



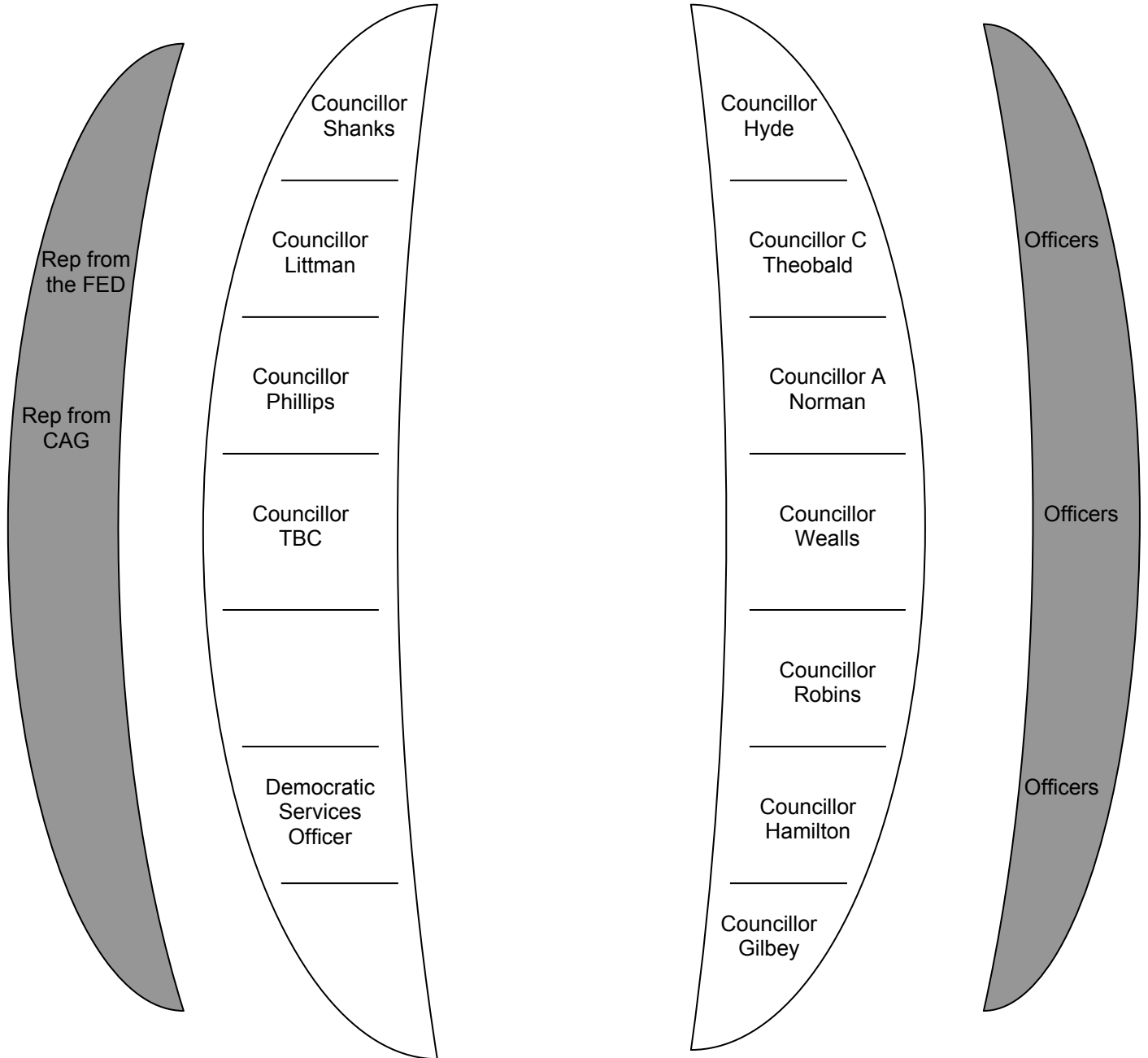
Title:	Planning Committee
Date:	13 May 2015
Time:	2.00pm
Venue	Ronuk Hall, Portslade Town Hall
Members:	<p>Councillors: Mac Cafferty (Chair), Hyde (Opposition Spokesperson), Gilbey, Hamilton, Littman, A Norman, Phillips, Robins, Shanks, C Theobald and Wealls</p> <p>Co-opted Members: Jim Gowans (Conservation Advisory Group)</p>
Contact:	<p>Penny Jennings Democratic Services Officer 01273 29-1064/5 planning.committee@brighton-hove.gov.uk</p>

Planning Committee

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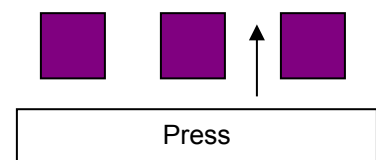
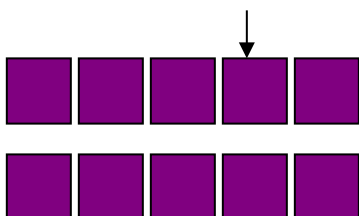
Democratic Services: Planning Committee

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

184 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;
- (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 'aeroplane mode'.

PLANNING COMMITTEE

185 MINUTES OF THE PREVIOUS MEETING 1 - 18

Minutes of the meeting held on 22 April 2015 (copy attached).

186 CHAIR'S COMMUNICATIONS

187 PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 6 May 2015.

188 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

189 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 A BH2014-02100 Old Ship Hotel,31-38 Kings Road, Brighton 19 - 50 -Full Planning

Demolition of existing 3 storey garage and staff accommodation block fronting Black Lion Street and construction of new 6 storey building to provide 8no one bed and 10no two bed flats on the 1st-5th floors and associated cycle and car parking on the ground floor with revised vehicular access together with other associated works including solar panels on the roof.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Regency

MINOR APPLICATIONS

B B BH2015-00439 68 Davigdor Road, Hove - Full Planning 51 - 64

Conversion of first floor flat and loft to create 3no flats including rear dormers and balcony, side dormer and front rooflights, removal of chimney stacks and additional rear window and doors at first floor level.

RECOMMENDATION – GRANT

Ward Affected: Goldsmid

C C BH2015-00688 4 Barrowfield Close, Hove - Removal or variation of condition 65 - 78

Application for variation of condition 2 of application BH2014/03227 (Erection of 1no four bedroom detached dwelling (C3) to allow for the provision of an additional bedroom

PLANNING COMMITTEE

and the insertion of 4no rooflights.

RECOMMENDATION – GRANT

Ward Affected: Hove Park

- D D BH2015-00529 11 Radinden Drive, Hove - Householder planning consent 79 - 88**

Remodelling of dwelling incorporating two storey front and rear extensions, roof alterations, enlargement of existing garage including additional floor and associated works.

RECOMMENDATION – GRANT

Ward Affected: Hove Park

- 190 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

- 191 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 89 - 90**
(copy attached).
- 192 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 91 - 204**
(copy attached)
- 193 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 205 - 206**
(copy attached).
- 194 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 207 - 208**
(copy attached).
- 195 APPEAL DECISIONS 209 - 226**
(copy attached).

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

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

PLANNING COMMITTEE

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.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

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If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

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

Date of Publication - Tuesday, 5 May 2015

PLANNING COMMITTEE	Agenda Item 185 Brighton & Hove City Council
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BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 22 APRIL 2015

RONUK HALL, PORTSLADE TOWN HALL

MINUTES

Present: Councillors Mac Cafferty (Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Davey, Gilbey, Littman, Kennedy, Randall, Robins, Simson, C Theobald and Wells

Co-opted Members: Jim Gowans (Conservation Advisory Group)

Officers in attendance: Paul Vidler, Planning Manager (Major Applications); Guy Everest (Principal Planning Officer), Jason Hawkes (Principal Planning Officer); Tim Jefferies (Principal Planning Officer, Major Projects Heritage and Design); Peter Tolson (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Penny Jennings (Democratic Services Officer)

PART ONE

172 PROCEDURAL BUSINESS

172a Declarations of substitutes

172.1 Councillor Robins was present in substitution for Councillor Hamilton, Councillor Randall was present in substitution for Councillor Jones and Councillor Kennedy was present in substitution for Councillor Phillips.

172b Declarations of interests

172.2 There were none.

172c Exclusion of the press and public

172.3 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.

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

172d Use of mobile phones and tablets

172.5 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 'airplane mode'.

173 MINUTES OF THE PREVIOUS MEETING

173.1 The Chair stated that he wished it to be recorded in respect of application BH2015/03012, Rose Hill Tavern, 70-71 Rose Hill Terrace, Brighton that he had asked questions of the applicant and officers. Councillor Gilbey referred to BH2015/00169, 5-8 West Street, Rottingdean and wished to clarify that her reference to trolleys had been to shopping trolleys not those used to transport deliveries into the store.

173.2 **RESOLVED** – That subject to the amendments set out above Chair be authorised to sign the minutes of the meeting held on 1 April 2015 as a correct record.

174 CHAIR'S COMMUNICATIONS

174.1 Whilst the Chair, Councillor Mac Cafferty had no formal communications as this was the last meeting of the Committee prior to the forthcoming elections and as a number of Members were not standing for re-election he wished to pay tribute to them. There was a tremendous breadth of experience across the Committee over 100 years in total. Councillor Carden an ex-Chair had 24 years experience, Councillor Wells had 22 years experience, Councillor Randall had 12 years experience, Councillors Kennedy and Davey had 8 years of experience each, Councillor Jones, the Deputy Chair had four years experience, Councillor Cox had sat on the Committee since his appointment following a by-election. He commended the support he had received and the way that the Committee had worked together to grapple with and make difficult decisions. He also commended the professionalism of the support he had received from officers.

