is smaller than that allowed for in the design of the SEEDA highway works associated with the stadium. Initial concerns expressed by the Highways Agency regarding potential impact on the A27 junction have been resolved by discussion and further work building in the TA. The HA require a condition to ensure The Keep car park is not used for parking other than by users of The Keep in order that provision for The Keep is guaranteed and to ensure capacity at the A27/A270 junction is not prejudiced.

Officers have sought formal adoption of the access road for reasons of improved permeability but the applicants do not wish to lose control over the roads operation, and there is no local plan policy to insist upon adoption. A condition requiring detailed drawings of the proposed road treatments, drainage and street lighting is recommended prior to commencement of development. This will ensure it is compatible with adjacent highways. The new footway and cycleway will be a public right of way.

A Construction Environmental Management Plan is required prior to commencement and should specify the site access routes, delivery times and

construction logistics.

Parking

Provision of 59 spaces is well within the SPG maximum of 150. There is little prospect of displaced parking given the location on the edge of the built up area. Whilst this is a sui generis use, comparable uses in SPG4 indicate that a minimum of approximately 19 disabled spaces should be provided. 10 are proposed but the applicant has not established that their proposed relaxation of the standards would be appropriate - therefore a condition is recommended to ensure the layout is altered to accommodate 15 in total. This could be monitored as part of the annual travel plan review. The cycle parking proposed is acceptable, although a condition regarding the final design is recommended as there are aspects which are of concern.

Sustainable Modes/Contributions

The existing bus stops are within the 400m recommended maximum walking distance of the site and better sites are not practically available. Improvements such as real-time information and raised kerbs are possible. An acceptable programme of S106 highways works which will improve the accessibility of the site by sustainable modes has been agreed. The detailed travel plan should be subject to agreement by the council and the Highways Agency prior to occupation through the Section 106 process and include targets for use of sustainable modes and actions by the applicants if they are not met. The travel plan should include restrictions on access from regions of East Sussex which is difficult by public transport to be by organised group transport arrangements.

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
TR8	Pedestrian routes
TR12	Helping the independent movement of children
TR14	Cycle access and parking
TR15	Cycle network
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 sewage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise nuisance

SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
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
QD6	Public art
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD19	Greenways
QD25	External lighting
QD27	Protection of Amenity
QD28	Planning Obligations
EM2	Sites identified for high-tech and office uses
EM3	Retaining the best sites for industry
NC3	Local Nature reserves
NC5	Urban fringe
NC7	Sussex Downs Area of Outstanding Natural Beauty
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty
HE6	Development within or affecting the setting of conservation areas
HE11	Historic parks and gardens
HE12	Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD06 Trees & Development Sites

SPD08 Sustainable Building Design

SPD11 Nature Conservation & Development

7 CONSIDERATIONS

The main considerations in the determination of this application relate to:

- The principle of the development on an allocated employment site
- The impact to the character and appearance of the locality, including designated heritage and landscape assets
- The design and appearance of the development including sustainability
- The impact on biodiversity and trees
- The demand for travel created by the development
- The impact on archaeology

- The impact on flood risk and drainage
- The impact on amenity including air quality, light and noise
- Crime prevention

The principle of development

The site is located within the built up area where development is acceptable in principle. The site is an allocated employment site for high tech and office uses under policy EM2 of the Local Plan. The archive facility falls within its own unique 'sui generis' use and thus represents a departure from the Local Plan. The benefits of the development have to be balanced against the 'loss' of part of an allocated employment site and in the case of The Keep it is considered that there are exceptional circumstances to allow a departure from policy.

The application contains supporting information to demonstrate there is a clear identified need for improved archive storage facilities to serve the city and county. The National Archives have worked closely with the applicant and support the scheme. It is clear that the scheme would be an important cultural facility and have many community benefits. The Libraries and Museums teams fully support the proposal and cite its many positive aspects. The Children and Young People's Trust welcome the proposal as it would provide research opportunities for schools/pupils that don't currently exist in the city. The Sussex Family History Group also fully support the proposal and they would have significantly improved access. It is evident that Woollards Field was chosen after a thorough site search, and it is well placed in terms of public transport, proximity to population, etc.

The scheme would employ up to 35 people (although not all will be new jobs) and, an Employment Strategy would be secured through the Section 106 to ensure 20% of the construction workforce are local. Significantly, the application demonstrates that a substantial part of Woollards Field could be potentially developed in the future for employment use. The submitted illustrative masterplan shows how a scheme of up to 5,640sqm (4-storeys with 50% max parking level) or 3,900sqm (3-storeys) could be achieved on the remainder of the site. Given that height of the development could be sensitive in this location, 4-storeys may be problematic, but this would be tested at any formal application stage. Even if approx 4,000sqm is achieved, this is still a significant quantum of floor space that would make a meaningful contribution towards the city's strategic employment land supply.

As the Economic Development team point out, even though this has been an allocated site since 2005 and had had planning permission pre and post dating that time for office development, it has not actually come forward for development.

The University of Sussex is a partner in the project and The Keep will support and enhance academic and educational facilities, which complies with the aim of emerging Core Strategy Policy DA3 and the notion of the 'academic

corridor” in this location.

As the site is not developed and is in effect ‘open space’, policy QD20 which seeks to retain such sites would be applicable. This does, however, need to be balanced against the fact that this site is allocated and earmarked for development. Also the scheme proposes 0.525 hectares of new public open space, which is a significant benefit and helps meet the aim of policy QD20.

The Economic Development Team and Planning Policy Team agree that a pragmatic approach should be taken to use of the site and support the development of this important facility.

Design and appearance and impact to the character and appearance of the locality, including designated heritage and landscape assets

Policies QD1, QD2, QD3, QD4 and QD5, require development to be of a high standard and to respect the character and appearance of their surroundings. Policies HE6, HE11, NC7 and NC8 specifically seek to protect designated heritage and landscape assets such as conservation areas, historic parks and gardens and national parks.

The development of the site would significantly change its landscape character and this is accepted, given its allocated status. In addition planning permission has previously been granted on the site on numerous occasions.

It is clear from the supporting information that much iterative design work has been carried out at the pre-application stage, involving the 3 partners and numerous user groups, that have shaped the final design of the scheme. This has led to a simple, functional building that meets its brief, which is to be commended. The design and layout of the scheme would meet the requirements of policy HO19 relating to community facilities.

Some concerns regarding the quality of the design, however, have been expressed by the South East Regional Design Panel, the Council’s Design and Conservation Manager and also the South Downs Society. It was considered that the building would be rather uninspiring and lack civic significance. Also some concern was expressed regarding the sense of arrival and its appropriateness in its landscape setting. The Design and Conservation Manager has balanced this against the fact that the design concept is clear and that the proposal would deliver an important cultural facility within a constrained site and budget, and concludes that the proposal is satisfactory.

There was some concern regarding the impact from more immediate views from Lewes Road, where the proposal could appear rather bulky. The preference would be to reduce the height of the repository block, however, due to financial constraints and the desire to maximise the rest of the site for future employment development. The recent changes to the scheme – incorporation of the frieze and enhanced car park planting have been positive

and help the building respect its surroundings. The frieze will alleviate the impact to an extent and help the building to be read, and also additional planting on the Lewes Road boundary is recommended to help soften its impact. This would help meet the reservations expressed by the South Downs Society. The enhanced car park planting would help soften the scheme and blend in better with its semi-rural surroundings. The scheme provisionally suggests incorporation of art or a media wall on the front elevation, in compliance with Policy QD6. This is to be secured via Section 106 and is considered necessary on two counts - for public art, and to improve the appearance of the building, as some concern has been expressed regarding the rather blank stairwell on the front elevation.

A Visual Impact Assessment was submitted with the application. The Design and Conservation Manager confirms that the proposal would have very limited impact on the setting of the nearby Stanmer Conservation Area, Registered Historic Park and Garden and South Downs National Park. This is primarily due to the location of the site on the valley floor. The Conservation Advisory Group and National Park Authority concur with this view.

The materials proposed are considered suitable in principle and appropriate to the locality, and a condition is recommended to ensure their details are agreed prior to commencement of development.

It is considered that, on balance, the scheme will satisfactorily comply with the design policies of the Local Plan, provided conditions are imposed to carefully control.

Sustainability

Policy SU2, SPD08 and SPD03 seek to ensure developments incorporate sustainable measures.

A Sustainability Pre-Planning Report has been submitted with the application and this, together with the Design and Access Statement, have demonstrated that sustainable building principles have been integral to the design of the building. It has been demonstrated that the proposal would meet BREEAM 'excellent', which would make this one of the most sustainable archive facilities in the country. Measures such as a woodchip fuelled biomass energy centre, significant photovoltaic and solar thermal arrays, rainwater harvesting and green roofs are proposed, which are welcomed.

SPD08 seeks a zero carbon development in this location, being a Greenfield site, however, this will not be achieved by the development (predicted to emit 45 tonnes of Co2 annually). This cannot be achieved partly due to financial constraint but also due to technical constraints that are due to specific internal environments required for archived materials. The Sustainability Officer acknowledges this and concludes that the proposal represents a highly sustainable development which has addressed well the challenge of

delivering low carbon design.

Satisfactory provision for waste is proposed within the scheme. There is a dedicated refuse and recycling store and City Clean consider it satisfactory. A Site Waste Management Plan has been submitted.

The proposal would meet, and in some cases exceed standards in SU2 and SPD08, and is to be commended.

Biodiversity and trees

Policies QD15, QD16, QD17, QD18, QD19 and SPD06 and SPD11 seek to protect landscape features and important trees and seek to promote biodiversity.

The site has a significant number of trees within in it, some of which are covered by a preservation order, notably a line of hornbeams adjacent to the railway boundary. An Arboricultural assessment and landscape and ecology reports were submitted with the application. The majority of the mature trees will be protected within the scheme. A number of trees will need to be removed, which is regrettable, however, many of these are at the end of their life or dangerous or are not preserved. This is confirmed by the Council's Arboriculturist. Their loss would be mitigated by provision of substantial planting within the site. An enhanced tree belt to the north-east, and new belt to the south-west is proposed and also other landscaping throughout the site including within the car park, gapping up of hedges and green roofs are proposed. Partial retention/enhancement of the north-east copse is deemed important for historic landscape reasons as it formed part of the original 18th century planting associated with the Stanmer Estate. Its retention and enhancement would also benefit biodiversity.

The Council's Ecologist raises no objection to the proposal, but does express regret at the loss of some trees with bat roosting potential, albeit very low potential. He acknowledges it would, however, be unreasonable to insist on their retention and bat boxes are proposed by way of mitigation. Natural England raise no objection to the proposal. The proposal includes a strategy to protect and enhance protected species including badgers, bats and reptiles and conditions can secure the strategy and ensure potentially adverse impacts to ecology are satisfactorily mitigated against. The proposal will provide new and enhanced habitats to benefit biodiversity and provide green corridors. It will, however, fall slightly short of the 'nature points' required in SPD11. A condition requiring a new wildlife pond is thus recommended by way of compensation for this, as suggested by the Council's Ecologist.

A 7 year landscape maintenance plan is proposed, which is considered appropriate for a development of this type and scale and will be secured by condition.

On the basis of the above the biodiversity, landscaping and arboriculture

policies in the Local Plan would be complied with.

Demand for travel created by the development

Policies TR1, TR2, TR4, TR5, TR7, TR8, TR12, TR14, TR15, TR18 and TR19 and SPG4 seek to ensure that the demand for travel created by the development is met and that sustainable modes of transport are promoted.

The Transport Manager confirms that the traffic impact from the development would not be significant, even when taken in conjunction with existing developments in the locality. Initial concerns expressed by the Highways Agency have been withdrawn, subject to imposition of appropriate conditions. The demand for travel would be adequately met by the on-site car, coach, motorcycle and bicycle parking spaces proposed and through promotion of sustainable modes. As a sui generis use the proposal is to be judged on its merits but based on similar uses, SPG parking standards suggest more disabled spaces are required than the 10 proposed – and a condition is recommended to address this as it is not considered a strong case has been made for the reduced level. Securing sustainable measures is particularly important in this edge of built up area location and measures are to be secured via condition and Section 106, including new footways and cycleways, links to facilitate access to bus stops and Falmer railway station, improvements to bus stops, provision of real-time information and a travel plan.

The following should be secured in the Section 106:

Provision of raised kerb to allow disabled access, new shelter and real-time information at existing eastbound bus stop on A270; Provision of real-time information at existing westbound bus stop on A270; Provision of real-time information in reception area of The Keep building; A fallback payment of £28k towards other sustainable measures if these bus stop improvements cannot be implemented; Provision of pedestrian link from existing westbound bus stop into site including disabled access ramp; Provision of footway at entrance to site to provide a crossing point in front of railway tunnel; Provision of cycle and pedestrian footway through whole site linking to Ringmer Drive/Ashurst Rd.

It is not envisaged that undue conflict would occur with school children from Falmer Academy accessing the bus stop or from parents dropping off. No comment has been received from Falmer Academy. That site is to be secured as part of the current development. The Keep will not be open until 9am, which should avoid one of the more busier times. A travel plan has been secured as part of the Academy development and for The Keep, which will help monitor and manage arrangements.

On the basis of the above, the transport policies in the Local Plan would be complied with.

Archaeology

Policy HE12 seeks to ensure assets of archaeological importance are satisfactorily protected.

An archaeological assessment was submitted with the application and the development has been subject both to desk based assessment and evaluation excavation. The County Archaeologist confirms that the site has potential archaeological significance and raises no objection subject to imposition of a condition to secure a programme of archaeological works so that any features can be adequately recorded.

On this basis it is considered that policy HE12 would be met.

Flood risk, drainage and contamination

Policies SU3, SU4, SU5 and SU11 seek to ensure development does not increase flood risk, does not cause pollution and provides adequate drainage.

A Flood Risk Assessment and Land Contamination Risk Assessment Report have been submitted with the application. These were considered necessary in particular as the site is sensitively located, being within a Source Protection Zone 1 where there is strict control over discharge of water. The Environment Agency (EA) and Southern Water (SW) have been involved since the pre-application stage and the design and drainage strategy has evolved in response to the constraints of the site. The EA and SW consider the submitted reports to be sound and raise no objection to the development provided appropriate conditions are imposed to ensure control over details of drainage etc. The site is located in Flood Zone 1, which is defined as having little or no risk of flooding and the Planning Policy team confirm that the application demonstrates the proposal would comply with PPS25 'Development and Flood Risk'. The Land Contamination report suggests there is some evidence of potential contamination, however, it is likely to pose very low risk. The Environmental Health Team concur and raise no objection and conditions are recommended to ensure potential contamination is satisfactorily addressed.

On the basis of the above, policies SU3, SU4, SU5 and SU11 would be satisfactorily met.

Amenity including air quality, external lighting and noise

Policies QD27, SU9, SU10 and SU11 seek to ensure development does not adversely affect amenity of adjacent occupiers or the locality in general.

The site is located some distance from residential properties – the nearest being to the south over the railway line in Lucraft Road (approx 50 metres), and to the south-west in Ringmer Drive/Ashurst Road (approx 180 metres). In addition the site is set down and is surrounded by mature vegetation. Therefore the proposal would have very limited immediate impact. No letters of objection have been received from local residents, the only letter received

being of support. The City Neighbourhood Coordinator confirms that generally local residents have been enthusiastic about the scheme.

An air quality assessment, noise report and external lighting scheme have been submitted with the application and the Environmental Health Team confirm that the proposal has been designed to ensure it would not have an adverse affect in terms of air pollution, light pollution or noise pollution. They recommend appropriate conditions are imposed to ensure the measures proposed are secured and further details are submitted where necessary.

Given the location and the relatively low key type of use, it is not considered that unduly restricted opening hours should be imposed, and 9am-10pm every day is suggested. Given the potential for conflict with parents and children accessing Falmer Academy it is considered that an earlier start than 9am would not be appropriate – and this is not proposed in any event.

A Construction Environmental Management Plan would adequately address any potential adverse impact from construction.

On this basis the proposal would accord with policies QD27, SU9, SU10 and SU11.

Crime prevention

Policy QD7 aims to ensure development incorporates crime prevention measures.

The Crime Prevention Design Adviser at Sussex Police raises no concerns with the proposal. He has been involved since the pre-application stage and is pleased to see crime prevention measures within the Design and Access Statement. He confirms that landscaping (as opposed to security fencing) will provide good open surveillance. The Police make a number of recommendations such as appropriate lighting, CCTV, signage etc and a condition is recommended to secure these. It is clear that the proposal has been designed with crime prevention as a consideration and having regard to Secure by Design principles.

On this basis, and with imposition of conditions, it is considered that the proposal would comply with Policy QD7.

Conclusion

There is a demonstrable need for improved archive facilities and the Keep proposal will be a welcome addition to the city and provide an important cultural resource. Modern purpose built facilities would be provided within a highly sustainable building. The proposal is considered to comply with Development Plan policies and approval is therefore recommended.

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

There is a demonstrable need for improved archive and record storage

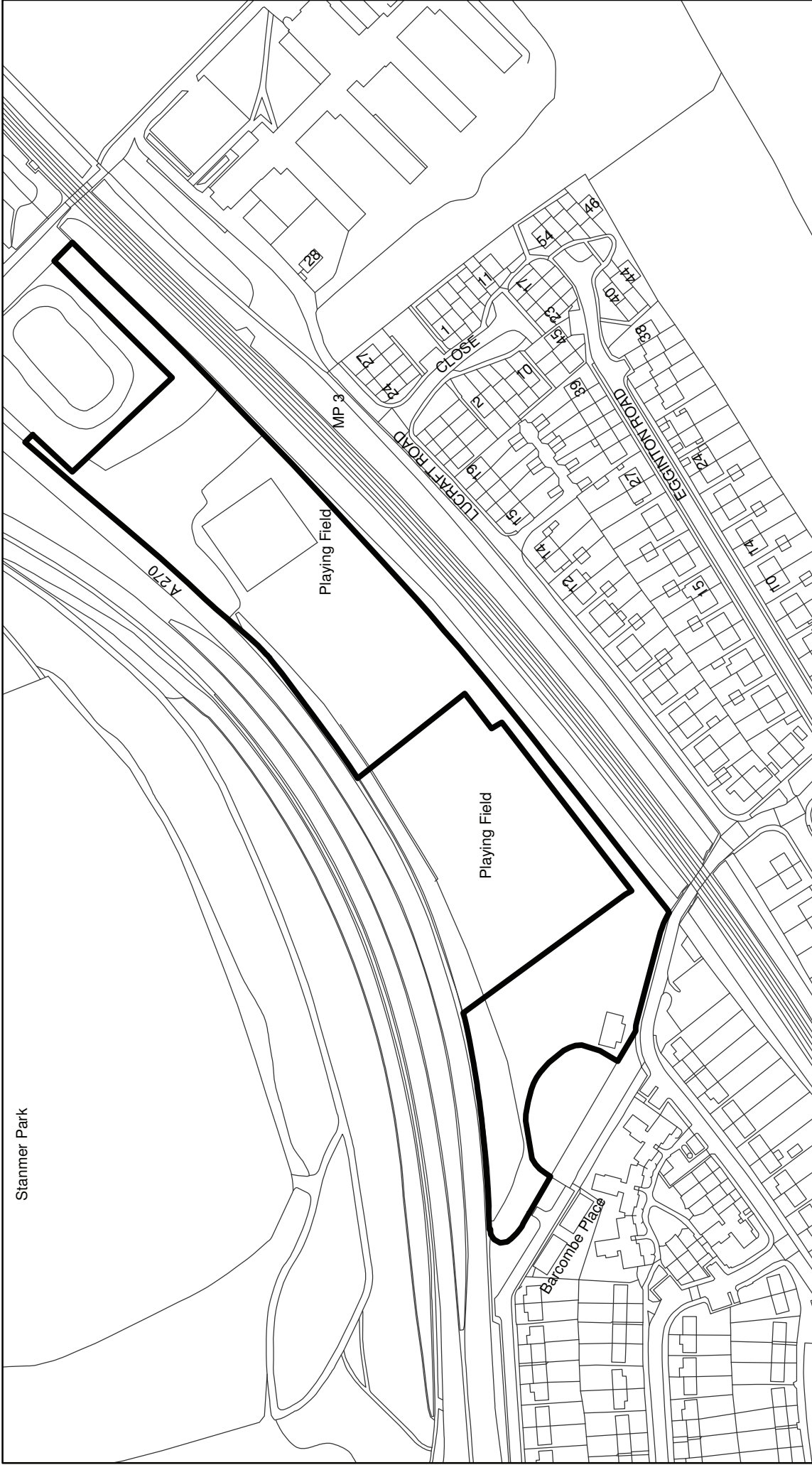
facilities. The proposal would provide an enhanced public facility and promote greater access and interest and is a culturally important facility. The proposal would generate employment. The proposal has demonstrated that there is potential on the remainder of Woollards Field to satisfactorily accommodate a significant B1 development. The design is satisfactory and will have an acceptable landscape impact including upon designated heritage and landscape assets. The scheme will be highly sustainable and will meet BREEAM excellent. The demand for travel will be satisfactorily met. The proposal will conserve and enhance biodiversity. Important trees will be retained and adequately protected. Flood risk would not be increased and adequate drainage will be provided. Archaeology assets will not be compromised by the proposal. The proposal will not compromise air quality or cause light or noise pollution. Crime prevention measures will be incorporated. The development is subject to conditions and Section 106 obligations that will ensure the proposal meets Local Plan policy and ensure any potential adverse effects are satisfactorily mitigated against.

9 EQUALITIES IMPLICATIONS

As a public building, it will need to be Equality Act/DDA compliant and it will need to meet Part M of Building Regulations. The Access Officer confirms that suitable space for toilets and escape refuges is proposed. The site is relatively flat and conditions are recommended to ensure the Council has control over the final design of all hard landscaping, including access ramps, to ensure they are inclusive to all.

The Design and Access Statement and Statement of Community Involvement demonstrate that an inclusive design approach has been taken when developing this project. The scheme has been designed to ensure people are able to equally access The Keep, regardless of age, disability, ethnicity or social grouping.

BH2010/03259 The Keep, Woolards Field, Falmer



Scale: 1 / 2000



<u>No:</u>	BH2010/01684	<u>Ward:</u>	SOUTH PORTSLADE
<u>App Type</u>	Removal or Variation of Condition		
<u>Address:</u>	Aldi Store, 2 Carlton Terrace, Portslade		
<u>Proposal:</u>	Application for variation and removal of conditions to application BH2006/00834 to vary condition 5 to allow an extended delivery period at the store, vary wording of condition 4 to allow the premises to trade to the public between 8.00 and 20.00 hours and for ancillary activities to take place outside of these hours when the store is closed to the public, vary condition 16 to reduce free car parking to all visitors of the Portslade Shopping Centre from 3 hours to 1 hour, removal of condition 15 in order not to provide 5 resident parking spaces.		
<u>Officer:</u>	Paul Earp, tel: 292193	<u>Valid Date:</u>	8 June 2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	7 September 2010
<u>Agent:</u>	Planning Potential, 148 Magdalen House, Tooley Street, London.		
<u>Applicant:</u>	Aldi Stores Ltd, c/o Planning Potential, 148 Magdalen House, Tooley Street, London		

1 RECOMMENDATION

Split decision:

- A) That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission to vary conditions 4 and 5 subject to the following Conditions and Informatives:

Condition 4 – extension of opening hours:

1. The store shall not be open for trading to the public except between the hours of 08.00 and 20.00 hours on Monday to Saturday, and 10.00 to 16.00 on Sundays and Bank holidays. Staff may be within the premises between the hours of 07.30 and 21.30 hours on Monday to Saturday, and 09.30 to 17.30 on Sundays and Bank Holidays.

Reason: To allow satisfactory operation of the store and to protect the residential amenities of the occupiers of the flats above the store and to comply with policy QD27 of the Brighton & Hove Local Plan.

2. The compactor machine shall only be operated during the actual store trading hours to the public and at no other times.

Reason: To protect the residential amenities of the occupiers of the flats above the store and to comply with policy QD27 of the Brighton & Hove Local Plan.

Condition 5 - to allow deliveries on Sundays and Bank Holidays:

1. No vehicular movements nor any loading or unloading of vehicles associated with the permitted retail use shall take place outside of the

hours of 07.30 to 20.30. Deliveries on Sundays/Bank Holidays shall be limited to one main delivery and a milk delivery only between the hours of 09.30 and 17.30.

Reason: To allow satisfactory operation of the store and to protect the residential amenities of the occupiers of the flats above the store and to comply with policy QD27 of the Brighton & Hove Local Plan.

Plus the following conditions:

1. The approved and implemented refuse and recycling facilities shall be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policies SU2 and QD27 of the Brighton & Hove Local Plan.
2. The existing wall along the western boundary of the site shall be increased in height to a minimum of 2.4m within 3 months of the date of this approval. The wall shall be maintained as such to the satisfaction of the Local Planning Authority.
Reason: To effectively screen the development from adjacent residential properties and to reduce the effect of noise and disturbance from the development in the interests of amenity and to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.
3. The windows on the ground floor of the east elevation of the main store fronting Carlton Terrace shall be clear glazed only, and shall be kept free of internal or external advertisements unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure there is an interesting and attractive frontage at street level, to comply with policy QD10 of the Brighton & Hove Local Plan.
4. Any planting from the approved and implemented landscaping scheme which dies, becomes seriously damaged or diseased within a period of 5 years from being set out, shall be replaced in the next planning season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: To enhance the appearance of the development in the interests of the visual amenities of the area and to comply with policy QD15 of the Brighton & Hove Local Plan.
5. The approved and implemented cycle parking facilities shall be retained for such use at all times.
Reason: To ensure that satisfactory facilities for the parking of cycles are provided to encourage travel by means other than the private car and to comply with policy TR14 of the Brighton & Hove Local Plan.
6. The approved Travel Plan shall be implemented to the satisfaction of the Local Planning Authority at all times.
Reason: To promote sustainable travel choices for employees of the main store to reduce reliance on the private car, to comply with policies TR1, TR2 and TR14 of the Brighton & Hove Local Plan.
7. The first floor kitchen and living/dining room windows on the southern elevation serving Flat 1 above the main store, and the first floor glazing to

the entrance to the flats on the southern elevation, shall not be glazed otherwise than with obscure glass and either fixed shut or top hung and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of adjacent properties in Victoria Road, to comply with policy QD27 of the Brighton & Hove Local Plan.

Informatives:

1. This decision to grant permission to vary conditions is based on the site plan, planning statement and noise survey submitted on 27 May 2010.

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

QD1	Design – quality of development and design statements
QD10	Shopfronts
QD15	Landscape design
QD27	Protection of amenity
SU10	Noise nuisance
TR1	Development and the demand for travel
TR4	Travel Plans
TR14	Cycle access and parking
TR17	Shopmobility
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water & materials
SU10	Noise nuisance
SR5	Town and district shopping centres

Supplementary Planning Guidance Notes:

SPGBH: 4 Parking standards, and

ii) for the following reasons:

Subject to the proposed conditions, it is considered that to allow the store to open for staff before and after trading, and to allow limited deliveries on Sundays/Bank Holidays, is necessary for the efficient running of the store and would not be unduly detrimental to the amenity of adjacent residents.

B) That the Committee has taken into consideration and agrees with the reasons to refuse planning permission to remove and vary conditions 15 & 16 respectively for the following reasons:

Refuse to remove:

Condition 15, loss of residents parking spaces:

The none provision of 5 parking spaces for residents use is detrimental to the amenities of the occupiers of the building and contrary to policy TR19 of the Brighton & Hove Local Plan.

Refuse to vary:

Condition 16, to reduce the time of free parking:

The reduction in the period of free parking from 3 hours to 1 hour is detrimental to the vitality and viability of the Boundary Road District Shopping Centre and contrary to policy SR5 of the Brighton & Hove Local Plan.

2 THE SITE

The application relates to a detached building forming Aldi store at ground floor level with 12 flats above at first floors above. A separate building consisting of a ground floor retail units with two flats above at first and second floor levels forms part of the development. The site is situated north of the railway line, opposite Portslade Station. The southern part of the site is designated in the Local Plan as being outside of the prime retail frontage of the Boundary Road District shopping centre. The immediate area is characterised primarily by 2 storey Victorian terraced development, commercial at ground floor level with residential above.

3 RELEVANT HISTORY

BH2010/01690: Application for approval of details reserved by conditions 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24 & 25 of application BH2006/00834. Application approved 25 November 2010.

BH2006/00834: Mixed use development comprising food retail unit & separate shop unit, 14 residential units with associated parking. (Revision of BH2004/00571/FP). Approved 31.5.06.

BH2004/00571/FP: Mixed use development comprising food retail unit and separate shop unit with 5, 2 bedroom flats and 9, 1 bedroom flats at first floor level, associated parking and highway works (existing buildings to be demolished). Granted 15/10/04.

4 THE APPLICATION

The application seeks to vary / remove the following conditions of approval BH2006/00834:

- Vary wording of condition 4 to allow the premises to trade to the public between 08.00 and 20.00 hours and for ancillary activities to take place outside of these hours when the store is closed to the public. As approved the condition restricts opening to between the hours of 08.00 and 20.00 hours on Mondays to Saturdays and 10.00 to 16.00 on Sundays and Bank Holidays.
- Vary condition 5 to allow an extended delivery period at the store.
- Vary condition 16 to reduce free car parking to all visitors of the Portslade Shopping Centre from 3 hours to 1 hour.
- Removal of condition 15 in order not to provide 5 resident parking spaces.

5 CONSULTATIONS

External:

Neighbours: 15 letters of representation have been received from **flats 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 Ronuk House, 4 Carlton Terrace; 9, flat 6 11-12, 14b Carlton Terrace; objecting** to the proposal for the following reasons:

Parking:

- Reduction in free parking, whilst sufficient for shoppers to Aldi, may well prevent them from shopping elsewhere.
- Before payment for the parking after 1 hour was introduced, did not witness problems with the car park being full (with the exception of a few days leading up to Christmas).
- Residents of Ronuk House are in agreement that the residents parking spaces should have been purchased; a number had parking spaces outlined in the original deeds of sale which were omitted from the final contracts. Key workers carry out shift work and need to be assured of parking availability close to home.
- As a resident of Ronuk House, have parked in the car park since October 2007 Residents spaces are not marked out but have never encountered any problems finding a space; there is no pressure on parking spaces.
- The lack of residents parking causes people to park on Boundary Road, which is dangerous.

Impact on residential amenity:

- The flats are for Key Workers, with some bedrooms overlooking the car park. Aldi have breached planning conditions by making deliveries earlier than the permitted 7.30am. Deliveries have been made from 6am until midnight. Have contacted the store Manager about the noise and disturbance.
- Bought the flat on the basis that Aldi would adhere to planning conditions in relation to deliveries, which has never happened. To date there have been three occasions when Aldi have arranged noisy contractual work with no prior notice to residents. The works were carried out overnight and in the early hours of the morning which was very disruptive.
- As a Key Worker often have to work outside of ordinary working hours, working late evenings on a regular basis and at weekends. Extended delivery and opening hours will cause further disturbance.
- The noise from deliveries is audible within flats above the warehouse area. The noise from deliveries, with the bleeping of Lorries reversing and trolley noise and noise from trolleys bumping over the joints in the ceramic tiles to the store floor at night has been extremely disturbing.
- Extending deliveries to Sundays and Bank Holidays will cause further disturbance. The store is open and deliveries are allowed 13 hours, 6 days a week. It is not unreasonable to have one day a week without deliveries / noise disturbance.
- The Philips report strongly suggests that the sound insulation between Aldi and the flats is poor and that the deliveries are very likely to be a significant disturbance to residents.

Other issues:

- The proposal would devalue the properties.

The Guinness Trust: Object for the following reasons:

- The flats provide homes for Key Worker shared ownership leaseholds, all of whom have had to purchase a share in their home. The development of the flats was funded by The Guinness Trust and Housing Corporation. Do not wish to see deterioration in the quality of residents' quality of life as a result of the proposal.
- The nature of some of the Key Workers employment is such that they work shift patterns that make them particularly susceptible to noise disturbance either early or late in the day. The variation to conditions 4 & 5 will compromise the residents' right to quiet enjoyment of their homes.
- Aldi have already regularly ignored condition 5 in relation to deliveries ever since the store opened, with deliveries taking place and activity within the store outside of permitted times, which has caused significant disturbance to residents.
- The Trust have commissioned a review, by Philip Acoustics Ltd, of the acoustic report, produced by Noise Solutions Ltd, submitted in support of the planning application. Consider that the applicants report is flawed and own assessment shows conclusively that to vary conditions 4 & 5 will be detrimental to the amenity of the residents of the flats directly above Aldi by way of noise disturbance.
- Concerned that the right to use the disabled parking spaces will be lost. It is essential that there is disabled parking within close proximity of Ronuk house should a disabled resident purchase a flat in the building.
- A reduction in the amount of free parking time will cause further inconvenience to both residents of Ronuk House and their visitors.
- The current consent provided 13 hours per day, 6 days a week is sufficient time to arrange deliveries to the store. Aldi's original acceptance of these conditions demonstrates that they were confident the store could be managed on this basis.

A letter from **Parker Dann** (Town Planning Consultants) on behalf of the Guinness Trust reiterates the comments the Trusts concerns, primarily:

- Extended hour of opening and deliveries on Sundays and Bank Holidays would be detrimental to the living condition of the occupiers of the flats above the store.
- 6 of the 12 residential units have windows directly facing onto the car park and loading bay area. The flats do not have mechanical ventilation and rely on open windows in the summer months. Bedroom windows are Juliette balcony doors which make the rooms particularly susceptible to noise from deliveries when opened.
- Understand that the application has been amended so not to extend the weekend delivery period and only seeking permission for one delivery on Sunday/Bank Holidays between 9.30am and 4.30pm. Noise Solutions Ltd have provided a response to the applicants submitted noise report, and concludes that deliveries to the store exceed measures background noise levels. Good store management should negate the need for Sunday/Bank Holiday deliveries.
- Internal ancillary activities taking place within the store for an extended period has the potential to harm residential amenity.

- There is a contractual obligation on Aldi to retain two dedicated car parking spaces for the exclusive use of the Guinness Trust or the Trust's tenants. It is therefore inappropriate to remove the need to provide residents' parking.
- In the absence of any evident that the car park is full there is no justification to reduce the period of free parking.

Petition of 13 signatures from local businesses in Boundary Road and Carlton Terrace, objecting to the reduction in time for free parking from 3 to 1 hour. This leaves insufficient time for people to visit the smaller shops in the parade as will not support local businesses.

Sussex Police: No comment.

Internal:

Sustainable Transport: No objection to the extension of the delivery period as this matter that does not affect the safety of public using the roads or highway capacity.

There is no information provided, other than that in the Planning Statement that would support the removal/amendment of conditions 15 & 16. The statement suggests that car parking is being abused. More robust enforcement on the part of the land owner could resolve the matter. The provision of time limited parking was to help support the local economy & vitality of the local shopping areas. The loss or further restriction of this parking would make the overall provision of parking in the vicinity of the site worse than it currently is.

Other than the statement that the Guinness Trust agreed that the parking spaces for residents were not required there is no other supporting information. Additional information should be provided that establishes how any car parking demand generated by the flats is being or is to be managed.

Environmental Health: Condition 5 - Deliveries: Residents consulted as part of the planning process have given clear evidence of breaches of the existing planning conditions with regard to delivery times. Some deliveries have allegedly taken place at nighttimes and others during the early morning. Such breaches of planning conditions are dealt with by planning enforcement procedures.

Two acoustic reports have been produced in respect of this application. Both use the methods set out in BS4142 to assess delivery noise. This is the current standard for assessing such noise but it is used for convenience in the absence of a more tailored method, rather than for its proven accuracy. One report was produced on behalf of the applicant, the other on behalf of Guinness Developments, the landlord of Ronuk House- the name given to the flats above the store.

The reports differ in technical detail and methodology but agree that the proposed Sunday delivery will have a noise impact against the background level of noise in the car park. The car park may be in use by shoppers during the proposed delivery times.

The applicant's report states that the one proposed Sunday delivery will have 'minor' noise impact and the landlord's report concludes that the noise impact will be 'above marginal significance'.

By either measure the proposed delivery will be audible in the flats above and to the side of the loading bay. The perceived level of noise in the flats will of course depend on the activities going on at the time. The delivery times on Sunday are proposed to be between 09.30 and 17.30.

The legal principle which has to be taken into account by Environmental Health is that occupiers of residential premises should make themselves aware of legitimate activities going on in the vicinity of where they might decide to live and in doing so should take account of any changes which may take place as a result of changing circumstances.

The practice of many supermarkets is to require deliveries of fresh produce on a daily basis and it on that principle that Aldi have made this application.

Environmental Health are of the view that the additional noise caused by one delivery on a Sunday (and Bank Holiday) during the central part of the day is not unreasonable and is justifiable in the circumstances.

In addition, one delivery of milk which is in a smaller, lighter vehicle on a Bank Holiday (but not on Sunday) can be permitted between the same hours of 09.30 and 17.30.

Although Environmental Health has received no direct complaints about the day-to-day activities within the store, the consultation process has revealed noise concerns that are related to the movement of trolleys during deliveries and shelf stacking. Some noise may be due to the compactor in the storage area and shopper's trolleys as well as noise from the checkout tills.

No complaints had been received about these sources of noise prior to the notification of the current planning application. These concerns may be classified as potential noise nuisance allegations and the correspondents who mentioned them have been contacted to see if an investigation under the Environmental Protection Act 1990 is being requested. Noise Disturbance Diaries have been sent to 10 residents who had made representations during the planning consultation process asking for evidence of disturbance from within the store. Four diaries have been returned and analysis of the diaries, which in total were kept for almost the whole of the month of October 2010 indicates that Aldi deliveries are taking place occasionally outside of the permitted times, usually earlier in the morning than permitted (4 times before

07.30, earliest 06.43) and once after the 20.30 evening deadline. These breaches of condition have been passed to Planning Enforcement for investigation. However the frequency is not enough to warrant an investigation under the Environmental Protection Act 1990 but that will be kept under review. Other complaints include the opening of the front door shutters as early as 06.10 which is outside the time that the premises should be occupied is also being investigated. The trolley noise will be investigated by Environmental Protection to determine under the Environmental Protection Act 1990 if a nuisance in law exists.

Condition 4 - Limits the times during which the premises can be occupied:

In principle there is no Environmental Health objection to extending the hours allowing the premises to be occupied to those requested but keeping the trading times to existing.

In the current situation the premises occupation time is permitted from 08.00. That does not allow deliveries to be received at the delivery permitted time of 07.30.

It would be rational to allow the staff to help receive deliveries and prepare the shop in line with the opening times that are already permitted.

Any unreasonable disturbance to the residents of the flats above would be investigated under Environmental Health legislation.

Economic Development: Object to the reduction in free parking from 3 to 1 hour as the facility provides the opportunity for customers who use the Aldi store to also use the other retail / commercial business in Boundary Road. A reduction in the hours of free parking does not support the viability of this shopping centre or the jobs that it provides.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD1	Design – quality of development and design statements
QD10	Shopfronts
QD15	Landscape design
QD27	Protection of amenity
SU10	Noise nuisance
TR1	Development and the demand for travel
TR4	Travel Plans
TR14	Cycle access and parking
TR17	Shopmobility
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water & materials
SU10	Noise nuisance
SR5	Town and district shopping centres

Supplementary Planning Guidance Notes:
SPGBH: 4 Parking standards.

7 CONSIDERATIONS

This application is for the discharge of four conditions pertaining to approval BH2006/00834 for the development of the site. A separate application, BH2010/01690, was submitted to discharge the remainder of the 25 conditions. These relate to materials, the provision of refuse and recycling facilities and glazing. Internal consultees, including the Traffic Engineer and Environmental Health, considered the submitted information to be sufficient to discharge the conditions, and the application was approved on 25 November 2010.

