





**Brighton & Hove  
City Council**

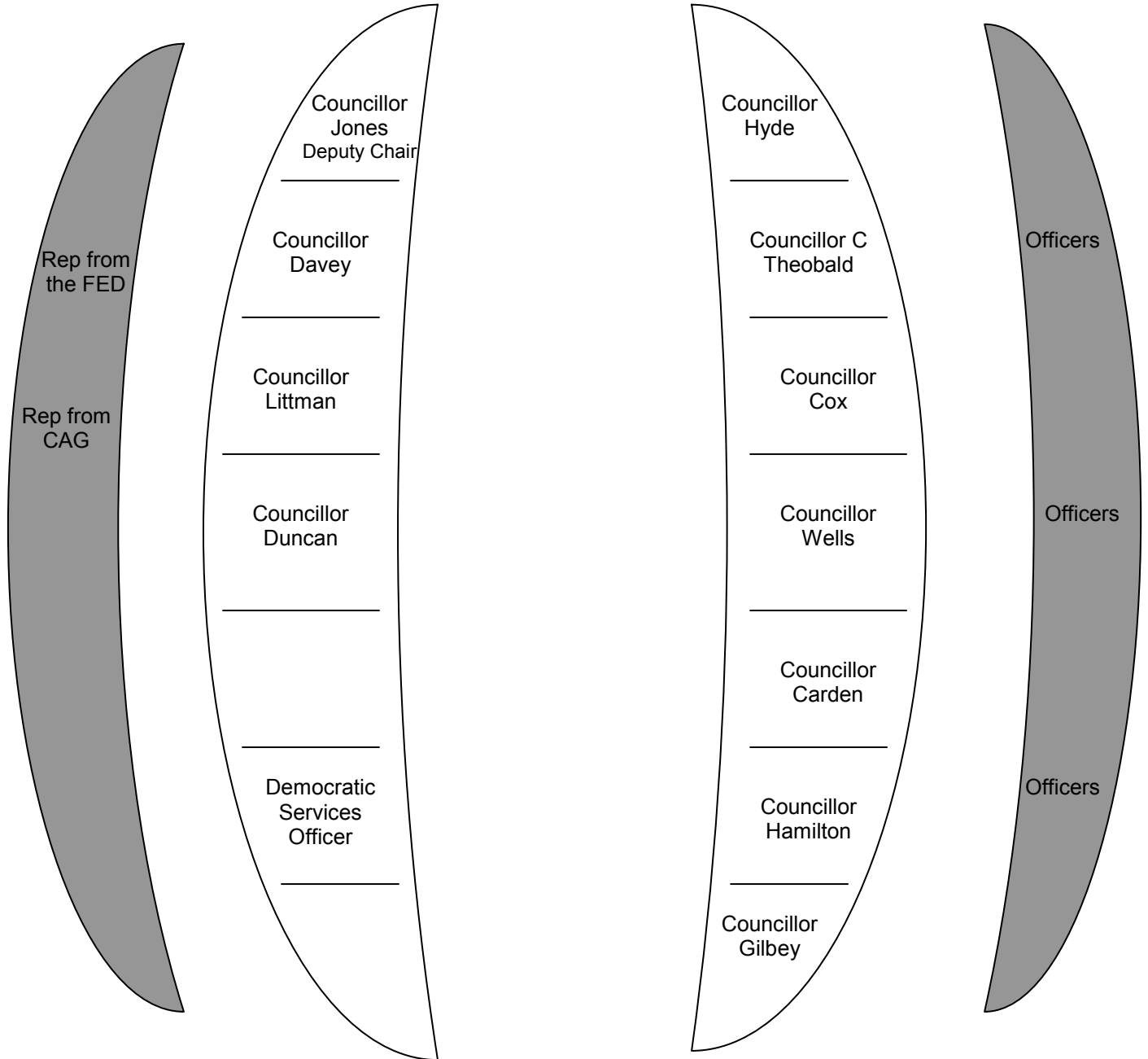
# Planning Committee

Title:	<b>Planning Committee</b>
Date:	<b>25 June 2014</b>
Time:	<b>2.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<p><b>Councillors:</b> Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Duncan, Gilbey, Hamilton, Littman, Phillips, C Theobald and Wells</p> <p><b>Co-opted Members:</b> Jim Gowans (Conservation Advisory Group)</p>
Contact:	<p><b>Ross Keatley</b> Acting Democratic Services Manager 01273 29-1064/5 planning.committee@brighton-hove.gov.uk</p>

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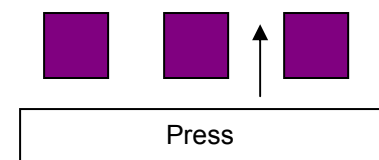
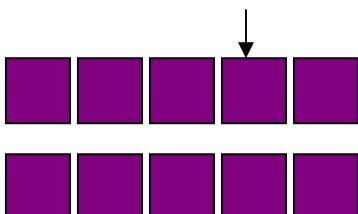
# Democratic Services: Planning Committee

Senior Solicitor	Councillor Mac Cafferty Chair	Head of Development Control	Presenting Officer
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Public Speaker	Public Speaker
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Public Seating



## AGENDA

**Part One**

**Page**

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### 14. PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest or Lobbying

- (a) Disclosable pecuniary interests not registered on the register of interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(d) All Members present to declare any instances of lobbying they have encountered regarding items on the agenda.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

(d) Use of mobile phones and tablets: Would Members please ensure that their mobile phones are switched off. Where Members are using tablets to access agenda papers electronically please ensure that these are switched to 'airplane mode'.

## PLANNING COMMITTEE

### 15. MINUTES OF THE PREVIOUS MEETING 1 - 18

Minutes of the meeting held on 4 June 2014 (copy attached).

### 16. CHAIR'S COMMUNICATIONS

### 17. PUBLIC QUESTIONS

**Written Questions:** to receive any questions submitted by the due date of 12 noon on 18 June 2014.

### 18. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

### 19. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

*Please note that the published order of the agenda may be changed; major applications will always be heard first; however, the order of the minor applications may be amended to allow those applications with registered speakers to be heard first.*

#### MAJOR APPLICATIONS

#### A. BH2013/04337 - University of Sussex, Refectory Road, Brighton - Outline application some matters reserved 19 - 60

Outline application with some matters reserved for demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping.

#### **RECOMMENDATION – MINDED TO GRANT**

*Ward Affected: Hollingdean & Stanmer*

#### MINOR APPLICATIONS

#### B. BH2013/02543 - Seaholme Hotel, 10-11 Seafield Road, Hove 61 - 74 - Full Planning

Conversion of ground, first and second floor of 10 Seafield Road Hove, from hostel (C1) to 5no self contained flats incorporating revised entrance and associated works.

#### **RECOMMENDATION – GRANT**

*Ward Affected: Central Hove*

## PLANNING COMMITTEE

- C. BH2014/00599 - 24 Hill Brow, Hove - Householder planning consent 75 - 88**

Erection of single storey rear extension, revised fenestration, increased ridge height, rear dormers, front and rear rooflights and associated works.

**RECOMMENDATION – GRANT**

*Ward Affected: Hove Park*

- D. BH2014/01162 - Saltdean Primary School, Chiltington Way, Saltdean, Brighton - Full planning 89 - 98**

Erection of two temporary classrooms with associated landscaping.

**RECOMMENDATION – MINDED TO GRANT**

*Ward Affected: Rottingdean Coastal*

- 20. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS**

### INFORMATION ITEMS

- 21. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 99 - 100**

(copy attached).

- 22. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 101 - 202**

(copy attached)

- 23. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 203 - 204**

(copy attached).

- 24. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 205 - 206**

(copy attached).

- 25. APPEAL DECISIONS 207 - 242**

(copy attached).

Members are asked to note that plans for any planning application listed on the agenda are now available on the website at:

## PLANNING COMMITTEE

<http://www.brighton-hove.gov.uk/index.cfm?request=c1199915>

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

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For further details and general enquiries about this meeting contact Ross Keatley, (01273 29-1064/5, email [planning.committee@brighton-hove.gov.uk](mailto:planning.committee@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk).

Date of Publication - Tuesday, 17 June 2014

**BRIGHTON & HOVE CITY COUNCIL****PLANNING COMMITTEE****2.00pm 4 JUNE 2014****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

**Present:** Councillors Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Davey, Gilbey, Hamilton, Littman, Phillips, Simson, C Theobald and Wells

**Co-opted Members:** Mrs Selma Montford

**Officers in attendance:** Jeanette Walsh (Head of Development Control); Aidan Thatcher (Investigations and Enforcement Manager), Nicola Hurley (Area Planning Manager); Kathryn Boggiano (Senior Planning Officer); Steven Shaw (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Ross Keatley (Acting Democratic Services Manager).

**PART ONE****1. PROCEDURAL BUSINESS****1a Declarations of substitutes**

1.1 Councillor Simson was present in substitution for Councillor Cox, and Selma Montford was present in substitution for Jim Gowans.

**1b Declarations of interests**

1.2 There were no declarations of interests and lobbying in matters listed on the agenda.

**1c Exclusion of the press and public**

1.3 In accordance with Section 100A of the Local Government Act 1972 ("the Act"), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

- 1.4 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

**1d Use of mobile phones and tablets**

- 1.5 The Chair requested Members ensure that their mobile phones were switched off, and where Members were using tablets to access agenda papers electronically ensure that these were switched to 'aeroplane mode'.

**2. MINUTES OF THE PREVIOUS MEETING**

- 2.1 The Acting Democratic Services Manager, noted an additional paragraph had been inserted in relation to Item 201 (A) as paragraph (31) detailed the breakdown of the vote in relation to BH2014/00697 – Dorothy Stringer High School, Loder Road, Brighton.

- 2.2 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 14 May 2014 as a correct record.

**3. CHAIR'S COMMUNICATIONS**

- 3.1 The Chair noted the next 6 monthly training session would be held on Wednesday 15 October at 10:00 hours in the Council Chamber, Hove Town Hall and would cover matters in relation to materials.

**4. PUBLIC QUESTIONS**

- 4.1 There were no public questions.

**5. PLANNING INVESTIGATIONS AND ENFORCEMENT TEAM YEARLY REPORT APRIL 2013-MARCH 2014**

- 5.1 The Committee considered a report of the Executive Director of Environment, Development & Housing in relation to the Planning Investigations and Enforcement Team Yearly Report April 2013 to March 2014. The Report took the form of the annual monitoring report presented to the Committee in order to update on the work of the Investigation and Enforcement Team. The Investigations and Enforcement Manager introduced the report, and provided a series of 'before and after' photos detailing some of the work of the team. It was also highlighted that the focus of proactive work in 2014/15 would be on the seafront, following the bad winter weather, and in the London Road area as part of the regeneration works.

- 5.2 Councillor C. Theobald welcomed the report and the work of the team as important to improving the city. She made particular reference to two sites on which the Enforcement Manager provided an update, and a further which it was agreed would be picked up outside of the meeting.

- 5.3 Councillor Littman noted the good work of the team and stated he was pleased to see the focus on the London Road area.



- 5.4 Councillor Davey commended the work of the team, and noted he was pleased to see improvements already happening in the London Road area. He made particular reference to 84 to 86 London Road and the substantial impact the improvements had in the area. London Road was a gateway to the city and it was agreed that work should continue to be focused there.
- 5.5 Councillor Hamilton queried a site in Portslade Village and Officers agreed this could be picked up outside of the meeting.
- 5.6 Councillor Gilbey thanked Officers for the report and expressed her gratitude for the efforts of the team with some works that had been undertaken in her ward, and stated that Enforcement Team had been very effective.
- 5.7 Councillor Hyde thanked the team for all their good work.
- 5.8 The Chair noted the difficult judgement calls that Officers sometimes had to make, and welcomed the proactive work that was planned in the next 12 months.
- 5.9 **RESOLVED** – That Committee note the contents of the report.

## **6. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**

- 6.1 There were no requests for site visits.

## **7. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**

- A. BH2014/00922 - Hove Park Depot, The Droveaway, Hove - Full Planning -**  
Demolition of existing buildings and construction of a new two storey primary school building with solar panels and wind catchers, associated access works and hard and soft landscaping.
- (1) It was noted that the application had been the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager, Nicola Hurley, introduced the item and gave a presentation by reference to plans, photographs, elevational drawings, matters on the Late List and information received since the closure of the Late List. An error was noted in the report such that a letter from 12 Orchard Gardens should be listed as objecting to the application, not supporting. The application site was located between the Droveaway, Hove Park, and the site of the Engineerium. The site was currently used as a Council depot; whilst some of the activities had moved to Stanmer Nursery it had not been possible to relocate them all there and an alternate site was being sought. Some long views of the site were provided to give context; as well as long views that had been taken during winter. The site was located in the Engineerium Conservation Area and the Engineerium site itself contained Grade II and Grade II\* listed buildings. It was noted that a previous application had been withdrawn in September 2013 for a new three–storey primary school on the site.
- (3) Permission was now sought for the demolition of the existing buildings on the site and the construction of a 2-storey school. The design was simple and functional, and the

building would have a 'slab-like' appearance and be partially excavated. The finish would include two different colour bricks, and rendering; details of these were shown to the Committee using a sample board. The site would have 12 parking spaces – 3 of which would be for disabled users with vehicular access from the Droveaway. Parents dropping off their children would be encouraged to park on Goldstone Crescent and walk across the park to the site. At this point in the presentation it was noted that a number of late letters had been received in support including a letter from the Lead Member for Children & Young People, Councillor Shanks, that did not raise any new material considerations. There was also late letters of objection received, and it was also added that these did not raise any new material considerations.

- (4) The considerations related to: the principle of the development; the impact of on the Engineerium Conservation Area; the impact on the setting of the listed buildings; neighbouring amenity; transport and ecology. The established use at the site was sui generis, and whilst policy sought to protect employment sites in the city this did not relate specifically to sui generis sites. Many of the functions at the site had been transferred to Stanmer Nursery, and an alternate location was being sought for the remainder of the services – as such there was no objection to the change of use. Policy also encouraged the provision of new schools within the city to meet the growing demand which was acute in the west of the city. The proposed school would be a three form entry, and whilst there would be limits on the amount of play space it was noted there was no requirement for free schools to have such space. The limit on the amount of space was due to the reduction in height of the previous scheme, and the necessity to retain a portion of land for the badger habitat.
- (5) In relation to amenity it was noted the building was a considerable distance from residential properties which was considered sufficient to protect against light loss and additional noise, and the site would only be in operation during daytimes and weekdays. In relation to the heritage and visual impact on the conservation area and neighbouring listed buildings, the Heritage Team were of the view the design would be excessive in bulk and the scale and mass would harm the open character of the site; however, in terms of the NPPF the harm was less than substantial and should be weighed against the public benefits of the scheme. In these circumstances it was considered that the public benefits justified the site and the outweighed the harm that would be caused.
- (6) In terms of transport the site was accessed from the Droveaway on the junction with the Waitrose Store with a route for cycle and pedestrian access. As previously stated parents would be asked to park in Goldstone Crescent, and the application had referred to the operator of Waitrose allowing parents to park in their car park; however there was no formal agreement and this did not form part of the assessment of the application. The 12 car parking spaces on the site would be allocated on the basis of need, and this would be accommodated in the scope of the travel plan. It was affirmed there would be no parking on the site for parents to pick up and drop off. Transport was considered a key issue as part of this application, and there was a concern about an increased risk to highway safety. The school's admission policy would not be based upon the pupils home to school distance and as such it was acknowledged that a greater number of parents might drive their children to school; however, the Sustainable Transport Team had advised that the information submitted by the applicant confirmed that the proposed measures would mitigate the impacts

- (7) In relation to ecology the detailed survey had advised that there would not be an adverse impact on wildlife. There would be some changes to the pre-commencement conditions, and the sustainability conditions would be amended to allow for 'very good'. In summary the principle of the development was considered acceptable. Whilst there would be some harm to the setting of the listed building this was outweighed by the public benefits of the scheme and was in accordance with the NPPF. The proposals would adequately address transport concerns and for the reasons set out in the report the Committee were recommended to be minded to grant the application subject to a S106 planning obligation and the amended wording of conditions.

### **Public Speaker(s) and Questions**

- (8) Before the first speaker, Mr Roger Crouch, delivered his submission to the Committee the Chair confirmed that the late information Mr Crouch had sent had been read and considered by the appropriate Officers.
- (9) Mr Roger Crouch spoke in objection to the Committee in his capacity as a local resident. He stated that the main problems related to the increase in traffic that would be caused by the application – particularly in the morning. The applicant's transport consultants had stated that the number of car journeys would be low and the activity on Goldstone Crescent would be at off peak times when the traffic would be low. Mr Crouch then went on to query some of the assumptions put forward by the traffic consultants, and stressed his view that there would not be sufficient spaces on Goldstone Crescent to accommodate the increased use. Mr Crouch queried if the current assumptions could be maintained when the school was operating at the full 630 capacity, and noted the school was untypical of any other in the city as it had no defined catchment area, and would lead to a higher car use. In the previously withdrawn application the car usage levels had been lower and this had been queried by Officers; it was Mr Crouch's view that these figures should also be queried. Reference was also made to development at Toad's Hole Valley which would generate additional traffic, and would have a fundamental impact on the area. In closing Mr Crouch made reference to the grounds for refusal in relation to traffic measures listed in the NPPF.
- (10) Councillor Mac Cafferty asked Mr Crouch for more information in relation to the severity of problems on Goldstone Road and it was explained that there were problems when the park was busy, and there were concerns this would be much more severe when Toad's Hole Valley was developed.
- (11) Councillor Bennett spoke in opposition to the application in her capacity as the Local Ward Councillor. She stated that she sympathised with the problems that the school had encountered finding a suitable site; however, this location was not appropriate. The design was like a 'warehouse' and was inappropriate in the context of the conservation area; there was also concern that the school would be freely able to apply for an additional storey in future – the site also had very limited play space. The traffic problems were now considered to be worse as she felt the new Waitrose store attracted more car users than the previous operators had, and the transport study had not given consideration to this. Accessing Nevill Road was dangerous as there were already two large secondary schools and a primary in the immediate area. The travel

plans that had been put in place for the City Park Office development had been ineffectual, and it was added that the school would not have a local catchment. Councillor Bennett highlighted that the letters of support had not been from local addresses. Reference was made to the Highway Officer's report and that this report stated the highway authority could not recommend approval as the S106 had not been agreed to mitigate the proposals. The Committee were invited to refuse the application.

- (12) Ms Carolina Gopal, the Principal at the Bilingual Primary School, addressed the Committee supported by Mr Chris Barker (Planning Consultant) and Mr Roger New (Transport Consultant) to assist with questions. Ms Gopal stated that she wanted to address some of the concerns that had been expressed; the school was currently entering its third year and had been very successful to date and it was important it had its own site in the city. The school had worked closely with the Council to find an appropriate site, and had withdrawn the previous application to properly address the concerns of local residents. The start time of the school would be staggered from 09:20 hours to fall outside of rush hour, and the school would take an a further 10 years to reach its full capacity. Parents at the school were committed to sustainable transport, and those that did park would only need to for very short period of time. Ms Gopal noted that she had spoken with the Waitrose operators and they were content to allow parents to use the car park to drop off and she had a letter to this extent. In relation to sports space Ms Gopal had reached agreement that the school could use the facilities of the nearby secondary schools, and wildlife at the site would be properly protected. This was considered an appropriate use of a brownfield site and the new school would have significant public benefits. The Committee were invited to approve the application.
- (13) In response to Councillor Hyde it was explained by Ms Gopal the range of drop off times in the morning would be between 09:20 and 09:40 hours, and the pick up time would be between 15:20 and 15:45 hours.
- (14) In response to Councillor Jones it was clarified by Ms Gopal that the break and lunch time would be staggered due to the space restrictions and there was the potential to use space at the nearby large secondary schools.
- (15) Councillor Simson asked for more information in relation to the potential to park at the Waitrose Supermarket and Ms Gopal answered that she had initially spoken to the previous operators, and reached an agreement with the current occupiers three weeks ago which she had in writing with her at the meeting. Ms Gopal also added that she was in discussion with the dog racing track operators about a similar arrangement.
- (16) In response to Councillor C. Theobald the following responses were provided: there would only be one access to the site from the Droveaway; the staggered drop off times was currently used and this worked well, and break and lunch times would be staggered.
- (17) Councillor Davey asked about the arrangements at the school's current site – which was also constrained. Ms Gopal explained that the school did not use the main BACA School frontage and parents dropped of in the AMEX Stadium overspill car park.

- (18) Ms Gopal explained in response to Councillor Hamilton that the school was currently considered using a minibus to pick up staff due to the restricted number of parking spaces. Councillor Gilbey followed this line of questioning and asked about buses for the children at the school; Ms Gopal explained that this had not been considered necessary as the majority of the children at the school came from Hove and Portslade area and the school would potentially look at walking buses.
- (19) Ms Gopal explained, in response to Councillor Jones, that the site had been picked as it had designation for a school.
- (20) The Chair asked about the design, noting that this had been raised during the pre-application presentation. Mr Barker explained that the design was constrained by the size of the site and necessity to reduce the height from three-storeys to two. There were also constraints in relation to the badgers on the site; level changes; access as well as budgetary restraints. The design had come on since the withdrawn three-storey proposal and it was felt the design before the Committee was functional and attractive with an interesting entrance. It was also added that views of the school from the Engineerium would be 'near impossible'.
- (21) In response to Councillor Simson it was explained by Ms Gopal that the play space would accommodate approximately 200 children at one time. Following further queries Ms Gopal explained that lunchtime was important to the ethos of the school and they would be considering creative uses of the space to maximise its potential.
- (22) Councillor Carden asked about the protection of the badgers on the site and Mr Barker explained that the development had been focused away from the badger sets, and was further than the necessary exclusion distance. There would also be a full badger mitigation strategy. The Area Planning Manger demonstrated this distance using the plans.
- (23) In response to Councillor C. Theobald it was explained by Mr Barker that the school had to be three-form entry to as the Department for Education would not fund a two-form entry school.

#### **Questions for Officer (Planning)**

- (24) In response to Councillor Carden it was explained that relocation of Council facilities from the site was a matter for the Council as the Parks Department and was not material to the application.
- (25) Councillor Phillips raised specific queries in relation to the trees on the site, and it was explained that there would be conditions in relation to the species and maturity of the replacement trees. The elm that was to be felled was described as a 'fair specimen with some decay' which was being felled to facilitate site access. The location of the Norway Maples to be felled was confirmed using the plans. Councillor Phillips noted she could not understand why it was necessary to fell all of the trees, and would like a full response from Officer as to why they could not be retained.
- (26) With the assistance of the applicant it was explained to Councillor Davey that a 'wind catcher' was roof mounted ventilation.

- (27) Councillor Gilbey asked about the final materials, and the Head of Development Control, Jeanette Walsh, suggested that the final details of material be delegated to her in consultation with the Chair, Deputy Chair and Opposition Spokespersons.

### **Questions for Officers (Transport)**

- (28) In response to Councillor Gilbey it was explained that it would not be appropriate for parents to walk directly across the park in winter as the ground would be saturated; however, S106 monies had been secured to help support pedestrian movement through the park.
- (29) In response to Councillor C. Theobald it was explained that it would be unlikely that staff would park on Goldstone Crescent as there were '3 hour no return' restrictions there. There would also be a travel plan encouraging activity such as car sharing to limit the impact.
- (30) It was confirmed for Councillor Gilbey that the informal parking arrangements with nearby businesses could not be included in the travel plan, and they had also not formed part of the assessment of the application.
- (31) In response to Councillor Davey it was explained that the S106 monies would be spent on: improvements to the Droveaway; some improvements in the park and wider pedestrian improvements in the area. Councillor Davey went on to ask about the parking capacity on Goldstone Crescent and it was noted there would be slightly more capacity in the mornings; with all matters factored in the highest use would be 85% of capacity, and this would not be enough to warrant refusal. It was also confirmed there were two bus routes on the road. In relation to cycle parking it was acknowledged that the number was low, but this in line with the Council's standards.
- (32) It was confirmed for Councillor C. Theobald that any S106 monies used in the park would have to be part of mitigation measures.
- (33) Before the Committee moved into debate the Area Planning Manager confirmed the size of the play space, and noted there was no requirement for open space as this was not a residential scheme.

### **Debate and Decision Making Process**

- (34) Councillor Hyde noted that this was a very controversial application, and she sympathised with the concerns raised by residents and the Local Ward Councillors. She stated she had had initial concerns in relation to the traffic; she felt reassured with some of the mitigations such as the staggered start times and the S106 monies; however, she acknowledged that the situation 'would not be perfect' and she noted the informal arrangements with local business car parks. Whilst she felt there were still problems with the travel plan at the City Park site it was acknowledged that the additional journeys would only be in the morning and the afternoon weekdays during the approximate 9 months the school would be open each year. Her original concerns in relation to the materials had been mitigated and she welcomed some of the earthy and green tones that were suggested, and it was acknowledged that there would be

minimal views of the site from the Engineerium. Councillor Hyde welcomed the additional of a bilingual school in the city, and noted that whilst the school would be limited in terms of play space it did directly abut a park which could be used. On balance whilst the situation was not perfect there were clear mitigation measures in place and the scheme would address the shortage of school places in the west of the city; for these reasons she would support the Officer recommendation.

- (35) Councillor Wells noted that from the site visit he did feel the building height would interfere with the neighbouring buildings, and he felt the scheme would be 'snug'. He welcomed the use of the park by the children at the school; whilst he had concerns in relation to traffic these were not considered significant to vote against the application. For these reasons he would support the Officer recommendation.
- (36) Councillor Davey noted the citywide challenge in relation to school places, and noted that this area of Hove was very popular with young families. Trying to find a new site for a school would always be challenging, but he considered the consequences of refusing the application outweighed concerns and he would support the Officer recommendation. He noted that the parents were happy with the education at the school, and hoped this would become a popular school in the area. Transport would be a challenge at the site, but this was in the context of a challenging situation across the whole city; however, many would be able to walk to the school and the area was very well serviced by buses. It was hoped the school would work positively with the School Transport Team.
- (37) Councillor Littman stated he had initially been undecided about the application, but he agreed with the comments made by Councillor Hyde that the benefits of the scheme outweighed the potential harm. There were mitigation measures in places and the school still had another nine years before it would reach capacity during which time emerging issues could be addressed.
- (38) Councillor Phillips echoed the comments made by others on the Committee and she noted it was a functional building. She welcomed its location next to the park and the children at the school using this facility. A lot of queries in relation to transport had been answered and she hoped the school would partner with the 'Cycle Schools' in the city. She noted her personal views about free schools, but welcomed the consideration given by the applicant for the Council's difficult position and added that this school would potential serve families in her own neighbouring ward. Councillor Phillips added that her concerns about the trees had not been addressed in full, but on balance she would support the Officer recommendation.
- (39) Councillor C. Theobald noted that many of her questions had been answered and she felt reassured about the application. She felt the school could warrant a larger site with a smaller development and more outdoor space. The situation with parking was not ideal, but there was some mitigation to address this. The design was acceptable and a bilingual school in the city would be a welcome addition and she would be supporting the Officer recommendation.
- (40) Councillor Jones stated he was mindful of the concerns of local residents and the local Councillors as well as the suitability of the site; the size of the scheme and the design. On balance many of his concerns had been addressed, and he felt the bilingual facility

was a progressive approach to education. Councillor Jones noted he did not agree with concerns about the children using the park and on balance he would support the application as the benefits outweighed his concerns.

- (41) Councillor Hamilton stated he felt the same as many other Members on the Committee, and noted there were gains and losses in relation to the application. He felt the informal parking arrangements with the local businesses would aid the situation, and he felt there would no negative impact from the school using the park. He stated he had initially been undecided, but he had been persuaded and felt the scheme was very good given the constraints and he would support the Officer recommendation.
- (42) Councillor Gilbey noted she still had concerns in relation to parents dropping off and picking up, and she would prefer direct buses to the site. She noted that the situation at the site would be very different in winter, and it would impact on the Engineerium. She added she had concerns with the longevity of the building and was not happy with the design, but on balance she was leaning towards supporting the Officer recommendation.
- (43) The Chair noted he had listened very carefully to the points made by the residents and the Local Ward Councillors, and he had very serious concerns in relation to transport. He noted at the pre-application presentation he had pushed the applicant in relation to design, but felt it was a functional approach. He reiterated his concerns, but stated that on balance the public benefit of the scheme was the overriding factor.
- (44) Before the vote was taken the Chair suggested that Condition 8 be amended to delegate the agreement of the details to the Head of Development Control in consultation with the Chair, Deputy Chair and Opposition Spokesperson. The Head of Development Control also noted that the recommendation was minded the grant with the amendments that had been discussed and laid round for the Committee.

- 7.1 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to be **MINDED TO GRANT** planning permission subject to a S106 planning obligation, conditions and informatives and the amended conditions set out below:

Amended pre-commencement Conditions 8, 9, 10, 11, 15, 16, 20 & 21

No work shall take place above ground floor slab level of any part of the development hereby approved until...

Additional informative to be added:

Details of materials to be agreed in accordance with conditions shall be agreed by the Head of Development Control in consultation with the Chair, Deputy Chair and Opposition Spokespersons.

- B. BH2014/00459 - City College Campus, Wilson Avenue, Brighton - Full Planning -** Demolition of the eastern two storey section of the existing building and erection of a three storey building to accommodate a new Construction Skills Centre. Erection of a two storey entrance extension to the south west corner of the building. Change of use



of the tennis courts to a car park and a multi-use games area, other on-site parking and servicing amendments and hard and soft landscaping. Refurbishment of remaining existing buildings including replacement aluminium windows and profiled metal roofs.

- (1) It was noted that the application site had been the subject of a site visit prior to the meeting.
- (2) The Senior Planning Officer, Kathryn Boggiano, introduced the application and gave a presentation by reference to plans, photographs and elevational drawings; attention was also drawn to matter on the Late List. It was noted that the floodlights had been removed from the scheme, and an informative added such that any floodlighting would need to be the subject of a future planning application. The application site related to the east campus of City College which was accessed from Wilson Avenue; the site had formally been a school and had been taken over by the college in 2005. The site sloped steeply, and this significant difference in ground level was demonstrated using sectional drawings. It was currently quite difficult to navigate around the site and to find the main entrance. The proposed areas for demolition were highlighted on an aerial photograph and there would be changes to the materials of the roofs and windows frames on some of the existing buildings.
- (3) There would a new two and three-storey extension for the construction skills trades at the college, and a new two storey front entrance; the scheme would formalise some of the existing parking arrangements with 62 spaces on the site and a new multi use games area (MUGA) would be built for the college. The new design was highlighted with elevational drawings; the proposed materials would be grey brick and wooden cladding, and on the west elevation there would a mixture of render and timber cladding. On the south and north elevation there would be a mixture of materials, and it was reiterated there were proposals to change some of the roofs to grey linking colours.
- (4) The site could be seen from the national park, and visual comparisons were used to demonstrate this. There would be a landscaping scheme for the site. The transport matters were detailed in the report and whilst there would be a net gain of 52 parking spaces across the site this was still below the threshold. The MUGA facility would improve the sports offer at the site, and in relation to sustainability and ecology the new build would be BREEAM excellent and a bat licence would be required. It was considered the proposals would significantly increase the teaching quality at the site and the application was recommended for approval.

### **Questions for Officers**

- (5) In response to Councillor Simson it was explained that the existing car parking spaces for the leisure centre would remain; it was not proposed there would be any temporary accommodation during the build although there were certain measures the college could take under permitted development rights. There was a condition requesting a full construction environmental management plan, and this would secure mitigation measures such as the use of a site on Preston Road.

- (6) In response to Councillor Gilbey it was explained that there was no specific requirement for outdoor sports facilities, but the site when completed would have the new MUGA as well as use of the neighbouring artificial pitches.

#### **Debate and Decision Making Process**

- (7) Councillor Carden welcomed the facility and in particular this type of technical college; he wished the college future success.
- (8) Councillor Littman noted that he agreed with these comments and his previous concerns in relation to the materials had been addressed at the site visit.
- (9) Councillor Wells welcomed all the facilities being in one location, and was pleased to support the application.

- 7.2 **RESOLVED** - That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **GRANT** planning permission subject to conditions and informatives, and the amended conditions set out below:

#### **Condition 4**

The Multi Use Games Area hereby approved shall be solely used by staff and students of Brighton & Hove City College and shall not be hired or leased out to the general public. The MUGA shall only be used between the hours of 8.00 and 20.00 Monday to Friday and between the hours of 09.00 and 18.00 Saturdays, Sundays and Bank Holidays.

**Reason:** To safeguard the amenities of the local transport network, local residents and local ecology and to comply with policies QD27, TR1 and TR19 of the Brighton & Hove Local Plan.

#### **Condition 5**

Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall be carried out entirely in accordance with the bat mitigation details contained within section 4.5.3 of the Extended Ecological Enhancement Assessment Final Document Rev.1 February 2014 which was received on the 12 February 2014.

**Reason:** To ensure that bats are protected during the demolition stages and to comply with policy QD18 of the Brighton & Hove Local Plan.

#### **Condition 12**

Add low level lighting

The new car parking area including the access widening hereby approved shall be laid out fully in accordance with the details shown on plan P101 G received on the 19 May 2014, prior to the Construction Skills Centre being first brought into use. Prior to the Construction Skills Centre being brought into use, a scheme for the low level external lighting of the car park shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such there after.

**Reason:** To ensure that the new parking area is laid out in accordance with the approved details and to safeguard the amenities of the occupiers of adjoining properties and ecology and to comply with policies WD18, QD27, TR1 and TR7 of the Brighton & Hove Local Plan.

**Condition 13**

Unless otherwise agreed in writing with the Local Planning Authority, the surface water drainage system shall be fully installed in accordance with the details contained within the Flood Risk Assessment July 2013 and Drainage Layout Plan referenced Dr01 which were received on the 12 February 2014.

**Reason:** To ensure the existing infrastructure can facilitate the development and to reduce the risk of flooding and to comply with policies SU3 and SU15 of the Brighton & Hove Local Plan.

**Condition 23**

Remove in its entirety

**Condition 28**

Notwithstanding the submitted plans, prior to the Construction Skills Centre above being first brought into use full details of all proposed gates, fencing and walls and the smoking shelter have been submitted to and approved in writing by the Local Planning Authority. The details shall include elevational plans and shall also include details of the replacement fence on the western boundary of the site with Wilson Avenue. All proposed gates, fencing and walls shall be fully installed within the approved details prior to the Construction Skills Centre being first brought into use.

**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.

**New informative**

This permission does not permit floodlighting. If the applicant wishes to install floodlighting in the future then this would need to be the subject of a separate planning application.

**Condition 30**

Prior to the Construction Skills Centre being first occupied, details and evidence regarding the installation of the rainwater harvesting system detailed within the Rainwater Harvesting & Grey Water Recycling Systems Feasibility Study received on the 27 May 2014, shall be submitted to and approved in writing by the Local Planning Authority. The Rainwater Harvesting System shall be implemented fully in accordance with the approved details prior to the Construction Skills Centre first being brought into use and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such thereafter.

**Reason:** to ensure that the Rainwater Harvesting System is installed and to comply with policies SU2, SU3 and SU15 of the Brighton & Hove Local Plan.

**C. BH2013/01646 - 18, 24, 28 & 30 Kingsthorpe Road, Hove - Outline Application All Matters (save scale) Reserved** - Outline application for demolition of existing building and erection of part three storey and part four storey building comprising of B1 use at ground floor level and 26no residential units with associated works, and approval of reserved matters for scale.

- (1) It was noted the application had formed the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager introduced the application, and gave a presentation by reference to plans, photographs and elevational drawings. The application site related to a depot site with two main buildings and brick built boundary walls that abutted the railway line to the north with residential properties to the south. Much of the surrounding area was characterised by two-storey terrace dwellings. Outline permission was sought for the demolition of the existing buildings and the erection of a part 3 part 4 storey development with all matters reserved aside from scale; plans were shown to the Committee and it was noted that these were illustrative. The plans proposed a mixed use development with 26 two and three bedroom residential units; the main considerations related to the principle of the development and if the scale could be accommodated on the site. The commercial space would be of a modern standard and provide twice as much employment as the current usage and would be a more intensive use.
- (3) The application proposed a greater level of development, but on balance was considered acceptable. In relation to the visual impact whilst much of the surrounding development was two-storey there was a five-storey block of flats in close proximity. Although the indicative plans were not considered acceptable Officers were of the views that a mixed three and four-storey development could be accommodated on the site, and an appropriate design could follow the outline permission. The indicative plans proposed that the affordable units would be two-bedroom and it would be preferable if some of these could be three-bedroom, but this could be dealt with as part of the reserved matters application. Appropriate soundproofing could be secured to mitigate the harm from the railway line and the site could contain a scheme to meet with acceptable standards of accommodation. Whilst a development of this scale would have some overshadowing it was considered that the impact would be acceptable and mitigation measures could be secured at the reserved stage. In terms of transport the increased trips were acceptable and there were no concerns in relation to sustainable transport. The indicative plans showed 6 spaces, but there was no indication how these would be allocated. For the reasons set out in the report the Committee were recommended to be minded to grant permission, subject to conditions, informatives, a S106 agreement and an additional condition in relation to the height of the development.

#### **Questions for Officers**

- (4) In response to Councillor C. Theobald it was confirmed that the commercial use would be B1 which was compatible with residential, and it was proposed that the development be car free.
- (5) In response to Councillor Simson the distance to the railway line was clarified.

- (6) Following queries raised by Councillor Gilbey in relation to the land it was confirmed that there would be a suggested condition for the submission of the land levels.
- (7) Councillor Simson had specific questions in relation to parking and the access to parking for the commercial units. In response it was explained that Officers had considered the potential transport impacts of the outline application in terms of the scale; it was important to note there was an existing number of trips as the site was currently in use, and any increase would only be a net increase – it was not felt that this warranted a reason for refusal.

### **Debate and Decision Making Process**

- (8) Councillor Hyde stated that this was a large area to develop, and the nearby five-storey block of flats was not typical to the area. The development would be much higher than the remaining housing and the site could be laid up much better than the indicative plans proposed; this application could ‘ruin’ the road and she would not support the Officer recommendation.
- (9) Councillor Simson stated she had concerns in relation to B1 use with residential units and that they could be operated as one very large single unit – which would not be appropriate for the street. The more commercial space at the site the more pressure would be placed on transport and the scale of the plans was not appropriate; for these reasons Councillor Simson stated she would not support the Officer recommendation.
- (10) Councillor Wells stated that the bulk and height were not appropriate for the street, and he could be minded to support a scheme that was one storey lower. He felt the indicative plans could be better laid out to facilitate more parking at the rear of the site. He welcomed the mixed use, but had concerns about the density and as such would not be supporting the Officer recommendation.
- (11) Councillor Phillips noted that her initial concerns had been alleviated following the site visit. She felt the indicative plans were appropriate and took into account the gradient of the road. She was pleased that both cycling and tree protection could be secured and she noted the highly sustainable nature of the location in relation to transport. For these reasons she would support the Officer recommendation.
- (12) Councillor Hyde referenced her view that the B1 units would need parking to realistically be able to operate, and that the some of the spaces on the site should be allocated for this purpose.
- (13) Councillor Littman noted the difficulty of the decision; in particular due to outline nature of the application. He stated the area historically had mixed use, and it was excellent in terms of sustainable transport. On balance he felt the need for housing and the positives outweighed the harm and for this reason he would support the Officer recommendation.
- (14) Councillor C. Theobald noted that the scale was excessive for the site and the indicative plans would be over dominant in the street scene. The building line would come forward and be overbearing on the housing opposite, and the site needed proper

car parking spaces. For these reasons she would not support the Officer recommendation.

- (15) Councillor Phillips noted that the Committee should only be considering matters in relation to scale.
- (16) Councillor Jones noted that he welcomed the principle of the application, but had concerns – he was currently undecided.
- (17) Councillor Gilbey stated that the development was too high for the road and the mass too great. She noted the nearby flats were not typical of the area, and the overlooking would be unacceptable, and she would not support the Officer recommendation.
- (18) Councillor Davey referenced the need for housing and employment sites within the city – as well as the highly sustainable location in terms of transport. The residents would also have access to the Car Club, and he felt this was a potentially good application and he would support the Officers recommendation.
- (19) In response to further queries from the Committee it was explained by Officers that the car free conditions would prevent overspill into the existing residential bays. A car parking management plan would consider the use of the any proposed spaces, and residents would be offered 2 years free membership to the Car Club; it was also added that two of the spaces in the indicative plans were proposed to be disabled bays.
- (20) In response to Councillor Hyde it was explained that the two disabled bays formed part of the six proposed in the indicative plans, and there were two or three Car Club bays in the area.
- (21) By means of the clarification the Head of Development Control and the Senior Solicitor, Hilary Woodward, explained that the reserved matters would not be delegated to the Committee for decision, and procedures in relation to requests to refer items to the Committee by Ward Councillors and the number of representations did not apply to the determination of reserved matters applications. Whilst the Committee expressed some concern to this determination process it was clarified this was a fully appropriate manner to determine the application and the delegation of the reserved matters would not form a reason for refusal.
- (22) In response to Councillor Davey it was noted that it would be not be appropriate to condition use of the Car Club for commercial units.
- (23) Councillor C. Theobald expressed her concern that if the application were approved the reserved matters would not be delegated to the Committee for approval.
- (24) The Senior Solicitor confirmed that the reserved matters application would have to follow an approved outline permission within three years, and the applicant would still have the option to bring forward an application for full planning permission.
- (25) Before the vote was taken the Head of Development Control noted that a condition had been added in relation to range of height that would be expected in the reserved matters application.