174.2 Councillor Carden spoke as the longest serving Member of the Committee stating that he had stood on the Committee throughout his period on the Council with the exception of his period as Mayor, that he had enjoyed his time on the Committee and considered that transparency and honesty in decision making were two of the most important qualities.

174.3 Councillor Hyde commended the manner in which Councillor Mac Cafferty had carried out his duties as Chair and had led the Committee, commending the even handed, fair and transparent operation of the Committee and his commitment.

175 PUBLIC QUESTIONS

175.1 There were none.

176 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

176.1 There were none.

177 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**MAJOR APPLICATIONS****A BH2015/00320, Land South Side of Victoria Road, Portslade- Full**

Planning Construction of part two part three storeys at showroom building set over two levels including provision of offices and car servicing facilities, car parking spaces and associated works.

- (1) The Principal Planning Officer, Guy Everest gave a presentation by reference to site plans, floor plans and photographs showing views across the existing site looking towards Victoria Road. Visuals were also shown indicating the external appearance of the proposed development in order to show its scale and form and the materials to be used.
- (2) It was noted that the site lay within the Victoria Trading Estate in Portslade and fronted onto Victoria Road to the east of Portslade Town Hall. The site was also accessed from the north via the internal access road for this part of the Industrial Estate. There were a number of car showrooms and vehicle repair garages in that part of Portslade. The previous building on the site had been destroyed by a fire in 2000 and since then the site has been vacant. The majority of the site was covered in hard standing, although there was some vegetation on the embankment on the northern and western boundaries. The majority of the application site was set some two to three metres below the Victoria Road pavement level. Portslade Town Hall was also set at a higher ground level than the majority of the application site.
- (3) It was considered the proposal could generate employment which would be comparable to those jobs which could be generated by general business B1 and B2 Use Classes and therefore the principle of the use would comply with the aims of policy CP3.3 of the City Plan and was considered to be acceptable and that an exception to policy EM1 of the Local Plan had been justified. The design, scale and siting of the building was appropriate in its setting and would not be harmful to the character and appearance of the area. Subject to landscaping conditions to improve the surfacing materials, the landscaping was considered to be appropriate. The scheme would not be harmful to the amenity of nearby residents and occupiers and would make adequate provision for car and cycle parking. Approval was therefore recommended.

Questions for Officers

- (5) Councillor C Theobald queried the level of staff car parking proposed on site expressing concern that this could be insufficient and could result in overspill parking in the neighbouring streets which could give rise to problems. Councillor Theobald also asked why a Section 106 Obligation had not been sought to address any potential

problems and possibly could be used for improvements to the local park. Councillor C Theobald also stated that the level of cycle parking proposed on site also appeared to be very high.

- (6) The Principal Transport Officer, Peter Tolson, explained that the amount of parking proposed that the number of Sheffield cycle stands proposed had been requested by the applicants and was above the required minimum, as were the two disabled bays proposed. The amount of car parking proposed was within the SPG4 maximum. The dimensions and spacing of the proposed parking was considered acceptable. Whilst it was recognised that there was some scope for displaced parking it was considered that it would be disproportionate to require remedial measures, such as funding for amendments to local parking arrangements as the small number of vehicular trips likely to be generated would not have a material impact on the local highway network.
- (7) The Chair, Councillor Mac Cafferty referred to the points raised by Councillor Theobald enquiring regarding the level at which displaced parking required local measures. The Principal Transport Officer explained that this was not precise as a number of factors were considered. In this instance as the site fell outside the controlled parking zone and it was not considered any problems would arise for sustainable transport, it was not considered appropriate. A Transport Assessment was not required for the scale and nature of development proposed. The Legal Adviser to the Committee confirmed that requirements to enter into a Section 106 needed to meet strict criteria in relation to the suggestion that a s106 obligation could benefit the park, the advice was that these criteria would not be met.
- (8) Councillor Randall referred to paragraph 5.6 of the report, where reference was made to the fact that as the proposed development would include flat green roofs which would enhance biodiversity and provide other benefits. The proposals did not appear to have taken this on board. Councillor Randall also considered that whilst this application could be supported, thought did also need to be given to the need to provide increased levels of affordable and social housing. The Principal Planning Officer referred to comments received from the Council's Sustainability Officer in the Additional Representations List recommending that a BREEAM "excellent" be conditioned to ensure that sustainability issues were fully addressed.

Debate and Decision Making Process

- (9) Councillors Carden and Robins whilst prepared to support the officer recommendation had some concerns in relation to the possible impact of additional parking and traffic movements as issues relating to displaced parking and potential near miss accidents were often raised with them by their residents. They hoped that the situation would be monitored.
- (10) Councillor Gilbey echoed those concerns whilst welcoming the fact that 32 additional jobs would be created and seeking confirmation regarding the number of jobs generated by the previous use.
- (11) A vote was taken and on a vote of 11 with 1 abstention planning permission was granted.

- 177.1 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 and to the addition of a condition requiring submission of a Travel Plan. The following amendments to conditions 2, 11 and 17 and additional conditions and informatives were also agreed:

Amend table in Condition 2 to:

Location plan A (PL) 00-000, A, 6 February 2015

Site survey plan A (10) 00-100, B, 17 April 2015

Proposed site plans A (PL) 00-100, A, 6 February 2015

Proposed ground floor plan A (PL), 01-101, A, 6 February 2015

Proposed second floor plan A (PL) 01-102, A, 6 February 2015

Proposed elevations A (PL) 01-200, B, 6 February 2015

Proposed sections A (PL) 01-300, B, 6 February 2015

Amend Condition 11 to read:

(11) No development above first floor slab level of the building hereby approved shall take place until there has been submitted in writing by the Local Planning Authority a scheme for hard and soft landscaping for the site and adjacent footways, which shall include all parking areas including the ramp and decked parking area and parking area on the eastern corner along with adjacent footways. The landscape scheme shall include details of the materials of hard surfacing, fencing, railings and all other boundary treatments, gates, steps, walls and soft landscaping/planting proposals for 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.

Condition 17 to be amended to remove reference to Education. Now to read:

(17) Unless otherwise agreed in writing with the Local Planning Authority, the building shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the development as built has achieved a minimum 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 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.

Additional conditions as set out below:

(21) The use hereby permitted shall not be operational except between the hours of 07:00 and 19:00 on Mondays to Fridays, 08:00 and 18:00 on Saturdays and 10:00 and 16:00 on Sundays including 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.

(22) No servicing (i.e. deliveries to or from the premises) shall occur except between the hours of 07:00 and 19:00 on Mondays to Fridays, 08:00 and 18:00 on Saturdays and no servicing shall take place on Sundays and Bank Holidays.

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.

(23) No development above ground floor slab level of any part of the development hereby permitted shall take place until a scheme for the soundproofing of the workshop situated within 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 first occupation of the development and shall thereafter be retained as such.

Reason: In order to ensure that the workshop elements are soundproofed and to safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

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

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

(25) The development hereby approved shall not be occupied until a Travel Plan for the development has been submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall thereafter be retained for use at all times.

Reason: To seek to reduce traffic generation by encouraging alternative means of transport to private motor vehicles and to comply with policy TR4 of the Brighton & Hove Local Plan.

Additional Informatives:

7. The applicant is advised that any proposed works to the adopted highway which may be a requirement of condition 11 should be carried out in accordance with the Council's current standards and specifications and under licence from the Network Co-ordination team. The applicant should contact the Network Co-ordination Team (01273 293366).

8. The Travel Plan required by condition 25 shall include such commitments as are considered appropriate, and should consider the following initiatives and commitments:

- (i) Promote and enable increased use of walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use.
- (ii) Increase awareness of and improve road safety and personal security :
- (iii) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses.
- (iv) Identify a nominated member of staff or post to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.
- (v) Identify a monitoring framework, which shall include a commitment to undertake an annual staff travel survey, for at least five years, or until such time as the identified targets are met, to enable the Travel Plan to be reviewed and updated as appropriate.
- (vi) A commitment to reduce carbon emissions associated with travel.
- (vii) Identify targets focussed on reductions in the level of staff car use.

- (viii) Monitor disabled parking provision for staff and if necessary allocate additional parking spaces for disabled staff.
- (ix) Car sharing database for staff.

Note: Councillor Davey abstained from voting in respect of the application.