The main considerations in the determination of this application relate to the impact of extending delivery times and allowing non-retail activity when the store is closed to the public on residential amenity, and the impact of reducing the free use of car parking on the viability of the Boundary Road / Station Road district shopping centre, and the acceptability of the loss of residents parking and the impact of displaced parking on the surrounding area.

The store and 12 flats above have been occupied since July 2007. The proposal to vary /remove conditions is to provide more efficient running of the store.

Condition 4 – opening hours:

The current condition reads “ *The premises shall not be open or in use except between the hours of 08.00 and 20.00 hours on Mondays to Saturdays, 10.00 to 16.00 on Sundays and Bank Holidays.* ”

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

The proposal seeks to extend the operational times from 07.30 to 21.30 hours Monday to Saturdays, and from 09.30 to 17.30 hours on Sundays and Bank Holidays, to allow employees to set up / close after trading.

The store is open to the public from 09.00 to 20.00 Monday to Friday, from 08.30 to 20.00 Saturdays and from 10.00 to 16.00 on Sundays/Bank Holidays. Presently, deliveries take place from 07.30 (permitted by condition 5) but due to the restrictions of condition 4 which states that the building shall not be in use before 08.00, drivers have to let themselves into the store to unload. Staff arrive at 08.00 to prepare the store opening at 09.00; the store closes at 20.00. Staff have been working after the permitted operation hours of 20.00 to close the store, for cleaning, shelf filling etc. Aldi’s justification for operating outside of the permitted hours is that they interpreted the condition as meaning the hours in which the supermarket can be open to the public, and that the condition does not restrict ancillary activities such as stock taking which cannot be undertaken whilst the store is open. Following public complaints about noise and disturbance late evening and during the night

caused by a store refit, and the revving of engines in the car park associated with goods deliveries, the Council confirmed to Aldi that the term “*shall not be open or in use*” includes any activity carried out at the premises, for example, cleaning, shelf filling etc.

The store employs 12 people, a mix of full and part time. The proposed amendment is to allow 2 or 3 employees to be in the store for up to 2 hours outside of current permitted trading hours, from 07.30 to 21.30 hours Monday to Saturdays, and from 09.30 to 17.30 hours on Sundays and Bank Holidays.

Public objections state that noise from deliveries and from within the store, can be heard within the flats above, and that extended hours of opening would increase noise and disturbance.

The Guinness Trust has commissioned a review, by Philip Acoustics Ltd, of the acoustic report, produced by Noise Solutions Ltd, submitted in support of the planning application. The Trust consider the report to be flawed and their own assessment shows that to vary conditions 4 & 5 will be detrimental to the amenity of the residents of the flats above Aldi by way of noise disturbance.

Environmental Health comment that both reports use the methods set out in BS4142 to assess delivery noise. This is the current standard for assessing such noise but it is used for convenience in the absence of a more tailored method, rather than for its proven accuracy.

In relation to extended opening times, although Environmental Health has received no direct complaints about the day-to-day activities within the store, the consultation process has revealed noise concerns that are related to the movement of trolleys during deliveries and shelf stacking. Some noise may be due to the compactor in the storage area and shoppers’ trolleys as well as noise from the checkout tills. Copies of the objections were sent to Environmental Health who sent Noise Disturbance Diaries to the residents of the flats who had made representations during the planning consultation process asking for evidence of disturbance from within the store. Four diaries have been returned which indicate that some deliveries are taking place occasionally outside of the permitted times, usually earlier in the morning than permitted (4 times before 07.30, earliest 06.43) and once after the 20.30 evening deadline. These breaches are being investigated by Planning Enforcement Team.

The legal principle which has to be taken into account by Environmental Health is that occupiers of residential premises should make themselves aware of legitimate activities going on in the vicinity of where they might decide to live and in doing so should take account of any changes which may take place as a result of changing circumstances. Despite public objections it is not considered unreasonable to allow staff to enter the store at 07.30 rather than the existing 08.00 to receive deliveries, which are currently permitted by condition. Neither is it regarded as unreasonable to permit staff to occupy the

building after trading for cleaning etc. until 21.30pm weekdays and 17.30 on Sundays and Bank Holidays. Should noise from stock trolleys running over tiled floors etc prove to be a nuisance certain measures such as the installation of rubber mats in the store room could be considered as ways to reduce impact.

It is suggested that the condition be amended to clearly state both public trading times and times staff may be within the building, and to specify that the compactor, which crushes boxes etc, is noisy and has the potential to create disturbance, be used during trading hour only.

Condition 5 – vehicular movement, loading/unloading:

The current condition reads *“No vehicular movements nor any loading or unloading of vehicles associated with the retail uses hereby permitted shall take place between 20.30 and 07.30 Monday to Friday, and not at any time on Sundays or Bank Holidays.*

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

The application has been amended to allow two deliveries on Sunday and Bank Holidays between 09.30 and 16.30 hours. As originally submitted the application also sought to extend delivery hours on weekdays. The proposed deliveries are for one large delivery which would take no longer than 40 minutes to dispatch and leave, and a milk delivery which should take a maximum of 10 minutes.

Aldi state that it is usual practice for fresh goods such as milk, bread, fruit and vegetables, which customers expect to be fresh, to be delivered on a daily basis. They are also of the view that as a Sunday delivery would be taking place generally between the hours that the store is open, the impact of one main lorry would not have a significant effect on residential amenity given the general vehicular/customer activity taking place within the site.

The applicants have also submitted planning decision notice which allows 24 hour delivery at the Lidl Store, Arundel Road, application BH2002/2885/FP, approved 20 December 2002. The applicants consider the ability to deliver on Sunday and Bank Holidays allows Lidl a more flexible delivery regime and this store needs similar arrangements to compete. Planning applications are assessed on merit taking into account individual circumstances and in the case of the Lidl store in Arundel Road, Brighton, there are no residential accommodation above. They have also cited approvals in the Harlow and Bromley where decisions do not restrict delivery times, which they argue demonstrates the important operational requirement to ensure the effective and efficient running of a store.

Public objections state that deliveries have caused nuisance from the movement of lorries and trolleys and that Sunday is the only respite from deliveries. The complaints stating that deliveries have been taking place at

unsocial times are being investigated by the Planning Enforcement Team.

The objection from Parker Dann state that 6 of the 12 residential units have windows directly facing onto the car park and loading bay area, and as they do not have mechanical ventilation, rely on open windows in the summer months. Bedroom windows are Juliette balcony doors which make the rooms particularly susceptible to noise from deliveries when opened. For these reasons they consider that deliveries on Sundays/Bank Holidays would be detrimental to residential amenity. They agree with the Noise Solutions Ltd conclusion that deliveries to the store will exceed measures background noise levels and are of the view that good store management should negate the need for Sunday/Bank Holiday deliveries.

The store trades on Sundays/Bank Holidays between 10.00 and 16.00 and it is recommended by condition 4 above that the operational hours be extended to between 9.30 and 17.30 for staff. It is considered that to allow one main delivery and a smaller milk delivery between the hours of 09.30 and 16.30, which would give staff time to received deliveries before and after the store opens/closes, would not be sufficiently detrimental to residential amenity to warrant refusal given that a statutory nuisance has not been established, and that the deliveries would take place generally between hours of commercial activity on the site.

Condition 15 – provision of residential parking bays:

The current condition reads *“The 5 resident parking bays indicated on the submitted plans shall not be used other than for occupiers of the residential units hereby approved. The residents’ car parking spaces shall be clearly signed/labelled as such, and details of signage shall be submitted to and approved in writing to the Local Planning Authority before the flats hereby permitted are first occupied. The agreed scheme shall be implemented to the satisfaction of the Local Planning Authority.*

Reason: *To ensure adequate car parking provision to serve residential occupiers of the development, to comply with policies QD1, TR1, TR4, TR18 and TR19 of the Brighton & Hove Local Plan.”*

The proposal is to remove the need to provide the residential parking spaces.

The applicants state that when The Guinness Trust Housing Association purchased all the flats on the upper floor of the store it was agreed with them that the car parking spaces for the residents were not required and therefore they are now for public use. On this basis the proposal seeks to remove this condition.

The store provides 65 parking spaces of which 11 are disabled. The development consists of a total of 12 flats above the Aldi foodstore and 2 flats above a retail unit fronting Carlton Terrace. Five residents parking bays, two of which are disabled bays were identified on the approved drawings. Residents state that the bays have never been marked for residents parking

and that in the past residents have parked anywhere. The flats are for Key Workers and as such many work unsocial hours and need to be assured of parking availability close to home. The Guinness Trust particularly object to the loss of the two disabled parking bays which may be required by future occupants.

The application is not accompanied with any information regarding the occupancy of the parking spaces to demonstrate that without the use of the 5 residential parking spaces, customers cannot park and therefore shop elsewhere which would be to the detriment of the viability of the store, and the shopping centre.

Development on the site comprises the Aldi store and an independent retail unit - which have a gross floor area of 1,316m², together with a total of 14 flats (12 above the Aldi store, 2 above the independent retail unit). Based on the car parking standards set out in Supplementary Planning Guidance Note 4, a maximum of 44 car parking spaces should be required for the retail floor space, 5 spaces for employees, and 21 residential parking spaces. A total of 65 spaces have been provided, of which 60 are for the retail units and 5 for residents.

On the basis of the approval, residential parking is far less than the maximum standard with approximately 24% being provided, and commercial parking exceeds the maximum standard by approximately 21%. The Traffic Engineers comments on the original application BH2004/00571/FP stated that the amount of parking is higher than the parking standards, but as the applicants argue that there is an existing shortage of shoppers' parking at the district centre and advise that they will help reduce this by making available for short-term shoppers even if they do not shop at the proposed store would normally allow, it was considered the level of parking to be acceptable. Additionally, should the original scheme had been for a car free residential development, a contribution towards the Council's sustainability measure would have been sought.

The residential accommodation is for Key Workers, some of whom work shifts when public transport may not run and need to be assured of a parking space. On-street parking is heavily used by travellers using the adjacent Portslade Railway Station and shoppers to the district shopping centre. The Guinness Trust is particularly concerned about the loss of the disabled parking spaces given that the flats are served by a lift and are wheelchair accessible.

Given the reduced level of residential parking and lack of evidence to demonstrate a lack of commercial parking and surplus of residential, it is considered that the applicants have failed to adequately demonstrate why the planning condition, should be revoked. It is considered that the none provision of the parking spaces for residents is detrimental to the amenities of the occupiers of the building.

Condition 16 – visitor parking:

The current condition reads *“The main retail store hereby permitted shall not be brought into use until a car park management scheme for the car park associated with the main retail store has been submitted to and approved in writing by the Local Planning Authority. The car park management scheme shall ensure that the first three hours of parking will be free of charge for visitors of the Portslade Shopping Centre, and shall include details of the signage to clearly indicate the terms of parking for visitors. The approved car park management scheme shall be implemented to the satisfaction of the Local Planning Authority upon first use of the main retail store.*

Reason: *To ensure parking provision is made available to shoppers not using the main store as there is an identified shortage of shopper’s parking spaces within the Portslade District Shopping Centre, in the interests of enhancing the vitality and viability of the Centre, to comply with policies SR6 and TR17 of the Brighton & Hove Local Plan.”*

The applicants consider that one hour’s free parking is sufficient to allow customers to visit and undertake their shopping at the Portslade Shopping Centre and seek to amend the condition to reduce the length of visitor parking from 3 hours to 1 hour.

Concerns over the reduction in the time for free parking has been expressed in a petition signed by 13 people with businesses in the immediate area stating that a reduction to one hour does not provide sufficient time for shoppers to visit small shops in the parade.

The Planning Policy Team and Economic Development Officer object to the reduction in free parking time on the basis that it would be harmful to the viability of the district centre. The condition was to encourage linked shopping trips to other shops in the District Centre and in view of the excess parking provision. The Traffic Engineer states that if car parking is being abused as the applicants claim, that more robust enforcement on the part of the land owner could resolve the matter. The loss or further restriction of this parking would make the overall provision of parking in the vicinity of the site worse than it currently is.

It is considered that the applicants have failed to provided evidence to satisfactorily demonstrate that the required 3 hours of free parking is harming their trade and would not be detrimental to the viability of the district centre. It is also noted that Tesco’s Metro in Boundary Road has a car park with no time limit and Sainsbury’s West Hove to the north of Aldi (out of centre) has a time restriction of two hours. For these reasons it considered that the request to amend the planning condition should be refused.

Conclusions:

For the reasons stated it is considered that to allow the store to open for staff before and after trading, and to allow limited deliveries on Sundays/Bank Holidays is necessary for the efficient running of the store and not

unreasonable given that a statutory nuisance has not been established. Most complaints relate to deliveries taking place outside of the permitted times which are being investigated. The applicants, however, have not adequately demonstrated that the need to provide residents' parking bays and retain the current level of free parking is detrimental to the viability of the store, and therefore there is no justification for removing/amending these conditions.

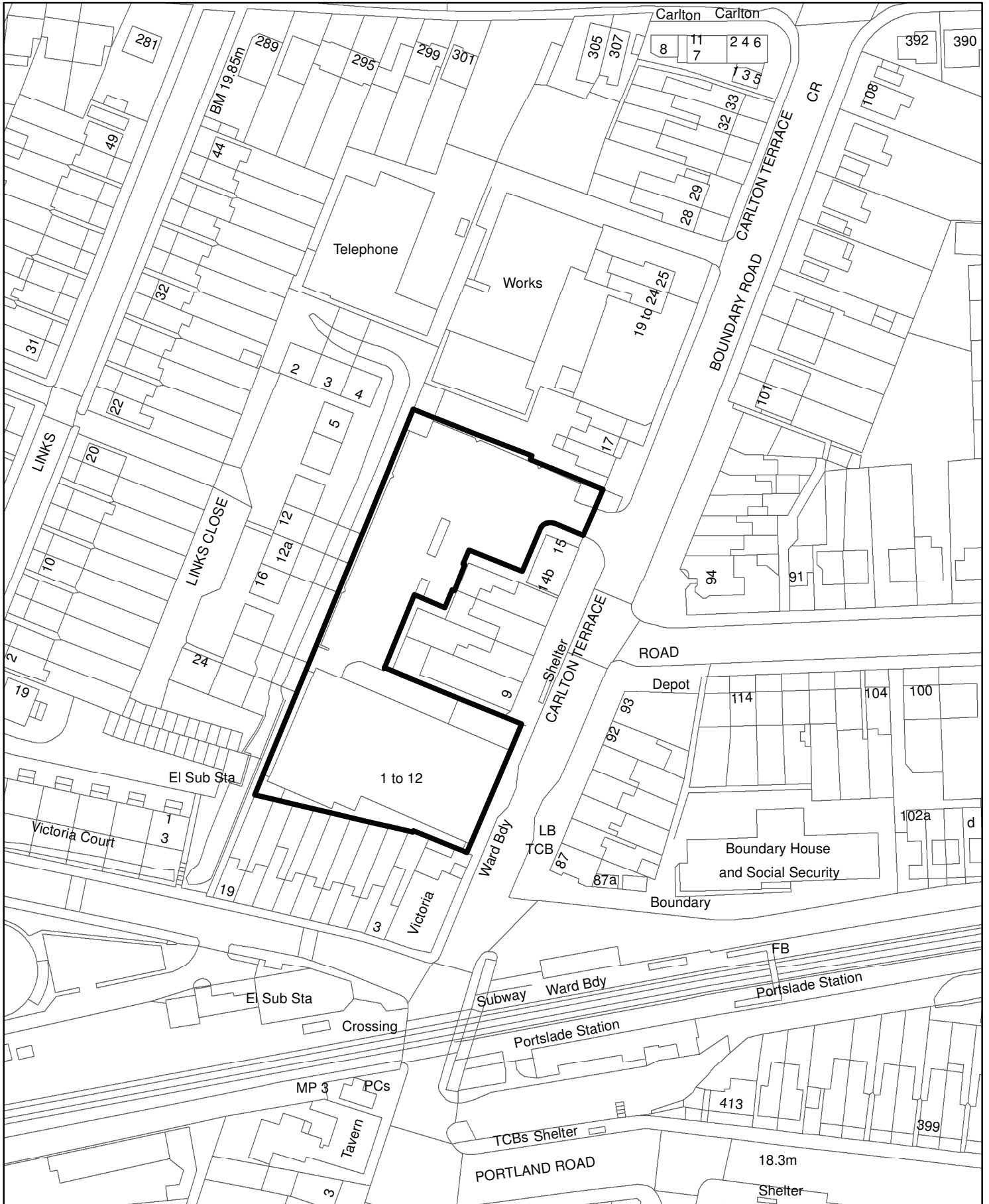
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

Subject to the proposed conditions, it is considered that to allow the store to open for staff before and after trading, and to allow limited deliveries on Sundays/Bank Holidays is necessary for the efficient running of the store and would not be unduly detriment to the amenity of adjacent residents.

9 EQUALITIES IMPLICATIONS

None identified.

BH2010/01684 Aldi Store, 2, Carlton Terrace, Portslade



Scale: 1:1,250

LIST OF MINOR APPLICATIONS

<u>No:</u>	BH2010/03061	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	25 Hazeldene Meads, Brighton		
<u>Proposal:</u>	Proposed roof extension incorporating additional rooflight to front (Part Retrospective).		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	12/10/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	07 December 2010
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Miss Dinah Rae, 25 Hazeldene Meads, Brighton		

This application was deferred at the last meeting on 24/11/10 for a Planning Committee site visit.

1 RECOMMENDATION

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

Conditions:

1. BH03.03 Materials to match Non-Cons Area.
2. The development hereby permitted shall be carried out in accordance with the approved drawing no. 29762/1 submitted 27th September 2010 and approved drawings labelled 'Drawing 1' & 'Drawing 2' submitted 7th October 2010.

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

Informatives:

- 1) This decision to grant planning permission has been taken:-
 - i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below:
 - QD1 Design - quality of development and design statements
 - QD2 Design - key principles for neighbourhoods
 - QD14 Extensions and alterations
 - QD27 Protection of amenity

Supplementary Planning Guidance
SPGBH1 Roof alterations and extensions; and
 - ii) for the following reasons:-
The roof extension retains sufficient separation from the adjoining

property and would not therefore lead to a harmful terracing effect in this section of Hazeldene Meads. The gable end and front rooflight would not unbalance the existing property and is appropriate in this location. The development would not result in harm to neighbouring amenity through loss of light or outlook.

2 THE SITE

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

3 RELEVANT HISTORY

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

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

BH2010/01610: Roof extension to south end over existing garage, 2 front dormers and installation of 7 solar panels. Refused for the following reasons:-

- 1. The two dormers, by reason of their size, bulk and positioning on the roof slope, would introduce features which would be alien and incongruous in the context of the immediately surrounding street scene, furthermore the shape and form of the roof extension would imbalance and fundamentally change the appearance of the dwelling, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.*
- 2. The solar panels, by reason of their proliferation and level of projection above the ridgeline, would appear cluttered and incongruous features of the property, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.*

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

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

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

from the character and appearance of the site and surrounding area and be contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan, and to the provisions of the Council's adopted Supplementary Planning Guidance Note 1 'Roof alterations and extensions'.

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

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

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

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

4 THE APPLICATION

Planning permission is sought for a gable roof extension over an existing single-storey side garage to the southern section of the property, building works have commenced on the roof extension. A rooflight is proposed to the extended front roofslope.

5 CONSULTATIONS

External

Neighbours: Representations have been received from **7, 9, 15, 18, 20, 22, 27 & 29 Hazeldene Meads**; and **2, 4, 6, 8, 14, 17, 19 & 21 The Beeches** objecting to the proposal for the following reasons:-

- have previously objected to the extended gable as it would further reduce the remaining gap between nos. 23 & 25 Hazeldene Meads, with an increasing blocking out effect that would materially detract from the spatial quality, character and appearance of the site and surrounding area;
- a previous appeal (*ref: BH2010/01610*) was dismissed as the roof extensions would have been harmful to the area;
- consider that the visual impact of the recently constructed rear dormer and the extended gable roof (proposed by this application) should be considered together. To do otherwise would support the enlargement of the property through a series of minor developments when taken as a whole the works detract from the appearance of the property and surrounding area;
- notwithstanding any consideration of the proposed gable roof extension the unduly bulky rear dormer should be reduced in size to conform to current guidance;
- designs of extensions at the application site are not always disclosed before building works commence. This sequence of events has denied residents the opportunity of reviewing the proposed development prior to construction.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

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

Supplementary Planning Guidance

SPGBH1 Roof alterations and extensions

7 CONSIDERATIONS

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

Design

The existing rear dormer represents 'permitted development' and no planning permission was therefore required for its construction. This application does not propose any further extension to the existing rear dormer and on this basis it is not necessary to consider the rear dormer further.

A previous application (ref: BH2010/00242) for an extended side gable was refused as it was considered the resulting roof would appreciably and harmfully reduce the existing gap at first floor level between the site and adjoining property. The resulting separation was considered insufficient to prevent an uncharacteristic terracing effect in this section of Hazeldene Meads which would harm the spatial quality and visual amenities of the wider area.

As part of a subsequent appeal against this decision it was considered that:-

"The proposed hip to gable extension would be above and the same width as the existing garage of No 25. It would further close the gap between the two properties but there would still be a distance of approximately 3.5m between the buildings. Such a separation distance is not dissimilar to others on the estate. Furthermore.....the difference in the shape and form of the two properties, combined with the set back of the extended pitched roof would reduce the appearance of a terracing effect arising from the reduction in the gap between the buildings.....am therefore not persuaded that this element of the proposal would result in harm to the character and appearance of the area."

These findings are a material consideration in the determination of this planning application which proposes a gable roof extension the same as that considered as part of the appeal. On the basis that the extended gable was found to be acceptable by an Appeal Inspector it is considered refusal of the application on design grounds would not be warranted and could not be sustained at appeal.

A previous application for a barn-end roof extension was refused by Planning Committee on 3 November 2010 as it was considered to unbalance the property (ref: BH2010/01610). The roof extension would replicate the existing property and could not therefore be considered to unbalance or fundamentally change the existing appearance of the building.

Front rooflight

A rooflight would be inserted into the extended front roofslope. The rooflight is considered to be modestly sized in relation to lower levels of the building and would not appear highly prominent in long or short views along Hazeldene Meads. It is noted that the proposed rooflight would replicate the proportions and siting of rooflights to the existing front roofslope which were confirmed as permitted development as part of application ref:

BH2010/02834.

Impact on residential amenity

The extended roof would adjoin the side elevation of 23 Hazeldene Meads which does not feature any window openings that would be affected through loss of light. There are no other properties that would be affected through loss of light or outlook.

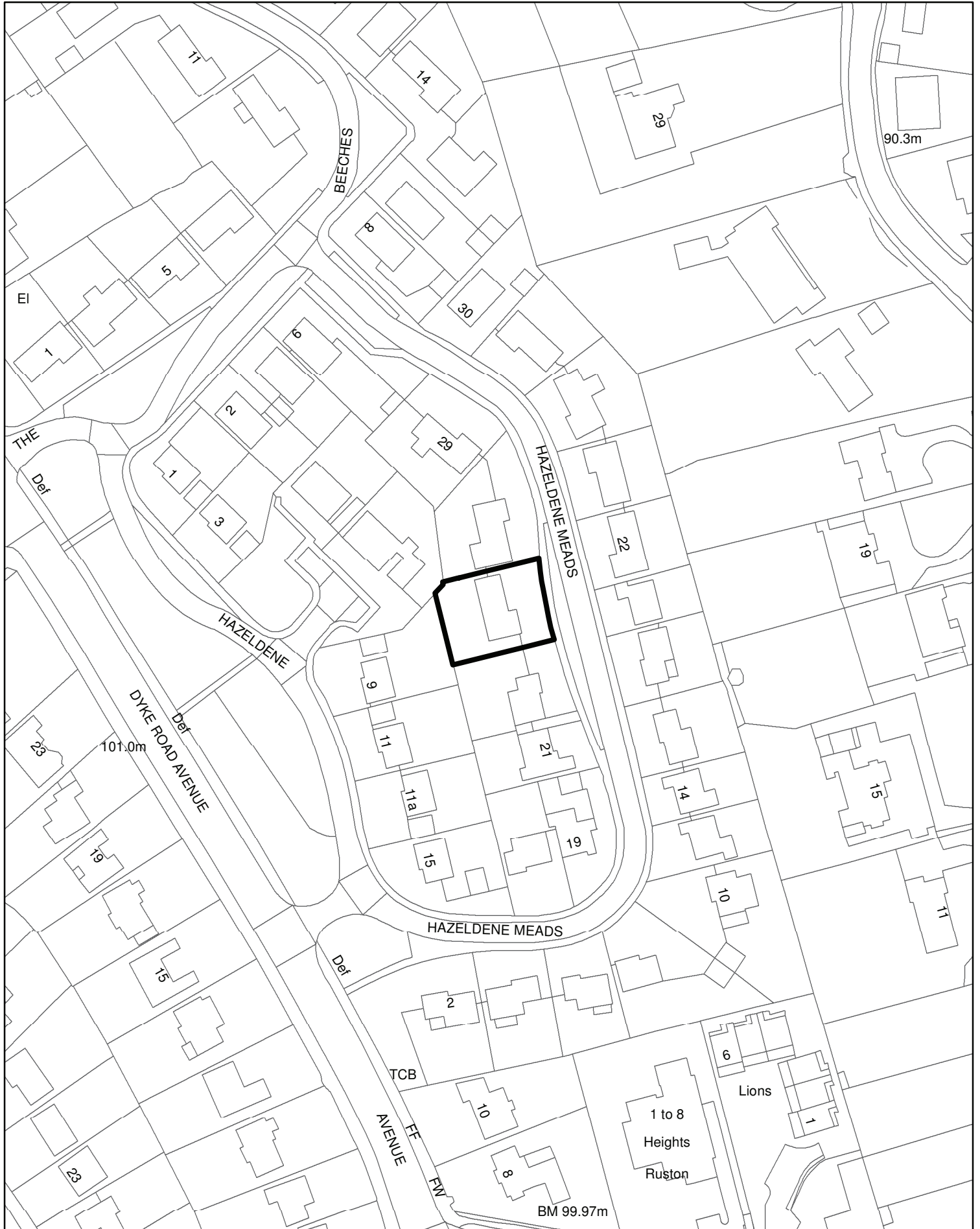
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The roof extension retains sufficient separation from the adjoining property and would not therefore lead to a harmful terracing effect in this section of Hazeldene Meads. The gable end and front rooflight would not unbalance the existing property and is appropriate in this location. The development would not result in harm to neighbouring amenity through loss of light or outlook.

9 EQUALITIES IMPLICATIONS

None identified.

BH2010/01610 25, Hazeldene Meads



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2009/03105	<u>Ward:</u>	CENTRAL HOVE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Medina House, Kings Esplanade		
<u>Proposal:</u>	New build 10 storey development including 9 residential units, ground and first floor restaurant and basement parking.		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	18/12/2009
<u>Con Area:</u>	Cliftonville	<u>Expiry Date:</u>	12 February 2010
<u>Agent:</u>	Camillin Denny Architects Limited, Unit D/E Level 8, New England House, New England Street, Brighton		
<u>Applicant:</u>	Mr Sirus Taghan, Globe Homes, C/O Camillin Denny Architects Limited		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in this report and resolves to **REFUSE** planning permission for the following reasons:

1. The development would appear excessively out of scale and create a visually overbearing relationship with adjoining development to the north on Sussex Road and Victoria Cottages. This relationship would fail to preserve or enhance the character or appearance of the Cliftonville Conservation Area. The proposal is thereby contrary to policies QD1, QD2, QD4, HE3 and HE6 of the Brighton & Hove Local Plan.
2. The proposed development by reason of its height and scale would lead to a significant overbearing effect and increased sense of enclosure to neighbouring properties to the detriment of their living conditions. The proposal is therefore contrary to policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.
3. There is no evidence that efforts have been made to market the site for either the existing office / industrial use or for alternative types of industrial and business use. It has not therefore been demonstrated that the site is genuinely redundant and unsuitable for modern employment needs. The application is therefore contrary to policies EM3 and EM5 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on drawing nos. 241 (10) 001, 002 A & 003; 241 (20) 001 A, 002 A & 003 A; 241 (11) 002 A and 241 (30) 001, 002, 003, 004, 005, 006, 007 & 008 submitted 18th December 2009; drawing nos. 241 (21) 001 C, 002 C, 003 C, 004 C, 005 C, 006 C, 007 C, 008 C, 009 C, 010 C & 012 B; 241 (31) 001 C, 002 D, 003 B & 004 B, 040 B, 041 B, 042 A, 043 A; and 241 (41) 001 B & 002 B submitted 22nd July 2010.

2 THE SITE

The application site relates to the Medina House site which is sited at the

southern end of Sussex Road and Victoria Cottages which are made up of small two storey terraced houses leading down to Hove seafront. The site fronts onto Kings Esplanade which in this section is a mixture of building types; broad, bulky 7 and 9 storey high purpose built blocks of flats (Bath Court, Benham Court and Spa Court), the narrow frontage of the 3 storey restaurant adjacent to the site (Morrocco's), the King Alfred Sports Centre to the West, and the more open section to the East bounded by the listed buildings of Medina and Courtenay Terraces.

The Medina House site comprises a two-storey gabled building with an external yard area to the side currently housing caravans and enclosed by temporary fencing. The site is within the Cliftonville Conservation Area.

3 RELEVANT HISTORY

An application for conservation area consent for demolition of the existing building was also withdrawn (ref: **BH2008/03983**). An application for planning permission for a 16 storey development including 11 residential units, ground and first floor restaurant, second floor office and basement parking - with conversion of no. 3 Victoria Cottages from 1 no. dwelling house to 2 no. affordable maisonettes was withdrawn in 2009 (ref: **BH2008/03963**).

An application for 'new build 18 storey seafront development comprising 23 apartments with ground floor restaurant and basement parking' was withdrawn in 2006 (ref: **BH2002/03108/FP**).

Planning permission, and an accompanying application for conservation area consent, were refused in 2000 for 'demolition of existing buildings and erection of 4/5 storey block of 9 flats (6x2 bedroom and 3x1 bedroom) and 9 no. basement car parking spaces' (ref: **BH2000/03196/FP & BH2000/03208/CA**). The reasons for refusal were:-

1. The proposal would detract from the character and appearance of Cliftonville Conservation Area by reason of the loss of a building which positively contributes to the Area and by reason of the bulk, massing and design of the proposed building. It is therefore contrary to policies BE8, BE9 and BE11 in the Hove Borough Local Plan and B16 and B17 in the Brighton & Hove Local Plan First Deposit Draft and Guidance in PPG15: Planning and the Historic Environment.
2. The proposed block of flats would result in loss of residential amenity to adjacent residents by reason of loss of sunlight, overshadowing, loss of daylight, overlooking and sense of enclosure contrary to policies BE1 in the Hove Borough Local Plan and QD27 in the Brighton & Hove Local Plan First Deposit Draft.

Planning permission, and an accompanying application for conservation area consent, were granted in 1999 for 'demolition of existing single storey

structure, conversion of Medina House to form 3 no. s.c. flats and erection of 2 no. new houses' (ref: **BH1999/01456/FP & BH1999/01482/CA**). The conservation area consent did not require the approved replacement development to be commenced and the single-storey side structure was demolished c.2000.

4 THE APPLICATION

The application is for demolition of the existing Medina House building and the erection of a 9-storey building sited on the south-western corner of the site with a lower two-storey section covering the remainder of the site. The development includes basement parking for 9 vehicles accessed from Sussex Road; a ground and first floor restaurant; and 9 residential units.

An accompanying application for conservation area consent has been submitted to accompany this application and is included elsewhere on this agenda (ref: **BH2009/03120**).

5 CONSULTATIONS

External:

Neighbours: Representations have been received from:- **Brunswick Terrace - 29, Clifton Terrace - 9A, Compton Avenue - 6, Connaught Terrace – 23, Courtenay Terrace - Courtenay Beach, 6 Courtenay Gate, Flag Court (nos. 23), 234 Eastern Road, 30 Hove Street, King's Esplanade - No. 8, Bath Court - 2, 6, 7, 8 (x2), 10, 12 (x3), 14, 16, 19, 20, 25 (x2), 28, 34, 36, 37 (x2), 39A, 46, Benham Court – 1, 9, 12 (x2), 17 (x2), 18, 19, 21 (x2), 22, 23, 24, 25, 26 & Benham Court Residents Association, Spa Court – 17, St Aubyns Mansions - Flat 7 (x2), Medina Terrace - 3 (x3) (flat 3), 5, 8, Norton Road – 26 (flat 3), Old Shoreham Road – 96, Osborne Villas - 4, 6, 13 (x2), 19a, 22, Selborne Road – 47, Shelley Road – 26, Springfield Road – Wellend Villas (flat 62), Sussex Road - 3 (x2), 4, 12, 13, 15, 18, 19, St Andrews Road – 32, St Aubyns Mansions – 7, Victoria Cottages – 7, Victoria Terrace - Verner House (flats 7 & 8A), 11 (basement flat), 12, 12a saveHOVE, 7 Campen Close & 18 Gipsy Hill, London, Neal House, Greatworth, Parker Dann on behalf of 25 Benham Court, Kings Esplanade and 1 letter of no address objecting to the proposal for the following reasons:-**

Design

- the height and scale of the development is not in keeping with adjoining buildings or guidelines for the conservation area;
- the proposals are bland and neither in keeping or revolutionary;
- an overhanging element to the western side of the building is unacceptable;
- the development is a further erosion of the historic merits of the area and the importance of Sussex Road as an example of its time;
- the site is not large enough to accommodate such a high block, any development should not exceed the height of the existing building;
- the elevational treatment is out of character;
- an aluminium exterior would represent a significant maintenance problem

- in such an exposed seafront location;
- the existing building positively contributes to the character and appearance of a conservation area, but has been left to deteriorate over a number of years;
- the principle of tall buildings is not promoted or justified in SPGBH15 in the location of this site;
- when Bath Court was built it was not allowed to exceed 5-storeys in height;
- the Medina House site is right in the middle of a residential area, as opposed to the King Alfred which was a stand-alone site;
- draw attention to a refused application in 2006 for a tall building on the Kingsway Texaco Service Station site;
- the development does not comply with PPS5, which was adopted following the application originally being submitted;

Amenity

- the proposed height will severely restrict light to adjoining properties;
- a daylight assessment prepared in 2008 is not appropriate to the current proposal;
- overlooking of adjoining properties, particularly from the penthouse balconies;
- the development will lead to a tunnelling of wind along Sussex Road;
- increased noise pollution from residents and the proposed restaurant, which may spill onto the promenade;
- increased air / noise pollution from cars queuing along Sussex Road to access the basement car park;
- the overhanging floors will facilitate the tunnelling of wind in a very exposed area;
- the proposal lacks amenity space;
- the flats at lower levels of the building would suffer low light levels and potentially unsatisfactory living conditions arising from being overshadowed and overlooked by Bath and Benham Courts;

Transport

- Sussex Road is unsuitable as a main access point for the development. Already cars have no option but to drive illegally on the pavement, creating a hazard for residents;
- existing parking places in Sussex Road will be lost to provide access to the proposed development worsening the existing parking situation;
- the proposed car lift will undoubtedly produce small queues of cars at peak times up Sussex Road;
- there is no provision for wheelchair users along Sussex Road due to vehicles using the pavement for access;
- increased traffic flow along King's Esplanade would become a major nuisance to existing residents, particularly in the summer when it is already busy with traffic and pedestrians;
- insufficient off-street parking is provided;
- access to the basement car lift will be problematic and does not work;

- cycle stores are limited throughout the development;

Other

- no attempts have been made to find a user of the existing building;
- the developer has circumnavigated the need to provide affordable housing to maximise profit with no consideration of the community;
- increased density of housing should not be at the expense of the environment;
- question whether existing service supply pipes and channels can cope with the additional demand;
- properties on Medina Terrace were excluded from the neighbour letter notification process;
- community consultation over a year ago appeared to result in a total objection to proposals for a tall building;
- draw attention to a number of other sites within the conservation area which have been refused for design and amenity related reasons;
- the applicant has not demonstrated a high standard of efficiency in the use of resources;
- no flood risk assessment has been carried out.

Letters have been received from **10 (flat 2) Buckingham Place; 5 Chichester Terrace; 92 Coleman Street; 74 Coombe Lea; 14 (basement) Devonshire Place; 48 Guildford Street; 16 Hove Park Villas; 36 Kensington Place; 56A Livingstone Road; 66 (flat 75 – Park Royal) Montpelier Road; 45 Tisbury Road; 1 Byland Close (Eastbourne)** and **2 letters of no address** supporting the application for the following reasons:-

- the design is an improvement on the derelict Medina House;
- the restaurant will add life on Hove's King's Esplanade;
- well matched in height to surrounding buildings;
- the proposals include the restoration of key historical features of the original baths;

A letter has been received from a resident in **Spa Court** supporting the proposal and considering that any improvement is better than the present building.

19 Old Shoreham Road have no objection to the proposal.

Brighton Society: The proposed building is disproportionately high and would overshadow the small houses behind in the Cliftonville Conservation Area. Demolition would result in the loss of an interesting and historic building with fine interior detailing, including ceramic tiles which deserve to be retained, converted to a new use and restored.

English Heritage: No objections. Previously objected to an earlier proposal (*for a 15-storey building*) as it was felt that the height and form of the proposed building was out of scale with the character of this part of the Cliftonville Conservation Area. It was however noted that in view of the

relative height of immediately adjacent seafront buildings, the Council's adopted policies on the location of tall buildings, and the assessment of the character and appearance of the conservation area that *'the site (was) capable of providing an elegant taller element of a more understated building, one that healed the gap in the seafront perimeter yet visually terminated the north-south terraces'*.

The current application goes a considerable way towards achieving this by proposing a building that more closely reflects the adjacent building heights and that addresses the seafront appropriately. It attempts to mediate between the scale of the residential terraces to the rear and King's Esplanade, by siting the higher element towards the frontage of the site. The historic street pattern and grain is reflected by retaining breaks in the building line along the seafront alignment with the particular streets. In light of this no objection to the application in terms of the impact on the historic environment.

Hove Civic Society: Objection. Consider the proposal is piecemeal development making poor use of the site. The height of the proposed building might not be an issue if a more comprehensive development was proposed: suggest a planning brief including Marroccos be considered. The façade as proposed is unattractive, but a modern treatment need not be out of place provided it is done sensitively. In terms of access limitations the site would in part lend itself to reduced car parking requirements.

The proposed building is too tall, will dwarf and dominate the neighbouring cottages and rob them of light; will not enhance the character or appearance of the conservation area, despite the argument that architectural styles on the seafront are mixed. The proposal does not justify the demolition of Medina House, and the suggestion that parts of the old buildings could be incorporated into the new one may be impracticable to achieve.

Natural England: No comments.

Sussex Police: The applicants intend to remain committed to the requirements of policy QD7 and the principle of Secured by Design, in view of this no objection.

Internal:

Conservation & Design: Objection. The principal requirement of any development of this site is that it must preserve or enhance the character of the conservation area. It is not considered that the scale of the tower element respects the character of the conservation area to the north of the Esplanade. In addition, the proposal for a tall building on this site is contrary to Council policy and has still not been sufficiently justified.

It is therefore considered that despite recent amendments, which make the development acceptable in relation to its surroundings on Kings Esplanade, the negative effects on the small scale streets to the north have not been

overcome and as a result this application should be refused.

Environmental Health: No comment.