(26) A vote was taken and the Officer recommendation that the Committee be minded to approve planning permission was not carried on a of 3 in support, 5 against and 4 abstentions. Reasons were then proposed and seconded to refuse the application by Councillors Hyde and Wells. A short adjournment was then held to allow the Chair, Councillor Hyde, Councillor Wells, the Head of Development Control, the Area Planning Manager and the Senior Solicitor to draft the reasons in full. These reasons were then read to the Committee and it was agreed that they accurately reflected what had been put forward. A recorded vote was then taken and Councillors: Hyde, Simson, Gilbey, C. Theobald and Wells voted that permission be refused; Councillors: Mac Cafferty, Carden and Phillips voted that permission not be refused and Councillors: Jones, Davey and Littman abstained from the vote. It was noted that between the initial vote and the recorded vote Councillor Hamilton had left the meeting, but this had not affected the outcome of the vote.

7.3 **RESOLVED** – That the Committee has taken into account the Officer recommendation, but resolves to refuse planning permission for the reasons set out below:

- i The scale of the proposed development is overbearing, overlarge, out of scale with neighbouring buildings and excessive in its immediate context and would therefore have a negative impact on the street scene contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan 2005.
- ii The proposed development by reason of its excessive scale would result in an overbearing and unneighbourly development having a direct and adverse impact on neighbouring residential properties contrary to policies QD1 and QD27 of the Brighton & Hove Local Plan 2005.

**8. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS**

8.1 There were no further requests for site visits in matters listed on the agenda.

**9. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS**

9.1 The Committee noted the position regarding pre application presentations and requests as set out in the agenda.

**10. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS)**

10.1 That the Committee notes the details of applications determined by the Executive Director Environment, Development & Housing under delegated powers.

[Note 1: All decisions recorded in this list are subject to certain conditions and reasons recorded in the planning register maintained by the Executive Director Environment, Development & Housing. The register complies with legislative requirements.]

[Note 2: A list of representations received by the Council after the Plans List reports had been submitted for printing was circulated to Members on the Friday preceding the meeting. Where representations are received after that time they should be reported to the Chairman and Deputy Chairman and it would be at their discretion whether they should in exceptional circumstances be reported to the Committee. This is in accordance with Resolution 147.2 of the then Sub Committee on 23 February 2006.]

**11. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

11.1 The Committee noted the new appeals that had been lodged as set out in the planning agenda.

**12. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

12.1 The Committee noted the information regarding informal hearings and public inquiries as set out in the planning agenda.

**13. APPEAL DECISIONS**

13.1 The Committee noted the content of the letters received from the Planning Inspectorate advising of the results of planning appeals which had been lodged as set out in the agenda.

The meeting concluded at 6.25pm

Signed

Chair

Dated this

day of



# **ITEM A**

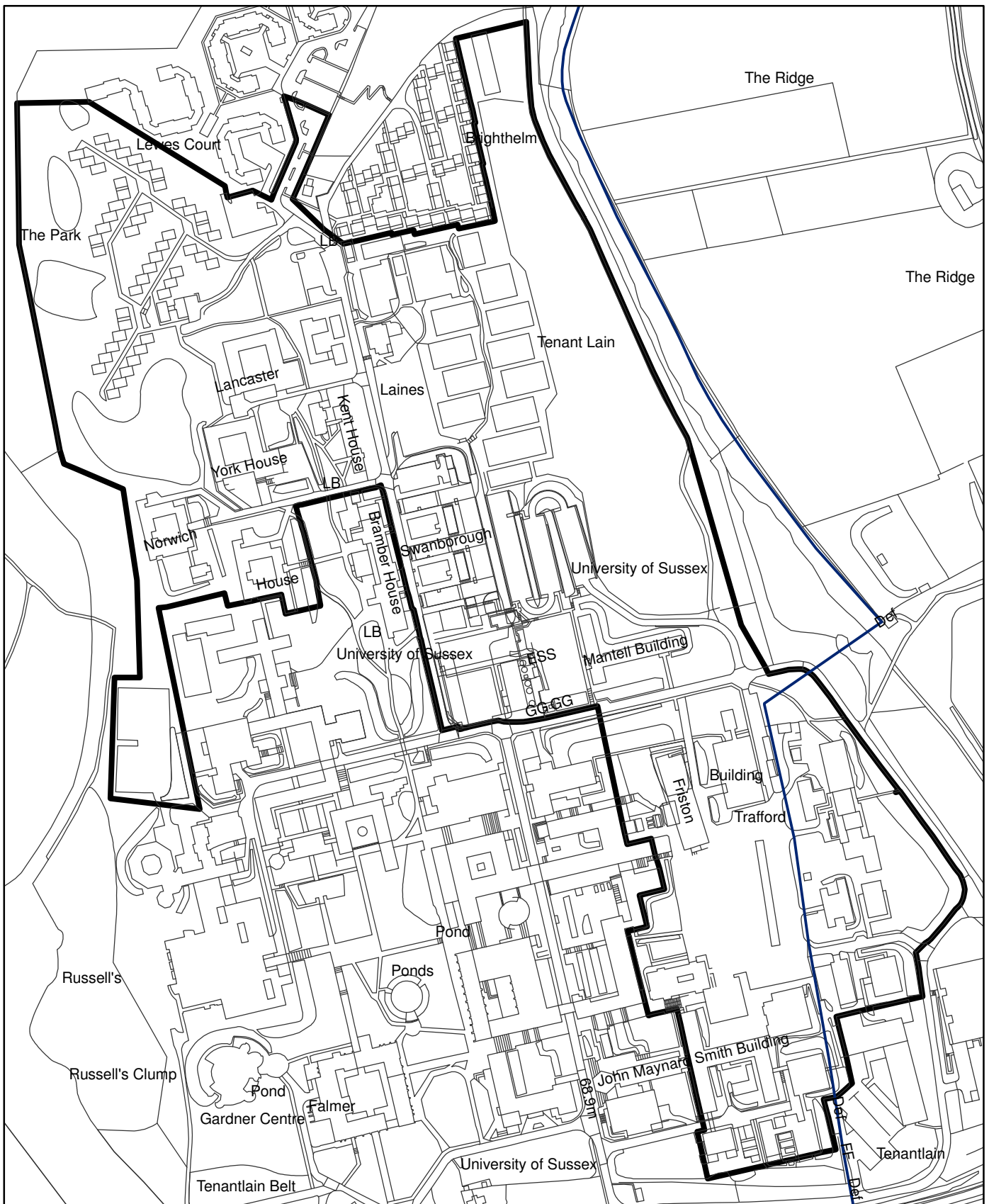
**University of Sussex, Refectory Road,  
Brighton**

**BH2013/04337**

**Outline application some matters reserved**

**25 JUNE 2014**

# BH2013/04337 University of Sussex, Refectory Road, Brighton.



**Brighton & Hove  
City Council**



**Scale: 1:4,000**

<b><u>No:</u></b>	<b>BH2013/04337</b>	<b><u>Ward:</u></b>	<b>HOLLINGDEAN &amp; STANMER</b>
<b><u>App Type:</u></b>	<b>Outline Application Some Matters Reserved</b>		
<b><u>Address:</u></b>	<b>University of Sussex Refectory Road Brighton</b>		
<b><u>Proposal:</u></b>	<b>Outline application with some matters reserved for demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping.</b>		
<b><u>Officer:</u></b>	<b>Sue Dubberley Tel 293817</b>	<b><u>Valid Date:</u></b>	<b>03 January 2014</b>
<b><u>Con Area:</u></b>	<b>Adjoins Stamner</b>	<b><u>Expiry Date:</u></b>	<b>25 April 2014</b>
<b><u>Listed Building Grade:</u></b>	<b>n/a</b>		
<b><u>Agent:</u></b>	<b>Parker Dann Ltd, S10 The Waterside Centre, North Street, Lewes BN7 2PE</b>		
<b><u>Applicant:</u></b>	<b>University of Sussex, Department of Estates and Facilities Management, Hastings Building, University of Sussex, Falmer BN1 9RJ</b>		

**1 RECOMMENDATION**

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

**2 SITE LOCATION & DESCRIPTION**

- 2.1 The application relates to the University of Sussex campus which occupies around 100 hectares of parkland at Falmer, at the foot of the South Downs National Park. The campus sits within a valley with the A27 to its south. The South Downs National Park climbs to the north and east of the campus. To the west lies Stanmer Park, which is a Grade II registered historic park and garden.
- 2.2 The University was designed by Sir Basil Spence in the 1960s and was the first of seven new post war universities in the country. Sir Basil Spence prepared the masterplan in 1959 and the first buildings were ready for occupation in 1962. Ten of the University's original buildings have been listed, all of which are based around Fulton Court (nine at grade II\* and Falmer House at grade I). These determine the general character, architectural tone and presence of the campus. Similarly, the landscape, designed by Spence in consultation with Dame Sylvia Crowe, plays an equally important role to the buildings in setting the tone and character of the campus. The listed buildings, essentially the core of the campus, have a very high

degree of architectural significance in their careful contextual design and materials and historic significance in relation to the campus as a model of educational organisation.

- 2.3 The application includes the demolition of four residential 'quads', all the of the housing at Park Village and on the East Slope, and the academic buildings which surround the existing science car park in the south eastern part of the site, adjacent to the perimeter road.
- 2.4 The University's boundary lies predominantly within the local planning area of Brighton & Hove City Council although a small area in the south eastern corner of the site falls within Lewes District Council.

### 3 RELEVANT HISTORY

**BH2012/00485** Construction of one 4 storey and one 3 storey halls of residence blocks to provide additional 148 bedrooms of accommodation. (Revised plans and revised Environmental Statement). Approved 15/08/2012

**BH2011/00358:** Development of three halls of residence blocks to provide an additional 180 bedrooms of accommodation. Approved 14 June 2011.

**BH2009/02210:** Reserved Matters application pursuant to outline approval BH2008/01992 for construction of halls of residence comprising 798 student bedrooms arranged in 14 blocks, reception building, bicycle storage, visitor and disabled car parking. Reserved Matters to be determined include appearance and landscaping. Approved 15 December 2009.

**BH2009/02205:** Construction of single storey water tank and storage building and single storey reception/facilities building to serve the halls of residences approved under application BH2008/01992. Approved 19 November 2009.

**BH2008/01992:** Construction of halls of residence comprising 798 student bedrooms arranged in 14 blocks, reception building, bicycle storage, visitor and disabled car parking. Approved 7 September 2009.

### 4 THE APPLICATION

- 4.1 Permission is sought for the approval of an outline application with some matters reserved it includes demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping.
- 4.2 The intention is that this Masterplan application will guide and set the framework for the reserved appearance and landscape matters.
- 4.3 An Environmental Statement has been submitted with the application as required under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

4.4 The proposed development on the university campus comprises approximately 23.4ha in total and is spread across three areas of the campus, East Slope, West Slope and the Academic Area. The new residential blocks would be sited on the west and east slopes with the new academic buildings located in the south east of the campus.

4.5 The existing and proposed floorspace/bed spaces are summarised below:

	<b>Existing</b>	<b>Proposed</b>	<b>Net Gain</b>
C1 Student accommodation	1,492 beds	4,022 beds	2,530 beds
Academic Floorspace D1 Use class	16,537 sqm	59,571 sqm	43,034 sqm

4.6 An indicative phasing plan for the development anticipates a seven year build with the east slope development being built out first, followed by the academic buildings and finally the west slope development. The development would thus be phased as follows:

**4.7 Phase 1 - East Slope development**

There are 592 study bedrooms proposed to be demolished with 2000 study bedrooms proposed giving an increase of 1408 study bedrooms

4.8 The existing East Slope Housing and Mantell building would be demolished, and the eastern slopes developed beyond the existing development boundary. The development on East Slope would consist of student accommodation, with some social and ancillary spaces. A new road would run across the site and enable the existing main road, Refectory Road, to become primarily a pedestrian and cycle route. Most buildings would run parallel to the contours and would be spaced so as to create narrow pedestrian routes up the hillside between the buildings. The buildings would be arranged so that the tallest buildings would be near to the valley floor with the lower buildings to the edge of the campus and these peripheral buildings would have grass roofs. The existing East Slope car parking, currently arranged as a series of terraces, would be relocated to the eastern edge of the campus.

**4.9 Phase 2 - Academic Area**

On the south eastern part of the campus the existing science car park would be redeveloped to create a new courtyard and new academic buildings with a net gain 43,034sqm of academic space. A series of building would be arranged around the north, east and south sides of the new courtyard with a covered walkway. A further building the John Maynard Smith building would be partially demolished and replaced with a new Life Sciences Building. To the east of this, a further new courtyard would be created with new buildings to the east and south of the courtyard. The existing car parking would be relocated to the eastern edge of the site, in a decked arrangement.

**4.10 Phase 3 - West slope development**

There are 900 study bedrooms proposed for demolition with 2022 study bedrooms proposed giving an increase of 1122 study bedrooms and 2000sqm of mixed use space.

- 4.11 The existing Park Village Housing and Park Houses would be replaced by new residences and a new public square. The proposed development would consist mainly of student accommodation, with some social and ancillary spaces. A new public square is proposed along with a 6 storey building adjacent to the square which would have social facilities on the ground and first floor and residential on the other floors. To the west of this new square, the study bedroom blocks would be aligned with the contours of the site and as with the East Slope development the buildings would step up the hillside decreasing in height and those buildings closest to the edge of the campus would have grass roofs.
- 4.12 The blocks that would replace the existing Park Houses would be sited on the footprint of the existing buildings and would maintain their courtyard design as a reference to the buildings that made up the core of Spence's original design. Existing surface car parking would be relocated underneath the new square.
- 4.13 The development of the academic area straddles the site boundary between Brighton & Hove City Council and Lewes District Council and therefore an identical application has also been submitted to Lewes District Council. They will determine this part of the application.
- 4.14 The number of students at the University of Sussex is continuing to grow with current student numbers at 13,400 (December 2013) and the University Masterplan has forecasted the expansion of the student population to 18,000 by 2018.
- 4.15 The University of Sussex approved a Residential Development Program in 2005 which was subsequently updated in 2008. This sets out the university's overall ambition to accommodate 40% of its student population in university managed housing, on and off campus sites across the City. The university states that this would enable more private sector rented accommodation to be released for the wider local population and would reduce the potential problems of the loss of family housing to student HMO's and the over-concentration of the student population in certain locations in Brighton & Hove.
- 4.16 The Environmental Statement submitted with the application indicates that if the site was not developed it is considered that there would remain a poor quality residential building stock on campus, a shortfall in on-campus student accommodation and increased pressure for student housing in the locality. The ES also states that there will also remain a stock of poor quality academic buildings.

## 5 PUBLICITY & CONSULTATIONS

### External

- 5.1 **Neighbours: Nine (9)** letters of representation have been received from **46, 50 Mafeking Road, 49, 64, 68, 87 (plus one objection with no street number given) Ewhurst Road, 29 Saunders Park Rise, 33 Bevendean Road, 24 Middleton Rise: objecting** to the application for the following reasons:
- Increase in noise level, litter, cars, pollution and anti-social behaviour.
  - Too many students already.

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- Families are struggling to find affordable housing in the city and many are on the council housing list while students are taking family homes.
  - Provision is for first year students only and does not make provision for accommodation needs for second and third year students.
  - Second and third year students will be housed in already saturated communities near the universities, changing the character of the area and putting a further strain on local services. Increase in student intake after three years will be about 10,000.
  - Will cause further inflation of house prices.
  - Increase in traffic congestion.
  - The Article 4 direction imposed on wards near to the universities will push the problem of over concentration of student housing to other wards.
  - Permission should not be granted until there is a robust and independent study of the impact of additional students on the housing stock.
- 5.2 **CAG: Support:** Recommend approval subject to brick panels being displayed at the full application stage and a full archaeological investigation of the demolition sites. The group welcomes the continuation of use of red brick and mortar for the proposed buildings.
- 5.3 **Civil Aviation Authority: No objection.**
- 5.4 **County Ecologist: Support:** Provided the agreed mitigation measures are implemented, the proposed development is unlikely to have a detrimental impact on biodiversity and can be supported from an ecological perspective. The site offers opportunities for biodiversity enhancements that will help the Council address its duties and responsibilities under the NERC Act and NPPF.
- 5.5 **East Sussex County Council (transport) : Comment:** The submitted Transport Assessment relies heavily on a Transport Strategy that will be developed in detail prior to any detailed application which poses a risk to this County Council. It is accepted that there are very good public transport links with the University site and that these could be further enhanced however, this must be balanced against an already congested part of the road network.
- 5.6 On this basis do not wish to restrict the grant of consent subject to the following mitigation measures being secured:
- A transport contribution of £100,000, secured by a Section 106 agreement, that which will be used to implement capacity enhancements at the Falmer Interchange or will be used to introduce safety measures along the A27 eastbound, on the approach to the University – as a recommendation of the on-going Falmer Interchange Transport Study.
  - A full Transport Strategy is worked up, in consultation with ESCC and/or BHCC prior to submission of any detailed application to build on the framework Transport Strategy.
  - Travel Plan (amended to build on the success of the existing University Travel Plan) secured through the Section 106.
  - Construction Traffic Management Plan secured through a relevant planning condition.

- 5.7 **East Sussex Fire and Rescue Service:** Comment. Insufficient information upon which to make comments.
- 5.8 **English Heritage:** English Heritage does not have any substantive issues to raise as regards this Masterplan for the long term future of Sussex University as far as they affect the internationally significant complex of buildings by Sir Basil Spence. It is however suggested that further information is sought to assess the impact of the development as seen from within the historic core of the campus. It is also recommended that the local authority, in determining this application and reserved matters as they come forward, pays due regard to the special interest of the campus as set out in the statement of significance below. The commissioning of additional AVRs to assess heritage impacts from within the historic nucleus of the campus, and the loss of the landscape setting. The imposition of appropriate recording conditions for the buildings to be demolished. There should be careful monitoring of future applications for detailed design to ensure appropriate scale, massing, materials, detailing and landscaping.
- 5.9 **Environment Agency:** No objection. 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, piling and drainage. Without these, the proposed development would pose an unacceptable risk to the environment.
- 5.10 **Highways Agency:** No objection.
- 5.11 **Natural England:** No objection. Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. Therefore having reviewed the application Natural England does not wish to comment on this development proposal.
- 5.12 **South Downs National Park Authority:** Comment. Would prefer the new buildings being modulated in form to breakdown the mass and bulk of the buildings and help to reduce the overall mass on the setting of the National Park; appropriate external material should be considered that would respect the relationship with the National Park. It is noted that the roofs of the new accommodation buildings would have green roofs; it would be better if the roofs of all buildings adjacent to the boundary of the National Park had green roofs; perhaps further dialogue with the South Downs National Park would be helpful for suggestions as to appropriate 'living' roof planting that would compliment the natural flora and fauna of the National Park and in turn help with biodiversity and respect the special qualities thereof both from immediate and wider impacts.
- 5.13 Any necessary external lighting should be kept to an absolute minimum and be of a standard to prevent night time light spill and glow; in addition, preferably there should be no roof lights and/or light emission from elevations of buildings that face the boundaries of the SDNPA, where internal lighting could be detrimental to the darker areas of the National Park.



5.14 **Southern Water:** No objection. Exact position of public water main must be determined and if there is a need to move the water apparatus this is to be agreed with Southern Water. An informative is recommended to ensure the applicant enters into a formal agreement to provide the necessary sewerage infrastructure required to service this development. There are no public surface sewers in the area to serve the development. Alternative means of draining surface from the development are required. Alternative means of draining surface from the development are required.

5.15 **Southern Gas Networks:** Comment: A plan showing pipes owned by SGN is included for information.

5.16 **UK Power Networks:** No objection.

**Internal:**

5.17 **Arboriculturist:** No objection. Loss of in excess of 450 trees which is to be regretted, however, the majority of trees and woodland areas are to be retained.

5.18 Overall, the Arboricultural Section has no objection to the proposals in this application subject to suitable conditions regarding protection of retained trees and landscaping being attached to any consent granted.

5.19 **Environmental Health:** Support. The issues with the potentially contaminated land report may be dealt with using a condition. In line with other major developments it would also be good practice to apply a discovery strategy to deal with any unexpected findings during the construction stage. CEMP and conditions regarding operational noise and odour control also required.

5.20 **Heritage:** Support. The principle of an overall masterplan for the future development of the campus is very much welcomed and the replacement of much of the post-Spence development on the east and west slopes to the northern part of the campus is also welcomed in principle. The application presents an opportunity to substantially alter the layout of the campus and the form of the built development on the east and west slopes so that it respects and reflects the principles established by Spence. The application is successful in this respect as much as it can be given the quantum of development proposed. The extended campus would have an urban low-to-mid rise character rather the current suburban, low rise character. This would be a very significant change. However, it is noted that layout is a reserved matter and given that this is crucial to the 'in principle' appropriateness of the masterplan, it is considered that layout should be one of the matters for approval

5.21 It is considered that there would be no significantly harmful impact on the setting of the National Park, the setting of Stanmer Park as a Grade II registered park or the setting of the Stanmer Conservation Area. But it is not currently possible to assess whether there would be any harm to the setting of the ten listed buildings on the University campus and further views need to be submitted from points in and around Fulton Court. Sir Basil Spence designed the campus for just 800 students, although within ten years numbers had increased to 3,000. The masterplan is looking to provide teaching and living accommodation for 18, 000 by 2018. This huge increase in numbers will necessarily have impacts not only on the setting of listed buildings, but the way in which they are used, and new development must be carefully planned

to respect, and not overwhelm the composition and setting of the campus as envisaged by Spence.

- 5.22 **Comment on additional visuals received:** Satisfied that there would be no significant harm to the setting of the ten listed buildings on the University campus
- 5.23 **Planning Policy: Support:** The current application is welcomed. The university is seeking to maximise the universities' own campus land for both academic floorspace and residential accommodation. It is considered to comply with adopted and emerging policies. The proposal is also considered to be supported by the aims of the Student Housing Strategy 2009-2014. Clarification is appreciated regarding the anticipated growth of the university and how further expansion will be accommodated in the future.
- 5.24 **Public Art: Support:** To make sure the requirements of Policy QD6 are met at implementation stage, it is recommended that an 'artistic component' schedule be included in the section 106 agreement. It is suggested that the public art element for this application is to the value of £15 000.
- 5.25 **Sustainability: Support:** The proposals have substantially addressed local sustainability policy; many positive measures have been incorporated into the proposed scheme. The following issues should be addressed by the applicant or could be resolved by the use of planning conditions:
- Previously undeveloped land is expected to deliver a slightly higher performance in energy and water, demonstrated by the achievement of 70% in the energy and water sections of a BREEAM 'excellent score'. It is recommended that the applicant be encourage to deliver this on the sites identified as previously undeveloped. This could be secured by condition.
  - There is currently a commitment to incorporate renewables and the specific technologies will be identified through a Renewables Assessment. The commitment to install renewables on the University site form part of the University's overall commitment to reduce carbon emissions in their Carbon Plan. This provides confidence that renewables will be incorporated into the scheme, but it is recommended that this work be undertaken and submitted prior to commencement.
  - Because of the proposed loss of a significant number of trees from the site 450-460, further planting of 450 trees is proposed. It is recommended that incorporation of fruit tree/orchard planting be explored. This would complement intentions for biodiversity enhancements within the application; the Universities existing work on sustainable food procurement; and the Sussex University Student Union's expressed interest in fruit tree planting.
  - Local Plan Policy SU2 asks that schemes explore provision for composting, but there is currently no composting proposed.
- 5.26 **Sustainable Transport: Support:** The transport aspects of the application are acceptable in particular the strengthening of the proposed transport strategy. Provided that the transport strategy is implemented it is considered that there will not be a significant number of extra car trips and it is noted that the University has a good track record of implementing effective travel plan measures. It is therefore considered

that as there will be negligible extra car trips there is no justification for requiring a contribution for highway works.

## **6 MATERIAL CONSIDERATIONS**

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

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR3	Development in areas of low public transport accessibility
TR4	Travel plans
TR7	Safe development
TR8	Pedestrian routes
TR14	Cycle access and parking
TR15	Cycle network
TR18	Parking for people with a mobility related disability
TR19	Parking standards
EM19	University of Sussex

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SU1	Environmental impact assessment
SU2	Efficiency of development in the use of energy, water and materials
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
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – effective and efficient use of land
QD4	Design – strategic impact
QD6	Public art
QD15	Landscape design
QD16	Trees and hedgerow
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD25	External lighting
QD27	Protection of amenity
QD28	Planning obligations
HO6	Provision of outdoor recreation space in housing schemes
HO13	Accessible housing and lifetime homes
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas
HE11	Historic Parks and Gardens
HE12	Scheduled ancient monuments and other important archaeological site
NC3	Local Nature Reserves
NC6	Development in the countryside / downland
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty

### Supplementary Guidance Notes (SPGs)

SPGBH4 Parking standards

### Supplementary Planning Documents (SPD)

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

### Brighton & Hove City Plan Part One (submission document)

CP15 Heritage  
CP21 Student accommodation and houses in multiple occupation  
DA3 Lewes Road  
CP8 Sustainable buildings

The Brighton & Hove Student Housing Strategy 2009-2014

**8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principle of the proposed development, the impact of the development in terms of scale on the surrounding landscape and the suitability of the layout. The proposed access arrangements and related traffic implications, amenity, ecology, and sustainability are also assessed.
- 8.2 An Environmental Statement (ES) has been submitted with this planning application. Prior to the submission of the planning application, a screening and scoping exercise was undertaken in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Environmental Statement has the component parts required by the 2011 Regulations and is considered acceptable. The following has been considered as part of the ES.
- Rationale and Alternatives
  - Planning Context
  - Ecology
  - Landscape & Visual Impact Assessment
  - Archaeology and cultural Heritage
  - Water Resources & Flood Risk
  - Traffic and Transport
  - Noise & Vibration
  - Socio-Economic
  - Cumulative Impacts
- 8.3 **Principle of development:**  
The majority of the site where the new built form is proposed is designated under Policy EM19 which is site-specific to the University and supports potential uses relating to the University, including residential, teaching and research accommodation. In this respect the proposed increase in academic and residential buildings is considered to comply with policy. The University believe that their strategy will in the longer term release HMO's in the City for C3 residential. This view is acknowledged but this is not a consideration in assessing the application.
- 8.4 It is noted that there is no limit or indication given within policy EM19 for the level of accommodation to be placed upon the site, however the appropriate scale and layout of the development is clearly heavily dependent upon the impact of the adjoining National Park, registered park and garden of special historic interest, the nearby listed buildings, the strategic views of the site, its landscape context, local characteristics of the area and the Stanmer Conservation Area and these issues are addressed below.
- 8.5 As there is currently no general policy to address the provision of student housing within the adopted Local Plan, it is therefore necessary to consider the proposal against emerging policy. The provision of student accommodation on this site is supported by Policy CP21 of the submitted City Plan; Part One which allocates the

site for purpose built student accommodation on East Slope and the land adjoining for a net increase over the existing 592 bed spaces. Although the proposed scheme includes the West slope of the campus and 4,022 units would be created on campus, representing a net increase of 2,530 bed spaces on the East and West Slopes, the increase in purpose built student accommodation on the university campus is welcomed and considered to meet the aims of the City Plan.

**8.6 Layout and scale:**

Policies QD1, QD2, QD3, and QD4 require development to be of a high standard and to respect the character and appearance of their surroundings.

8.7 The outline application has been subject to extensive pre-application discussions. The principle of an overall masterplan for the future development of the campus is welcomed and the replacement of much of the post-Spence development on the east and west slopes to the northern part of the campus is also welcomed in principle.

8.8 Initially the application did not include consideration of the layout as the applicants wished layout to be a reserved matter, however following negotiations layout is now included as part of the application. This was considered to be essential in order to assess the impact on the listed buildings and the character of the campus.

8.9 The need to replace outdated student housing and the need to accommodate more students living on campus are acknowledged and accepted. The application presents an opportunity to substantially alter the layout of the campus and the form of the built development on the east and west slopes to the northern part so that it respects and reflects the principles, hierarchies and relationship with the landscape established by Spence. The Design and Access Statement clearly shows how the proposed masterplan for the university has sought to achieve this and it is considered that the application is generally successful on this respect or at least as much as it can be given the quantum of development proposed. The number of student bed spaces in particular means that the density of the campus as proposed is greatly in excess of the current campus and that the spacing and height of buildings, especially to the accommodation areas, would result in the extended campus having an urban low-to-mid rise character rather the current suburban, low rise character, which is a very significant change.

8.10 The Heritage Officer has stated that Spence is believed to have been greatly captivated by the dramatic topography of the site: steep valley sides framed by dense tree belts, and clusters of trees through the north-south spine of the site. It is this context about which he designed his arresting composition of buildings and public spaces, with advice from landscape architect Dame Sylvia Crowe. In spite of the monumentality of his designs, he was adamant that nothing should dominate the landscape and that trees should always overtop buildings. Green fingers were to steal into the campus between buildings, and views were meant always to be available of the trees within the campus and the landscape beyond. This was carefully facilitated by a consistency in the massing of buildings, which sit within the valley sides, and by the gaps and voids he very consciously designed into his buildings, most notably within the courtyard of Falmer House.

- 8.11 In light of the aims of the original Spence design, the proposed layout was revised during the pre-application discussions to re-align the roadway, to introduce spacing between buildings and more off-setting of buildings footprints in order to reduce the terraced feel of some sections. Some building heights have also been reduced, notably to the mixed use hub building in the west slope development and the academic buildings that front onto Boiler House Hill. It is considered that in plan and section the outline proposals are now as appropriate as can be achieved, in terms of extending the Spence design approach, given the quantum of development that University considers to be necessary.
- 8.12 **Visual impact:**  
Local Plan policies QD1, QD2, and QD4 relate to the design quality of a development, the emphasis and enhancement of the positive quality of the local characteristics and the enhancement and preservation of strategic views.
- 8.13 Local Plan Policies NC6 and NC7 seek to ensure that development within the defined Countryside and South Downs National Park is justified and respects the form, scale and character of the landscape.
- 8.14 With regard to impact upon the wider landscape, the ES includes a visual impact assessment with key viewpoints showing how the development would impact upon these views. The assessment demonstrates that in none of these views would there be any significant harm to the setting of the national park, the registered park or the Stanmer Conservation Area.
- 8.15 The Heritage Officer has commented that there would be a major impact on the panoramic viewpoint A, which is taken from a track alongside the eastern edge of the site adjacent to the existing East Slope accommodation, especially looking towards the original campus, but it is noted that this is not a publicly accessible view. Viewpoint C which is taken from the western edge of the site behind the Northfield development which is located in the far northern end of the campus, is a particularly important viewpoint as it reflects the impact of extending the built up area of the campus further up the east slope. The CGI view demonstrates the development would only encroach onto the tree line of the ancient woodland at the southern end, by the new academic buildings, but that the buildings would still remain well below the top of the tree canopy.
- 8.16 The South Downs National Park Authority has commented that the new buildings should be modulated in form to breakdown the mass and bulk of the buildings and help to reduce the overall mass on the setting of the National Park; appropriate external material should be considered that would respect the relationship with the National Park. While noting that the roofs of the new accommodation buildings would have green roofs; the Park Authority considered that it would be better if the roofs of all buildings adjacent to the boundary of the National Park had green roofs and suggest further dialogue at the detailed stage with the South Downs National Park. These comments are noted however, as stated above a considerable amount of work was carried out at the pre-application stage on the scale and layout of the proposed buildings and it is considered that the outline proposals are now as appropriate as can be achieved given the quantum of development that University considers to be necessary.

- 8.17 The National Parks Authority have also stated that any necessary external lighting should be kept to an absolute minimum and be of a standard to prevent night time light spill and glow; in addition, preferably there should be no roof lights and/or light emission from elevations of buildings that face the boundaries of the SDNPA, where internal lighting could be detrimental to the darker areas of the National Park. These comments are noted and a condition for a lighting strategy forms part of the recommendation.
- 8.18 As well as the impact upon the wider landscape it is also important to assess whether there would be any harm to the setting of the ten listed buildings on the University campus. Initially no internal views were included in the visual impact assessment. During the course of the application these visuals were provided and the Heritage Office is satisfied that they demonstrate that there would be no signification harm to any of the listed buildings on the university campus.
- 8.19 The design and materials of the buildings themselves will be a reserved matter but the indicative approach shown in the application is broadly welcomed.
- 8.20 Impact of demolition  
The application includes proposals to demolish the four residential 'quads', all the housing at Park Village and on the East Slope, and many of the academic buildings in the south eastern part of the site, adjacent to the perimeter road. The Heritage Officer has raised no objection to the loss of these buildings.
- 8.21 English Heritage has however commented that the student accommodation proposed for demolition is of some architectural interest in its own right. The four 'quads' of Lancaster, York, Norwich and Essex were built in the Spence style by Ronald Sims, and H. Hubbard Ford in the early 1960s. They consciously replicate the language and materials used in the listed Spence buildings, but are not of the same quality. The disastrous 'top-hatting' of Norwich in the late 1980s however seriously detracts from the success of the building, and of this group. This refers to the erection of a pitched roof on the original flat roofed building.
- 8.22 The Park Village (by Hughes, Lomax & Adutt, 1969) and East Slope (Maguire & Murray, 1974-5) residences are markedly different from the extended family of 'Spence' buildings. The most recent edition of The Buildings of England for East Sussex describes Park Village as a 'successful development of staggered three-storey attached houses', and the East Slope housing viewed from the valley bottom is quite striking, with strong rows of brick and timber housing stepping up the hillside to the remaining open slopes beyond. The buildings are therefore of some architectural merit, but are in poor condition and do not meet the standards expected of modern student accommodation. English Heritage does not consider the buildings to be of listable quality, however it does considered that the demolition would however constitute the total loss of significant undesignated heritage assets. Therefore English Heritage has recommended that an appropriate level of recording is carried out if the recommendation is to approve the application and a condition to his effect forms part of the recommendation. English Heritage does not consider the buildings on the eastern perimeter of the site to be of special architectural or historic merit, and therefore does not object to their loss.



**8.23 Landscaping**

Although landscaping is a reserved matter some illustrative details of the proposed landscaping have been provided. These are considered to be broadly appropriate, although it is noted by the Heritage Officer that there is too much formal and semi formal planting and not enough natural planting and this exacerbates the more urban character of the masterplan. Spence used formal landscaping and planting sparingly. In respect of hard landscaping, Spence used large format concrete paving slabs, not small format or irregular sized natural stone. It is considered that new paving to the academic building area and to Refectory Road and the new public space in front of the mixed use building should also follow that approach.

**8.24 Public Art:**

Policy QD6 of the Brighton & Hove Local Plan requires that the proposed development makes a contribution towards the provision of public art. This provision for public art can be made through a S106 financial contribution, or through the incorporation of public art into the design of the building. In this case, public art to the value of £15,000 is appropriate.

**8.25 Amenity issues:**

The University campus is not located in close proximity to any residential buildings and therefore the main issue in terms of amenity is the impact on the existing student population living on the campus. Noise both during the construction of the new student residential accommodation and academic buildings and after the development is completed needs to be assessed.

8.26 The Environmental Health team have commented that the new teaching accommodation and new student residential accommodation will need to be fit for purpose, as if not, students will not have access to conditions permitting restful sleep or study. The Environmental Health team have assessed the information submitted with the Environmental Statement in chapter 11, which deals with noise and vibration and are satisfied with both the acoustic report and that appropriate standards have been chosen to assess noise against. Noise in this particular context will have two main areas that generated during the construction phase and additionally, any operational noise impacts of when the development is completed and in use.

**8.27 Construction site noise.**

Any issues regarding the impact of construction noise and vibration and mitigation, would be addressed in the Construction environmental management plan (CEMP) which is included in the heads of terms of the section 106 agreement.

**8.28 Operational Noise**

The operational noise relates to the noise generated from the site in an operational format and might apply to items such as boilers, fixed machinery or plant. The information submitted is caveated by the premise that the location or type of plant is unknown at this stage, but readily acknowledges the fact that such plant can be designed in accordance with the City Councils noise standard or 10dB(A) below background, as per BS4142. Environmental Health have raised no objections but consider that a condition should be applied to ensure that a 10dB(A) below

background is met and remains as a life condition rather than being discharged. A suitable condition therefore forms part of the recommendation.

8.29 It also noted by Environmental Health that it is generally acknowledged that the site noise levels differ across the site, with the southern portion experiencing elevated levels due to road traffic noise and the northern area, where the student accommodation is located, remaining significantly quieter due to the effects of screening.

8.30 With regards to operational noise of the academic buildings, this has been presented using a noise model to demonstrate indicative or likely levels. These have identified that teaching accommodation in the lower portion of the site will require an enhanced building envelope to limit noise break in. Environmental Health are satisfied that the consultants writing the report has considered specific standards for teaching and have raised no issues with the conclusions of the report.

**8.31 Potential Land Contamination**

The application was accompanied with a land quality assessment report. The report is a desk top survey which has carried out a site visit to identify potential sources, pathways and receptors and used a risk assessment basis to populate a conceptual site model. The report indicates at the outset that it has split the site due to its size and uses into three sections.

8.32 The Environmental Health has noted that reference is made to radioactive and toxic materials being used, with the later comment suggesting that as long as they were used in accordance with their permit, then there should not be any cause for concern. However Environmental Health have suggested that further works are necessary to identify through the Environment Agency as the regulatory body for licences for radioactivity exactly what permits were held, for what reason and to further quantify the risks accordingly. Along with further clarification as to how waste was then disposed of, whether this was in a specific manner or through the drainage system.

8.33 The report also suggests that given the war time occupation of the site by foreign forces (ie Canadian army during World War II), there is also a need for an unexploded ordnance threat assessment being carried out. This can be achieved through a suitable condition and would need to potentially be carried out in sections as development continues on the site.

8.34 In view of the above a condition requiring further investigation of potential contaminated land is included in the recommendation. Environmental Health has also recommended a condition requiring a discovery strategy to deal with any unexpected findings during the construction stage.

**8.35 Sustainable Transport:**

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.

8.36 The Council's Sustainable Transport officer has assessed the application and accompanying transport statement. The university roads are private and provide

access directly onto the A27 and existing public transport services are good. The transport impact of the development is therefore expected to be very limited.

8.37 The ES submitted along with the application fully details the traffic and transport impact of the development in terms of car parking provision, public transport accessibility, trip generation and modal share of transport within the University campus.

8.38 Parking

No additional parking spaces are proposed other than disabled parking. The absence of additional general parking, complemented by an acceptable transport strategy which will focus on the use of sustainable modes is considered to be appropriate and acceptable. It should also be noted that under the current travel plan a parking permit is required for student and staff to park on the campus along with parking charges, however any student living on campus is not entitled to a permit. There is little scope for displaced parking near to the University except in Falmer Village, which is the responsibility of East Sussex County Council who could extend the parking controls introduced on football stadium matchdays if required.

8.39 Since the submission of the original application the applicants have increased the proposed number of disabled spaces to 101 in total. Of these 41 would be for disabled resident students, 20 for disabled visitors to the student accommodation and 40 for the academic facility. The academic facility provision is exactly the minimum required by SPG4. There are no standards in SPG4 for car parking for student accommodation but the amount now proposed is justified acceptably with reference to first principles. The amount of disabled parking should also be monitored as part of the travel plan process and provision increased at the expense of general parking if required by the Council in the light of monitoring results.

8.40 The applicants propose additional and improved footways, cycle routes, bus stops and cycle parking to SPG4 minimum standards. Although the cycle parking provision does comply with SPG4 the student accommodation cycle parking requirement at 1 per 3 residents is now considered low and is likely to be increased in the forthcoming revised parking standards and for this reason it is considered that cycle parking use and provision should be monitored in the same way as disabled parking as described above.

8.41 Sustainable transport

In regard to public transport the applicants have carried out surveys of buses and train services which indicate that there are unlikely to be sustained capacity problems with the number of trips estimated for 2019. The Traffic section has queried some of the methodology in particular it is noted that existing bus routes to the University are so circuitous as to discourage bus use e.g. Rottingdean/ Woodingdean. However overall it is agreed that the submitted information is robust and that it shows there would be capacity on the trains and buses to cope with the increase in demand that would arise from the increase in student numbers on the campus. This aspect of the proposals would also continue to be monitored by the travel plan and if any capacity issues arose in the future the cost of any mitigation measures would be the responsibility of the University working in conjunction with the local bus company.