MINOR APPLICATIONS

- B BH2015/00575, 13, 14, 15, 16-17, 18, 19, 20 20-24, 21, 22 and Pugets Cottage North Street, Brighton - Full Planning** Demolition of building at 15 North Street and store to west of Puget's Cottage and creation of a new link lane, 'Puget's Lane', linking North Street to the previously consented 'Hannington's Lane'. Erection of new building at 15 North Street to provide 1no ground floor retail unit (A1) and 1no residential unit (C3) over including over part of 14 North Street. Alterations to rear of 16-17 North Street to provide 2no additional ground floor retail units (A1) and 3no residential units (C3) above accessed from the new lane. Restoration of Puget's Cottage, extension to existing historic paving through new lane, alterations to shop fronts along North Street elevation and other associated works
- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
 - (2) The Principal Planning Officer, Jason Hawkes, gave a presentation by reference to site plans, photographs, elevational drawings showing the site as currently configured and as proposed, also photomontages showing the existing and proposed North Street frontages. The presentation dealt with applications BH2015/00575 and BH2015/00576 as did the questions asked and debate and decision making process. Following the conclusion of consideration of both applications they were voted on separately.
 - (3) It was explained that the application site related mainly to two separate buildings at 15 North Street and Puget's Cottage, to the rear of 15 North Street. The first building at 15 North Street was located on the south side of North Street directly opposite the Chapel Royal Church on North Street, a Grade II* listed building. 15 North Street included three floors and a basement level. The building was currently in use as a Class A1 retail unit by Timpsons and included a modern shopfront and fascia. Two original timber windows were above the shopfront. The buildings immediately adjacent at 14 and 16 North Street were significantly taller than no.15. No.14 was two-storeys taller and no.16 was one-storey taller than no.15. No.15 was separated from 14 North Street by a small twitten. This building was in need of substantial repairs, with the roof being supported internally to stop it from collapsing.
 - (4) The main considerations in the determining the application related to whether the principal of the uses was acceptable, whether the demolition of the Grade II Listed Building at 15 North Street was appropriate and thoroughly justified, whether the proposed alterations to Puget's Cottage were appropriate in the context of the character, architectural setting and historic significance of the Grade II Listed Building, whether the other alterations proposed including the alterations to the North Street frontages preserved or enhanced the character and appearance of the Conservation Area and whether the proposal was appropriate in respect of residential amenity, highway and transport considerations, standard of accommodation and sustainability.

- (5) It was considered that whilst there were some public benefits that would directly arise from the demolition of 15 North Street, these were not substantial public benefits and that they did not therefore outweigh the substantial harm resulting from the complete loss of the heritage asset. Nor can these benefits be regarded as powerful enough to set aside the statutory presumption in favour of the preservation of the listed building. Number 15 North Street and Puget's Cottage were both listed partly for group value in relation to each other. It therefore followed that the demolition of 15 North Street would cause harm to the significance and setting of Puget's Cottage. In addition, 15 North Street was a listed building that contributed positively to the character and appearance of the Old Town Conservation Area and its demolition would therefore fail to preserve the architectural and historic interest of the conservation area. The application was therefore recommended for refusal.

Public Speakers and Questions

- (6) Mr Komosa spoke on behalf of objectors explaining that he lived in the immediate vicinity of the site. He referred to the fact that both the existing "Timpson's" building proposed for demolition and the Puget's Cottage building behind it had been spot listed together indicating that they were both valued equally. The building proposed for demolition was unique dating from around 1700 and its removal would result in irreparable loss of a significant heritage asset and should be resisted. Alternative options for opening up the Lanes and creating a new landmark entrance had not been explored adequately by the applicants and they should be pressed to do so.
- (7) Mr McLean spoke on behalf of the applicants in support of their application. Mr Allison-Wright also spoke in support of the application in his capacity as a representative on behalf of local traders, they shared the available speaking time between them. Mr Allison-Wright stated that the current entrance to the Lanes was "lost", visitors often had difficulty in locating it and were disappointed when they did. The consented Hannington Lane scheme would effect huge improvements to the area, but it would not achieve its full potential without this proposed scheme. These proposals had the overwhelming support of the local business community as it would optimise the viability of businesses and jobs in Brighton Square and the Lanes as a whole by providing an improved route to it and through it and by giving it the gateway entrance that it deserved.
- (8) Mr McLean stated that much thought had been given to the Hannington Lane scheme (it had been developed over a five year period). This "gateway" with a suitably designed corner building would, as shown in the visuals provided would give the opportunity to highlight and give access to Puget's Cottage the hidden gem which lay behind and to which at present there was no public access. Whilst the loss of the listed "Timpson" building was regrettable it had fallen into a significant state of disrepair over the years leading up to its relatively recent spot listing and realistically was unlikely to be restored beyond a de-minimis level. There was no public access to the building which had been much altered internally and if it was retained that would continue to be the case. After much thought this option had been chosen as it would improve the permeability of the site as whole, which represented a significant public benefit. It would open up the vista along North Street and through the Lanes and would be more appropriate to the context of the Chapel Royal located opposite the site.

- (9) Councillor Kennedy sought clarification from the applicant's agent regarding the proposals to provide public access adjacent to Puget's Cottage and in connection with its refurbishment and whether it was proposed to mark its history. Mr McLean explained that Puget's Cottage would be fully restored including work to the adjacent paved area. Opening up the area in this way would provide a significant public benefit, and would give the opportunity to provide information boards and a heritage trail detailing the history of the building, Puget's School which had once adjoined it and that of the Lanes overall.
- (10) Councillor C Theobald enquired why access through the ground floor of no16 North Street was not proposed, rather than the demolition of no15. Mr McLean advised that whilst this option and others had been considered, a covered entrance way through no16 would be oppressive, this proposal incorporating a new corner gateway building which was open to the sky would provide greater permeability and connectivity through and with the rest of the site and would give the appropriate emphasis to The Lanes as a tourist destination.
- (11) Councillor Hyde asked whether thought had been given to calling the entrance way "Puget's Twitten", rather than Puget's Lane if permission were to be granted, as this was a local phrase. Mr McLean stated there had been a discussion in relation to this. It was understood that a Twitten was a narrower opening than a Lane, and it the name "Puget's Lane" had been chosen on that basis.
- (12) Councillor Randall enquired regarding the degree of consideration given to alternative options and whether the completion of the scheme would be compromised overall if this element of it did not proceed. Mr McLean responded that improvements were being effected to the shops fronting North Street which would give it a more attractive appearance, relocation of the existing bus stops and pavement widening works would also make a positive contribution. If this element did not proceed the scheme would not achieve its full potential. RBS who owned the site were in the process of selling their interest. No 15 was not an attractive or well maintained building and it was unlikely that it would ever be fully restored. It had also suffered from a number of unsympathetic alterations in the past.

Questions of Officers

- (13) Councillor Kennedy enquired whether the officer recommendation would still have been to "refuse" if 15 North Street, the "Timpson's" building had not been listed. Councillor Kennedy was advised that this was not a relevant planning consideration, Members were required to determine the applications as put before them.
- (14) The Planning Manager, Major Planning Applications, explained that it was important for Members to be aware that the improvement works currently being undertaken to widen the pavements and relocate the existing bus stops did not form part of these applications and their completion was not dependant on whether or not they were approved. In addition, the applicants had not presented a viability case in support of the proposals or fully considered other alternative access between North Street and Hanningtons Lane. Whilst acknowledging that public benefits which would result from the scheme, officers were of the view that there was a strong presumption in favour of

preserving the listed building at no 15 North Street and these benefits did not outweigh its loss.

- (15) Councillor's Davey and Hyde queried regarding why both no 15 North Street and Puget's Cottage had been listed so recently. The Principal Planning Officer, Major Projects, Heritage and Design explained that when they had been spot listed Puget's Cottage and no 15 had been listed together and had been considered to form part of a group in view of their close proximity, whilst each having merit in their own right. Both had been listed as Grade II and had therefore been considered by English Heritage as being of equal value.
- (16) Councillor Randall stated that in his view little evidence had been provided by the applicants/agents to show the level of consideration given to alternative options which would provide the same/comparable public benefits without demolishing no 15 North Street. He enquired whether it would be possible to defer consideration of these applications in order to enable further investigation of alternative options to take place. It was explained that this was not possible as the applications both needed to be determined as submitted on their merits.
- (17) Councillor Gilbey enquired regarding the depth of the steps to be cited adjacent to Puget's Cottage and what consideration had been given to disabled access requirements. Mr McLean explained that discussions had taken place with the Brighton Disabled Federation (FED) and that they had supported the proposals. Councillor Gilbey also enquired whether consideration had been given to providing a ramped access and it was explained that whilst this had been considered the length and height which would be necessary had rendered it impractical. Officers measured and confirmed the rise of the steps for Councillor Gilbey.
- (18) Councillor Mac Cafferty, the Chair referred to no15 North Street which was clearly in a state of neglect enquiring when the most recent structural survey had been carried out and what measures had been undertaken to ensure remedial works had been carried out. It was explained that a structural survey had taken place in 2012. Prior to its listing the building had deteriorated over a number of years and since that time a level of work required to ensure the structural integrity of the building had been undertaken. Councillor Mac Cafferty also referred to the proposed new corner building which would front North Street, which appeared to be of a very small square footage at ground level enquiring whether it was considered that this would provide a viable business space. It was explained by the agent that it was envisaged that a florists shop or similar small business could be adequately located in the space.

Debate and Decision Making Process

- (19) Councillor Mac Cafferty stated that he had listened with interest to all that had been said and was grappling with the issues involved. He understood the importance of the presumption that listed buildings should be preserved, and that such buildings had merit architecturally whether they were "beautiful" or not. In this case that needed to be weighed against the acknowledged substantial public benefits which would result from the proposed scheme. He needed to give the matter further consideration; this was a dilemma and he had yet to make his decision. Overall, the development was exciting and would mark the next chapter in the history of the Lanes.