Planning Policy: The applicants need to submit evidence to support any case for redundancy of the existing office use in accordance with policy EM6. The site is within a flood zone 1 (minimal risk of flooding) and a greenway passes along the frontage.

Sustainable Transport: The Highway Authority believes that the level of car and cycle parking provided as part of this planning application is appropriate to meet the demand that the proposal will create. It therefore complies with Local Plan policies TR1, TR14, TR19 and SPG4.

To ensure that the access to the underground car park can be used safely the proposal is to alter the layout of the highway at the southern end of Sussex Road. To achieve a safe access will require the relocating of 3 permit parking bays and inclusion of on street cycle parking, as shown on drawing 55710101-02. Drawing 55710101-03 has indicated 3 locations with the vicinity of the site that these spaces could be located.

Whilst the Highway Authority has no concerns regarding the principle of the proposal the identified locations do cause some concern, particularly those that affect the cycle lane at the far western end of King's Esplanade. However, having visited the immediate area around the site there are numerous locations where these spaces could be relocated that would be safer than those shown. The requirement to amend the relevant Traffic Regulation Order can be included as a part of a highway works schedule of a s106 Agreement.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe Development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
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

QD6	Public art
QD18	Species protection
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 development
HO6	Provision of outdoor recreation space in housing schemes
HO9	Residential conversions and the retention of smaller dwellings
SR12	Large Use Class A3 (food and drink) venues and Use Class A4 (pubs and clubs)
HE6	Development within or affecting the setting of conservation areas
HE8	Demolition in conservation areas

Supplementary Planning Guidance

SPGBH15 Tall Buildings

Supplementary Planning Document

SPD03 Construction and Demolition Waste

SPD08 Sustainable Building Design

7 **CONSIDERATIONS**

The main issues of consideration in the determination of this application relate to whether the proposals would preserve or enhance the character or appearance of the Cliftonville Conservation Area; the impact on amenity for occupiers of adjoining properties; and issues relating to housing, transport, and sustainability.

Existing use of Medina House

The existing Medina House building has been largely vacant since c.1993 with the last formal use of the premises for light-industrial processes within Use Class B1. However, in more recent years the building has been intermittently occupied for informal residential use.

Throughout the time in which the building has been vacant there appears to have been no serious attempts to market the building for either B1 use, or alternative uses. The existing building provides approximately 300m² of B1 floorspace and no information has been submitted, by way of marketing information or analysis of the building and its location, to demonstrate that the premises is unsuitable for modern employment needs.

It is recognised that there are limitations with the existing building, in terms of the internal layout and highway servicing arrangements, and that as a result it may be unsuitable for modern employment use. However, as a result of the failure to actively market the building for the current use, or alternative industrial or business use, it cannot be demonstrated that the premises is genuinely redundant. The provision of a restaurant within the proposed

development is not considered to overcome the absence of any active marketing for the existing use of the site.

Tall buildings assessment

The Council has adopted specific and detailed guidance in relation to applications for tall buildings in the form of Supplementary Planning Guidance Note 15 (SPGBH15), which defines tall buildings as those of 18 metres and above. The proposed building on the Medina House site, at 9-storeys and approximately 28.5 metres in height, constitutes a tall building.

SPGBH15 identifies parts of the City where opportunities for tall buildings may exist, one of which is the Western Seafront / Kingsway corridor; the applicant considers that the application site lies within this corridor. Whilst a precise boundary for the Western Seafront / Kingsway tall building corridor has not been defined it is referred to in the SPG as being sites on the northern side of the Kingsway overlooking Western Lawns (para 8.12.1) and the part of the western seafront which forms an end stop to the Western Lawns (para 8.12.2). Medina House does not overlook Hove Lawns or provide an 'end stop to Hove's Western Lawns'.

It is therefore considered that the application site does not lie within an area identified where taller development may be appropriate; the tall buildings guidance also advises that Conservations Areas are not generally regarded as appropriate locations for tall buildings unless they would be preserved or enhanced. Despite this it is recognised that in order to reflect adjoining buildings on Kings Esplanade a taller form of development could be justified, particularly in relation to Bath Court, Benham Court and Spa Court (which are 7 and 9 storeys in height excluding the service tower). These buildings would all be classed as 'tall buildings' under SPGBH15.

In relation to adjoining development on Kings Esplanade (and in townscape terms only) it is considered that the scale of development would not necessarily be inappropriate. The proposed building would not appear significantly higher than its seafront surroundings, particularly as the visual impact of the top (penthouse) storey is reduced by its set back from the main facades. The Conservation & Design Team considers that in relation to Kings Esplanade the proposed development would work well within the street scene and is acceptable in relation to its surroundings on Kings Esplanade,.

It is accepted that any building on the Medina House site in excess of 18 metres (and approximately 6-storeys) would create some conflict with adopted guidance on tall buildings. It is though considered that the intention along the Kings Esplanade was that new development should not be significantly taller than surrounding buildings. In order to reflect existing seafront development a taller building would be required, and on this basis there is some justification for a building of the scale proposed.

The impact of the development must though also be considered in relation to

the wider Conservation Area setting and particularly adjoining development to the north.

Character and appearance

The principal requirement of any development on the Medina House site is that it must preserve or enhance the character of the Conservation Area. The contrast between Kings Esplanade and the small residential terraces of Victoria Cottages and Sussex Road creates a widely differing character and makes the site a very challenging one to develop. The success of any development would though depend upon its sensitive merging with low rise terraced housing to the north and upon successful integration into street views along Sussex Road and Victoria Cottages.

The two storey northern section of the proposed building, fronting Victoria Cottages and Sussex Road, attempts to provide buffer zones and create a transition to the taller seafront element of the development. There would though remain an extreme contrast in height between the eaves of terrace housing to the north (approximately 7m) and the proposed tower element (of approximately 22m to the first step at 7th and 28m to the roof). Despite the reduction in height from previous schemes the towering presence of the proposed 9-storey building would have an overbearing effect on views down these narrow intimate streets to the seafront.

It is considered that the justification for a tall building on the site is driven by the scale of existing buildings on Kings Esplanade. The impact and relationship of the development with adjoining buildings to the north is not directly addressed by the application and the development relies solely on a 2-storey plinth to resolve the contrast and impact on terraced properties to the north.

The development would have an overbearing effect when viewed from the narrow more intimate streets to the north and the proposed change in scale, character and appearance is too great. This harm would be particularly evident in both short and long views along Sussex Road and Victoria Cottages.

This change in scale is not reflected elsewhere in this part of the Conservation Area. The Bath Court development comprises a transition from 3-storey terraces on Sussex Road to 7-storeys fronting Kings Esplanade, with land to the rear not readily comparable to Sussex Road and Victoria Cottages. The proposed change in scale is also not considered to be justified by the examples provided by the applicant of other situations where tall buildings have been built at the seafront end of smaller scale residential streets (with the junction of Kingsway with Carlisle Road and Albany Villas a stated example).

For the reasons outlined the scale of the development is considered to be excessive and would create a visually overbearing relationship with adjoining

development on Sussex Road and Victoria Cottages. This relationship would fail to adequately preserve or enhance the character or appearance of the Cliftonville Conservation Area.

Notwithstanding these fundamental concerns it is considered that the proposed building is well designed and detailed, with the curved glazing to the south-western corner an attractive feature, and the proposed mix of materials well suited to the local palette.

Proposed residential accommodation

The development would create 7 x 2-bed flats (one flat per floor from ground to 6th floor level) and 2 x 1-bed duplex penthouses (at 7th & 8th floor level). The proposed flats would provide extremely spacious accommodation and there is no objection to the proposed mix. All units would benefit from adequate outlook, natural light and ventilation and the private amenity space, mainly in the form of roof terraces, is appropriate to the scale and character of the development.

A checklist and accompanying large scale plan have been submitted to demonstrate that Lifetime Home standards will be incorporated in the proposed design. Due to the size of the proposed units there are no reasons why they could not meet all the relevant standards and if necessary this could be secured by condition.

Impact on neighbouring amenity

The main concern regarding neighbouring amenity is the impact of the development on light and outlook from adjoining properties on Sussex Road, Victoria Cottages, Bath Court and Benham Court. A number of representations have been received from occupiers of adjoining properties objecting to the proposal on this basis.

Loss of light

The application is accompanied by a daylight assessment for an earlier scheme for a 15-storey building on the site (ref: BH2008/03963). This assessment has been supplemented by additional information relating to the current scheme and the difference in impact between the previous scheme and that now proposed. A report on daylight and sunlight has also been submitted by the residents of Bath Court and Benham Court.

The information in both reports is based on guidance in the Building Research Establishment (BRE) publication 'Site Layout Planning for daylight and sunlight: a guide to good practice'. Whilst this publication is not enshrined in local plan policy it is recognised as being good practice in the assessment of development proposals and the impact on light.

The assessments in both reports highlight that development on the Medina House site would cause a noticeable loss of daylight to a large number of adjoining windows, with the resulting level in a number of instances below that

recommended by the BRE. Whilst the precise reduction in daylight varies between both sets of reports the overall trend and magnitude of the impact is broadly consistent and sufficient for conclusions to be drawn.

The reports indicate that of the windows assessed to properties on Sussex Road, Victoria Cottages and within Bath Court the majority would receive a reduction in day and sun light, with the impact on windows nearest the application site generally the greatest. The reports both acknowledge instances where loss of light would not be noticeable; locations where light levels resulting from the development would fall below BRE recommended levels; and where windows are already below BRE recommended levels and would suffer further loss of light. Based on the submitted reports it is apparent that the development would result in a loss of light to adjoining properties.

The supporting information provided by the applicant does though suggest that the impact on daylight to adjoining properties from a lower building would not be appreciably better than that which would result from this application. For example, the loss of daylight (in the form of VSC) to a window in Bath Court was 33.5% with a 15-storey building on the Medina House site, and 32.8% with the current proposal for a 9-storey building (with these figures taken from representations received from neighbouring residents). This difference in impact between 15 and 9 storeys would not be a significant improvement for occupants of the affected property.

It is therefore considered that in this instance compromise is required in terms of strict compliance with the BRE guide, and a higher degree of obstruction is unavoidable in order to achieve a development of an appropriate scale in relation to existing buildings on King's Esplanade.

There is a conflict between securing a scale of development that is appropriate to Kings Esplanade (whilst providing a transition from Sussex Road and Victoria Cottages) and ensuring that the impact is within the day and sun light thresholds recommended by the BRE. This is supported by the planning history of the site where an application for a 4 / 5-storey building on the site was refused partly due to loss of light to adjoining properties (ref: BH2000/03196/FP). In addition to earlier representations from residents which indicated that if BRE recommended levels were strictly followed on the Medina House site it would result in a development that would rise to no more than 10.6 metres adjoining Bath Court (approximately 3 storeys); it is questionable whether this scale of development would be desirable in townscape terms.

The development would result in loss of light to adjoining properties in this location. However, having regard to the prevailing scale of development on King's Esplanade a higher degree of obstruction would be justified in this instance. The siting of the main built form on the south-western corner of the site would minimise as far as is reasonably practicable the impact of the

development on light to adjoining properties and the southerly aspect of adjoining properties to the east and west would be unaffected by the development.

Loss of outlook

Notwithstanding the findings in respect of light the impact of the development on outlook from adjoining window openings and amenity spaces must also be considered. The development would result in a step change from two-storey terraces to a nine-storey tower along Sussex Road and Victoria Cottages: in contrast Bath Court comprises a three-storey terrace on Sussex Road and six-storey frontage building on King's Esplanade.

It is considered that the proposed development by reason of its height and bulk would cause a severe overbearing effect and heighten the existing sense of enclosure that exists for adjoining properties, particularly those to the north where rear garden areas are already enclosed by two-storey rear sections of the buildings.

In this regard the application site is considered to be more sensitive than Bath Court and Benham Court which are adjoined to the north by surface parking and other non-residential uses. This provides a 'buffer zone', reducing the immediate impact on amenity resulting from the scale and bulk of these buildings, that is not repeated to the rear of the Medina House site.

Overlooking

The development would incorporate window openings to the side and rear elevations with potential to cause overlooking to adjoining properties.

The side facing windows can either be considered secondary openings or relate to non-habitable rooms. It is considered that these windows could be obscurely glazed without harming the living conditions of the proposed flats and this would prevent any intrusive overlooking of adjoining properties. Similarly whilst rear (north) facing window openings are the only source of light and outlook for the affected rooms there are no reasons why the lower half could not be obscurely glazed. This arrangement would prevent potentially harmful downward overlooking, or the perception of overlooking from adjoining properties, whilst still allowing adequate light to occupants of the proposed development. In both instances the measures outlined could be secured through condition if necessary.

Proposed commercial use

The development includes a double height space to the eastern section of the building with a bar area to the front of the property and (raised) customer seating to the rear; a kitchen is located at first floor level. The application outlines that the commercial space would be used in the manner of a restaurant and bar, with the customer floorspace approximately 90 sq metres. There is no objection in principle to a commercial ground floor use in the building as it would potentially create an active vibrant frontage in a popular

stretch of Hove seafront.

It is recognised that there are a number of residential properties adjoining the application site and as such there is potential for noise and disturbance from the proposed use. However, if necessary it is felt that any harm could be mitigated through conditions restricting opening hours, delivery times, the permitted Use Class, soundproofing and extract and odour control equipment. It is therefore considered that refusal of the application on the basis of noise and disturbance would not be warranted and potential harm could be overcome through the use of conditions.

Transport

Local plan policy TR1 requires that development provides for the demand for travel it creates, and maximises the use of public transport, walking and cycling. Policy TR7 seeks to ensure development does not increase danger to users of adjacent pavements, cycle routes and roads.

Parking provision

The development would provide 9 spaces at basement level for the proposed residential units; 2 of these spaces would be suitable for disabled use. There is no objection to this level of parking provision.

The southern end of Sussex Road, adjoining Medina House, provides on-street resident parking for 6 vehicles. The proposed plans indicate the removal of three spaces in order to facilitate access to the basement parking. It is apparent there is heavy demand for on-street parking in the immediate vicinity of the site and a number of objections have been received on this basis. The applicant considers the loss of these spaces to be acceptable, on the basis of 9 spaces being provided at basement level, and has identified 3 locations in the immediate surrounding area where additional parking bays could be provided.

There is no objection in principle to the creation of new resident parking bays as this would not result in a net loss of parking spaces within the zone, and the development would not therefore create a nuisance (in transport terms) for existing residents. If the application were approved the provision of these 'new' spaces would need to be secured by condition or s106 agreement.

Highway safety

The proposed development incorporates basement parking for 9 vehicles accessible from Sussex Road. Sussex Road is a narrow street accessible only to southbound traffic with vehicles parked along its length. As originally submitted there was concern that the basement access was located in a position where the adjacent property, no. 12, would constrain the visibility of vehicles entering and leaving the development and cause a safety hazard.

In response to this concern the applicant has submitted additional information on the visibility to and from the basement access. It has now been

demonstrated that the low vehicle speeds along Sussex Road, the highway layout and street parking allows for sufficient visibility for southbound traffic and cars emerging from the basement. The Sustainable Transport Team is in agreement with this assessment and on this basis it is considered the access would not cause a safety hazard for highway users.

The application is accompanied by information outlining how use of the access ramp would be managed by a traffic signal to prevent potentially hazardous vehicle manoeuvres and reversing on the highway. This arrangement has been agreed with the Sustainable Transport Team and if necessary the signal provision could be secured by condition.

Cycle parking

The development provides 6 covered cycle spaces at basement level, from where lift access would be available to upper floors; with a further 8 cycle spaces provided at street level for visitors / existing residents. This location and amount of cycle parking is considered appropriate and in compliance with local plan policy TR14.

Other matters

The development involves works to the adopted highway and if the application were approved details would be required to demonstrate that these works would not prejudice the highway; such details could be required either through an appropriate condition or separate agreement under the Highways Act.

The tower element of the development would overhang Sussex Road from second floor level and above. In highway safety terms given the overhang is approximately 7.3 metres above street level there is no objection in principle to this arrangement. It should be noted that a license, under Section 177 of the Highways Act 1980, would be required to overhang parts of the highway that are maintainable at the public expense.

Sustainability

Policy SU2 requires proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance within Supplementary Planning Document 08 'Sustainable Building Design' recommends that for a development of this scale there should be Zero net annual CO2 from energy use; a completed Sustainability Checklist; Level 3 of the Code for Sustainable Homes (CSH) and Lifetime Home Standards should be achieved.

There are no reasons why the development could not achieve CSH Level 3. The applicant has submitted a Sustainability Checklist which outlines that CSH Level 4 would be sought and a pre-assessment indicates how this would be achieved. If the application was approved it would be possible to secure a CSH rating through condition.

The Site Waste Management Plans Regulation (SWMP) 2008 was introduced on 6 April 2008. As a result it is now a legal requirement for all construction projects in England over £300,000 to have a SWMP, with a more detailed plan required for projects over £500,000. As the proposed development involves 4 new-build units it would be required under the regulations to have a SWMP.

Ecology

The application includes an ecological survey which advises that no evidence of bat activity within the site was encountered. It is accepted that the likelihood of a bat roost of any significance in this coastal location is remote and it would therefore be unreasonable to require additional bat surveys before this application was determined. If necessary further information could be required by condition prior to the commencement of works.

Land contamination

The application site is within a groundwater protection zone and former and historic uses of the site have potential to cause localised contamination. Whilst a detailed site investigation has not been submitted with the application if the application were approved there are no reasons why the required information could not be secured by condition.

Conclusion

It is considered that a tower feature on the south-western corner of the site is the most appropriate form of development for the site and would minimise the impact on light to adjoining properties as far as is reasonably possible in this instance. However, at 9-storeys in height it is considered the scale of development is excessive and would appear visually overbearing with adjoining development to the north on Sussex Road and Victoria Cottages. The height would also create an increased sense of enclosure to neighbouring properties, to the detriment of their living conditions.

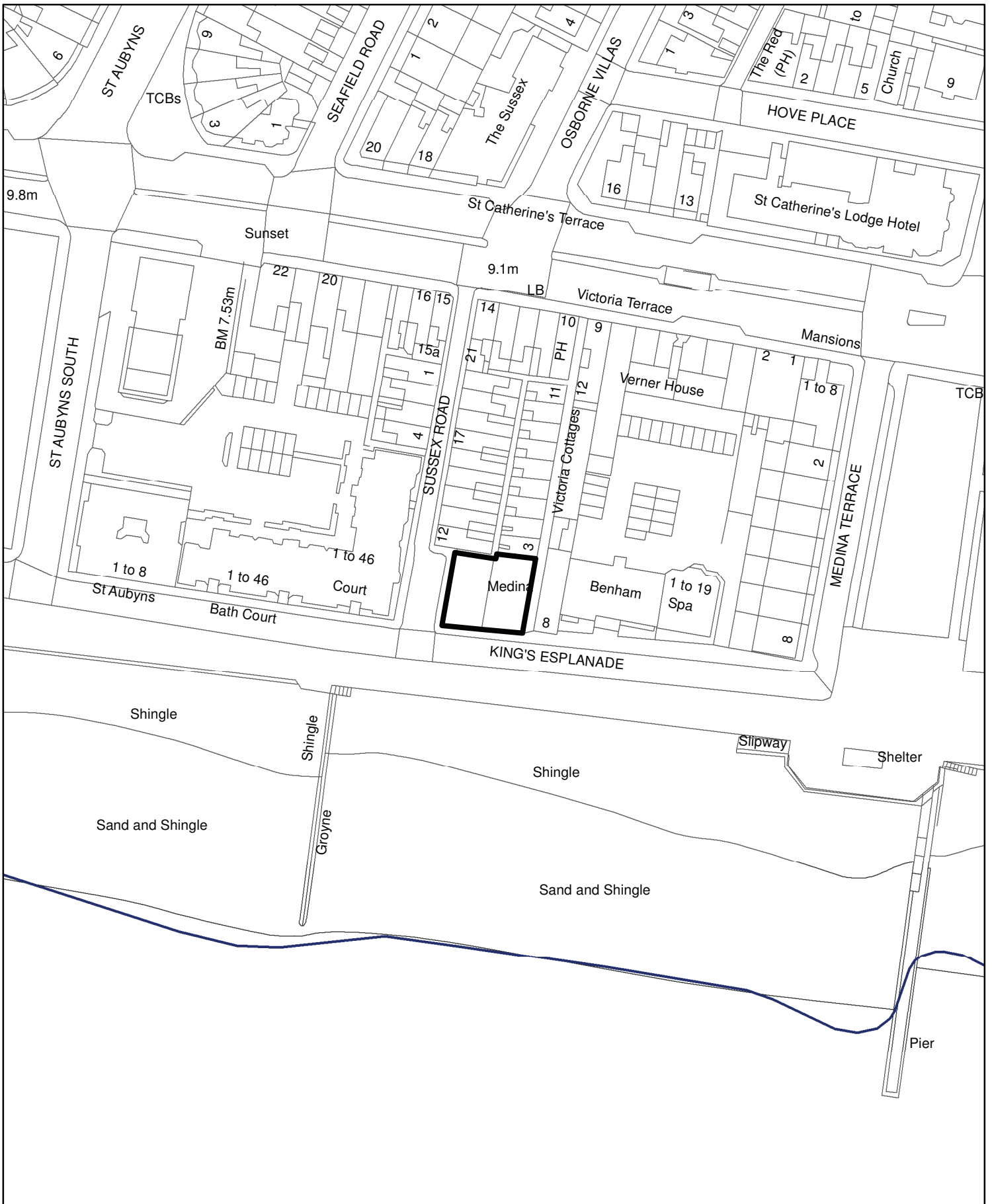
There are also concerns that the premises, which has an office use, has not been actively marketed to establish the likely demand.

The application is recommended for refusal.

8 EQUALITIES IMPLICATIONS

The development could be built to Lifetime Home standards and the split-level commercial unit would be accessible to those with limited mobility. The basement would include two disabled parking spaces.

BH2009/03105 Medina House, King's Esplanade, Hove



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2009/03120	<u>Ward:</u>	CENTRAL HOVE
<u>App Type:</u>	Conservation Area Consent		
<u>Address:</u>	Medina House, Kings Esplanade, Hove		
<u>Proposal:</u>	Demolition of existing building.		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	18/12/2009
<u>Con Area:</u>	Cliftonville	<u>Expiry Date:</u>	12 February 2010
<u>Agent:</u>	Camillin Denny Architects Limited, Unit D/E Level 8, New England House, New England Street, Brighton		
<u>Applicant:</u>	Mr Sirius Taghan, Globe Homes, C/O Camillin Denny Architects Limited		

1 RECOMMENDATION

That the Planning Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **REFUSE** conservation area for the following reason:

1. The existing building makes a positive contribution to the character and appearance of the Cliftonville Conservation Area. It has not been demonstrated that the building is beyond economic repair (through no fault of the owner / applicant) and that there are no viable alternative uses for the building. Furthermore in the absence of an approved planning application for the redevelopment of the site demolition of the existing building would be premature and result in the creation of a gap site that would fail to preserve or enhance the character or appearance of the Cliftonville Conservation Area. The proposal is therefore contrary to policy HE8 of the Brighton & Hove Local Plan.

Informatives:

- 1) This decision is based on drawing nos. 241 (10) 001, 002 A & 003; 241 (20) 001 A, 002 A & 003 A; 241 (11) 002 A and 241 (30) 001, 002, 003, 004, 005, 006, 007 & 008 and accompanying information submitted 18th December 2009; drawing nos. 241 (21) 001 C, 002 C, 003 C, 004 C, 005 C, 006 C, 007 C, 008 C, 009 C, 010 C & 012 B; 241 (31) 001 C, 002 D, 003 B & 004 B, 040 B, 041 B, 042 A, 043 A; and 241 (41) 001 B & 002 B and accompanying information submitted 22nd July 2010.

2 THE SITE

The application site relates to the Medina House site which is sited at the southern end of Sussex Road and Victoria Cottages which are made up of small two storey terraced houses leading down to Hove seafront. The site fronts onto Kings Esplanade which in this section is a mixture of building types; broad, bulky 7 and 9 storey high purpose built blocks of flats (Bath Court, Benham Court and Spa Court), the narrow frontage of the 3 storey restaurant adjacent to the site (Morrocco's), the King Alfred Sports Centre to the West, and the more open section to the East bounded by the listed

buildings of Medina and Courtenay Terraces.

The Medina House site comprises a two-storey gabled building with an external yard area to the side currently housing caravans and enclosed by temporary fencing. The site is within the Cliftonville Conservation Area.

3 RELEVANT HISTORY

An application for 'new build 18 storey seafront development comprising 23 apartments with ground floor restaurant and basement parking' was withdrawn in 2006 (ref: **BH2002/03108/FP**).

Conservation area consent, and an accompanying application for planning permission, were refused in 2000 for 'demolition of existing buildings and erection of 4/5 storey block of 9 flats (6x2 bedroom and 3x1 bedroom) and 9 no. basement car parking spaces' (ref: **BH2000/03208/CA & BH2000/03196/FP**). The CAC reason for refusal was:-

1. The proposal would result in loss of a building which positively contributes to the character and appearance of Cliftonville Conservation Area, without any justification contrary to policies BE9 and BE11 in the Hove Borough Local Plan and HE8 in the Brighton & Hove Local Plan First Deposit Draft.

Planning permission, and an accompanying application for conservation area consent, were granted in 1999 for 'demolition of existing single storey structure, conversion of Medina House to form 3 no. s.c. flats and erection of 2 no. new houses' (ref: **BH1999/01456/FP & BH1999/01482/CA**). The single storey side structure was demolished in July 2000. Following this demolition the Planning and Investigations Team have served s215 notices to require the repainting of all previously painted parts of the building, and the erection of hoarding around the section of the site where demolition has taken place.

4 THE APPLICATION

The application seeks conservation area consent for demolition of the existing Medina House building.

An accompanying planning application has been submitted for a 'new build 9 storey development including 9 residential units, ground and first floor restaurant and basement parking' (ref: **BH2010/03105**) and this is included elsewhere on the agenda.

5 CONSULTATIONS

External:

Neighbours: Representations have been received from:- **Hove Place – 2, Medina Terrace - 3 (x2), 3 (flat 3), Osborne Villas - 4, 6, 11, 13 (x2), 16, 22 Sussex Road - 4, 12, 13, 19, St Aubyns – 23 (flat 10), Vallance Road – 1, Victoria Cottages – 7, Neal House, Greatworth (Nr Banbury), Parker Dann on behalf of 25 Benham Court, Kings Esplanade, saveHOVE, Hove**

Civic Society and King's Esplanade - No. 8, Bath Court - 6, 7, 10, 12, 14, 36, Benham Court – 1, 2, 9, 12 (x2), 18, 21, 22, 23, 25, 26 & Benham Court Residents Association, St Aubyns Mansions - 7 (x2) objecting to the proposal for the following reasons:-

- Medina House was once a beautiful historical building until a wall was demolished and squatters and caravans were allowed on the site;
- the building is in keeping with the character and appearance of the cottages in Sussex Road;
- there are no reasons why the building could not be re-used and make a positive contribution to the area in line with an earlier consent;
- the applicant has failed to provide a full building survey for Medina House. There is no evidence that the building cannot be restored;
- no acceptable redevelopment proposal has been submitted or agreed. Approval to demolish without this approval would remove the opportunity to save the locally important structure;
- the premature demolition of the bath house section has unjustifiably and unreasonably contributed to the demolition of the remaining Medina House;
- the proposed building is overbearing, poorly articulated, insensitive and represents a gross overdevelopment of the site;

A letter has been received from a resident in Spa Court supporting the proposal and considering that any improvement is better than the present building.

Internal:

Conservation & Design: (*Comments from accompanying planning application*) The principal requirement of any development of this site is that it must preserve or enhance the character of the conservation area. It is not considered that the scale of the tower element respects the character of the conservation area to the north of the Esplanade. In addition, the proposal for a tall building on this site is contrary to Council policy and has still not been sufficiently justified.

It is therefore considered that despite recent amendments, which make the development acceptable in relation to its surroundings on Kings Esplanade, the negative effects on the small scale streets to the north have not been overcome and as a result this application should be refused.

6 PLANNING POLICIES

Planning Policy Statements

PPS5 Planning for the historic environment

Brighton and Hove Local Plan:

HE8 Demolition in conservation areas

7 CONSIDERATIONS

Medina House is the last surviving part of the Hove baths complex, the main

part of which was replaced by Bath Court. The building is within the Cliftonville Conservation Area but is not a listed building. It though locally listed with the description:-

“Strange and whimsical building, render over original brick facade, with a heavily decorated “dutch” gable, whose appearance would be improved by the reinstatement of appropriate windows. Possesses some charm and character as well as historical significance.”

The building is of a scale which reflects adjoining development to the north and in combination with the modest housing on Victoria Cottages and Sussex Road forms a unique enclave surrounded by grander buildings. It is considered that the existing building, notwithstanding its current condition, does make a positive contribution to the character and appearance of the Cliftonville Conservation Area.

There is a presumption in both local and national policy in favour of retaining buildings which make a positive contribution to the character or appearance of conservation areas. Local plan policy HE8 states that the demolition of a building and its surrounding which make such a contribution will only be permitted where all of the following apply:-

- a) supporting evidence is submitted with the application which demonstrates that the building is beyond economic repair (through no fault of the owner / applicant);
- b) viable alternative uses cannot be found; and,
- c) the redevelopment both preserves the area’s character and would produce substantial benefits that would outweigh the building’s loss.

The existing Medina House building has been largely vacant since c.1993 with the last formal use of the premises for light-industrial processes within Use Class B1. However, in more recent years the building has been intermittently occupied for informal residential use.

Throughout the time in which the building has been vacant there appears to have been no serious attempts to market the building for either B1 or alternative uses. The existing building provides approximately 300m² of B1 floorspace. The application is only accompanied by anecdotal information on the unsuitability of the existing building for reuse. It is though considered that marketing of the site is required to assess the demand for the existing premises. As a result of the failure to actively market the building for the current use, or alternative industrial or business use, it cannot be demonstrated that there is no use for the premises and there has been no opportunity for potential tenants to express an interest in the existing building

Whilst it is appreciated that the building is in need of repair as it is questionable the extent to which alternative uses have been sought for the site there is a concern the building has been allowed to deteriorate into its

current condition. Irrespective of this there is no detailed breakdown of the costs involved in repairing the building and as such an argument that the building is beyond economic repair lacks substance.

When conservation area consent ref: BH1999/01482/CA was granted for demolition of a previous single-storey section to the east of the site it did not require an approved replacement development to be commenced. The single-storey side structure was demolished in July 2000 and although this has harmed the character and appearance of the Conservation Area it has not seemingly affected the condition of the remaining building.

There are no acceptable details for the redevelopment of the site.

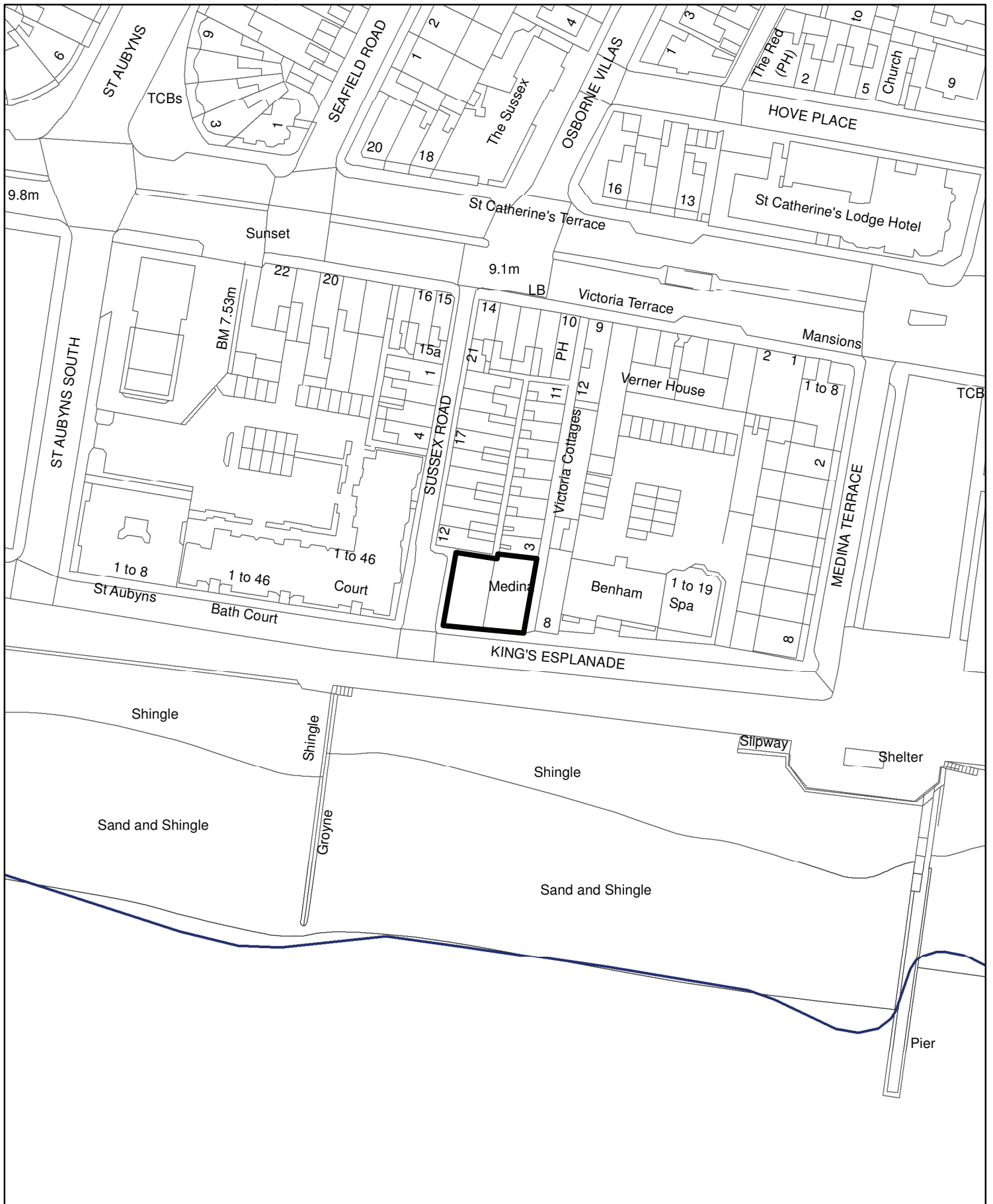
For the reasons outlined it is not considered appropriate to grant the demolition of the existing building as the demolition would harm the character and appearance of the Cliftonville Conservation Area.

The application is therefore recommended for refusal.

8 EQUALITIES IMPLICATIONS

None identified.

BH2009/03105 Medina House, King's Esplanade, Hove



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2010/02315	<u>Ward:</u>	BRUNSWICK AND ADELAIDE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Intergen House, 65 - 67 Western Road, Hove		
<u>Proposal:</u>	Removal of 5no existing antennas and replacement with 5no antennas and installation of an additional equipment cabinet at ground level.		
<u>Officer:</u>	Wayne Nee, tel: 292132	<u>Valid Date:</u>	04/08/2010
<u>Con Area:</u>	Brunswick Town	<u>Expiry Date:</u>	29 September 2010
<u>Agent:</u>	Tyco Electronics UK Infrastructure Ltd, Heriot House, Heriot Road, Chertsey, Surrey		
<u>Applicant:</u>	Vodafone Limited, Vodafone House, The Connection, Newbury, Berkshire		

1 RECOMMENDATION

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

Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawing no. 100 received on 27 July 2010, drawing nos. 300A, 301 and 500A received on 04 August 2010, and drawing nos. 200B, 302, 303, 304 received on 12 October 2010
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The telecommunications equipment hereby approved shall be removed if at any time in the future the equipment becomes obsolete or no longer required for the purpose for which it was erected.
Reason: To protect the appearance of the building and the surrounding area in accordance with policy QD23, QD24 and HE6 of the Brighton & Hove Local Plan.
4. Notwithstanding the approved plans, the antennas and fittings shall be coloured to blend in with the brickwork of the existing building
Reason: For the avoidance of doubt; to ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
5. Within three months of the installation of the antennae hereby approved, unless otherwise agreed in writing, the existing antennae and associated equipment shall be removed.
Reason: To avoid proliferation of the equipment and to ensure a satisfactory appearance of the building and to comply with policy HE6 of the Brighton & Hove Local Plan.

Informatives:

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

Planning Policy Guidance Note:

PPG8: Telecommunications (2001)

Brighton & Hove Local Plan:

QD14 Extensions and alterations
QD23 Telecommunications apparatus (general)
QD24 Telecommunications apparatus affecting important areas
QD27 Protection of amenity
HE6 Development within or affecting the setting of conservation areas
SU10 Noise nuisance; and

- (ii) for the following reasons:-

The visual impact of the installation on the host building would be minimal and the character and appearance of the surrounding Conservation Area would not be significantly harmed by the replacement telecommunications equipment. The application is accompanied by an ICNIRP certificate and there are no exceptional circumstances to believe the mast would lead to an adverse health effect.

2 THE SITE

The application relates to a 9/10 storey flat-roofed commercial building on the southern side of Western Road adjoining Palmeira Square. The ground floor of the building is partly in use as a sandwich bar with the rest of the ground floor and upper floors providing office accommodation. The building is a 1960's design with a penthouse at roof level set back from the front elevation of the building. The site and surrounding area lies within the Brunswick Town Conservation Area.

At present there are panel antennas affixed to the front and side elevations of the building at eighth floor level. The existing antennas are coloured to match the existing building.

3 RELEVANT HISTORY

BH2006/02987: Installation of four equipment cabinets at ground level, with two flagpole antennas and two 600mm dishes sited on the roof – refused 06/11/2006.

BH2005/01446/FP: 3 equipment cabinets at ground level, 3 antenna located within false plant room on roof, associated feeder. Cables & cable trays, hooped ladder, 2x 600m dishes – refused 21/09/2005.

BH2004/03170/FP: Fascia mounted telecommunications installation comprising 6 panel antennae, radio equipment cabin to be located on patio area at ground floor level to rear of building – approved 29/11/2004.

BH2003/02861/FP: Rooftop telecommunications installation comprising 6 No. half height panel antennas enclosed within 2 No. GRP brick effect shrouds, radio equipment cabin to be located on patio area at ground floor level to rear of building – refused 31/10/2003.

4 THE APPLICATION

Planning permission is sought for the removal of 5 no. existing antennas on the front and sides of the building, and their replacement with 5 no. antennas. Two would be utilised by Vodafone, two by O2, and one would be shared. The proposed antennas would be painted to match the brickwork.

Also proposed is the installation of an additional equipment cabinet at ground level at the rear of the building. The proposed cabinet would be located amongst the existing cabinets

5 CONSULTATIONS

External

Neighbours: Four (4) representations have been received from **Flat 5 10/11 Palmeira Square, Holland Road**, and **two from unknown addresses** objecting to the scheme on the following grounds:

- it is too near residential homes.

Internal

Cllr Elgood & Cllr Watkins object – see email attached.

Environmental Health: No comment.

Sustainable Transport: No objection.

Conservation & Design: The replacement of the aerials is acceptable in principle, especially as the new aerials are smaller, however it appears from the drawings that the proposed cable trays will be of different materials to the existing ones. The existing fittings are coloured to blend with the brickwork of Intergen House and as a result their prominence is reduced, therefore please ensure that a similar treatment is given to the proposed fittings. This could be done by condition.