- 8.42 The applicants have submitted an analysis in their Transport Assessment which demonstrates that the likely increase in car trips on the roads around the application site is negligible. The Sustainable Transport officer is satisfied that provided the transport strategy is implemented it is considered that there will not be a significant number of extra car trips and it is noted that the University has a good track record of implementing effective travel plan measures. In addition the number of car trips will be limited by the absence of significant new parking. In view of the above points it is not considered that significant additional congestion or safety problems will arise on the A27 in the vicinity of the site. The Highways Agency has not objected to the application.
- 8.43 It is noted that the East Sussex County Council Traffic Engineer while not objecting to the application in principle has requested (via Lewes District Council) a contribution of £100,000 towards mitigation measures at the Falmer Interchange in regard to an increase in traffic at this junction, arising from the development. The contribution would be used to implement capacity enhancements at the Falmer Interchange or to introduce safety measures along the A27 eastbound, on the approach to the University. At the time of writing the report the University was still in discussions with Lewes District and it is therefore not known if a contribution will be included in any s106 associated with the Lewes District Council application. However as stated above the Council's Sustainable Transport Officer remains satisfied that the submitted Transport Assessment demonstrates that provided the transport strategy is implemented, it is considered that there will not be a significant number of extra car trips and that there is no justification for requiring a contribution for highway works.
- 8.44 The University has been engaged with the Council since 2000 in a travel plan process and this has had significant success in facilitating modal shift from car use to bus and train use and the continuation of this process would be required through the inclusion of Sustainable Transport/Travel plan.
- 8.45 **Sustainability**  
Policy SU2 seeks to secure development which is efficient in the use of energy, water and materials. The policy requires proposals to demonstrate how factors such as measures that seek to reduce fuel use and greenhouse gas emissions are incorporated, further guidance is contained within Supplementary Planning Document 08. Sustainable Building Design (SPD08) Particular regard is given to factors such as: daylight/sunlight, orientation, building form, materials, landscaping and the use of natural ventilation is also relevant.
- 8.46 The sustainability features of the development include BREEAM 'excellent' and 60% in energy and water sections for all BREEAM assessed buildings. The energy strategy proposals include; extension of the existing district heating scheme; proposals to assess which renewable technologies will be specified from a list that will include wind, solar PV, solar hot water, and ground source heat pumps; passive design measures, in particular use of building orientation to maximise capacity for passive design. Green roofs to the peripheral residential accommodation along with green roof to some of the academic buildings are proposed .and green walls and roofs are proposed over the car parks located at the edge of the site and facing woodland

8.47 The Sustainability Officer has raised no objection to the application but has commented that BREEAM 'excellent' and 60% in energy and water sections is the appropriate standard for brownfield sites, but for previously undeveloped land, the higher standard of 70% in energy and water sections is expected. However it is noted that a large area of the development site is already developed and in addition the recently completed development on undeveloped land (located between the existing Northfield development to the north and Lewes Court Halls of Residence to the south) for 148 student accommodation bedrooms (ref: BH2012/00485) was conditioned to meet BREEAM 'excellent' and 60% in energy and water sections. In view of this it is considered appropriate that the requirement in this case should also be for 60% in energy and water sections.

8.48 The Sustainability Officer has also recommended that incorporation of fruit tree/orchard planting be explored and the University have made a commitment to consider this as part of the landscaping scheme.

**8.49 Waste Management:**

An Outline Site Waste Management Plan (SWMP) has been submitted as part of this planning application, which is considered to be adequate for this outline application. The applicant states that the principal contractor will develop a detailed SWMP identifying waste types and volumes in accordance with the Site Waste Management Plans Regulations 2008.

**8.50 Ecology/Nature Conservation:**

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

The proposed development is immediately adjacent to Stanmer Park Local Nature Reserve (LNR), Stanmer Village Local Geological Site (LGS) and Tenant, Lain and Moon's Gate Woods Site of Nature Conservation Importance (SNCI). Given the nature of the works, there are unlikely to be any significant impacts on sites designated for their nature conservation or geological interest.

The County Ecologist has considered surveys undertaken as part of the ES which were carried out in accordance with best practice and are sufficient to inform mitigation and compensation.

8.51 The proposed development will lead to the permanent loss of some semi-improved grassland, most notably on the East Slope. The majority of woodland habitats will be retained with no habitat loss of designated woodland sites adjacent to the development site. The loss of semi-improved grassland is acceptable given the proposed mitigation to create grassland on the west slope, to provide green (calcareous grassland) roofs, to provide naturalistic landscaping within the East Slope area to include calcareous grassland slopes, and to provide a landscaping scheme for the whole site using species that are beneficial to wildlife.

8.52 While bats have been identified as using the site and three of the buildings to be demolished support low status summer roosts of common pipistrelles. The County Ecologist considers that provided the mitigation measures outlined are implemented, the proposed development is unlikely to have a detrimental impact on biodiversity

and can be supported from an ecological perspective and would provide a way for the development to proceed and address bat conservation requirements.

- 8.53 The site is well used by badgers although no setts were found within the development site. Badgers are protected under the Protection of Badgers Act 1992. Therefore the County Ecologist has commented that best construction practice with respect to badgers should be followed. If works are likely to disturb a known sett, even if that sett is outside the development boundary, a licence may be required.
- 8.54 The site (specifically the East Slope) has been shown to support low populations of common lizard and slow worm. Slow worms and common lizards are protected against intentional killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. As it will not be possible to retain those populations on site, the proposal to translocate the animals to a 1 ha receptor site to the east of the development is considered acceptable.
- 8.55 From the information available, whilst the development site does support some suitable habitat for great crested newts, it is considered that the risk of great crested newts being present on site is low. However, it is noted that precautionary surveys are proposed for Spring 2014, and this is supported by the County Ecologist.
- 8.56 The site has the potential to support breeding birds therefore a condition stating that no hedgerow, tree or shrub shall be removed from the site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the site forms part of the recommendation.
- 8.57 In conclusion the County Ecologist confirms that the submitted Ecological Impact Assessment chapter is a good assessment and agrees with its value of the site and environs. It is considered that the proposed mitigation measures outlined in the ES are acceptable and that these are secured through a section 106 agreement setting out a Habitat Creation Plan and Management Plan for all ecological works on and off site. It is noted that the approval of the Northfield development for 148 bedrooms also secured a Habitat Creation and Management Plan as part of the section 106.
- 8.58 **Arboriculture:**  
There are no Tree Preservation Orders on this site and the Arboriculturist has stated that traditionally, the University of Sussex has treated the trees on their site with respect and therefore historically the Arboricultural Section has not felt the need to preserve trees here. In addition, while the woodland edges of the University have high public amenity value (ie, highly visible from the public roads and pavements) and this would make them worthy of Preservation Order, the trees in the centre of the site (which appears to be bowl-like, with the woodland edges) have no public amenity value and therefore their protection via this method may be seen as tenuous.
- 8.59 The Arboricultural report submitted with the application is considered to be comprehensive and the Arboricultural Section agrees with its findings and recommendations.

8.60 It is noted that 441 trees would need to be removed to facilitate the development, and a further 12 trees will need to be removed on the grounds of health and safety. The Arboricultural Section has commented that the trees to be removed fall into the following categories:

- 80 trees to be removed have been categorised as Grade A trees, meaning they are of high quality with an estimated remaining life expectancy of at least 40 years.
- 180 trees to be removed have been categorised as Grade B trees, meaning they are of moderate quality with an estimated remaining life expectancy of at least 20 years.
- 181 trees to be removed have been categorised as Grade C trees, meaning they are of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.
- 12 trees to be removed have been categorised as Grade U trees, meaning they are in such a condition that they cannot realistically be retained regardless of development.

8.61 While the loss of approximately 450 trees is regrettable, The Arboricultural Section have also noted that as many trees as possible are being retained within the site itself meaning over 250 trees will be retained and protected in the central development area, in addition the woodland areas bounding the site are all to be retained. The Arboricultural Section therefore has no objection to the subject to the retained trees being protected during the course of the development, and a landscaping condition to include adequate replacement planting.

**8.62 Other Considerations:**

The issue of the accommodation of students in their second and third year of study has been raised by some objectors. In response the university have stated that the predicted net increase in student by 2018 will be a total of 4600 of these 940 will come from the local area and not require housing as a growing number of student now choose to stay at home, therefore the required increase in student housing would be 3660. The table below show the situation if the application were approved along with other approved schemes in the City for student accommodation.

<b>Development</b>	<b>Net gain</b>
East Slope	1408
West slope	1122
London Road	350
Pelham Street	440
<b>Total</b>	<b>3320</b>

8.63 There would therefore be a predicted shortfall of approximately 340 which is considered acceptable. The University have also made the point that they could continue their expansion and not provide any additional accommodation for students;

however they remain committed to providing accommodation on campus for 40% of first year students and are working with the council to identify a further 700 units of off site accommodation. The university states that their aim is to continue to increase their student accommodation to enable more private sector rented accommodation to be released and reduce the potential problems of the loss of family housing to student HMO's and the over-concentration of the student population in certain locations in Brighton & Hove.

## 9 CONCLUSION

- 9.1 The application accords with relevant legislation and development plan policies, has a negligible impact on the setting of the listed buildings on the campus South Downs National Park and will preserve strategic views and the character of the surrounding location. The scheme provides additional student accommodation and academic buildings which is required within the City. Adequate mitigation has been identified in the accompanying ES and can be achieved to protect and enhance nature conservation features and species on the site and the scheme can achieve an 'Excellent' BREEAM rating.

## 10 EQUALITIES

- 10.1 The proposed development is required to be fully DDA compliant to disabled students, staff and visitors alike, both internally and externally.

## 11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

### 11.1 S106 Heads of Terms

- **Phasing** - The S106 will need to clearly define the Phase 1 East Slope Development, Phase 2 Academic Buildings and Phase 3 West Slope Development.  
Before commencement of all Phases
- Detailed Phasing Plan submitted to and agreed by the LPA for the demolition and construction related to Phase 1, Phase 2 and Phase 3
- **Sustainable Transport strategy/Travel plan**
- **Public art** provision to an equivalent cost of £15 000.
- **Local training and employment strategy** to include a commitment to employing 20% of construction workforce from the local area.
- **Construction environmental management plan (CEMP )**
- **Habitat creation and management plan**

### 11.2 Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.



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- 2) a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:  
 (i) appearance; and  
 (ii) landscaping.  
 b) The reserved matters shall be carried out as approved.  
 c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

**Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

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

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site boundary	D/100		20/12/13
Site boundary – Brighton & Hove	D/110		20/12/13
Site boundary – Lewes District boundary	D/120		20/12/13
Demolition plan	D/130		20/12/13
Parameter Plan1 -Access	D/140		20/12/13
Parameter Plan 2 – Landscape infrastructure	D/150	D	20/12/13
Parameter Plan 3 – Land uses	D/160	A	07/01/14
Parameter Plan 4 - Building heights	D/170		20/12/13
Listed buildings	D/200		20/12/13
Existing topography	D/220	B	20/12/13
Boundaries plan	D/230		20/12/13
Masterplan	D/300		20/12/13
Illustrative building heights	D/305	A	19/03/14
Illustrative East slope plans and sections	D/310		20/12/13
Illustrative West slope plans and sections	D/320		20/12/13
Illustrative Academic Area plans and sections	D/330		20/12/13
Tree removal and retention plan	D/400	B	20/12/13

Phase 1: East Slope Development

- 4) No hedgerow, tree or shrub shall be removed from the Phase 1 Site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the Phase 1 Site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by

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the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

**Reason:** To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

- 5) All planting, seeding or turfing comprised in the approved scheme of landscaping on the Phase 1 site shall be carried out in the first planting and seeding seasons following the first 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 on the Phase 1 Site is occupied.  
**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.
- 6) Piling or any other foundation designs on the Phase 1 Site using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 1 site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. **Reason:** To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.
- 7) No infiltration of surface water drainage into the ground of the Phase 1 Site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 1 Site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details. **Reason:** To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.
- 8) Noise associated with plant and machinery incorporated within the development on the Phase 1 Site 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 10dB(A) below background, as per BS4142.  
**Reason:** To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 9) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site 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 of the Phase 1 Site hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development on the Phase 1 Site 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.

- 10) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping on the Phase 1 Site, which shall include hard surfacing, boundary treatments, 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) No work shall take place on the Phase 1 Site (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement for the Phase 1 Site has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place on the Phase 1 Site except in complete accordance with the approved Method Statement. Such method statement shall include full detail of the following:

- Implementation, supervision and monitoring of the approved Tree Protection Scheme.
- Implementation, supervision and monitoring of the approved Treework Specification.
- Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.
- Timing and phasing of Arboricultural works in relation to the approved development

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

- 12) No works on the Phase 1 Site which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:

- i. creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of the working day; and
- ii. open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

The scheme shall be implemented fully in accordance with the approved details.

**Reason:** To ensure that badgers are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

- 13) Unless otherwise agreed in writing by the Local Planning Authority, no work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until:
- a) evidence that the development on the Phase 1 Site 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 on the Phase 1 Site 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.

- 14) Prior to the demolition the East Slope buildings on the Phase 1 site, these buildings shall be fully recorded by scaled drawing and photographs to be submitted to and approved in writing by the Local Planning Authority. The recording shall be in line with the guidance set out in the English heritage guidance 2006 'Understanding Historic Buildings: A guide to good recording practice. The recording to of the buildings shall follow the guidance for a Level 2 record. Evidence that a copy of the record has been deposited with the East Sussex Historic Environment Record (HER) shall also be submitted to the Local Planning Authority.

**Reason:** In order to provide a reasonable opportunity to record the history of the buildings and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

- 15) No development of the Phase 1 Site shall take place until the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority:
1. A site investigation scheme for the Phase 1 Site, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  2. The results of the site investigation and detailed risk assessment referred to in 1 and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required on the Phase 1 Site 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 the remediation strategy in 2 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action on the Phase 1 Site.

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Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

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

- 16) No work shall take place at ground floor slab level or above of any part of the development hereby approved on the Phase 1 Site until a surface water drainage scheme for the Phase 1 Site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development of the Phase 1 Site is completed and the buildings of the Phase 1 Site are occupied.  
**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 policy SU3 of the Brighton & Hove Local Plan.
- 17) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until details of disabled car parking provision for the students, staff and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for use at all times.  
**Reason:** To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with Local Plan policy TR18 and SPG4.
- 18) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until further details of additions and improvements on campus to pedestrian and cycle routes , bus stops, along with details of cycle parking for the students, staff and visitors to, the development hereby approved on the Phase 1 Site 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 first occupation of the development permitted on the Phase 1 Site 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.
- 19) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 1 Site until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures on the Phase 1 Site, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

**Reason:** To safeguard the character and appearance of the area, in addition to comply with policies QD2 of the Brighton & Hove Local Plan.

- 20) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved on the Phase 1 Site shall not be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built on the Phase 1 Site 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.

- 21) Prior to the first occupation of the buildings on the Phase 1 Site, a "lighting design strategy for biodiversity" for the buildings and car parks on the Phase 1 Site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- i. identify those areas/features that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites, resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- ii. show how and where external lighting will be installed on the Phase 1 Site (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting on the Phase 1 site shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

**Reason:** To safeguard protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

#### Phase 2: Academic Buildings

- 22) No hedgerow, tree or shrub shall be removed from the Phase 2 Site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the Phase 2 Site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

**Reason:** To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

- 23) All planting, seeding or turfing comprised in the approved scheme of landscaping on the Phase 2 site shall be carried out in the first planting and seeding seasons following the first 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 on the Phase 2 site 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.
- 24) Piling or any other foundation designs on the Phase 2 Site using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 2 site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.  
**Reason:** To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.
- 25) No infiltration of surface water drainage into the ground of the Phase 2 Site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 2 Site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.  
**Reason:** To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.
- 26) Noise associated with plant and machinery incorporated within the development on the Phase 2 Site 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 10dB(A) below background, as per BS4142.  
**Reason:** To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 27) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site 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 of the Phase 2 Site hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development on the Phase 2 Site 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.

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- 28) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping on the Phase 2 Site, which shall include hard surfacing, boundary treatments, 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.
- 29) No work shall take place on the Phase 2 Site (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement for the Phase 2 Site has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place on the Phase 2 Site except in complete accordance with the approved Method Statement. Such method statement shall include full detail of the following:
- Implementation, supervision and monitoring of the approved Tree Protection Scheme.
  - Implementation, supervision and monitoring of the approved Treework Specification.
  - Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.
  - Timing and phasing of Arboricultural works in relation to the approved development
- Reason:** To ensure the adequate protection of the protected trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.
- 30) No works on the Phase 2 Site which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:
- i. creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of the working day; and
  - ii. open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.
- The scheme shall be implemented fully in accordance with the approved details.  
**Reason:** To ensure that badgers are protected, in accordance with QD18 of the Brighton & Hove Local Plan.
- 31) Unless otherwise agreed in writing by the Local Planning Authority, no work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until:



- a) evidence that the development on the Phase 2 Site 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 development on the Phase 2 Site 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.

- 32) No development of the Phase 2 Site shall take place until the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority:

1. A site investigation scheme for the Phase 2 Site, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and detailed risk assessment referred to in 1 and, based on these, an options appraisal and remediation strategy for the Phase 2 Site 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 the remediation strategy in 2 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action for the Phase 2 Site.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

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

- 33) No work shall take place at ground floor slab level or above of any part of the development hereby approved on the Phase 2 Site until a surface water drainage scheme for the Phase 2 Site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development of the Phase 2 Site is completed and the buildings of the Phase 2 Site are occupied.

**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

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water disposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

- 34) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until details of disabled car parking provision for the students, staff and visitors to, the development hereby approved on the Phase 2 Site have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted on the Phase 2 Site and shall thereafter be retained for use at all times.  
**Reason:** To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with Local Plan policy TR18 and SPG4.
- 35) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until further details of additions and improvements on campus to pedestrian and cycle routes, bus stops, along with details of cycle parking for the students, staff and visitors to, the development hereby approved on the Phase 2 Site 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 first occupation of the development of the Phase 2 Site 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.
- 36) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 2 Site until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures on the Phase 2 Site, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.  
**Reason:** To safeguard the character and appearance of the area, in addition to comply with policies QD2 of the Brighton & Hove Local Plan.
- 37) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved on the Phase 2 Site shall not be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built on the Phase 2 Site 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.

- 38) Prior to the first occupation of the buildings on the Phase 2 Site, a “lighting design strategy for biodiversity” for the buildings and car parks on the Phase 2 Site shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- i. identify those areas/features that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites, resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - ii. show how and where external lighting will be installed on the Phase 2 Site (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- All external lighting on the Phase 2 site shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- Reason:** To safeguard protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

### Phase 3 – West Slope Development

- 39) No hedgerow, tree or shrub shall be removed from the Phase 3 Site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the Phase 3 Site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.
- Reason:** To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.
- 40) All planting, seeding or turfing comprised in the approved scheme of landscaping on the Phase 3 site shall be carried out in the first planting and seeding seasons following the first 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 on the Phase 3 site 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.
- 41) Piling or any other foundation designs on the Phase 3 Site using penetrative methods shall not be permitted other than with the express written consent of

the Local Planning Authority, which may be given for those parts of the Phase 3 site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

- 42) No infiltration of surface water drainage into the ground of the Phase 3 Site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the Phase 3 Site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

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

- 43) Noise associated with plant and machinery incorporated within the development on the Phase 3 Site 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 10dB(A) below background, as per BS4142.

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

- 44) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site 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 of the Phase 3 Site hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development on the Phase 3 Site 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.

- 45) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping on the Phase 3 Site, which shall include hard surfacing, boundary treatments, 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.

- 46) No work shall take place on the Phase 3 Site (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement for the Phase 3 Site has been submitted to and approved in writing by the Local

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Planning Authority. No development or other operations shall take place on the Phase 3 Site except in complete accordance with the approved Method Statement. Such method statement shall include full detail of the following:

- Implementation, supervision and monitoring of the approved Tree Protection Scheme.
- Implementation, supervision and monitoring of the approved Treework Specification.
- Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.
- Timing and phasing of Arboricultural works in relation to the approved development

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

- 47) No works on the Phase 3 Site which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:
- i. creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of the working day; and
  - ii. open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

The scheme shall be implemented fully in accordance with the approved details.

**Reason:** To ensure that badgers are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

- 48) Unless otherwise agreed in writing by the Local Planning Authority, no work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until:
- a) evidence that the development on the Phase 3 Site 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 development on the Phase 3 Site 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.

- 49) No development of the Phase 3 Site shall take place until the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority:
1. A site investigation scheme for the Phase 3 Site, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  2. The results of the site investigation and detailed risk assessment referred to in 1 and, based on these, an options appraisal and remediation strategy for the Phase 3 Site 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 the remediation strategy in 3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action for the Phase 3 Site.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

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

- 50) No work shall take place at ground floor slab level or above of any part of the development hereby approved on the Phase 3 Site until a surface water drainage scheme for the Phase 3 Site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development of the Phase 3 Site is completed and the buildings of the Phase 3 Site are occupied.

**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 policy SU3 of the Brighton & Hove Local Plan.

- 51) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until details of disabled car parking provision for the students, staff and visitors to, the development hereby approved on the Phase 3 Site have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted on the Phase 3 Site and shall thereafter be retained for use at all times.

**Reason:** To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with Local Plan policy TR18 and SPG4.

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- 52) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until further details of additions and improvements on campus to pedestrian and cycle routes, bus stops, along with details of cycle parking for the students, staff and visitors to, the development hereby approved on the Phase 3 Site 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 first occupation of the development of the Phase 3 Site 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.
- 53) No work shall take place above ground floor slab level of any part of the development hereby approved on the Phase 3 Site until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures on the Phase 3 Site, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.  
**Reason:** To safeguard the character and appearance of the area, in addition to comply with policies QD2 of the Brighton & Hove Local Plan.
- 54) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved on the Phase 3 Site shall not be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built on the Phase 3 Site 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.
- 55) Prior to the first occupation of the buildings on the Phase 3 Site, a "lighting design strategy for biodiversity" for the buildings and car parks on the Phase 3 Site shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- i. identify those areas/features that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites, resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - ii. show how and where external lighting will be installed on the Phase 3 Site (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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All external lighting on the Phase 3 site shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

**Reason:** To safeguard protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

- 56) Prior to the demolition of The four 'quads' buildings of Lancaster, York, Norwich and Essex and The Park Village buildings on the Phase 3 Site, these buildings shall be fully recorded by scaled drawing and photographs to be submitted to and approved in writing by the Local Planning Authority. The recording shall be in line with the guidance set out in the English heritage guidance 2006 'Understanding Historic Buildings: A guide to good recording practice. The recording to of the buildings shall follow the guidance for a Level 2 record. Evidence that a copy of the record has been deposited with the East Sussex Historic Environment Record (HER) shall also be submitted to the Local Planning Authority.

**Reason:** In order to provide a reasonable opportunity to record the history of the buildings and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

### 11.3 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-
    1. The application accords with relevant legislation and development plan policies, has a negligible impact on the setting of the listed buildings on the campus South Downs National Park and will preserve strategic views and the character of the surrounding location. The scheme provides additional student accommodation and academic buildings which is required within the City. Adequate mitigation has been identified in the accompanying ES and can be achieved to protect and enhance nature conservation features and species on the site and the scheme can achieve an 'Excellent' BREEAM rating.
    2. The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1<sup>st</sup> March – 30<sup>th</sup> September. The developer should take appropriate steps to ensure nesting



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- birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.
3. The applicant is advised of the possible presence of bats on the development site. All species of bat are protected by law. It is a criminal offence to kill bats, to intentionally or recklessly disturb bats, damage or destroy a bat roosting place and intentionally or recklessly obstruct access to a bat roost. If bats are seen during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.
  4. The applicants are advised that badgers may be present on site. Badgers and their setts are protected under the Protection of Badgers Act 1992. It is a criminal offence to kill, injure or take badgers or to interfere with a badger sett. Should a sett be found on site during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.
  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 and for connection to the water supply. Southern Water, southern House Sparrowgrove, Otterbourne Hampshire SO21 2SW (Tel: 0330 303 0119).
  6. The applicant is advised that it has been identified that the land is potentially contaminated. If, during development, contamination not previously identified is found to be present at the site then no further development should be carried out until the developer contacted the Council's Environmental Health Department for advice. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.



# **ITEM B**

**Seaholme Hotel, 10-11 Seafield Road, Hove**

**BH2013/02543**  
**Full planning**

**25 JUNE 2014**

# BH2013/02543 Seaholme Hotel, 10-11 Seafield Road, Hove.



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2013/02543</b>	<b><u>Ward:</u></b>	<b>CENTRAL HOVE</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Seaholme Hotel 10-11 Seafield Road Hove</b>		
<b><u>Proposal:</u></b>	<b>Conversion of ground, first and second floor of 10 Seafield Road Hove, from hostel (C1) to 5no self contained flats incorporating revised entrance and associated works. (revised design)</b>		
<b><u>Officer:</u></b>	Steven Lewis Tel 290480	<b><u>Valid Date:</u></b>	02 August 2013
<b><u>Con Area:</u></b>	Old Hove	<b><u>Expiry Date:</u></b>	27 September 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Claire Haigh Associates Ltd, 9 Kenton Road, Hove		
<b><u>Applicant:</u></b>	SoBo, 10-11 Seafield Road, Hove		

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to an existing hostel spread over two former dwellings on the east side of Seafield Road in Hove. The building is located within the Old Hove Conservation Area.
- 2.2 The building has been altered over time, including a full width rear flat roof ground floor extension, various subdivisions to create multiple dormitories and large full width rear and front box dormers.
- 2.3 The premises are currently accessed via the basement/lower ground floor level. The lower ground floor is laid out with reception, kitchen, refectory and dining area. Each of the floors house multiple bedrooms and shared bathroom facilities. The hostel is predominantly used by travellers and back packers and caters for tourist accommodation.

## 3 RELEVANT HISTORY

- BH2005/00581/FP** - Change of use from hotel to student hostel (Sui Generis) Retrospective. – Refused 19/04/2006
- BH2003/02433/FP** - Change of use from hotel (C1) to foreign language student accommodation (Sui Generis). - Refused 12/09/2003

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the conversion of ground, first and second floor of 10 Seafield Road from hostel (C1) to 5 self contained flats incorporating a revised entrance and associated works.
- 4.2 The design of the proposal has been amended to omit roof terraces and balconies that were sought on the upper floors.
- 4.3 The proposal would retain the use of the lower ground floor of both properties for Hostel use and the remainder of 11 Seafield Road.

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

##### **External**

- 5.1 **Neighbours: Eight (8)** letters of representation have been received from **18, 20 (x4), 22, (x2) 24 (GFF), 26 Osborne Villas, 9 Seafield Road**, objecting to the application for the following reasons:

- The creation of roof terraces and balconies at the rear of the properties would result in overlooking, a loss of privacy, noise and disturbance
- Inappropriate roof extensions and roof terraces would proliferate in the area as a result of such a development on the site
- The changes to the roof would not preserve the character or appearance of the conservation area and would not accord with design guidance within SPD12
- The ground floor of the terrace planned on top of the flat roof extension is approximate to the height of the boundary treatment of neighbours and as a consequence does have an impact despite a lower level position.
- The use of the flat roof as a terrace at the lower level would harm the visual amenity of the area and contrary to SPD12. Screening of the lower level terrace would create unwelcomed bulk and harm the character of the conservation area.
- The conversion of the building to flats may be welcomed if concerns over existing residents could be resolved.

- 5.2 **Councillor Christopher Hawtree** objects to the proposal and requests the application be determined by committee. (See Letter attached to agenda)

- 5.3 **Mr Mike Weatherley MP** objects to the proposal on the following grounds:

- the principle of conversion of 10-11 Seafield Road into residential flats in supports as it will reduce noise problems from the building;
- the balconies included will significantly impact on the privacy of properties on the western side of Osborne Road;
- the supporting documentation accompanying the application states that the flats will be used for holiday lets;
- the application should be submitted for the entire building, the piecemeal approach is concerning.

##### **Internal:**

5.4 **Access Consultant:** Comment

Nothing much can be done with the stepped access, the lack of clear space at the leading edge of the existing doors and the unsatisfactory bathroom to these flats but some effort should be made to avoid creating new situations that do not meet Lifetime Homes standards.

5.5 There are several places where new partitions are proposed in positions that will result in existing doors not having the required 300mm clear space at the leading edge.

5.6 The new ground floor bathroom does not have suitable side transfer space to the WC and is not capable of accommodating a 1.5m diameter turning circle.

5.7 The new first floor bathrooms do not have the necessary 1100mm clear space in front of the WC and are not capable of accommodating a 1.5m diameter turning circle.

**Private Sector Housing:** Comment

5.8 No objections

**Arboriculture:** Comment

5.9 A condition should be placed on any consent granted that a tree protection plan complying with BS5837 (2012) should be submitted to ensure that the protection of the retained trees on site, especially during the construction period

**Sustainable Transport:** Comment

5.10 Recommended approval as the Highway Authority has no objections to this application subject to the inclusion of a necessary condition and informative to create car free units and a Unilateral Undertaking to secure a contribution for on street cycle parking via a S106 agreement.

**6 MATERIAL CONSIDERATIONS**

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 The development plan is:

- Brighton & Hove Local Plan 2005 (saved policies post 2007);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
- East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
- East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.

6.3 The National Planning Policy Framework (NPPF) is a material consideration.

- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
SR15	Protection of hotels/guest houses
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO7	Car free housing
HO9	Residential conversions and the retention of smaller dwellings
HO13	Accessible housing and lifetime homes

#### Supplementary Planning Guidance:

SPGBH4	Parking Standards
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#### Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD08	Sustainable Building Design
SPD09	Architectural Features
SPD12	Design Guide for Extensions and Alterations

#### Brighton & Hove City Plan Part One (submission document)



SS1 Presumption in Favour of Sustainable Development  
CP6 Visitor accommodation

## **8 CONSIDERATIONS & ASSESSMENT**

8.1 The primary matters of consideration in this case are the loss of the Hostel / tourist accommodation use and the creation of new accommodation, its impact upon the residential amenity of adjacent and nearby occupiers, transport and sustainability.

### **Planning Policy:**

8.2 The site is located outside the Hotel/guest accommodation core area, defined by SR15 of the adopted Local Plan. Policy SR15 of the Local Plan does not permit the change of use of hotels in this core area unless clear evidence is provided to demonstrate that the hotel or other holiday accommodation is no longer viable.

8.3 However Policy CP6 of the Submission City Plan redefines the Hotel Core Zone boundary in light of findings from the Hotel Futures Study 2007 to exclude the western (Hove) part of the city. This policy is considered to hold more weight than Local Plan Policy SR15 as although there is a significant change of approach, the objections support the direction of travel of the policy.

8.4 The supporting text to this policy states that it is important that Brighton & Hove's hotel sector is allowed a period of consolidation and recovery to help demand and supply get back into balance, and in paragraph 4.63 notes that a flexible approach is introduced to allow those premises that have become poorly located to the main generators of demand and with limited potential to re-position themselves viably to exit the market.

8.5 At present, there is no agreed up to date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (20,000 units) as the basis for the five year supply position. The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. Due to OAN requirement for Brighton & Hove and the significant shortfall in housing land, a great deal of weight should be attached to housing proposals that would help fulfil this need. The specific impacts of the development are considered fully below.

### **Residential amenity:**

8.6 The proposed residential use would be compatible with the surrounding properties and outlying area, which apart from the main shopping area comprised of retail and commercial uses to the north, is predominately

residential. The immediate site surroundings and adjoining buildings with exception of the retained portion of the Hostel are residential.

- 8.7 There is no evidence to suggest that the proposed use would impact on the present amenity of the area or harm the amenity of neighbours. As such, areas of the garden, ground floor terrace and Juliet balconies are not considered to be incompatible with the neighbourhood or be likely to cause a significant disturbance which would not be dealt with by other primary legislation, in this case Environmental Protection Act.
- 8.8 The main area of concern from residents and other interested parties are with regards to the potential for loss of privacy. This arises from the use of terraces and Juliet balconies to create private amenity space for the occupiers of the prospered flats. In response to concerns the scheme has been amended to withdraw roof top terraces, balconies and a terrace above the flat roof extension at ground floor level. The balconies have been replaced with Juliette rails and inward opening doors, whilst the ground floor terrace has been omitted.
- 8.9 The removal of the upper floor amenity spaces and the ground floor terraces are welcomed since the balconies and terraces were considered to result in a significant overbearing and harmful impact in terms of loss of privacy. The replacement with Juliet rails is a reasonable compromise that would not impinge further than views which are available from existing windows and do not narrow distances between properties to the rear of properties on the western side of Osborne Road
- 8.11 The treatment on the rear boundary comprises of high timber panelled fence, occasional trellis and mature trees and planting. The gardens of both sides are shallow, due in part to the dense urban fabric, the long rear projection of the outriggers of the properties in Osborne Road and the extension covering a proportion of the rear curtilage. The garden depth on Seafield Road is approximately 8m, narrowed by the extension to 3.5m, the garden depth on Osborne Road approximately 7m, the length being diminished where there are outriggers to approximately 4m, overall in some cases a depth of 7.5m exists between elevations.
- 8.12 It should be noted that the proposed Juliette balcony would make use of openings and give a similar outlook and impact upon amenity that is experienced at present. The proposed balconies would have little discernable greater views than those afforded by the existing windows whilst the existing planting/trees would provide sufficient screening to prevent overbearing and directly harmful views of the neighbouring properties.

**Living accommodation standards:**

- 8.13 The ground floor flat has a contrived layout due to the recessed location of the staircase. However, the overall floor space would provide a comfortable standard of accommodation for occupiers. The ground floor unit would have amenity space, two bedrooms, living room and a separate kitchen.

- 8.14 The upper floors have been divided into two one bedroom flats per floor. Each of those flats would have bedroom located within the rear room and the principal room a shared lounge/kitchen area, all with an internal bathroom. The flats would provide an adequate standard of living for occupants and sufficient aspect, light, ventilation and outlook.
- 8.15 Given concern with regards to privacy, the use of Juliette balconies at the high levels is an acceptable alternative to amenity space.
- 8.16 The cycle stores shown on each floor would have little appreciable use as cycle parking due to the stepped access and limited space. However, such spaces could be utilised for refuse and recycling and a condition could be placed to ensure this is secured.

**Design:**

- 8.17 The alterations would have little impact on the character and appearance of the area. The balustrade would be located at the rear over an existing flat roof extension and set against the context of the already significantly altered property.
- 8.18 The windows within the dormers would be replaced. The present dormers are a significant negative presence in the street; the proposed changes are an acceptable form of alteration that would have little discernable impact than that of the existing.

**Sustainability:**

- 8.19 The development would achieve a BREEAM rating of 'Very Good' for domestic refurbishment. Such a measure would meet the requirements of policies SU2 and SPD08 and should be secured by planning conditions.
- 8.20 The proposal is a minor scale conversion of an existing property and there is therefore a limited further opportunity to improve the performance of the building.

**Transport:**

- 8.21 The proposed cycle parking is not satisfactory. It would be located up steps and on the 1<sup>st</sup> and 2<sup>nd</sup> floor. This means that not all residents may be able to access the cycle parking spaces and would be inconvenient and difficult to access.
- 8.22 Adopted cycle parking standards states for a development of this size that 7 cycle parking spaces should be provided. To comply with Local Plan policy TR14 and TR19 the Highway Authority would request that the applicant makes a contribution of £1000 to implement the equivalent amount of cycle parking provision on-street and in the vicinity of the site. Recession measures currently preclude contribution of schemes of five or less residential units.
- 8.23 It is considered that the proposed development has good access and is near local services and public transport and is within a controlled parking zone; therefore, to accord with the City Council's Local Plan policy HO7. The Transport team have requested a condition is attached to prohibit residents from being eligible for

## PLANNING COMMITTEE LIST- 25 JUNE 2014

parking permits and encourage the development and surrounding area to be genuinely car-free.

- 8.24 The change of use from 13 rooms in a hostel to 5 flats is unlikely to generate additional person trips therefore the Highway Authority does not wish to object on these grounds.

### 9 CONCLUSION

- 9.1 The site is located outside of the hotel core protection area in the emerging City Plan and the change of use is acceptable upon the basis that the proposal would create five additional units of accommodation that would provide adequate accommodation standards for their occupants and would not unduly harm the amenities of the area or adjacent residents.

### 10 EQUALITIES

- 10.1 The proposal would be required to meet Part M of the Building Regulations and planning condition to secure improvement to accessibility is recommended.

### 11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

#### 11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below. **Reason:** For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Location Plan	CH435/001	-	25/07/2013
Existing Lower Ground Floor Plan	CH435/002	-	25/07/2013
Existing Ground Floor Plan	CH435/003	-	25/07/2013
Existing First Floor Plan	CH435/004	-	25/07/2013
Existing Second Floor Plan	CH435/005	-	25/07/2013
Front Elevation & Section	CH435/006	-	25/07/2013
Existing Rear Elevation and Section	CH435/007		25/07/2013
Proposed Lower Ground Floor Plan	CH435/008	B	25/07/2013
Proposed Ground Floor Plan	CH435/009	E	02/04/2014
Proposed First Floor Plan	CH435/010	E	19/11/2013
Proposed Second Floor Plan	CH435/011	F	02/04/2014
Proposed Front Elevation & Section	CH435/012	B	19/11/2013
Proposed Rear Elevation	CH435/013	C	02/04/2014

PLANNING COMMITTEE LIST- 25 JUNE 2014

(Excluding Section)			
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- 3) 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) No residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'very good' as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable. **Reason:** To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.
- 5) None of the residential units hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'very good' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority. **Reason:** To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.
- 6) The new dwelling(s) hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter. **Reason:** To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
- 7) 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.

11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. The applicant is advised that the scheme required to be submitted by Condition 8 should include the registered address of the completed development; an invitation to the Council as Highway Authority (copied to

## PLANNING COMMITTEE LIST- 25 JUNE 2014

- the Council's Parking Team) to amend the Traffic Regulation Order; and details of arrangements to notify potential purchasers, purchasers and occupiers that the development is car-free
3. The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites ([www.breeam.org](http://www.breeam.org)). Details about BREEAM can also be found in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website ([www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)).
  4. This decision to grant Planning Permission has been taken:
    - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents: (Please see section 7 of the report for the full list); and
    - (ii) for the following reasons:-

The site is located outside of the hotel core protection area and the change of use is acceptable upon the basis that the proposal would create five additional units of residential accommodation that would provide adequate accommodation standards for their occupants and would not unduly harm the amenities of the area or adjacent residents.

Dear Jeanette,

**Application No. BH2013/02543 (Revised Design)  
Seaholme Hotel, 10-11 Seafield Road, Hove**

Earlier in the year, I wrote to object to the proposed alterations at the rear of this building, and had particular regard to SPD12.

I note that changes have since been made to the proposal, but I remain disconcerted by the continued proposal to build "a ground-floor balcony" at number 10 which would in fact be on the top of the existing flat roof of the ad hoc structure at the rear.

This would overlook properties on Osborne Villas. Any attempt to screen this would not only increase the bulk but remain counter to SPD12 (which specifically forbids such screening) and provide no protection from noise.

As such, my previous Objection stands, and is reinforced by reference to HE6 in the Local Plan.

To allow this Application would be to heap Ossa on Pelion.

Should this Application be recommended for approval, then I ask for it to be brought to the Planning committee, where I should like to speak on the subject as Ward Councillor.