- (20) Mr Gowans, CAG enquired regarding the length and breadth of the proposed Puget's Lane from the back of footway in North Street to Puget's Cottage. This was measured from the submitted plans and it was confirmed that this would be some 8 -10 metres in length and 3 metres in width. Mr Gowan's reiterated the observations submitted by CAG who supported refusal; 15 North Street formed part of the Grade II microsite and been deemed by English Heritage to have significant historical interest and considered that a link lane could be created at nos 16, 17 or 18 North Street at ground floor level.
- (21) Councillor Hyde stated that having visited the site the previous day, she found it hard to understand why no 15 North Street had been listed in view of its poor condition and the fact that internally very little of its original layout remained. The scheme had been well thought out and would result in opening up the area and would provide the opportunity for the wider public to see and appreciate Puget's Cottage which was currently totally obscured from public view.
- (22) Councillor Kennedy stated that in her view the public benefits accruing from the scheme were significant and far outweighed the loss of the listed building. There was no public access to the Timpson's building at no15, it seemed unlikely that it would ever be fully restored indeed, the majority of its original internal features had been removed. Its significance as a circa 1700 building in continuous commercial use was not apparent to anyone walking past the building.
- (23) Councillor Davey concurred stating that the building had deteriorated for many years prior to being listed. In its current condition it contributed little to the street scene. However, if it was removed, its surrounds would be opened up and Puget's Cottage which could and would be restored would be accessible. In this instance he considered that grounds for an exception had been made and that permission should be given for demolition of this listed building.
- (24) Councillor Simson concurred with all that had been said stating that whilst she would not usually support the demolition of a listed building but in this instance this would to maximise the Lanes overall as tourist destination, would open the scheme up and optimise the viability and vibrancy of the area. By providing a heritage trail the history of the area could be emphasised and the importance of Puget's Cottage to be highlighted. At the moment Puget's Cottage was land locked and was not visible.
- (25) Councillor Wells stated that no15 North Street was a mess, was in poor condition and was completely dwarfed by and out of keeping with its neighbours. This did not appear likely to change and he considered that its loss needed to be balanced against the benefits which would result. Councillor Wells considered that it would be appropriate for the building to be demolished.
- (26) Councillor Robins stated that he felt like a lone voice, although these listed buildings were equal it appeared that one was more equal than the other. North Street overall was a mess and this was a very old building which stood apart from its neighbours. So many old buildings across the city had been lost, there was a danger of losing any character in the street scene by making everything uniform and identical.

- (27) Councillor Carden stated that having lived in Portslade all his life and having recently researched its history he was aware of the many fine buildings which had been lost. This was true of the city as a whole, when buildings were demolished they were lost forever, he did not consider that a sufficiently compelling case had been made for the loss of this building.
- (28) Councillor Gilbey stated that she had concerns that the proposed access arrangements were not suitable for those with mobility problems and did not consider that issues relating to disabled access had been given sufficient consideration. Councillor Gilbey also considered that it was not appropriate for one listed building to be judged against another
- (29) Councillor Randall agreed stating that it was not the role of the Committee to argue about whether or not in their view no 15 North Street should have been listed. English Heritage had listed this building as part of a group in concert with Puget's Cottage, regarding them as being of equal worth. He did not feel that it had been demonstrated that options of providing another entrance into that part of the Lanes without demolishing the listed building had been explored sufficiently. He therefore supported the officer recommendation that both applications should be refused.
- (30) Councillor Littman agreed stating that this building was the oldest remaining in North Street and that as such the presumption that it should be protected was very important. It could not be replaced and he supported the officer recommendation.
- (31) Councillor Mac Cafferty, the Chair stated that having considered the points put forward very carefully he considered that in this case substantial public benefits would result from the proposed scheme which would outweigh the loss of 15 North Street.
- (32) The Legal Adviser to the Committee, Hilary Woodward advised that should Members be minded to approve either/both applications the decision would need to be "Minded to grant"; so far as planning permission was concerned this would need to be "Minded to Grant" subject to the Planning and Building Control Applications Manager approving any necessary s106 planning obligations and conditions in consultation with the Chair of the Committee. In respect of any Listed Building Consent this would be "Minded to Grant", subject to a) the Secretary of State deciding not to call the application in for his own determination and if so b) the Planning and Building Control Applications Manager approving any necessary conditions in consultation with the Chair of the Committee.
- (33) A vote was taken on application BH2015/00575 and the officer recommendation was not carried on a vote of 7 to 5.
- (34) Councillor Kennedy proposed that the application be minded to grant on the grounds set out below, this was seconded by Councillor C Theobald.
- (35) A recorded vote was then taken and Councillors Mac Cafferty, the Chair, Davey, Hyde, Kennedy, Simson, C Theobald and Wells voted that they were minded to grant planning permission. Councillors Carden, Gilbey, Littman, Randall and Robins voted that the application be refused.

- 177.2 **RESOLVED** - That the Committee resolves for the reason set out below, that it is **MINDED TO GRANT** planning permission subject to the Planning and Building Control Applications Manager approving any necessary s106 obligations and conditions in consultation with the Chair of Planning Committee.

Reason: The strong statutory presumption in favour of preserving the listed building at number 15 North Street is outweighed by the substantial public benefits which would result from the proposed scheme.

C BH2015/00576, 15 and Pugets Cottage North Street, Brighton- Listed Building Consent Demolition of building at 15 North Street, exterior restoration of Puget's Cottage and retention and extension of existing historic paving.

- (1) It was noted that this application had been the subject of a site visit prior to the meeting. The debate which took place in consideration of this application and BH2015 00575 is set out under (A) above.
- (2) A vote was taken on application BH20015/00576 and the officer recommendation to refuse was not carried on a vote of 7 to 5.
- (3) Councillor Kennedy proposed that the application be minded to grant on the grounds set out below, this was seconded by Councillor C Theobald.
- (4) A recorded vote was then taken and Councillors Mac Cafferty, the Chair, Davey, Hyde, Kennedy, Simson, C Theobald and Wells voted that they were minded to grant Listed Building Consent. Councillors Carden, Gilbey, Littman, Randall and Robins voted that the application be refused.

- 177.3 **RESOLVED** – That the Committee resolves for the reasons set out below that it is **MINDED TO GRANT** listed building consent subject to:

(i) the Secretary of State deciding not to call the application in for his own determination and if so;

(ii) the Planning & Building Control Applications Manager approving any necessary conditions in consultation with the Chair of the Planning Committee.

Reason: the strong statutory presumption in favour of preserving the listed building at 15 North Street is outweighed by the substantial benefits which would result from the proposed scheme.

D BH2015/01175, Saltdean Primary School, Chiltington Way, Saltdean, Brighton - Non Material Amendment Non material amendment to BH2014/03933 to change the design of the elevations of the two storey main extension.

- (1) The Principal Planning Officer, Jason Hawkes gave a joint presentation by reference to site plans and elevational drawings showing the scheme as agreed and showing the proposed changes in relation to this application and BH2015/01141. Samples of the materials to be used were also displayed in relation to application BH2015/01141.

- (2) It was noted that the main consideration in relation to this application was of this application was whether the proposed alterations could be considered as non-material amendments to the approved scheme in accordance with Section 96A of the Town and Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). Discretion rested with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission. The footprint and height of the proposed extensions would not alter and the number and positioning of openings would remain as approved. It was recommended that the proposed alterations could be considered to be non-material amendments to the original planning permission and therefore approval was recommended.

Debate and Decision Making Process

- (3) Councillor Hyde stated that she welcomed the changes proposed considering that that the cladding materials proposed to be used represented an improvement on the red cladding that had been submitted with the planning application. The proposed cladding was more appropriate and would improve the appearance of the development.
- (4) A vote was taken and the 11 Councillors present voted unanimously that approval be granted.

177.4 **RESOLVED** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in sections 7 and 10 and resolves to **APPROVE** the proposed changes to application BH2014/03933 as non-material amendments under Section 96A of the Town and Country Planning Act 1990.

Note: Councillor Davey was not present at the meeting during consideration of or voting on the above application.

E BH2015/01141, Saltdean Primary School, Chilmington Way, Saltdean, Brighton - Approval of Details Reserved by Condition Approval of details required by condition 10 of permission BH2014/03933.

- (1) The Principal Planning Officer, Guy Everest, gave a presentation by reference to site plans and elevational drawings, showing the scheme as approved and the proposed amendments. Samples of the materials to be used were also displayed.
- (2) It was explained that the sole consideration was the acceptability of submitted details in respect of condition 10 of the extant permission BH2014/03933 which stated that: *“No development shall take place on the external envelope of any of the extensions hereby approved until samples of the materials for that particular extension (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 and Hove Local Plan.”*

- (3) It was considered that the colour of the cladding sample SN20008 was appropriate and would be similar to the colour of the cedar cladding present above the doors and windows on some of the existing buildings. It was therefore recommended that the details of the samples of materials described in informative 2 be approved.
- (4) A vote was taken and the 11 Councillors present voted unanimously that approval be granted.
- 177.5 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in sections 4 and 6 of the report and resolves to **APPROVE** the details pursuant to condition 10 of application BH2014/03933 and subject to full compliance with the submitted details.

Note: Councillor Davey was not present at the meeting during consideration of or voting on the above application.

F BH2014/03755, Land rear of Regency Court, Withdean Rise, Brighton - Full Planning

Erection of 9 no single garages.

- (1) The Principal Planning Officer, Guy Everest, gave a presentation by reference to site photographs, elevational drawings and the proposed landscape plan.
- (2) It was explained that Planning permission was being sought for the construction of 9 additional garages. The garages would be single-storey with flat roofs and would follow the line of the existing garages with 5 garages on the south side and 4 garages on the north side. The applicant had stated that the garages would be offered to the residents of Regency Court and Park Manor. The scheme also included seating for residents at the end of the proposed garages. This application was a resubmission of a previous approval for 9 garages on the site (ref: BH2011/02570). The previous approval had now expired. The current scheme was the same as that previously approved in 2011. The main considerations in the determining the application related to the appearance of the garages in relation to the site and surrounding area, the impact of the scheme on residential amenity, highway safety and parking, impact on trees and archaeological considerations.
- (3) It was not considered that the proposal would have a significant impact on local parking, highway safety or the amenities of the occupiers of adjacent properties. It was also considered acceptable in terms of its design and appearance in relation to the existing development on site and the surrounding area. Subject to an acceptable Arboricultural Method Statement, landscaping scheme and Archaeological Programme of Works, the scheme was also deemed appropriate in terms of its impact on potential archaeological finds and trees adjacent and on the site. Approval was therefore recommended subject to the wording of Condition 6 being amended.