6 PLANNING POLICIES

Planning Policy Guidance Note:

PPG8: Telecommunications (2001)

Brighton & Hove Local Plan:

QD14	Extensions and alterations
QD23	Telecommunications apparatus (general)
QD24	Telecommunications apparatus affecting important areas
QD27	Protection of amenity
HE6	Development within or affecting the setting of conservation areas
SU10	Noise nuisance

7 CONSIDERATIONS

The determining issues in the consideration of this application is the impact the proposed telecommunications equipment would have on the character and appearance of the building, the street scene and whether the works preserve and enhance the Brunswick Town Conservation Area. The impact on the amenity of adjacent properties is also a material consideration.

Background

A previous application (BH2006/02987) for four equipment cabinets at ground level, with two flagpole antennas and two 600mm dishes sited on the roof was refused for the following reason:

The proposed additional telecommunications equipment by virtue of their height, design and visual prominence would create undesirable rooftop clutter which would appear incongruous and out of keeping, detracting from the building and the character and appearance of this part of the Brunswick Town Conservation Area. The development is therefore contrary to Policies HE6 and QD24 of the Brighton & Hove Local Plan

Also of relevance is the approval of 6 fascia mounted antennae in December 2004 (ref: BH2004/03170).

Relevant Policy

Policy QD23 of the Brighton & Hove Local Plan states proposals for telecommunication developments will only be permitted where the following criteria are met:

- a) Subject to technical and operation considerations, the development is sited, designed, landscaped (where relevant) and in the most appropriate materials and colours, so as to minimise its visual impact;
- b) It can be demonstrated that existing masts, nearby buildings or structures cannot reasonably be used for the purpose;
- c) There will be no serious adverse effect on the character or appearance of the area;
- d) Where the proposal determines the location of development elsewhere, details are submitted of the co-ordinated and strategic assessment, including the location of any subsequent apparatus, which demonstrates that the proposal is part of a plan that minimises the overall impact; and
- e) There would be no unacceptable adverse impact on amenity, people, landscape and nature conservation in the locality.

If significant physical or electrical radio interference is likely to result, this will be taken into account. The planning authority will seek to ensure, wherever possible, cables and wires are located underground.

In the event that no controls exist under other legislation, the planning authority will impose on all masts or other telecommunications apparatus, conditions requiring their removal, if at any time in the future they become

obsolete and are no longer required for the purpose for which they were erected.

Policy QD24 states that proposals for telecommunication developments will not be permitted in locations where they would have an adverse affect on a conservation area or a listed building.

Policy QD27 of the Brighton & 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 users, residents, occupiers or where it is liable to be detrimental to human health.

Siting and Appearance of the Proposal

In the recent past on this site, schemes have been refused planning permission for the installation of antenna located within new rooftop structures as they were considered incongruous additions to the building, appearing overly prominent in public views, detracting from nearby listed buildings and failing to preserve or enhance the character and appearance of the Brunswick Town Conservation Area.

Intergen House is a nine-storey flat-roofed building of greater height than immediately adjoining development and is prominent when viewed from the north, east and west; particularly since its design and detailing is significantly different from the surrounding Conservation Area. Unlike previous applications which proposed additional equipment on the building, the scheme does not result in the increase in the number of antennas on the building. The shared use of the site by more than one telecommunications minimises the possible visual intrusion of a proposed telecommunications in a different site, as recommended by Planning Policy Guidance 8: Telecommunications (PPG8).

The replacement antennas would match the existing ones in size, although the cable trays would be slightly longer on the front elevation. It is considered that given the appearance of the existing antennas, the replacement antennas would not result in a clear visible change to the appearance of the building from street level, and so the proposal would not result in any increased harm on the character and appearance of the Conservation Area.

The supplementary information provided by the applicant states that the proposed antennas would be painted to match the brickwork of the building.

However the proposed drawings show a difference in the exterior appearance of the antenna when compared to the exterior brickwork of the building. For the avoidance of doubt, a condition is recommended to ensure that the proposed antennas are no more prominent than the existing antennas.

The scheme includes an additional equipment cabinet at ground floor level to

sit amongst the existing cabinets in the rear yard. The existing cable tray that runs up the rear of the building would be utilised for the additional power cables. Due to its position at the rear of the building which is not visible from any street scene, the additional cabinet equipment would not form a prominent feature on the site and is considered to be an acceptable addition.

Health Considerations

Health concerns can be a material consideration and a number of adjacent residents have expressed concern regarding the health risk of the proposed telecommunications equipment. The applicant has submitted a certificate stating that the proposal will meet the International Commission for Non-Ionising Radiation Protection (ICNIRP) guidelines as recommended in the Stewart Report. PPG8 states that where this is the case it should not be necessary for the Local Planning Authority to consider further the health aspects and concerns about them. In this respect the application is considered to be acceptable.

Conclusion:

For the reasons outlined in this report it is considered that the proposal is acceptable in terms of siting and appearance and will not have a detrimental impact on the character and appearance of the Brunswick Town Conservation Area and the application is therefore recommended for approval.

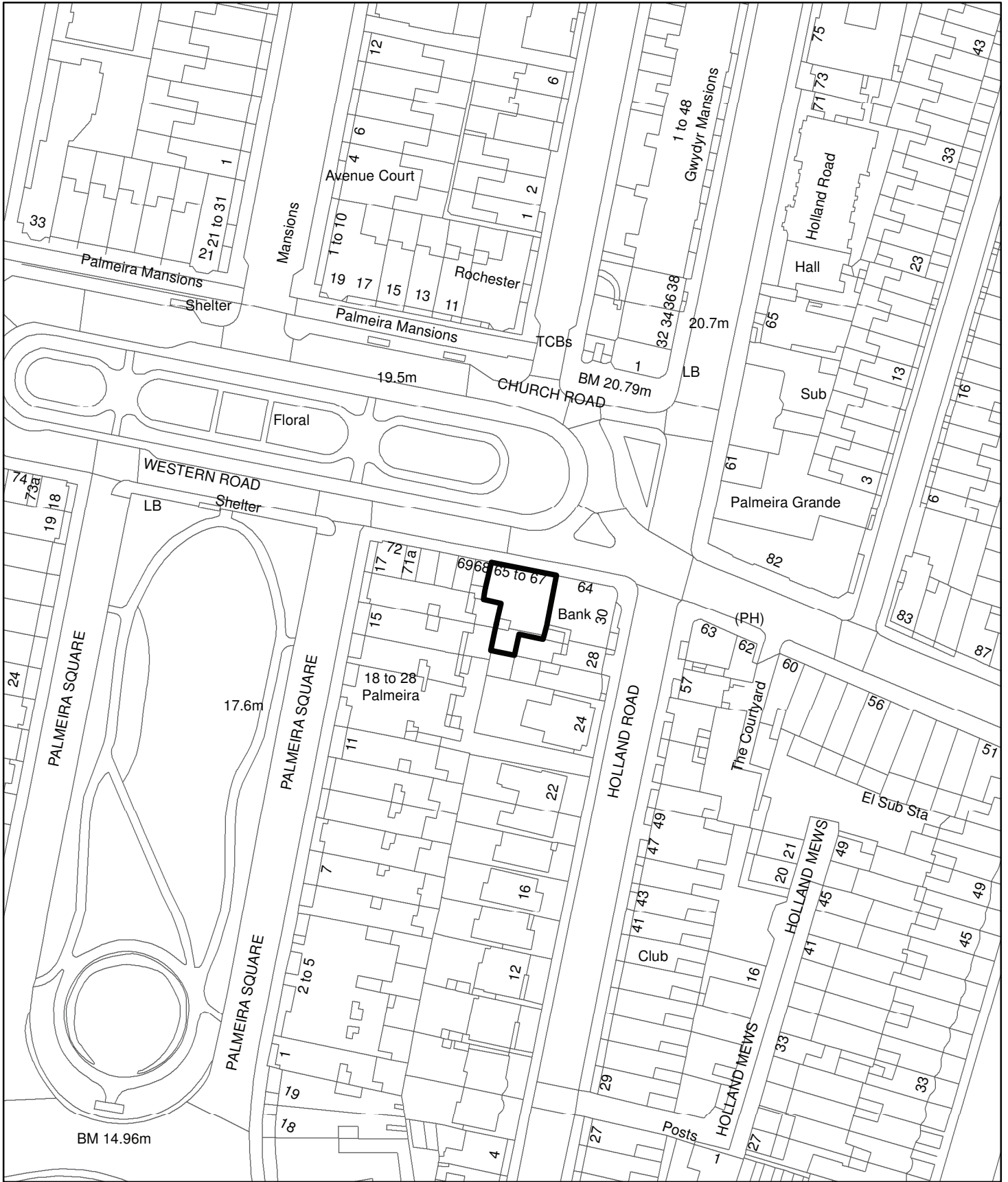
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The visual impact of the installation on the host building would be minimal and the character and appearance of the surrounding Conservation Area would not be significantly harmed by the replacement telecommunications equipment. The application is accompanied by an ICNIRP certificate and there are no exceptional circumstances to believe the mast would lead to an adverse health effect.

9 EQUALITIES IMPLICATIONS

None identified.

BH2010/02315 Interger House, 65-67, Western Road



Scale: 1:1,250



Planning Application - BH2010/02315

I object to the Planning Application

Sender's details

Cllr Paul Elgood
BHCC
BN3 2LS
291162
Paul.elgood@brighton-hove.gov.uk

Comment

As ward councillors, we would like to object to the application. Residents have contacted us concerned at the size of the equipment, difficulties in placing it on the site and concerns of health risks. We would urge the planning committee to undertake a site visit, and subsequently reject the application. Cllr Paul Elgood Cllr David Watkins

<u>No:</u>	BH2010/01418	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	7 Orchard Road, Hove		
<u>Proposal:</u>	Erection of a two storey side extension incorporating existing garage and roof alterations and enlargement of existing first floor side extension.		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	11/06/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	06 August 2010
<u>Agent:</u>	Barry Field RIBA, 7 Queen Square, Brighton		
<u>Applicant:</u>	Mr Ivan Camps-Linney, 7 Orchard Road, Hove		

1 RECOMMENDATION

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

1. The two-storey side extension by virtue of its scale and width in relation to the existing building would appear an unduly bulky and prominent addition, detrimental to the character and appearance of the existing property and the visual amenities of the locality. The proposal is therefore contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on drawing nos. ICL 01, ICL 04, ICL 05 & ICL 007 submitted 11th June 2010; amended drawing nos. ICL 21 A, ICL 22 A, ICL 23 A, ICL 25 A & ICL 26 A submitted 15th September 2010; and amended drawing no. ICL 24 B submitted 17th November 2010.

2 THE SITE

The application site relates to a two-storey detached property with separate double-garage on the southern side of Orchard Road. The site adjoins a pair of semi-detached properties of similar design and together they are the only properties on this side of Orchard Road in the block between Orchard Avenue and Nevill Road. The side boundary of the site abuts the rear boundaries of properties on Orchard Avenue. The site fronts the car park of a sports club.

3 RELEVANT HISTORY

BH2009/00587: Erection of a two storey side extension incorporating existing garage and first floor side extension. Refused for the following reasons:-

1. *The proposed two storey side extension would not relate sympathetically to the existing building by reason of its scale, form and design and it would result in an unduly obtrusive and incongruous form of development detrimental to the visual*

amenities of the locality and character and appearance of the existing property. The proposal is therefore considered to be contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

- 2. The proposed two storey side extension by reason of its siting, height and scale would be overbearing and create an undue sense of enclosure for the neighbouring properties to the east. The proposal is therefore considered to be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.*

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

- “the proposed extension would reach the side boundary at two storey height and would incorporate the garage area.....this would erode the visual spaciousness of the site;*
- the mass of the extension would not appear subservient to the existing house but overly large within its context.*
- the extension would be a sufficient distance from the houses to prevent any overshadowing or loss of light to the houses;*
- the scale of the two-storey side extension sited so close to the boundary would....be overbearing in the outlook from the rear windows of the nearest houses, No’s 26, 28 and from their gardens and that of No 24.”*

4 THE APPLICATION

The application seeks consent for the erection of a two-storey side extension with hipped roof, side dormer and front rooflight. The extension would incorporate the existing side garage with a new pitched roof constructed along the frontage of the property.

5 CONSULTATIONS

External:

Neighbours: representations have been received from **22, 24 & 26 Orchard Avenue** objecting to the proposal for the following reasons:-

- The size of the building is out of keeping with the adjoining properties and is an overdevelopment of the site;
- The proposed external materials would be out of character with the existing building;
- The side garage was not formerly part of no. 7 and any development which incorporates the garage would take the site beyond its original boundaries;
- The front roof pitch would extend beyond the existing building line;
- The proposal would result in the loss of a tree;
- The size and height of the extensions would cause considerable overshadowing;
- The extensions would appear overbearing from adjoining properties;
- Proposed first floor and second floor level windows would lead to

- overlooking;
- Retention of a side window within the garage would lead to loss of privacy;
- Loss of property value;
- Question if the existing garage would have to be demolished, rather than retained as is proposed;
- Question whether the garage will be used as an additional room within the property.

Cllr Bennett objects – letter attached.

Cllr Brown supports the application and requests it be determined by Planning Committee – letter attached.

6 **PLANNING POLICIES**

Brighton & Hove Local Plan:

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

Supplementary Planning Guidance

SPGBH1 Roof alterations and extensions

7 **CONSIDERATIONS**

The main considerations in the determination of this application relate to the impact of the extension on the character and appearance of the existing building and wider surrounding area, and its impact on amenity for occupiers of adjoining properties. The previous appeal decision is also a material consideration.

Design

As part of an appeal for a preceding scheme an Inspector considered that an extension reaching the side boundary at two-storey height would erode the visual spaciousness of the site, with the mass of the extension appearing overly large within its context and not subservient to the existing house.

This application, following amendments, proposes a two-storey extension sited a minimum of approximately 1.1 metres at first floor level from the side boundary of the site (with this rising to approximately 3.3 metres at the rear) with an inset front wall and lowered roof form. Whilst this design is vastly improved upon that dismissed at appeal it remains a considerable addition to what is a modest dwelling on a plot that has an awkward relationship with adjoining properties; due primarily to the detached garage which extends into adjoining garden areas.

It is considered that within the context of the existing building and the boundaries of the application site with adjoining properties the extension remains overly large. The width of the two-storey section is disproportionate

to the existing building and would result in a considerable loss of openness in this location. The single-storey section, and associated pitched roof, would also exacerbate this impression of bulk, with the result a continuous built form along the frontage of the site.

It is acknowledged that the proposal is an improvement over the previous scheme. However, for the reasons outlined it remains excessively large in relation to the existing dwellinghouse and the resulting appearance is not truly subservient to the main building. This and the resulting loss of openness in this section of Orchard Road would be harmful to the prevailing character and appearance of the area, contrary to local plan policy QD14.

Amenity

An Inspector for the previous scheme considered that 'the scale of the two-storey side extension sited so close to the boundary would (*in my opinion*) be overbearing in the outlook from the rear windows of the nearest houses, nos. 26, 28 and from their gardens and that of no. 24'. As part of this application the scale of the extension has been reduced to a subservient form and the distance from the boundary with no. 26 at first floor level has been increased to between approximately 1.2 and 3.1 metres (the previous scheme was built on this boundary at first floor level).

It is considered that these amendments, in conjunction with the rear garden depths on Orchard Avenue (which are a minimum of approximately 22 metres deep) and the unaltered north and southern aspect from these properties, are sufficient to overcome the above concerns. Whilst there remains an awkward relationship between the proposed extension and rear garden of no. 24 in the context of this property as a whole the resulting harm would not be significant or amount to a sufficient reason to warrant refusal of the development. It is therefore considered that the extension would not appear overbearing from either the rear garden or rear window openings of adjoining properties.

A previous appeal decision for a larger two-storey side extension was not dismissed for reasons relating to overshadowing or loss of light to adjoining properties. There are no reasons to disagree with this assessment as part of this application. It is therefore considered that the extension is a sufficient distance from adjoining houses to ensure no harmful loss of light or overshadowing will result.

There is potential for overlooking from a side facing ground floor window and second floor dormer window. However, this could be overcome through a condition requiring them be obscure glazed and fixed shut. A further condition could prevent future window openings to the side elevation without prior planning permission.

Other considerations

It is noted that the submitted plans indicate an enlarged first floor extension to the rear of the existing building, and a replacement boundary wall alongside

the boundary with 9 Orchard Road. These elements were included as part of the previous application but did constitute reasons for refusal.

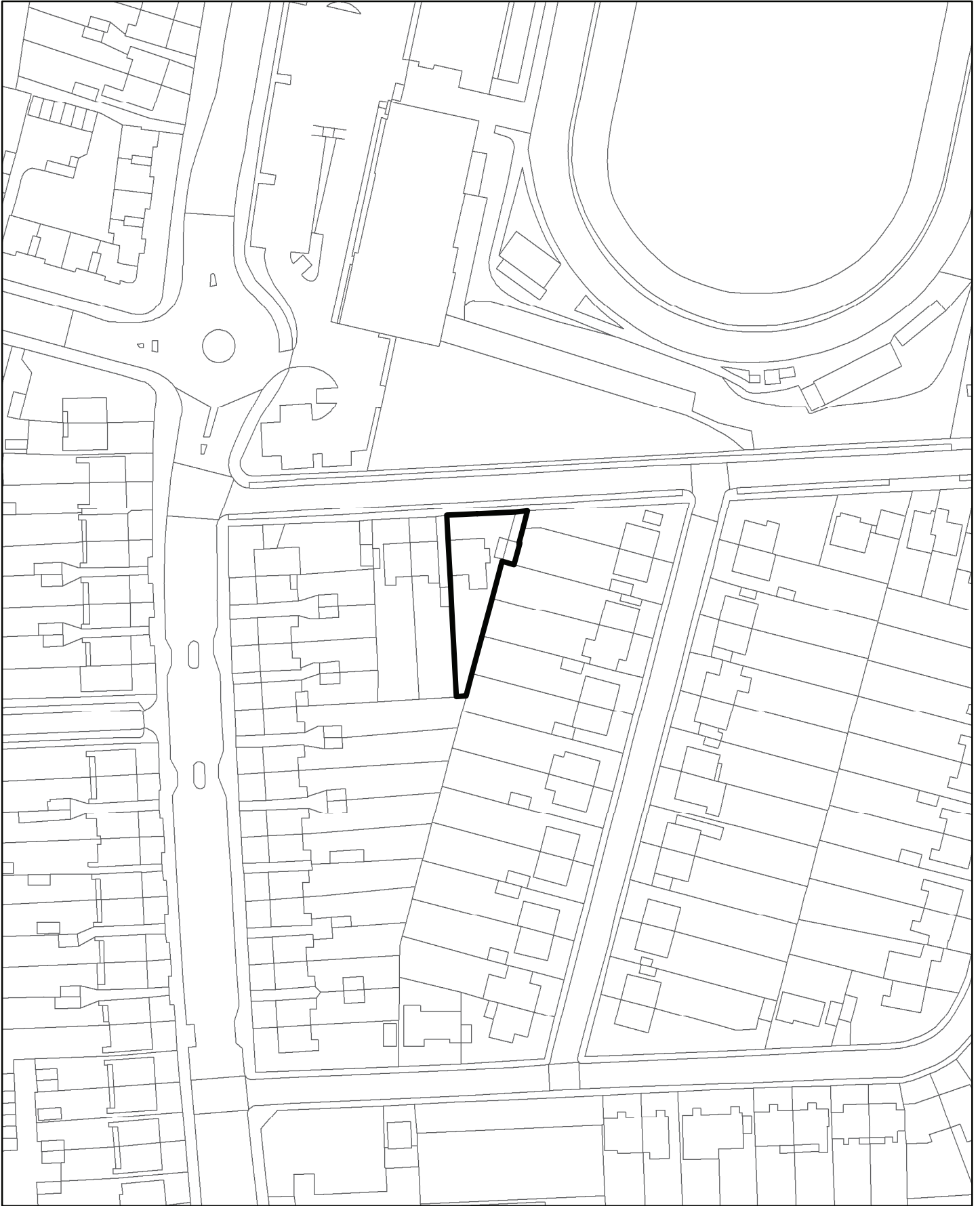
In the case of the enlarged first floor extension it would not be readily visible from public viewpoints and in any case would be viewed against the backdrop of the main building. On this basis it would not harm the appearance of the building or wider area and due to its scale and siting no harm on amenity would result.

The replacement boundary wall, although in excess of 2m in height, would replace an existing fence of matching height and no significant harm would result due to the presence of a rear extension to the adjoining property at no. 9. No alterations to other boundary treatments are indicated on the proposed plans.

8 EQUALITIES IMPLICATIONS

It is noted that the proposed floor plans allow for a lift to be installed in the future between the ground floor lobby and first floor bedroom (within the proposed extension).

BH2010/01418 7, Orchard Road



Guy Everest

From: Vanessa Brown [Vanessa.Brown@brighton-hove.gcsx.gov.uk]

Sent: 09 November 2010 14:56

To: Guy Everest

Dear Mr Everest

I would like to request that planning application BH2010/01418 – 7 Orchard Road - be determined by the Planning Committee.

I believe that the revised drawings are far better than the previous application and address the concerns that were expressed.

Kind regards

Vanessa Brown

Vanessa Brown
Cabinet Member for Children & Young People
Conservative Member for Stanford Ward
Tel: 01273 291143

8th October 2010

Dear Mr Everest, ✓

Re: BH2010/01418

As a Hove Park ward councillor I wish to object to this application because of the effect on the neighbouring properties.

Although the amendments have improved the front elevation and street scene, I still have concerns due to the tapering of the garden, about the effect of the window facing south which will overlook the gardens of the neighbours at first floor level. Also, the dormer window on the east elevation although obscured, will give the impression of a three storey building at the end of the gardens of the properties in Orchard Avenue.

I would like this application to go before the planning committee for decision.

Yours sincerely,

Jayne Bennett

<u>No:</u>	BH2010/01967	<u>Ward:</u>	NORTH PORTSLADE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land adjacent 481 Mile Oak Road,Portslade		
<u>Proposal:</u>	Erection of 2 no three bedroom semi-detached dwelling houses with off-street parking.		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	30/06/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	25 August 2010
<u>Agent:</u>	CJ Planning Ltd, 80 Rugby Road, Brighton		
<u>Applicant:</u>	Wilson Hunt, C/O CJ Planning Ltd		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves it is **MINDED TO GRANT** planning permission subject to no new additional representations from members of the public and to the following Conditions and Informatives:

Regulatory Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawing no. 1010 E01 submitted 28th June 2010; and approved drawing nos. 1010 P02 A, 1010 P03 A, 1010 P06 A, 1010 P07 A & 1010 P08 A submitted 19th October 2010.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The first floor side facing window to the south-eastern elevation shall not be glazed otherwise than with obscured glass and shall thereafter be 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. BH04.01A Lifetime Homes.
5. BH05.10 Hardsurfaces.
6. BH06.01 Retention of parking area.
7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no window, rooflight or door in the south-eastern elevation other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local 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.

Pre-Commencement Conditions:

8. BH03.01 Samples of Materials Non-Cons Area (new buildings).
9. BH05.01B Code for Sustainable Homes – Pre-Commencement (New build residential) Level 5.
10. BH07.02 Soundproofing of building.
11. BH11.01 Landscaping / planting scheme.
12. No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 of the Brighton & Hove Local Plan.
13. BH05.08A Waste Minimisation Statement (1-2 housing units).

Pre-Occupation Conditions:

14. BH02.07 Refuse and recycling storage (facilities).
15. BH05.02B Code for Sustainable Homes – Pre-Occupation (New build residential) Level 5.
16. BH06.03 Cycle parking facilities to be implemented.
17. BH11.02 Landscaping / planting (implementation / maintenance).

Informatives:

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

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe Development
TR14	Cycle access and parking
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
QD1	Design - quality of development and design statements
QD2	Design - key principles for neighbourhoods
QD3	Design - efficient and effective use of sites
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD19	Greenways
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
NC6	Development in the countryside / downland

Supplementary Planning Document

SPD03	Construction and demolition waste
SPD06	Trees and Development Sites
SPD08	Sustainable building design
SPD11	Nature conservation and development; and

(ii) for the following reasons:-

The development makes efficient and effective use of land within the built up area without causing detriment to the character and appearance of the site or surrounding area. The development would not have a significant impact on amenity for occupiers of adjoining properties, or create a harmful demand for travel. Conditions are recommended to avoid any harmful impacts on species and their habitats and to secure the enhancement of the nature conservation interest of the site.

2. IN.05.02A Informative: Code for Sustainable Homes

3. IN05.10 Informative – Hardsurfaces

4. The proposed vehicular crossover should be constructed to accord with Council design standards (Manual for Estate Roads) and under licence from the Highway Operations Manager prior to the commencement of any other development upon the site.

5. IN05.08 Informative – Waste Minimisation Statements.

2 THE SITE

The application site relates to an enclosed area of land to the west of 481 Mile Oak Road on the outskirts of the built up area. The site comprises a large amount of established vegetation and shrub and was seemingly once connected to 481 Mile Oak Road. The site adjoins a paddock to the east and west and the A27 to the north.

3 RELEVANT HISTORY

BH2008/00844: Outline application for the erection of two dwellings. Refused for the following reasons:-

- 1. The development would result in significant harm to amenity for occupiers of 481 Mile Oak Road through loss of light and outlook to side (north-west) facing windows at ground and first floor level. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.*

2. *The site lies in close proximity to the A27 and as such there is potential for significant noise disturbance for future occupants of the proposed dwellings. Insufficient information has been submitted with the application to assess the effect of this existing noise source upon the proposed development and appropriate noise attenuation measures to reduce the impact on the proposed dwellings to acceptable levels. The proposal is therefore contrary to the aims of policy SU10 of the Brighton & Hove Local Plan.*
3. *The development, in the absence of information to indicate otherwise, would result in significant damage to the health and vitality of existing trees on the site. The development would therefore fail to make a positive contribution to the visual quality of the environment or retain existing open space, trees and grassed areas in an effective way. The development is contrary to policies QD3 and QD16 of the Brighton & Hove Local Plan, and Supplementary Planning Document 06: Trees and Development Sites.*
4. *The applicant has failed to undertake an appropriate site investigation to demonstrate that the development would not directly or indirectly affect a species of animal or plant, or its habitat, protected under National or European legislation. The proposal is therefore contrary to policy QD18 of the Brighton & Hove Local Plan.*

4 THE APPLICATION

Planning permission is sought for the erection of a two-storey semi-detached pair of properties. The building would incorporate a barn-end roof form with render and timber cladding the dominant materials.

5 CONSULTATIONS

External

Neighbours: Letters of representation have been received from **27 Hillcroft; 347, 479 & 481 Mile Oak Road; 9 Sefton Road** and **15 (x2), 16 & 17 Westway Gardens** objecting to the proposal for the following reasons:-

- a development of this size is wrong for the area, one property would be more appropriate;
- the site is on the boundary of the National Park;
- the development would destroy wildlife that live on and use the site and clearance works have already taken place;
- a family of badgers uses the site and these have not been recognised in the ecology report, the Council's Ecologist has previously identified a badger run;
- the site is home to slow worms which are not included in the ecology report;
- the site is a passage to Southwick Hill;
- the site should be considered as Greenfield land;

- the proposed rear boundary of the site extends into the adjoining paddock area, which is classed as countryside / downland;
- the concrete splay to the front of the property is out of keeping;
- there is no mention of archaeology as part of the proposals – the site lies at the foot of a monument dating to the Bronze age;
- loss of light to side facing windows of the adjoining property;
- loss of privacy;
- the proposed refuse and recycling facilities are sited alongside a shared side boundary;
- concerns relating to the stability of the adjoining A27 embankment;
- question the methodology and findings of the noise assessment;
- heavy traffic is already a problem along this road;
- building works will cause noise and disturbance.

Environment Agency: No comments.

Internal:

Arboriculturalist: No comments.

Ecologist: No comments.

Environmental Health: No comments.

Sustainable Transport: No comments.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe Development
TR14	Cycle access and parking
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
QD1	Design - quality of development and design statements
QD2	Design - key principles for neighbourhoods
QD3	Design - efficient and effective use of sites
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD19	Greenways
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
NC6	Development in the countryside / downland

Supplementary Planning Document

- SPD03 Construction and demolition waste
- SPD06 Trees and Development Sites
- SPD08 Sustainable building design
- SPD11 Nature conservation and development

7 CONSIDERATIONS

The main issues of consideration in the determination of this application are the principle of constructing two dwellings on the site having regard to character and appearance, the impact on neighbouring amenity and highway safety.

Principal of development

The application site is severed from 481 Mile Oak Road and has been since around 1999. The site has not been previously developed and there is no obvious separation between the site and adjoining countryside / downland. Although the site extends beyond the existing edge of built development it is included within the built-up area boundary as outlined on the local plan proposals map. It is not therefore appropriate to consider the development against the criteria of local plan policy NC6 which states that development outside the built-up area will not be permitted.

Notwithstanding this the application site has not been previously developed, and is therefore a greenfield site as classified by PPS3, and its contribution to the character and appearance of the area must therefore be considered further.

The site provides a visual gap between buildings on Mile Oak Road and the embankment of the A27 and 'links' adjoining countryside to the east and west (which is not within the built up area boundary). This is not though readily apparent in views north or south along Mile Oak Road, where the embankment and tunnel are the dominant features, and the open space created by the application site is not readily appreciated due to relatively extensive frontage vegetation which contrasts with the adjoining open countryside / paddocks.

It is considered that use of the site for housing would not undermine the existing character and appearance of the area to the extent that would warrant refusal of the application. The contribution of downland outside the built up area is considered to be far more significant than that provided by the application site and these areas would not be affected by the development. The principal of housing development on the site is therefore considered acceptable, subject to compliance with other relevant local plan policies.

Design

The application proposes a semi-detached pair of dwellinghouses, set back from the prevailing building line in this section of Mile Oak Road, and with a skewed siting in relation to the shared side boundary of the site. This siting

would reduce the visual impact of the proposed building which would be screened and viewed against the existing adjoining pair of houses (in views from the south and north respectively).

The scale of development is appropriate in this location and the proposed building would not overpower the adjoining property. There is no dominant prevailing roof form to adjoining properties and the proposed barn-end reduces the bulk of the building and creates a softer transition to the adjoining pair of dwellings. The development would incorporate ground floor render with timber cladding, and a bay window, at first floor level and there is no objection to this approach in this location.

The development would result in the loss of existing trees along the frontage and within the site. There is no objection in principle to this loss of vegetation and due to the siting of the buildings there is scope for replacement planting to the front and rear garden areas of each property. This planting, which could be secured by condition, would potentially compensate for the loss of existing landscaping and preserve the wider character of the area.

Impact on neighbouring amenity

The development is most likely to impact upon 481 Mile Oak Road, a semi-detached property which adjoins to the south-east. The windows in closest proximity to the side boundary relate to a ground floor lounge and first floor bedroom within a more recent two-storey side extension to the property.

The development would reduce outlook from these side facing windows, there would though remain approximately 3 metres separation between the buildings. At ground floor level the primary outlook for the lounge is considered to derive from rear (south-west facing) patio door openings which overlook the rear garden and would be unaffected by the proposed development. At first floor level the window most affected by the development is the only source of light and outlook for a bedroom. It is though considered that due to the use of the room and remaining separation sufficient natural light and outlook would remain available for occupants of this property.

The side facing windows to the original property (i.e. excluding the later two-storey side extension) are approximately 5.6 metres from the proposed dwellings. It is considered that over this distance no significant harm through loss of light or outlook would result.

It is noted that a previous application on the site for residential development was partly refused due to the impact on these window openings (ref: BH2008/00844). The development proposed by this application is materially different from the previous scheme which incorporated a dwelling sited on the shared side boundary with no. 481.

The development would not introduce any overlooking beyond that which would reasonably be expected on a residential street such as this. A first floor

window to the side elevation (which relates to a bathroom) would though front an existing window to no. 481 and is required by condition to be obscurely glazed.

Standard of proposed accommodation

The development would create 2 x 3-bed dwellings both of which would be suitable for family occupation with private amenity space to the rear and adequate room sizes, natural light and ventilation throughout. There are no reasons why the development could not be built to lifetime home standards and a checklist has been submitted indicated that all relevant standards would be met.

The application site adjoins the A27 and as such there is potential for noise disturbance for future occupiers of the proposed dwellings. An acoustic report has been submitted which concludes that provided noise attenuation measures are incorporated in the design, and these measures include double glazing with secondary ventilation, there should not be an adverse impact on future residents of the development. The findings of the report have been accepted by the Council's Environmental Health team who have no objection to the proposal. A condition is recommended to require further details of soundproofing measures to be incorporated in the development.

Transport

The development makes provision for one off-street parking space for each dwelling. This level of parking is considered acceptable in this location and the additional crossover would not create a safety hazard for users of adjoining highways.

The proposed plans indicate secure cycle storage for each dwelling in an accessible location at ground floor level.

The application site, although on the outskirts of the built-up area, is reasonably well served by public transport with bus routes located approximately 300 metres to the south.

Sustainability

Policy SU2 requires proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance within Supplementary Planning Document 08 'Sustainable Building Design' recommends that on land that has not been previously developed new development should achieve Level 5 of the Code for Sustainable Homes (CSH).

At this stage there are no apparent reasons why CSH level 5 could not be achieved and the applicant has confirmed they would accept a condition to this affect. Whilst only limited information has been submitted for a development of this scale it is considered that further details can be secured through conditions.

A waste minimisation statement has been submitted which demonstrates there are no reasons why construction waste could not be minimised in an effective manner. Although it is not compulsory for a development of this scale to prepare a site waste management plan in accordance with the guidance within SPD03 further details of waste management are required by condition.

Ecology

The applicant has submitted an ecological report which concludes that the site does not contain badger setts, had low potential to support bats, and is not suitable for reptiles or amphibians. The report therefore considers the site to be of limited ecological value. Although the findings of the report are accepted from the representations that have been received it is apparent that the site is locally valued.

At a site visit slow worms were observed and these are protected from killing and injury under Wildlife and Countryside Act 1981. It is considered that the presence of slow worms on the site would not be a reason to refuse the current planning application. The applicant has advised they would relocate the slow worms prior to the commencement of any development, and in accordance with a scheme to be submitted and approved at a later date. A condition is therefore recommended which requires the submission of a reptile translocation and conservation strategy to be agreed in writing by the Local Planning Authority prior to commencement of works.

The development would result in a loss of habitat on the site. There are though considered to be no reasons why nature conservation features could not be provided as part of the proposal and the applicant has advised that this could potentially include the adjoining paddock to the rear (which is also in the same ownership and currently species poor). It is considered reasonable to secure details of such features through condition and this approach would allow further input into the nature of such a scheme. Subject to compliance with this condition the development would not conflict with the importance of conserving and enhancing habitats and species within the City.

Although the site appears to be used by badgers there is no evidence of setts. An informative is though recommended to remind the applicant that badgers are protected under the Protection of Badgers Act 1992, and should evidence of a badger sett be found during implementation work should immediately stop and advice be sought from English Nature.

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

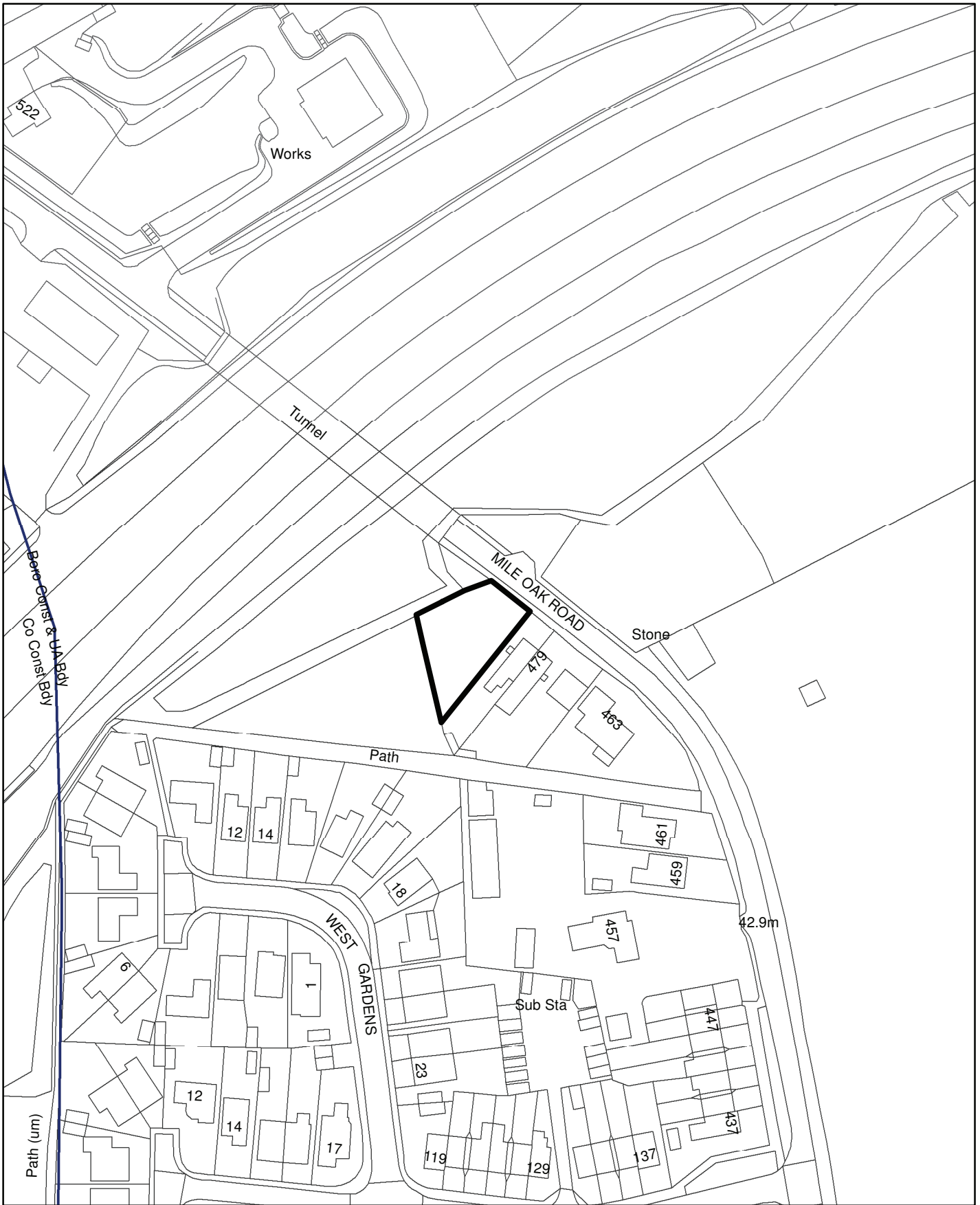
The development makes efficient and effective use of land within the built up area without causing detriment to the character and appearance of the site or surrounding area. The development would not have a significant impact on amenity for occupiers of adjoining properties, or create a harmful demand for travel. Conditions are recommended to avoid any harmful impacts on species and their habitats and to secure the enhancement of the nature conservation

interest of the site.

9 EQUALITIES IMPLICATIONS

The development would be built to Lifetime Home standards and a condition is recommended to secure this.

BH2010/01967 Land at 481, Mile Oak Road



<u>No:</u>	BH2010/03359	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Full Planning		
<u>Address:</u>	31 Maldon Road, Brighton		
<u>Proposal:</u>	Creation of additional floor at second floor level to create one 2 no bedroom flat incorporating part mansard roof and Juliet balconies to front.		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	22/10/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	17 December 2010
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Mr Benjamin Hillman, 31 Maldon Road, Brighton		

1 RECOMMENDATION

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

Regulatory Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawings no. MR31PRO/01, MR31PRO/02, MR31PRO/03, MR31PRO/04, MR31PRO/05, MR31PRO/06, MR31PRO/08 & MR31PRO/10 received on 22nd October 2010; and MR31PRO/07 A & MR31PRO/09 A submitted 18th November 2010.