All the best,



Christopher Hawtree





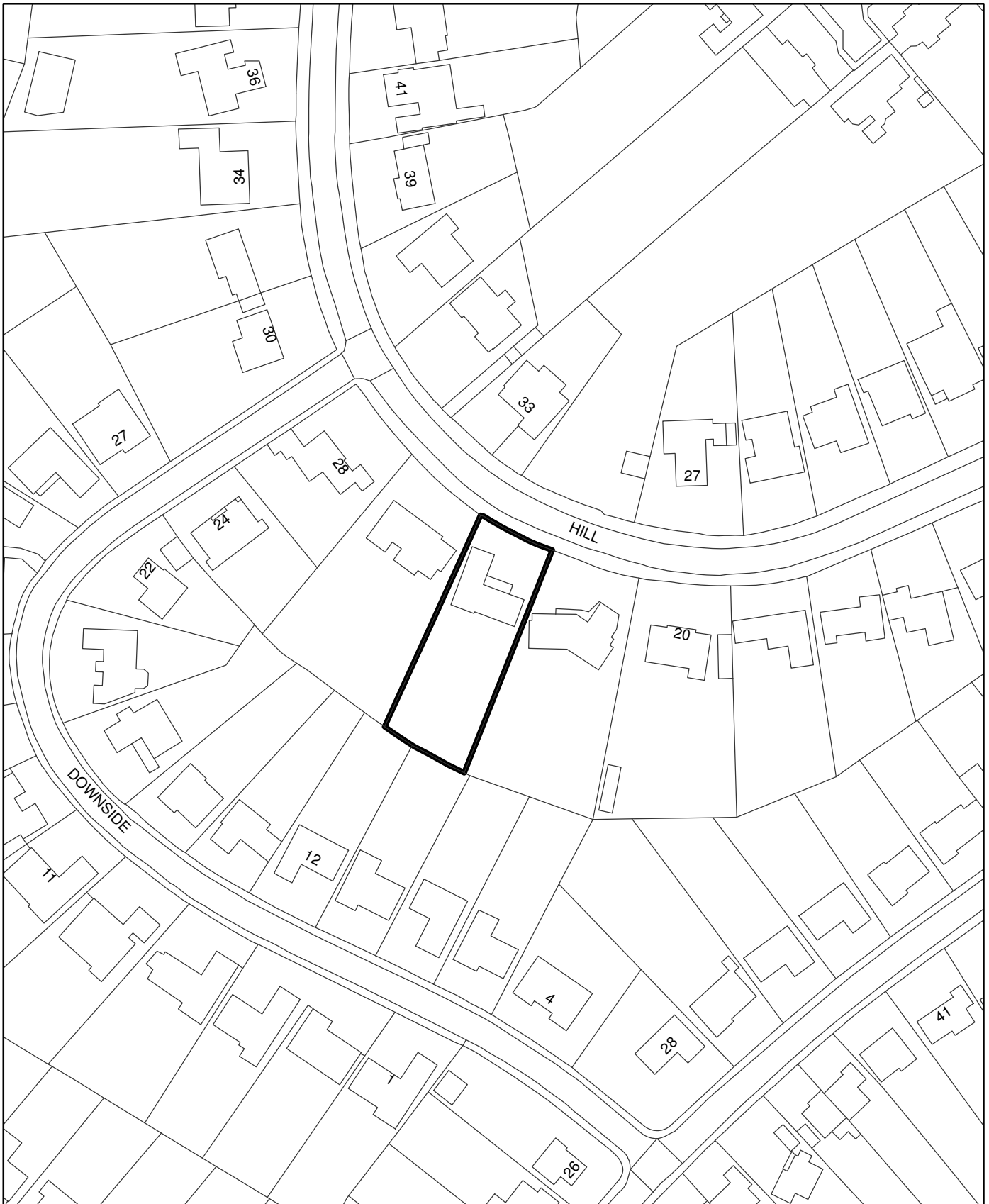
# **ITEM C**

**24 Hill Brow, Hove**

**BH2014/00599**

**Householder planning consent**

**25 JUNE 2014**



**Brighton & Hove  
City Council**

N



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2014/00599</b>	<b><u>Ward:</u></b>	<b>HOVE PARK</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>24 Hill Brow Hove</b>		
<b><u>Proposal:</u></b>	<b>Erection of single storey rear extension, revised fenestration, increased ridge height, rear dormers, front and rear rooflights and associated works.</b>		
<b><u>Officer:</u></b>	Christopher Wright Tel 292097	<b><u>Valid Date:</u></b>	19 March 2014
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	14 May 2014
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	C-Architecture, 67 Church Road, Hove BN3 2BD		
<b><u>Applicant:</u></b>	Mr Mark Walters, 24 Hill Brow, Hove BN3 6QF		

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a large two-storey detached house located on the south side of Hill Brow, Hove. The property sits below street level in a run of detached houses of various styles.

## 3 RELEVANT HISTORY

- BH2011/01805** – Ground and first floor extension to front of property including enlarged pitched roof and canopy porch. Approved 3 August 2011.  
**BH2009/01199** – Erection of a rear first floor extension with pitched roof. Approved 9 September 2009.  
**BH2007/00963** – Roof dormer to rear. Approved 2 May 2007.  
**BH2006/04308** – Roof dormer to rear. Refused 12 February 2007.  
**BH2004/03489/FP** – Rear extension with balcony over. Approved 25 February 2005.  
**BH2004/02748/FP** – Side extension to front porch. Approved 18 October 2004.  
**BH2004/02240/FP** – Front boundary wall and new gates. Approved 13 September 2004.

## 4 THE APPLICATION

- 4.1 The application seeks planning permission for the proposed erection of a single storey rear extension, revised fenestration, increased ridge height, two rear dormers, rooflights and associated works, which include two air conditioning units to the northern flank elevation.
- 4.2 **Single storey rear extension:**

The proposed single storey rear extension would infill an existing void where the first floor overhangs the ground floor. This would create an enlarged space internally which would be used as a games room. This alteration would enable the existing first floor balcony, which extends the width of the property but narrows at one end, to be brought out to an equal depth its entire length.

**4.3 Raised ridge height:**

The proposal is to raise the ridge height by 750mm from 6.6m to 7.35m above ground level. The flat roof and parapet to the front elevation would be removed and the main pitched roof widened to come out over the top, and slope down to an eaves height to match the eaves height of the existing front projection, which also has a pitched roof.

4.4 The resulting roof would be 5cm below the ridge of 26 Hill Brow which is 7.4m above ground level, and 1.4m higher than the roof of 22 Hill Brow which is 6m above ground level.

**4.5 Revised fenestration:**

The proposed revised fenestration relates principally to the front elevation whereby the distinctive narrow, slotted windows on both the ground and first floors would be replaced with more common and larger styles of window arranged in pairs and as a three on the front projection, and lining up vertically.

**4.6 Two rear dormers:**

The proposal is to remove the large, single dormer from the rear roof slope and to construct two smaller dormers along with a single rooflight. The dormers would have flat roofs.

**4.7 Rooflights:**

Two rooflights are proposed on the newly built front roof slope. A single, small rooflight is proposed on the rear roof slope.

**5 PUBLICITY & CONSULTATIONS**

**External:**

5.1 **Neighbours: Four (4)** letters of representation have been received from **10 (x2), 12 (x2), 14 (x2) Downside; and 26 (x2) Hill Brow, objecting** to the application for the following reasons:-

- Overlooking from rear dormers and first floor balcony.
- Loss of privacy.
- Roof will be higher than neighbouring properties.
- Inaccurate plans not to scale.
- There have been 7 applications at this site since 2004.
- Noise and dust throughout the summer.
- Large and noisy air conditioning units.
- Amended plans appear to double the increase in ridge height.
- Querying the size and noise level from the air conditioning units.
- Querying whether the proposed fence would replace the current hedge.

- 5.2 **Councillor Brown and Councillor Bennett** object to the application. Copy of letter attached.

**Internal:**

- 5.3 **Arboriculturalist:** No objection  
Two ornamental trees/shrubs (Eleagnus) may be lost and one Japanese Maple (approximately 1m in height) will either be lost or transplanted.
- 5.4 These specimens are all of little arboricultural value and no objection is raised to their loss.
- 5.5 Two further trees will need to be pruned to facilitate development, one juvenile Cherry and one Bay tree/hedging plant. There is no objection to this.

**6 MATERIAL CONSIDERATIONS**

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

**7 RELEVANT POLICIES & GUIDANCE**

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

QD14 Extensions and alterations

QD27 Protection of Amenity

SU10 Noise nuisance

Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

## **8 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to design and appearance and the impact on neighbour amenity.

### **8.2 Design and appearance:**

Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:

- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
- b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
- c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
- d) uses materials sympathetic to the parent building.

8.3 In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.

### **8.4 Increased ridge height**

SPD12 states that raising the ridge height or reshaping the roof structure is a significant change that will not be appropriate where the existing roof form is an important element of the building's character, contributes positively to the local street scene or where the extension would harm the amenities of adjacent properties.

8.5 SPD12 further states that additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline and general appearance of the street scene including its topography.

8.6 The comments from neighbouring residents are noted. The amended plans submitted were to correct inaccuracies in the scale of the initial drawings to enable a direct comparison and measurement between existing and proposed elevations. The proposal itself was not revised or altered. The proposed

increase in the height of the ridge has not been doubled compared to the initial proposal, only the elevation drawings have been corrected.

- 8.7 The proposed increase in the height of the ridge is considered acceptable. The height of the resulting dwelling would sit between the heights of both neighbouring properties and as such the development would not appear incongruous or inappropriately tall, and the development would respect the topography of the site.
- 8.8 The pitched roof form proposed is in keeping with the general form of existing houses in the local area and would not have an unusual or inappropriate appearance in the street scene.
- 8.9 In addition, the proposed pitched roof over the flat projection on the front elevation is considered acceptable and the replacement of the modern 'slotted' windows on the front façade with more traditionally proportioned window openings, would not be out of character or harmful to visual amenity.
- 8.10 Dormer windows and rooflights  
SPD12 states that dormer windows should be kept as small as possible and clearly be a subordinate addition to the roof, set appropriately in the roof space and well off the sides, ridge and eaves of the roof. In some cases a flat roof may be considered preferable to a pitched roof in order to reduce the bulk of a dormer. The supporting structure for the dormer window should be kept to a minimum as far as possible to avoid a "heavy" appearance and there should be no large areas of cladding either side of the window or below. As a rule of thumb a dormer should not be substantially larger than the window itself unless the particular design of the building and its context dictate otherwise.
- 8.11 Dormer windows should normally align with the windows below. However, in certain cases it may be preferable for dormers to be positioned on the centre line of the building or the centre line of the space between the windows below.
- 8.12 Neighbour comments in respect of the proposed rear dormers have been noted. The comments relate predominantly to amenity issues as opposed to the design and appearance of the dormers.
- 8.13 The existing dormer is tall and over-sized and has a dominant appearance in relation to the rear roof slope. The two proposed dormers would be smaller in size and set well away from the ridge and eaves of the main roof to the dwelling. The dormers would line up with the centre line of the windows/balcony doors at first floor level and they would also be evenly spaced within the rear roof slope. The dormers would have minimal areas of cladding around the dormer window openings. The dormers proposed are considered to be compliant with SPD12.
- 8.14 Rooflights should be kept as few and as small as possible and should relate well to the scale and proportions of the elevation below, including aligning with windows where possible or centring on the spaces between them where appropriate. Irregular rooflight sizes and positioning should be avoided, and in particular will be resisted on street elevations.

- 8.15 The application proposes two rooflights on the front roof slope. These would be of equal size and would be evenly spaced out within the roof slope. The rooflights would not dominate the roof slope. A small rooflight is also proposed on the rear roof slope. This is not considered likely to be harmful to the character or appearance of the recipient building.
- 8.16 Accordingly, the proposed roof alterations and extensions are considered acceptable and in accordance with the advice contained in SPD12.
- 8.17 Rear extension and balcony  
The proposed single storey rear extension would infill an existing void beneath the first floor balcony and would result in a uniform rear building line to the dwelling. There is an existing masonry wall to the side of the void, and in essence the proposal is simply to move the rear wall farther back, so that it lines up with the rest of the rear elevation. This alteration would not be readily visible from neighbouring properties and is not considered likely to detract from the character or appearance of the dwelling.
- 8.18 Neighbour comments in respect of the first floor balcony have been noted. There is an existing first floor balcony to which neighbours raise amenity concerns. No significant concerns have been raised in respect of the design and appearance. The proposal is to square off the narrow end of the existing balcony which would result in an additional 5 square metres of balcony space. The existing balcony is some 26.5 square metres in area. This is considered acceptable and would not be harmful to the character or appearance of the dwelling.
- 8.19 **Neighbour amenity:**  
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.
- 8.20 The letters received from neighbours have been taken into consideration. The main issues include overlooking from the existing first floor balcony at the rear, the existing and the proposed dormers, and potential noise from the air conditioning units.
- 8.21 Noise and dust during construction is normally temporary and is not a material consideration that would warrant refusal of planning permission. Environmental Health has powers under the Environmental Protection Act to control excessive noise and dust if such issues arise.
- 8.22 Consideration is also given as to the impact of the development on neighbours in respect of overshadowing or loss of light.
- 8.23 First floor balcony  
Neighbours in Downside have objected partly on grounds of overlooking from the rear balcony at first floor level. The separation distance between the rear elevation of the application site and the rear elevations of the nearest properties



in Downside (nos. 10 and 12) is approximately 60m. However, due to the sharply sloping hillside, the application site is on higher ground and this should be taken into consideration.

8.24 The first floor balcony already exists and the current application seeks to increase the depth of a short length of the balcony by approximately 1m. The proposal would square off the narrow end of the existing balcony which would result in an additional 5 square metres of balcony space. The existing balcony is some 26.5 square metres in area. The small enlargement of the balcony is not considered likely to materially affect the impact on neighbour amenity compared to the existing situation in terms of overlooking. In addition, the level of overlooking is not considered to be unacceptable because views are distant and the properties are well separated.

8.25 Proposed rear dormers

Neighbours have raised objections to the existing rear dormer, which is large, and which neighbours feel overlooks their properties resulting in a loss of privacy. The rear dormer was granted planning permission in 2007 (ref. **BH2007/00963**). The impact on neighbour amenity was taken into consideration and the application was approved.

8.26 Notwithstanding the proposed increase to the ridge height, the two proposed dormers would be smaller in size than the existing dormer. The middle dormer would serve a bathroom and would most likely be obscure glazed or have a blind to protect the applicant's privacy. Neither of the dormers would be to habitable rooms.

8.27 As no objection based on amenity impact was raised when the existing dormer was considered in 2007, and in view of the proposed dormers being smaller in size, it is considered difficult to justify a refusal of planning permission in this instance. The dormers would be in excess of 60m from the rear elevations of properties in Downside and the views from the dormers would be predominantly distant sea views rather than views into neighbour's homes.

8.28 Whilst neighbour comments have been taken into account, it is considered in view of the planning history at the site and in view of the small size of the dormers and their distance from neighbouring homes in Downside, that no significant adverse amenity impact would occur.

Air conditioning units

8.29 The applicant has not submitted details of the air conditioning units. These could generate noise that would disturb the amenity of neighbours. It is recommended a condition is imposed requiring details of the air conditioning units together with a regulatory condition to ensure sound levels at the nearest noise sensitive façade, 26 Hill Brow, are no more than 5dB below background noise levels.

Overshadowing and loss of light

8.30 There are no habitable room windows to either adjoining property that would be adversely affected by the proposal in terms of loss of light. The properties do not have flank windows and there is sufficient separation between the

properties to mitigate against any otherwise overbearing impact. The pitched roof design of the alteration to the front projection would effectively reduce the eaves height, because the existing projection has a flat roof and parapet edge, which is taller.

## 9 CONCLUSION

- 9.1 The proposed development is considered to be appropriately designed and detailed in relation to the existing house and its surroundings, and would not be detrimental to visual amenity or the character and appearance of the locality.
- 9.2 The proposal is not considered likely to have a significant adverse impact on the residential amenity of neighbouring occupiers.
- 9.3 Accordingly approval is recommended.

## 10 EQUALITIES

- 10.1 Not applicable.

## 11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

### 11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Existing Floor Plan, Location Plan and Site Plan	158-E001	B	7 May 2014
Existing Elevations	158 E002	B	7 May 2014
Proposed Plans and Perspectives	158-SK001	A	8 Apr 2014
Proposed Elevations	158-SK002	A	8 Apr 2014
Proposed and Existing Street Elevations	158-SK005	A	8 Apr 2014

- 3) No extension, enlargement, or alteration of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) 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.

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

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

- 5) Noise associated with the external air conditioning 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 below the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.

**Reason:** To safeguard the amenities of the occupiers of neighbouring properties, particularly 26 Hill Brow, and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

- 6) No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments. The boundary treatments shall be provided in accordance with the approved details and retained as such thereafter.

**Reason:** To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD1, QD15 and QD27 of the Brighton & Hove Local Plan.

#### 11.2 Informatives:

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

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

- (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and

- (ii) for the following reasons:-

The proposed development is considered to be appropriately designed and detailed in relation to the existing house and its surroundings, and

PLANNING COMMITTEE LIST- 25 JUNE 2014

would not be detrimental to visual amenity or the character and appearance of the locality.

The proposal is not considered likely to have a significant adverse impact on the residential amenity of neighbouring occupiers.

From: Vanessa Brown  
Sent: 23 May 2014 11:16  
To: Christopher Wright  
Subject: BH2014 00599

Dear Mr Wright,

Ref: BH2014 00599. 24 Hill Brow

As ward councillors we are writing to object to the above application. By raising the roof and putting in two large dormer windows the residents of no's 10, 12 and 14 Downside will be very overlooked. No. 10 does have some trees to give protection during the summer months but no's 12 and 14 will be particularly affected.

There is already a very large balcony that overlooks them but these windows which are much higher will cause a greater loss of privacy.

If the recommendation should be to pass this application we would request that it goes before the planning committee for a decision.

Yours sincerely,

Cllr Jayne Bennett

Cllr Vanessa Brown

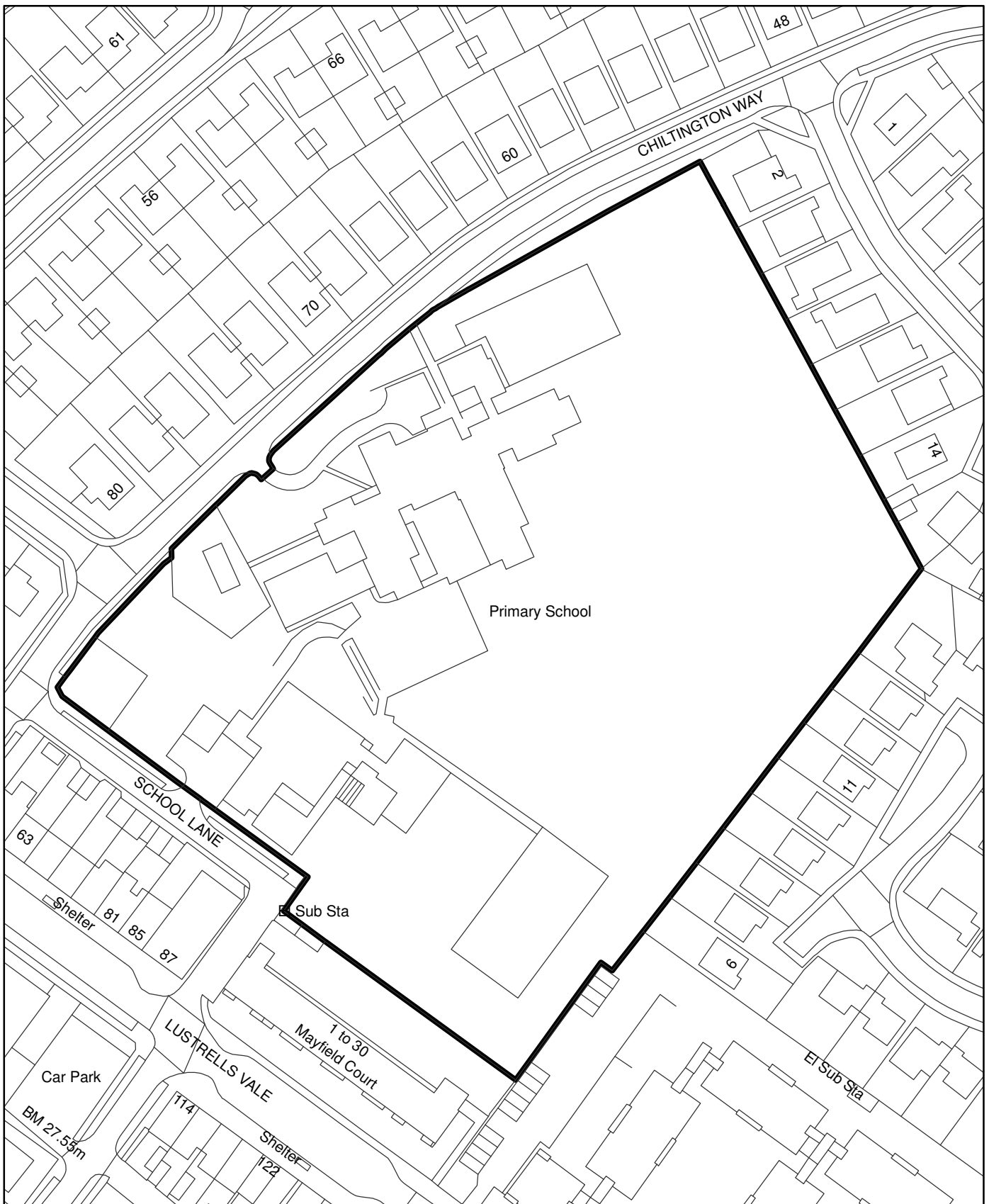


# **ITEM D**

**Saltdean Primary School, Chiltington Way,  
Saltdean, Brighton**

**BH2014/01162  
Full planning**

**25 JUNE 2014**



**Brighton & Hove  
City Council**



**Scale: 1:1,250**



<b><u>No:</u></b>	<b>BH2014/01162</b>	<b><u>Ward:</u></b>	<b>ROTTINGDEAN COASTAL</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Saltdean Primary School Chiltington Way Saltdean Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of two temporary classrooms with associated landscaping.</b>		
<b><u>Officer:</u></b>	Adrian Smith Tel 290478	<b><u>Valid Date:</u></b>	10 April 2014
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	05 June 2014
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Brighton & Hove City Council, Kings House, Grand Avenue, Hove BN3 2LS		
<b><u>Applicant:</u></b>	Brighton & Hove City Council, Martin Hucker, Kings House, Grand Avenue, Hove BN3 2LS		

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to Saltdean Primary School located on the south side of Chiltington Way. The school is set in its own grounds fronting Chiltington Way, with residential properties adjoining to the eastern, southern and western boundaries.

## 3 RELEVANT HISTORY

**BH2013/01841-** Erection of single storey modular building containing classroom, group room, toilets and store with covered link to existing building and landscaping. (Retrospective). Approved 14/08/2013

## 4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a single storey prefabricated building to the northeast part of the site to accommodate two classrooms and toilet facilities. The building is required for a temporary period of five years to accommodate an additional 30 pupils at the school.

## 5 PUBLICITY & CONSULTATIONS

**External:**

### 5.1 Neighbours:

**Five (5) letters**, including a petition signed by residents of **52, 54, 58 & 60 Chiltington Way** and **2 & 4 Effingham Close**, and the occupiers of **6, 8**

**Effingham Close; and 52 & 60 Chilington Way**, objecting to the proposed development on the following grounds:

- The classroom block should be located in a more discrete and less exposed part of the site, not on open playing fields
  - Increased parking pressure and traffic from additional pupils, parents and teachers
  - Loss of views of the playing field
  - The classrooms are not connected to the main school buildings therefore children's welfare will suffer in the wind and rain
  - Overlooking
  - The building is out of character with the area and unsightly
  - Loss of property value
- 5.2 **One (1)** letter has been received from **2 Effingham Close**, commenting that parking in the area is dangerous and obstructive to wheelchair users.
- 5.3 **One (1)** letter has been received from **45 Cissbury Crescent**, supporting the proposed development but stating that the building should be located away from the playing fields and raising concerns over traffic and parking levels.
- 5.4 **Sustainable Transport: No objection**  
No objection subject to a condition requiring a travel plan.
- 5.5 **Sport England: Objection**  
Whilst the proposed development results in a temporary loss of playing field, Sport England is minded to take a pragmatic view in light of the short period required. However, the chosen location requires to be reconsidered. Sport England would like to see the temporary buildings moved northwards towards Chilington Way. Sport England would also expect planning conditions to be imposed seeking the removal of the of the temporary building on a fixed date, and a further conditions requiring the land to be restored to playing field within 3 months of the removal of the development.
- 5.6 Subject to the development location being revised and the relevant planning condition being applied, Sport England would raise no objection to this application. However Sport England objects to the proposal in its current form.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);

## PLANNING COMMITTEE LIST- 25 JUNE 2014

- East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
- East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.

- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## 7 RELEVANT POLICIES & GUIDANCE

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR8	Pedestrian routes
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
QD1	Design- quality of design and design statements
QD2	Design- key principles for neighbourhoods
QD14	Extensions and alterations
QD20	Urban open space
QD27	Protection of Amenity
HO19	New community facilities
HO20	Retention of community facilities
SR20	Protection of public and private outdoor recreation space

#### Supplementary Planning Guidance:

SPGBH4	Parking Standards
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#### Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD08	Sustainable Building Design

#### Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

## **8 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to the impact of the proposed on the character and appearance of the site and surrounding area, on the amenities of adjacent occupiers, and traffic issues. Matters relating to loss of property value and views are not material planning considerations.

### **Design and Appearance:**

8.2 The application proposes a single storey pre-fabricated building to provide two classrooms. The building is required for a temporary period of up to 5 years to accommodate a 'bulge' intake of 30 children, raising the total number of children at the school from 450 to 480.

8.3 The building is to be located on sloping grassland adjacent to a hard play area towards the northwestern corner of the site, with a small area of hardstanding linking to the adjacent hard play area. This part of the site is open and clearly visible in views from Chilmington Way to the west. The temporary classroom would be in part disguised behind an existing timber gazebo and adjacent to an existing tree (which would be unaffected by the development) but would otherwise be a highly visible addition to the school grounds. As such it is a building form that would be harmful to the overall appearance of the site if proposed on a permanent basis. As it is, the building would be in situ for up to 5 years only and, having regard to the need to support the provision of school places in the area, is considered acceptable only on this basis. Residents have requested that the building be located in a more discrete part of the site adjacent to existing temporary classrooms to the south east. The applicants have provided an explanation of for the location proposed, stating that it is the only location possible that would provide both suitable drainage and hard surface access. On the basis that no better location is reasonably possible, together with the temporary nature of the structure, it is considered that the building on the site can be supported having regard policies QD1 & QD2 of the Brighton & Hove Local Plan.

### **Open & Recreational Space:**

8.4 Local plan policy QD20 states that permission will not be granted for proposals that would result in the loss of important private or public open space; with policy SR20 aiming to protect important public and private outdoor recreation space. The policy states 'particular attention will be paid to the need to retain playing fields.'

8.5 The temporary classroom would be located on sloping grassland which forms the playing fields for the school. From the site visit it was clear that the main running track and play space is located to the east of the building and would not be disturbed. Given the slope of the land it is not sufficient to readily cater for other sports pitches. As such the loss of this parcel of grassland for a temporary period would not undermine the ability of the school to provide suitable sports pitches and facilities. Sport England have objected on the ground of loss of playing fields however, as detailed above, this is considered acceptable in this instance as no

substantial loss would occur in the short term. Conditions are attached to ensure the building is for temporary period only, with the land to be restored to its former condition afterwards. In this way any harm to playing field capacity at the school would be short term only.

**Impact on Amenity:**

- 8.6 The proposed classroom would be sited some 48m away from the nearest residential properties in Chiltington Way to the west, and 22m from the nearest residential properties on Effingham Close which adjoin the school site to the north. These separations are such that there would be no significant impact on amenity arising from the application therefore policy QD27 would not be compromised.

**Sustainable Transport:**

- 8.7 The Traffic Engineer considers that the amount of additional vehicular trips associated with 30 additional children at the school is unlikely to have a significant impact on the highway network, despite the surrounding streets being narrow and heavily parked at school drop-off and pick-up times. To help offset any increase in traffic and parking a condition is attached to secure an updated travel plan. No contributions towards sustainable transport infrastructure are sought in this instance given the nature of the application.

**9 CONCLUSION**

- 9.1 The modular classroom is acceptable on a temporary basis and would not unduly harm the visual amenities of the area. The development would provide improved school facilities without causing harm to neighbouring amenity through loss of light or outlook, or increased noise or disturbance. The development would not create a harmful traffic impact.

**10 EQUALITIES**

- 10.1 The application would enhance primary school education provision in the Saltdean area.

**11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES**

**11.1 Regulatory Conditions:**

- The development hereby permitted shall be carried out in accordance with the approved drawings listed below.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Site location plan	001	0	10/04/2014
Block plan	002	0	10/04/2014
Existing plan with levels	003	0	10/04/2014
Proposed plan	004	A	10/04/2014
Proposed elevations	005	A	10/04/2014
	006	A	10/04/2014

## PLANNING COMMITTEE LIST- 25 JUNE 2014

2. The permission hereby granted shall be for a temporary period only, expiring on or before 25 June 2019.  
**Reason:** The structure hereby approved is not considered suitable as a permanent form of development and to comply with policies QD1, QD20, SR20 of the Brighton & Hove Local Plan.
3. The temporary classroom hereby approved shall be permanently removed on or before 25 June 2019 and the land restored to its former condition immediately prior to the development authorised by this permission.  
**Reason:** The structure hereby approved is not considered suitable as a permanent form of development and in order to safeguard residential and visual amenity and to comply with policies QD1, QD20 & SR20 of the Brighton & Hove Local Plan.
4. Within 3 months of occupation of the development hereby approved, the Developer or owner shall submit to the Local Planning Authority for approval in writing, a detailed Travel Plan (a document that sets out a package of measures and commitments tailored to the needs of the development, which is aimed at promoting safe, active and sustainable travel choices by its users (pupils, parents/carers, staff, visitors, residents & suppliers).  
**Reason:** To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

### 11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-  
The modular classroom is acceptable on a temporary basis and would not unduly harm the visual amenities of the area. The development would provide improved school facilities without causing harm to neighbouring amenity through loss of light or outlook, or increased noise or disturbance. The development would not create a harmful traffic impact.
3. The applicant is advised that the travel plan required under condition 5 above should contain the following information:
  - i. Measures to promote and enable increased use of active and sustainable transport modes, including walking, cycling, public transport use, car sharing and Park & Stride, as alternatives to individual motor vehicle use;

## PLANNING COMMITTEE LIST- 25 JUNE 2014

- ii. Identification of a nominated member of staff to act as School Travel Plan Co-ordinator to become the individual contact for the council's School Travel Team relating to the School Travel Plan; to convene a School Travel Plan (STP) Working Group.
- iii. Use of the BHCC STP guidance documents to produce and annually review the STP
- iv. Production of a SMART action and monitoring plan, which shall include a commitment to undertake annual staff, parent/carer and pupil travel surveys to enable the STP to be reviewed and to update the SMART actions to address any issues identified;
- v. A commitment to take part in the annual 'Hands Up' Mode of Travel Survey co-ordinated by the council's School Travel Team
- vi. Identification of mode-use targets focussed on reductions in the level of individual motor vehicle use by staff and parent/carers.
- vii. A commitment to reduce carbon emissions associated with nursery and school travel
- viii. Initiatives to increase awareness of and improve road safety and personal security
- ix. Evidence of dialogue and consultation with neighbouring residents and businesses
- x. Submission of an annual STP review document, following the annual travel surveys, to the Council's School Travel Team to demonstrate progress towards the identified targets





<b>PLANNING COMMITTEE</b>	<b>Agenda Item 21</b> Brighton & Hove City Council
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**Information on Pre-application Presentations and Requests**

**Upcoming presentations – Dates TBC**

Anston House, Preston Road, Brighton – site redevelopment

<b>Date</b>	<b>Address</b>	<b>Ward</b>	<b>Proposal</b>
1 <sup>st</sup> April 2014	<b>Land at Meadow Vale, Ovingdean</b>	Rottingdean Coastal	Construction of 112 new dwellings with vehicular access provided from a new junction on Ovingdean Road, on-site open space and a landscaping buffer along the Falmer Road boundary.
11 <sup>th</sup> March 14	<b>Hove Park Depot, The Droveaway, Hove</b>	Hove Park	Demolition of existing buildings and construction of a new two storey primary school building with brise soleil solar shading, solar panels and windcatchers with associated external hard and soft landscaping
18 <sup>th</sup> February 14	<b>City College, Wilson Avenue, Brighton</b>	East Brighton	Additional accommodation
29 <sup>th</sup> October 13	<b>Hippodrome, Middle Street, Brighton</b>	Regency	Refurbishment and Extension
17 <sup>th</sup> Sept 13	<b>One Digital, Hollingdean Road, Brighton</b>	Hollingdean and Stanmer	Student accommodation development
27 <sup>th</sup> Aug 13	<b>The BOAT, Dyke Road Park, Brighton</b>	Hove Park	Outdoor theatre
16 <sup>th</sup> July 13	<b>Circus Street, Brighton</b>	Queen's Park	Pre-application proposed re-development

**NOTE: The Pre Application Presentations are not public meetings and as such are not open to members of the public. All Presentations will be held in Hove Town Hall on the date given after scheduled site visits unless otherwise stated.**



**PLANS LIST 25 June 2014**

**BRIGHTON & HOVE CITY COUNCIL LIST OF APPLICATIONS DETERMINED BY THE HEAD OF PLANNING & PUBLIC PROTECTION FOR EXECUTIVE DIRECTOR ENVIRONMENT, DEVELOPMENT & HOUSING UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION**

**PATCHAM**

**BH2014/00288**

**Top Flat 74 Woodbourne Avenue Brighton**

Insertion of 4no rooflights to the front and rear elevations.

**Applicant:** Mr Whaid

**Officer:** Chris Swain 292178

**Approved on 21/05/14 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 rooflight in the west facing side roofslope of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

**3) UNI**

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

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

Plan Type	Reference	Version	Date Received
Site location plan			29 January 2014
Block plan			29 January 2014
Existing and proposed plans, elevations and sections	1368/01		29 January 2014

**BH2014/00631**

**Land Adjacent 78 Overhill Drive Brighton**

Application for Approval of Details Reserved by Conditions 10, 12 and 13 of application BH2011/02385.

**Applicant:** Ms Papanicolaou

**Officer:** Paul Earp 292454

**Split Decision on 04/06/14 DELEGATED**

**1) UNI**

The details pursuant to conditions 10 and 12 and subject to full compliance with the submitted details.

### 1) UNI

The details pursuant to condition 13 are NOT APPROVED for the reasons set out below.

### 2) UNI2

Condition 13 cannot be discharged as a Final / Post Construction Certificate, required to discharge the condition, has not been submitted.

#### **BH2014/00839**

##### **127 Braeside Avenue Brighton**

Certificate of Lawfulness for proposed single storey rear extension.

**Applicant:** Mr E Phillips

**Officer:** Joanne Doyle 292198

**Approved on 22/05/14 DELEGATED**

#### **BH2014/01000**

##### **49 Hartfield Avenue Brighton**

Certificate of lawfulness for proposed loft conversion incorporating removal of existing chimney stack, insertion of 2no rooflights to front and dormer to rear.

**Applicant:** Mr Glenn Bowman

**Officer:** Joanne Doyle 292198

**Approved on 30/05/14 DELEGATED**

#### **BH2014/01025**

##### **28 Morecambe Road Brighton**

Erection of two storey rear extension to replace existing conservatory and extension.

**Applicant:** Jason Locker

**Officer:** Andrew Huntley 292321

**Refused on 23/05/14 DELEGATED**

### 1) UNI

The proposed two-storey rear extension, by virtue of its scale and flat roofed design, would result in visually intrusive and incongruous addition which would be unsympathetic to the design of the existing property and those adjoining in the wider area. The proposal is therefore contrary to policies contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

#### **BH2014/01195**

##### **12 Northfield Way Brighton**

Prior approval for the erection of a single storey rear conservatory, which would extend beyond the rear wall of the original house by 3.38m, for which the maximum height would be 3.161m, and for which the height of the eaves would be 2.32m.

**Applicant:** Russell Penfold

**Officer:** Oguzhan Denizer 290419

**Prior approval not required on 23/05/14 DELEGATED**

#### **BH2014/01292**

##### **50 Graham Avenue Brighton**

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension, dormer to rear with Juliette balcony, installation of side window and 2no rooflights to front.

**Applicant:** Mr Tyrone Tudor

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 02/06/14 DELEGATED**

**BH2014/01306**

**27 Thornhill Avenue Brighton**

Certificate of lawfulness for proposed roof extension, enlargement of rear dormer, insertion of rooflight to front and window to side.

**Applicant:** Mrs Julie Carter

**Officer:** Andrew Huntley 292321

**Approved on 02/06/14 DELEGATED**

**PRESTON PARK**

**BH2014/00297**

**24 Hythe Road Brighton**

Erection of first floor rear extension and extension to roof over, with rooflights to front and rear and alterations to window layout of existing rear dormer.

**Applicant:** Mr Hurricane Newman Starley

**Officer:** Christine Dadswell 292205

**Approved on 19/05/14 DELEGATED**

**1) BH01.01**

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

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

**2) UNI**

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

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

**3) UNI**

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

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

Plan Type	Reference	Version	Date Received
Existing Elevations and Location Plan	GA02		27/03/2014
Existing Plans and Block Plan	GA01		27/03/2014
Proposed Elevations	GA04		04/02/2014
Proposed Plans and Front Elevations	GA03		04/02/2014

**BH2014/00781**

**5 Southdown Place Brighton**

Demolition of existing garage and erection of single storey side extension. Erection of two storey rear extension with associated alterations.

**Applicant:** Martin McCudden

**Officer:** Christine Dadswell 292205

**Refused on 04/06/14 DELEGATED**

**1) UNI**

1. The proposed single-storey side and rear extension, by reason of its proportions, detailing and materials, and the proposed two-storey extension, by reason of its material and fenestration, would fail to respect or respond to the

Report from: 15/05/2014 to: 04/06/2014

design and detailing of the existing building. The resulting extensions would appear poorly designed in relation to the main building and the resulting visual harm would be compounded by the siting of the single-storey extension, which fails to reflect the form of the existing building and would appear unduly dominant. The proposal would therefore have a detrimental impact on visual amenity and the character and appearance of the property causing harm to the significance of the Preston Park Conservation Area. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design guidance for extensions and alterations.

**2) UNI2**

The removal of the chimney stacks to the side roofslopes of the building would be harmful to the appearance of the existing building and the character of the roofscape in the Preston Park Conservation Area. The proposal is therefore contrary to policy HE6 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 9, Architectural Features.

**BH2014/00797**

**36d Preston Park Avenue Brighton**

Certificate of lawfulness for the proposed erection of a single storey outbuilding with associated paving.

**Applicant:** Michael Cassidy

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 19/05/14 DELEGATED**

**BH2014/00890**

**82 Edburton Avenue Brighton**

Erection of single storey rear extension with 3no rooflights and associated alterations.

**Applicant:** Mr Hugo Luck

**Officer:** Joanne Doyle 292198

**Approved on 16/05/14 DELEGATED**

**1) BH01.01**

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

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

**2) UNI**

The external elevations of the extension hereby permitted shall match in material, colour, style 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site Location Plan	L-100		20 Mar 2014
Block Plan	L-101		20 Mar 2014
Existing Plans & Elevations	L-102	B	15 Apr 2014
Proposed Plans & Elevations	L-103	C	16 May 2014

**BH2014/00976****145 Havelock Road Brighton**

Demolition of existing utility room and erection of single storey rear extension.

**Applicant:** Mr & Mrs Steve Jones

**Officer:** Joanne Doyle 292198

**Approved on 23/05/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location & Block Plans	2646-3		26 Mar 2014
Existing Plans & Elevations	2646-1	A	26 Mar 2014
Proposed Plans & Elevations	2646-2	B	26 Mar 2014

**BH2014/01092****35 Sandgate Road Brighton**

Demolition of existing single storey rear extension and erection of a part one, part two storey rear extension.

**Applicant:** Mr & Mrs Michael-John Day

**Officer:** Christine Dadswell 292205

**Approved on 02/06/14 DELEGATED**

**1) BH01.01**

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

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

**2) BH03.03**

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

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

**3) UNI**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed in the western and eastern elevations of the first floor extension hereby approved without planning permission obtained from the Local Planning Authority.

Report from: 15/05/2014 to: 04/06/2014

*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 listed below.

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

Plan Type	Reference	Version	Date Received
Location and Block Plan	35007		07 Apr 2014
Existing Front and Rear Elevations	35001		07 Apr 2014
Existing Side Elevation and Section	35002		07 Apr 2014
Existing Floor Plan	35003		07 Apr 2014
Proposed Front and Rear Elevations	35004	R1	13 May 2014
Proposed Side Elevation and Section	35005	R1	13 May 2014
Proposed Floor Plan	35006		07 Apr 2014

**BH2014/01106**

**6 Edburton Avenue Brighton**

Replacement of existing single glazed timber windows with double glazed UPVC sash windows to front elevation.

**Applicant:** Mr Duncan Tree

**Officer:** Christine Dadswell 292205

**Refused on 02/06/14 DELEGATED**

**1) UNI**

The replacement windows, by reason of their material, would be an unsympathetic alteration that fail to reflect the original character and appearance of the building and fail to preserve or enhance the character or appearance of the Preston Park Conservation Area. As such the proposal is contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 09, Architectural Features, and 12, Design Guide for Extensions and Alterations.

**BH2014/01130**

**48 Grantham Road Brighton**

Installation of 2 no. rooflights to front and 1 no. rooflight and dormer to rear.

**Applicant:** Mr & Mrs C De Cornet

**Officer:** Christine Dadswell 292205

**Approved on 04/06/14 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 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.*

Report from: 15/05/2014 to: 04/06/2014



### 3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plan	14477-Loc		08 Apr 2014
Existing Floor Plans and Elevation	1447-02		08 Apr 2014
Proposed Floor Plans and Elevations	1447-01		08 Apr 2014

### **BH2014/01132**

#### **48 Grantham Road Brighton**

Erection of single storey rear extension.