Questions of Officers

- (4) Councillor Simson sought clarification regarding the site location in relation to Regency Court and also to Manhattan Court which appeared to be located in closer proximity to

the proposed garage development. It was explained that the proposed development was connected to Regency Court by virtue of land ownership.

- (5) Councillor C Theobald enquired whether the garages were being provided for residents of Regency Court and it was confirmed that they were.
- (6) Councillor Mac Cafferty, the Chair sought clarification regarding the age and condition of trees on the site and attention was drawn to the comments received from the arboriculturist.
- (7) Councillor C Theobald asked whether any of the trees which provided screening between the blocks of flats and the adjacent railway line were to remove and it was confirmed that they would not. It was confirmed that conditions would be applied to ensure that they were protected during the course of the building works.
- (8) A vote was taken and on a vote of 10 with 1 abstention, the 11 Members present at the meeting voted that planning permission be granted.

177.6 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report 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. Condition 6 to be amended to read:

(6) No development shall commence until an Arboricultural Method Statement regarding the protection of a large Sycamore tree and other trees on the railway embankment has been submitted to, and approved in writing by, the Local Planning Authority. The statement shall be in accordance with BS5837 (2005) Trees in relation to construction and will include protection of roots. The development shall be carried out in strict accordance with the agreed details.

Reason: This pre-commencement condition is imposed because it is necessary to protect and prevent damage to the trees which are to be retained on the adjoining site, in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

Note 1: Councillor Davey was not present at the meeting during consideration of or voting on the above application

Note2: Councillor Kennedy abstained from voting in respect of the above application.

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

178.1 There were none.

179 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

180.1 Councillor Hyde referred to Application BH2014/03148, Café adjacent to Peter Pan Playground, Madeira Drive, Brighton seeking clarification as to why this had been determined under delegated authority.

180.2 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.]

181 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

182 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

183 APPEAL DECISIONS

183.1 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 5.20pm

Signed

Chair

Dated this

day of

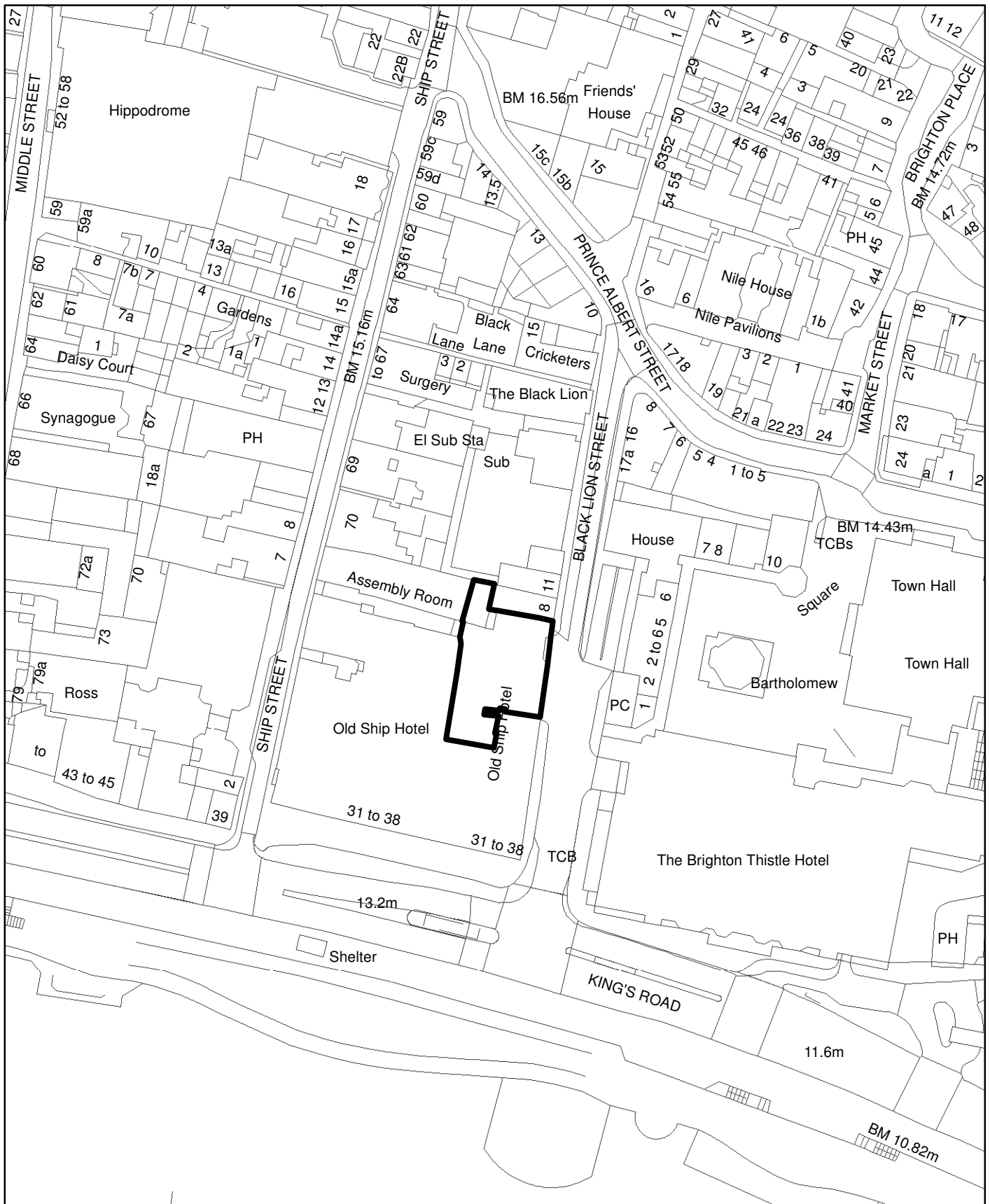
ITEM A

Old Ship Hotel, 31-38 Kings Road, Brighton

BH2014/02100
Full planning

13 MAY 2015

BH2014/02100 Old Ship Hotel, 31-38 Kings Road, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/02100	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Old Ship Hotel 31-38 Kings Road Brighton		
<u>Proposal:</u>	Demolition of existing 3 storey garage and staff accommodation block fronting Black Lion Street and construction of new 6 storey building to provide 8no one bed and 10no two bed flats on the 1st-5th floors and associated cycle and car parking on the ground floor with revised vehicular access together with other associated works including solar panels on the roof.		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	04 July 2014
<u>Con Area:</u>	Old Town	<u>Expiry Date:</u>	03 October 2014
<u>Listed Building Grade:</u>	Adjacent Grade II*		
<u>Agent:</u>	Knight Frank LLP, 11th Floor, No 1 Marsden Street, Manchester M2 1HW		
<u>Applicant:</u>	Old Ship Hotel (Brighton) Ltd, Mike Jourdain, Bond Street House 14 Clifford Street, London W1S 4JU		

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 Old Ship Hotel lies in a prominent position on the seafront, occupying the whole block between Ship Street and Black Lion Street, with return elevations along both streets. The hotel is an assemblage of different buildings dating from 1767 to the 1960s but predominantly 19th century. The oldest part is the Assembly Rooms of 1767 which is Grade II* listed and has a narrow frontage on Ship Street dating from c1895. The significance of the Assembly Rooms lies largely in the architectural and historic interest of the interior.
- 2.2 The Kings Road frontage is predominantly 19th century, with four linked Victorian frontages ranging from 4 storeys to 5 storeys plus mansard attic storey and all of painted stucco and full height canted bays. At the eastern end is a six storey 1960s extension in pseudo Victorian style which returns along Black Lion Street. There it adjoins the 1920s garage of block of two/three storeys and originally incorporating staff accommodation at upper level. This part of the building is the subject of this application. It has little intrinsic architectural merit and has a harmful impact on the appearance of the conservation area due particularly to its large ground floor openings and blank metal shutters.
- 2.3 The application relates to the northeast corner of the Old Ship Hotel, fronting Black Lion Street. This part two/part three storey element of the building forms a

car park within at ground and first floor levels, with boiler/plant room within the basements, and redundant staff accommodation within the second floor which is generally set back front the building facade. The hotel covers a block bounded by Kings Road, Black Lion Street and Ship Street.

- 2.4 The adjoining building to the north, 8 Black Lion Street, is a four storey development forming karaoke bar. The building is part of a larger scheme approved in 2007 for the redeveloped the site of 8 to 14 Black Lion Street for a mixed use including a restaurant, drinking establishment and karaoke bar. The Thistle Hotel and Bartholomew House, Council Offices, are on the opposite side of Black Lion Street.
- 2.5 The site lies within the Old Town Conservation Area and is defined in the Brighton & Hove Local Plan as being within the Hotel Core Area. The Old Town Conservation Area is a mixed area of tightly knit urban grain and small scale buildings in a variety of materials but Black Lion Street has largely been redeveloped in the 20th century with larger scale buildings and harmed by the entrance to an underground car park.

3 RELEVANT HISTORY

BH2012/03998 - Replacement Conservation Area Consent application for the demolition of hotel garage. Approved 10/04/2013

BH2012/03982 - Application to extend time limit for implementation of previous approval BH2009/02606 for the demolition of hotel garage and construction of new 7 storey extension (basement - 5th floor) to provide 42 bedrooms, 2 conference rooms, car parking and restaurant/bar. Approved 10/04/2013.