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

3. BH02.09 Flat roofed extensions
4. BH04.01A Lifetime Homes

Pre-Commencement Conditions:

5. BH03.02 Samples of Materials Non-Cons Area (extensions)
6. BH05.01B Code for Sustainable Homes – Pre-Commencement (New build residential) - Code Level 3

Pre-Occupation Conditions:

7. BH05.02B Code for Sustainable Homes – Pre-Occupation (New build residential) - Code Level 3
8. BH02.07 Refuse and recycling storage (facilities)
9. BH06.03 Cycle parking facilities to be implemented

Informatives:

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

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

TR1	Development and the demand for travel
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
QD1	Design - quality of development and design statements
QD2	Design - key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of amenity
HO3	Dwelling type and size
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Documents:

SPGBH1	Roof Alterations & Extensions
SPGBH4	Policy Standards
SPD08	Sustainable building design; and

- (ii) for the following reasons:-

The additional storey and related external alterations are well designed, sited and detailed in relation to the property to be extended and those adjoining; and the resulting building would not appear an unduly dominant addition to the street. The development would not cause significant harm to neighbouring amenity, through loss of light or privacy; and would not create a harmful demand for travel.

2. IN.05.02A Informative: Code for Sustainable Homes.

2 THE SITE

The application site relates to a flat-roofed two-storey block of four flats on the western side of Maldon Road. The surrounding street is characterised by two-storey terraced housing which gives the street a distinctive appearance. There are more recent housing developments which although three-storeys are comparable in height to the remainder of the terrace. The rear of the curtilage provides off-street parking for occupiers of the block; with Maldon Road not within any controlled parking zone. Maldon Road slopes down to the south with properties having a stepped appearance in places.

3 RELEVANT HISTORY

BH2009/00104: Extension to provide 2 two-bedroom flats at second floor level to replace flat roof. Refused for the following reasons:-

- 1. Policies QD14 and QD27 of the Brighton & Hove Local Plan seek to protect residential amenity. The proposal represents an unneighbourly form of development that would result in loss of light, overshadowing and create an increased sense of enclosure for*

occupiers of 39 Maldon Road. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

- 2. Policy TR1 of the Brighton & 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. The development makes inadequate provision for the increase in demand for travel and will result in additional demand for on-street parking in an area where availability is extremely limited.*
- 3. Policy SU2 of the Brighton & Hove Local Plan requires proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Insufficient information has been submitted to demonstrate how sustainability measures for efficiency in the use of energy, water and materials have been incorporated into the design of the development.*

BH2008/00483: Extension to provide two flats at second floor level to replace flat roof. Refused for the following reasons:-

- 1. The development by virtue of its design, detailing and materials would appear an excessively bulky and overly dominant addition out of keeping with the prevailing character and appearance of the street, detrimental to the visual amenities of the area. The proposal is therefore contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.*
- 2. The proposal represents an unneighbourly form of development that would result in loss of light, overshadowing and create an increased sense of enclosure for occupiers of adjoining properties. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.*
- 3. Policy TR1 of the Brighton & 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. The development makes inadequate provision for the increase in demand for travel and will result in additional demand for on-street parking in an area where availability is extremely limited.*
- 4. Policy SU2 of the Brighton & Hove Local Plan requires proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Insufficient information has been submitted to demonstrate how sustainability measures for efficiency in the use of energy, water and materials have been incorporated into the design of the development.*

A subsequent appeal against this decision was dismissed in May 2009 when the Inspector supported the reasons for refusal insofar as they related to the resulting harm to neighbouring amenity for 39 Maldon Road (reason 2), a failure to provide for the demand for travel created (reason 3) and lack of information relating to sustainability (reason 4).

BH2007/00294: Extension to provide two flats at second floor level to replace flat roof. Withdrawn.

BH2006/02781: Extension to provide two flats at second floor level to replace flat roof. Refused.

72/216: Reserved matters for the erection of four two-bedroom flats. Approved.

71/3067: Erection of five two-bedroom flats (in a three-storey building). Refused.

71/252: Outline application for 2-storey block of 2-bed flats. Approved.

4 THE APPLICATION

The application seeks consent for an additional storey to the existing building to form one 3-bedroom flat. The additional storey would incorporate a front roofslope with dormer windows with the side and rear elevations built up from the existing facades.

At lower levels the existing building would be rendered, to match the additional storey, with timber panelling to the existing bay windows.

5 CONSULTATIONS

External:

Neighbours: representations have been received from **4, 6, 8 (x4), 10, 12, 14, 18, 20, 22, 23, 28, 39 & 52 Maldon Road** and **19 & 21 Matlock Road** objecting to the proposal for the following reasons:-

- Maldon Road was developed as a complete project resulting in a townscape with a unity and sense of scale. The proposal does not consider these qualities;
- the proposal would be obtrusive and is totally out of keeping with neighbouring properties;
- the architectural poverty of the existing building cannot be that enhanced by adding an extra floor;
- the height of the building was capped in 1972 to its existing height to keep it within the character of the road. If the extra floor is passed it will create a precedent for future development of the adjoining bungalow site;
- several applications for an additional storey have been turned down as unsuitable for the area;
- question the accuracy of the plans regarding building heights;
- the proposal would block out light to many houses;

- loss of privacy;
- the development does not allow for a lift and provides no wheelchair access;
- an additional flat would make existing parking problems even worse;
- additional traffic movements along the side access road;
- there is insufficient detail relating to the cycle parking provision;
- the inclusion of solar panels does not mean they would be implemented;
- noise and disturbance from building works will be an inconvenience and question where building vehicles will park as the area is already overflowing with cars.

Representations have been received from **312 & 314 Dyke Road** and **31A, B, C & D, 41** and **Cranbrook Maldon Road** supporting the application for the following reasons:-

- the plans will improve the existing building and bring it in line with the scale and vernacular of the current streetscape;
- the current application is effectively creating a room in the roof akin to that already taking place in many terrace houses at present;
- the precedent for the height has already been set by the existing terrace housing;
- the application should be considered on its own merits and does not represent overdevelopment of the site;
- previous concerns relating to loss of light and parking have been overcome.

Internal:

Sustainable Transport: No comments.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
QD1	Design - quality of development and design statements
QD2	Design - key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of amenity
HO3	Dwelling type and size
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Documents:

SPGBH1	Roof Alterations & Extensions
SPGBH4	Policy Standards
SPD08	Sustainable building design

7 CONSIDERATIONS

The main issues of consideration in the determination of this application are the impact of the additional storey on the appearance of the existing property and wider street, on neighbouring amenity for occupiers of adjoining properties, and issues relating to transport and sustainability. The previous decisions on the site are also a material consideration.

Design and appearance

The application site features a two-storey building of a design and detailing uncharacteristic of the surrounding area which is primarily characterised by terraced housing of a consistent scale, form and roofscape. The development seeks consent for the formation of a third storey to the building.

Previous applications for an additional storey to the building have been refused as it was considered the additional storey would appear an overly dominant addition out of keeping with the character and appearance of the street. However, the 2009 appeal decision on the site for an additional storey considered that *'the increased height would make the building a more appropriate visual link between the still higher Victorian terrace and the lower bungalow'* and that *'there would not be any visual dominance over that bungalow'*.

The appeal Inspector therefore considered the increased height to be acceptable in principle and no objections were raised in relation to the mansard roof form. Taking into account this decision it is considered that there can be no objection to the principle of an additional storey to the building.

The scheme also proposes remodelling of the existing building which would be rendered and incorporate timber panelling between window openings at ground and first floor levels. This design and detailing is considered an improvement over that currently existing and the use of render would be sympathetic to the wider street scene. It is noted that the appeal Inspector also considered that these alterations would enhance the design of the building.

As part of previous schemes on the site front dormers were considered acceptable. This application incorporates dormers with juliet balconies to the front elevation aligning over existing windows at lower levels of the building. In short views of the building and long views along Maldon Road the lower sections of the dormers would be obscured by a parapet wall and they would not appear unduly bulky. Furthermore in the context of the alterations proposed at lower levels of the building the dormer windows would create a coherent and unified appearance.

The proposed inset section and fenestration to the rear would not be visible from the street or highly prominent features of the additional storey. The

impact of these elements of the design on the prevailing character and appearance of the area would therefore be minimal and they are considered acceptable.

For the reasons outlined the proposal is considered to comply with policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

It is noted that a number of representations have been received regarding the creation of a precedent for future development on Maldon Road, and particularly in relation to the adjoining bungalow. However, whilst these concerns are appreciated any future development proposals for adjoining sites would be considered on their own merits. The granting of this consent would not therefore establish a clear precedent for neighbouring sites.

Impact on neighbouring amenity

There is approximately 18 metres separation between the application site and opposing properties on the eastern side of Maldon Road. This is considered sufficient to prevent any significant loss of light or outlook for occupiers of these properties: and it is noted that previous applications were not refused due to the impact on these properties.

The properties most likely to be affected by the proposal are those to the north and south of the application site.

39 Maldon Road

It was considered as part of earlier applications on the site that the height and depth of the additional storey would lead to loss of light to 39 Maldon Road (which adjoins to the north) and this concern was supported at appeal. As part of this application the bulk of the additional storey has been reduced alongside no. 39 and a report on daylight and overshadowing has been submitted.

The daylight analyses indicate that as a result of the development light to ground and first floor windows would be within BRE recommended guidelines. The report also indicates that the development would not alter the existing situation relating to overshadowing for the majority of the year, and whilst additional overshadowing would occur in summer months the majority of the rear garden at no. 39 would be unaffected by the development. There are no reasons to dispute the methodology or findings of this report and the conclusions are accepted.

It is considered that the revised bulk and form of the additional storey has overcome previous concerns, and the accompanying report demonstrates that no significant harm to no. 39 through loss of light would result from the development.

The submitted plans do not indicate any access to the flat roof section to the rear of the building, adjoining no. 39, and a condition is recommended to

prevent its use as a roof terrace or similar. There are no other side facing windows fronting this property and the rear facing windows would not be of a height that would create views of this property. The condition outlined above is considered sufficient to prevent any harmful overlooking of this adjoining property.

23 Maldon Road

It was considered as part of a previous appeal that due to the siting of this property, the location of the garden behind the rear elevation of no. 31, and the orientation of windows away from no. 31 the proposed development would not lead to an appreciable change to the outlook from this property or to the levels of light received. There are no reasons to disagree with this assessment and the proposal would not therefore lead to significant harm for occupiers of this property.

The proposed side and rear windows adjoining this property would reflect lower levels of the existing building. It is considered that the additional windows would not create any readily available views over this property, due to the height of the proposed building and location of amenity space attached to no. 23, and no harmful loss of privacy would result.

Noise

The proposed second floor level has a broadly comparable layout to existing flats at first floor level; there is though potential for conflict arising from the internal stacking to the rear between first floor bedrooms and second floor dining / lounge. It is considered that requirements of Building Regulations for sound insulation are sufficient to ensure no undue noise or disturbance will result for occupants of the application site or adjoining properties.

Standard of accommodation

The proposal would create a two-bedroom dwelling with a study / home office capable of forming a third bedroom. This is comparable with lower levels of the building which comprise two-bedroom units. The proposed flat would benefit from spacious room sizes with adequate outlook, light and ventilation throughout.

Whilst local plan policy HO5 seeks private amenity space in new residential development in this instance such provision is problematic due to design and amenity concerns. It is therefore considered that the provision of private amenity space is not an overriding consideration in this instance and its absence would not warrant refusal of the application.

Policy HO13 of the Brighton & Hove Local Plan states that new residential dwellings should be built to a lifetime homes standard whereby they can be adapted to meet the needs of people with disabilities without major structural alterations. There are no reasons why the development could not incorporate the majority of the relevant standards and this could be secured through condition.

Transport

Local plan policy TR1 requires that development proposals provide for the demand for travel they create and maximise the use of public transport, walking and cycling. As part of previous applications on the site for two additional flats it was considered that the absence of additional car parking with no associated provision for other measures to improve sustainable transport infrastructure would lead to an appreciable demand for on-street parking (which would exacerbate existing parking pressures in the area and unacceptably inconvenience existing residents).

As existing there are 3 off-street parking spaces to the rear of the site and the proposal would not alter this provision. It is recognised that on-street parking is in heavy demand in this location and a number of representations have been received on this basis. However, there is no evidence to suggest that the additional parking demand from one flat could not be accommodated in the surrounding area and the Transport Planning Team has raised no objection to the current application. This proposal is of a lesser intensity than previous schemes on the site and for the reasons outlined the proposal is considered acceptable in transport grounds. Taking into account the Council's temporary measures to assist the development industry it is not current practice to pursue sustainable transport contributions for development proposals of less than 5 residential units and this has not therefore been progressed.

Notwithstanding the above considerations it is noted that the proposed site plan indicates land to the rear of 314 Dyke Road being used for additional off-street parking subject to the land being leased from the owner. As this land does not form part of the application site and is in separate ownership limited weight is attached to this possible provision. It is also questionable whether use of garden land for additional parking provision would be appropriate in this location having regard to the character and appearance of the area.

The submitted plan indicates a covered cycle store to the rear of the site. This provision is acceptable and secured through condition.

Sustainability

Policy SU2 of the Brighton & Hove Local Plan states that proposals should demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance within supplementary planning document 08, sustainable building design, recommends that for a proposal of this scale the application should include a sustainability checklist and achieve level 3 of the Code for Sustainable Homes (CSH).

A Sustainability Checklist has been submitted which states the development will achieve at least CSH Level 3 and a number of measures to reduce the use of resources have been outlined in the Design & Access Statement. Whilst no pre-assessment has been submitted there are no apparent reasons why CSH Level 3 could not be achieved and further details are required by

condition.

Policy SU13 and Supplementary Planning Document 03 on Construction and Demolition Waste seek to reduce construction waste and require, as best practice, a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme. The development would generate extremely limited amounts of demolition waste and there are no reasons why the construction methodology would not allow for minimisation of waste. The submitted information is considered sufficient and it is not considered necessary for a development of this scale to request additional information.

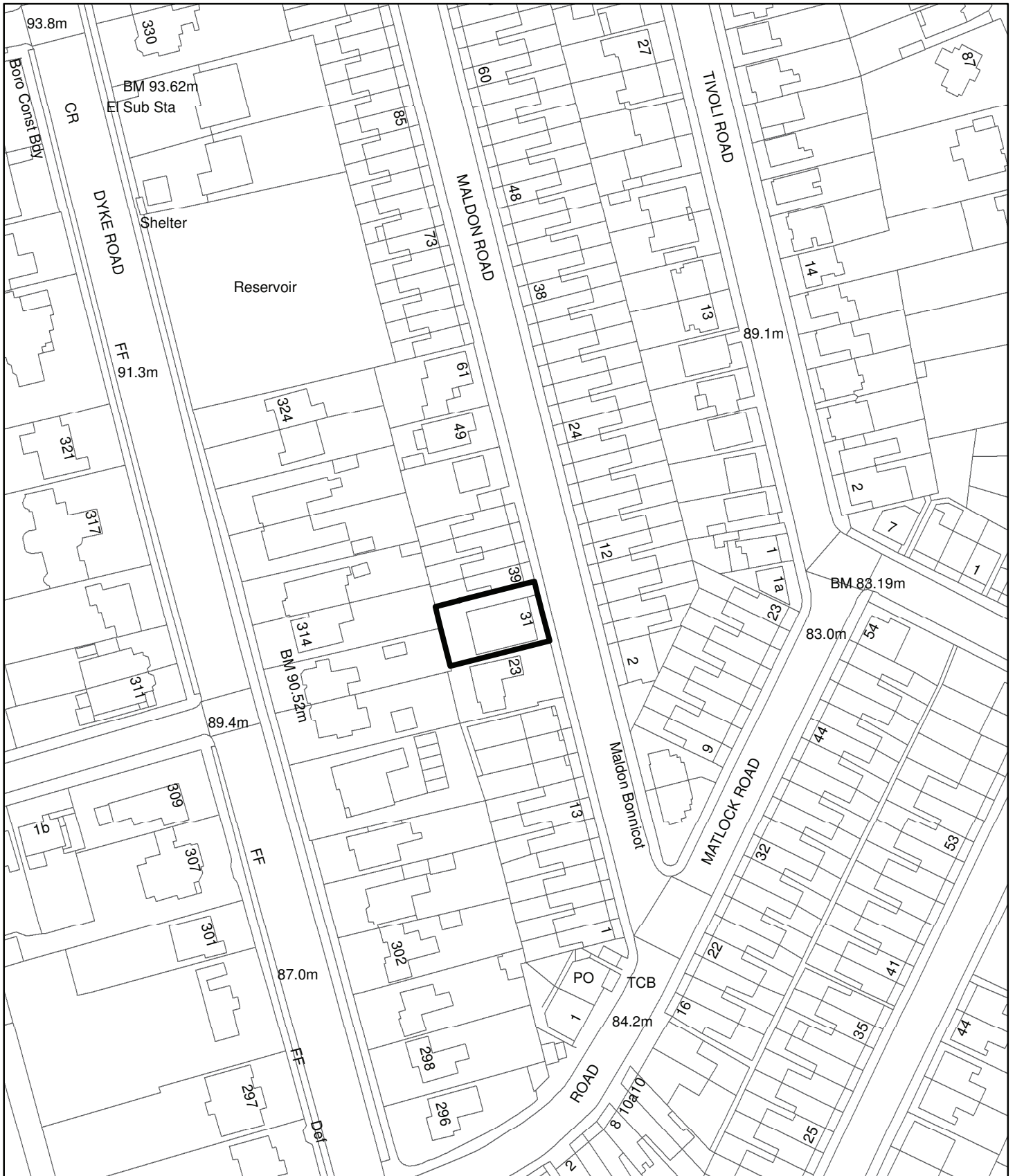
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The development is well designed, sited and detailed in relation to the property to be extended and those adjoining; and the resulting building would not appear an unduly dominant addition to the street. The development would not cause significant harm to neighbouring amenity, through loss of light or privacy; and would not create a harmful demand for travel.

9 EQUALITIES IMPLICATIONS

There are no reasons why the development could not incorporate the majority of the relevant standards and this could be secured through condition.

BH2010/03359 31, Maldon Road



**Brighton & Hove
City Council**

Scale : 1 / 1250



<u>No:</u>	BH2010/01805	<u>Ward:</u>	EAST BRIGHTON
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Donald Hall Road & Chadborn Close, Brighton		
<u>Proposal:</u>	Installation of over-cladding with external insulation on 12 residential blocks of flats (Bluebell, Daisy, Stonecrop, Clematis, Magnolia, Sunflower, Sundew, Saffron, Hyssop, Pennyroyal, Chervil and Thyme).		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	20/07/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	14 September 2010
<u>Agent:</u>	BLB Surveyors, Pavilion House, 14-15 Dorset Street, Brighton		
<u>Applicant:</u>	Brighton & Hove City Council, C/O BLB Surveyors		

1 RECOMMENDATION

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

Conditions:

1. BH01.01AA Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawing nos. 10040/001, /002, /003, /004, /005, /006, /007, /011, /012, /013, /014, /015, /016, /017 received 9 June 2010, 10040/101 received 20 July 2010 drawing nos. 10040/P001 rev A, /P002 rev A, /P003 rev A, /P004 rev A, /P005 rev A, /P006 rev A, /P007 rev A received 1 November 2010.

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

Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance Brighton & Hove Local Plan:
 - QD1 Design – quality of development and design statements
 - QD2 Design – key principles for neighbourhoods
 - QD14 Extensions and alterations; and
 - (ii) for the following reasons:-
 - The proposed development will not detract from the appearance of the property or the visual amenities of the surrounding area. The proposal is considered to be in accordance with development plan policies.

2 THE SITE

The site relates to a number of flatted building along Donald Hall Road and Chadbourn Close. The buildings which form part of this application include, Pennyroyal, located on the northern side of Chadbourn Close, Hyssop and Saffron, located on the western side of Chadbourn Close, Chervil and Thyme, located on the southern side of Chadbourn Close, Bluebell, Daisy and Stonecrop, located on the northern side of Donald Hall Road, Clematis, Magnolia, Sunflower and Sundew, located on the southern side of Donald Hall Road.

Each block is three stories in height with a pitched roof, comprising 6 flats and are finished in grey pebble dash.

3 RELEVANT HISTORY

None.

4 THE APPLICATION

Planning permission is sought for rendering to all the external walls of the buildings.

5 CONSULTATIONS

External

Neighbours: Occupiers of **10 Clare Walk, 9, 42, 122, 128 (x2), 131, Donald Hall Road, 8, 19, 49, 55 Chadbourn Close** object to the application on the following grounds:

- Increase noise and disturbance during the planned works
- Grey is an inappropriate colour as this adds to the drab look of the buildings, this should be used as an opportunity to brighten up the area.
- A lighter colour should be used which is less oppressive
- The works are unnecessary and unjustified which may result in damp problems.

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

7 CONSIDERATIONS

The main consideration is whether the proposed development will detract from the appearance of the individual properties or the visual amenities of the surrounding area.

The application seeks consent for the application of render to the exterior of the building. The proposal has been amended from a grey colour scheme to a cream/buff colour scheme. The proposal is to address the widespread deterioration of the exterior of the building. No specific colour shade of cream has been chosen however similar schemes have been carried out by Brighton

& Hove City Council within the Kemptown Area. It is therefore recommended that a condition be attached to the permission to ensure that a sample is submitted to the Local Planning Authority for formal discharge.

The surrounding blocks are a mix of styles in terms of their elevational treatment, including brick, pebbledash and render finish. The proposed render will improve the appearance of the buildings when compared to the existing grey pebbledash.

Therefore it is considered that the proposed development will not detract significantly from the appearance of the property or the visual amenities of the surrounding area, and would even be considered, subject to conditions, to significantly improve the appearance of the building in accordance with policies QD1, QD2 and QD14 of the Local Plan.

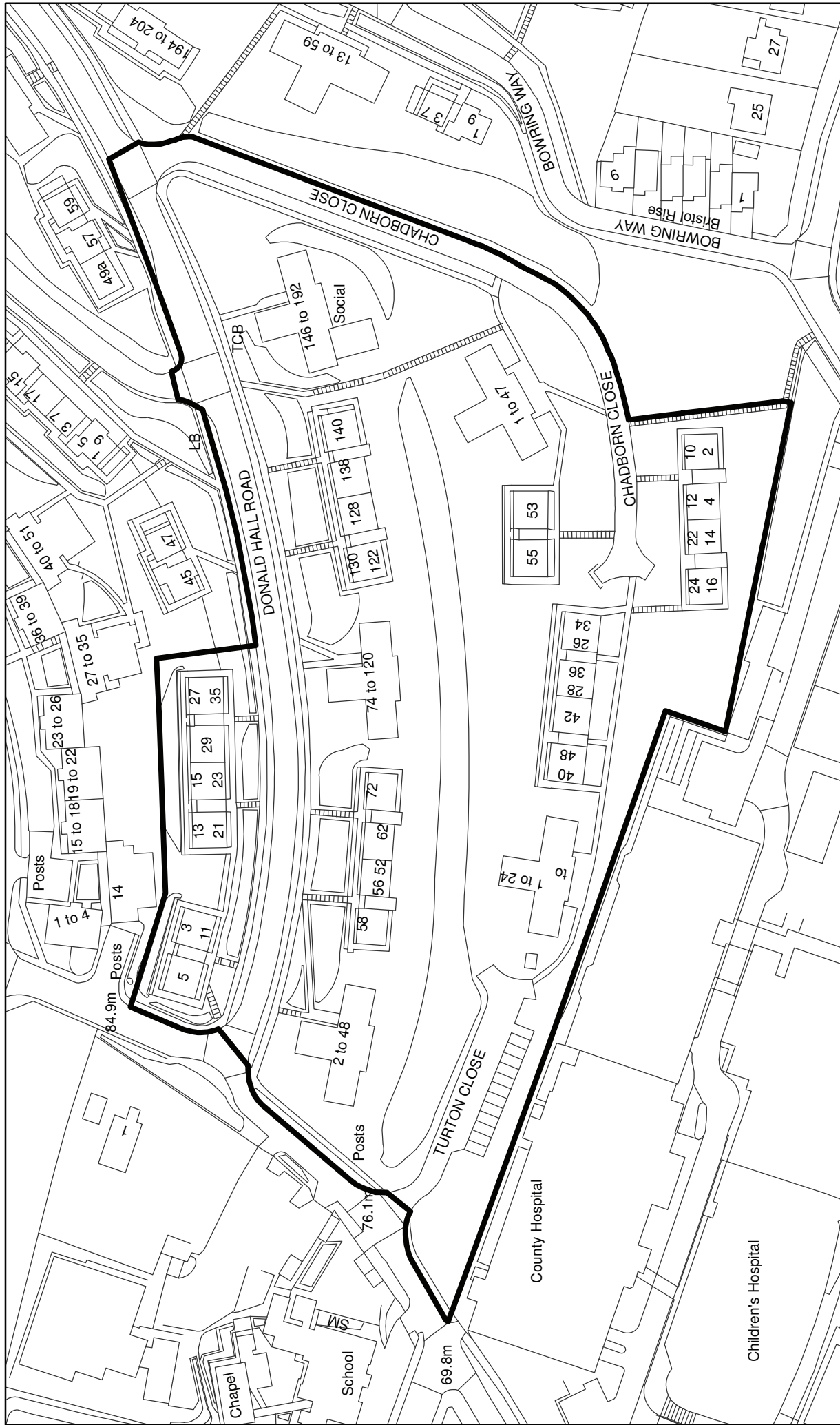
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed development will not detract from the appearance of the property or the visual amenities of the surrounding area. The proposal is considered to be in accordance with development plan policies.

9 EQUALITIES IMPLICATIONS

None.

BH2010/1805 Donald Hall Road, Chadborn Close



**Brighton & Hove
City Council**

Scale: 1:1,250



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BRIGHTON & HOVE CITY COUNCIL
LIST OF APPLICATIONS DETERMINED BY THE HEAD OF PLANNING
& PUBLIC PROTECTION UNDER DELEGATED POWERS OR IN
IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION

PATCHAM

BH2010/02277

Patcham Place London Road Patcham Brighton

Application for variation of condition 3 of application BH2007/00728 in order that details and samples of the slates and roof tiles shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing. Details and samples of the mathematical tiles shall be submitted to and approved in writing by the Local Planning Authority prior to the work on the tiling commencing. The works shall be carried out in strict accordance with the approved details.

Applicant: Brighton & Hove City Council

Officer: Liz Arnold 291709

Approved on 11/11/10 DELEGATED

1) UNI

Details and samples of the roof slates and roof tiles shall be submitted to and approved in writing by the Local Planning Authority prior to the work on the roof commencing. Details and samples of the mathematical tiles and details of the pointing and method of fixing shall be submitted to and approved in writing by the Local Planning Authority prior to the work on the mathematical tiling commencing. The works to the roof and the mathematical tiling 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.

BH2010/02884

6 Mayfield Crescent Brighton

Extension to existing loft conversion with front dormer.

Applicant: Mr & Mrs Fairclough

Officer: Chris Swain 292178

Approved on 04/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. SL/1 and PL-2(R) received on 9 September 2010.

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

BH2010/02917

50 Lyminster Avenue Brighton

Erection of single storey extension to side and rear.

Applicant: Mr Alec Barrett

Officer: Chris Swain 292178

Refused on 23/11/10 DELEGATED

1) UNI

The proposed extension, by reason of its height and design would relate poorly to the existing property, would form an incongruous element within the street scene and would detract from the appearance and character of the property and the surrounding area, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

BH2010/02932

51 Overhill Drive Brighton

Certificate of lawfulness for a proposed single storey rear extension with rooflights and loft conversion incorporating rear dormer, side rooflight and associated external alterations.

Applicant: Mr & Mrs Aberdour

Officer: Liz Arnold 291709

Approved on 10/11/10 DELEGATED

BH2010/02946

6 Upper Winfield Avenue Brighton

Erection of two storey side extension incorporating roof extension and erection of single storey rear extension with rooflights.

Applicant: Mrs Faye Wallington

Officer: Liz Arnold 291709

Approved on 10/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 30/04/2010 and 15/09/02 Alt 2 received on the 17th September 2010.

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

BH2010/02957

55A Larkfield Way Brighton

Conversion of garage into habitable room incorporating raising of ridge height to form full pitched roof with rooflights.

Applicant: Ms Paxton

Officer: Jonathan Puplett 292525

Approved on 11/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 1804/01 and 02, block plan and site plan received on the 20th of September 2010.

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

4) UNI

The converted garage hereby approved shall only be used as ancillary accommodation in connection with the use of the main property as a single private dwelling house and shall at no time be converted to a self-contained unit.

Reason: In order to protect the amenities of neighbouring properties and in accordance with policies QD27 of the Brighton & Hove Local Plan.

BH2010/02976

Land Adjoining 1 Mayfield Crescent Brighton

Application for Approval of Details Reserved by Conditions 2, 5, 7 and 9 of application BH2010/00543.

Applicant: Mr D Moyle

Officer: Liz Arnold 291709

Approved on 23/11/10 DELEGATED

BH2010/03003

10A Carden Avenue Brighton

Erection of a two storey annexe in rear garden.

Applicant: Mr D Edmonds

Officer: Aidan Thatcher 292265

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) BH05.09A

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 in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings titled Existing Plans and Elevations and proposed elderly relative annex at rear received on 22.09.10.

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

5) UNI

Notwithstanding the provisions of the Town and Country Planning (general Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door shall be inserted into the west elevation of the annex hereby approved without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

6) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the annex hereby approved shall be constructed to Lifetime Homes standards prior to its first occupation and shall be retained as such thereafter.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan,

7) UNI

The annex hereby approved shall be occupied solely for purposes incidental to the occupation and enjoyment of no. 10A Carden Avenue and shall not be used as a separate planning unit.

Reason: The establishment of an additional independent planning unit in this form would give rise to an over-intensive use of the site and would lead to harm to the amenity of neighbouring occupiers contrary to policies QD3 and QD27 of the Brighton & Hove Local Plan.

BH2010/03044

96 Woodbourne Avenue Brighton

Certificate of Lawfulness for a proposed single storey side extension.

Applicant: Mr Graham Willmott-Hills

Officer: Liz Arnold 291709

Approved on 16/11/10 DELEGATED

BH2010/03138

43 Greenfield Crescent Brighton

Erection of a single storey rear extension.

Applicant: Mrs Clare Grant

Officer: Anthony Foster 294495

Approved on 24/11/10 DELEGATED

1) BH01.01

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

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

2) BH02.09

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 & Hove Local Plan.

3) BH03.03

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

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of

the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos.B43/01 received on the 4 October 2010.

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

BH2010/03198

Argos Extra Carden Avenue Brighton

Display of internally-illuminated fascia sign and non-illuminated totem sign and fascia signs.

Applicant: Argos

Officer: Liz Arnold 291709

Approved on 23/11/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) BH10.07

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 & Hove Local Plan.

BH2010/03261

195 Surrenden Road Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2010/01763.

Applicant: Mr & Mrs Graham & Rachel Lock

Officer: Sue Dubberley 293817

Approved on 04/11/10 DELEGATED

BH2010/03305

102 Ladies Mile Road Brighton

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension, side dormers, rooflight to front and window to rear.

Applicant: Mr & Mrs Robertson

Officer: Liz Arnold 291709

Approved on 18/11/10 DELEGATED

PRESTON PARK

BH2007/01694

5/7 Stanford Avenue Brighton

Conversion of 16 flats to provide for 35 room nursing home together with 3-storey extension and conservatory to rear.

Applicant: Birch Grove Nursing Home

Officer: Kathryn Boggiano 292138

Finally Disposed of on 22/11/10 DELEGATED

BH2010/02635

Ground Floor Flat 48 Argyle Road Brighton

Replacement of existing wooden sash windows with UPVC windows.

Applicant: Miss Lisa Gibson

Officer: Helen Hobbs 293335

Approved on 08/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved un-numbered drawings received on 18th August 2010.

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

BH2010/02828

84 Lowther Road Brighton

Conversion of existing house to create 2no one bedroom flats and 1no two bedroom maisonette with B1 office unit retained on part ground floor and basement. Loft conversion with raised roof height, rooflights and rear dormer. Alterations incorporating replacement windows and new porch to communal entrance. (Part retrospective).

Applicant: Glynne Dobber Properties

Officer: Anthony Foster 294495

Approved on 08/11/10 DELEGATED

1) BH01.01

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

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

2) BH02.07

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

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

3) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

4) BH06.03

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

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

5) UNI

The development hereby permitted should be carried out in strict accordance with the details shown on the Schedule of External Materials and shall be retained as such thereafter.

Reason: In the interests of the character and appearance of the building(s) and the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

6) UNI

A scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration shall be submitted to and approved by the local planning authority. The use of the premises shall not commence until all specified works have been carried out to the satisfaction of the local planning authority.

Reason: In the interests of the residential amenity of neighbouring properties in accordance with Brighton & Hove Local Plan policies SU10 and QD27.

7) UNI

The external area to the front of the commercial unit shall not be in use for commercial purposes.

Reason: In the interests of the residential amenity of neighbouring properties in accordance with Brighton & Hove Local Plan policies SU10 and QD27.

8) UNI

The ground floor commercial unit shall not be in use, or any deliveries or collections to or from the site made, outside the hours of 08.00 to 18.00 hours Monday to Saturday, or at any time on any Sunday or public holiday.

Reason: In the interests of the residential amenity of neighbouring properties in accordance with Brighton & Hove Local Plan policies SU10 and QD27.

9) UNI

The development hereby permitted shall be completed in strict accordance with the sustainability measures as set out in the completed pre-assessment and shall be retained as such thereafter.

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

10) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 0114.EXG.001 received on 3 September 2010, 0114.PL.001 Rev A received on 20 October 2010, 0091.PL.002, 0091.PL.100 received on 4 November 2010.

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

BH2010/02867

87 Ditchling Rise Brighton

Certificate of Lawfulness for proposed internal alterations to convert basement flat and maisonette into a single dwelling house.

Applicant: Mrs Carol Fletcher

Officer: Helen Hobbs 293335

Approved on 12/11/10 DELEGATED

BH2010/02945

5 Florence Road Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2009/01487 Appeal Decision.

Applicant: Mr Andy Briggs

Officer: Sonia Kanwar 292359

Approved on 04/11/10 DELEGATED

BH2010/02968

108 Waldegrave Road Brighton

Erection of single storey rear extension and conversion of roofspace, incorporating a conservation style rooflight to the front.

Applicant: Mr Tony Tilley

Officer: Helen Hobbs 293335

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) BH12.02

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

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

3) BH12.08

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

Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

4) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window rooflight or door installed on the approved ground floor rear extension other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. L-01 & L-03 received on 20th September 2010 and L-02 Rev A & L-04 rev A received on 17th November 2010.

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

BH2010/02986

18 Prestonville Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating rear dormer and rooflight and erection of extension to rear lower ground floor.

Applicant: Mrs Rebecca Rotheroe

Officer: Helen Hobbs 293335

Approved on 16/11/10 DELEGATED

BH2010/03076

122 Stanford Avenue Brighton

Application for Approval of Details Reserved by Conditions 4, 7, 8 and 9 of application BH2007/03921.

Applicant: BBP Consulting Engineers Ltd

Officer: Jonathan Puplett 292525

Approved on 24/11/10 DELEGATED

BH2010/03203

Preston Lawn Tennis Club Preston Drove Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2010/01266.

Applicant: The Chairman

Officer: Kate Brocklebank 292175

Approved on 16/11/10 DELEGATED

BH2010/03218

Land to Rear of 5-7 Stanford Avenue Brighton

Application for Approval of Details Reserved by Condition 2, 3, 5 and 7 of application BH2010/02096.

Applicant: WP Properties Ltd

Officer: Jonathan Puplett 292525

Approved on 12/11/10 DELEGATED

BH2010/03372

3 Shaftesbury Place Brighton

Non Material Amendment to BH2010/00849 to truncating new bay above pavement level, new sash window to lower ground floor level with lightwell to front.

Applicant: Mr John Woolaston

Officer: Jonathan Puplett 292525

Approved on 19/11/10 DELEGATED

1) UNI

The proposed revisions to the scheme approved under application BH2010/00849 are not considered so significant that they warrant the submission of a further application for planning permission.

REGENCY

BH2009/01432

3A Clarendon Mansions 80 East Street Brighton

Installation of secondary internal glazing to existing windows. (Retrospective).

Applicant: Miss Kate Hulme

Officer: Guy Everest 293334

Approved on 17/11/10 DELEGATED

BH2009/03075

33 Norfolk Square Brighton

Erection of extension to existing rear extension and internal alterations.

Applicant: Mrs Elaine James

Officer: Wayne Nee 292132

Approved on 16/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The walls shall be smooth rendered in a cement/lime/sand render mix down to ground level and shall not have bell mouth drips above the damp proof course or above the window; door and archway openings. The render work shall not use metal or plastic expansion joints, corner or edge render beads and shall be painted in a smooth masonry paint to match the original building

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

3) UNI

The development hereby permitted shall be carried out in accordance with drawing nos. 104/1, 7A, 8A, 9A, 10A, 11B, 13C, 14C, 16, 17 & 22 and drawing no. 11473-1 received on 15 September 2010, drawing no. 104/12F received on 07 October 2010, and drawing no. 104/5C received on 11 October 2010.

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

BH2010/01098

Flat 7 11 Norfolk Terrace Brighton

Internal refurbishment works incorporating alterations to layout of flat.

Applicant: Mr Alistair White

Officer: Adrian Smith 01273 290478

Approved on 18/11/10 DELEGATED

BH2010/01966

Mitre House 149 Western Road Brighton

Change of use of North block and addition of fourth storey contained within a mansard roof to form hotel (C1) with associated works.

Applicant: Tareem Ltd c/o Montague Management Ltd

Officer: Guy Everest 293334

Approved on 10/11/10 PLANNING COMMITTEE

1) BH01.01

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

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

2) BH02.06

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

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

3) BH02.07

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

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

4) BH03.05

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: In the interests of the character and appearance of the development and the visual amenities of the area and to comply with policy QD1 of the Brighton & Hove Local Plan.

5) BH05.05A

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

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

6) BH05.06A

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

7) BH06.02

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

8) BH07.03

No development shall commence 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. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

9) BH07.04

No development shall commence until a scheme for the sound insulation of the odour control equipment referred to in the condition set out above has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

10) BH07.11

No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

11) UNI

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

3204.PL.103 B, 3204.PL.104 B, 3204.PL.105 B, 3204.PL.202 A, 3204.PL.306 A & 3204.PL.800 submitted 28th June 2010; drawing no. 3204.PL.100 submitted 7th July 2010; and drawings no. 3204.PL.200 B, 3204.PL.201 B, 3204.PL.300C, 3204.PL.301 C & 3204.PL.801 B submitted 6th September 2010; and drawing no. 3204.PL.106 submitted 8th September 2010.

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

12) UNI

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

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

13) 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 prior to first occupation of the development.

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

14) UNI

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

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

15) UNI

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

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

16) UNI

The stone window cills to the north, west and southern elevations of the building shall be retained as existing and shall not be removed or rendered.

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

17) UNI

The rear ground floor access doors to Hampton Street shall only be used in an emergency, and for no other purpose, and have a security alarm fitted prior to the commencement of the use hereby approved which shall thereafter be retained as such.

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

18) UNI

No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:-

- i) details and samples of all external materials and colours;
- ii) details of railings at street level to Hampton Street and first floor level to Hampton Place;

- iii) sample elevations and sections at 1:20 scale of the glazed link extension and mansard roof extension;
- iv) sample elevations and sections at 1:20 scale of the new Western Road entrance;
- v) drawings at 1:20 scale of the replacement windows, which shall be traditional steel to match the opening pattern of the existing windows, unless otherwise agreed in writing by the Local Planning Authority.