**Applicant:** Mr & Mrs C De Cornet

**Officer:** Christine Dadswell 292205

**Refused on 04/06/14 DELEGATED**

#### **1) UNI**

The proposed extension, by reason of its height and depth would result in a significantly overbearing impact and an unacceptable sense of enclosure and in the absence of evidence to the contrary adverse loss of sunlight/daylight to the adjoining property, 46 Grantham Road. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

### **BH2014/01353**

#### **33 Port Hall Road Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.7m, for which the maximum height would be 2.8m, and for which the height of the eaves would be 2.8m.

**Applicant:** Mr McSkimming

**Officer:** Julia Martin-Woodbridge 294495

**Prior approval not required on 28/05/14 DELEGATED**

### **REGENCY**

### **BH2013/03545**

#### **West Pier Kings Road Brighton**

Application for variation of condition 1 of application BH2010/03320 to read: 'The street market hereby approved shall only take place on that part of the beach shown on the approved drawings on Saturdays, Sundays and Bank Holidays (except for Christmas Day) between 1 January and 31 December and on weekdays (Mondays to Fridays inclusive) between 1 May and 30 September. The use shall cease on 31 December 2015 or at the start of i360 construction (whichever is sooner), after which the land shall be restored and shall return to its former use.'

**Applicant:** Brighton West Pier Trust

**Officer:** Christopher Wright 292097

**Approved on 15/05/14 DELEGATED**

#### **1) UNI**

No amplified music shall be played on the site.

*Reason: To safeguard the amenities of the area and the character and*

Report from: 15/05/2014 to: 04/06/2014

appearance of this part of the Regency Square Conservation Area and in accordance with policies SR11 and HE6 of the Brighton & Hove Local Plan.

**2) UNI**

The street market shall only take place on that part of beach indicated and in accordance with the stall layout shown on the approved block plan, on Saturdays, Sundays and Bank Holidays (except for Christmas Day) between 1 January and 31 December and on weekdays (Mondays to Fridays inclusive) between 1 May and 30 September. The use shall cease on 31 December 2015 or within a reasonable time, to be set by the Local Planning Authority, prior to the commencement of works to construct the i360 observation tower (applications BH2006/02369 and BH2006/02372 refer) whereby the land shall be restored and shall return to its former use as deemed appropriate.

*Reason: To enable the Local Planning Authority to continue to monitor the impact of the market use, to safeguard the amenities of the area and the character and appearance of this part of the Regency Square Conservation Area and in order no to prejudice the construction of the i360 observation tower in accordance with policies SR11, HE1, HE3, HE5 and HE6 of the Brighton & Hove Local Plan and policy SA1 of the City Plan Part One (submission version).*

**3) UNI**

The market stalls shall be orientated so that all trading takes place from the central aisle as indicated on the drawings hereby approved.

*Reason: To prevent congestion on the lower esplanade in accordance with policy SR11 of the Brighton & Hove Local Plan.*

**4) UNI**

No stall shall be set up on trading days before 08.00 hours and all stalls shall be removed by 20.00 hours. Trading shall only take place between the hours of 09.00 hours and 19.00 hours.

*Reason: To safeguard the amenities of the area and the character and appearance of this part of the Regency Square Conservation Area and in accordance with policies SR11 and HE6 of the Brighton & Hove Local Plan.*

**5) UNI**

There shall be no parking of vehicles associated with the market on the lower esplanade at any time. In particular, there shall be no loading or unloading of goods associated with the market from vehicles parked on the lower esplanade at any one time.

*Reason: To safeguard the amenities of the area and the character and appearance of this part of the Regency Square Conservation Area and in accordance with policies SR11 and HE6 of the Brighton & Hove Local Plan.*

**6) UNI**

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

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

Plan Type	Reference	Version	Date Received
Location Plan			20 Nov 2013
Block Plan			20 Nov 2013

**BH2013/03999**

**107 - 109 Dyke Road Brighton**

Erection of a two storey rear extension with associated alterations to boundary wall. (Retrospective).

**Applicant:** New Lotus Take Away

**Officer:** Helen Hobbs 293335

Report from: 15/05/2014 to: 04/06/2014

## **Refused on 21/05/14 DELEGATED**

### **1) UNI**

1. The two storey rear extension, by reason of its height, design and materials results in an unsympathetic and overly dominant addition that relates poorly to the existing building and detracts from the appearance and character of the property and the wider surrounding conservation area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

## **BH2014/00123**

### **51 Ship Street Brighton**

Conversion of first, second and third floors to create 9no residential units incorporating formation of ancillary storage in part of basement, separate entrance, revision to fenestration and fire escapes to rear and associated works.

**Applicant:** Veerose Limited

**Officer:** Christopher Wright 292097

## **Approved on 29/05/14 DELEGATED**

### **1) BH01.05**

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

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

### **2) UNI**

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

### **3) UNI**

All existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. Any fireproofing to doors should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type.

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

### **4) UNI**

All new and replacement rainwater goods, soil and other waste pipes shall be in powder-coated aluminium cast-iron-effect and shall be painted black and retained as such thereafter.

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

### **5) UNI**

The external escape stairs hereby permitted shall be painted black within one calendar month of installation and shall be maintained as such thereafter.

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

### **6) UNI**

No works shall take place until full details of the blocking up of the existing openings to the ground floor of the rear building, showing the retention of reveals,

have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and retained 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**

No works shall take place until full details of the new communal entrance doors including 1:20 scale elevation drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and retained as such thereafter.

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

**8) UNI**

No works shall take place until full details of the new steel security gate including 1:20 scale elevation drawings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and retained as such thereafter.

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

**9) UNI**

No works shall take place until full details of the new glazed privacy screen including 1:20 scale elevation drawings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and retained as such thereafter.

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

**10) UNI**

No works shall take place until full details of the proposed new replacement windows and their reveals and cills, including 1:20 scale sample elevations and 1:1 scale joinery profile sections 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.*

**11) UNI**

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.*

**12) UNI**

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.*

### **13) UNI**

No works 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. The works shall be carried out in strict accordance with the approved details.

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

## **BH2014/00546**

### **30 Montpelier Crescent Brighton**

Installation of stair lift to stairs between ground floor and first floor.

**Applicant:** Mr M & Mrs P Riddell

**Officer:** Sonia Gillam 292265

**Approved on 15/05/14 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 new and disturbed surfaces shall be made good at the time of hereby approved works using materials of matching composition, form and finish to those of the listed building.

*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 hereby permitted shall be implemented only on behalf of Mr & Mrs Riddell. The stair lift shall be wholly removed and the background surfaces shall be made good to the original profiles in matching materials within 3 months of the cessation of occupation of 30 Montpelier Crescent by Mr & Mrs Riddell.

*Reason: This permission is granted exceptionally in view of the personal circumstances of the applicant and to protect the historic character and appearance of the listed building in accordance with policy HE1 of the Brighton & Hove Local Plan.*

## **BH2014/00627**

### **58 - 59 Western Road Brighton**

Display of internally illuminated fascia sign and projecting sign.

**Applicant:** Sony Centre

**Officer:** Julia Martin-Woodbridge 294495

**Split Decision on 22/05/14 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.*

*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.*

*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**

The illuminated projecting banner sign, by virtue of its size, height and location on the building, would be detrimental to the visual amenities of the locality, contrary to policies QD12, HE9 and SPD07 and would be harmful to the visual amenity of the Regency Square Conservation Area.

**BH2014/00706**

**22 Borough Street Brighton**

Internal and external alterations including alterations to layout, installation of 2 sets of French doors to replace existing rear entrance door and kitchen window and blocking up 2 no. windows to rear elevation.

**Applicant:** Mr Drew Bailey

**Officer:** Emily Stanbridge 292359

**Approved on 29/05/14 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 existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of softwood construction, painted off-white, with four fully recessed panels with architrave to match original window architrave detail and shall have brushed brass oval door knobs unless otherwise agreed in writing by the Local Planning Authority prior to commencement of work.

*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 French doors hereby approved shall be single glazed inward-opening off-white painted timber doors without trickle vents and with architraves, glazing bar dimensions and mouldings and frame mouldings to match exactly those of the original sash windows and with a masonry step. The doors shall be set back from the outer face of the building and recessed into the reveals to the same depth as the original windows. The door furniture shall be brushed brass oval door knobs.

*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 new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

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

**BH2014/00848**

**Basement Flat 21 Vernon Terrace Brighton**

Erection of a single storey rear infill extension.

**Applicant:** Mr David Warner

**Officer:** Jonathan Puplett 292525

**Approved on 30/05/14 DELEGATED**

**1) BH01.01**

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

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

**2) UNI**

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

*Reason: To ensure a satisfactory appearance to the development 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 listed below.

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

Plan Type	Reference	Version	Date Received
LOCATION PLAN	33938/3		14/03/2014
BLOCK PLAN	33938/4		14/03/2014
EXISTING PLANS AND ELEVATIONS	33938/1		14/03/2014
PROPOSED PLANS AND ELEVATIONS	33938/2	A	14/03/2014

### **BH2014/00856**

#### **Royal York Buildings 41-42 Old Steine Brighton**

Display of externally illuminated screen mesh scaffolding shroud.

**Applicant:** KDT Management Ltd

**Officer:** Liz Arnold 291709

**Approved on 23/05/14 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

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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 advertisement shall not be illuminated except between the hours of 07:00 and 23:00 daily.

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

**8) UNI**

The intensity of the illumination of the advertisement display shall not exceed 600 candelas per square metre.

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

**9) UNI**

This consent shall expire on 1st November 2014 or until the scaffolding is no longer required, whichever is the sooner. At the end of this period of consent the advertisement shall be removed.

*Reason: In the interests of the visual amenity and to preserve the character of the Listed Building and the Valley Gardens Conservation Area and to comply with policies QD12 and HE9 of the Brighton & Hove Local Plan.*

**BH2014/00879**

**53-54 North Street Brighton**

Display of internally illuminated fascia sign and projecting sign and non illuminated fascia sign (Part Retrospective).

**Applicant:** Freshmex (UK) Ltd

**Officer:** Emily Stanbridge 292359

**Approved on 22/05/14 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.*

**BH2014/00925**

**Oceana Brighton Kings West West Street Brighton**

Display of internally illuminated fascia signs and poster boxes and non illuminated fascia signs.

**Applicant:** The Luminar Group Ltd

**Officer:** Helen Hobbs 293335

**Split Decision on 30/05/14 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.*

#### **1) UNI**

1. The internally illuminated letter sign, labelled 'fascia sign no. 4' shown on drawing noOBr-PO4-rD, by virtue of its siting and method of illumination results in a proliferation of visual clutter to this elevation of the building. The sign causes harm to amenity and is contrary to policy QD12 of the Brighton & Hove Local Plan, and Supplementary Planning Document 07, Advertisements.

#### **BH2014/00954**

##### **Royal Albion Hotel 35 Old Steine Brighton**

Internal alterations to layout.

**Applicant:** Britannia Hotels

**Officer:** Helen Hobbs 293335

**Approved on 27/05/14 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 approved plans, the ventilated security door shall be painted or colour finished black within one month of its instalment and shall be retained as such.

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

#### **BH2014/01075**

##### **Royal York Buildings 41-42 Old Steine Brighton**

Internal alterations to layout including creation of bicycle store on lower ground

floor redesign of the reception and bar areas on ground floor and other refurbishment works.

**Applicant:** YHA (England & Wales) Ltd

**Officer:** Liz Arnold 291709

**Approved on 27/05/14 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 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**

All existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. Any fireproofing to doors should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type.

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

**4) UNI**

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

**BH2014/01212**

**Royal York Buildings 41-42 Old Steine Brighton**

Application for Approval of Details Reserved by Condition 5 of application BH2013/03391.

**Applicant:** Youth Hostel Association

**Officer:** Liz Arnold 291709

**Approved on 19/05/14 DELEGATED**

**ST. PETER'S & NORTH LAINE**

**BH2013/02758**

**4-5 Circus Parade New England Road Brighton**

Change of use from retail (A1) to nursery (D1).

**Applicant:** Periwold Ltd

**Officer:** Wayne Nee 292132

**Refused on 30/05/14 DELEGATED**

**1) UNI**

The outdoor space of the proposed nursery is a small and confined hard surfaced area in very close proximity to neighbouring residential flats. The proposed use of

this outdoor space would result in a high noise level above the background level, and taking into account the site layout would cause a significant level of noise and disturbance, harming the existing amenity of adjacent residential occupiers. The applicant has failed to provide sufficient evidence that the proposed mitigation methods would sufficiently limit the perceived noise and disturbance. The proposal is therefore contrary to policies SU10, HO26 and QD27 of the Brighton & Hove Local Plan which seeks to protect amenity.

**BH2013/04215**

**6 Trafalgar Street Brighton**

Application for Approval of Details Reserved by Condition 3 of application BH2012/01501.

**Applicant:** Andrew Dean

**Officer:** Helen Hobbs 293335

**Approved on 03/06/14 DELEGATED**

**BH2014/00675**

**4 Gardner Street Brighton**

Certificate of lawfulness for existing use as a cafe (A3).

**Applicant:** Hells Kitchen (Brighton) Ltd

**Officer:** Mark Thomas 292336

**Refused on 23/05/14 DELEGATED**

**1) UNI**

Insufficient documentary evidence has been provided to demonstrate that the premises has been operating as a café (A3) for a continuous period of 10 years. As such, a café use has not been demonstrated to be lawful under section 191 of the Town and Country Planning Act 1990, as amended.

Informatives:

1. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Site location and block plan	OE152-P07		19th March 2014
Proposed layout	21/JL/04/02		21st March 2014
Supporting documents from 'Inland Revenue' and 'HM Customs and Excise'			3rd March 2014

**BH2014/00689**

**124 Dyke Road Brighton**

Removal of existing metal fence and chiller units and installation of new metal framed fence and vehicular access gate.

**Applicant:** Co-operative Funeralcare

**Officer:** Julia Martin-Woodbridge 294495

**Refused on 04/06/14 DELEGATED**

**1) UNI**

The applicant has failed to demonstrate that the proposed development will not cause substantial harm to the health of the adjacent Sycamore tree. The application is therefore contrary to policy QD16 of the Brighton & Hove Local Plan along with the guidance set out in SPD 06: Trees and development sites.

**BH2014/00693**

**133 Ditchling Road Brighton**

Erection of single storey orangery to rear garden.

**Applicant:** Gluberisk

**Officer:** Christine Dadswell 292205

**Refused on 23/05/14 DELEGATED**

**1) UNI**

The height and siting of the proposed structure combined with the change in ground levels and the limited separation distance to the neighbouring properties nos. 30 and 28 Vere Road would represent an un-neighbourly form of development having an overbearing impact; the harm would be further exacerbated by the close proximity of the adjacent large detached garage. The development would therefore result in a harmful loss of amenity contrary to policy QD27 of the Brighton & Hove Local Plan.

**BH2014/00717**

**125 Upper Lewes Road Brighton**

Installation of rooflights to front and dormer to rear to create additional room in roof.

**Applicant:** Mr Y Rana

**Officer:** Sue Dubberley 293817

**Refused on 23/05/14 DELEGATED**

**1) UNI**

The proposed two rooflights on the front roof slope would result in a cluttered appearance which would be detrimental to the appearance of the building and the surrounding area. The development is therefore contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12, Design Guide for Extensions and Alterations.

**2) UNI2**

The proposed rear dormers, by virtue of their positioning and inappropriate design and would form an incongruous addition, which would be detrimental to the appearance of the building and the surrounding area. The development is therefore contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12, Design Guide for Extensions and Alterations.

**BH2014/00762**

**1-2 Queen Square and 4-8 Dyke Road Brighton**

Prior approval for change of use at first floor level from offices (B1) to residential (C3) to form 4no flats with cycle parking facilities at basement level.

**Applicant:** Baron Homes Corporation

**Officer:** Christopher Wright 292097

**Prior Approval is required and is approved on 15/05/14 DELEGATED**

**BH2014/00851**

**23 Princes Crescent Brighton**

Erection of single storey rear extension and installation of rear dormer and rooflights to front and rear elevations.

**Applicant:** Mr Glen Armstrong

**Officer:** Chris Swain 292178

**Approved on 19/05/14 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 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site plan			17 March 2014
Block plan			19 May 2014
Existing plans, elevations and section			17 March 2014
Proposed plans, elevations and section			15 May 2014

**BH2014/00871**

**33 London Road Brighton**

Change of use from retail unit (A1) to hot food takeaway (A5) to ground floor level, with installation of extract duct to rear.

**Applicant:** Bulent Ekinci

**Officer:** Wayne Nee 292132

**Refused on 28/05/14 DELEGATED**

**1) UNI**

The proposed change of use would lead to a break of more than 15 metres of retail use in the frontage. Therefore, the proposal would have an adverse impact on the vitality and viability contrary to policy SR5 of the Brighton & Hove Local Plan 2005.

**2) UNI2**

Insufficient information has been submitted to demonstrate that the proposed extract system would not result in amenity harm to adjacent occupiers in terms of noise disturbance, contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan.

**BH2014/00895**

**Brighton Railway Station Queens Road Brighton**

Application for Approval of Details Reserved by Condition 11 of application BH2012/03872.

**Applicant:** Southern Rail

**Officer:** Paul Vidler 292192

**Approved on 02/06/14 DELEGATED**

**BH2014/00942**

**102 Richmond Road Brighton**

Erection of single storey rear extension at lower ground floor with roof terrace above.

**Applicant:** Mr Graham Maddison

**Officer:** Christine Dadswell 292205

**Refused on 03/06/14 DELEGATED**

**1) UNI**

The roof terrace due to its height and its location close to neighbouring boundaries would represent an un-neighbourly and overbearing addition for nearby residents resulting in increased overlooking and adverse loss of privacy. This would be to the detriment of residential amenity; therefore the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

**BH2014/01018**

**87-88 Upper Lewes Road Brighton**

Prior approval for change of use of basement, ground, first and second floor offices and two storey annex (B1) to residential (C3) to form 2no houses and 1no one bedroom dwelling.

**Applicant:** Mrs Sara Richardson

**Officer:** Christopher Wright 292097

**Prior approval not required on 02/06/14 DELEGATED**

**BH2014/01021**

**87-88 Upper Lewes Road Brighton**

Prior approval for change of use of basement, ground, first and second floor offices and two storey annex (B1) to residential (C3) to form 6no one bedroom units.

**Applicant:** Mrs Sara Richardson

**Officer:** Christopher Wright 292097

**Prior approval not required on 02/06/14 DELEGATED**

**BH2014/01027**

**9 Foundry Street Brighton**

Prior approval for change of use from offices (B1) to residential dwelling (C3).

**Applicant:** Osterbery & Lale Ltd

**Officer:** Adrian Smith 290478

**Prior approval not required on 19/05/14 DELEGATED**

**BH2014/01119**

**10 Dyke Road Avenue Brighton**

Certificate of lawfulness for the proposed creation of a light well and the associated installation of a new window at lower ground floor level to replace two existing windows to front elevation.

**Applicant:** Carolina Rodriguez

**Officer:** Helen Hobbs 293335

**Refused on 03/06/14 DELEGATED**

**1) UNI**

The proposed excavation of the light well constitutes engineering works, which is considered to be development and represents a material change in levels. Therefore the works are not permitted under the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended.



## **WITHDEAN**

### **BH2014/00167**

#### **Land adjacent to 1 Woodside Avenue Brighton**

Application for Approval of Details Reserved by Conditions 9, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of application BH2013/02323.

**Applicant:** Mr Bill Faust

**Officer:** Liz Arnold 291709

#### **Split Decision on 04/06/14 DELEGATED**

##### **1) UNI**

APPROVE the details pursuant to conditions 11, 14 and 15 of approved application BH2013/02323 subject to full compliance with the submitted details.

##### **1) UNI**

The details pursuant to conditions 9, 12, 13, 16, 17, 18 and 19 are NOT APPROVED

##### **2) UNI2**

1. The applicant has failed to provide sufficient landscaping details in accordance with condition 9 of approved application BH2013/02323.

##### **3) UNI3**

2. The applicant has failed to provide a sample of the proposed window material in accordance with condition 12 of approved application BH2013/02323.

##### **4) UNI4**

3. The applicant has failed to provide sufficient full details of the existing and proposed Ordnance Datum levels within the site and on land adjoining the site, in accordance with condition 13 of approved application BH2013/02323.

##### **5) UNI5**

4. The applicant has failed to provide sufficient full details of the proposed amendments to the boundary wall structure, in accordance with condition 16 of approved application BH2013/02323.

##### **6) UNI6**

5. The applicant has failed to provide 1:50 scale drawings and samples of the proposed balconies and screening for the terraces, in accordance with condition 17 of approved application BH2013/02323.

##### **7) UNI7**

6. The applicant has failed to provide a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 4 as a minimum, in accordance with condition 18 of approved application BH2013/02323.

##### **8) UNI8**

7. The applicant has failed to provide a Final / Post Construction Code Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 4 as a minimum, in accordance with condition 19 of approved application BH2013/02323.

### **BH2014/00697**

#### **Dorothy Stringer High School Loder Road Brighton**

Installation of an artificial turf pitch with associated fencing and floodlighting, incorporating landscaping works.

**Applicant:** Ros Stephen

**Officer:** Jason Hawkes 292153

#### **Approved on 22/05/14 COMMITTEE**

##### **1) UNI**

The development hereby permitted shall be commenced before the expiration of

Report from: 15/05/2014 to: 04/06/2014

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 listed below.

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

Plan Type	Reference	Version	Date Received
Existing Site Location	01		3rd March 2014
Block Plan of Site	02		3rd March 2014
Proposed Location Plan	03		21st March 2014
Proposed ATP Plan	04		21st March 2014
Isometric View	05		3rd March 2014
Elevations	06		3rd March 2014
Floodlighting Scheme	07		3rd March 2014
Landscaping Plan	08		21st March 2014
ATP Storage Container	09		3rd March 2014
Section A-AA and B-BB	10		3rd March 2014
Section C-CC and D-DD	11		3rd March 2014
Topographical Survey	T1		3rd March 2014

## **3) UNI**

The 2m acoustic screen shall be installed to the south side of the artificial turf pitch and the 1.8m closed boarded fence at the southern and south-eastern edge of the school premises shall be installed as shown on the Proposed Location Plan (drawing no.03) prior to the use of the artificial pitch. The acoustic fencing shall be retained as such thereafter.

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

## **4) UNI**

All Floodlight Masts, Lamps and Luminaires shall be installed, operated and maintained in strict accordance with the specification and details contained in the report from Surfacing Standards Ltd, Project Code SSL1519, dated 3rd March 2014.

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

## **5) UNI**

The artificial turf pitch hereby permitted shall not be used except between the hours of 07.00 to 21.00 on Monday to Friday and between the hours of 09.00 to 18.00 on Saturdays, Sundays and Public Holidays.

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

## **6) UNI**

No development shall commence on site until a detailed scheme which provides for the retention and protection of adjacent trees to be retained has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details.

*Reason: To protect the trees in the vicinity of the site, in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.*

## **7) UNI**

No development shall commence until full details of the position and appearance of the proposed butterfly havens has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

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

**8) UNI**

No development shall commence until an ecological survey has been submitted to and approved by the Local Planning Authority. The survey shall ascertain the use of the site by protected species and outline appropriate mitigation measures. The scheme shall be implemented in accordance with the agreed details.

*Reason: To ensure appropriate nature conservation measures and in accordance with policy QD18 of the Brighton & Hove Local Plan.*

**9) UNI**

Prior to the use of the artificial pitch a detailed scheme outlining the community use of the proposed pitch shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

*Reason: To ensure access to the facilities is secured for the benefit of the wider community and in order to comply with policy SR17 of the Brighton & Hove Local Plan.*

**10) UNI**

Notwithstanding the submitted plan, prior to the use of the artificial pitch a Travel Plan shall be submitted to and agreed in writing by the Local Authority. The scheme shall be carried out in accordance with the details contained therein and the applicant shall engage with the Council Travel Plan Coordinator to ensure regular monitoring of the Travel Plan takes place for the lifetime of the development.

*Reason: To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.*

**11) UNI**

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 floodlighting hereby permitted shall not be used except between the hours of 07.00 to 21.00 on Monday to Friday and between the hours of 09.00 to 18.00 on Saturdays, Sundays and Bank Holidays.

*Reason: To safeguard the amenities of the locality and to comply with policies QD26 & QD27 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 and planting of the development.

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

**BH2014/00701**

**20 Surrenden Crescent Brighton**

Certificate of lawfulness for proposed single storey side extension incorporating garage, removal of rear chimney stack, alterations to fenestration and associated works.

**Applicant:** Dr M Austin

**Officer:** Joanne Doyle 292198

**Approved on 16/05/14 DELEGATED**

**BH2014/00801**

**71 Gordon Road Brighton**

Erection of single storey rear extension and raised decking.

**Applicant:** Simon Grange

**Officer:** Joanne Doyle 292198

**Approved on 02/06/14 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 hereby approved raised decking shall not be used until 1.8 metre high privacy screens have been erected to the east and western flank elevations (of the decking). The privacy screens shall be retained thereafter for use in conjunction with the raised decking.

*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**

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 shall be constructed within the western (side) elevation of the hereby approved extension 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 listed below.

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

Plan Type	Reference	Version	Date Received
Existing Plans & Elevations	1405-01		12 Mar 2014
Proposed Plans & Elevations	1405-03		12 Mar 2014

Report from: 15/05/2014 to: 04/06/2014

**BH2014/01052**

**53 Millcroft Brighton**

Erection of a single storey rear extension.

**Applicant:** Mr & Mrs Whatford

**Officer:** Emily Stanbridge 292359

**Approved on 02/06/14 DELEGATED**

**1) BH01.01**

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

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

**2) UNI**

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

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

**3) UNI**

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

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

Plan Type	Reference	Version	Date Received
Location and block plan			02.04.2014
Existing and proposed			23.05.2014

**BH2014/01272**

**53 Dene Vale Brighton**

Certificate of lawfulness for proposed creation of permeable driveway with low retaining walls and new access to public highway.

**Applicant:** Peter Bjerre Nielsen

**Officer:** Andrew Huntley 292321

**Refused on 29/05/14 DELEGATED**

**BH2014/01284**

**118 The Ridgway Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 8m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.8m.

**Applicant:** Mr Brad Hemsley

**Officer:** Julia Martin-Woodbridge 294495

**Prior approval not required on 03/06/14 DELEGATED**

**EAST BRIGHTON**

**BH2014/00666**

**6A Abbey Road Brighton**

Replacement of existing rear window with french doors.

**Applicant:** Mr Christian Fourie

**Officer:** Adrian Smith 290478

**Approved on 23/05/14 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 proposed doors shall be set back from the outer face of the building to match the reveals to the existing original sash windows to the building, and retained as such thereafter.

*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 listed below.

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

Plan Type	Reference	Version	Date Received
Site plan			26/03/2014
Existing and proposed rear elevation			31/03/2014
Window quotation letter			27/02/2014

**BH2014/00672**

**Flat 8 11 Chichester Terrace Brighton**

Erection of single storey front extension incorporating revised fenestration and associated external alterations. (Retrospective)

**Applicant:** Chris Pitchford

**Officer:** Emily Stanbridge 292359

**Approved on 04/06/14 DELEGATED**

**1) UNI**

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

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

Plan Type	Reference	Version	Date Received
Block Plan			28.02.2014
Site Plan			28.02.2014
Existing joinery sections			28.02.2014
Proposed joinery sections			28.02.2014
Proposed and existing window sections			28.02.2014
Pre-existing plans	HA04-035-EX-001		16.05.2014
Pre-existing plans and elevation 3rd and 4th Floors	HA04-035-EX-003		16.05.2014
Existing plans	HA04-035-AB-004	A	16.05.2014
Proposed plans	HA04-035-AP-006	A	16.05.2014
Pre-existing front and rear elevations	HA04-035-EX-002		16.05.2014
Existing front and rear	HA04-03-AB-0		16.05.2014

elevations	05		
As proposed front and rear elevations	HA04-035-AP-007	A	16.05.2014
Section through front elevation	HA04-035-AB-008		16.05.2014
Front elevation as existing	HA04-035-AP-009		29.04.2014
Front elevation as proposed	HA04-035-AP-10		11.03.2014

**BH2014/00763**

**6 Chichester Close Chichester Place Brighton**

Replacement of existing timber windows and door with UPVC windows and door.

**Applicant:** Ms Tracey Hoad

**Officer:** Christine Dadswell 292205

**Refused on 23/05/14 DELEGATED**

**1) UNI**

The replacement uPVC windows to the front elevation of the building, by reason of their material and detailing, would form a visually inappropriate alteration, detracting from the existing character of the building and adversely affecting the character and appearance of the East Cliff Conservation Area. The proposal is thereby contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Documents 9, Architectural Features, and 12, Design Guide for Extensions and Alterations.

**BH2014/00960**

**Collingwood House 127 Marine Parade Brighton**

Installation of handrails to entrance steps and replacement light well in courtyard.

**Applicant:** Collingwood House Ltd

**Officer:** Emily Stanbridge 292359

**Approved on 29/05/14 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 handrails shown on the approved plans shall be painted black within one month of installation and shall be retained as such thereafter.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan.*

**3) UNI**

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

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

Plan Type	Reference	Version	Date Received
Location, block and site plans	1043.14.01		25.03.2014
Handrails	1043.14.02		25.03.2014
Proposed handrails and replacement skylight	1043.14.03		25.03.2014
Light well	1043.14.04	A	23.04.2014
Proposed handrails and	1043.14.05		19.05.2014

Report from: 15/05/2014 to: 04/06/2014

replacement skylight			
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**BH2014/00961**

**Collingwood House 127 Marine Parade Brighton**

Installation of handrails to entrance steps and replacement light well in courtyard.

**Applicant:** Collingwood House Ltd

**Officer:** Emily Stanbridge 292359

**Approved on 20/05/14 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 disturbed surfaces shall be made good at the time of the works using materials of matching composition, form and finish to those of the existing building.

*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 handrails shown on the approved plans shall be painted black within one month of installation and shall be retained as such thereafter.

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

**BH2014/01035**

**47 Princes Terrace Brighton**

Application for Approval of Details Reserved by Condition 3 of application BH2013/02247.

**Applicant:** Mr Pim Van Weelden

**Officer:** Andrew Huntley 292321

**Approved on 23/05/14 DELEGATED**

**BH2014/01039**

**84 Maresfield Road Brighton**

Certificate of lawfulness for proposed single storey rear extension.

**Applicant:** Mrs Amber Brzeski

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 02/06/14 DELEGATED**

**HANOVER & ELM GROVE**

**BH2014/00681**

**24 Bear Road Brighton**

Removal of existing rear porch and erection of two storey rear extension to existing three bed small house in multiple occupation (C4) to facilitate creation of four bed small house in multiple occupation. (C4).

**Applicant:** Mr John Lewis

**Officer:** Adrian Smith 290478

**Approved on 16/05/14 DELEGATED**

**1) BH01.01**

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

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



## 2) UNI

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

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

## 3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows shall be constructed in the eastern or western 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.*

## 4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan, block plan, existing and proposed floor plans and elevations	BR24/0313	B	28/02/2014

## **BH2014/00949**

### **16 & 17 Hanover Crescent Brighton**

Installation of railings and gates to front of both properties. Alterations to number 16 incorporating removal of internal gas meter and installation of new external gas meter to front, removal of gas pipe and retiling of front path and steps with black and white tiles.

**Applicant:** Miss Caroline Ellis

**Officer:** Oguzhan Denizer 290419

**Approved on 16/05/14 DELEGATED**

## 1) UNI

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 new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

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

## 3) UNI

Notwithstanding the approved drawings, no works shall take place until 1:10 detailed scaled drawings of the final pattern of the railings hereby permitted have been submitted and approved in writing by the Local Planning Authority. The proposal should be implemented in accordance with the approved drawings hereby permitted and remain as such hereafter.

*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 railings shown on the approved plans shall be painted black within one month of installation and shall be retained as such thereafter.

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

**BH2014/00957**

**77 Carlyle Street Brighton**

Installation of dormer to rear elevation.

**Applicant:** Ian Bingham

**Officer:** Joanne Doyle 292198

**Refused on 03/06/14 DELEGATED**

**1) UNI**

The proposed dormer by reason of its size, bulk and design, it is considered to form an unacceptable alteration to the roof slope of the property. As such, the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

**HOLLINGDEAN & STANMER**

**BH2014/00832**

**43 Rushlake Road Brighton**

Change of use from residential dwelling (C3) to three bedroom small house in multiple occupation (C4).

**Applicant:** Mrs Jill Bush

**Officer:** Chris Swain 292178

**Refused on 21/05/14 DELEGATED**

**1) UNI**

1. The change of use from dwellinghouse (Class C3) to House in Multiple Occupation (Class C4) would fail to support a mixed and balanced community and results in the area being imbalanced by the level of similar such uses, to the detriment of local amenity. The proposed use is therefore contrary to policy CP21 part ii) of the Brighton & Hove City Plan Part One (submission document) and to policy QD27 of the Brighton & Hove Local Plan.

**BH2014/00932**

**Chalvington Close & Varley Halls of Residence Coldean Lane Brighton**

Erection of substation enclosure adjacent to Chalvington Close incorporating revised parking within the Varley Halls Campus.

**Applicant:** University of Brighton

**Officer:** Chris Swain 292178

**Approved on 28/05/14 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 there has been submitted to and approved in writing by the Local Planning Authority a scheme for replacement planting on the site. The approved scheme shall be carried out in the first planting and seeding seasons following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next

planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: To 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.*

### 3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan as existing	W104		2 April 2014
Sub station location plan	W105	A	24 March 2014
Tree Constraints Plan	TCP0-1	A	24 March 2014
Proposed plans, sections and elevations (excluding the proposed hipped and gabled elevations)	07-0102.05 (Sheet 1)	C	24 March 2014
Earthing arrangement	07-0102.05 (Sheet 2)	C	24 March 2014
Sub station general arrangement	W295	A	24 March 2014

### **BH2014/01011**

#### **40 Park Road Brighton**

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension with front rooflights, rear dormer and Juliette balcony and single storey rear extension.

**Applicant:** Mark Packham

**Officer:** Julia Martin-Woodbridge 294495

**Split Decision on 02/06/14 DELEGATED**

### **MOULSECOOMB & BEVENDEAN**

### **BH2013/04082**

#### **Land Rear of 4-34 Kimberley Road Brighton**

Erection of 4no two storey dwellings (C3) with off-street parking, associated landscaping works and re-surfacing of access road.

**Applicant:** Mr B Edwards

**Officer:** Andrew Huntley 292321

**Approved on 16/05/14 COMMITTEE**

### 1) UNI

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

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

### 2) UNI

No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Report from: 15/05/2014 to: 04/06/2014

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

**3) UNI**

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) 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.*

**4) UNI**

The first floor windows in the north and south elevations of Plots 1 and 2 of the development hereby permitted 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 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) UNI**

The external finishes of the development hereby permitted shall be those as stated within the application form.

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

**7) UNI**

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, boundary treatments, 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.*

**8) UNI**

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed

before the development is occupied.

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

**9) UNI**

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

*Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.*

**10) UNI**

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

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

**11) UNI**

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.*

**12) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 3 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

**13) 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 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

**14) UNI**

No development shall take place until a written Waste Minimisation Statement, in accordance with Supplementary Planning Document 03: Construction and Demolition Waste, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

*Reason: To ensure that the development would include the re-use of limited*

resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

**15) UNI**

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 accord with the standards described in Annex 6 of SPD 11 and 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 and Supplementary Planning Document SPD11 Nature Conservation and Development.*

**16) UNI**

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.*

**17) UNI**

Prior to the commencement of the development details of the external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (2011,) for zone E, or similar guidance recognised by the council.

*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.*

**18) UNI**

Prior to occupation, the predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels agreed in part1 are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in Part 1.

*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.*

**19) UNI**

The approved lighting installation shall be maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation."

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

**20) UNI**

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

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

Plan Type	Reference	Version	Date Received
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Site Plan	8240/01	A	02.12.2013
Proposed New Dwellings	8240/4	C	12.05.2013
Proposed Floor Plans	8240/5	D	12.05.2013
Sections & Roof Plans	8240/6	A	02.12.2013
Proposed Landscaping	8240-11	A	02.12.2013
Proposed Bin & Bike Stores	8240-12		02.12.2013
Existing Site Plan	8240-15		16.12.2013

### **BH2014/00083**

#### **162-164 Milner Road Brighton**

Demolition of existing bungalow and erection of two storey 4no two bedroom flats with cycle storage.

**Applicant:** Mike Stimpson

**Officer:** Wayne Nee 292132

**Refused on 21/05/14 DELEGATED**

#### **1) UNI**

The proposed dwellings are considered to form an inappropriate and cramped development in excess of what might reasonably be expected to be achieved on this limited plot site. Consequently the proposal represents an over-development of the site to the detriment of the character of the area. Furthermore, by reason of its design, roof form, and architectural detailing, the proposed building would not sympathetically relate to the existing two storey property on the site. The development would therefore fail to justify the loss of the visual gap between this property and the row of terraces to the west. As a result the proposed development would appear incongruent and overly dominant causing harm to the character of the street scene contrary to Brighton & Hove Local Plan policies QD1, QD2, QD3 and HO4.

#### **2) UNI3**

The proposed residential units, due to the poor layout and the cramped form, would result in a substandard level of accommodation for future occupiers. The proposed development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

#### **3) UNI3**

The proposed development would result in the loss of 4 no. side elevation windows of the first floor flat at no. 164A Milner Road. This would include the sole window of a bedroom. This would result in a poor layout and a cramped arrangement for future residents of this first floor flat. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

#### **4) UNI4**

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.

### **BH2014/00983**

#### **50 Hillside Brighton**

Installation of extraction ducting, new entrance steps and ramp, revised fenestration and associated alterations (Part Retrospective).

**Applicant:** The Bevendean Community Pub Ltd

**Officer:** Chris Swain 292178

**Approved on 04/06/14 DELEGATED**

#### **1) BH01.01**

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

Report from: 15/05/2014 to: 04/06/2014

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

**2) UNI**

The hereby permitted extraction duct will be painted to match the rendered south facing elevation at first floor level and shall be retained as such thereafter. 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 specifications for the ductwork, silencers and infrastructure hereby approved shall be exactly as set out in the report titled Measurement of Existing Noise Levels & Assessment of Ductbourne Kitchen Extract & Plant Noise (J1505/0314) by Acoustic Associates Sussex Ltd received on 27 March 2014. To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

**4) UNI**

The hours of operation for the hereby approved plant and machinery shall only be between 10:00 hours and 22:00 hours Monday through to Sunday. 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 listed below.

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

Plan Type	Reference	Version	Date Received
Existing ground floor plan, location and block plans	0296.EXG.001		27 March 2014
Existing sections AA and BB	0296.EXG.002		27 March 2014
Existing section CC	0296.EXG.003		27 March 2014
Existing east and south elevations	0296.EXG.004	A	27 March 2014
Existing north elevation	0296.EXG.005	A	27 March 2014
Proposed ground floor plan and block plans	0296.DD.001	B	27 March 2014
Proposed section CC and details	0296.DD.003	B	27 March 2014
Proposed elevations	0296.DD.004	C	27 March 2014
Proposed extract ducting layout	0296.DD.0012		27 March 2014

**6) 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. In addition, there should be no significant low frequency tones present. To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.



**BH2014/01341**

**23 Colbourne Avenue Brighton**

Certificate of Lawfulness for proposed single storey side extension.

**Applicant:** Mr Henry Dean

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 02/06/14 DELEGATED**

**QUEEN'S PARK**

**BH2014/00102**

**Flat 4 20 Atlingworth Street Brighton**

Internal alterations to layout of flat.

**Applicant:** Mr Robert Bird

**Officer:** Christine Dadswell 292205

**Approved on 15/05/14 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 new partition wall shall be scribed around all existing skirting boards, and cornices.

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

**BH2014/00539**

**9-11 Lower Promenade Madeira Drive Brighton**

Creation of patio on beach using timber decking.

**Applicant:** Azure Restaurant

**Officer:** Sue Dubberley 293817

**Approved on 20/05/14 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 detail shown on the submitted plans the hereby approved patio area shall comprise timber decking.

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

**3) UNI**

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

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

Plan Type	Reference	Version	Date Received
Proposed plan	006	B	3/03/14
Site plan	007	A	3/03/14
Block plan	008	A	3/03/14
Existing plan	009	A	

Report from: 15/05/2014 to: 04/06/2014

**BH2014/00557**

**Flat 1 87 Marine Parade Brighton**

Internal alterations to layout of flat including addition of mezzanine level. (Retrospective).