BH2009/02607 - Demolition of hotel garage. Approved 09/04/2010.

BH2009/02606: Demolition of hotel garage and construction of new 7 storey extension (basement - 5th floor) to provide 42 bedrooms, 2 conference rooms, car parking and restaurant/bar. Approved 09/04/2010

BH2009/02607: Demolition of hotel garage. Approved 09/04/2010

BH2007/03472: Demolition of existing hotel garage. Construction of two and six storey extension to form replacement garage and 30 additional bedrooms. Withdrawn 14/12/09.

BH2007/03473: Demolition of existing garage at ground and first floor levels and staff quarters at second floor level. Withdrawn 14/12/09.

BH2001/02968/FP: Demolition of existing garage at ground and first floor levels and staff quarters at second floor level. Construction of new 5 storey bedroom wing providing 30 bedrooms with re-planned garage under providing 38 car parking spaces. Granted 17/10/02.

BH2001/02969/CA: Demolition of existing garage at ground and first floor levels and staff quarters at second floor level. Approved 17/10/02.

95/0449/FP: Erection of 6 storey plus basement extension to Black Lion Street. Additional floor to 2 sections of building fronting Kings Road, link block at rear and alterations, providing a total of 86 bedrooms and 40 parking spaces. Granted 07/09/95.

95/0450/CA: Demolition of hotel garage and No. 8 Black Lion Street. Granted 07/09/95.

BN90/0732/F & BN90/0733/LBC: Demolition of Old Ship Hotel garage and floor above and No. 8 Black Lion Street and erection of a 6 storey plus basement extension fronting Black Lion Street comprising 40 car parking spaces on ground/basement floors with 61 bedrooms over, additional floor on 2 sections of the building fronting Kings Road, new link block at the rear and other additions/alterations to provide an additional 86 hotel bedrooms. Granted 14/08/90.

86/2147/F & BN86/2148/LBC/CA: Alterations extension at first to fifth floors on Black Lion Street wing to provide 86 bedrooms and mansard room extension at front southeast corner. Granted 24/03/87.

4 THE APPLICATION

4.1 Planning permission is sought for the demolition of the existing 3 storey hotel garage and staff accommodation and the construction of a new six storey extension to the hotel to provide 18 residential units (8 x one bedroom and 10 x two bedroom units), across the first to fifth floor levels, and associated cycle and car parking on the ground floor with revised vehicular access together with other associated works including solar panels on the roof.

4.2 The proposed development would consist of the following;

4.3 Demolition

- Demolition of existing two storey garage and redundant staff accommodation at second floor level.

4.4 Proposed Extension

- The proposed extension would comprise 6 storeys, measuring a maximum of 18.5m in height (18.8m taking into account the proposed solar panels) with the 5th floor set in from the eastern and northern building line of the floors below. The proposed 5th floor would comprise mainly glazed elevations,
- The ground floor level would comprise a vehicular entrance to the proposed ground floor parking area for the new residential units and altered hotel car parking area. A large opaque glazed panel with protective metalwork would also be inserted in the ground floor Black Lion Street frontage,
- The proposed extension would measure approximately 22.6m wide along the Black Lion Street frontage, approximately 31m at the rear and approximately 15.4m in depth. The proposed ground floor level would connect with the retained hotel facilities and would provide new hotel valet parking.

4.5 Residential Accommodation

- Ground Floor – entrance to apartments, 26 cycle parking spaces and 14 car parking spaces and 1 disabled space (to be provided in the retained existing hotel parking area),
- First Floor – 2 one bedroom flats, and 2 two bedroom flats (ranging from approximately 50.3m² to 69.2m²),

- Second Floor – 2 one bedroom flats, and 2 two bedroom flats (ranging from approximately 50.3m² to 69.2m²),
- Third Floor – 2 one bedroom flats, and 2 two bedroom flats (ranging from approximately 50.3m² to 69.2m²),
- Fourth Floor – 2 one bedroom flats, and 2 two bedroom flats (ranging from approximately 50.3m² to 69.2m²), and
- Fifth Floor – 1 2/3 bedroom flat and a two bedroom flat (measuring 89.9m² and 91.8m²).

4.6 Materials:

- Walls - white render and marley eternit equitone 'tectiva' cladding panels in dark grey,
- Stainless steel glazed balconies, and
- Windows/doors– dark grey framed aluminium

5 PUBLICITY & CONSULTATIONS

External:

5.1 Neighbours:

Moore House, 13 Black Lion Street: Comment. Concerned about the level of noise and disruption during the demolition and construction of the Old Ship Hotel as business needs a quiet environment to function as make and take a lot of telephone calls and hold many meetings. Concerned that the increase in noise and disturbance over a period of time will affect company and the ability to work effectively during this time.

5.2 **13 Black Lion Street:** Comment that neighbouring property has a roof terrace that is in regular use which provides a partial sea view. Cannot assess from the documents submitted if the view will be obstructed by the proposed development.

5.3 **8 Old Patcham Mews:** Comment. Would like to see the name "Old Ship" retained in the name of the apartments and at least some of the existing period lettering "Old Ship Hotel Garage" reused in a similar position.

5.4 **Brighton and Hove Archaeological Society:** Comment. The development lies in the centre of old Brighton. It is possible that Palaeolithic deposits may remain or vestiges of the medieval or Reformation periods. Suggest the County Archaeologist is contacted for recommendations.

5.5 **CAG:** Comment. Group felt the proposal would be a significant improvement to the area and would be more in keeping than the existing building. Recommended approval of the application, if possible would like to see the attractive copper/enamel 'Old Ship Hotel Garage' signage retained in its current position.

5.6 County Archaeologist:

(Original comments 22/07/2014) Comment. The proposed development is situated within both a Conservation Area and an Archaeological Notification Area, defining the historic core of the medieval village of Brighthelmstone and the post medieval town of Brighton. The site is located in close proximity to the medieval Cluniac complex of St Bartholomews and within an area of regular burgage plots

that formed in the 12th-14th Century. Recent archaeological monitoring at 8 Black Lion Street recorded remains of a cellar relating to an earlier building than the one currently occupying the site. Accept that the construction of the current building is likely to have damaged/destroyed archaeological deposits that may have existed in this site, however as the recent work to the north at 8 Black Lion Street has demonstrated; deeper archaeological deposit can survive this impact.

- 5.7 Although the applicant has submitted a heritage statement, this only considers impact on the Conservation Area, so there is a concern that the applicant is unaware of the risk of below ground heritage remains and the potential cost mitigating their damage.
- 5.8 Assume that the Council's Conservation team are also making recommendations regarding the impact of the development; however would also recommend that the recommended archaeological mitigation strategy covers any impact on the historic structure of the building.
- 5.9 In light of the potential for loss of heritage assets on the site resulting from development the area affected by the proposals should be the subject of a programme of archaeological works.
- 5.10 (13/10/2014 following submission of further information) The Desk Based Assessment is adequate in relation to below ground archaeological potential from the later prehistoric periods onwards, however the assessment has failed to identify the potential in relation to earlier prehistoric periods due to the site's location on top of the Brighton quaternary deposits.
- 5.11 Can the applicant therefore provide information regarding depth and extent of proposed below ground works, any available geotechnical information for the site, and a revised assessment of impact on the quaternary deposits.
- 5.12 (Revised comments 16/10/2014 following submission of further information) The site also lies above the Brighton Quaternary Deposits, locally known as the Black Rack Raised Beach, which contains artefacts. In light of the potential for loss of heritage assets on the site resulting from development the area affected by the proposals should be the subject of a programme of archaeological works.
- 5.13 (Revised comments 04/11/2014 following submission of further information) This revised document now addresses the concerns raised in the letter dated 22nd July 2014. The Desk Based Assessment also confirms interpretation of the heritage potential of this site outlined in recommendations letter dated 15th October 2014, which requested heritage planning conditions. Do not wish to amend this recommendation.
- 5.14 **County Ecologist:** Comment. The proposed development is unlikely to have any significant impacts 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 Natural Environment and Rural Communities Act and NPPF.

- 5.15 **East Sussex Fire and Rescue Service:** Have no comments to make.
- 5.16 **English Heritage:** Do not wish to offer any comments on this occasion. The application should be determined in accordance with national and local policy guidance and on the basis of Council Heritage advice.
- 5.17 **Environment Agency:** Having screened the application with regard to the low risk of the development type and location of the proposal, confirm have no comments to make.
- 5.18 **Regency Society:** Comment. The Society reviewed the application in order to present its view to the Conservation Advisory Group. The Society raised no objection to the scheme although felt the design to be somewhat uninspiring.
- 5.19 Did however note that in the Planning Statement reference is made to a Viability Assessment and it is suggested that the scheme is only marginally viable and is therefore not capable of providing on-site or off-site affordable housing. Would urge Council to scrutinise the viability of the scheme in some detail before permitting any relaxation in the affordable housing requirement.
- 5.20 **Southern Water:** Comment. Requires a formal application for a connection to the public sewer to be made by the applicant or developer, request that a condition is attached to an approval.
- 5.21 Initial investigations indicate that there are no public surface water sewers in the area to serve the development. Alternative means of draining surface water from the development are required.
- 5.22 Should the application receive planning approval request that a condition is attached regarding details of the proposed means of foul and surface water sewerage disposal.
- 5.23 **UK Power Networks:** Has no objections to the proposed works.