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

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

BH2010/02393

3 Bartholomews Brighton

Change of Use from retail (A1) to estate and lettings agency (A2).

Applicant: Baron Homes Corporation

Officer: Adrian Smith 01273 290478

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. A.01 received on the 2nd August 2010.

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

BH2010/02414

38 Norfolk Road Brighton

Internal alterations to layout of basement floor of residential dwelling.

Applicant: Mr Damian McGee

Officer: Steven Lewis 290480

Approved on 16/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.12

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

3) UNI

The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

BH2010/02690

Flat 3 37 Vernon Terrace Brighton

Internal alterations to layout of first floor flat.

Applicant: Mr Dan Webb

Officer: Christopher Wright 292097

Approved on 15/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.11

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.

3) UNI

No works shall take place until a 1:1 scale section drawing of the panel mouldings of the new door between the lobby and the new bedrooms have been submitted to and approved by the local planning authority.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building, and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

The new door between the lobby and the new bedroom shall be of painted softwood four panel design and match the size of the existing lobby door into the living room. 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. The architrave of the new door shall match exactly the architrave of the living room door.

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

5) UNI

The skirting boards on each side of the door to be blocked up between the new bedroom and the living room shall be reinstated to match exactly the original skirting boards.

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

BH2010/02776

70-73 Western Road Brighton

Application for Approval of Details Reserved by Conditions 2, 3, 4, 5, 6, 8, 9, 10 and 13 of application BH2009/02485.

Applicant: Deramore Ltd

Officer: Jason Hawkes 292153

Split Decision on 04/11/10 DELEGATED

1) UNI

GRANT approval of the details reserved by conditions 3, 8, 10, 13 subject to full compliance with the submitted details.

1) UNI

REFUSE approval of the discharge of conditions 2, 4, 5, 6, 9 for the following reasons:

No information or samples of materials have been provided relating to the proposed materials and thus it is not acceptable to discharge the details reserved

by condition 2.

2) UNI2

No further details have been provided relating to the proposed windows and doors facing Stone Street and Western Road and thus it is not acceptable to discharge details reserved by condition 4.

3) UNI3

No evidence has been submitted to indicate the scheme has been registered with the Building Research Establishment showing that the development will meet an Ecohomes rating and the scheme does not include a BRE issued Design Stage Certificate demonstrating that the development has achieved an Ecohomes Rating for all residential units. It is thus not acceptable to discharge details reserved by condition 5.

4) UNI4

The scheme does not include an Ecohomes Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming each unit has achieved an Ecohomes rating. It is thus not acceptable to discharge the details reserved by condition 6.

5) UNI5

Insufficient information has been submitted relating to Lifetime Homes and thus it is not acceptable to discharge details relating to condition 9.

BH2010/02782

Travelodge Hotel 12 - 14 West Street Brighton

Certificate of lawfulness for existing bar/restaurant to be classified as ancillary use to existing hotel.

Applicant: Funky Bars & Restaurants Ltd

Officer: Jason Hawkes 292153

Approved on 04/11/10 DELEGATED

BH2010/02797

45 East Street Brighton

Display of 3no Internally static halo lit fascia signs. (Retrospective).

Applicant: H&M Hennes & Mauritz UK Ltd

Officer: Charlotte Hughes 292321

Approved on 22/11/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of

public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) BH10.07

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 & Hove Local Plan.

BH2010/02888

3 North Street Brighton

Display of 1no non-illuminated fascia sign and 1no non-illuminated hanging sign.

Applicant: Bravissimo Ltd

Officer: Charlotte Hughes 292321

Approved on 22/11/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

BH2010/02898

44 Russell Square Brighton

Internal alterations to layout of basement level to form new hallway, 2 bedrooms and an en-suite shower room.

Applicant: Ms Samantha Williams

Officer: Christopher Wright 292097

Approved on 17/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The kitchen door shall be removed and replaced with a four panelled door of solid timber construction as shown on the approved drawings within 3 calendar months of the implementation of this consent.

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

3) UNI

The ogee profiles of the architraves hereby approved shall match exactly those of the original architraves in the building 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.

4) UNI

All existing original fabric, including lathe and plasterwork, shall be retained and only defective lathe and plaster shall be removed and shall be repaired and made good exactly like for like, using lime plaster. The walls and ceilings shall not be covered over except where shown on the approved drawings or as agreed in writing by the Local Planning Authority before work commences.

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

5) UNI

This approval is limited to the works shown on the approved drawings and does not indicate approval for installation of trickle vents in the windows to achieve background ventilation. A new application for listed building consent for such works must be submitted to and approved in writing by the Local Planning Authority prior to such works commencing.

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

BH2010/02919

49 Sillwood Street Brighton

Demolition of single storey rear extension at basement level and erection of supporting structure at basement level, with two storey rear extension above and roof terrace at second floor level.

Applicant: Ms Charlie Dwight

Officer: Steven Lewis 290480

Refused on 08/11/10 DELEGATED

1) UNI

The proposed roof terrace would have a detrimental impact upon the occupiers of 10 Norfolk Terrace by way of an overbearing presence and a direct and mutual overlooking and loss of privacy. This is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan which seeks to ensure the protection of amenity of existing and adjacent residents.

2) UNI2

The proposed extension would result in a direct loss of light, overbearing presence and loss of outlook to the occupiers of 47 Sillwood Street. This is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan which seeks to ensure the protection of amenity of existing and adjacent residents.

3) UNI3

The proposed extension, by reason of its scale, form, detail and siting would disrupt the plan form of the building and materially harm the character of the Regency Square conservation area. This would be contrary to policy HE6 of the Brighton & Hove Local Plan which requires that proposals within such a designated preserve or enhance its character and appearance.

BH2010/02933

Flat 3 7 Bedford Square Brighton

Replacement of existing timber sash windows with new timber sash windows and alterations to existing parapet above. (Part retrospective)

Applicant: Miss Lizzie Steele

Officer: Christopher Wright 292097

Approved on 17/11/10 DELEGATED

1) UNI

Within three months of the date of this permission, unless otherwise agreed in writing, the reconstructed bay shall be smooth rendered externally in a hydraulic lime and sand mortar and lined out with ashlar blocking lines; the cornice shall be reinstated to match exactly the original cornices and lined out and painted with a smooth masonry paint, to match exactly the existing paint colour (British Standard Colour Code BS 06 C 3); and the windows shall be painted in gloss white paint.

Reason: To ensure the satisfactory preservation of this listed building and enhance the appearance of the Regency Square Conservation Area and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 01 Revision C, 02 Revision B, 0901AL(-0)01A,

0905AL(-0)02A, 0905AL(-0)03A, 0905AL(-0)04, 0905AL(-0)05, 0905AL(-0)06, 0905AL(-0)07, 0905AL(-0)09 and 0905AL(-0)10 received on 14 September 2010.
Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02934

Flat 3 7 Bedford Square Brighton

Replacement of existing timber sash windows with new timber sash windows and alterations to existing parapet above. (Part retrospective)

Applicant: Miss Lizzie Steele

Officer: Christopher Wright 292097

Approved on 17/11/10 DELEGATED

1) UNI

The internal timber panelling and architraves of the bay window shall be carefully salvaged, retained and re-fixed within 3 months of the date of this consent, 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.

2) UNI

Within three months of the date of this permission, unless otherwise agreed in writing, the reconstructed bay shall be smooth rendered externally in a hydraulic lime and sand mortar and lined out with ashlar blocking lines; the cornice shall be reinstated to match exactly the original cornices and lined out and painted with a smooth masonry paint, to match exactly the existing paint colour (British Standard Colour Code BS 06 C 3); and the windows shall be painted in gloss white paint.

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 works of repair and making good to the masonry and internal plasterwork shall be carried out using lime mortars and plasters to match.

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

BH2010/02951

Kenya Court 10 - 14 Windlesham Gardens Brighton

Replacement of existing balconies.

Applicant: Eastbrook Properties Ltd

Officer: Christopher Wright 292097

Refused on 10/11/10 DELEGATED

1) UNI

The proposed replacement balcony balustrades to the front elevation of the building would, by reason of the design and functional style, detract from the character of, and remove an important decorative feature of the host building, such that the discordant appearance of the building in the street scene would be amplified to the detriment of visual amenity and contrary to the requirements of policies QD2 and QD14 of the Brighton & Hove Local Plan.

BH2010/02981

51 - 53 West Street Brighton

Replacement external condenser units to first floor flat roof at rear of building.

Applicant: Lloyds Bank Group

Officer: Clare Simpson 292454

Approved on 16/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

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

Reason: prevent noise and disturbance to neighbouring occupiers and in accordance with policy SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings 0302 (existing layout) received the 20th September 2010, technical specification received on 1st October 2010 and drawings no.1001/M1_D received on the 5th November 2010.

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

BH2010/03002

33 Victoria Street Brighton

Loft conversion incorporating rooflights to front and rear roofslopes and window to side.

Applicant: Mr J Johnson

Officer: Clare Simpson 292454

Approved on 05/11/10 DELEGATED

1) BH01.01

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

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

2) BH12.03

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 & Hove Local Plan.

3) BH12.05A

The rooflight[*s*] hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

4) UNI

The northern roof light on the rear roof slope of the development hereby permitted shall be obscure glazed and non-opening, as shown on the approved drawing 01F and thereafter permanently retained as such.

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

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 01F received on 1st November 2010 which shows a timber sliding sash to the north elevation.

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

BH2010/03005

4 Powis Villas Brighton

Demolition of existing garage and shed, to be replaced with erection of single storey extension to provide new kitchen, dayroom, garage and link to existing house. Revised boundary wall arrangements to Clifton Hill. (Part retrospective).

Applicant: Sal Wilson & Roger Wardle

Officer: Clare Simpson 292454

Approved on 16/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The pilasters shall be smooth rendered down to ground level and painted in smooth masonry paint to match the existing walls.

Reason: to preserve the character and appearance of the listed building in accordance with HE1 of the Listed Building.

BH2010/03035

Bartholomew House Bartholomew Square Brighton

Erection of lobby with curved canopy, infilling of existing opening to colonnade facing Bartholomews Square with new glazed/coloured panels, installation of glazed doors to existing openings facing Black Lion Street, installation of new access ramp and steps, infilling of windows at ground floor level to North elevation and installation of wall mounted condenser units at ground floor to North elevation.

Applicant: Brighton & Hove City Council

Officer: Jason Hawkes 292153

Approved on 23/11/10 DELEGATED

1) BH01.01

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

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

2) BH12.02

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

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

3) UNI

No development shall commence until full details of proposed solar panels, including their position, size and appearance, have been submitted to and approved by the Local Planning Authority in writing. The panels shall be installed in accordance with the agreed details.

Reason: To protect residential amenity and the appearance of the building in accordance with policies QD1 and HE6 of the Brighton & Hove Local Plan.

4) UNI

No development shall commence until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.GEN213/001, 002A, 003, 004, 005, 006, 009, 010B, 011B, 020B, 021B, 022B, 023B, 024B received on 4th October and 15th November 2010.

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

BH2010/03036

5 Windlesham Court Windlesham Gardens Brighton

Replacement of existing windows with UPVC double glazed windows.

Applicant: Mrs Gema Diez-Mansilla

Officer: Charlotte Hughes 292321

Approved on 08/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the window specifications, photographs and manufactures' brochure submitted on 23rd September 2010.

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

BH2010/03078

33 Norfolk Square Brighton

Enlargement of existing two storey rear extension.

Applicant: Ms Elaine James & Mr Stephen Fletcher

Officer: Wayne Nee 292132

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with drawing nos. 104/1A, 11C, 12E and 13D received on 29 September 2010, and drawing no. 2, 7B, 8B, 9B received on 05 October 2010.

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

BH2010/03294

38 Ship Street Brighton

Certificate of Lawfulness for existing use of basement and ground floors as a Bureau de Change (A2).

Applicant: Mr Steven Hughes

Officer: Mark Thomas 292336

Approved on 11/11/10 DELEGATED

BH2010/03386

45-46 North Street Brighton

Application for Approval of Details Reserved by Conditions 2, 3, and 4 of application BH2009/02209.

Applicant: Mr E Sharanizadeh

Officer: Charlotte Hughes 292321

Approved on 23/11/10 DELEGATED

ST. PETER'S & NORTH LAINE

BH2009/00765

Car Park New England Street Providence Place Brighton

Cladding existing pre-cast concrete fins with mesh security panels for a period of one to two years. (Retrospective)

Applicant: Brighton & Hove City Council

Officer: Liz Arnold 291709

Refused on 18/11/10 DELEGATED

1) UNI

The applicant has failed to provide sufficient information with regards to a longer term solution for the facades of the car park and therefore failed to demonstrate that the installed mesh security panels are temporary. The permanent use of the mesh security panels is considered unacceptable by virtue of its design and appearance and the detrimental impacts of the mesh upon the visual amenities of the multi-storey car park, the New England Street, York Hill and Providence Place street scenes and the wider area, including the setting of St. Bartholomew, a Grade I Listed Building. The proposal is contrary to policies QD1, QD2, QD5, Qd14 and HE3 of the Brighton & Hove Local Plan.

BH2010/01754

119 Church Street Brighton

Installation of 3no air conditioning units at ground floor rear elevation.

Applicant: Crown Office Row Chambers

Officer: Chris Swain 292178

Approved on 19/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved unnumbered drawing received on 20 October 2010.

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

3) UNI

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

Reason: In order to protect the amenities of surrounding properties and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/01974

Crown Gardens on Land Rear of 21-22 Queens Road Brighton

Application for Approval of Details Reserved by Conditions 3 and 10 of application BH2009/02231.

Applicant: Creative Developments (UK) Ltd

Officer: Ray Hill 293990

Approved on 23/11/10 DELEGATED

BH2010/02240

130 North Street Brighton

Display of internally illuminated fascia sign and internally illuminated projecting sign (retrospective).

Applicant: Krispy Kreme UK Ltd

Officer: Louise Kent 292198

Approved on 05/11/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or

surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) BH10.07

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 & Hove Local Plan.

BH2010/02510

Wellesley House 10 - 14 Waterloo Place Brighton

Display of screen mesh scaffolding shroud.

Applicant: Phoenix Brighton

Officer: Aidan Thatcher 292265

Approved on 24/11/10 DELEGATED

1) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

2) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

3) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

4) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.07

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 & Hove Local Plan.

7) UNI

This consent shall expire on 31/12/2011 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 ensure that there is no prolonged visual amenity impact on the Valley Gardens Conservation Area or the setting of the Grade II Listed St Peters Church and to comply with policies QD12 and HE9 of the Brighton & Hove Local Plan.*

8) UNI

The advertisement shall not be illuminated later than 23:00 and shall not be illuminated before 07:00 on any day.

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

9) UNI

The proposed visual material on the advertisement is to be placed in the centre of the shroud and is to measure a maximum of 27m wide x 10m high as shown on drawing titled 'Proposed Advertisement and Scaffolding Plan'.

Reason: To ensure that there is no unduly harmful visual amenity impact on the Valley Gardens Conservation Area or the setting of the Grade II Listed St Peters Church and to comply with policies QD12 and HE9 of the Brighton & Hove Local Plan.*

BH2010/02559

58 - 62 Lewes Road Brighton

Application for Approval of Details Reserved by Conditions 5, 7 and 11 of application BH2008/02268.

Applicant: Gilbert Ash (N I) Ltd

Officer: Aidan Thatcher 292265

Approved on 18/11/10 DELEGATED

BH2010/02604

36 Church Street Brighton

Partial demolition of existing building with retention of rear façade with two storey rear extension and rebuilding and replication of front façade. Erection of new structure comprising shop with ancillary office storage at ground floor level and 2no two bedroom flats above. (Part retrospective).

Applicant: P Lincoln & N Dowsing

Officer: Liz Arnold 291709

Approved on 22/11/10 DELEGATED

1) BH01.01

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

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

2) BH02.07

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

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

3) BH06.05

The development hereby permitted shall not begin until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with

disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

Reason: To ensure that the development is car-free and to comply with policy HO7 of the Brighton & Hove Local Plan

4) UNI

All roof ventilation and extract outlets shall use flush, concealed slate or tile vents, to match the roof covering and concealed ridge and eaves ventilators.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan.

5) UNI

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

Reason: In the interests of the character and appearance of the building and the visual amenities of the area and to comply with policies QD1, QD14 and HE6 of the Brighton & Hove Local Plan.

6) UNI

Notwithstanding details submitted as part of the application, the glazing bars of the French doors shall have the same dimensions as those of the sash windows.

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

7) UNI

All rainwater goods, soil and other waste pipes shall be in cast iron and painted to match the colour of the background walls.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan.

8) UNI

The reconstructed building shall be smooth rendered and the mouldings and the parapet cornice, bandings, panel and lining out of the front façade shall match exactly the original facade to the satisfaction of the Local Planning Authority. The new and existing render work shall be painted with smooth masonry paint.

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.

9) UNI

No development shall take place until a sample of the slate to be used in the construction of the roof hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no construction of the new development hereby approved shall commence until:

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

A completed pre-assessment estimator will not be acceptable.

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

11) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority.

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

12) UNI

Notwithstanding details shown on drawing nos. ADC272/08RevA, ADC272/04RevC and ADC272/10 (Titled Elevation of Adjoining Properties) received on the 19th November 2010 a 1.5m high close boarded screen shall be constructed on the eastern side of the second floor rear terrace, hereby approved, prior to the first occupation of the second floor residential unit and thereafter permanently retained as such.

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

13) UNI

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

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1, QD27 and HE6 of the Brighton & Hove Local Plan.

14) UNI

The new dwellings hereby permitted shall be constructed to Lifetime Homes standards, as far as reasonably practicable, and shall be retained as such thereafter.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

15) UNI

Notwithstanding details submitted the A1 retail unit and residential units hereby approved shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

16) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. ADC272/10 received on the 16th September 2010, drawing no. DAC272/09RevA received on the 27th September 2010, drawing nos. ADC272/05RevA, ADC272/06RevA, ADC272/07RevC, drawing no. ADC272/03RevD received on the 15th November 2010 and drawing nos. ADC272/04RevC, ADC272/08RevA and ADc272/10 received on the 19th November 2010.

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

BH2010/02605

36 Church Street Brighton

Partial demolition of existing building with retention of rear façade. (Part retrospective).

Applicant: P Lincoln & N Dowsing

Officer: Liz Arnold 291709

Approved on 22/11/10 DELEGATED

1) UNI

Notwithstanding the plans submitted, 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 retained original fabric and structural integrity are to be protected, maintained and stabilised during demolition and construction works, shall be submitted to and approved in writing by the Local Planning Authority before works commence. The demolition and construction works shall be carried out and completed fully in accordance with the approved method statement and plan, unless otherwise agreed in writing by the Local Planning Authority, 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: So as to ensure the preservation of as much of the building's original structure as is reasonably possible and to stabilise the front façade in accordance with policy HE8 of the Brighton & Hove Local Plan.

BH2010/02726

26A West Hill Road Brighton

Demolition of existing garage and storage buildings.

Applicant: Mr Gordon Thew

Officer: Jonathan Puplett 292525

Refused on 11/11/10 DELEGATED

1) UNI

In the absence of an acceptable replacement scheme for the site, the demolition of the existing buildings would result in the creation of an unsightly area of land that would be detrimental to the character and appearance of the West Hill conservation area, contrary to policy HE8 of the Brighton & Hove Local Plan.

BH2010/02754

39 London Road Brighton

Display of 1no internally illuminated fascia sign and 1no internally illuminated projecting sign.

Applicant: The Boots Company

Officer: Louise Kent 292198

Approved on 05/11/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) BH10.07

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 & Hove Local Plan.

BH2010/02769

The Colonnades 160 - 161 North Street Brighton

Display of 1no internally-illuminated fascia sign, 1no externally-illuminated hanging sign and 3no internally-illuminated menu boxes.

Applicant: Tragus Ltd

Officer: Helen Hobbs 293335

Approved on 08/11/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) BH10.07

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 & Hove Local Plan.

8) UNI

There shall be no surface mounted cabling and cable trunking serving the lighting on the facades of the building and all cabling shall be concealed. Any existing surface mounted cabling and trunking on the facades shall be removed.

Reason: To preserve the character and appearance of the listed building and the surrounding conservation area and to comply with policy QD12 of the Brighton & Hove Local Plan.

9) UNI

The existing back panel mounted on the fascia above the corner entrance doors shall be removed and the new individual halo lit letters shall be mounted directly onto the building's fascia and not on a back panel or board.

Reason: To preserve the character and appearance of the listed building and the surrounding conservation area and to comply with policy QD12 of the Brighton & Hove Local Plan.

BH2010/02792

The Colonnades 160 - 161 North Street Brighton

Replacement of existing internally and externally-illuminated signage.

Applicant: Tragus Ltd

Officer: Helen Hobbs 293335

Approved on 08/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The existing back panel mounted on the fascia above the corner entrance doors shall be removed and the new individual halo lit letters shall be mounted directly onto the building's fascia and not on a back panel or board.

Reason: To preserve the character and appearance of the listed building and to comply with policy HE 1 of the Brighton & Hove Local Plan.

3) UNI

There shall be no surface mounted cabling and cable trunking serving the lighting on the facades of the building and all cabling shall be concealed. Any existing surface mounted cabling and trunking on the facades shall be removed.

Reason: To preserve the character and appearance of the listed building and to comply with policy HE 1 of the Brighton & Hove Local Plan.

BH2010/02816

93 Lewes Road Brighton

Erection of boiler room to rear of store.

Applicant: Sainsburys

Officer: Jonathan Puplett 292525

Approved on 04/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. CHQ.10.9270-01, 02 and 05 received on the 2nd of September 2010, and nos. CHQ.10.9270-03A, 04A and boiler specification submitted on the 10th of September 2010.

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

BH2010/02855

Sovereign House Church Street Brighton

Replacement of three storey glazed entrance system and doors including new paved access.

Applicant: Cockspur Property (General Partner) Ltd

Officer: Jonathan Puplett 292525

Approved on 12/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

No development shall take place until samples of the following have been submitted to and approved in writing by the Local Planning Authority.

- i) The brick to be used for all new / replacement walls.
- ii) A sample of the glass to be used for the new windows and doors.
- iii) Samples of the window frames and door frames, including a sample of the finish and colour of finish to be applied
- iv) A sample of the paving.
- v) A sample of the finish to be applied to the columns to either side of the entrance.

Development shall be carried out in accordance with the approved details.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved Drawings nos. P001/A 002/A, 100/A, 101/A, 102/A, 103/A, 104/A, 120/A, 201/A, 202/A, 203/A, 204/A, 500, 600/A, 601/A received on the 17th of September 2010, and nos. P200/B, 400B and 410B submitted on the 27th of October 2010.

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

4) UNI

No development shall take place the following details have been submitted to and approved in writing by the Local Planning Authority:

- i) Full details of the material, design, and illumination method of the proposed lettering
- ii) A large scale layout plan of the proposed paving
- iii) A large scale (1:20) side elevation drawing of the proposed steps and railings, and a 1:5 section drawing through the steps
- iv) Full details of the proposed treatment of the columns to either side of the entrance following further investigations of their condition.
- v) 1:20 sample elevation drawings of the proposed windows and frames and the proposed doors, and 1:1 section drawings through the frames of the proposed window frames and doors.

Development shall be carried out in accordance with the approved details.

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

BH2010/02892

Brighton Railway Station Queens Road Brighton

Installation of 4no ticket vending machines in the concourse of Brighton Railway Station.

Applicant: Southern Railway

Officer: Helen Hobbs 293335

Approved on 18/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

All cabling serving the machines shall be run under the floor and the floor tiling shall be made good to match the existing.

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

BH2010/02893

International House Queens Road Brighton

Installation of air conditioning units on roof.

Applicant: Aviva Staff Pension Trustees Ltd

Officer: Helen Hobbs 293335

Approved on 05/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved P-01A, EX-02A and EX-03 received on 10th September 2010.

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

3) UNI

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

Reason: In order to protect the amenities of surrounding properties and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/02905

St Pauls C Of E School St Nicholas Road Brighton

Installation of 2 no rooflights to single storey extension to Learning Resource Centre & Library (Retrospective)

Applicant: The Govenors of St Pauls CE School & Nursery

Officer: Liz Arnold 291709

Approved on 11/11/10 DELEGATED

BH2010/03015

The Ocean Building 102 Queens Road Brighton

Erection of new rendered dwarf wall with security fencing and automated gates for vehicular and pedestrian access.

Applicant: Ocean Building (Freehold) Limited

Officer: Sonia Kanwar 292359

Approved on 11/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. SY1, SK1, and SK2 received on the 22nd September 2010.

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

BH2010/03063

St Peters Church York Place Brighton

Replacement of existing asbestos and asphalt roof coverings with zinc sheet roll cap roofing.

Applicant: The PCC of St Peter's Brighton

Officer: Kate Brocklebank 292175

Approved on 23/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. C136.13.001, C137.13.002, C137.13.003, C137.13.004, C137.13.014, C137.13.015, C137.13.016, C137.13.017, C137.13.022, received on 28th September 2010.

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

BH2010/03210

The Royal Pavilion 4 - 5 Pavilion Buildings Brighton

Display of 1no externally-illuminated free standing entrance sign and 7no non-illuminated event flags for temporary period of 8th November 2010 to 17th January 2011.

Applicant: Laine Ltd

Officer: Sonia Kanwar 292359

Approved on 15/11/10 DELEGATED

1) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

2) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

3) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

4) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.07

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 & Hove Local Plan.

7) UNI

The externally illuminated entrance sign shall not be illuminated later than 24:00hrs and shall not be illuminated before 09:00hrs on any day.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 and HE9 of the Brighton & Hove Local Plan.

8) UNI

This consent shall expire on or before the 17th January 2011 whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

BH2010/03388

17 London Road Brighton

Application for Approval of Details Reserved by Condition 5 of application BH2009/01226.

Applicant: Hurstglen Properties Ltd

Officer: Sue Dubberley 293817

Approved on 23/11/10 DELEGATED

WITHDEAN

BH2010/01610

25 Hazeldene Meads Brighton

Roof extension to South end over existing garage, 2 front dormers, extended front porch and installation of 9 solar panels.

Applicant: Mr Steve McLean

Officer: Guy Everest 293334

Refused on 10/11/10 PLANNING COMMITTEE

1) UNI

The two dormers, by reason of their size, bulk and positioning on the roof slope, would introduce features which would be alien and incongruous in the context of the immediately surrounding street scene, furthermore the shape and form of the roof extension would imbalance and fundamentally change the appearance of the dwelling, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

2) UNI2

The solar panels, by reason of their proliferation and level of projection above the ridgeline, would appear cluttered and incongruous features of the property, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

BH2010/02615

10 Bavant Road Brighton

Outline application for the erection of 1no detached three bedroom house and 2no two bedroom semi-detached houses.

Applicant: Mr Paul Corcut

Officer: Adrian Smith 01273 290478

Refused on 24/11/10 DELEGATED

1) UNI

The proposed development would be of a density, scale, massing and layout that would not compliment the site or the form of the existing local development pattern, resulting in an unsympathetic, disproportionate and incongruous addition to the local realm. The proposed development is therefore considered to represent an overdevelopment of the site that is harmful to the character and appearance of the Preston Park Conservation Area, contrary to policies QD1, QD2, QD3 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development, by virtue of its cramped layout, excessive massing and poor standard of amenity space, would result in a significant loss of privacy to adjoining occupiers and would oppress their outlook. It would also provide for a cramped standard of accommodation for future occupiers of the development and a comparatively poor standard of private amenity space for each new dwelling, contrary to policies HO5 and QD27 of the Brighton & Hove Local Plan.

3) UNI3

Policies TR1 and TR7 of the Brighton & Hove Local Plan require all new development to provide for the travel demand it creates, stating that planning permission will not be granted for developments that increase the danger to users of pavements, cycle routes and roads. Insufficient evidence has been submitted with the application to demonstrate that the combination of an uplift in vehicular movements to the site and the narrow and disguised vehicular access arrangements would not result in a significant highway and pedestrian safety hazard, contrary to policies TR1 and TR7 of the Brighton & Hove Local Plan.

BH2010/02852

7 Cedars Gardens Brighton

Erection of two storey side and rear extensions. Roof alterations incorporating new front and rear dormers, alterations to existing front dormer and installation of rooflights to rear.

Applicant: Mr Newton

Officer: Mark Thomas 292336

Refused on 08/11/10 DELEGATED

1) UNI

Policies QD14 and QD27 of the Brighton & Hove Local Plan states that development will only be granted planning permission if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed development by virtue of its bulk, height, positioning, and proximity to the neighbouring boundary, forms an inappropriate addition to the property. The proposed rear extension would have an overbearing impact and would result in an unacceptable loss of outlook and increased sense of enclosure for the residents of no. 5 Cedars Gardens. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02875

16 Hazeldene Meads Brighton

Application to extend time limit for implementation of previous approval BH2007/02670 for the demolition of existing garage & erection of two storey side extension.

Applicant: Mr Graham Bull

Officer: Jason Hawkes 292153

Approved on 08/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) BH05.08

No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

4) UNI

The three windows shown on the northern elevation of the proposed development shall not be glazed otherwise than with obscure glass and thereafter permanently retained as such, unless agreed with the local planning authority in writing.

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

5) UNI

The extension hereby permitted shall be used only as ancillary accommodation in connection with the use of the main property as a single private dwellinghouse and shall not be used as a self-contained unit.

Reason: To safeguard the character of the locality and the amenities of the occupiers of adjoining residential properties and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

6) UNI

2. The development hereby permitted shall be carried out in accordance with the approved drawings no.TA1166/01, 02, 03, 04D, 05B & 06C received on the 26th October 2007.

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

7) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window other than those expressly authorised by this planning permission shall be constructed to the side first floor elevation of the approved extension without planning permission obtained from Local Planning Authority.

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

BH2010/02922

85 Valley Drive Brighton

Erection of single storey rear extension, roof extension incorporating hip to gable end to rear, additional dormer to East and associated works.

Applicant: Mr Chris Evans

Officer: Wayne Nee 292132

Approved on 05/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. EV/01 received on 13 September 2010.

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

BH2010/02929

59 Balfour Road Brighton

Loft conversion incorporating rear dormer.

Applicant: Mr Prince

Officer: Adrian Smith 01273 290478

Refused on 18/11/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. Supplementary Planning Guidance 01 'Roof Alterations and Extensions' provides more detailed design guidance. The proposed rear dormer, by virtue of its scale and massing, would result in an incongruous and inappropriately bulky addition to the roof of the recipient property. It would unbalance the symmetry of the host building and set an unwelcome precedent for further such dormers in the estate, thereby harming the character of the area. The proposal is therefore contrary to the above policy.

BH2010/02939

15 Green Ridge Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extensions with barn hips, erection of rear dormer and installation of rooflights to front roofslope.

Applicant: Mr Mark Wadey

Officer: Guy Everest 293334

Approved on 15/11/10 DELEGATED

BH2010/02953

46 Dyke Road Avenue Brighton

Demolition of existing extension and erection of two storey extensions to front and rear of property. Erection of single storey porch and roof alterations including gabled roof. Alterations to garage including roof extension and alterations to front boundary wall arrangements.

Applicant: Mr Rob Hogley

Officer: Clare Simpson 292454

Approved on 12/11/10 DELEGATED

1) BH01.01

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

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

2) BH12.02

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

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

3) UNI

The first floor window on the south-east elevation of the house and the ground floor window on the north-west elevation of the house 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, in accordance with drawing number (31)003E received on the 11th November 2010 and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

No development shall commence until a specification of works has been submitted to and approved in writing by the Local Planning Authority setting out how the main front chimney stack is to be exposed, restored and/or reinstated externally at ground floor level, including details of any new structural intervention that may be necessary to support the stack, both temporarily and permanently.

Reason: To preserve the character and appearance of the building in accordance with policy HE6 of the Brighton & Hove Local Plan.

5) UNI

No development shall take place until an Arboricultural Method Statement has been submitted to and approved by the Local Planning Authority in writing. This statement shall demonstrate how the screening and shrubs on the south side of the entrance to the site and the trees and shrubs on the central lawned area shall be protected to BS 5837 (2005) Trees in relation to Construction as far as is practicable.

Reason: In the interests of the visual amenity of the area and in accordance with policy QD16 and HE6 of the Brighton & Hove Local Plan.

6) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.2002 (10)001A, 002A, 003B (11)002C, 003B, (20)000C, 001C, 002B, (30)001C, 002C, 003A, 004A, 005A, 101, 102, 103, 104, 105, (31)001H, 002F, 004E received on the 17th September 2010 and (21)000F, 001F, 002E, (22) 000B, 001B, 002B (31)003E received on the 11th November 2010.

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

BH2010/02954

46 Dyke Road Avenue Brighton

Demolition of existing extensions and part demolition of existing garage.

Applicant: Mr Rob Hogley

Officer: Clare Simpson 292454

Approved on 12/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH12.08

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

Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

BH2010/02973

59 Surrenden Road Brighton

Erection of rear two storey pitched roof bay window extension. Demolition of existing conservatory and replacement of ground floor bay window, replacement of windows to existing rear first floor dormer, replacement of rear paved terrace and access steps and erection of covered veranda.

Applicant: Dr Michael Edwards

Officer: Adrian Smith 01273 290478

Approved on 11/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

Notwithstanding the details shown on the application and with the exception of the rear facing window only, all first floor windows to the proposed rear bay window extension hereby permitted shall at all times be obscurely glazed with the lower sashes fixed shut.

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

4) UNI

The windows in the south side elevation of the veranda shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

5) UNI

The development hereby permitted shall be carried out in accordance with the design and access statement and approved drawing nos. 02 rev B, 03 rev B & 04 rev B received on the 17th September 2010.

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

BH2010/02980

Park Manor London Road Preston Brighton

Application to extend time limit for implementation of previous approvals BH2005/01349/FP & BH2007/04485 for proposed roof extension to provide 4no three bedroom penthouse flats with private roof gardens, parking and associated works.

Applicant: Anstone Properties Ltd

Officer: Paul Earp 292193

Approved on 19/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) BH05.01B

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

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

A completed pre-assessment estimator will not be acceptable.

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

4) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority.

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

5) BH06.02

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

6) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no's. AC/ParkManor/01-05 received on 7 December 2007, and drawing no. 26/07 received 27 April 2005.

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

7) UNI

The flats shall not be occupied until the car parking spaces shown on drawing no. 26/07 of approval BH2005/01349/FP, have been laid out to the satisfaction of the local planning authority and thereafter retained for such use.

Reason: To ensure satisfactory on-site parking provision and to comply with policy TR17 of the Brighton & Hove Local Plan.

8) UNI

Before any lift plant and machinery is used on the premises, it shall be enclosed with sound-insulating materials and mounted in a way which will minimise transmission of structure borne sound, in accordance with a scheme to be approved in writing by the local planning authority.

Reason: To protect residential amenity of the occupiers of the building and to comply with policy QD27 of the Brighton & Hove Local Plan.

9) UNI

No construction work shall take place outside the hours of 08.00-18.00 Monday to Friday and 08.30-13.00 on Saturdays, or at any time on Sundays or Bank Holidays.

Reason: To protect residential amenity of the occupiers of the building and to comply with policy QD27 of the Brighton & Hove Local Plan.

BH2010/02991

2 Valley Drive Brighton

Erection of two storey side and rear extensions incorporating a pitched roof.

Applicant: Mr Mark Saunders

Officer: Christopher Wright 292097

Approved on 15/11/10 DELEGATED

1) BH01.01

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

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

2) BH02.03

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

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

3) BH03.03

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

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

4) UNI

The two first floor level windows on the southern flank elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. VD2/0410/3 and RP2VD received on 20 September 2010.

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

BH2010/02998

9A Inwood Crescent Brighton

Replacement of existing windows with UPVC double glazed windows.

Applicant: Mr David Felton

Officer: Wayne Nee 292132

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the supporting documents received on 21 September 2010.

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

BH2010/03000

2 Croft Road Brighton

Application for Approval of Details Reserved by Conditions 2, 5, 7 and 11 of application BH2010/02072.

Applicant: Mr Gary Vallier

Officer: Jason Hawkes 292153

Split Decision on 16/11/10 DELEGATED

1) UNI

Approval of the details reserved by conditions 2, 7 & 11 subject to full compliance with the submitted details.

1) UNI

Approval of the discharge of conditions 5 for the following reasons:

The scheme does not include evidence that the development is registered with BRE and does not include an interim Code for Sustainable Homes Certificate. Thus it is not acceptable to discharge details reserved by condition 5.

BH2010/03047

36A Dyke Road Avenue Brighton

Application for Approval of Details Reserved by Condition 14 of application BH2008/02114.

Applicant: SDP Developers

Officer: Jason Hawkes 292153

Approved on 11/11/10 DELEGATED

BH2010/03272

50 Bates Road Brighton

Erection of single storey rear extension.

Applicant: Mr Gary Millar & Mrs Paula Quinn

Officer: Adrian Smith 01273 290478

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the site plan and approved drawing no. 10.02.02/2A received on the 18th October 2010.

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

BH2010/03319

90 Mill Rise Brighton

Erection of single storey rear extension.

Applicant: Mr David Maskell

Officer: Steven Lewis 290480

Approved on 24/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door, other than those expressly authorised by this permission, shall be constructed in the walls or roof of the extension hereby permitted without first obtaining planning permission from the local planning authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved MC Architecture Services unnumbered drawings received on 19/10/2010.

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

EAST BRIGHTON

BH2010/01844

Kingfisher Court Albourne Close Brighton

Installation of insulated overcladding system to building and replacement of existing windows/patio doors with powder coated aluminium double glazed units.

Applicant: Mears

Officer: Sue Dubberley 293817

Approved on 04/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 10071-001-B, 002, 003 received on 16 June 2010.

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

BH2010/02318

23 Portland Place Brighton

Change of use from language school (D1) to residential dwelling (C3) and external alterations including replacement windows.

Applicant: House of English

Officer: Anthony Foster 294495

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

This decision is based on drawing nos. The development hereby permitted shall be carried out in accordance with the approved drawings no drawing nos. 23PP.01, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 24 received on 26 July 2010, drawing nos. 23PP.25, 26, 27 received on 16 August 2010, drawing nos. 23PP.21 received on 18 August 2010, drawing nos. 23PP.02, 28, 30, 31, 32, 33, 34, 35, 36 received on 25 August 2010, drawing nos 23PP.26 received 5 November drawing nos. 23PP.19 Rev A, 20 Rev A, 22 Rev A, 23 Rev A, 37 received on 9 November 2010.

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

3) UNI

Notwithstanding the approved plans, details of new and/or replacement doors shall be submitted to and approved in writing by the Local Planning Authority before works commence. Drawings of the doors shall be submitted in the form of a 1:20 scale drawing. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory completion of the development and to preserve the historical and architectural appearance and character of the listed building and to accord with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

Notwithstanding the approved plans, full details of proposed finish to the ground floor entrance steps shall be submitted to and approved in writing by the Local Planning Authority before works commence. These details shall include a sample of the proposed material and drawings detailing the proposed finish. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory completion of the development and to preserve the historical and architectural appearance and character of the listed building and to accord with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

The lower ground floor accommodation hereby permitted shall be used solely as ancillary accommodation in connection with the enjoyment of the main property as a single dwellinghouse and it shall at no time be occupied as a separate unit of accommodation.

Reason: In order to protect the amenities of adjacent properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

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

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02319

23 Portland Place Brighton

Internal and external alterations associated with change of use from language school (D1) to residential dwelling (C3), including replacement windows.

Applicant: House of English

Officer: Anthony Foster 294495

Approved on 18/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.06

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

3) BH13.11

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.