**Applicant:** Mr Graham Worton

**Officer:** Christine Dadswell 292205

**Refused on 02/06/14 DELEGATED**

**1) UNI**

The internal alterations have significantly altered the plan form of the recipient Grade II listed building and, in the case of the plaster partition wall and timber staircase, are harmful bulky additions to a non-original space. The works are detrimental to the internal character, appearance and proportions of the Grade II Listed Building and would be harmful to the significance of the heritage asset. The works are therefore contrary to policy HE1 of the Brighton & Hove Local Plan and Supplementary Guidance Notes 11, Listed Building Interiors, and 13, Listed Building - General Advice.

**BH2014/00586**

**2 St Johns Place Brighton**

Erection of two storey side extension and single storey rear extension.

**Applicant:** Miss Tina McGloughlan

**Officer:** Adrian Smith 290478

**Refused on 29/05/14 DELEGATED**

**1) UNI**

The proposed rear extension, by virtue of its scale consuming the majority of the rear garden to the property, represents an overdevelopment of the site that fails to respect the space around the building, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.

**2) UNI2**

The proposed two storey side extension, by virtue of its projection to the side and rear and its overall form including a truncated dummy pitch, represents a poorly construed, incongruous and visually prominent addition that causes harm to the appearance of the building and the wider street scene, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.

**BH2014/00765**

**Second Floor Flat 35 Queens Park Road Brighton**

Replacement of existing timber framed sliding sash windows with UPVC.

**Applicant:** Stuart Cruttenden

**Officer:** Joanne Doyle 292198

**Refused on 19/05/14 DELEGATED**

**1) UNI**

The proposed UPVC replacement windows to the front elevation would appear incongruous in this setting, given that timber framed windows are retained to the ground and first floors harming the uniformity of the buildings facade. As such, the proposals would cause significant harm to the character and appearance of the recipient property and the wider area. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Documents 09, Architectural Features, and 12, Design Guide for Extensions and Alterations.

**BH2014/00882**

**29 Egremont Place Brighton**

Conversion of existing dwelling into 3no self contained flats and associated works.

**Applicant:** The Property Shop

**Officer:** Adrian Smith 290478

**Refused on 23/05/14 DELEGATED**

**1) UNI**

Policy HO9 of the Brighton & Hove Local Plan seeks to retain smaller family dwellings. The proposed ground floor flat, by virtue of its limited size and layout, and lack of adequate daylight and outlook to the rear rooms, represents a cramped and sub-standard form of residential accommodation unsuitable for family occupation, contrary to policies HO9 and QD27 of the Brighton & Hove Local Plan.

**2) UNI2**

The first floor roof terraces would result in overlooking and loss of privacy for occupiers of the ground floor flat, contrary to policy QD27 of the Brighton & Hove Local Plan

**BH2014/01069**

**134 Freshfield Road Brighton**

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

**Applicant:** Tania Powell

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 04/06/14 DELEGATED**

**ROTTINGDEAN COASTAL**

**BH2013/00774**

**Black Rock Madeira Drive Brighton**

Temporary consent for the operation of a sand sculpture festival for a period of 7 months (April-October) for three years commencing 2013 and erection of associated temporary structures including a wooden café hut, 2 portacabins and 1 storage container (Part Retrospective).

**Applicant:** Brighton Sand Sculpture Festival

**Officer:** Jonathan Puplett 292525

**Approved on 30/05/14 DELEGATED**

**1) UNI**

The temporary use, and associated temporary structures, hereby approved shall only operate between the 1st April and 31st October in the years 2014 and 2015, after when the use shall be permanently discontinued.

*Reason: The event hereby approved is not considered suitable as a permanent form of development and permission is granted for a temporary period only and to comply with policy QD1 of the Brighton & Hove Local Plan.*

**2) UNI**

The application site shall be restored to its condition immediately prior to the use commencing on or before 30th November 2015.

*Reason: To safeguard the visual amenities of the area, including the adjoining Conservation Area, and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.*

**3) UNI**

Within 2 months of the date of this decision details of secure cycle parking

facilities for staff and visitors to the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking facilities shall be installed within 1 month of such approval and shall be retained as such for the duration of the use.

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

**4) UNI**

The site shall not be open or in use except between the hours of 10.30 and 20.00 each day.

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

**5) UNI**

Operations relating to the delivery of and removal of sand and structures to and from the site shall take place only between the hours of 08:00 and 17:00 Mondays to Fridays and at no time at all on Saturdays or Sundays.

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

**6) UNI**

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

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

Plan Type	Reference	Version	Date Received
LOCATION PLAN			12/03/2013
BLOCK PLAN			12/03/2013
SITE LAYOUT PLAN			12/03/2013
BOUNDARY TREATMENTS PLAN			08/07/2013
TEMPORARY BUILDINGS DETAILS			03/07/2013

**BH2013/04269**

**Land at Brighton Marina comprising Outer Harbour West Quay and adjoining land Brighton Marina Brighton**

Application for Approval of Details Reserved by Condition 43 of Application BH2012/04048 (Phase 1 only).

**Applicant:** Brunswick Developments Group Plc

**Officer:** Sarah Collins 292232

**Approved on 19/05/14 DELEGATED**

**BH2014/00473**

**21 Lenham Road West Brighton**

Demolition of existing dwelling and garage and erection of 4 bed detached dwelling.

**Applicant:** Nick Wells

**Officer:** Chris Swain 292178

**Approved on 29/05/14 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 extension, enlargement, alteration or provision within the curtilage of the dwellinghouse as provided for within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) 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) UNI**

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

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

## **4) UNI**

The rooflights to the side roof slopes of the development hereby permitted shall be obscure glazed 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 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.*

## **6) UNI**

Details of the proposed solar panels shall be submitted 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 in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

## **7) UNI**

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, boundary treatments, 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.*

## **8) UNI**

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, including boundary walls shall be completed before the development is occupied.

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

#### **9) UNI**

No development shall commence until full details of the existing and proposed land levels of the proposed development in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels, eaves and ridge heights. The development shall be constructed in accordance with the agreed details.

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

#### **10) UNI**

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted, including the proposed windows and the hardstanding, 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.*

#### **11) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

#### **12) UNI**

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.*

#### **13) UNI**

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

#### 14) UNI

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

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

#### 15) UNI

The dwelling hereby permitted shall be constructed to Lifetime Homes standards prior to 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.*

#### 16) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	P/101		13 February 2014
Block plan	P/102		13 February 2014
Site / landscaping plan	P/103	B	13 February 2014
Contextual street elevation	P/104	A	13 February 2014
Proposed floor plans	P/105	A	13 February 2014
Proposed elevations 1	P/106	A	13 February 2014
Proposed elevations 2	P/107	A	13 February 2014
Contextual section	P/108	B	13 February 2014
Existing site layout	P/109		13 February 2014
Existing elevations	P/110	A	13 February 2014

#### **BH2014/00593**

#### **26 Lewes Crescent Brighton**

Demolition of existing rear basement extension and erection of rear conservatory extension to basement and ground floor. Repair and restoration works and roof repairs including replacement of rooflights.

**Applicant:** 26 Lewes Crescent, Brighton Ltd

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 20/05/14 DELEGATED**

#### **1) UNI**

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

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

Plan Type	Reference	Version	Date Received
Existing Plans	345/01		21.02.2014
Existing Elevations	345/02		21.02.2014
Existing Section	345/03		21.02.2014

Proposed Plans	345/04	B	24.04.2014
Proposed Elevations	345/05	B	24.04.2014
Proposed Sections	345/06	A	24.04.2014
Details of proposed conservatory to rear elevation	345/08	A	24.04.2014

## 2) UNI

No further works shall take place until samples of the materials, including the glass, to be used in the construction of the rear extension have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and shall be retained as such thereafter.

*Reason: As insufficient information has been submitted to ensure the satisfactory preservation of this listed building and to comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.*

## 3) UNI

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 the satisfactory preservation of this listed building and to comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.*

## 4) UNI

No further works shall take place until details of the temporary opening to the rear boundary wall have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the reinstated boundary wall construction and a timetable for the opening to be infilled. The works shall take place in accordance with the agreed details.

*Reason: As insufficient information has been submitted to ensure the satisfactory preservation of this listed building and to comply with policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan.*

## 5) UNI

No further works shall take place until details of all external vents have been submitted to and approved in writing by the Local Planning Authority. The works shall take place in accordance with the agreed details and shall be retained as such thereafter.

*Reason: As insufficient information has been submitted to ensure the satisfactory preservation of this listed building and to comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.*

## 6) UNI

No further works shall take place until details, in the form of 1:20 scale sample elevations and 1:1 scale joinery profiles, of all new external doors, including French doors, and windows have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the agreed details and shall be maintained as such thereafter.

*Reason: As insufficient information has been submitted to ensure the satisfactory preservation of this listed building and to comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.*

### **BH2014/00594**

#### **26 Lewes Crescent Brighton**

Demolition of existing rear basement extension and erection of rear conservatory extension to basement and ground floor. Internal and external repair and restoration works, roof repairs including replacement of rooflights and alterations to internal layout.

**Applicant:** 26 Lewes Crescent, Brighton Ltd

Report from: 15/05/2014 to: 04/06/2014



**Officer:** Julia Martin-Woodbridge 294495

**Approved on 21/05/14 DELEGATED**

**1) UNI**

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 the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**2) UNI**

No further works shall take place until details, in the form of 1:20 scale sample elevations and 1:1 scale joinery profiles, of all new doors, including French doors, architraves, windows and radiator boxes have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the agreed details and shall be 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**

No further works shall take place until details of the temporary opening to the rear boundary wall have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the reinstated boundary wall construction and a timetable for the opening to be infilled. The works shall take place in accordance with the agreed details.

*Reason: As insufficient information has been submitted to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**4) UNI**

No further works shall take place until details of the flue lining, including its terminus at the top of the chimney, have been submitted to and approved in writing by the Local Planning Authority. The works shall take place in accordance with the agreed details and shall be retained 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**

No further works shall take place until details of all external vents have been submitted to and approved in writing by the Local Planning Authority. The works shall take place in accordance with the agreed details and shall be retained 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**

Any new walls shall be scribed around all existing features including any skirting boards, dado rails, picture rails and cornices, and the existing features shall not be cut into or damaged. Any new skirting boards, picture rails, dado rails and cornices shall be run around any new walls or blocked up doors to match exactly the originals in each respective part of the building.

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

**7) UNI**

No further works shall take place until a schedule of all features to be removed, replaced or reinstated has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include photographs / drawings / sections recording the features to be replicated and 1:1 scale drawings of proposed items,

which shall match exactly the original in materials and detail. The works shall be carried out in accordance with the approved details and shall be retained 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.*

**8) UNI**

No further works at third floor level shall take place until details of investigative structural works have been submitted to 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.*

**9) UNI**

No replacement bricks shall be laid at lower ground floor level until a sample of the brick has been submitted to and approved in writing by the Local Planning Authority. The brick floor shall be re-laid with replacement bricks to accord with the approved sample and shall be retained 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.*

**10) UNI**

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.*

**11) UNI**

No further works shall take place until samples of the materials, including the glass, to be used in the construction of the rear extension have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and shall be retained 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.*

**BH2014/00853**

**35 Chailey Avenue Brighton**

Certificate of Lawfulness for proposed loft conversion incorporating front rooflights and rear dormer.

**Applicant:** Mr Clive Richardson

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 19/05/14 DELEGATED**

**BH2014/00881**

**4 New Barn Road Brighton**

Part change of use of ground floor from house (C3) to dental surgery (D1) with associated erection of single storey side extension.

**Applicant:** Dr Marios Kakos

**Officer:** Andrew Huntley 292321

**Refused on 15/05/14 DELEGATED**

**1) UNI**

The proposed extension, by virtue of its design, form, excessive bulk and

footprint, would result in a visually intrusive and bulky addition to the property which would be unsympathetic to the design of the existing dwelling. As such the proposed development would be of detriment to the character and appearance of the existing dwelling, the New Barn Road and Falmer Road street scenes and the wider area. As such the proposal is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12.

**2) UNI2**

The proposed development, by virtue of the inclusion of a window within the northern elevation would result in an un-neighbourly form of development for the current and future occupiers of the parent property, which is contrary to policy QD27 of the Brighton & Hove Local Plan.

**BH2014/00912**

**15 Roedean Crescent Brighton**

Certificate of Lawfulness for proposed loft conversion incorporating rear dormer, rooflights to front, rear and side roofslopes and glazed front gable.

**Applicant:** Mr William Christopherson

**Officer:** Christine Dadswell 292205

**Refused on 27/05/14 DELEGATED**

**1) UNI**

The submitted plans do not provide sufficient information by which to determine the volume of the proposed dormer and therefore whether the proposed development complies with Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995.

**2) UNI2**

Notwithstanding the lack of information it is clear from the submitted plans that the development is not permitted under Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) Order 1995, as amended as one of the proposed rooflights on the western elevation and the proposed rooflight on the rear elevation will not be obscure glazed or non-opening below 1.7m above the floor of the room in which it is installed.

**BH2014/01005**

**8A Lewes Crescent & 38 Rock Grove Brighton**

Painting of side elevation of 38 Rock Grove.

**Applicant:** Mr Robin Guilleret

**Officer:** Jonathan Puplett 292525

**Approved on 03/06/14 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 side elevation of the building including the chimney shall be painted in a breathable white paint (colour BS 4800 00 E 55) to match the front elevation of the building and shall be maintained as such thereafter.

*Reason: To ensure an acceptable appearance, to preserve the character of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

### **BH2014/01019**

#### **Southcliffe Lodge Marine Drive Brighton**

Erection of ground floor extensions to front and rear, formation of additional floor, front balconies, cladding and associated works.

**Applicant:** Mr John Roadnight

**Officer:** Wayne Nee 292132

**Refused on 27/05/14 DELEGATED**

#### **1) UNI**

The proposal, by virtue of its form, bulk and massing at roof level and inappropriate design, would result in incongruous and unsympathetic three storey development which fails to emphasise or enhance the positive qualities of the local neighbourhood, appearing over dominant in and causing harm to the character of the street scene. The proposal is therefore contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

#### **2) UNI2**

By reason of its height and close proximity to no. 181 Marine Drive, the proposed second floor front balcony would result in overlooking and an adverse loss of privacy, representing an un-neighbourly form of development. The proposal would be detrimental to neighbouring amenity and would therefore be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

### **BH2014/01034**

#### **151A Marine Drive Saltdean Brighton**

Application for Approval of Details Reserved by Conditions 8, 10, 11 and 12 of application BH2012/01545.

**Applicant:** Allbeck Homes Ltd

**Officer:** Sonia Gillam 292265

**Refused on 23/05/14 DELEGATED**

#### **1) UNI**

Samples of the proposed materials to be used in the construction of the external surfaces of the development and samples of the windows/ doors have not been received. It is not therefore possible to approve details in respect of condition 8.

#### **2) UNI2**

The submitted details fail to demonstrate that the noise mitigation measures would achieve adequate levels of noise attenuation. It is not therefore possible to approve details in respect of condition 10.

#### **3) UNI3**

The submitted details within the Landscape Plan and Arboricultural, Horticultural and Ecological Management Report fail to incorporate adequate measures to enhance the nature conservation interest of the site. It is not therefore possible to approve details in respect of conditions 11 and 12.

### **BH2014/01115**

#### **40 Arundel Place Brighton**

Prior approval for change of use at ground and first floor levels from offices (B1) to residential (C3) to form 2no flats.

**Applicant:** Creative Developments Ltd

**Officer:** Christopher Wright 292097

**Prior Approval is required and is approved on 02/06/14 DELEGATED**

## **WOODINGDEAN**

### **BH2014/00320**

#### **The Science Park Sea View Way Brighton**

Replacement of existing single blade wind turbine with three blade wind turbine.

**Applicant:** Reflex Nutrition Ltd

**Officer:** Chris Swain 292178

**Refused on 15/05/14 DELEGATED**

#### **1) UNI**

The application is not accompanied by a robust background noise survey which identifies the appropriate nearest sensitive receptors or a comprehensive acoustic report outlining the noise impact of the proposed wind turbine on agreed receptors. The development, in the absence of this information and suitable mitigation measures, has significant potential to expose neighbouring residents to excessive and unreasonable levels of noise. The proposal would therefore be detrimental to residential amenity and is contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan.

### **BH2014/01029**

#### **1 Rudyard Road Brighton**

Certificate of lawfulness for proposed single storey rear extension and installation of new windows to side elevations.

**Applicant:** Mr Richard Evans

**Officer:** Christine Dadswell 292205

**Approved on 23/05/14 DELEGATED**

### **BH2014/01050**

#### **56 Downs Valley Road Brighton**

Application for Approval of Details Reserved by Condition 3 of application BH2013/03535.

**Applicant:** Ms K Stanley

**Officer:** Andrew Huntley 292321

**Approved on 30/05/14 DELEGATED**

## **BRUNSWICK AND ADELAIDE**

### **BH2013/03964**

#### **63A Holland Road Hove**

Installation of kitchen extract and air conditioning systems to rear elevation. (Retrospective).

**Applicant:** ER Property Developments Ltd

**Officer:** Andrew Huntley 292321

**Refused on 22/05/14 DELEGATED**

#### **1) UNI**

The applicant has failed to demonstrate that the existing extraction equipment would not have a detrimental impact on neighbouring residential amenity by reason of noise and disturbance. As such, the proposal is contrary to policies QD27 and SU10 of the Brighton & Hove Local Plan.

### **BH2013/04331**

#### **3 - 4 Western Road Hove**

Creation of rear roof terrace on existing first floor flat roof with fenestration alterations including Juliette balconies to first, second and third floor levels.

**Applicant:** Legal Link Ltd

**Officer:** Christopher Wright 292097

**Approved on 04/06/14 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**

3. The external finishes of the roof terrace balustrade to 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 policies QD14 and HE6 of the Brighton & Hove Local Plan.*

**3) UNI**

All new Juliette balcony doors shall be painted softwood with concealed trickle vents and shall be retained as such thereafter.

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

**4) UNI**

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

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

Plan Type	Reference	Version	Date Received
Location & Block Plan	Y078-A01		19 Dec 2013
Existing Ground and First Floor Plan	Y078-A02		19 Dec 2013
Existing Second and Third Floor Plan	Y078-A03		19 Dec 2013
Existing Front Elevation	Y078-A04		19 Dec 2013
Existing Rear Elevation and Section A-A	Y078-A05		19 Dec 2013
Proposed Ground, First and Second Floor Plans	Y078-D01		30 Dec 2013
Proposed Front Elevation	Y078-D03		19 Dec 2013
Proposed Third Floor, Fourth Floor and Roof Plans	Y078-D02	A	31 Mar 2014
Existing Rear Elevation and Section A-A	Y078-D04	A	31 Mar 2014

**BH2014/00448**

**Flat 5 31 First Avenue Hove**

Replacement of UPVC window and door with aluminium bi-fold doors.

**Applicant:** Mr Lundholm

**Officer:** Christopher Wright 292097

**Approved on 19/05/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan			12 Feb 2014
Block Plan			12 Feb 2014
Existing Elevation		Rev. A	6 May 2014
Proposed Elevation		Rev. A	6 May 2014
Viewed Externally			12 Feb 2014
Section Details (3 pages)			12 Feb 2014

**BH2014/00844**

**83 - 85 Western Road Hove**

Prior approval for change of use from offices (B1) to residential (C3) on the first and second floors to form 6no self contained flats.

**Applicant:** Rentmoor Ltd

**Officer:** Christopher Wright 292097

**Prior Approval is required and is approved on 19/05/14 DELEGATED**

**CENTRAL HOVE**

**BH2014/00006**

**Flat 6 5 St Aubyns Gardens Hove**

Installation of replacement windows to front elevation including enlargement of opening and replacement cill.

**Applicant:** T Hipwell

**Officer:** Emily Stanbridge 292359

**Approved on 15/05/14 DELEGATED**

**1) BH01.01**

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

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

**2) UNI**

The external finish of the replacement cill shall match the colour 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 windows hereby approved shall be painted timber vertical sliding sashes

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

**4) UNI**

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

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

Plan Type	Reference	Version	Date Received
Site location plan	11249.01		02.01.2014
Block Plan	11249.02		02.01.2014

Report from: 15/05/2014 to: 04/06/2014

Plan	11249/03		02.01.2014
Section	11249/04		02.01.2014
Elevation	11249/05		02.01.2014
Existing south elevation	11249/06		02.01.2014

**BH2014/00328**

**Flat D 63 Tisbury Road Hove**

Replacement of existing windows and patio doors with timber windows and patio doors with associated external alterations to construct bay window to rear elevation.

**Applicant:** Sparks Property Developments

**Officer:** Christine Dadswell 292205

**Approved on 23/05/14 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 plans no works shall take place until full details of the proposed front door including 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan	ADC629/LP		20 Feb 2014
Existing Elevations and Floor Plans	ADC629/04		04 Feb 2014
Proposed Elevations and Floor Plans	ADC629/03	A	08 Apr 2014
Joinery Details	ADC629/05		26 Feb 2014
Large Scale Joinery Details	ADC629/06		08 Apr 2014

**4) UNI**

No works shall take place until details of the airbrick ventilation for the vaults 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.

*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.*



**BH2014/00398**

**1-2 Victoria Terrace Hove**

Change of use from car showroom (Sui Generis) to form 2no professional services units (A2) and 1no two bedroom flat at ground floor and 2no one bedroom flats at lower ground floor including new shop fronts, repairs to balcony, access stairs and landscaping to rear and associated works.

**Applicant:** John Regan

**Officer:** Christopher Wright 292097

**Approved on 04/06/14 DELEGATED**

**1) BH01.05**

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

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

**2) UNI**

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

**BH2014/00600**

**Hove Public Library 182-186 Church Road Hove**

Internal alterations to facilitate the replacement of wireless access points and installation of data points to existing trunking.

**Applicant:** BHCC Libraries

**Officer:** Emily Stanbridge 292359

**Approved on 02/06/14 OTHER**

**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 redundant cabling, trunking and other internal fittings shall be removed.

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

**BH2014/00789**

**Flats 1 & 2 53 Ventnor Villas Hove**

Alterations to fenestration at lower ground floor level including installation of new access door to front. Installation of new door to replace existing window, and new window to replace existing door to side elevation and new French doors to rear to replace existing windows.

**Applicant:** Norman & James Bolton

**Officer:** Jonathan Puplett 292525

**Approved on 15/05/14 DELEGATED**

**1) BH01.01**

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

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

**2) UNI**

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

*Reason: To ensure a satisfactory appearance to the development 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 listed below.

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

Plan Type	Reference	Version	Date Received
LOCATION PLAN			10/03/2014
EXISTING FLOOR PLAN			10/03/2014
EXISTING SIDE ELEVATION			10/03/2014
EXISTING REAR ELEVATION			10/03/2014
PROPOSED FLOOR PLAN			10/03/2014
PROPOSED SIDE ELEVATION			10/03/2014
PROPOSED REAR ELEVATION			10/03/2014

**BH2014/00828**

**15 Courtenay Gate Courtenay Terrace Hove**

Replacement of single glazed sliding sashes with double glazed sliding sashes within existing timber frames.

**Applicant:** Mr John Logsdon

**Officer:** Emily Stanbridge 292359

**Approved on 19/05/14 DELEGATED**

**1) BH01.01**

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

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

**2) UNI**

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such thereafter.

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

**3) UNI**

The proposed windows shall be constructed in accordance with the email submitted by the agent dated the 16th of May 2014.

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

**4) UNI**

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

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

Plan Type	Reference	Version	Date Received
Location and block plan			14.03.2014
Operational diagram			14.03.2014

Sectional drawing		16.05.2014
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**BH2014/00902**

**48 Blatchington Road Hove**

Conversion of existing ground floor shop (A1) and first floor office and storage space (B1) to 1no one bedroom maisonette at ground and first floor and 1no one bedroom maisonette at first and second floor with associated alterations including rear dormer, rooflights and new entrance to front and rear elevations.

**Applicant:** Weatherstone Properties Group

**Officer:** Christopher Wright 292097

**Approved on 27/05/14 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 south and west facing bathroom windows on the rear elevation of original building and the flank elevation of the flat roof link extension shall be obscure glazed and, 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, non-opening and thereafter permanently retained as such.

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

**3) UNI**

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

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

**4) UNI**

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

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

**5) UNI**

The development hereby permitted shall not be occupied until the sustainability measures detailed within the Sustainability Checklist received on the 20 March 2014 have been fully implemented, and such measures shall thereafter be retained as such.

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

**6) UNI**

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

**7) UNI**

The vehicle parking area as approved shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

*Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.*

**8) UNI**

No development shall commence until a Scheme of Management of the vehicle parking has been submitted to and been approved in writing by the Local Planning Authority. The submitted scheme shall include details of how each car parking space will be allocated and any necessary measures to ensure that each car parking space is secured for the use of its allocated owner. The approved scheme shall be implemented prior to the first occupation of the building and thereafter retained at all times.

*Reason: To ensure the development maintains a sustainable transport strategy and to comply with policies TR1 and TR19 of the Brighton & Hove Local Plan.*

**9) UNI**

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.*

**10) UNI**

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

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

Plan Type	Reference	Version	Date Received
Block & Site Location Plans	TA684/01	B	20 Mar 2014
Existing Ground Floor Plan	TA684/02	D	20 Mar 2014
Existing Ground Floor Plan	TA684/02	F	20 Mar 2014
Existing First Floor Plan	TA684/03	D	20 Mar 2014
Existing First Floor Plan	TA684/03	F	20 Mar 2014
Existing Front & Rear Elevations	TA684/04	B	20 Mar 2014
Existing Front & Rear Elevations	TA684/04	C	20 Mar 2014
Existing Section AA & Elevation	TA684/05	C	20 Mar 2014
Existing Section AA & Elevation	TA684/05	E	20 Mar 2014
Existing Section BB	TA684/06	C	20 Mar 2014
Existing Section BB	TA684/06	E	20 Mar 2014
Existing Second Floor Plan	TA684/07		20 Mar 2014
Existing Second Floor Plan	TA684/07	B	20 Mar 2014
Proposed Ground Floor Plan	TA684/10	G	20 Mar 2014
Proposed First Floor Plan	TA684/11	G	20 Mar 2014
Proposed Second Floor Plan	TA684/12	H	20 Mar 2014
Proposed Front & Rear	TA684/13	E	20 Mar 2014

Elevations			
Proposed Section & Elevation	TA684/14	F	20 Mar 2014
Proposed Section BB	TA684/15	G	20 Mar 2014
Proposed Site Plan	TA684/16	F	20 Mar 2014

**11) UNI**

Access to the flat roof over the link extension 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.*

**BH2014/00973**

**55 St Aubyns Hove**

Loft conversion to create 1no studio flat incorporating dormer and rooflight to front and dormer to rear.

**Applicant:** Acornrent Ltd

**Officer:** Liz Arnold 291709

**Refused on 21/05/14 DELEGATED**

**1) UNI**

The proposed rear dormer window, by virtue of its excessive size and design, which includes large areas of cladding to the side and below the proposed windows, is considered to be overly bulky, oversized, poorly designed and poorly related to the existing building and therefore of detriment to the character and appearance of the existing property, the related terrace, the Seafield Road street scene and the surrounding Old Hove and Cliftonville Conservation Areas, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

**BH2014/01056**

**Fourth Avenue Mansions 88-92 Church Road Hove**

Replacement of existing windows with white painted timber double glazed windows.

**Applicant:** Sanctuary Group

**Officer:** Sonia Gillam 292265

**Approved on 28/05/14 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 timber windows hereby approved shall be painted white within 3 months of the date of installation and shall be retained as such thereafter.

*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 listed below.

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

Plan Type	Reference	Version	Date Received
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Report from: 15/05/2014 to: 04/06/2014

Existing elevations	14129_001		02/04/2014
Proposed elevations	14129_002		02/04/2014
Existing/ proposed bay windows	14129_003		02/04/2014
Existing/ proposed windows	14129_004		02/04/2014
Mullion detail - standard sash	FC/MULL/SS18		02/04/2014
Cill detail - standard sash	FC/S-CILL/SS18		02/04/2014
Jamb detail - standard sash	FC/JAMB/SS18		02/04/2014
Head detail - standard sash	FC/HEAD/SS18		02/04/2014
Head detail - standard sash	SBVS/HEAD/S18		02/04/2014
Jamb detail - standard sash	SBVS/JAMB/S18		02/04/2014
Meeting rail detail - standard sash	SBVS/M.RAIL/SS18		02/04/2014
Astragal bar profiles	AST19/SS18		02/04/2014
Site location plan			02/04/2014

### **BH2014/01123**

#### **Flat 1 26 Norton Road Hove**

Installation of replacement timber doors to rear and stairs to access rear garden.

**Applicant:** Mr & Mrs S Sutcliffe

**Officer:** Emily Stanbridge 292359

**Approved on 30/05/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location plan			07.04.2014
Block Plan			07.04.2014
Existing and proposed	01		07.04.2014
Joinery details			07.04.2014
Door sections			07.04.2014
Door sections			07.04.2014
Decking area			07.04.2014

### **BH2014/01129**

#### **14a Osborne Villas Hove**

Replacement of timber windows and doors with UPVC windows and doors. (Retrospective).

**Applicant:** Mr Leal

Report from: 15/05/2014 to: 04/06/2014

**Officer:** Sonia Gillam 292265

**Refused on 03/06/14 DELEGATED**

**1) UNI**

The replacement front windows, by reason of their design and material, are an unsympathetic alteration that fail to reflect the original character and appearance of the building and fail to preserve or enhance the character or appearance of the Cliftonville Conservation Area. As such the proposal is contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 09, Architectural Features, and 12, Design Guide for Extensions and Alterations.

**GOLDSMID**

**BH2014/00075**

**Kings Gate 111 The Drive Hove**

Creation of additional floor to provide 3no three bedroom flats and 3no two bedroom flats with cycle store.

**Applicant:** Anstone Properties Ltd

**Officer:** Christopher Wright 292097

**Approved after Section 106 signed on 20/05/14 DELEGATED**

**1) UNI**

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

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

**2) UNI**

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			10 Jan 2014
Existing Roof Plan			20 Jan 2014
Proposed Additional 6 No. Flats at Roof Level (Third Floor)	355/100		10 Jan 2014
As Existing Elevations	AC/KingsGate/01		10 Jan 2014
As Proposed Elevations	AC/KingsGate BR/04	A	10 Jan 2014
As Proposed Third Floor & Roof Plans	AC/KingsGate BR/05		CH 10 Jan 2014

**3) UNI**

No development shall take place until a scheme for the junction of existing and new work, and samples of all materials to be used in the external finishes of the extension, have been submitted to and approved by the Local Planning Authority. Materials are to match existing in colour, style and texture. The approved scheme and materials shall be incorporated into the development.

*Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan 2005.*

**4) UNI**

The development hereby permitted shall not be commenced until the details of

Report from: 15/05/2014 to: 04/06/2014

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.*

#### **5) 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 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

#### **6) UNI**

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 2005.*

#### **7) UNI**

The new dwelling units hereby permitted shall be constructed to Lifetime Home standards wherever practicable 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) UNI**

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

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

### **BH2014/00270**

#### **77 The Drive Hove**

Repair of asphalt on bay roof and installation of waterproof membrane covered with existing tiles.

**Applicant:** Pepper Fox Ltd

**Officer:** Helen Hobbs 293335

**Refused on 23/05/14 DELEGATED**



**1) UNI**

Insufficient information on the repair of the bay roof has been submitted and there is no justification as to why traditional materials do not form part of the proposed works. In the absence of sufficient detail the proposal would fail to preserve the historic character and appearance of the Grade II Listed Building. The proposal is therefore contrary to policy HE1 of the Brighton & Hove Local Plan and Supplementary Planning Document 9, Architectural Features

**BH2014/00558**

**Flat 1 79 The Drive Hove**

Internal alterations to layout. (Retrospective)

**Applicant:** Mr Tom Jones

**Officer:** Liz Arnold 291709

**Approved on 16/05/14 DELEGATED**

**1) UNI**

Within two months of the date of this consent, the installed external plastic vent shall be removed and the original broken airbrick replaced with a new clay vent of a similar colour to match the surrounding bricks.

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

**BH2014/00872**

**Flat 4 55 Hove Park Villas Hove**

Replacement of existing timber framed windows with UPVC windows.

**Applicant:** Brian John Denman

**Officer:** Joanne Doyle 292198

**Approved on 20/05/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site Location Plan			18 Mar 2014
Window Specifications			18 Mar 2014
Sectional Drawings			18 Mar 2014

**BH2014/00876**

**Flat 31 Cromwell Court 89 Cromwell Road Hove**

Installation of flue to west elevation external wall.

**Applicant:** Miss Genevieve Smith

**Officer:** Christine Dadswell 292205

**Approved on 23/05/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan			18 Mar 2014
Block Plan			18 Mar 2014

## **BH2014/00921**

### **56 Livingstone Road Hove**

External and internal alterations to facilitate conversion of existing mixed use of light industrial and offices (B1) with retail (A1) and storage (B8) into 2no self-contained one bedroom flats and 1no self-contained two bedroom flat.

**Applicant:** Mr Tim Hawkins

**Officer:** Liz Arnold 291709

**Approved on 30/05/14 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 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.*

### **3) UNI**

The new dwellings hereby permitted shall be constructed to all reasonable Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

### **4) UNI**

The 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.*

### **5) UNI**

Notwithstanding the details submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments, including the new front boundary wall and railings, entrance steps and the boundary between the proposed rear garden areas. The boundary treatments shall be provided in accordance with the approved details before the building is occupied.

*Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD1,*

Report from: 15/05/2014 to: 04/06/2014

QD14 and QD27 of the Brighton & Hove Local Plan.

**6) UNI**

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

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

**7) UNI**

No development shall take place until large scale details of the aluminium windows, including method of opening, have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD1, and QD14 of the Brighton & Hove Local Plan.*

**8) 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 and planting of the development.

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

**9) UNI**

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.*

**10) UNI**

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

(a) a 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 under

**11) UNI**

No residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'pass' as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

**12) UNI**

None of the residential units hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

**13) UNI**

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

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

Plan Type	Reference	Version	Date Received
Existing Floor Plans	3453.EXG.01		21st March 2014
Existing Elevations, Section and OS Extract	3453.EXG.02		21st March 2014
Proposed Plans	3453.PL.01		21st March 2014
Proposed Elevations, Section and OS Extract	3453.PL.02		21st March 2014
Proposed Plans Space Standards	3453.PL.03		21st March 2014

**14) UNI**

Notwithstanding the information provided, the development hereby permitted shall not be commenced until details of a minimum of 4 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.*

**BH2014/00930**

**39 Lyndhurst Road Hove**

Certificate of lawfulness for a proposed loft conversion incorporating rear dormers and rooflights to the front elevation.

**Applicant:** Mr Brendan Haworth

**Officer:** Emily Stanbridge 292359

**Approved on 27/05/14 DELEGATED**

**BH2014/00938**

**Top Flat 86 Goldstone Road Hove**

Installation of 3no rooflights to front roof slope and 2no rooflights to the rear.

**Applicant:** Brian O'Neill

**Officer:** Joanne Doyle 292198

**Refused on 19/05/14 DELEGATED**

**1) UNI**

The proposed front rooflights, by reason of their number and siting, would result in a cluttered appearance and would be of detriment to the character and appearance of the existing property and the wider Goldstone Road street scene. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

**BH2014/00965**

**2 Highdown Road Hove**

Certificate of Lawfulness for proposed single storey rear and side extension.

**Applicant:** Ms Shirley Waldron

**Officer:** Helen Hobbs 293335

**Approved on 21/05/14 DELEGATED**

**BH2014/01012**

**Flat 3 33 Wilbury Road Hove**

Installation of rooflights to side and rear elevations.

**Applicant:** Walter Manenti

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 22/05/14 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 rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

**3) UNI**

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

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

Plan Type	Reference	Version	Date Received
Existing Floor Plans & Block Plan	33WR/01		27.03.2014
Existing Elevations & 2nd Floor & Roof Plan	33WR/02		27.03.2014
Proposed 2nd Floor Plan	33WR/03		27.03.2014
Proposed Third Floor Plan	33WR/04		27.03.2014
Proposed Elevations	33WR/05		27.03.2014

### **BH2014/01042**

#### **84-86 Denmark Villas Hove**

Prior approval for change of use at first, second and third floor levels from offices (B1) to residential (C3) to form 15no flats.

**Applicant:** Chestnut Development Co Ltd

**Officer:** Christopher Wright 292097

**Prior Approval is required and is approved on 27/05/14 DELEGATED**

### **HANGLETON & KNOLL**

### **BH2014/00886**

#### **1 Sherbourne Road Hove**

Certificate of lawfulness for proposed single storey rear extension and enlargements to existing front porch and conservatory to side.

**Applicant:** Stephan Love

**Officer:** Helen Hobbs 293335

**Split Decision on 29/05/14 DELEGATED**

### **BH2014/00913**

#### **253 Old Shoreham Road Hove**

Erection of single storey rear extension.

**Applicant:** 14 Investments Ltd

**Officer:** Emily Stanbridge 292359

**Approved on 28/05/14 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 alcohol shall be sold or supplied to persons accommodated within the extension hereby permitted unless those persons are taking meals on the premises and are seated at tables.

*Reason: To safeguard the amenities of the locality and to comply with policies SU10, SR12 and QD27 of the Brighton & Hove Local Plan.*

#### **3) UNI**

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,

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(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.

#### **4) UNI**

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.*

#### **5) UNI**

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

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

Plan Type	Reference	Version	Date Received
Location Plan	13.1951.125	P2	21.03.2014
Block Plan	13.1951.126	P3	02.04.2014
Existing Survey	3122/01		21.03.2014
Existing floor plans	3122/02		21.03.2014
Existing elevations	3122/03		21.03.2014
Proposed site layout	13.1951.120	P3	21.03.2014
Proposed ground floor layout	13.1951.121	P3	21.03.2014
Proposed first floor layout	13.1951.122	P3	21.03.2014
Proposed elevations	13.1951.123	P3	21.03.2014
Proposed elevations	13.1951.124	P3	21.03.2014

#### **6) UNI**

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

*Reason: To ensure a satisfactory appearance to the development in the interests*

*of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

**BH2014/01041**

**5 Northease Gardens Hove**

Certificate of Lawfulness for proposed single storey rear extension.

**Applicant:** Mr & Mrs Chinman

**Officer:** Emily Stanbridge 292359

**Approved on 04/06/14 DELEGATED**

**BH2014/01113**

**4 Hangleton Valley Drive Hove**

Certificate of Lawfulness for proposed single storey rear extension to replace existing conservatory.

**Applicant:** Phil Mann

**Officer:** Christine Dadswell 292205

**Approved on 30/05/14 DELEGATED**

**BH2014/01138**

**6 Warene Road Hove**

Certificate of lawfulness for proposed erection of rear conservatory extension and increase to height of side boundary wall.

**Applicant:** Mr Romani Latif

**Officer:** Christine Dadswell 292205

**Approved on 04/06/14 DELEGATED**

**BH2014/01163**

**35 Sunninghill Avenue Hove**

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension and rear dormer.

**Applicant:** Mr & Mrs Allen

**Officer:** Emily Stanbridge 292359

**Approved on 30/05/14 DELEGATED**

**BH2014/01190**

**2 Northease Gardens Hove**

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension and single storey rear extension.

**Applicant:** Mrs Christina Chan

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 02/06/14 DELEGATED**

**BH2014/01410**

**84 Amberley Drive Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 4m and for which the height of the eaves would be 3m.

**Applicant:** Mr & Mrs M Lobacz

**Officer:** Julia Martin-Woodbridge 294495

**Prior approval not required on 30/05/14 DELEGATED**



## **NORTH PORTSLADE**

### **BH2014/00885**

#### **356 Mile Oak Road Portslade**

Erection of part single, part two storey rear extension.

**Applicant:** S Johnston

**Officer:** Jason Hawkes 292153

**Approved on 16/05/14 DELEGATED**

#### **1) BH01.01**

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

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

#### **2) UNI**

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

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

#### **3) UNI**

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

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

Plan Type	Reference	Version	Date Received
Block Plan			19th March 2014
Existing Elevations and Plans	14/904/01		19th March 2014
Proposed Elevations and Plans	14/904/02		19th March 2014

### **BH2014/00972**

#### **1 Brackenbury Close Portslade**

Conversion of garage to habitable space with associated external alterations.

**Applicant:** Mr & Mrs Collins

**Officer:** Oguzhan Denizer 290419

**Approved on 21/05/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site Location Plan			26/03/2014
Block Plan			26/04/2014
Existing & Proposed Elevations			26/03/2014
Existing Floor Plan			26/03/2014
Proposed Floor Plan			26/03/2014
Roof Plan and Existing & Proposed Sections			26/03/2014

## **SOUTH PORTSLADE**

### **BH2013/03498**

#### **113-115 Trafalgar Road Portslade**

Outline application for the demolition of existing bungalows and erection of 4no three bedroom houses.