Internal:

- 5.24 **Access Officer:**
(22/07/2014) If the parking is meant for the use of the flats there needs to be at least one space capable of being widened to 3.3m by 4.8m. Confirmation is required of floor drainage for the required future level entry showers.
- 5.25 In a development of 18 units there should be at least one wheelchair accessible unit. Such a unit needs to be identified and will have to have a space for storage and charging of an electric wheelchair/scooter. Wheelchair accessible housing must be accessible at all times. Any units above entrance level must be served by two lifts to cover for periods of breakdown/maintenance.
- 5.26 (Comments 29/07/2014 following query from agent) The requirement for two lifts is because of the requirement for wheelchair accessible housing in a development of this size (i.e. not because of Lifetime Homes requirements). The response does not address that.

5.27 As regards the response about all the units being wheelchair accessible, can suggest the applicant is referred to the requirements outlined in the Wheelchair Housing Design Guide, Second Edition, published by Habinteg; particularly the requirements for size of bathrooms and the need for space for a shower and a bath with at least one being fitted, the requirement for the size of the entrance hall immediately inside the entrance door of each unit. Agree that the first floor units are the ones that could most readily be adapted but need to emphasise that there needs to be one unit designed to the required standards, not just adaptable.

5.28 (Comments 28/10/2014 following receipt of amendments) Proposal looks fine now, a wheelchair storage space has been incorporated inside flat 01.03. The car parking space is now satisfactory. There is clearly little likelihood of the single lift being out of service for any prolonged period in a development of this type and the lack of a second lift should not be an issue.

City Clean:

5.29 (Original comments 9/09/2014) Black Lion Street is included in Council's on street communal refuse and recycling collections but recommend that a bin store is provided for with future-proofing in mind.

5.30 The nearest communal refuse and recycling bins for Black Lion Street are at the side of Bart's House near East Street or opposite the Friend's Meeting House, on Prince Albert Street.

5.31 Waste arising calculations based on the property count provided recommend development allows for 4 x 1100L refuse/recycling containers and have a bin store space of 11.85m².

5.32 (Additional comments 13/10/2014 following submission of amendments) The bin store looks good. Has the double doors that are required, dropped kerbs and is within the recommended trundle distance from roadside.

5.33 **Economic Development Officer:** Has no adverse economic development comments to make but requests a contribution through a S106 Agreement for the payment of £9,000 towards the Local Employment Scheme in accordance with the Developer Contributions Interim Guidance and the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during demolition and construction phases of the development.

5.34 **Education:** If the application were to proceed would seek a contribution towards the cost of providing educational infrastructure for the school age pupils the development would generate. In this instance would seek a contribution of £20,824 in respect of primary and secondary education.

5.35 **Environmental Health:**

(25/07/2014) Comment. Insufficient information has been submitted.

5.36 (Comments 25/11/2014 following receipt of further information) Recommends approval subject to conditions regarding glazing and ventilation requirements,

insulation between bin store/car park and residential units and potential contaminated land.

Heritage:

- 5.37 (Original comments 24/07/2014) Planning permission has previously been granted for the demolition of the existing garage block building and its replacement by a 6 storey building for hotel use. This proposal is for a building of the same height and footprint but for residential use. There remains no objection to the loss of the existing 1920s garage block and a six storey building is considered appropriate in the context of Black Lion Street and in views from Kings Road. It would enhance views southwards where the blank end wall of the 1960s hotel extension currently looms above the garage block. It also has the potential to enhance the street level environment and provide a more visually attractive street frontage. There would be no harmful impact on the setting of the Listed Assembly Rooms building, which is already surrounded by development and whose interest lies largely in its interior.
- 5.38 The proposed design has been positively amended at pre-application stage to reflect concerns raised about the extent and prominence of the top floor and the proportions of the front elevation and it is considered now to be of comparable quality to the previously approved scheme in these respects. The main concern remains with regard to the ground floor frontage, as the use of the ground floor for a vehicular entrance and car parking limits the opportunity to provide an interesting and lively street frontage. The width and alignment of the vehicular entrance has been amended and there would be a large opaque glazed panel with protective metalwork to provide ground interest. The quality of design and materials of this feature would be key to a successful scheme and this should be carefully controlled by condition. This feature could form the subject of any public art contribution. The residential entrance has also been revised in response to pre-application comments, to give it greater prominence and to help to enliven the ground floor. The detailed design of this feature is considered to be acceptable but subject to more information on materials. It is not clear about what an H.P.L. PANEL is, so details of this material in particular would be needed. Also the image shows the 'glazed look-alike panels' as blue but the note refers to them as dark grey so again more detail of this material is needed.
- 5.39 It is noted that there are some discrepancies between the elevation and plan drawings at ground and fifth floor levels. At ground floor level the widths of openings and solid wall sections are not all the same on plan as they are on elevation. At fifth floor level some of the glazed panels would presumably be solid or opaque panels where there are walls behind, but these are not visually differentiated on the elevation. In addition, some of the opening lights appear to coincide with areas of solid walling.
- 5.40 The County Archaeologist's comments cover the need for an archaeological mitigation strategy.
- 5.41 (Comments 8/08/2014 following receipt of rear elevation as existing) Have nothing to add to previous comments.

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- 5.42 (Comment 8/08/2014 in response to CAG comments) Do not consider that the lettering is of any special merit. It is just plain black letters in what looks like Times New Roman font. Certainly does not look like copper, it would appear rather out of place on a new residential block.
- 5.43 (Comments 31/10/2014 following receipt of amendments) The previously identified discrepancies between the elevation and plan drawings at ground and fifth floor levels have been addressed by the amended plans. The other amendments to the proposals do not raise any further issues from a heritage perspective.
- 5.44 The archaeological desk-based assessment is welcomed and the County Archaeologist's revised comments cover the need for an archaeological mitigation strategy.
- 5.45 Recommends approval subject to conditions regarding samples of material, large scale details of the ground floor opaque-glazed opening, the upper floor balconies and the parapet balustrade, and details of any method of gating or shutting the proposed vehicular entrance.
- 5.46 **Housing Officer:** Comment. Housing Strategy is committed to maximising the provision of affordable housing in the City and welcome the fact that as a result of the District Valuer's assessment of the proposal the applicant is now agreeing to the provision of 40% affordable housing in the proposed scheme, helping to provide high quality affordable housing for local people in housing need.
- 5.47 40% affordable housing in this case equates to 7 units. Would expect that at least 10% of the affordable housing should be built to fully wheelchair accessible standards in line with our affordable housing brief, in this case 1 unit.
- 5.48 The affordable housing units should be owned and managed by one of our Registered Providers of affordable housing.
- 5.49 Council affordable housing brief reflects the very pressing need for affordable homes in the City. Currently have over 20,988 households registered on the Council's Housing Register of which 14,039 are in demonstrable housing need waiting for affordable rented housing and a significant number of applicants looking for help to buy (shared ownership).
- 5.50 **Planning Policy:** Comment. The principle of residential development on the site is acceptable, however the lack of an element of affordable housing is regrettable. In order to ensure compliance with Local Plan Policy HO3, the viability report submitted to support the application should be assessed by the District Valuer to clarify whether the provision of an element of affordable housing in the development would not be viable. Furthermore, no information has been submitted to demonstrate how construction and demolition waste will be minimised and sustainably managed in line with the requirements of policy WMP3d of the Waste and Minerals Plan.

- 5.51 **Public Art:** To make sure the requirements of Policy QD6 are met at implantation stage, it is recommended that an 'artistic component' schedule be included in the Section 106 Agreement.

Sustainability Officer:

- 5.52 (Original comments 28/07/2014) Under supplementary planning document SPD08 major new built residential development is expected to achieve Code for Sustainable Homes (CfSH) Level 4. The application commits to achieving this standard.
- 5.53 The sustainability strategy is disappointing as overall lacks the detail to enable a more thorough assessment of the scheme, there are omissions and occasional contradiction. However, the basic standards proposed especially via assessment under the Code for Sustainable Homes to Level 4 will deliver standards across the key aspects of sustainability that should be addressed under Local Plan Policy SU2 and SPD08. In this case it is absolutely essential that the scheme if approved should be conditioned to achieve Level 4 as the other information in the application is not able to provide assurance that local sustainability policy would otherwise be delivered. Code Level 4 will ensure basic standards are met for waste management especially construction waste, materials, energy efficiency, health, pollution, water efficiency.
- 5.54 The only caveat to this is the question of whether an adequately sized photovoltaic array can be installed to deliver Code Level 4. The proposals suggest the photovoltaic array on a neighbouring roof and whilst the principle of this is acceptable, further information has been requested to demonstrate this approach will be successful.
- 5.55 (Comments 30/10/2014 following submission of amendments) Under supplementary planning document SPD08 major new built residential development is expected to achieve Code for Sustainable Homes (CfSH) Level 4. The application commits to achieving this standard. A photovoltaic array is proposed delivering 16.12kWp, this is predicted to generate 1010 kWh/kW and offset 8.6tonnes CO2 emissions per year.
- 5.56 Some of the positive aspects of the scheme are that all units proposed to meet Code for Sustainable Homes Level 4 and a PV array of 16.12kWp. Energy efficiency measures include: dedicated A rated gas boiler installation; fabric performance beyond the minimum requirements laid down in the current Part L1A of the Building Regulations; Low air leakage rates to reduce heat loss; Efficient lighting strategy primarily using CFL or LED type fittings, with automatic control in landlord areas. Passive design measures include solar shading to reduce the impact of solar gain.
- 5.57 Though a Sustainability Checklist was completed and a short Sustainability Statement submitted, there is little additional information provided in support of the application with regards sustainability standards and meeting sustainability policy. Whilst it is welcomed that a communal rainwater harvesting scheme has been costed, it is disappointing that this was found to be not technically or financially viable.