4) BH13.12

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

5) UNI

Notwithstanding the approved plans, details of new and/or replacement doors shall be submitted to and approved in writing by the Local Planning Authority before works commence. Drawings of the doors shall be submitted in the form of a 1:20 scale drawing. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory completion of the development and to preserve the historical and architectural appearance and character of the listed building and to accord with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

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

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

7) UNI

Notwithstanding the approved plans, full details of proposed finish to the ground floor entrance steps shall be submitted to and approved in writing by the Local Planning Authority before works commence. These details shall include a sample of the proposed material and drawings detailing the proposed finish. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory completion of the development and to preserve the historical and architectural appearance and character of the listed building and to accord with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02321

24 Portland Place Brighton

Change of use from language school (D1) to residential dwelling (C3) and external alterations including replacement windows.

Applicant: House of English

Officer: Anthony Foster 294495

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no drawing nos. 24PP.01, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 24 received on 26 July 2010, drawing nos. 24PP.25, 26, 27 north elevation as existing received on 15 August 2010, drawing nos. 24PP.21

received on 18 August 2010, drawing nos. 24PP.02, 37 received on 25 August 2010, drawing nos 24PP.19, 20, 22, 23, 27 north elevation as proposed received 5 November.

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

3) UNI

Notwithstanding the approved plans, details of new and/or replacement doors shall be submitted to and approved in writing by the Local Planning Authority before works commence. Drawings of the doors shall be submitted in the form of a 1:20 scale drawing. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory completion of the development and to preserve the historical and architectural appearance and character of the listed building and to accord with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

Notwithstanding the approved plans, full details of proposed finish to the ground floor entrance steps shall be submitted to and approved in writing by the Local Planning Authority before works commence. These details shall include a sample of the proposed material and drawings detailing the proposed finish. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory completion of the development and to preserve the historical and architectural appearance and character of the listed building and to accord with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

The lower ground floor accommodation hereby permitted shall be used solely as ancillary accommodation in connection with the enjoyment of the main property as a single dwellinghouse and it shall at no time be occupied as a separate unit of accommodation.

Reason: In order to protect the amenities of adjacent properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

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

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02322

24 Portland Place Brighton

Internal and external alterations associated with change of use from language school (D1) to residential dwelling (C3), including replacement windows.

Applicant: House of English

Officer: Anthony Foster 294495

Approved on 18/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.06

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling,

corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

3) BH13.11

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.

4) BH13.12

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

5) UNI

Notwithstanding the approved plans, details of new and/or replacement doors shall be submitted to and approved in writing by the Local Planning Authority before works commence. Drawings of the doors shall be submitted in the form of a 1:20 scale drawing. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory completion of the development and to preserve the historical and architectural appearance and character of the listed building and to accord with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

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

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

7) UNI

Notwithstanding the approved plans, full details of proposed finish to the ground floor entrance steps shall be submitted to and approved in writing by the Local Planning Authority before works commence. These details shall include a sample of the proposed material and drawings detailing the proposed finish. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory completion of the development and to preserve the historical and architectural appearance and character of the listed building and to accord with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02347

5 Portland Place Brighton

Change of use from language school (D1) to residential dwelling (C3) including external alterations to front elevation.

Applicant: House of English

Officer: Anthony Foster 294495

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) BH13.03

All new windows 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.

3) BH13.06

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no drawing nos. 5PP.01, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 19, 20, 23 received on 26 July 2010, drawing nos. 5PP.13, 14, 15, 16, 18, 21, 24, 25, 26, 27, received on 17 August 2010, drawing nos. 5PP.02 received on 25 August 2010, drawing nos. 5PP.22 Rev A, 5PP.26 West Elevation as proposed, 5PP.27 South Elevation as proposed received on 25 October 2010.

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

5) UNI

No works shall take place until full details of the proposed replacement corning and capitals including 1:20 scale sample elevations and 1:1 scale profiles to precisely match those existing on the West side of Portland Place have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented prior to the occupation of the building as a dwellinghouse and in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

The lower ground floor accommodation hereby permitted shall be used solely as ancillary accommodation in connection with the enjoyment of the main property as a single dwellinghouse and it shall at no time be occupied as a separate unit of accommodation.

Reason: In order to protect the amenities of adjacent properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

BH2010/02596

Land to rear of 1-3 Clarendon Terrace Brighton

Erection of a two storey dwelling, alterations to boundary walls fronting Chesham Place and alterations within garden including excavation and alterations to walls.

Applicant: Skyline Developments

Officer: Aidan Thatcher 292265

Refused on 24/11/10 DELEGATED

1) UNI

The proposed new dwelling, by reason of its height and close proximity to adjoining properties in Clarendon Terrace would be overbearing and create a sense of enclosure and cause loss of outlook to occupiers of those properties, to the detriment of their amenity, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2010/02737

Sussex House 1 Abbey Road Brighton

Installation of cycle compound and cyclepod stands in Sussex House North car park incorporating security gate with associated pedestrian & vehicle access into car park. Part retrospective.

Applicant: Mr Robert Brown

Officer: Anthony Foster 294495

Approved on 05/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

Upon completion of the cycle parking facilities shown on the approved plans the cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 1890SUX/CP/01, 02 B, 03 B, submitted on 10 September 2010 and Sheet 1 of 2, Sheet 2 of 2 submitted on 25 September 2010.

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

BH2010/02777

The Swan 8 - 9 Rock Street Brighton

Cladding of front elevation with lilac bevelled ceramic tiles (Part retrospective)

Applicant: Mr Gary Blair

Officer: Sonia Kanwar 292359

Refused on 19/11/10 DELEGATED

1) UNI

The development, by reason of the colour and finish proposed, is an inappropriate alteration and forms an incongruous feature within the street scene to the detriment of the character and appearance of the East Cliff Conservation Area. Additionally it detracts from the setting and views of the neighbouring Listed Buildings. As such the proposal is contrary to policies QD14, HE3 and HE6 of the Brighton & Hove Local Plan.

BH2010/02956

St Georges Church St Georges Road Kemptown Brighton

Application for Approval of Details Reserved by Conditions 2, and 4 of application BH2010/00567.

Applicant: Parochial Church Council of St Georges

Officer: Anthony Foster 294495

Approved on 10/11/10 DELEGATED

BH2010/02969

1 St Marys Square Brighton

Installation of UPVC windows and doors to replace existing timber windows and doors.

Applicant: Mr J Bennett

Officer: Chris Swain 292178

Approved on 23/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no.A131.22 and 4 unnumbered drawings showing the proposed window and door designs received on 20 September 2010.

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

HANOVER & ELM GROVE

BH2010/02058

53 Carisbrooke Road Brighton

Application for removal of condition 2 of application BH2007/04288 which states that '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.'

Applicant: Mrs Elizabeth Taylor

Officer: Sonia Kanwar 292359

Approved on 11/11/10 DELEGATED

1) BH02.03

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

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

2) BH02.04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) BH02.07

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

retained for use at all times.

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

4) BH03.04

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

Reason: In the interests of the character and appearance of the building(s) and the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

5) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling[*s*] hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

6) UNI

Within three months of the date of this permission, samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the new build development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

7) UNI

The waste minimisation measures set out in the waste minimisation statement submitted 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.

8) UNI

The conversion element of the scheme hereby permitted shall be carried out in accordance with the approved sustainability measures approved in writing by the Local Planning Authority on the 30th June 2009.

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.

9) UNI

Unless otherwise agreed in writing by the Local Planning Authority, within three months of the date of this permission, with regards to the new build development:

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

A completed pre-assessment estimator will not be acceptable.

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

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the new build residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 or an Ecohomes rating of "Very Good" or higher has been submitted to, and approved in writing by, the Local Planning Authority.

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

11) UNI

The development hereby permitted shall be commenced before the expiration of three years from the date of permission BH2007/04288.

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

BH2010/02778

20 Hanover Crescent Brighton

Application for approval of details reserved by conditions 2, 3 and 5 of application BH2010/00059

Applicant: Mr Neil Smith

Officer: Chris Swain 292178

Approved on 10/11/10 DELEGATED

BH2010/02925

24 Southampton Street Brighton

Certificate of Lawfulness for proposed loft conversion incorporating rear dormer with window and French door and rooflights to front roof slope.

Applicant: Ms Frances Guy

Officer: Louise Kent 292198

Approved on 16/11/10 DELEGATED

BH2010/02948

128-129 Lewes Road Brighton

Change of Use of basement from retail storage to 1no 3bedroom flat. Excavation at front to form new entrance steps to basement with lightwell and associated metal balustrades. Alterations to front and rear fenestration.

Applicant: Peermark Ltd

Officer: Aidan Thatcher 292265

Refused on 11/11/10 DELEGATED

1) UNI

The proposed basement residential unit would be largely enclosed and would receive inadequate natural light and a poor outlook and would therefore fail to provide an acceptable residential environment for future occupiers, contrary to Brighton & Hove Local Plan policy QD27.

2) UNI2

The proposed external alterations to the front of no. 128 at basement level, namely the new front facing casement window, would not integrate effectively with the host property due to its positioning and thus would be contrary to Brighton & Hove Local Plan policies QD1 and QD14.

3) UNI3

The proposed development fails to demonstrate adequate compliance with lifetime homes criteria and as such would be contrary to policy HO13 of the Brighton & Hove Local Plan.

HOLLINGDEAN & STANMER

BH2008/03526

Pevensey 1 North South Road Brighton

Installation of free standing hand rail on the roof and all existing windows to be replaced with new double glazing

Applicant: Mr Neil Troak

Officer: Louise Kent 292198

Approved on 11/11/10 DELEGATED

1) 01.05A

The works hereby permitted shall be commenced before the expiration of five years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

BH2010/01704

300 Ditchling Road Brighton

Variation of Condition 9 of application BH2005/00199/FP to read: The ground and first floor windows on the rear elevation (with the exception of the window serving the ladies toilet) shall be kept shut during hours of opening, and the two rooflights serving the kitchen shall only be opened between the hours of 11.00 to 15.00 and 18.00 to 22.00. The door into the garden shall be kept closed when not in use for operational purposes.

Applicant: Mr David Doran

Officer: Jonathan Puplett 292525

Refused on 16/11/10 DELEGATED

1) UNI

The proposed opening of rooflights serving the kitchen would cause odour and noise nuisance for occupiers of neighbouring residential properties, contrary to Policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/02466

67 Dudley Road Brighton

Erection of two storey side extension with roof alterations.

Applicant: Mrs Claire Adams

Officer: Louise Kent 292198

Approved on 04/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos.10.06.03/2 and 10.06.03/Rev. 3B submitted on 6 August 2010 and 26 October 2010.

BH2010/02509

22 Park Road Brighton

Erection of single storey rear extension with pitched roof, erection of new porch to front entrance, erection of new single storey detached garage to rear and construction of hardstanding and vehicular crossover to front of property.

Applicant: Mr M Harrison

Officer: Chris Swain 292178

Approved on 11/11/10 DELEGATED

1) BH01.01

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

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

2) BH02.04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) BH03.03

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

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. PR1/1 received on 6 August 2010 and drawing no.PR1/R on 5 September 2010.

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

5) UNI

The windows in the proposed rear addition shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

BH2010/02617

Engineering 1 North South Road University of Sussex Brighton

Erection of internal partition walls to plant room (Part-Retrospective)

Applicant: Mr Neil Hastings

Officer: Liz Arnold 291709

Approved on 11/11/10 DELEGATED

BH2010/02663

Land behind 75-85 Hollingbury Road Brighton

Demolition of existing block of garages and erection of 2no 2 bedroom bungalows.

Applicant: Mr B Edwards

Officer: Kate Brocklebank 292175

Refused on 24/11/10 DELEGATED

1) UNI

The proposed dwellings, due to their height, siting on the boundary, limited separation distances to neighbouring properties and increased height to western boundary treatment would result in an unneighbourly form of development, having an overbearing impact and resulting in a sense of enclosure and negatively affecting the general enjoyment of both the neighbouring dwellings and adjacent garden areas in Ditchling Gardens contrary to policy QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposal, by reason of its poor design, plot division and site coverage, in a densely developed location, would be an overdevelopment of the site that would relate poorly to development in the surrounding area. The proposal fails to enhance the positive qualities of the key neighbourhood principles of the area, does not respect the spacing characteristics of Hollingbury Road and is a cramped form of development. The proposal seeks to infill the already limited space between the rear boundaries of the properties which front Hollingbury Road and those within Ditchling Gardens which represents 'town cramming' to the detriment of the character of the area. As such the scheme is unacceptable as the proposal fails to comply with policies QD1, QD2, QD3 and HO4 of the Brighton & Hove Local Plan.

3) UNI3

The applicant has failed to demonstrate that the development will accord to Lifetime Homes Standards contrary to policy HO13 of the Brighton & Hove Local Plan and Planning Advice Note 03 Accessible Housing and Lifetime Homes.

4) UNI4

Insufficient information has been submitted in relation to the proposed site levels to fully assess the impact of the proposed development in relation to neighbouring amenity. The sectional drawings are inaccurate and misleading as they do not accurately show the proposed increase in the height of the boundary treatment to the west. Contrary to policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

5) UNI5

Insufficient evidence has been submitted to demonstrate how the impact of the loss of the existing car parking within the garaging and the additional demand created by the development would be accommodated in the vicinity of the site. Contrary to policy TR1 of the Brighton & Hove Local Plan.

BH2010/02817

Engineering 1 North South Road University Of Sussex Brighton

Installation of new emergency generator to metal store area.

Applicant: University of Sussex

Officer: Liz Arnold 291709

Approved on 11/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

BH2010/02965

376 Ditchling Road Brighton

Certificate of Lawfulness for a Proposed loft conversion incorporating a rear dormer with Juliet balcony and rooflights to front elevation.

Applicant: Mr & Mrs Paul & Nicky Saunders

Officer: Helen Hobbs 293335

Approved on 11/11/10 DELEGATED

BH2010/03048

The Manor House University Of Brighton Moulsecombe Place Lewes Road Brighton

Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2010/00266.

Applicant: University Of Brighton

Officer: Kate Brocklebank 292175

Approved on 12/11/10 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2008/03628

Rear of 4-34 Kimberley Road Brighton

Demolition of existing garages and construction of 4 two storey dwellings with off-street parking, associated landscaping works and re-surfacing of access road.

Applicant: Mr B Edward

Officer: Aidan Thatcher 292265

Approved after Section 106 signed on 12/11/10 PLANNING COMMITTEE

1) BH01.01

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

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

2) BH02.03

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

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

3) BH02.08

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

4) BH04.01

The new dwellings shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

5) BH05.01

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

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

A completed pre-assessment estimator will not be acceptable.

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

6) BH05.02

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Building Research Establishment issued Final Code Certificate confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority.

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

7) BH05.10

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

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

8) BH06.02

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

9) BH07.11

No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

10) BH11.01

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

11) BH11.02

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

12) UNI

The development shall be carried out in strict accordance with the Waste Minimisation Statement prepared by CJ Planning received on 19.11.08.

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.

13) UNI

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash, paving) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

14) UNI

The North and South (side) facing windows at first floor level of each property hereby approved shall not be glazed otherwise than with obscured glass and be top or bottom hung and thereafter permanently retained as such.

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

15) UNI

The development hereby permitted shall not be commenced until details of the location of the parking spaces for private motor vehicles belonging to the occupants of and visitors to the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for such use at all times.

Reason: To ensure that adequate parking provision is retained without adversely affecting site access and turning facilities and to comply with policy TR19 of the Brighton & Hove Local Plan.

BH2010/01609

Rear of 20-32 Baden Road Brighton

Erection of 7no three storey dwelling houses with vehicular parking for 7no cars.

Applicant: Kitmarr Limited

Officer: Sue Dubberley 293817

Approved on 15/11/10 DELEGATED

1) BH01.01

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

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

2) BH02.01

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

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

3) BH02.04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) BH02.05

The bathroom windows shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

5) BH02.07

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

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

6) BH03.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

7) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

8) BH05.01B

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

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

A completed pre-assessment estimator will not be acceptable.

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

9) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority.

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

10) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

11) BH06.03

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

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

12) 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 accord with policy QD15 of the Brighton & Hove Local Plan.

13) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

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

14) UNI

The measures set out in the submitted Site Waste Management Plan shall be implemented in the development hereby approved.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

15) UNI

Prior to commencement of development a Discovery Strategy shall be submitted and approved in writing by the Local Planning Authority detailing what action will be taken if unsuspected contamination findings are discovered whilst developing the site. Development shall be undertaken in strict accordance with the approved strategy.

Reason: Previous activities within close proximity of 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 & Hove Local Plan.

BH2010/01959

Land to rear of 14-18 Baden Road Brighton

Erection of three 4no bedroom houses including solar panels and associated works.

Applicant: Mr J Bacon

Officer: Sue Dubberley 293817

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) BH01.06

The development hereby permitted shall be carried out in accordance with the approved drawings no. 2205/02, 2251/01 submitted on 23 June 2010.

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

3) BH02.01

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

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

4) BH02.04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

5) BH02.05

The bathroom windows shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

6) BH02.07

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

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

7) BH03.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

8) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling[*s*] hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

9) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and
- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

10) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 has been submitted to, and approved in writing by, the Local Planning Authority.

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

11) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

12) BH06.03

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

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

13) UNI

Prior to commencement of development a Discovery Strategy shall be submitted and approved in writing by the Local Planning Authority detailing what action will be taken if unsuspected contamination findings are discovered whilst developing the site. Development shall be undertaken in strict accordance with the approved strategy.

Reason: Previous activities within close proximity of 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 & Hove Local Plan.

14) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees including the TPO tree on the adjacent land immediately adjoining the site (TPO (No9) 2010) and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

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

15) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority an Arboriculture Method Statement. The works shall be carried out in accordance with the agreed details.

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

16) 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 accord with policy QD15 of the Brighton & Hove Local Plan.

17) UNI

The measures set out in the submitted Site Waste Management Plan shall be implemented in the development hereby approved.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2010/02021

62 Bevendean Crescent Brighton

Erection of 2no new semi-detached dwelling houses.

Applicant: Mr Paul Newman

Officer: Aidan Thatcher 292265

Refused on 18/11/10 DELEGATED

1) UNI

The proposed development, by virtue of the subdivision of the plot and the bulk and height of the proposal would result in a form of development which would be out of character with the surrounding area, specifically the corner plots within the vicinity of the site and as such would be contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development by reason of the siting, materials, design, bulk and height of the proposed houses would be visually intrusive in views from the adjoining South Downs National Park causing harm to its setting and thus would be contrary to policy NC8 of the Brighton & Hove Local Plan.

3) UNI3

The proposed development would cause a detrimental impact on the living conditions of the occupiers of no. 62 Bevendean Crescent by virtue of increased noise and disturbance arising from the ingress and egress from the proposed dwellings and as such would be contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan.

4) UNI4

The application fails to demonstrate that the scheme would achieve Level 5 of the Code for Sustainable Homes and as such would be contrary to policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08: Sustainable Building Design.

5) UNI5

The proposed access drive is of inadequate width to allow for vehicles to access the two parking spaces to the front of the proposed properties. The proposal is therefore considered to be contrary to policies TR1 and TR19 of the Brighton & Hove Local Plan.

BH2010/02836

Land Adj Brighton Health & Racquet Club Village Way Brighton

Installation of external fire escape ramp and steps plus external plant protection enclosure.

Applicant: The University of Brighton

Officer: Aidan Thatcher 292265

Approved on 11/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. (21)100J, (91)100 and (21)101H received on 03.09.10 and drawing no. 107 received on 16.09.10.

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

BH2010/02887

Unit 5 Westergate Business Centre Westergate Road Brighton

Extension of Unit 5 at first floor level internally over Unit 4 to provide additional office space. (Permitted development rights removed by Condition 9 of BH2004/00895/FP)

Applicant: East Brighton Trust CIC

Officer: Kate Brocklebank 292175

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) BH05.09A

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 in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.001 Revision P2, 002 Revision P2, 004 Revision P2, 005 P1, 011 Revision P4 received on 21st September 2010, 003 Revision P2, 010 Revision P2, 012 Revision P1 received on 22nd September 2010.

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

BH2010/03153

Unit 1 Fairway Trading Estate Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2010/01141.

Applicant: Brighton & Hove City Council

Officer: Kate Brocklebank 292175

Approved on 16/11/10 DELEGATED

QUEEN'S PARK

BH2010/02047

140 Edward Street Brighton

Replacement of 3 No. windows with timber framed windows at rear elevation and insertion of 2 No. Conservation style roof lights in west facing roof slope.

Applicant: Mr & Mrs Jeremy and Penny Maris

Officer: Louise Kent 292198

Approved on 09/11/10 DELEGATED

1) BH01.01

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

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

2) BH01.06

The development hereby permitted shall be carried out in accordance with the approved drawings nos.169-03/1 submitted on 25 October 2010.

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

3) BH12.03

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 & Hove Local Plan.

4) BH12.05A

The rooflight[*s*] hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

BH2010/02500

Flat 2 89 Marine Parade Brighton

Replacement of existing window with timber sash window.

Applicant: Mr Adam Freeland

Officer: Louise Kent 292198

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos 10. 09.01/1, 2 & 3 received on 22 September 2010.

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

BH2010/02501

Flat 2 89 Marine Parade Brighton

Internal alterations to layout of flat and replacement of existing window with timber sash window.

Applicant: Mr Adam Freeland

Officer: Louise Kent 292198

Approved on 17/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.03

All new windows 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.

3) BH13.07

No works shall take place until a schedule of all features to be removed, moved, replaced or reinstated has been submitted to and approved in writing by the Local Planning Authority. All replacement and 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 approval by the Local Planning Authority.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.

4) BH13.12

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

BH2010/02890

8 Queens Park Terrace Brighton

Erection of single storey side extension to replace existing conservatory.

Applicant: Ms Kit Messenger

Officer: Sonia Kanwar 292359

Approved on 15/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that

Order with or without modification), no additional windows shall be constructed to the side elevations of the extension hereby approved without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 368(PL)1 received on the 10th September 2010 and 368(PL)2a received on the 20th September 2010.

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

BH2010/02999

Tarner Park Playbase Tarner Park Sussex Street Brighton

Demolition of toilet block and pre-fabricated activity building.

Applicant: Brighton & Hove City Council

Officer: Jonathan Puplett 292525

Approved on 23/11/10 DELEGATED

1) BH01.04

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted, or that the site be landscaped to an appropriate standard following 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 & Hove Local Plan.

BH2010/03052

27 Upper Rock Gardens Brighton

Certificate Of Lawfulness for existing use of ground, first and second floors of 27 Upper Rock Gardens, Brighton as a Guest House (C1)

Applicant: Georjan Guest House

Officer: Chris Swain 292178

Approved on 05/11/10 DELEGATED

BH2010/03215

11 Southdown Mews Brighton

Conversion of existing garage into habitable room.

Applicant: Mr Beard

Officer: Jonathan Puplett 292525

Approved on 23/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The painted render wall infill hereby permitted shall match the painted render walls of the existing building.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. D1, D02 and site plan received on the 11th of October 2010.

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

BH2010/03337

Tarner Playground Sussex Street Brighton

Non Material Amendment to BH2010/01346 for the relocation of the Playpod building from approved position.

Applicant: Brighton & Hove City Council

Officer: Jonathan Puplett 292525

Refused on 19/11/10 DELEGATED

1) UNI

The proposed revisions to the scheme approved under application BH2010/01346 are considered material and warrant the submission of a further application for planning permission to enable the Local Planning Authority to fully assess the revised proposals in respect of the following issues:

i) Visual Impact and impact upon the Carlton Hill Conservation Area.

ROTTINGDEAN COASTAL

BH2010/00983

2 Berwick Road Saltdean Brighton

Replacement of garage door with UPVC windows and doors to form residential unit. (Retrospective)

Applicant: Mr Neil Harrison

Officer: Anthony Foster 294495

Refused on 09/11/10 DELEGATED

1) UNI

Due to the cramped living conditions, lack of natural ventilation and light to the proposed bathroom and kitchen facilities, and the lack of amenity space provision for the occupiers of the residential unit, the scheme is judged to provide an inappropriate and poor standard of accommodation and a cramped and confined internal environment that would provide inadequate living conditions for future occupiers and set an unacceptable precedent within the area. The proposal is therefore contrary to policies HO5, QD3 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The windows are of an unsympathetic design, subdivision and opening arrangement, which is to the detriment of the character and appearance of the existing property and the street scene, contrary to policies QD1, QD2, QD14 of the Brighton & Hove Local Plan.

3) UNI3

The applicant has failed to demonstrate that the proposal would incorporate measures to ensure a satisfactory level of sustainability, contrary to policy SU2 of the Brighton & Hove Local Plan.

4) UNI4

The applicant has failed to provide sufficient information to suggest that the units are capable of meeting the Lifetime Homes standards contrary to policy HO13 of the Brighton & Hove Local Plan

BH2010/02093

63 Marine Drive Rottingdean Brighton

Conversion of existing rear ground and first floor maisonette to create 3no two bedroom maisonettes and 1no two bedroom flat, incorporating erection of rear extension and additional storey with pitched roof with front, rear and side dormers and rooflights to side.

Applicant: Mr Keith Pryke

Officer: Sue Dubberley 293817

Approved on 09/11/10 PLANNING COMMITTEE

1) BH01.01

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

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

2) BH02.08

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

3) BH03.03

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

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

4) BH05.03B

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

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under Ecohomes (or an equivalent or successor assessment tool) and a Design Stage Assessment Report showing that the development will achieve an Ecohomes Refurbishment rating for all residential units have been submitted to the Local Planning Authority; and
- (b) a BRE issued Design Stage Certificate demonstrating that the development has achieved an Ecohomes Refurbishment rating for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

5) BH05.04B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until an Ecohomes Design Stage Certificate (or certificate from equivalent or successor assessment tool) and a Building Research Establishment issued Post Construction Review Certificate confirming that each residential unit built has achieved an Ecohomes

Refurbishment rating has been submitted to, and approved in writing by, the Local Planning Authority.

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

6) BH06.02

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

7) BH08.01

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

(a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress; and

c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved

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

8) BH16.01

No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

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

Hove Local Plan.

9) UNI

The waste minimisation measures shall be implemented in strict accordance with the Waste Minimisation Statement dated 6/14/2010 received on 06/07/10.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

10) UNI

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

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

BH2010/02263

The Dene The Green Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2010/00579.

Applicant: Teacher's Housing Association

Officer: Chris Swain 292178

Approved on 11/11/10 DELEGATED

BH2010/02579

7 Bazehill Road Rottingdean Brighton

Erection of single storey rear conservatory extension.

Applicant: Mr Andy & Mrs Jackie Noakes

Officer: Louise Kent 292198

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 2699/3/1B, 10C, 16A, 17A, 18A, 22C, 23B, 24A, 28B, 29B & 30 received on 12 August 2010.

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

BH2010/02606

3 Ovingdean Close Brighton

Erection of terracing and timber summer houses with raised timber deck area in rear garden. (Retrospective).

Applicant: Mr L Catt

Officer: Sonia Kanwar 292359

Refused on 08/11/10 DELEGATED

1) UNI

The development, by virtue of the siting, design, size and massing appears visually dominant and overbearing when viewed from the neighbouring properties. It is of detriment to the character and appearance of the existing property and the visual amenities enjoyed by neighbouring properties. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

2) UNI2

The development, by virtue of the siting, design, size and massing results in significant overlooking of neighbouring properties and gardens. As such the development adversely impacts on residential amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02720

76 Tumulus Road Saltdean Brighton

Certificate of lawfulness for proposed loft conversion including hip to gable roof extensions, rear dormer and rooflights to front and rear. Erection of new front porch and alterations to garage to form habitable room.

Applicant: Miss Valerie Gillam

Officer: Sonia Kanwar 292359

Refused on 05/11/10 DELEGATED

1) UNI

The porch is not permitted development under Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) Order 1995, as amended, by reason that proposed enlarged part of the dwellinghouse would extend beyond a wall which:

- i. fronts a highway, and
- ii. forms either the principal elevation or a side elevation of the original dwellinghouse.

2) UNI2

The porch is not permitted development under Schedule 2, Part 1, Class D of the Town & Country Planning (General Permitted Development) Order 1995, as amended, by reason of the ground area exceeding 3m² and the height being in excess of 3 metres.

3) UNI3

The rooflights are not permitted development under Schedule 2, Part 1, Class C of the Town & Country Planning (General Permitted Development) Order 1995, as amended, by reason that the applicant has failed to demonstrate that the alterations would not protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.

BH2010/02750

10 Lustrells Close Saltdean Brighton

Erection of raised decking to rear with steps to garden (Retrospective).

Applicant: Mrs S Hinds

Officer: Jonathan Puplett 292525

Refused on 09/11/10 DELEGATED

1) UNI

Policies QD14 and QD27 state that planning permission will not be granted for alterations which would cause material nuisance and loss of amenity to existing / future residents. Use of the raised decked area would result in overlooking of neighbouring gardens and the rear elevations of neighbouring dwellings, causing significant harm to the privacy of neighbouring residents. The scheme is therefore contrary to the above policies.

2) UNI2

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The raised decked structure is an inappropriate addition to the rear garden area which has an overly dominant and overbearing affect on residents of neighbouring properties. The scheme is therefore contrary to the above policy.

BH2010/02762

27 Lewes Crescent Brighton

Certificate of lawfulness for existing single storey rear extensions.

Applicant: Mr Charles Wilson

Officer: Sonia Kanwar 292359

Approved on 08/11/10 DELEGATED

BH2010/02831

27 Lewes Crescent Brighton

Internal and external alterations and restoration. (Part retrospective)

Applicant: Mr Charles Wilson

Officer: Sonia Kanwar 292359

Approved on 09/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.06

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

3) UNI

Unless otherwise agreed in writing with the Local Planning Authority, within three months of the date of this permission, full details of the design and proposed installation of the fires to the library and the living room shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

Unless otherwise agreed in writing with the Local Planning Authority, within three months of the date of this permission, full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of all new openings, doors, windows and the staircase hereby approved shall be submitted to and approved in writing by the Local Planning Authority. All replacements should exactly match the existing in terms of materials, design and detail. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton &

Hove Local Plan.

5) UNI

Unless otherwise agreed in writing with the Local Planning Authority, within three months of the date of this permission, full details of the design of how the flagstones hereby approved will be laid to the lower front patio shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

The walls of the morning room and utility room shall be smooth rendered in a cement/lime/sand render mix down to ground level and shall not have bell mouth drips above the damp proof course or above the window, door and archway openings. The render work shall not use metal or plastic expansion joints, corner or edge render beads and shall be painted in a smooth masonry paint to match the original building.

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

BH2010/02848

21 Mayfield Court Lustrells Vale Saltdean Brighton

Replacement of existing windows and door with double glazed UPVC.

Applicant: Miss Paula Firth

Officer: Chris Swain 292178

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with two unnumbered, approved drawings received on 6 September 2010.

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

BH2010/02879

Land to rear of 75 Tumulus Road Saltdean Brighton

Erection of 1no two bedroom bungalow.

Applicant: Mr M Trower

Officer: Kate Brocklebank 292175

Refused on 16/11/10 DELEGATED

1) UNI

The proposal fails to enhance the positive qualities of the key neighbourhood principles of the area by respecting the spacing characteristics and is overly dense. Consequently the proposal represents an over-development of the site resulting in 'town cramming' to the detriment of the character of the area. In addition, the siting and orientation of the proposed development fails to reflect the prevailing character of this stretch of Tumulus Road and results in an overly prominent and dominant form of development in the street scene, causing harm to the character of the area. The dominance of the development is further exaggerated by the increase in ground levels compared with the existing dwelling at No.75 and the prominent corner plot location. As such the scheme is

unacceptable as the proposal fails to comply with policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

2) UNI2

The proposed siting of the dwelling abutting the boundary with the South Downs National Park is in contrast to the existing layout of development along this stretch of Tumulus Road and results in filling at a higher level in the visual gap between the rear of this row of properties formed of open garden land. The proposal would be unduly prominent and detract from views into and have a negative impact on the setting of the adjacent South Downs National Park contrary to NC7 and NC8 of the Brighton & Hove Local Plan.

3) UNI3

The proposed dwelling, due to its siting, limited separation distances and position on elevated land constitutes an unneighbourly form of development having an overbearing impact on the existing dwelling and retained garden area for number 75 Tumulus Road contrary to policy QD27 of the Brighton & Hove Local Plan.

4) UNI4

The proposal does not make adequate provision for private amenity space for both properties in this suburban locality, where predominantly neighbouring properties benefit from generous rear gardens. As such the development fails to comply with policy HO5 of the Brighton & Hove Local Plan which requires amenity space to be appropriate to the scale and nature of the development.

5) UNI5

The applicant has failed to demonstrate that the development will accord to Lifetime Homes Standards contrary to policy HO13 of the Brighton & Hove Local Plan and Planning Advice Note 03 Accessible Housing and Lifetime Homes.

6) UNI6

The applicant has failed to demonstrate that the development will achieve Code Level 5 of the Code for Sustainable Homes contrary to policy SU2 of the Brighton & Hove Local Plan and SPD08 Sustainable Building Design.

7) UNI7

Insufficient information has been submitted in relation to the elevations of the proposed garage and existing and proposed site levels to fully assess the impact of the proposed development in relation to neighbouring amenity, design and the impact on the character of the area. Contrary to policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

BH2010/02899

25 Winton Avenue Saltdean Brighton

Erection of two storey side extension with rooflights to side, front and rear.

Applicant: Mr Robert Rowsell

Officer: Sonia Kanwar 292359

Approved on 10/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The privacy screen hereby approved shall be implemented in full before the balcony approved is brought into use.

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

4) UNI

The rooflights in the south east elevation serving the kitchen and in the south west elevation serving the dining area of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

5) UNI

The windows to the south west elevation of the extension 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 & Hove Local Plan.

6) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. L-01, L-02, L-03 and L-04 received on the 13th September 2010.

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

WOODINGDEAN

BH2010/02670

59 Crescent Drive North Brighton

Erection of front porch to replace existing.

Applicant: Ms Sophia Nikolaidis

Officer: Helen Hobbs 293335

Approved on 08/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 001, 002, 101, 102 and site plan received on 20th August 2010.

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

BH2010/02896

568 Falmer Road Brighton

Extension of existing crossover.

Applicant: Miss Helen Beaman

Officer: Helen Hobbs 293335

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with un-numbered drawing received on 14th September 2010.

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

BH2010/03073

14 Selhurst Road Brighton

Certificate of Lawfulness for a Proposed loft conversion incorporating a dormer at the rear elevation and rooflights to front and rear elevations.

Applicant: Mrs A Peacock

Officer: Jonathan Puplett 292525

Refused on 16/11/10 DELEGATED

BRUNSWICK AND ADELAIDE

BH2010/02651

Flat 11 Rochester Mansions 7 Church Road Hove

Internal alterations to layout of flat.

Applicant: Mr Christopher Dearlove

Officer: Wayne Nee 292132

Approved on 17/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

Notwithstanding the proposed drawing submitted, the architrave joinery profiles shall match the existing originals.

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

3) UNI

The development hereby permitted shall be carried out in accordance with drawing nos. 1002-02B and 1002-03 received on 16 September 2010, and drawing no. 1002-01 received on 23 September 2010.

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

BH2010/02684

Flat 6 3 Brunswick Square Hove

Replacement of single glazing to front sash windows with double glazing, with retention of upper frames and replacement wooden lower frames.

Applicant: Mr Angus Light & Miss Emma Critchley

Officer: Adrian Smith 01273 290478

Approved on 09/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

Notwithstanding the details submitted with the application, and unless otherwise approved in writing by the Local Planning Authority, the existing sash boxes and upper sashes to the three front windows shall be re-used and the lower sashes replaced with new softwood window sections with joinery details to match exactly those of the originals, and shall thereafter 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.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings received on the 23rd August 2010.

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

BH2010/02685

Flat 6 3 Brunswick Square Hove

Replacement of single glazing to front sash windows with double glazing, with retention of upper frames and replacement wooden lower frames.

Applicant: Mr Angus Light & Miss Emma Critchley

Officer: Adrian Smith 01273 290478

Approved on 08/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

Notwithstanding the details submitted with the application, and unless otherwise approved in writing by the Local Planning Authority, the existing sash boxes and upper sashes to the three front windows shall be re-used and the lower sashes replaced with new softwood window sections with joinery details to match exactly those of the originals, and shall thereafter 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.

BH2010/02714

Flat 2 16 First Avenue Hove

Erection of single storey rear extension.

Applicant: Mr Ian Foster

Officer: Adrian Smith 01273 290478

Approved on 12/11/10 DELEGATED

1) BH01.01

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

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

2) BH12.02

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. JW/10/043 received on the 24th August 2010.

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

BH2010/02955

Holland Road Baptist Church & 65 Holland Road Hove

Erection of single storey double glazed panel link to join the buildings, with double doors to front.

Applicant: Mr Sean Avard

Officer: Clare Simpson 292454

Approved on 12/11/10 DELEGATED

1) BH01.01

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

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

2) BH13.05

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

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 2394/33 and 2394/32 received on 17th September 2010.

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

BH2010/03309

22A St Johns Road Hove

Application for Approval of Details Reserved by Condition 6 of application BH2008/02719.

Applicant: City Property Developments

Officer: Adrian Smith 01273 290478

Approved on 17/11/10 DELEGATED

CENTRAL HOVE

BH2010/02009

Costa Coffee 13-14 George Street Hove

Installation of 4 No. Air Conditioning Units (Part Retrospective).

Applicant: Costa Coffee

Officer: Guy Everest 293334

Approved on 19/11/10 PLANNING COMMITTEE

1) UNI

A scheme for painting the external ducting hereby approved a matt colour shall be submitted for the approval of the Local Planning Authority within one month of the date of this decision letter unless otherwise agreed in writing. The approved scheme shall be carried out in accordance with the approved details within 2 months of the date of the notification of the approval by the Local Planning Authority, and thereafter retained.

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

2) UNI

The noise attenuators and revised fan positions shall be installed, as indicated on drawing no. 11977/100, within one month of the date of this decision letter unless otherwise agreed in writing. The noise attenuators and revised fan positions shall be retained as such thereafter.

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

3) UNI

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

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

4) UNI

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

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

5) UNI

The hereby approved roof mounted equipment shall not operate except between the hours of 07:00 and 19:00 on Monday to Saturdays, and between 09.00 and 17:00 hours on Sundays and Bank Holidays.

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

BH2010/02270

118 Church Road Hove

Change of use from retail (A1) to café (A3). (Retrospective)

Applicant: 9 Bar Cafe

Officer: Guy Everest 293334

Approved on 05/11/10 DELEGATED

1) UNI

The use hereby permitted shall not be open to customers except between the hours of 08.00 and 23.00.

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved unlabelled floorplans drawing submitted 9th August 2010; and approved drawing no. 60053/002 REC submitted 23rd August 2010.

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

3) UNI

The hereby approved roof mounted equipment shall not operate except between the hours of 08:00 and 23:00.

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

BH2010/03140

Flat 9 13-14 Kings Gardens Hove

Replacement UPVC double glazed window to match existing.

Applicant: Mrs Jillian Smith

Officer: Clare Simpson 292454

Refused on 11/11/10 DELEGATED

1) UNI

The proposed replacement UPVC window would to be incongruous feature that would be detrimental to the character and appearance of the listed building. The proposal is contrary to policies HE1 and HE4 of the Brighton & Hove Local Plan.

BH2010/03141

Flat 9 13-14 Kings Gardens Hove

Replacement UPVC double glazed window to match existing.