**Applicant:** Mr H Cooper

**Officer:** Liz Arnold 291709

**Approved on 04/06/14 DELEGATED**

#### **1) UNI**

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2. below, whichever is the later.

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

#### **2) UNI**

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 accord with the standards described in Annex 6 of SPD 11 and 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 and Supplementary Planning Document SPD11 Nature Conservation and Development.*

#### **3) UNI**

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouses as provided for within Schedule 2, Part 1, Classes A - C of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) 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.*

#### **4) UNI**

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to

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and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

#### **5) UNI**

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

(a) a 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 under

#### **6) UNI**

No development shall take place until full details of site levels of the proposed development relative to surrounding properties have been submitted to and approved in writing by the Local Planning Authority. All levels shall be in metric units and related to Ordnance Survey Datum. The development shall be constructed in accordance with the agreed details.

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

#### **7) 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, boundary treatments, 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.*

#### **8) UNI**

All planting, seeding or turfing comprised in the approved scheme of landscaping

shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

#### **9) UNI**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments. The boundary treatments shall be provided in accordance with the approved details before the building is occupied.

*Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD1, QD15 and QD27 of the Brighton & Hove Local Plan.*

#### **10) UNI**

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

#### **11) UNI**

The new dwelling hereby permitted 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.*

#### **12) UNI**

No residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves Code level 3 as a minimum for the residential unit 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.*

#### **13) UNI**

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

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

#### **14) UNI**

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

#### **15) UNI**

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.*

#### **16) UNI**

a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (i) layout;
- (ii) scale;
- (iii) appearance;
- (iv) access; and
- (v) landscaping.

b) The reserved matters shall be carried out as approved.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

*Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.*

#### **BH2014/00773**

##### **42 Applesham Way Portslade**

Certificate of Lawfulness for proposed single storey rear extension to replace existing conservatory.

**Applicant:** Mr S Welling

**Officer:** Helen Hobbs 293335

**Approved on 27/05/14 DELEGATED**

#### **BH2014/00933**

##### **6 Old Shoreham Road Portslade**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.25m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

**Applicant:** Mr Rida Estfanos

**Officer:** Mark Thomas 292336

**Prior approval not required on 28/05/14 DELEGATED**

**BH2014/00944**

**15-19 rear of 15-19 and 15A Norway Street Portslade**

Application for Approval of Details Reserved by Conditions 8(ii) and 9 of application BH2013/02919.

**Applicant:** Richard Schofield

**Officer:** Jason Hawkes 292153

**Approved on 19/05/14 DELEGATED**

**BH2014/00980**

**17 Windlesham Close Portslade**

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, 2no rooflights to front, insertion of window to side and dormer to rear with Juliette balcony.

**Applicant:** Matt Salter

**Officer:** Christine Dadswell 292205

**Approved on 28/05/14 DELEGATED**

**HOVE PARK**

**BH2013/03762**

**Aldrington C of E Primary School Eridge Road Hove**

Application for approval of details reserved by conditions 4, 5, 6, 7 and 8 of application BH2013/01720.

**Applicant:** Brighton & Hove City Council

**Officer:** Jason Hawkes 292153

**Split Decision on 04/06/14 DELEGATED**

**1) UNI**

APPROVE the details pursuant to conditions 4, 6 & 8 and subject to full compliance with the submitted details.

**1) UNI**

The details pursuant to condition 5 are NOT APPROVED

**2) UNI2**

1. A BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development has not been submitted. The requirements of condition 5 have therefore not been satisfied and the scheme is contrary to policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

**BH2014/00476**

**10 Shirley Road Hove**

Erection of single storey rear extension and hip to gable roof extension incorporating side dormers, 6no rooflights and other associated works.

**Applicant:** Mr & Mrs Paul Court

**Officer:** Paul Earp 292454

**Approved on 30/05/14 DELEGATED**

**1) BH01.01**

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

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

**2) UNI**

The external finishes of the development hereby permitted shall match in

material, colour, style, bonding and texture those of the existing building.

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

### **3) UNI**

No development shall commence until details of an obscure glazed screen to the side, southern elevation, of the veranda hereby approved have been submitted to and approved in writing by the Local Planning Authority. The screen shall be erected before the veranda is first brought into use and shall be maintained as such thereafter.

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

### **4) UNI**

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

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

Plan Type	Reference	Version	Date Received
Site location plan	298-30	P1	13 February 2014
Block plan	298-31	P1	13 February 2014
Existing plans and elevation	298-01	P1	13 February 2014
Proposed plans and elevations	298-23	P1	13 February 2014

## **BH2014/00555**

### **133 Woodland Avenue Hove**

Erection of three storey rear extension with terrace and balustrading to ground floor, erection of two storey front extension, roof alterations to existing garage and other associated works.

**Applicant:** Samantha Malinksy

**Officer:** Helen Hobbs 293335

**Refused on 15/05/14 DELEGATED**

### **1) UNI**

The proposed two storey front and two storey rear extensions and the replacement pitched roof to the side garage, would by reason of their siting, design, height, scale and massing, have an unduly dominant, discordant and unsympathetic relationship to the form and character of the host building, to the detriment of visual amenity and the appearance of the street scene. As such the proposal is contrary to the requirements and objectives of policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guidance for extensions and alterations.

## **BH2014/00662**

### **61 Elizabeth Avenue Hove**

Certificate of Lawfulness for proposed loft conversion incorporating 2no side dormers, side rooflights and rear gable end with Juliet balcony and installation of rear folding doors.

**Applicant:** Mr Trevor Swaysland

**Officer:** Joanne Doyle 292198

**Approved on 23/05/14 DELEGATED**

**BH2014/00827**

**10 Orpen Road Hove**

Certificate of Lawfulness for proposed front porch and revised fenestration to facilitate conversion of garage to habitable accommodation.

**Applicant:** Mr & Mrs John Speck

**Officer:** Helen Hobbs 293335

**Approved on 19/05/14 DELEGATED**

**BH2014/00999**

**3 Woodland Parade Hove**

Change of use from retail (A1) to personal training studio (D2) with ancillary retail (A1). (Retrospective)

**Applicant:** JRL Sports Studio

**Officer:** Paul Earp 292454

**Approved on 29/05/14 DELEGATED**

**1) UNI**

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed plans	1152/01		28 March 2014

**2) UNI**

The premises shall be used for the provision of a Fitness Studio only and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

*Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.*

**3) UNI**

The use hereby permitted shall not be operational except between the hours of 06:00 to 20:00 on Monday to Friday; 08:00 to 14:00 on Saturday; and, 09:00 to 13:00 on Sundays and Bank or Public Holidays.

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

**4) UNI**

Within one month of the date of this decision details of secure cycle parking facilities, which should accommodate a minimum of 2 cycles, for use by staff and customers of the use hereby permitted, should be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use within two months of the approval of details 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.*



**BH2014/01017****168 Old Shoreham Road Hove**

Prior approval for change of use of rear ground floor office (B1) to residential (C3) to form 1no one bedroom flat.

**Applicant:** Dr Harjinder Heer

**Officer:** Andrew Huntley 292321

**Prior Approval is required and is refused on 22/05/14 DELEGATED**

**BH2014/01022****6 Woodlands Hove**

Erection of single storey rear extension with associated alterations.

**Applicant:** Kim Smith

**Officer:** Helen Hobbs 293335

**Approved on 23/05/14 DELEGATED**

**1) BH01.01**

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

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

**2) UNI**

The external brickwork 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site plan			28th March 2014
Existing and proposed plans	2241/14/01	A	28th March 2014

**BH2014/01048****53 Hove Park Road Hove**

Demolition of existing garage and erection of 1no three bedroom dwelling (C3) fronting Shirley Drive.

**Applicant:** Mr & Mrs Rents

**Officer:** Christopher Wright 292097

**Refused on 04/06/14 DELEGATED**

**1) UNI**

The proposed development would, by reason of the building footprint, close proximity to three of the four site boundaries, scale and bulk, have a cramped appearance that would be out of character with the pattern of existing development in the locality and which would be detrimental to visual amenity. As such the proposed development would neither preserve nor enhance the positive characteristics of the locality and is thereby contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

**2) UNI2**

The proposed development would, by reason of the siting, height, scale, bulk and depth of the rear annex, appear unduly dominant and would detract from the appearance of the rear elevation of the dwelling, and have an overbearing and

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intrusive impact on the adjoining property, 33 Shirley Drive, which would result in an excessive sense of enclosure and which would be detrimental to residential amenity. As such the proposal is contrary to the requirements of policies QD1 and QD27 of the Brighton & Hove Local Plan.

**BH2014/01099**

**287 Dyke Road Hove**

Application for Approval of Details Reserved by Condition 4 of application BH2013/03457.

**Applicant:** Care Management Goup

**Officer:** Andrew Huntley 292321

**Approved on 30/05/14 DELEGATED**

**BH2014/01164**

**50 The Droveaway Hove**

Certificate of lawfulness for proposed single storey rear extension.

**Applicant:** Mr & Mrs Gillatt

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 04/06/14 DELEGATED**

**BH2014/01210**

**43 Dyke Road Avenue Hove**

Application for Approval of Details Reserved by Condition 5 of application BH2013/03581.

**Applicant:** Mr Mark Harris

**Officer:** Christopher Wright 292097

**Approved on 27/05/14 DELEGATED**

**BH2014/01416**

**18 Aldrington Avenue Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.3m, for which the maximum height would be 3.7m and for which the height of the eaves would be 2.3m.

**Applicant:** Mr and Mrs Davies

**Officer:** Liz Arnold 291709

**Prior approval not required on 04/06/14 DELEGATED**

**WESTBOURNE**

**BH2014/00178**

**8 Richardson Road Hove**

Change of use from retail (A1) to public house (A4)

**Applicant:** Mr David White

**Officer:** Andrew Huntley 292321

**Approved on 16/05/14 COMMITTEE**

**1) UNI**

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

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

**2) UNI**

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

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

Plan Type	Reference	Version	Date Received
Location Plan			20.01.2014
Location Plan, Existing & Proposed Floor Plans	8RR - P1		03.02.2014
Furniture Layout Plan	8RR - P2		25.04.2014

### **3) UNI**

The use hereby permitted shall not be open to customers except between the hours of 12.00 and 21.00 on Mondays to Thursday and 12.00 and 23.00 on Friday and Saturdays and 12.00 and 14.00 on Sundays.

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

### **4) UNI**

No development shall commence until a scheme for the soundproofing of the building has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

### **5) UNI**

There shall be no preparation/cooking/heating-up of hot or cold food on the premises. No hot or cold food shall be served to customers on the premises (other than bar snacks).

*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.*

### **6) UNI**

No vehicular movements nor any loading or unloading of vehicles shall take place on the site except between the hours of 08.00 and 18.00 on Monday to Friday and 09.00 and 18.00 on Saturdays and not at any time on Sundays, Bank or Public 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.*

### **7) UNI**

There shall be no live or amplified music played on the premises at any time.

*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.*

### **8) UNI**

The areas of the premises to be used by customers, shall be limited to the areas marked blue and shown as WC and WC lobby as shown on drawing 8RR-P2 hereby approved. Customers shall not be permitted in the other parts of the premises.

*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.*

### **9) UNI**

No development shall take place until full details of the air-conditioning outlet on the external wall of the property 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.*

Report from: 15/05/2014 to: 04/06/2014

**BH2014/00411****70 Walsingham Road Hove**

Conversion of existing office space to create additional bedroom to second floor flat including a roof extension in existing roof valley. Refurbishment of property including infill of ground floor side entrance and window and additional side access gate.

**Applicant:** Grace Eyre

**Officer:** Jason Hawkes 292153

**Approved on 23/05/14 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 side facing rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

**3) UNI**

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

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

**4) UNI**

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

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

Plan Type	Reference	Version	Date Received
Existing Location & Block Plans	21828-00/001-001		7th February 2014
Proposed Location & Block Plan	21828-00/001-002		7th February 2014
Basement Floor Plans as Existing	21828-00/001-100		7th February 2014
Ground & First Floor Plans as Existing	21828-00/001-101		7th February 2014
Second Floor & Roof Plan as Existing	21828-00/001-102		7th February 2014
Elevations as Existing	21828-00/001-103		7th February 2014
Basement Floor Plan as Proposed	21828-00/001-200		7th February 2014
Ground & First Floor Plan as Proposed	21828-00/001-201		7th February 2014
Second Floor Plan & Roof Plan as Proposed	21828-00/001-202		7th February 2014
Elevations as Proposed	21828-00/001-203		7th February 2014
Sections as Proposed	21828-00/001-204		7th February 2014

Report from: 15/05/2014 to: 04/06/2014

**BH2014/00417****Ground Floor Flat 106 Sackville Road Hove**

Erection of single storey rear extension.

**Applicant:** Mr D Funnell**Officer:** Julia Martin-Woodbridge 294495**Approved on 23/05/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location and Block Plans	1403/1/A	A	06.05.2014
Existing and Proposed Flat Plans	1403/2/A	A	06.05.2014
Existing and Proposed Elevations	1403/3/3/A	A	06.05.2014

**BH2014/00756****14 Princes Square Hove**

Installation of green roof and additional rooflights to rear extension. Demolition of existing conservatory and alterations to rear fenestration.

**Applicant:** Ms Natalie Barb**Officer:** Mark Thomas 292336**Approved on 02/06/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site location and block plan	303/20	P1	7th March 2014
Existing ground floor plan	303/21	P1	7th March 2014
Proposed ground floor plan	303/21	P1	7th March 2014
Existing and proposed part roof plan	303/23	P1	7th March 2014

Report from: 15/05/2014 to: 04/06/2014

Existing and proposed west elevations	303/24	P1	7th March 2014
Existing and proposed north elevations	303/25	P1	7th March 2014
Existing and proposed south elevations	303/26	P1	7th March 2014

**BH2014/00774**

**3 Pembroke Gardens Hove**

Erection of glass roofed veranda to rear and replacement of existing rear French doors with aluminium bi-fold doors.

**Applicant:** Mr Gary Kenton

**Officer:** Sonia Gillam 292265

**Approved on 19/05/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan			10/03/2014
Block plan			24/03/2014
Existing and proposed rear and side elevations			24/03/2014
Existing and proposed side elevations			24/03/2014
Existing and proposed floor plans			08/04/2014

**BH2014/00823**

**38 Hove Street Hove**

Demolition of existing dwelling and erection of two semi-detached dwellings with associated parking and landscaping.

**Applicant:** John Robinson

**Officer:** Christopher Wright 292097

**Approved on 21/05/14 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 extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouses as provided for within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning

Report from: 15/05/2014 to: 04/06/2014

Authority.

*Reason: The Local Planning Authority considers that further development could cause detriment to the character of the area and to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development proposals to comply with policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.*

### **3) UNI**

The first floor level windows on the northern and southern facing flank elevations of each dwellinghouse hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

### **4) UNI**

Access to the flat roofs at the rear of each dwellinghouse 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.*

### **5) UNI**

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

### **6) UNI**

The new dwellings hereby permitted shall be constructed to Lifetime Home standards prior to their first occupation and shall be retained as such thereafter.

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

### **7) UNI**

The hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the 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) UNI**

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

*Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the*

*Brighton & Hove Local Plan.*

**9) UNI**

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.*

**10) UNI**

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

**11) UNI**

No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

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

**12) UNI**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments. The boundary treatments shall be provided in accordance with the approved details before the building is occupied. Development shall be carried out in accordance with the approved details.

*Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD1, QD15, HE6 and QD27 of the Brighton & Hove Local Plan.*

**13) UNI**

No development shall commence until fences for the protection of trees to be retained, in particular the Elm tree on the public highway in front of the application site, have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

**14) UNI**

No development shall 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, boundary treatments, 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.*

**15) UNI**

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.*

**16) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code Level 3 as a minimum for both 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.*

**17) UNI**

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

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

**18) 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 both residential units built have achieved a Code for Sustainable Homes rating of Code Level 3 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

**19) UNI**

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

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

Plan Type	Reference	Version	Date Received
Block and Site Location Plans	TA784/01	A	13 Mar 2014
Existing SE Surveying Site	TA784/02		13 Mar 2014

Survey			
Existing SE Surveying Street Scene Facing Hove Street	TA784/03		13 Mar 2014
Existing Ground Floor Plan	TA784/04		26 Mar 2014
Existing First Floor Plan	TA784/05		26 Mar 2014
Existing Elevations	TA784/06		26 Mar 2014
Proposed Site Plan	TA784/10	C	23 Apr 2014
Proposed Floor Plans	TA784/11	C	23 Apr 2014
Proposed Front (East) Elevation	TA784/12	C	23 Apr 2014
Proposed Rear (West) Elevation	TA784/13	B	13 Mar 2014
Proposed Side (South) Elevation	TA784/14	B	13 Mar 2014
Proposed Side (North) Elevation	TA784/15	C	23 Apr 2014
Proposed Section AA	TA784/16	C	23 Apr 2014
Comparative Street Scenes (Existing & Proposed)	TA784/17	B	23 Apr 2014

### **BH2014/00868**

#### **22 Reynolds Road Hove**

Erection of single storey rear extension and insertion of window and door to ground floor side elevation.

**Applicant:** Robert Erskine

**Officer:** Robin Hodgetts 292366

**Approved on 30/05/14 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**

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.*

#### **4) UNI**

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

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

Plan Type	Reference	Version	Date Received
Location and block plan			17/03/14

Existing elevations			17/03/14
Existing floor plans			17/03/14
Proposed elevations			17/03/14
Proposed floor plans			17/03/14

**BH2014/00903**

**92 Portland Road Hove**

Certificate of lawfulness for proposed change of use from office (B1) to 2no residential units (C3).

**Applicant:** Bureau

**Officer:** Guy Everest 293334

**Refused on 28/05/14 DELEGATED**

**1) UNI**

The applicant has failed to demonstrate that the application site was used for a use falling within Class B1(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 either immediately before the 30 May 2013 or when last in use. Accordingly, the proposed development is not permitted under Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended.

**BH2014/00906**

**92 Portland Road Hove**

External alterations including replacement of existing windows and doors to front and rear elevations to UPVC and alterations to shopfront and ground floor level following prior approval application BH2013/04341 for change of use from offices (B1) to residential (C3) to form 2no residential units.

**Applicant:** James Summers

**Officer:** Liz Arnold 291709

**Approved on 28/05/14 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 materials to be used in the construction of the ground floor frontage 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 QD14 of the Brighton & Hove Local Plan.*

**3) UNI**

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

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

Plan Type	Reference	Version	Date Received
Site Plan			1st April 2014
Block Plan			20th March 2014
Existing Basement Level Plan	003		20th March 2014
Existing Ground Level Plan	004		20th March 2014
Existing First Level Plan	005		20th March 2014
Existing Second Level Plan	006		20th March 2014

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Existing Roof Level Plan	007		20th March 2014
Existing Rear Elevation	009		20th March 2014
Existing Front Elevation	010		20th March 2014
Existing AA Section	010		20th March 2014
Existing BB Section	011		20th March 2014
Proposed Basement Level	020	Rev. C	20th March 2014
Proposed Ground Level Plan	021	Rev. C	20th March 2014
Proposed First Level Plan	022	Rev. B	20th March 2014
Proposed Second Level Plan	023	Rev. B	20th March 2014
Proposed Roof Level Plan	024		20th March 2014
Proposed Front Elevation	025	Rev. A	20th March 2014
Proposed Rear Elevation	026		20th March 2014
Proposed BB Section	028		20th March 2014
Proposed BB Section	029		20th March 2014
Proposed CC Section	030	Rev. A	20th March 2014

### **BH2014/00917**

#### **14 - 18 New Church Road Hove**

Display of non illuminated double sided post mounted sign, single sided post mounted sign and wall mounted signs.

**Applicant:** Priory Group

**Officer:** Helen Hobbs 293335

**Approved on 16/05/14 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.*

**BH2014/00950**

**21 Reynolds Road Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.3m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.85m.

**Applicant:** Norma Davidson

**Officer:** Julia Martin-Woodbridge 294495

**Prior approval not required on 22/05/14 DELEGATED**

**BH2014/00987**

**59 & 59a Coleridge Street Hove**

Change of use of rear of site from workshops (B2) and rear unit (B1) and garage to front to 2no two bedroom residential units (C3) and offices (B1), incorporating single storey extension and associated alterations.

**Applicant:** Mr D Golding

**Officer:** Christopher Wright 292097

**Refused on 23/05/14 DELEGATED**

**1) UNI**

The proposed development, by reason of the intensified use of the land, and the height and position of the first floor roof terrace and windows, would lead to overlooking, loss of privacy, noise and disturbance for occupiers of adjoining residential properties. The proposal would be detrimental to neighbour amenity and contrary to the objectives of policies QD14 and QD27 of the Brighton & Hove Local Plan.

**BH2014/01088**

**123-125 Portland Road Hove**

Display of internally-illuminated fascia and projecting signs and ATM surround sign.

**Applicant:** Sainsburys Supermarkets Ltd

**Officer:** Emily Stanbridge 292359

**Approved on 30/05/14 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.*

## **BH2014/01233**

### **171 Westbourne Street Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.74m, for which the maximum height would be 3.15m, and for which the height of the eaves would be 2.65m.

**Applicant:** Claire Denman

**Officer:** Julia Martin-Woodbridge 294495

**Prior Approval is required and is refused on 27/05/14 DELEGATED**

### **1) UNI**

Reasons for Refusal

1. The proposed rear extension, by reason of its height would result in a significantly overbearing impact and an unacceptable sense of enclosure to the

adjoining property, No. 169 Westbourne Street.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Site Plan, Block Plan, Existing Ground Floor Plan, Existing Rear Elevation, Proposed Ground Floor Plan and Proposed Rear Elevation	PBP0105/01		15.04.2014
Application Form			15.04.2014

**BH2014/01286**

**12 Molesworth Street Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.6m, for which the maximum height would be 3.6m, and for which the height of the eaves would be 2.6m.

**Applicant:** Mr Anthony Phillimore

**Officer:** Julia Martin-Woodbridge 294495

**Prior approval not required on 28/05/14 DELEGATED**

**WISH**

**BH2014/00737**

**72 Payne Avenue Hove**

Replacement of existing slate roof tiles to redland 49 concrete roof tiles.

**Applicant:** Parade Properties Ltd

**Officer:** Christine Dadswell 292205

**Approved on 20/05/14 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 roof shall be finished in Redland 49 tiles (specification No.03 Antique Red) and shall be retained as such thereafter.

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

**3) UNI**

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

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

Plan Type	Reference	Version	Date Received
Location and Floor Plans			25 Mar 2014

**BH2014/00875**

**13 Park Avenue Hove**

Erection of single storey front extension to facilitate conversion of existing garage into living space, erection of single storey rear extension and erection of two

Report from: 15/05/2014 to: 04/06/2014

storey rear/side extension. Hip to gable roof extensions with barn hips, 2no rooflights to front, 2no dormer windows and 1no rooflight to the rear and other associated alterations.

**Applicant:** Steve Amos

**Officer:** Christine Dadswell 292205

**Refused on 21/05/14 DELEGATED**

**1) UNI**

Notwithstanding the inaccuracies in the drawings, the proposed hip to gable roof extension along with the siting number and size of the proposed rooflights and two rear dormers would create a visually heavy roof form to the dwelling, which would appear overly dominated and cluttered by the proposed dormer windows and rooflights unbalancing the pair of semi-detached dwellings. The proposed front extension would further compound the harm exaggerating the imbalance created by the proposed roof extensions. The proposal would therefore have a detrimental impact on visual amenity and the character and appearance of the property causing harm to the character of the street scene. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design guidance for extensions and alterations.

**BH2014/00923**

**77 Payne Avenue Hove**

Certificate of lawfulness for proposed loft conversion incorporating rooflights to front and dormer to rear.

**Applicant:** Concept On Building Services

**Officer:** Joanne Doyle 292198

**Approved on 29/05/14 DELEGATED**

**BH2014/01004**

**Saxon Court 321 Kingsway Hove**

Replacement of existing double glazed timber windows and doors with double glazed UPVC windows and doors.

**Applicant:** Retirement Security Ltd

**Officer:** Julia Martin-Woodbridge 294495

**Approved on 21/05/14 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site Location Plan	8261/B/02		26.03.2014
Proposed window replacements	8261/B/04		26.03.2014
Product Survey sheet			26.03.2014
Window Profiles			26.03.2014
Rear Elevations	8261/D/01		26.03.2014



**BH2014/01062**

**32 Jesmond Road Hove**

Erection of single storey rear extension.

**Applicant:** Mrs Claudine Rane

**Officer:** Sonia Gillam 292265

**Approved on 29/05/14 DELEGATED**

**1) BH01.01**

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

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

**2) BH03.03**

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

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

**3) UNI**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed in 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.*

**4) UNI**

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

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

Plan Type	Reference	Version	Date Received
Site location plan	L-100		02/04/2014
Block plan	L-101		02/04/2014
Existing drawings	L-102		02/04/2014
Proposed drawings	L-103		02/04/2014

**BH2014/01064**

**Mackleys Wharf Basin Road North Portslade**

Application for removal of condition 1 of application BH2002/01978/FP (which required the site to be used for B1/B8 light industrial/storage use) to allow permanent use of the site for general industrial (B2) purposes.

**Applicant:** Hopegar Properties Ltd

**Officer:** Christopher Wright 292097

**Approved on 30/05/14 DELEGATED**

**1) UNI**

Not Used

**2) UNI**

The premises shall not be open or any plant or machinery in use except between the hours of 7am and 6pm daily.

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

**3) UNI**

Report from: 15/05/2014 to: 04/06/2014

The development hereby permitted has been considered in relation to the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan			3 Apr 2014

**4) UNI**

Not Used

**5) UNI**

No industrial activity of any kind, except loading and unloading, shall take place outside the proposed building but within the curtilage of the site without the prior permission of the Local Planning Authority.

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

**BH2014/01156**

**44 St Leonards Gardens Hove**

Certificate of lawfulness for proposed erection of single storey rear extension.

**Applicant:** Miss Tracy Godding & Miss Jane Vickers

**Officer:** Helen Hobbs 293335

**Refused on 04/06/14 DELEGATED**

**1) UNI**

The development is not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as the patio area would form a raised platform with a height exceeding 300mm from the original ground level.

**BH2014/01181**

**61 Bolsover Road Hove**

Prior approval for the erection of a single storey rear conservatory, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.82m, and for which the height of the eaves would be 2.62m.

**Applicant:** Mr Bundock

**Officer:** Mark Thomas 292336

**Prior approval not required on 28/05/14 DELEGATED**

**BH2014/01188**

**147 New Church Road Hove**

Certificate of Lawfulness for proposed loft conversion incorporating hip to barn end roof extension, front rooflights and rear dormer

**Applicant:** Mrs Christina Chan

**Officer:** Emily Stanbridge 292359

**Approved on 02/06/14 DELEGATED**

**BH2014/01434**

**5 Western Esplanade Portslade**

Non Material Amendment to BH2012/01197 to the rear 1st floor balcony parapet wall to be raised and new railing installed.

**Applicant:** Mike Stiff

**Officer:** Adrian Smith 290478

**Approved on 27/05/14 DELEGATED**

## **Withdrawn Applications**

**BH2014/00549**

**53-55 Boundary Road Hove**

Erection of two storey rear extension to first and second floor level to create 2no one bedroom flats (C3) and roof conversion to create 2no studio flats (C3) with associated alterations.

**Applicant:** Legal Link Ltd

**Officer:** Christopher Wright 292097

**WITHDRAWN ON 15/05/14**



**PLANS LIST 25 June 2014****PATCHAM**

**Application No:    BH2014/01388**  
**23 Highview Avenue North, Brighton**

Sycamore in rear garden - reduce and re-shape crown by 2.5 metres, crown thin and remove epicormic growth, to keep at reasonable size for garden.

**Applicant:**            Rob Stevens  
**Approved on 13 May 2014**

**PRESTON PARK**

**Application No:    BH2014/01102**  
**Rowan Court, Rookery Close**

Fell 1no Sycamore (T28) to ground level - due to severe decay at the base.

**Applicant:**            Mr Ian Smith  
**Approved on 02 Jun 2014**

**Application No:    BH2014/01458**  
**11 Florence Road, Brighton**

Mature Sycamore - reduce by 3m in height and 2-3m reduction to the remaining crown; crown raise to 4m; sever ivy.

**Applicant:**            Mr Ed Haunton  
**Approved on 19 May 2014**

**Application No:    BH2014/01743**  
**33 Chester Terrace, Brighton**

Fell four Leylandii in rear garden (no public visibility or amenity value).

**Applicant:**            Marcus Brooke  
**Approved on 28 May 2014**

**WITHDEAN**

**Application No:    BH2014/01235**  
**288 Dyke Road**

1no Lime (T1) at rear of 288 Dyke Road - reduce growth at rear of tree by 2-3m where overhanging neighbour's behind.

Applicant:            Mr Henry Lockyer  
**Approved on 13 May 2014**

**Application No:    BH2014/01481**  
**288 Dyke Road, Brighton**

Lime (T1) - minor crown raise on garden side to clear summer house (3 limbs); 3m reduction of branches overhanging neighbour's boundary as interfering with house roof; 1.5m reduction in height to balance width reduction.

Applicant:            Mr M Haddock  
**Approved on 19 May 2014**

**Application No:    BH2014/01482**  
**26 Clermont Terrace, Brighton**

Group of Holm Oaks - reduce by 2-3m, thin by 10%.

Applicant:            Mr J Hatch  
**Approved on 19 May 2014**

## **QUEEN'S PARK**

**Application No:    BH2014/01548**  
**6 St. James's Place, Brighton**

Monterey Cypress (T1) - reduce in height by approx. 3m and reduce laterals all around by approx. 1m.

Applicant:            Mr Bob Abrahams  
**Approved on 27 May 2014**

## **ROTTINGDEAN COASTAL**

**Application No:    BH2014/01385**  
**Down House, The Green, Rottingdean**

Evergreen Oak - crown thin by approx 15%, reduce the length of all stems and branches by 1.5m resulting in a smaller but natural looking tree, and remove the badly decaying branch overhanging the road.

Applicant: Tom Fellows  
**Approved on 13 May 2014**

### **BRUNSWICK AND ADELAIDE**

**Application No: BH2014/01386**  
**28 Wilbury Road, Hove**

Fell 1no Bay tree, 1no Rowan and 1no Crab Apple. (All three trees are not visible from any public area, thus have no public amenity value.)

Applicant: Mr A Beatty  
**Approved on 13 May 2014**

**Application No: BH2014/01575**  
**41 Brunswick Road, Hove**

Elder (rear garden, left-hand side) - reduce length of all branches by 1.5 metres ensuring natural shape and balance typical of species is maintained where possible.

Applicant: Ms H Thorton  
**Approved on 27 May 2014**

### **CENTRAL HOVE**

**Application No: BH2014/01387**  
**19 Vallance Road, Hove**

Sycamore - remove two low branches overhanging garden from Church Road.

Applicant: Rob Stevens  
**Approved on 13 May 2014**

**Application No: BH2014/01529**  
**9 & 11 Third Avenue, Hove**

Rear garden of No. 9 Third Avenue - Elm (T1) Remove 3 x lowest limbs growing over the garage roof. Rear garden of Nos. 9 & 11 Third Avenue - Elm (T2) Remove 2 - 3 lowest branches growing/hanging over the garage roofs.

Applicant: Ms Cowie  
**Approved on 27 May 2014**

## **HOVE PARK**

**Application No: BH2014/01573**

**Brighton & Hove Sixth Form College, 205 Dyke Road, Hove**

Macrocarpa (T1) - remove all broken and fractured branches; remove dead and diseased wood; reduce in the longer load-bearing lateral branches by up to 1.5 metres to remove end weight; shape in crown accordingly; prune out all old stubs. Macrocarpa (T2) - remove all broken and fractured branches; remove dead and diseased wood; reduce in the longer load bearing lateral branches by up to 1.5 metres to remove end weight; prune back from highway and road sign to ensure building has up to 1.5 metre clearance; prune out old stubs.

Applicant: Mr Grice

**Approved on 27 May 2014**



**NEW APPEALS RECEIVED****WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WESTBOURNE**

BH2013/04362

22 Pembroke Crescent Hove

Erection of single storey side extensions incorporating demolition of existing detached garage.

APPEAL LODGED

16/05/2014

Delegated

**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

BH2013/01969

7 Rigden Road Hove

Erection of two storey 3no bedroom detached dwelling on land to rear of 7 Rigden Road.

APPEAL LODGED

21/05/2014

Delegated

**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****REGENCY**

BH2014/00488

55 East Street Brighton

Installation of new shopfront.

APPEAL LODGED

27/05/2014

Delegated

**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****REGENCY**

BH2014/00638

6-8 Preston Street Brighton

Display of internally illuminated projecting sign.

APPEAL LODGED

28/05/2014

Delegated

**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****ROTTINGDEAN COASTAL**

BH2013/03810

Waldegrave Court Westfield Avenue Saltdean Brighton

Erection of three 2no bedroom dwellings with associated parking, cycle stores and associated landscaping.

APPEAL LODGED

<u>APPEAL RECEIVED DATE</u>	28/05/2014
<u>APPLICATION DECISION LEVEL</u>	Delegated

**INFORMATION ON HEARINGS / PUBLIC INQUIRIES**25<sup>th</sup> June 2014**Brighton & Hove  
City Council**

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This is a note of the current position regarding Planning Inquiries and Hearings

**Richmond House, Richmond Road, Brighton BN2 3RL**

Planning application no: BH2013/02838

Description: Demolition of existing 2no storey building and construction of part three storey part five storey building providing 138 rooms of student accommodation, with associated ancillary space, 76 cycle spaces, removal of existing trees, landscaping and other associated works.

Decision: Planning Committee

Type of appeal: Informal Hearing

Date: 20<sup>th</sup> May 2014

Location: TBC

**Flat 5a, 6 Palmeira Square, Hove BN3 2JA**

Enforcement ref: 2013/0612

Description: Material Change of Use

Decision: Delegated

Type of appeal: Public Inquiry

Date: 24th June 2014

Location: Hove Town Hall

**Flat 5a, 6 Palmeira Square, Hove BN3 2JA**

Enforcement ref: 2013/0613

Description: Unauthorised works to a Listed Building.

Decision: Delegated

Type of appeal: Public Inquiry

Date: 24th June 2014

Location: Hove Town Hall

**21 Rowan Avenue, Hove BN3 7JF**

Enforcement ref: 2013/0422

Description: Change of use to Dog Kennels.

Decision: Delegated

Type of appeal: Informal Hearing

Date: 1<sup>st</sup> July 2014

Location: Brighton Town Hall

**20-22 Market Street and 9 East Arcade, Brighton**

Planning application no: BH2013/01279

Description: Change of use from retail (A1) to restaurant (A3) incorporating installation of ventilation system.

Decision: Delegated

Type of appeal: Informal Hearing

Date: TBC

Location: TBC



**APPEAL DECISIONS**

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Application BH2013/04267 – Appeal against refusal for remodelling of bungalow to form house. <b>APPEAL DISMISSED</b> (delegates decision)	
<b>B – 61 MILLCROFT, BRIGHTON – WITHDEAN</b>	<b>213</b>
Application BH2014/00027 – Appeal against refusal for removal of gable roof and installation of 2 no. dormer windows to front of dwelling. <b>APPEAL DISMISSED</b> (delegated decision)	
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<b>F – 48 BRAEMORE ROAD, HOVE - WISH</b>	<b>223</b>
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<b>G – 49 COMPTON ROAD, BRIGHTON - WITHDEAN</b>	<b>225</b>
Applications BH2013/04079 – Appeal against refusal for two storey rear extension. <b>APPEAL ALLOWED</b> (delegated decision)	

**H – GROUND FLOOR FLAT, 28 DITCHLING RISE, BRIGHTON – ST. PETER’S & NORTH LAINE 229**

Application BH2013/00349 – Appeal against refusal for retrospective planning permission for new top opening front bay external window of ground floor flat. **APPEAL DISMISSED** (delegated decision)

**I – 30 COLBOURNE AVENUE, BRIGHTON – MOULSECOOMB & BEVENDEAN 233**

Application BH2013/02561 – Appeal against refusal for ‘change of use of small HMO (C4) to House of Multiple Occupancy. **APPEAL ALLOWED** (delegated decision)

**J – 2-8 CARDEN AVENUE, BRIGHTON – PATCHAM 237**

Application BH2013/03238 – Appeal against refusal for 2no entrance signs within boundary wall along Carden Avenue, 1no sign within boundary wall at junction of Carden Avenue and London Road and 1no sign within boundary wall along London Road. **APPEAL DISMISSED** (delegated decision)

**K – 31 MELBOURNE STREET, BRIGHTON – HANOVER & ELM GROVE 239**

Application BH2013/04046 – Appeal against refusal for erection of a 3 storey block comprising 5 no. flats. **APPEAL DISMISSED** (delegated decision)

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## Appeal Decision

Site visit made on 7 May 2014

**by Cullum J A Parker BA(Hons) MA MRTPI AIEMA**

an Inspector appointed by the Secretary of State for Communities and Local Government

**Decision date: 12 May 2014**

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**Appeal Ref: APP/Q1445/D/14/2215964**  
**70 Greenways, Ovingdean, Brighton, BN2 7BL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Paul Nicholson against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/04267, dated 16 December 2013, was refused by notice dated 12 February 2014.
  - The development proposed is remodelling of bungalow to form house.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the street scene and on the living conditions of neighbours in terms of privacy.

### Reasons

#### *Character and appearance*

3. The appeal building is a detached bungalow located in a residential area. The street scene is characterised by a mixture of two and single storey dwellings, with those adjacent to the appeal site both two storey in height. Whilst the plots within the locality are a variety of sizes and widths, there are clear visual gaps between the dwellings. The proposal, by reason of its width and height, would reduce these visual gaps, which are a key feature of the street scene.
4. Moreover, the proposed development would result in a substantial increase in the overall footprint of the existing dwelling at both two and single storey heights. In particular, I note that the depth at two storey height would be similar to those at both Nos 68A and 72 Greenways and that the Council raises no issues with this element of the scheme. However, in both cases the overall footprint of those dwellings is considerably smaller than that proposed in this case which, according the Officer's report, would see the depth increasing from about 9 metres to about 19.5 metres.
5. The overall depth, when considered together with the bulk proposed due to the two storey form, would result in a dwelling very different to that originally on site. The combination of both the depth and bulk that would also be at odds with the directly adjacent dwellings, and result in a building that would fail to

respect the character and appearance of the street scene. I therefore find that the proposed development, due to its design, scale, and overall depth, would fail to respect the prevailing pattern of development and spacing within the locality. As such, it would harm the character and appearance of the street scene.

6. Accordingly, the proposed development is contrary to Policies QD2 and QD14 of the Brighton and Hove Local Plan 2005 (BHLP) which amongst other aims seeks to ensure that planning permission will only be granted if the proposed development is well designed, sited and detailed in relation to adjoining properties and the surrounding area and takes account of local characteristics including scale and bulk.
7. I also acknowledge that the Council's adopted Supplementary Planning Document 12 – Design guide for extension and alterations 2013 (SPD) has also been cited, in particular the part that indicates the rear extensions should normally be no deeper than half the depth of the main body of the original building. Whilst not adopted policy, I consider that this guidance provides a good indication of the parameters the Council considers acceptable for rear extensions and in this case weighs against the proposed scheme.

#### *Living conditions*

8. My site visit confirmed that there are obscured glazed windows at both ground and first floor levels in the flank wall of No 68A Greenways. The submitted drawings show that the windows in both proposed flank walls would be obscured glazed and non-opening below 1.7 m from the internal floor level. These windows would serve ensuite, WC and a 'Games Room'. I have had regard to Paragraph 206 of the Framework relating to the use of conditions and the Planning Practice Guidance issued on 6 March 2014. In this case, I consider that a condition securing obscure glazing and fixed windows for the proposed scheme would be reasonable and could be imposed.
9. I acknowledge the close proximity of the windows between the properties. In this case, although there may be a perception of privacy being lost, given that the windows proposed at No 70 and existing at No 68A would be or are obscured glazed, any such loss of privacy would be limited. I do not, therefore, find that the perceived level of overlooking would result in a material loss of privacy for neighbouring occupiers.
10. Accordingly, the proposed development would not result in material harm to the living conditions of neighbours. I therefore conclude that the proposed development, in terms of living conditions, would not conflict with Policy QD27 of the BHLP which refers to ensuring new developments do not result in significant loss of privacy to neighbouring properties.

#### *Other matters*

11. I note the comments from neighbours relating to parking, the potential use of the building were permission granted, noise and overshadowing. I have regard to the concerns raised. However, they have not been decisive in leading to my overall conclusion.
12. Policies QD1 and QD3 of the BHLP, relating to quality of development and efficient use of sites, have been quoted by the appellant in support of the proposal. However, it is unclear as to how these specifically relate to the main



issues raised or provide justification for overcoming the harm identified. In any case, they do not alter my findings on the main issues or overall conclusion.