Applicant: Mrs Jillian Smith

Officer: Clare Simpson 292454

Refused on 11/11/10 DELEGATED

1) UNI

The proposed replacement UPVC window would to be incongruous feature that would be detrimental to the character and appearance of the listed building and wider Conservation Area. The proposal is contrary to policies HE1, HE4 and HE6 of the Brighton & Hove Local Plan.

BH2010/03175

8 Osborne Villas Hove

Conversion of two self contained flats into a single dwelling.

Applicant: Sussex Transformations Ltd

Officer: Steven Lewis 290480

Approved on 05/11/10 DELEGATED

GOLDSMID

BH2010/02768

14 Eaton Gardens Hove

Internal alterations. (Retrospective)

Applicant: Vigcare Ltd

Officer: Clare Simpson 292454

Refused on 08/11/10 DELEGATED

1) UNI

The internal works involve the insertion of inappropriately positioned partitions and the removal of sections of original walls. The resultant rooms are in many cases irregularly shaped and poorly proportioned. Furthermore original fireplaces have been removed without consent. Whilst the building has previously suffered from a number of unsympathetic alterations over the years, these proposals represent a significant net worsening of the situation. These works detract from the original internal layout and historic features of the listed building and are contrary to the policy HE1 and HE4 of the Brighton & Hove Local Plan and Supplementary Planning Guidance on Listed Building Interiors.

BH2010/02842

70 Fonthill Road Hove

Erection of single storey rear extension to ground floor flat.

Applicant: Mr N Dudeney

Officer: Christopher Wright 292097

Approved on 24/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 10320-01 Revision A received on 6 September 2010 and 10320-Loc received on 20 September 2010.

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

BH2010/02871

102A The Drive Hove

Erection of a single storey rear conservatory extension.

Applicant: Ketan Desai

Officer: Christopher Wright 292097

Approved on 15/11/10 DELEGATED

1) BH01.01

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

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

2) BH02.04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) BH03.03

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

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing "Revision (A) Nov 10" received on 11 November 2010.

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

BH2010/02995

Flat 2 St Anns Court Nizells Avenue Hove

Replacement white UPVC windows and door.

Applicant: Mrs Betty Vickery

Officer: Mark Thomas 292336

Approved on 05/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved unnumbered drawings, window specification drawing and photo received on 21st September 2010.

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

BH2010/03006

Flat 14 72 The Drive Hove

Replacement of existing timber framed windows with white UPVC double glazed windows in style to match existing.

Applicant: Mrs E Morrison

Officer: Wayne Nee 292132

Approved on 11/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. T67PW/HP/01 and 05 received on 22 September 2010, and drawing nos. T67PW/HP/02A, 03A and 04A received on 27 September 2010.

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

BH2010/03038

Staples Peacock Industrial Estate Davigdor Road Hove

Display of 1no internally illuminated fascia sign and 2no non-illuminated fascia signs (retrospective).

Applicant: Staples

Officer: Wayne Nee 292132

Split Decision on 19/11/10 DELEGATED

1) BH10.01

Advertisement consent for the proposed internally illuminated sign (Sign A) subject to the following:

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the

public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) BH10.07

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 & Hove Local Plan.

1) UNI

Advertisement consent for the proposed internally illuminated category sign (Sign D), for the following reason:

Policy QD12 of the Brighton & Hove Local Plan states that advertisements and signs should be sensitively designed and located, and should contribute to the visual amenity of the area. Supplementary Planning Document 7 on Advertisements also outlines the Council's approach to advertisements. The 2 no. category signs (Sign D) represent an unsympathetic addition and an excessive proliferation of advertising on the side elevation, which results in a cluttered appearance to the detriment of the visual amenity of the recipient building and the wider street scene. The signs are therefore contrary to the above policy and supplementary planning document.

BH2010/03060

Flat 9 Gainsborough House 4 - 6 Eaton Gardens Hove

Replacement of existing aluminium and timber framed windows and timber framed patio door with new PVCu units.

Applicant: Mrs J Cooper

Officer: Mark Thomas 292336

Approved on 08/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. E45PW/HP/02, 03, 04, 05 and schedule of photographs received on 27th September 2010.

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

BH2010/03069

32 & 34 Denmark Villas Hove

Demolition of existing garden boundary wall between 32-34 Denmark Villas and erection of new wall with movement joints. Removal of two trees.

Applicant: Knolldowne Properties Ltd

Officer: Steven Lewis 290480

Approved on 23/11/10 DELEGATED

1) BH01.01

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

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

2) BH12.02

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

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

3) UNI

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme for the planting of replacement trees not less than one in number, of a size and species and at the site. The planting of the replacement trees shall be carried out in the first planting season following commencement of the development, and any trees which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size and species.

Reason: To ensure appropriate and satisfactory replacement of trees of the amenity value in the interests of maintaining amenity and in compliance with policies QD16 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 06 (trees and development sites).

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.8496/1, 8496/2 & 8496/3 received on 28/09/2010.

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

BH2010/03070

32 & 34 Denmark Villas Hove

Demolition of existing garden boundary wall between 32-34 Denmark Villas.

Applicant: Knolldowne Properties Ltd

Officer: Steven Lewis 290480

Approved on 23/11/10 DECISION ON APPEAL

1) BH01.04

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH12.08

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have

been entered into by the developer to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

BH2010/03127

2 Montefiore Road Hove

External alterations incorporating new entrance doors, replacement of plant with extension to plant room on roof, infilling of two open bays at first floor, creation of new stair and open terrace to west elevation, removal of flue and insertion of doors to north elevation and erection of separate medical gasses storage building and covered cycle store.

Applicant: BOSIC

Officer: Jason Hawkes 292153

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) BH02.06

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

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

3) BH02.07

Pre-Occupation Condition:

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

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

4) BH05.08

Pre-Commencement Conditions:

No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

5) BH06.03

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

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

6) UNI

Prior to the occupation of the building, existing and proposed roof top plant and machinery shall be painted light grey, as indicated on the proposed elevations, drawing nos:AR/XX/XX/EL/251/221/P3 & AR/XX/XX/EL/251/222/P3, and thereafter retained as such.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and HE10 of the Brighton & Hove Local Plan.

7) UNI

The new window frames and glazing proposed above the reception area, as shown on drawing.AR/XX/XX/EL/251/221/P3, shall match the adjacent existing arched windows at first floor level in the east elevation of the building.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and HE10 of the Brighton & Hove Local Plan.

8) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. AR/WS/BA/PL/200/204/P2, AR/WS/00/PL/200/206/P2, AR/WS/01/PL/200/208/P2, AR/WS/02/PL/200/210/P2, AR/WS/03/PL/200/212/P2, AR/WS/04/PL/200/214/P3, AR/XX/XX/EL/251/221/P3, AR/XX/XX/EL/251/222/P3, AR/XX/XX/EL/251/223/P3, AR/XX/XX/SE/251/224/P3, AR/XX/XX/SE/251/225/P3, AR/XX/XX/SE/251/226/P3 AR/XX/XX/EL/251/227/P3 & RWS/04/PL/200/229/P2 received on 4th October and 15th November 2010.

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

9) UNI

For daytime noise associated with plant and machinery incorporated within development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997, however the limit to used for night time plant emissions is 30dB(A).

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

BH2010/03134

11 Chanctonbury Road Hove

Proposed roof alterations to rear incorporating Juliet balcony and additional windows.

Applicant: Mr Roger Goddard-Coote

Officer: Steven Lewis 290480

Approved on 24/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved HUUK drawings no. 036-PL-002, 036-PL-003, 036-PL-006, 036-PL-007, 036-PL-008 received on 04/10/2010 and 036-PL-001A, 036-PL-004_A & 036-PL-005A, received on 18/11/2010.

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

HANGLETON & KNOLL

BH2010/02523

220A Hangleton Road Hove

Conversion of maisonette to form 1no 1 bedroom flat and 1no 2 bedroom flat. (Retrospective).

Applicant: Mr James Francis

Officer: Guy Everest 293334

Approved on 08/11/10 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 2261/01 submitted on 6th August 2010.

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

BH2010/02576

West Blatchington Primary School Hangleton Way Hove

Erection of 1no double mobile classroom to Junior site including associated landscaping and fencing.

Applicant: Brighton & Hove City Council - Property & Design Department

Officer: Christopher Wright 292097

Approved on 24/11/10 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. EQ712-200-03 and EQ712-300-03 received on 12 August 2010 and the Technical Specification received on 12 August 2010; and drawing nos. A-003 Revision B and A-004 Revision B received on 19 November 2010.

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

2) UNI

The temporary classroom building hereby permitted shall be permanently removed from the site and the land reinstated to its former condition by 2 November 2015, or when it is no longer required (whichever is the sooner).

Reason: The structure is not considered suitable as a permanent form of development and permission is therefore granted for a temporary period only, in order to comply with policies QD1, QD2 and SR20 of the Brighton & Hove Local Plan.

BH2010/02844

3 Applesham Avenue Hove

Erection of a two storey side extension.

Applicant: Mr & Mrs P Shepherd

Officer: Mark Thomas 292336

Refused on 05/11/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The proposed extension features a roof form which does not relate well to the main roof of the dwellinghouse when viewed in context with the rear elevation, and the partial

obscuring of the rear bathroom window by the roof is inappropriate. Further, it is considered that the proposed development in combination with the existing single storey rear extension would have a bulky and incongruous appearance resulting in a visually cluttered rear elevation and would result in the property having an overextended appearance. For the reasons above it is considered that the proposed development represents an inappropriately designed, detailed and bulky addition to the rear elevation of the recipient property and would result in unacceptable harm to the character and appearance of the recipient building, contrary to the above policy and guidance.

BH2010/02895

Terridell Farm Devils Dyke Road Brighton

Application for removal of condition 3 of application 3/81/0683 which restricts the occupancy of the dwelling to a person solely or mainly employed in the locality in agriculture.

Applicant: Mrs Slugg

Officer: Adrian Smith 01273 290478

Refused on 08/11/10 DELEGATED

1) UNI

Insufficient evidence has been submitted with the application to demonstrate that the dwelling is not now needed for agricultural use, either in connection with the land, or for agricultural workers in the surrounding countryside. Furthermore, it is unclear from the submission what is to happen to the remaining land that is currently not being farmed, and whether the loss of the agricultural dwelling would impact on its viability. For these reasons the proposed removal of the agricultural occupancy condition would result in the unacceptable loss of accommodation suitable for an agricultural worker and the potential redundancy of the associated farmland, harmful to the special character of the National Park and contrary to policies NC5, NC6 & NC7 of the Brighton & Hove Local Plan, and national guidance contained within Planning Policy Statement 7 'Sustainable Development in Rural Areas'.

BH2010/02964

90 Dale View Hove

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension and rear dormer. Erection of single storey rear extension.

Applicant: Mr & Mrs Furlong

Officer: Charlotte Hughes 292321

Refused on 05/11/10 DELEGATED

1) UNI

The submitted drawings show that the eaves height of the proposed rear extension would exceed 3m in height and the development would therefore fail to comply with Schedule 2, Part 1, Class A, sub-section (g) of the Town & Country Planning (General Permitted Development) Order 1995, as amended.

2) UNI2

The submitted plans show that the development would have consist of a raised platform, which would be accessed off the rear extension, and it would therefore fail to comply with Schedule 2, Part 1, Class A, sub-section (i) of the Town & Country Planning (General Permitted Development) Order 1995, as amended.

3) UNI3

Based on the submitted plans the volume of the proposed roof extensions would exceed 50m³ and the development would therefore fail to comply with Schedule 2, Part 1, Class B, sub-section (c) of the Town & Country Planning (General Permitted Development) Order 1995, as amended.

BH2010/02984

2 Lark Hill Hove

Erection of conservatory to rear elevation to replace existing lean to conservatory.

Applicant: Association of Grace Baptist Churches South East

Officer: Mark Thomas 292336

Refused on 08/11/10 DELEGATED

1) UNI

Policies QD14 and QD27 of the Brighton & Hove Local Plan states that development will only be granted planning permission if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed development by virtue of its bulk, height, positioning, and proximity to the neighbouring boundary, forms an inappropriate addition to the property. The development would result in an unacceptable level of overshadowing, loss of outlook and increased sense of enclosure for the residents of no. 4 Lark Hill. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02994

11 Hangleton Gardens Hove

Demolition of existing conservatory to rear and erection of new conservatory.
Erection of log cabin to rear garden.

Applicant: Miss Azaria Munro

Officer: Clare Simpson 292454

Approved on 19/11/10 DELEGATED

1) BH03.03

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 165/1, 162/2, 162/5, 162/6 162/7 (timber cabin only) received on the 11th October 2010, 1642/3 and 162/4 received on received on the 15th November 2010.

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

BH2010/03020

1 Amberley Drive Hove

Erection of two storey side extension.

Applicant: Ms Muir & Ms Tapp

Officer: Steven Lewis 290480

Approved on 16/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved Insite Planning Ltd drawings no. 1324/1371 & 1324/1372A received on 23/09/2010.

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

BH2010/03204

28 Dale View Hove

Erection of single storey rear extension.

Applicant: Mrs Y Hayden

Officer: Steven Lewis 290480

Approved on 16/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door, other than those expressly authorised by this permission, shall be constructed in the walls or roof of the extension hereby permitted without first obtaining planning permission from the local planning authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 4510/01 Rev A received on 11/10/2010.

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

NORTH PORTSLADE

BH2010/02710

Land at Newbarn Farm Foredown Road Portslade

Application for variation of condition 13 of application BH2007/00710 to allow the hereby approved bund shall be completed no later than 31st August 2011 whereby the deposit of inert material to the site shall cease.

Applicant: R A & A R Uridge

Officer: Guy Everest 293334

Approved on 22/11/10 DELEGATED

1) UNI

The hereby approved bund shall be completed no later than 31st August 2011 whereby the deposit of inert material to the site shall cease.

Reason: To ensure the prompt and effective restoration of the site in accordance with policies NC6 and NC7 of the Brighton & Hove Local Plan.

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. CIR/NBF/LOC/01 & CIR/NBF/LAY/01 submitted on 19th

February 2007; and drawing nos. CIR/E009970-1/LAY/02 C & CIR/E009970-1/SEC /01 C submitted on 9th February 2009.

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

3) UNI

The temporary office, as indicated on drawing no. CIR/E009970-1/LAY/02 C, shall be removed and the affected area re-landscaped to its former condition on or before the 31st August 2011 in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and as the building is not considered suitable as a permanent form of development permission is granted for a temporary period only in accordance with policies NC6 and NC7 of the Brighton & Hove Local Plan.

4) UNI

Only uncontaminated inert material shall be used in the construction of the bund.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters, in accordance with policy SU3 of the Brighton & Hove Local Plan.

5) UNI

If during development any visibly contaminated or odorous material not previously identified is found to be present at the site, it must be investigated. The Local Planning Authority must be informed immediately of the nature and degree of contamination present. The developer shall submit a Method Statement which must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters, to comply with policy SU3 of the Brighton & Hove Local Plan.

6) UNI

A survey of land levels of the bund relative to surrounding levels shall be undertaken at intervals of not less than every 3 months starting from the date of this decision. A copy of all surveys shall be submitted to the Local Planning Authority.

Reason: To ensure the bund is completed in accordance with the approved plans in the interests of visual amenity in compliance with policies NC6, NC7 and NC8 of the Brighton & Hove Local Plan.

7) UNI

Vehicles associated with the development shall not enter or leave the site at any time other than between the hours of 07.30-18.00 between Monday - Friday, and 08.00-13.00 on Saturdays and at no time on Sundays, Public Holidays and Bank Holidays.

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

8) UNI

Operations associated with the development, including the movement of lorries, shall be carried out in such a way to ensure that dust is contained within the site.

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

9) UNI

Within 1 month of the date of this decision full landscaping details shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include detailed sections showing gradients and contours at 1m intervals, topsoil depths, cultivation techniques, seed mixes and fertiliser regimes, along with planting proposals. Any planting should be limited to hedgerow type planting where appropriate, scattered scrub and herb rich grassland. All planting and seeding comprised in these approved details shall be carried out in the first planting and seeding seasons following the completion of

the development, and any plants which within a period of 5 years from the completion of the development become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development in the interests of the visual amenities of the area, to comply with policies QD15, QD17, NC5, NC6, NC7 and NC8 of the Brighton & Hove Local Plan.

10) UNI

Within 1 month of the date of this approval a methodology and schedule for the remaining bund construction works shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the agreed details.

Reason: To ensure the bund is completed in accordance with the approved plans in the interests of visual amenity in compliance with policies NC6, NC7 and NC8 of the Brighton & Hove Local Plan.

11) UNI

The planted / landscaped area(s) shall be fenced off from adjacent grazing land during the period while new planting and species are being established.

Reason: To ensure that the planting is permitted to establish itself naturally, in order to protect the planting and the landscape character of the South Downs National Park, in compliance with policies QD15, QD17, NC5, NC6, NC7 and NC8 of the Brighton & Hove Local Plan.

BH2010/03370

135 North Lane Portslade

Certificate of Lawfulness for proposed hip to gable roof extension with rooflight to front and rear dormer.

Applicant: Mr Saiful Islam

Officer: Steven Lewis 290480

Approved on 17/11/10 DELEGATED

SOUTH PORTSLADE

BH2010/01918

28 Fairway Crescent Portslade

Erection of ground and first floor extensions to rear.

Applicant: Mr M Dorman

Officer: Wayne Nee 292132

Approved on 11/11/10 DELEGATED

1) BH01.01

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

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

2) BH02.09

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 & Hove Local Plan.

3) BH03.03

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

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

4) UNI

The development hereby permitted shall be carried out in accordance with the unnumbered drawings received on 16 June 2010, and the unnumbered drawing received on 28 October 2010.

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

BH2010/02921

108 Victoria Road Portslade Brighton

Erection of single storey rear extension.

Applicant: T Hills

Officer: Wayne Nee 292132

Refused on 09/11/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan states that extensions and alterations will only be granted if the proposed development would not result in significant loss of amenity to neighbouring properties. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to neighbouring residents, and that residents and occupiers can be seriously affected by changes in overlooking, privacy, daylight, sunlight, disturbance and outlook. The proposed single storey rear extension, by virtue of its projection, positioning, and proximity to the neighbouring boundary, forms an inappropriate addition to the property. The development would result in an increase sense of enclosure and a significant loss of daylight and outlook for the residents of the property at no. 110 Victoria Road. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/03007

23 Fairway Crescent Portslade

Demolition of existing conservatory and shed and erection of single storey rear extension.

Applicant: Miss H A Udal & Mr L Read

Officer: Steven Lewis 290480

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved R.J. Reynolds Architectural Services drawings no. 1702/P1 Rev A, 1702/P2 Rev A & 1702/P3 Rev A received on 04/11/2010.

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

BH2010/03050

10 South Street Portslade Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2007/03591.

Applicant: Mr & Mrs R Ransom

Officer: Christopher Wright 292097

Approved on 23/11/10 DELEGATED

BH2010/03145

6 Park Close Portslade

Demolition of existing conservatory and erection of single storey rear extension.

Applicant: Richard O'Hair

Officer: Mark Thomas 292336

Approved on 24/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 003 A received on 5th October 2010.

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

HOVE PARK

BH2010/00630

City Park Orchard Road Hove

Erection of part one storey, part two storey building to form 7no one and two bedroom residential units with associated landscaping, car parking and cycle spaces.

Applicant: Mountgrange (Hove) Ltd (In Administration)

Officer: Jason Hawkes 292153

Approved after Section 106 signed on 10/11/10 PLANNING COMMITTEE

1) BH01.01

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

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

2) BH02.03

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

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future

development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) BH02.04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) BH02.06

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

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

5) BH02.07

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

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

6) BH03.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

7) BH04.01

The new dwelling[s] shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

8) BH05.01

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

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage Report showing that the development will achieve Code level 5 for all residential units have been submitted to the Local Planning Authority; and
- (b) a BRE issued Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 5 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

9) BH05.02

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

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

10) BH05.10

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

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

11) BH06.03

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

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

12) BH11.01

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

13) BH11.02

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

14) BH15.04

The method of piling foundations for the development shall be carried out in accordance with a scheme submitted to and approved in writing by the Local Planning Authority prior to any development commencing. The development shall be carried out in strict accordance with the approved details.

Reason: To prevent the contamination of the underlying aquifer and to comply with policy SU3 of the Brighton & Hove Local Plan.

15) UNI

No works shall take place until full details of proposed photovoltaic panels, including 1:50 elevations, have been submitted to and approved by the Local Planning Authority in writing. The panels as agreed will be installed prior to the occupation of the units.

Reason: To protect residential amenity and the appearance of the building in accordance with policies QD1 and QD27 of the Brighton & Hove Local Plan.

16) UNI

No works shall take place until full details of all the fencing for the site, including 1:50 sample elevations, have been submitted to and approved by the Local Planning Authority in writing. The fencing as agreed will be installed prior to the occupation of the units.

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

17) UNI

During construction of the approved scheme, the Norway Maple trees on site shall be protected to standard BS 5837 (2005), in accordance with the Arboricultural Report and retained as such thereafter.

Reason: In order to protect and retain the substantial trees on site in accordance with policy QD16 of the Brighton & Hove Local Plan.

18) UNI

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of the protection of controlled waters (groundwater) as the site is within a Source Protection Zone 1 area for a public water supply abstraction point and in comply with policies SU9 and SU11 of the Brighton & Hove Local Plan.

19) UNI

Access to the green roof 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 policy QD27 of the Brighton & Hove Local Plan.

20) UNI

No works shall take place until full details of the green walls and roof have been submitted to and approved by the Local Planning Authority. The scheme shall include full specification of plants including densities, distribution and arrangements for future maintenance. All planting comprised in the approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the works, whichever is the sooner. Any plants which within a 5 year period 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 enhance the appearance of the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

21) UNI

The development hereby permitted shall not commence until full details of site and finished floor levels and height of the development in relation to surrounding buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in strict accordance with the agreed details.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

BH2010/01825

4 Cobton Drive Hove

Erection of single storey rear and side extension, and formation of raised decking with screening.

Applicant: Mr & Mrs Richards

Officer: Wayne Nee 292132

Approved on 09/11/10 PLANNING COMMITTEE

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

Prior to the first use of the terrace, unless otherwise agreed in writing the screening shown on drawing no. 3b shall be implemented and thereafter retained as such.

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

4) UNI

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

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

BH2010/02704

King George VI Mansions Court Farm Road Hove

Alterations to extend existing car parking area from 6no to 12no parking spaces.

Applicant: KF Properties

Officer: Guy Everest 293334

Approved on 16/11/10 DELEGATED

1) BH01.01

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

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

2) BH05.10

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 222 3 & 222 4 submitted on 2nd September 2010; and drawing no. 222 1 a submitted on 12th October 2010.

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

BH2010/02779

Unit 4 Goldstone Retail Park Newtown Road Hove

External alterations to front, side and rear elevations and reconfiguration of mezzanine certified under certificate BH2006/00088 and subsequently under BH2007/04363.

Applicant: Scottish Widows Investment Partnership (SWIP)

Officer: Steven Lewis 290480

Approved on 16/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 576-100, 576-01, 576-02, 576-03, 576-07 received on 27/08/2010, 576-08 & 576-09 received on 08/09/2010 & 576-04 & 576-05 received on 07/10/2010.

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

BH2010/02780

Unit 4 Goldstone Retail Park Newtown Road Hove

Display of internally illuminated fascia sign and non-illuminated fascia sign.

Applicant: Scottish Widows Investment Partnership (SWIP)

Officer: Guy Everest 293334

Split Decision on 16/11/10 DELEGATED

1) BH10.01

Advertisement consent for 1 non-illuminated fascia sign to the western (side) elevation subject to the following Conditions and Informatives:

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

1) UNI

Advertisement consent for illuminated fascia to the front (northern) elevation for the following reason:-

The fascia sign to the front (northern) elevation would, by reason of its size, appear disproportionate to the scale and frontage width of the unit and would create a poor relationship with the roof form and glazing at ground and mezzanine floor levels. The sign would be visible in views from the east, west and north and would harm the visual amenity of the application site, adjoining Retail Park and wider surrounding area. The fascia sign would therefore result in significant harm to amenity and is therefore also contrary to policy QD12 of the Brighton & Hove Local Plan and to the provisions of Supplementary Planning Document 07: Advertisements.

BH2010/02785

16 Tongdean Road Hove

Amendment to previously approved application BH2010/00802 for addition of dormer to rear elevation.

Applicant: Mr & Mrs Stefan Oberholzer

Officer: Charlotte Hughes 292321

Refused on 08/11/10 DELEGATED

1) UNI

The dormer window, by virtue of its size and positioning within the roof, including its positioning with regard to the windows below, would result in a bulky and

incongruous addition to the roof which would not have a positive impact on the appearance of the approved property or the surrounding area, including the Tongdean conservation area. The development is therefore considered to be contrary to the aims and objective of the policies QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 1: Roof Extensions and Alterations.

BH2010/02810

29A 29B & 31 Hill Brow Hove

Installation of photovoltaic panels to the roof of existing dwellings.

Applicant: Silver Homes (Hove) Ltd

Officer: Guy Everest 293334

Approved on 16/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 08/035/090 P3 and drawing nos. 08/035/010 A (existing & proposed), 08/035/011 A (existing & proposed), 08/035/012 A (existing & proposed), 08/035/013 A (existing & proposed) & 08/035/014 A (existing & proposed) submitted 22nd September 2010; and drawing no. TA 175-R/P01 submitted 29th September 2010.

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

BH2010/02815

103 Goldstone Crescent Hove

Erection of rear extension replacing existing conservatory. Alterations including installation of rooflight to side and dormers to rear and side and altered fenestration.

Applicant: Mr Stephen Dugard

Officer: Christopher Wright 292097

Refused on 08/11/10 DELEGATED

1) UNI

The proposed two storey extension would, by reason of the size, design, positioning and number of the rear window dormers, have an unduly dominant and poorly composed appearance, such as to detract from the character of the host dwelling, to the detriment of visual amenity. As such the application is contrary to policy QD14 of the Brighton & Hove Local Plan and the design guidance contained in Supplementary Planning Guidance note SPGBH1: Roof alterations and extensions.

BH2010/02889

46 Woodruff Avenue Hove

Remodelling of existing bungalow including removal of existing roof, dormers and loft room and construction of additional first floor with pitched roof. Erection of new extension to the rear of the existing building.

Applicant: Mr John Buttress

Officer: Jason Hawkes 292153

Approved on 16/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The rooflights in the side roofslopes of the dwelling hereby approved shall be obscure glazed and non-opening unless any parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and thereafter retained as such, unless otherwise agreed with the local planning authority in writing.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.09243-E-01A, 02A, 03A, 04A, 05A, 06A, P-21E, 22H, 23L, 24K, 25H, 26J & 27F received on the 10th September 2010.

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

BH2010/02891

24 Nevill Road Hove

Certificate of lawfulness for a proposed single storey rear extension.

Applicant: Ms Caroline Wood

Officer: Wayne Nee 292132

Refused on 15/11/10 DELEGATED

1) UNI

The proposed extension would extend beyond the rear wall of the original dwellinghouse by more than 3 metres. The development is therefore not permitted under Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) Order 1995, as amended.

Informatives:

1. This decision is based on drawing nos. 950.00, 01, and 02a submitted on 10 September 2010.

BH2010/03001

126 Goldstone Crescent Hove

Erection of two storey front extension, single storey side extension, relocation of garage and formation of new site entrance.

Applicant: Ms Brenda Saunders

Officer: Adrian Smith 01273 290478

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. ADC/379, ADC/379/03A, ADC/379/04A & ADC/379/05 received on the 21st September 2010.

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

BH2010/03109

21 Woodruff Avenue Hove

Certificate of lawfulness for proposed erection of single storey out building to rear.

Applicant: Mr Stagg

Officer: Charlotte Hughes 292321

Approved on 05/11/10 DELEGATED

BH2010/03220

8 Edward Avenue Hove

Application for Approval of Details Reserved by Condition 3 of application BH2010/02140.

Applicant: Mr Redovan Oirdighi

Officer: Steven Lewis 290480

Refused on 17/11/10 DELEGATED

1) UNI

Condition 3 places an ongoing restriction on alterations and extensions to the property without the need for further planning permission. As such, there are no details pursuant to this condition which require the approval of the Local Planning Authority. The proposed amendments to the proposal, indicated on the drawings submitted with the application, are additional works which require a separate planning permission.

BH2010/03239

32 Amherst Crescent Hove

Erection of single storey rear extension and external alterations to windows and doors.

Applicant: Mr & Mrs A Storey

Officer: Steven Lewis 290480

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved site plan and drawing no. 01B received on 13/10/2010.

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

WESTBOURNE

BH2010/02695

7 Aymer Road Hove

Erection of single storey rear extension and loft conversion with rear dormer and rooflights.

Applicant: Mr & Mrs Fred Harrison

Officer: Charlotte Hughes 292321

Approved on 10/11/10 DELEGATED

1) BH01.01

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

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

2) BH12.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. P1, P2, P3, P4, P5, P6, P7, P8, P9, P10, P11, S1, S2, S3, S4, S5, S6, S7, S8, S9, S10, S11 received on 24th August 2010.

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

4) UNI

The rear ground floor extensions shall not commence until documentary evidence (in the form of a proposed timescale and signed contracts by all interested parties) has been submitted to and approved by the Local Planning Authority to demonstrate that the rear extensions will be constructed in their entirety concurrently to both 5 & 7 Aymer Road, in accordance with this permission and planning permission ref: BH2010/03018. The works shall be carried out to within the approved timescale unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development, protect the amenity of adjacent properties and in accordance with policies QD1, QD2, QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

BH2010/02697

32 New Church Road Hove

Erection of part one and part two storey rear extension to replace existing conservatory. External alterations to windows and doors.

Applicant: Mr Rochford

Officer: Guy Everest 293334

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 2010 68 1 submitted 24th August 2010; and drawing nos.

2010 68 2 A & 2010 68 3 A submitted 6th October 2010.

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

3) UNI

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

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

BH2010/02861

104 Westbourne Street Hove

Erection of single storey rear extension.

Applicant: Mr & Mrs Paul Soden

Officer: Charlotte Hughes 292321

Approved on 05/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no's 01/A, 02/A, 03/A and 04/A received on 20th September 2010 and drawing no's 05 and 06 received on 8th September 2010.

3) UNI

The extension hereby approved shall not commence until documentary evidence (in the form of a proposed timescale and signed contracts by all interested parties) has been submitted to and approved by the Local Planning Authority to demonstrate that the rear extension will be constructed in its entirety concurrently with the single storey extension approved at 106 Westbourne Street, under application BH2010/02862. The works shall be carried out within the approved timescale unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development, protect the amenity of adjacent properties and in accordance with policies QD1, QD2, QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02862

106 Westbourne Street Hove

Erection of single storey extension to rear.

Applicant: Ms Celia Twining

Officer: Charlotte Hughes 292321

Approved on 05/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no's 05A, 06A received on 8th September 2010, 02A/A, 03A/A, 04A/A received on 15th September 2010 and 01A/A received on 17th September 2010.

3) UNI

The extension hereby approved shall not commence until documentary evidence

(in the form of a proposed timescale and signed contracts by all interested parties) has been submitted to and approved by the Local Planning Authority to demonstrate that the rear extension will be constructed in its entirety concurrently with the single storey extension approved at 104 Westbourne Street, under application BH2010/02861. The works shall be carried out within the approved timescale unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development, protect the amenity of adjacent properties and in accordance with policies QD1, QD2, QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02902

Coastal Place 55-59 New Church Road Hove

Application for Approval of Details Reserved by Condition 10 of application BH2005/02267/FP.

Applicant: Belmont Homes Ltd

Officer: Paul Earp 292193

Refused on 10/11/10 DELEGATED

1) UNI

Condition 10 of approval BH2005/02267/FP required the submission and approval of a landscaping scheme, including details of hard surfacing. This condition was discharged 27 June 2006 when it was confirmed that the details shown of drawing 1354-LA3 were acceptable. This drawing indicated that the path was to be surfaced in bonded gravel, a solid material which would allow wheelchair access to the garden. This is particularly important given that the development includes units for people with disabilities. As constructed, the path is finished with gravel. This surface makes it difficult for a wheelchair to run over the surface, particularly if the user is alone, without someone to push the chair, and therefore hinders independent living. It is particularly important that this group of residents have good access to the garden as getting to off-site amenity space is often difficult. The applicants have not provided any reason as to why the path surface should not be bonded, and there is no justification for not constructing the path as approved which would be suitable for wheelchair access. For these reasons the proposal is contrary to policies HO6 & HO13 of the Brighton & Hove Local Plan which aims to ensure the adequate provision of outdoor recreation space in housing schemes and for new housing developments to maximise the provision of accommodation suitable for people with disabilities.

BH2010/02904

2 Pembroke Gardens Hove

Application to extend time limit for implementation of previous approval BH2007/03176 for loft conversion including side roof dormer, rear dormer and rear rooflight.

Applicant: Ms J Besser

Officer: Wayne Nee 292132

Approved on 05/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

Notwithstanding the submitted drawings, unless otherwise agreed in writing by the Local Planning Authority, the cheeks of the dormers shall be clad in tiles to match the roof slope rather than lead.

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

BH2010/02985

Flat 2 20 Lawrence Road Hove

Proposed roof terrace over existing flat roof to serve first floor flat incorporating timber balustrade and obscure glazed screening to sides.

Applicant: Mr Keith Brown

Officer: Wayne Nee 292132

Refused on 15/11/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan states that extensions and alterations will only be granted if the proposed development would not result in significant loss of amenity to neighbouring properties. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to neighbouring residents, and that residents and occupiers can be seriously affected by changes in overlooking, privacy, daylight, sunlight, disturbance and outlook. The proposed first floor balcony, by virtue of its height, projection, positioning, and proximity to the neighbouring boundaries, represents an un-neighbourly form of development which would result in a significant loss of privacy to the ground floor flat below, and would result in the potential for increased noise and disturbance to the residents of immediately adjoining neighbouring properties. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02997

38 Lawrence Road Hove

Application to extend time limit for implementation of previous approval BH2007/03334 for a roof extension to form a side dormer, a rear dormer with a terrace and rooflights.

Applicant: Mr Adrian Baxter

Officer: Wayne Nee 292132

Approved on 16/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

BH2010/03018

5 Aymer Road Hove

Erection of single storey rear extension with associated landscaping. Loft conversion with rear dormer and side rooflights.

Applicant: Mr & Mrs Nick Buckroyd

Officer: Charlotte Hughes 292321

Approved on 10/11/10 DELEGATED

1) BH01.01

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

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

2) BH12.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. P1, P2, P3, P4, P5, P6, P7, P8, P9, P10, P11, S1, S2, S3, S4, S5, S6, S7, S8, S9, S10, S11 received on 23rd September 2010.

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

4) UNI

The rear ground floor extensions shall not commence until documentary evidence (in the form of a proposed timescale and signed contracts by all interested parties) has been submitted to and approved by the Local Planning Authority to demonstrate that the rear extensions will be constructed in their entirety concurrently to both 5 & 7 Aymer Road, in accordance with this planning permission and planning permission ref: BH2010/02695. The works shall be carried out to within the approved timescale unless otherwise agreed in writing by the Local Planning Authority.

BH2010/03023

51 Westbourne Villas Hove

Reconversion of 3no flats back into 1no 5 bedroom dwelling and conversion of garages to rear into 1no one bedroom dwelling.

Applicant: Baron Homes Corporation Ltd

Officer: Adrian Smith 01273 290478

Refused on 24/11/10 DELEGATED

1) UNI

Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development will not be granted where it would cause loss of amenity by way of overlooking, daylight, sunlight and outlook to the proposed, existing and/or adjacent users, residents and occupiers. The proposed rear dwelling fronting Westbourne Place, by virtue its limited floor space and poor outlook to each room, fails to provide a suitable form of accommodation for future residents, to the detriment of their living conditions. The proposal is therefore contrary to Policy QD27 of the Brighton & Hove Local Plan.

BH2010/03037

First Floor Maisonette 130 Portland Road Hove

Replacement of existing timber windows with new double glazed uPVC units.

Applicant: Mrs S.T. Pang

Officer: Charlotte Hughes 292321

Approved on 11/11/10 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. P93PW/HP02, 03, 04, 05, the window specifications and schedule of photographs received on 24th September 2010.

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

BH2010/03075

20 Rutland Gardens Hove

Erection of dormer to front roofslope.

Applicant: Mr Scott Sale

Officer: Clare Simpson 292454

Approved on 23/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.201/26/09 received on 29th September 2010

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

BH2010/03081

Barford Court 157 Kingsway Hove

Installation of new guardrails to balconies and South and East elevations of South building.

Applicant: Royal Masonic Benevolent Institution

Officer: Paul Earp 292193

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) BH01.06

The development hereby permitted shall be carried out in accordance with the approved drawings no's.1729/03/B, 9D, 14B & 16B received on 5 October 2010.

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

3) BH12.02

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

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

BH2010/03082

Barford Court 157 Kingsway Hove

Installation of new guardrails to balconies on South and East elevations of South building.

Applicant: Royal Masonic Benevolent Institution

Officer: Paul Earp 292193

Approved on 17/11/10 DELEGATED

1) BH01.05

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH12.02

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

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

BH2010/03142

2 Titian Road Hove

Loft conversion incorporating pitched roof dormer to South.

Applicant: Mr David Chetwin

Officer: Adrian Smith 01273 290478

Approved on 18/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 399(PL)I received on the 4th October 2010.

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

WISH

BH2010/02868

143 St Leonards Avenue Hove

Certificate of lawfulness for a proposed loft conversion incorporating rear dormer and rooflights to front and rear.

Applicant: Mrs Jo Hudson

Officer: Wayne Nee 292132

Approved on 05/11/10 DELEGATED

BH2010/02978

Land Rear of 8 - 16 St Leonards Road Hove

Application for Approval of Details Reserved by Conditions 3,4,5,8 and 10 of application BH2009/01365.

Applicant: Rosemar Developments Ltd

Officer: Jason Hawkes 292153

Split Decision on 11/11/10 DELEGATED

1) UNI

GRANT approval of the details reserved by conditions 3, 4, 5, 8 subject to full compliance with the submitted details.

1) UNI

REFUSE approval of the discharge of conditions 10 for the following reasons:

1. Insufficient information relating to land contamination has been submitted in order to discharge the condition.

BH2010/03021

92 Tamworth Road Hove

Erection of single storey side/rear extension.

Applicant: Mr Darryl Hersey

Officer: Steven Lewis 290480

Approved on 17/11/10 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. TR92PRO/01, TR92PRO/02 & TR92PRO/03 received on 29/09/2010.

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

BH2010/03245

206 New Church Road Hove

Certificate of Lawfulness for proposed alterations and extension of existing garage.

Applicant: Mr Andy Kerr

Officer: Steven Lewis 290480

Approved on 16/11/10 DELEGATED

BH2010/03255

313 Kingsway Hove

Certificate of Lawfulness for a proposed hip to gable loft conversion incorporating rooflights to front and rear.

Applicant: Mr Michael Johnson

Officer: Adrian Smith 01273 290478

Approved on 10/11/10 DELEGATED

Withdrawn Applications

BH2010/02553

Land Adjoining SGB 18 Kingsthorpe Road Hove

Change of use from storage and distribution (B8) to hand car wash.

Applicant: Mr Piotr Marewski

Officer: Adrian Smith 01273 290478

WITHDRAWN ON 23/11/10

BH2010/02941

4 Western Esplanade Brighton

Erection of two storey rear extension, new second floor, new rear terrace with plunge pool and alterations to fenestration.

Applicant: Dr M Vandenburg

Officer: Adrian Smith 01273 290478

WITHDRAWN ON 23/11/10