**Conclusion**

13. I have found in favour of the appellant with regards to the living conditions issue. However, the lack of harm I have identified in this respect is insufficient to overcome the material harm to the character and appearance of the street scene identified.
14. For the reasons given above, I therefore conclude that the appeal should be dismissed.

*Cullum J A Parker*

INSPECTOR



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## Appeal Decision

Site visit made on 6 May 2014

**by Robert Parker BSc (Hons) Dip TP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 15 May 2014**

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**Appeal Ref: APP/Q1445/D/14/2217040**  
**61 Millcroft, Brighton, East Sussex, BN1 5HD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Clive Newitt against the decision of Brighton & Hove City Council.
  - The application Ref. BH2014/00027, dated 6 January 2014, was refused by notice dated 11 March 2014.
  - The development proposed is removal of gable roof and installation of 2 no. dormer windows to front of dwelling.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposals on the character and appearance of the area.

### Reasons

3. No.61 is a detached bungalow within a row of five similar properties near the junction of Millcroft and Millrise. The properties form a discrete group and they are relatively uniform in appearance. The addition of roof lights to the front of two of the properties has not interrupted the simplicity of roof form.
4. The proposed dormers would be modest in size and aligned with the windows below. They would be subordinate additions to the roof and would maintain balance to the front elevation. However, the removal of the existing gable feature and the addition of dormers would disrupt the continuity of the group of bungalows, none of which have been extended beyond the plane of the roof slope. This would conflict with guidance contained within the adopted Supplementary Planning Document 12: Design Guide for Extensions and Alterations (2013) (SPD). For this reason, the dormers would appear as discordant and incongruous features in the street scene.
5. Accordingly, I conclude that the proposals would be materially harmful to the character and appearance of the area. They would conflict with Policy QD14 of the Brighton & Hove Local Plan 2005, as interpreted by the SPD. This policy requires proposals for extensions and alterations to existing buildings to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.

### **Other Matters**

6. The Planning Statement makes reference to two planning permissions relating to new dormers in Millcroft. One was granted in 2008, prior to the adoption of the SPD. The other reintroduces the symmetry which was lost when a dormer was constructed on the attached semi-detached property. The circumstances are therefore different to those in the present appeal case.
7. I have also been supplied with photographs of a variety of dormers which exist on other properties in the local area. The Council has confirmed that none of these, apart from the recent example referred to above, was granted planning permission under current policies and guidance. As such they carry very limited weight as a precedent.
8. My decision takes into account the benefits of gaining additional headroom for the first floor bedrooms. However, these do not outweigh the harm to the character and appearance of the area.

### **Conclusion**

9. For the reasons given above I conclude that the appeal should be dismissed.

*Robert Parker*

INSPECTOR

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## Appeal Decision

Site visit made on 6 May 2014

**by Robert Parker BSc (Hons) Dip TP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 19 May 2014**

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**Appeal Ref: APP/Q1445/D/14/2216372**  
**1 Addison Road, Hove, East Sussex, BN3 1TN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Peter Goodsman against the decision of Brighton & Hove City Council.
  - The application Ref. BH2013/04164, dated 9 December 2013, was refused by notice dated 7 February 2014.
  - The development proposed is described as "additional roof light to front elevation – retrospectively".
- 

### Decision

1. The appeal is allowed and planning permission is granted for additional roof light to front elevation – retrospectively at 1 Addison Road, Hove, East Sussex, BN3 1TN in accordance with the terms of the application, Ref. BH2013/04164, dated 9 December 2013, and the plans submitted with it.

### Procedural Matter

2. The description of development indicates that the planning application was made retrospectively. This was confirmed by my site visit where I saw that the additional roof light had already been installed.

### Main Issue

3. The main issue in this case is the effect of the additional roof light on the character and appearance of the host property and the wider street scene.

### Reasons

4. The appeal property is a recently constructed end terrace dwelling in a street of attractive terraced housing. The dwelling has been designed with fenestration to replicate other properties in the terrace. The plans originally approved showed a pair of roof lights on the front facing roof slope. These have been installed. However, a third roof light has also been added and it is this which is the subject of the appeal.
5. Relevant guidance is contained in Supplementary Planning Document 12: Design Guide for Extensions and Alterations (adopted June 2013) (SPD). This states that roof lights (particularly to street elevations) should be kept as few and as small as possible and should relate well to the scale and proportions of the elevation below, including aligning with windows where possible or centring

on the spaces between them where appropriate. Irregular roof light sizes and positioning should be avoided, and in particular will be resisted on street elevations.

6. Although neighbouring dwellings have fewer roof lights, those in the appeal property are smaller. All three roof lights in the appeal property are of equal size and, contrary to the Council's assertions, they have been installed in a horizontal row with regular spacing. This creates an ordered appearance and for this reason I disagree with the Council's assessment that the roof lights appear cluttered.
7. I accept that the additional roof light does not align with the fenestration below. However, this is not obvious to the casual observer in the street and installation of the roof light in a different position may have drawn attention to the irregular spacing. Moreover, I consider that the roof lights are not unduly prominent within the wider street scene. They are only visible from a short stretch of the street, and only then when viewing the property from the opposite pavement.
8. I conclude that the addition of a third roof light has not caused material harm to the character or appearance of the host property, or to the wider street scene. Accordingly, I find no conflict with saved Policy QD14 of the Brighton & Hove Local Plan (2005), as interpreted by the SPD. This policy seeks to ensure that alterations to existing buildings are well designed, sited and detailed in relation to the property itself, adjoining properties and to the surrounding area.

#### **Conditions**

9. As the roof light has already been installed there is no need to attach the usual time limit condition. No other conditions have been suggested by the Council and I agree that none are necessary.

#### **Conclusion**

10. For the reasons given above I conclude that the appeal should succeed.

*Robert Parker*

INSPECTOR

## Appeal Decision

Site visit made on 7 May 2014

**by Robert Parker BSc (Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 May 2014

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**Appeal Ref: APP/Q1445/A/13/2208886**

**Flat 2, 21 Wilbury Villas, Hove, East Sussex, BN3 6GB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Etienne Rodes against the decision of Brighton & Hove City Council.
  - The application Ref. BH2013/02213, dated 10 June 2013, was refused by notice dated 5 September 2013.
  - The development proposed is described as "removal of existing conservatory and erection of timber framed, ship-lapped extension in its place to facilitate the internal re-organisation of internal space. The new structure will become the new kitchen, allowing for a larger family bathroom and study".
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this case are:
  - a) The effect of the proposed extension on the character and appearance of the host building and the surrounding area; and
  - b) The effect on the living conditions of neighbouring residents at 19 Wilbury Villas, with particular reference to outlook.

### Reasons

#### *Character and Appearance*

3. The appeal property is a ground floor flat within an attractive residential area. The building has a single storey wing at the rear and a lean-to conservatory attached to the side of this wing. The conservatory is not an especially attractive addition, and its position on the property fails to respect the original plan form. Nevertheless, the structure is modest in scale and ephemeral in appearance.
4. The proposed extension would be longer and wider than the conservatory it would be replacing. The effect would be to infill much of the space between the rear wing and the side boundary. Although it would remain single storey, the extension would appear bulkier than the conservatory due to its larger

dimensions and flat roof. Moreover, it would no longer read as a subservient addition due to its alignment almost flush with the end of the rear wing.

5. I accept that the existing conservatory is already a somewhat discordant addition. However, I consider that the proposed extension would be more harmful, with neither its scale nor its position respecting the character and appearance of the host building.
6. Accordingly, I conclude that the proposal would be materially harmful to the character and appearance of the area. It would therefore conflict with saved Policy QD14 of the Brighton & Hove Local Plan (2005) (LP) which requires extensions to existing buildings to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.

#### *Living Conditions*

7. The proposed extension would bring the built form closer to the boundary with No.19. The height of the extension, combined with its length and proximity to the boundary, would be overbearing for the neighbours and would increase the sense of enclosure to their patio.
8. I therefore conclude that the proposal would be materially harmful to the living conditions of the neighbouring residents at No.19. This would conflict with saved Policies QD14 and QD27 of the LP which seek to protect the amenity of adjacent occupiers.

#### **Other Matters**

9. The appellant argues that the extension would replace existing garden sheds which currently look unsightly and reduce light to a bedroom and en-suite. However, these sheds could be removed or relocated in the garden without having to construct the extension.
10. It is also contended that removal of the sheds, which are presently tight up against the boundary, would improve the relationship of the appeal property with its neighbour. However, I noted during my visit that the sheds lie directly alongside an adjacent extension belonging to No.19 and therefore they have no impact upon outlook from the ground floor windows of the property or its patio.
11. I have taken account of the fact that the appeal property would retain its existing garden and the fact that the extension would provide additional living accommodation for the appellant and his family. However, these benefits do not outweigh the harm identified above.

#### **Conclusion**

12. For the reasons given above I conclude that the appeal should be dismissed.

*Robert Parker*

INSPECTOR



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## Appeal Decision

Site visit made on 14 May 2014

**by Cullum J A Parker BA(Hons) MA MRTPI AIEMA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 21 May 2014**

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**Appeal Ref: APP/Q1445/D/14/2215684**  
**16 Waldegrave Road, Brighton, BN1 6GE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr J and Mrs C Holden against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/03886, dated 8 November 2013, was refused by notice dated 21 February 2014.
  - The development proposed is single storey side/rear extension.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a single storey side/rear extension at 16 Waldegrave Road, Brighton in accordance with the terms of the application, Ref BH2013/03886, dated 8 November 2013, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Plans @ 16, Waldegrave Road, Brighton, and Existing details @ 16, Waldegrave Road, Brighton.

### Application for costs

2. An application for costs was made by one of the appellants, Mr J Holden, against Brighton & Hove City Council. This application is the subject of a separate Decision.

### Main Issues

3. The proposal is located within the Preston Park Conservation Area. Accordingly the main issues are:
  - the effect of the proposed development on the host building and whether the proposed development would preserve or enhance the character or appearance of the Conservation Area, and;
  - the effect of the proposed development on the living conditions of neighbours at No. 14 Waldegrave Road with regard to outlook.

## Reasons

### *Character and appearance*

4. The appeal property is a semi-detached house located within a residential area. The building has a two storey rear projection (otherwise known as an outrigger) that is shared with the attached dwelling, No 18 Waldegrave Road. To the rear there is also a small lean-to extension that appears to extend beyond the original rearmost elevation wall. My site visit confirmed that there are a variety of rear extensions within the immediate locality visible from the rear garden of No 16, and these vary in form from pitched to flat roofed extensions. In particular there is an extension at No 18, part of which has a lean-to mono-pitch roof on its rearmost elevation.
5. The proposal seeks the removal of the small lean-to extension serving the kitchen at No 16, and its replacement with one that is similar in height, depth and form to that found at No 18. The proposal, by virtue of its wrap around nature, would also see the loss of the small courtyard area adjacent to the outrigger. Nevertheless, the extension would, visually, balance the rear elevations of both Nos 16 and 18 in terms of single storey extensions, particularly in terms of the lean-to element. Whilst I acknowledge the Council's desire to protect the building's character, I consider that the difference in height between the extension and the existing outrigger, resulting in a subservient extension, would make the original layout clear to the objective observer. Furthermore, the use of sympathetic materials found within the Conservation Area, such as slate for the roof and matching painted render, would ensure that the extension would not appear visually incongruous against the original built form.
6. I note that the Council's Design Guide for Extensions and Alterations Supplementary Planning Document (SPD) 2013, which supplements Policies HE6 and QD27 of the Brighton and Hove Local Plan 2005 (BHLP), indicates that the acceptability of infill extensions is dependent upon the design proposed, land levels between properties and whether the adjacent properties themselves have an infill extension. In this case I consider that the design proposed, which is subservient to the original dwelling and similar to an extension at No 18, is acceptable. I have considered land levels in the living conditions issue below.
7. Notwithstanding this fact, due to its subservient and overall balancing form, the proposed development would not represent a detrimental and inappropriate addition to the host building. As a result, the proposal would respect the original built form and character of the host building. Whilst not readily visible from public vantage points within the Conservation Area, the proposal would be visible from neighbouring gardens and windows. However, the proposed development would allow the buildings original form to be clearly seen. It would not only preserve the character of the original dwelling, but also that of the wider Conservation Area.
8. I therefore conclude that the proposed development would not have an adverse impact on the host building and preserve the character and appearance of the Preston Park Conservation Area. Accordingly, I find that the proposal accords with Policies HE6, QD2 and QD14 of the BHLP, which, amongst other aims, seeks that proposals should show no harmful impact on the townscape and roofscape of the Conservation Area, as supported by the SPD.

### *Living conditions*

9. During my site visit I was able to view the appeal site from within the rear garden of No 14. Policy QD27 of the BHLP, which relates to residential amenity, indicates that permission will not be granted where it would cause a material nuisance and loss of amenity to adjacent occupiers. In this case, there is a substantial difference in ground levels between Nos 14 and 16 with the proposed eaves about 1.5 metres higher than the boundary. The submitted drawings also show that a significant gap between both properties would be retained. This gap would help mitigate the potential for the proposal to appear as overbearing when viewed from the garden area of No 14, even when considering the difference in ground levels. Moreover, whilst I note that there are windows in the flank wall of No. 14, the main source of outlook and light from the kitchen/dining area at No 14 are from doors/glazing to the rear of that property. Given that No 14 is stepped back further than No 16, it is unlikely that these rear doors/glazing would be affected by the depth proposed.
10. Visually, the design proposed would have a mixture of high level windows and glazed roof panels. I consider that these aspects would help break up the appearance of the flank wall, thus further helping alleviate any sense of enclosure. I acknowledge that the proposal would bring the side wall of No 16 closer to No 14, however given the proximity of the proposal to No 14 and the fact that the glazing would help mitigate the visual impact, I do not find that the proposed extension would have a materially harmful impact on the living conditions of neighbours at No 14 in terms of outlook.
11. I therefore conclude that the proposed development accords with Policies QD14 and QD27 of the BHLP, which, amongst other aims, indicate that planning permission will only be granted if the proposed development would not result in significant loss of amenity to neighbouring properties.

### **Other matters**

12. A neighbour has raised concerns relating to developments at Nos 10 and 12, and the associated noise, disturbance, dust, contractors waste and illegal parking resulting from these. These appear to be matters that would normally be limited in duration during the construction phase and subject to other regulatory regimes. As such, they do not alter my overall conclusion.

### **Conditions**

13. I have had regard to Paragraph 206 of the National Planning Policy Framework, which relates to the use of conditions, and also the Planning Practice Guidance which was issued on 6 March 2014. A condition requiring the proposal to be completed in accordance with the submitted drawings is necessary to ensure that it would not have an adverse impact on the character and appearance of the Preston Park Conservation Area and in the interests of proper planning.

### **Conclusion**

14. For the reasons given above, I conclude that the appeal should be allowed.

*Cullum J A Parker*

INSPECTOR





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## Appeal Decision

Site visit made on 29 April 2014

by **P Jarvis Bsc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 May 2014

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**Appeal Ref: APP/Q1445/A/14/2212938**

**48 Braemore Road, Hove, BN3 4HB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Nathan Camilleri against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/03699 was refused by notice dated 16 December 2013.
  - The development proposed is the installation of a dormer to the side and rooflights to the front and rear.
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### Decision

1. The appeal is allowed and planning permission is granted for the installation of a dormer to the side and rooflights to the front and rear, in accordance with the terms of application ref: BH2013/03699 dated 30<sup>th</sup> October 2013 and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 48B.0001A (existing plan and elevation) and 48B.0002A (proposed plan and elevation).
  - 3) The materials to be used in the external surfaces of the development hereby permitted shall match those on the existing building.

### Main issue

2. The main issue is the effect on the character and appearance of the host dwelling and wider streetscene.

### Reasons

3. The appeal site is located within a residential street characterised by semi-detached dwellings. Many of the dwellings in the immediate and wider streetscene have been altered and extended, including the addition of dormers and rooflights to front and side roofslopes and some hip to gable roof alterations.
4. The Council's design guide for extensions and alterations (SPD 12) (2013) provides detailed design guidance for all residential buildings. In relation to dormers and rooflights it indicates that dormer windows will not be permitted on front or side roof slope where they would unbalance a building or disrupt the continuity of a terrace or group; in such cases rooflights will be preferred.

Where such groups were originally designed without dormers but over the years a majority of the buildings now have them, new dormers may be acceptable provided their scale, design and positioning is sympathetic to the continuity of the group. Dormers should be a subordinate addition, set appropriately in the roof space and well off the sides, ridge and eaves.

5. The proposed side dormer would sit centrally within the roofslope above a first floor arched window. Its overall height would be below the main ridge and it would be set above the eaves level with gaps to the sides. Whilst it would be slightly wider than the window it would contain, I consider that overall it would be subordinate addition and would not appear overly large or unduly prominent.
6. The proposed front rooflights would consist of one either side of the roof above the main front bay window with a smaller one to the side. In my view they would not be so large, nor so numerous, as to result in a cluttered appearance nor would they significantly detract from the appearance of the front tiled roofslope, a good proportion of which would be retained.
7. The main roof of the other half of the semi-detached pair attached to the appeal property has not been extended or altered but a large two-storey rear addition has been added towards the rear. It is set back from the front elevation, but has altered the form and appearance of the property and the semi-detached pair to an extent. Although the proposed dormer at the appeal site would be set further forward relative to the streetscene in this context, by reason of its size and position, I do not consider that it would serve to unbalance the pair to the extent that it would have an unacceptable impact.
8. In terms of the wider streetscene, having regard to the number of similar dormer extensions and rooflight additions, many of which are similar in size and form to those proposed at the appeal site, I consider that the continuity of the built form would not be disrupted.
9. I therefore find that the proposal would not have a harmful effect on the character and appearance of the host dwelling or wider streetscene. There would be no conflict with Policy QD14 of the Brighton and Hove Local Plan (2005) which seeks to ensure that development is well designed, sited and detailed in relation to the property to be extended. Furthermore I find that it would satisfy the guidance in SPD 12.
10. I also find that the proposal would comply with the National Planning Policy Framework which seeks to secure high quality design and a good standard of amenity. The content of the Planning Practice Guidance has also been considered but does not alter my conclusions.
11. The Council has suggested a condition to require matching materials which I agree is necessary in the interests of good design and the visual amenity of the area. A further condition to refer to the approved plans is also necessary in the interests of proper planning and for the avoidance of doubt.
12. I therefore conclude that the appeal should be allowed and planning permission granted.

*P Jarvis*

INSPECTOR

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## Appeal Decision

Site visit made on 20 May 2014

**by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 22 May 2014**

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**Appeal Ref: APP/Q1445/D/14/2217328**

**49 Compton Road, Brighton, BN1 5AL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Adrian Greening against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/04079, dated 1 December 2013, was refused by notice dated 27 January 2014.
  - The development proposed is a two storey rear extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a two storey rear extension at 49 Compton Road, Brighton, BN1 5AL in accordance with the terms of the application, Ref BH2013/04079, dated 1 December 2013, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: 630/13/03

### Preliminary Matter

2. The national Planning Practice Guidance came into force on 6 March 2014. However, it has not had a bearing on the considerations in this appeal.

### Main Issues

3. The main issues in this case are the effects of the proposal on:
  - the character and appearance of the area and the host building
  - the living conditions of the occupiers of number 47 with particular regard to outlook.

### Reasons

#### *Character and Appearance*

4. The appeal property is a two storey dwelling with a two storey 'outrigger' rear projection, beyond which is a further single storey lean-to projection. In this

respect it is typical of the properties along this section of Compton Road. However, the appeal property is at the end of a terrace and there is a gap of some 2m between its flank wall and that of number 47.

5. The proposed two storey extension would infill the space between the side of the outrigger and the flank wall of the property. A single storey lean-to would replicate the form of the existing lean-to. The two storey element would interrupt the uniformity of the pairs of outriggers at the rear of this row of houses. However, whilst the outriggers can be seen from the rear windows and gardens in the row, they are not visible from the street and this limits their contribution to the character and appearance of the area as a whole. Moreover, the end of terrace siting of the appeal property distinguishes it from the majority of houses in the row and the extension's lower, pitched roof would serve to identify it as a subservient addition. This would help to maintain the integrity of the plan form of the original building.
6. Therefore, I find that the proposal would not have a detrimental effect on the character and appearance of the area or the host building. Consequently, it would comply with policy QD14 of the Brighton and Hove Local Plan (LP) which requires extensions to be well designed and sited in relation to the extended property and the surrounding area. The proposal would also accord with the Council's *Design Guide for Extensions and Alterations Supplementary Planning Document* (SPD) insofar as it advises that two storey rear extensions should not disrupt the layout and form of the original building.

#### *Living Conditions*

7. The proposed extension would, to a degree, narrow the outlook from one, rear facing first floor window in number 47. However, having regard to the gap between the two properties, the width of the space which provides this outlook (between the flank wall of number 47's outrigger and the flank wall of the proposed extension) would be little different from the width between adjoining outriggers elsewhere along the terrace. Although the appeal property is set at a slightly higher level than number 47, this would not materially reduce the outlook from the affected window.
8. A single storey extension fills in the space to the side of number 47's outrigger. As such, the proposed extension would not affect the outlook from the rear facing ground floor window of number 47.
9. Therefore, I consider that the proposal would not harm the living conditions of the occupiers of number 47 with regard to outlook. As such the proposal would comply with LP policies QD14 and QD27 and the SPD which, among other things, presume against extensions which result in neighbouring occupiers experiencing a loss of outlook.

#### *Conditions*

10. In addition to the standard time limit condition, the Council has suggested a condition requiring external materials to match the existing building. This is necessary in order to safeguard the character and appearance of the area and meets the tests set out in the national Planning Policy Guidance. A condition specifying the approved plan is also necessary for the avoidance of doubt and in the interests of proper planning.



*Conclusion*

11. There is nothing to indicate that the local plan policies referred to above are in conflict with the Framework.
12. For the reasons outlined above, the appeal should be allowed.

*Simon Warder*

INSPECTOR



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## Appeal Decision

Site visit made on 6 May 2014

**by Robert Parker BSc (Hons) Dip TP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 23 May 2014**

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**Appeal Ref: APP/Q1445/A/14/2214647**

**Ground Floor Flat, 28 Ditchling Rise, Brighton, East Sussex, BN1 4QN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms A Urbino against the decision of Brighton & Hove City Council.
  - The application Ref. BH2013/00349, dated 1 February 2013, was refused by notice dated 31 October 2013.
  - The development proposed is described as "retrospective planning permission for new top opening front bay external window of ground floor flat".
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The planning application form does not include details of the applicant. The Council therefore registered the application in the name of the agent. I shall proceed to determine the appeal on the same basis.
3. The description of development refers to window in the singular. However, the development actually comprises the insertion of three separate windows in the openings of a projecting bay window. My reasoning will therefore refer to windows in the plural.
4. At the time of my site visit the windows had already been installed. I have dealt with the appeal on the basis that planning permission is being sought for the retention of the windows.
5. The Government launched the Planning Practice Guidance web-based resource on 6 March 2014, after this appeal was lodged. The content of the guidance has been considered but in light of the facts in this case the Planning Practice Guidance does not alter my conclusions.

### Main Issue

6. The main issue in this case is the effect of the windows on the character and appearance of the building and the wider area.

## Reasons

7. Ditchling Rise is a residential street containing a mixture of two and three storey Victorian terraced houses. No.28 is one of several properties which have been subdivided into flats. The appeal relates to the ground floor flat where uPVC windows have been installed on the front elevation facing the street. The proposal is to retain these windows.
8. Relevant guidance is contained in Supplementary Planning Document 12: Design Guide for Extensions and Alterations (adopted June 2013) (SPD). This advises that poor window design and placement can disrupt the general appearance of buildings and the rhythm of the streetscene, particularly on more traditional building forms where the continuity of fenestration is a key design element. The guidance states that the Council will seek to retain continuity and consistency to the appearance of buildings, and return continuity in incidences where previous alterations have been harmful to the appearance of the building.
9. Ditchling Rise is predominantly characterised by traditional timber sash windows. The windows are attractive in appearance with slim frame profiles and sliding sash opening mechanisms. The replacement windows in the appeal property have been installed in the existing openings and they have comparable proportions to sash windows.
10. However, the chunky frame profile gives the uPVC windows a much heavier appearance than timber windows and the top opening casement is at odds with the more traditional sliding sash arrangement. The differences in appearance are further emphasised by the fact that the first floor flat retains timber sash windows. This has led to a lack of continuity and consistency which runs contrary to the guidance in the SPD.
11. The appellant argues that the terrace was not designed as a homogenous group, and that subsequent alterations have created a mix of materials, fenestration and finishes. In particular, my attention is drawn to the replacement uPVC windows in the adjacent property (No.26) and others in Ditchling Rise and neighbouring Winchester Street. However, most serve only to highlight the harm that can result from unsympathetic replacement windows. In any event, there is insufficient information before me to determine whether other replacement windows in the locality are lawful in planning terms.
12. I have also been directed to a number of specific planning permissions for replacement uPVC windows within the street. Details of these permissions are not before me. However, it is clear from the information provided that they were granted prior to the adoption of the SPD. They therefore carry very limited weight as a precedent.
13. Accordingly, I conclude that the replacement windows are materially harmful to the character and appearance of the building and the wider area. I therefore find that the development conflicts with saved Policy QD14 of the Brighton & Hove Local Plan (2005) (Local Plan), as interpreted by the SPD. This policy requires alterations to existing buildings to be well designed and use materials sympathetic to the parent building.

14. The Council's refusal reason also makes reference to saved Policies QD1 and QD2 of the Local Plan. However, these are not directly relevant to the issue of building alterations.

**Other Matters**

15. The appellant states that the windows were installed to improve the living conditions of the occupiers of the flat. However, I consider that the same objective could be achieved with a more sympathetic style of replacement window.

**Conclusion**

16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Robert Parker*

INSPECTOR



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## Appeal Decision

Site visit made on 7 May 2014

**by Cullum J A Parker BA(Hons) MA MRTPI AIEMA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 5 June 2014**

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**Appeal Ref: APP/Q1445/A/14/2214205**  
**30 Colbourne Avenue, Brighton, BN2 4GE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Elizabeth Smith against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/02561, dated 26 July 2013, was refused by notice dated 1 November 2013.
  - The development is described on the application form as 'change of use of small HMO (C4) to House of Multiple Occupancy.'
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### Decision

1. The appeal is allowed and planning permission is granted for change of use to a house of multiple occupation (HMO) (Sui Generis) at 30 Colbourne Avenue, Brighton, BN2 4GE in accordance with the terms of the application, Ref BH2013/02561, dated 26 July 2013.

### Procedural Matters

2. The main parties agree that the development applied for has been commenced. There is disagreement between the parties as to the existing or recent lawful use of the building. It is not for me to formally determine that matter. Nevertheless, the appellant has agreed that the proposal description is that which I have used in the decision section above; namely a change of use to a house in multiple occupation (HMO) (Sui Generis). I have therefore considered the appeal on the basis that that is the development applied for.

### Main Issue

3. The main issue is the effect of the development on the character and appearance of the area and on the living conditions of neighbours in terms of ensuring a mixed and balanced community.

### Reasons

4. The appeal site is located in a residential area of Brighton. The building itself is a semi-detached house with garden areas to the front and rear. There is also a detached garage and area of hardstanding for parking to the front. It is understood that the building was originally a three bedroom dwellinghouse, which the submitted drawings show has been converted internally into a seven bedroom building with shared kitchen and bathroom facilities.

5. In terms of the appeal site and its wider context, the Council has provided a list of the buildings they consider are in Class C4 HMO or *Sui Generis*<sup>1</sup>. However, it was not obvious to me during my site visit that these buildings were in such uses. Visually the buildings appeared well-kept and there is no evidence to suggest that the use in this case would harm the overall character and appearance of the street scene. Moreover, there is nothing to suggest that the quality of accommodation or the visual appearance would deteriorate in the future due to the building's use as a House in Multiple Occupation (HMO). I therefore conclude that the development does not result in material harm to the character and appearance of the area
6. In terms of living conditions, the Council's aim is to ensure mixed and balanced communities and this is achieved in part through Policy QD27 of the Brighton and Hove Local Plan 2005 (BHLP), which indicates that permission should not be granted where it would cause material nuisance and loss of amenity. The National Planning Policy Framework (the Framework), which is a material consideration, indicates in the over-arching core planning principles of Paragraph 17 that planning should always seek a good standard of amenity for all existing and future occupants of land and buildings.
7. The Council is concerned that the use of the appeal building as a HMO would give rise to a loss of amenity to nearby residents and subsequently could result in the area becoming 'imbalanced'. This concern appears to be based upon a general position that occupiers of HMOs could create noise and disturbance above that of other residents. However, in this case there is no technical evidence before me that indicates that there is a particular proliferation of such problems within this area. As such, there is no substantive basis to conclude that the provision of a HMO in this case would necessarily result in a material nuisance or loss of amenity to adjacent users.
8. I note that Policy CP21 of the Brighton and Hove Submission City Plan Part One February 2013 (CP) has been cited. It is understood that the CP is under examination, and has not been adopted. The Council has indicated that no objections were raised to the part of Policy CP21, which provides that where more than 10% of properties within a 50 metre radius are in HMO use, then a change of use to a HMO type of use will not be permitted. I am mindful of its advance stage of examination, that no objections have been received to the element of the Policy in question, and its consistency with the Framework. I therefore consider that in this case it should be afforded significant weight.
9. Based on the Council's records, the development would exceed this threshold, which at present stands at around 16%. However, I have found no harm in terms of living condition of neighbours in terms of noise and disturbance in this case. Moreover, the Framework does not contain a specific threshold on the levels of HMOs in any given area, indicating that the focus is on generally seeking a good standard of amenity for occupiers. Whilst I acknowledge that the threshold of unadopted Policy CP21 has technically been breached, there is no clear evidence that demonstrates that the current scheme would represent a tipping point from the heterogeneous, mixed and balanced community, to a homogenous and unbalanced one. Given that the proposal would not result in harm to residential amenity or the character and appearance of the area, I do

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<sup>1</sup> These are uses which do not fall into the normal Use Classes such as C3, C4, but can include HMOs over a certain size.



not find that it would fail to contribute to balanced or mixed communities, which is one of the broad aims of the emerging unadopted Policy CP21.

10. Accordingly, the development is in accordance with the broad aims of Policy QD27 of the BHLP and the Framework as cited above. It would also be in accordance with the underlying aim of unadopted Policy CP21 of the CP, the objectives of which I have aforesaid.
11. A number of appeal and planning decisions have been cited by both parties<sup>2</sup>. I do not have the full details of the context of those schemes. Furthermore, they appear to relate to different developments, on different sites and, in the main, in different districts or boroughs. In any case, it is well-established planning practice that each application is considered on its own merits, as I have done in this case. These examples do not therefore alter my overall conclusions on the case before me.

### **Conditions**

12. The Council has suggested two conditions. I have had regard to Paragraph 206 of the Framework and the Planning Practice Guidance which was issued on 6 March 2014. The existing use of the building is residential. My site visit confirmed that there is sufficient off street external space to the rear and front of the site for the storage of bicycles and refuse. As such, I do not consider that conditions requiring the submission of specific details for bicycle storage and refuse/recycling to be reasonable in this instance given that such facilities are likely to exist for existing occupants and there is already space within the site for this to be provided.

### **Conclusion**

13. For the reasons given above, I conclude that the appeal should be allowed.

*Cullum J A Parker*

INSPECTOR

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<sup>2</sup> Appeal decisions: APP/Z5060/A/11/2167184, APP/D1780/A/11/2143903, APP/L3815/A/09/2116026 & APP/Z1775/A/11/2164766 and Planning decision: BH2013/01141



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# Appeal Decision

Site visit made on 20 May 2014

**by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 5 June 2014**

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**Appeal Ref: APP/Q1445/H/14/2212105**  
**2-8 Carden Avenue, Brighton, BN1 8NA**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
  - The appeal is made by Mr Avnish Goyal against the decision of Brighton and Hove City Council.
  - The application Ref BH2013/03238, received by the Council on 20 September 2013, was refused by notice dated 19 November 2013.
  - The advertisements proposed are 2no entrance signs within boundary wall along Carden Avenue, 1no sign within boundary wall at junction of Carden Avenue and London Road and 1no sign within boundary wall along London Road.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The national Planning Practice Guidance came into force on 6 March 2014. However, it has not had a bearing on the considerations in this appeal.
3. The appellant has provided drawings showing additional details of the proposed signs with the appeal submission and confirmed that the signs at the junction of Carden Avenue and London Road and along London Road would not be illuminated. Since this information supplements, but does not significantly alter, the scheme determined by the Council I have taken it into account.
4. All of the signs were in place at the time of my site visit.

## Main Issue

5. The main issue in this case is the effect of the signs on the character and appearance of the area.

## Reasons

6. All of the signs are set within the boundary enclosure of a recently constructed care home at the junction of Carden Avenue and London Road. Although there is a children's nursery a short distance along Carden Avenue, residential uses predominant in the area. Whilst the appeal care home and some of the nearby apartment blocks are significant in scale, the area has a restrained character, with buildings generally set behind good quality boundary walls, fences and substantial planting. There is a limited amount of existing signage in the area and, with the exception of one of the children's nursery signs, it is modest in size and subdued in appearance.

7. The sign at the junction of Carden Avenue and London Road and the one along London Road are prominently located within the street scene. The two signs at the entrance to the care home are slightly smaller and more discreetly located, although this is somewhat undermined by their being so close together. All of the signs are large relative to most other signage in the area. Moreover, each is set within a section of white rendered wall below a peaked coping and flanked by piers. This arrangement draws the eye to the signs. The combined effect of the location, size and setting of the proposed signs is to make them overly assertive and at odds with the prevailing character with the area.
8. The appellant has referred to signs at other properties in the area including the children's nursery and the Bourne Court apartments. I have already noted that the children's nursery sign is uncharacteristically large and prominent. The Bourne Court sign, whilst it sits well above the site boundary wall, is set behind the wall and is fairly muted in appearance. As such, neither of these signs provides a robust justification for the appeal signs.
9. The appellant describes the care home as occupying a corner plot with 'important frontages'. Whilst the site is, indeed, prominent, I am not persuaded that this is a good reason for allowing signage which would have a harmful effect on the character and appearance of the area. The proposal would, therefore, conflict with paragraph 67 of the National Planning Policy Framework (the Framework) which advises that poorly placed advertisements can have a negative impact on the appearance of the built environment.
10. The Framework, the PPG and the Regulations require that decisions on advertisements are made only in the interests of amenity and, where applicable, public safety. As such, although I have taken into account the Council's development plan policies, they have not been decisive considerations in reaching my decision.

### *Conclusion*

11. For the reasons outlined above, the appeal should be dismissed.

*Simon Warder*

INSPECTOR

## Appeal Decision

Site visit made on 7 May 2014

**by Cullum J A Parker BA(Hons) MA MRTPI AIEMA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 5 June 2014**

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**Appeal Ref: APP/Q1445/A/14/2214190**

**31 Melbourne Street, Brighton, East Sussex, BN2 3LH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr E Barakat against the decision of Brighton and Hove City Council.
  - The application Ref BH2013/04046, dated 14 November 2013, was refused by notice dated 30 January 2014.
  - The development proposed is erection of a 3 storey block comprising 5 no. flats.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are;
  - the effect of the proposed development on the character and appearance of the street scene,
  - the effect on the living conditions of future occupiers in terms of internal standards,
  - whether the proposed contribution to housing land supply would significantly or demonstrably outweigh any harm identified.

### Reasons

#### *Character and appearance*

3. The appeal site is a small parcel of land facing onto Melbourne Street. The street scene is characterised by a mixture of both modern and traditional buildings. In particular, the appeal site is located between a terrace of traditional two storey houses and a three storey contemporary housing development.
4. The appellant points to an earlier appeal decision for the site which was dismissed in 2012 (ref: APP/Q1445/A/12/2189799). From the information before me, it appears as though that scheme shared similarities with the appearance of the present appeal. However, there are a number of key differences. One of the main differences is that a front projecting element has now been omitted from the present appeal. The omission of the front projection result in the proposed scheme having a set back comparable to that

of the rest of the contemporary building to which it would be attached to. Furthermore, this alteration would result in the proposed development being stepped back from the traditional terrace, thus reducing its overall prominence within the street scene.

5. However, visually the proposed building would be different to the existing modern building which it would be attached to. For example it would have a width greater than the existing individual apartment blocks, with this visual oddness being exacerbated by the differing roof design proposed, which would result in a mixture of both flat and shallow pitched roof forms. This roof form would also be incongruous with the prevailing pattern of roof forms at two and three storey height. Furthermore, whilst the appellant has sought to use similar materials to the existing buildings, the new building would have contrasting front elevations in terms of detailing. One result of this would be that the proposed fenestration would interrupt the rhythm of the windows on the existing building, underlining the visually contrasting nature of the proposed development.
6. The combination of differences in terms of width, roof forms, and detailing would create a jarring visual juxtaposition with both the traditional terrace and the modern building. This would be further exacerbated by the proximity of the proposal to the terrace through the loss of the gap between the building styles. All of these factors combined lead me to the conclusion that the proposed development in terms of its design, scale and architectural detailing would represent an incongruous addition to the street scene.
7. Accordingly, I therefore conclude that the proposed development would result in a materially harmful impact on the character and appearance of the street scene. It would therefore be contrary to Policies QD1, QD2, QD3 and HO4 of the Brighton and Hove Local Plan 2005 (BHLP), which, amongst other aims, seek that new developments should be designed to enhance the positive qualities of the local neighbourhood by taking into account local characteristics including the design of existing buildings, and that proposals exhibit high standards of design.

#### *Living conditions*

8. Policy H013 of the BHLP indicates that planning permission will only be granted for new residential dwellings that are built to a Lifetime Homes standard, whereby they can be adapted to meet the needs of people with disabilities without major structural alterations. There is no evidence before me that indicates that the proposed development would be able to meet Lifetime Homes standard in this case.
9. The appellant points to the fact that Lifetime Homes is not a requirement of the National Planning Policy Framework (the Framework), which is a material consideration. However, Paragraph 58 of the Framework provides that local plans should develop comprehensive policies that set out the quality of development that would be expected for the area. The paragraph goes on to indicate that planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the life of the development. In this respect, whilst the Framework does not specifically cite the Lifetime Homes standard, I consider that the Council's approach to achieving this aim is consistent with the Framework.

10. I have had regard to Paragraph 206 of the Framework and the Planning Practice Guidance, which refer to the use of conditions. However, given the lack of information, I do not find that the use of a condition to secure Lifetime Homes standard would be reasonable to mitigate the harm to living conditions in this instance. I therefore conclude that the proposed development fails to demonstrate the potential to achieve Lifetime Homes standard and as such meet the needs of future occupiers over the lifetime of the development. Accordingly the proposed development is contrary to Policy HO13 of the BHLP and Paragraph 58 of the Framework, the aims of which I have aforesaid.

#### *Housing Land Supply*

11. The appellant asserts that the District falls short on its 5-year housing supply land, and points to two recent planning decisions (ref 2204382 and 2200978). I note that those schemes relate to different proposals and are on different sites where the main issues are unlike those in this case. In this case, I do not have the full details of the Council's housing land supply figures. However, the Council indicates that there is no agreed up to date housing provision target against which the five year supply of housing land can be assessed against.
12. Nonetheless, the evidence indicates that the Council does not have a 5 year housing land supply if measured against the objectively assessed need of 20'000 homes to 2030. With this in mind, I have had regard to the Framework and, in particular, Paragraphs 14 and 47-49. Put simply, these require that permission should be granted when a proposal represents sustainable development and there is an absence of a five-year supply of housing land, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
13. The proposal would result in five dwellings, thus contributing to overall housing stock numbers and the local economy. Furthermore the appellant points to the fact that no harm to any neighbours' amenity or highways matters have been identified by the Council; these are benefits weighing in favour of the proposal. However, Paragraph 7 of the Framework explains the three dimensions of sustainable development being economic, social and environmental, and in order to achieve sustainable development a balance between these is required. My findings on the effect on character and appearance indicate that the proposal would fail to achieve the environmental element of sustainable development. Furthermore, the inability of the development to provide for future generations, in terms of living conditions, means that the proposal would be unable to achieve the social element of sustainable development.
14. Accordingly, the proposed development would not represent sustainable development as defined by the Framework. I therefore conclude that the benefits identified in this case do not significantly or demonstrably outweigh the harm identified. As such the proposed development is contrary to the overarching aims of the Framework relating to development, when taken as a whole.

#### **Other Matters**

15. Concerns have been expressed on behalf of the Thumbprint Foundation (formerly Connaught Christian Ministries) who are located at 131 Lewes Road, to the rear of the site. These relate to rights of way on part of the land and a

court order on the owner of such land, part of which appears to lie within the appeal site area. However, this matter is a separate issue from the specific planning merits of the proposal before me, which I have considered on its own merits.

**Conclusion**

16. For the reasons given above I conclude that the appeal should be dismissed.

*Cullum J A Parker*

INSPECTOR