- 5.58 Aspects of policy not addressed in submitted information: measures not proposed or no information provided: use of sustainable materials; Greening of development such as green walls or roofs; food growing; creation of new biodiversity habitats; provision for composting; and whilst a short waste management statement has been submitted but this covers operational waste only and not construction waste impacts.
- 5.59 However, the standards proposed under the Code for Sustainable Homes to Level 4 will deliver standards across the key aspects of sustainability that should be addressed under Local Plan Policy SU2 and SPD08. Code Level 4 will ensure basic standards are met for waste management especially construction waste, materials, energy efficiency, health, pollution, water efficiency.
- 5.60 No objections subject to a condition requiring Code for Sustainable Homes level 4.

Sustainable Transport Officer:

- 5.61 (Original comments 03/09/2014) Recommends approval as the Highway Authority has no objections to the application subject to the inclusion of necessary conditions regarding retention of parking area, cycle parking, car parking management and highway works, an informative regarding Section 278 Agreement and a S106 payment of £12,150.
- 5.62 (Further comments 16/10/2014 following receipt of amendments) The disabled parking bays do not quite conform with DfT Traffic Advisory Note 5/95. The space should be 2.4m wide minimum with the walkways either side 1.2m. Also it is noted that the layout of the doors on route to the cycle parking area has not been adjusted to make more convenient access (however this second point is not a reason for refusal unlike the design of the disabled bay).
- 5.63 (Comments 4/11/2014 following receipt of amendments) The disabled parking space is now acceptable and the omission of one of the doors leading to the cycle parking area has improved the arrangement.
- 5.64 **S106 Contributions Officer:** The recreation open space contribution will be spent at Pavilion Gardens and/or Valley Gardens; Peter Pans and or Kings Road playground. The indoor sports sum will be spent at Prince Regent Swimming complex and the allotments sum at Craven Vale and/or Walpole Road, Whitehawk Hill allotments.

6 MATERIAL CONSIDERATIONS

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

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR8	Pedestrian routes
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Design - street frontages
QD6	Public Art
QD14	Extensions and alterations
QD17	Protection and integration of nature conservation features
QD27	Protection of amenity

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QD28	Planning obligations
HO2	Affordable housing – ‘windfall sites’
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in housing schemes
SR15	Protection of hotels/guest houses
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas
HE8	Demolition in conservation areas
HE12	Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance

SPGBH4: Parking Standards

SPGBH9: A guide for Residential Developers on the provision of recreational space

SPGBH15: Tall Buildings

Supplementary Planning Documents

SPD03: Construction and Demolition Waste

SPD08: Sustainable Building Design

SPD09: Architectural Features

SPD11: Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

CP1 Housing Delivery

CP6 Visitor Accommodation

CP8 Sustainable Buildings

CP19 Housing Mix

CP20 Affordable Housing

East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013

WMP3d Minimising and Managing Waste during construction, demolition and excavation

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of the application relate to the demolition of the existing building, the principle of the development, the design of the proposed building and its impacts on the surrounding area including the surrounding Conservation Area and the setting of the Listed Assembly Room located within the vicinity of the site, the standard of accommodation to be provided, the impact of the development on neighbouring amenity, and transport, ecology and sustainability issues.

Principle of Development:

- 8.2 The hotel is identified in the Local Plan as being within the Hotel Core Area. Local Plan Policy SR15 and City Plan Policy CP6 seek to prevent the loss of hotel accommodation within the defined core area, in which the site is located, unless certain criteria are met. The site is currently used as a garage for the Old Ship Hotel and redundant hotel staff accommodation. The loss of the staff accommodation and the partial loss of the hotel parking facilities are not considered to conflict with the objectives of either policy as the capacity of the hotel for visitors will remain unaffected.
- 8.3 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 provision target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (estimated to fall within the range 18,000 – 24,000 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. The merits of the proposal are considered below.
- 8.4 The provision of 18 units of residential development would make a welcome contribution towards meeting the city's significant unmet housing need. Local Plan Policy HO2 requires proposals for residential development with 10 or more dwellings to provide for 40% affordable housing. Policy CP20 of the submission City Plan states that the Council will negotiate to achieve 40% onsite affordable housing provision on sites of 15 or more dwellings. The proposal has been assessed by the District Valuer and is considered to be viable with a 40% affordable housing provision, a provision that the applicant has agreed to provide. Plans have been submitted to show the location and layout of the proposed affordable housing units (both one and two bed).
- 8.5 Local Plan Policy HO3 states that new residential development should incorporate a mix of dwelling sizes to reflect the city's housing needs. In this city centre location, the proposed mix of one and two bedroom apartments is considered acceptable.

Visual Amenities:

- 8.6 Policies QD1, QD2 and QD3 set out the design criteria for applications of this nature. These policies require proposals to make an efficient and effective use of the site, contributing positively to the visual quality of the environment, addressing key principles for the neighbourhoods in terms of height, scale, bulk and design. The onus is upon the applicant to demonstrate that new development can be integrated successfully into its context.
- 8.7 Policy QD5 of the Brighton and Hove Local Plan relates to street frontage design and states that all new development should present an interesting and attractive frontage particularly at street level for pedestrians.

- 8.8 As set out above the site is located within the Old Town Conservation Area. Policy HE6 states that proposals within or affecting the setting of a conservation area should preserve or enhance the character or appearance of the area and should show:
- a) a consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, building lines and building forms;
 - b) the use of building materials and finishes which are sympathetic to the area;
 - c) no harmful impact on the townscape and roofscape of the conservation area;
 - d) the retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area;
 - e) where appropriate, the removal of unsightly and inappropriate features or details; and
 - f) the retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shopfronts and small scale architectural details such as mouldings which individually or cumulatively contribute to the character or appearance of the area.
- 8.9 Proposals that are likely to have an adverse impact on the character or appearance of a conservation area will not be permitted.
- 8.10 As set out above the hotel is formed of an assemblage of different buildings, dating from 1767 to the 1960s. The oldest part is the Assembly Rooms, located to the west of the proposed extension, dating to 1767 and is a Grade II* Listed Building, but as the development does not affect this part of the building Listed Building consent is not required. Policy HE3 relates to development affecting the setting of Listed Buildings. This policy states that development will not be permitted where it would have an adverse impact on the setting of a Listed Building, through factors such as its siting, height, bulk, scale, materials, layout, design or use.
- 8.11 The NPPF states that good design is a key aspect of sustainable development and that development should function well and add to the overall quality of the area, respond to local character and reflect the identity of the local surroundings. The principle of a modern designed development on this site is not objected to, however the resulting building must respect its context and should be designed to emphasise and enhance the positive qualities of the local neighbourhood, taking into account the local characteristics in order to accord to design policies in the local plan.
- 8.12 The building to be demolished is a 1920s garage which comprises a wide entrance at ground floor level which fronts onto Black Lion Street, it is not a building that makes an important contribution to the character of the Conservation Area. Several planning approvals have been granted for the redevelopment of the area; those relating to the hotel are set out in section 3 above. To the north of the existing hotel is a refurbished and extended warehouse building forming a

karaoke bar, and further north is a refurbished office building which incorporates a restaurant on the ground floor. The completed redevelopment of the northern part of Black Lion Street for commercial development has transformed the street both architecturally and commercially and now makes a positive contribution to the vibrancy of this part of the Old Town. On the opposite side of the road is a modern hotel and Council office building.

- 8.13 In terms of scale, the proposed building would be 6 storeys in height, measuring approximately 18.86m at its maximum point. The proposed 5th floor level would be set in from the lower floor levels on the east and part of the northern side of the extension. The proposed 5th floor would comprise large sections of glazing on the southern and northern side of the Black Lion Street elevation which further helps reduce the bulk and massing of the 5th floor in addition to its set back from the eastern building line.
- 8.14 The provision of a 6 storey building is considered appropriate in the context of Black Lion Street and in views from Kings Road and the surrounding Conservation Area. It is considered that the proposed development would enhance views southwards where the blank end wall of the 1960s hotel extension currently looms above the garage block. The proposal also has the potential to enhance the street level environment and provide a more visually attractive street frontage, in accordance with policy QD5. In addition it is considered that the proposal would not have a harmful impact on the setting of the listed Assembly Rooms building, which is already surrounded by development and whose interest lies largely in its interior.
- 8.15 The proposed Black Lion Street frontage would comprise single and double width windows and glazed doors providing access to external balcony areas (1st to 4th floors), that would be set within the built form of the building rather than protruding beyond the facade. In addition to the set back of the 5th floor level the proposed inset balconies in the Black Lion Street elevation would help to break up the main frontage of the extension. Glass balustrading would be located along the outer edge of the proposed balconies including at 5th floor level.
- 8.16 The proposed rear elevation of the extension would only be visible from within the areas of the hotel to the west of the proposed extension. The proposed rear elevation of the extension includes a large area of rendered elevation which would be located adjacent to the proposed staircase area. The proposed rear elevation would also comprise both inset and suspended balcony areas.
- 8.17 The depth of the proposed extension would be less than in comparison to the existing 3 storey building. This would result in a greater distance between the Listed Assembly room and parts of the hotel located to the west of the proposed extension and the western building line of the proposed extension, at first to fifth floors. A flat roof would be created at first floor level between the built form of the retained hotel and the proposed extension.
- 8.18 The height of the proposed development would constitute a 'tall building' as defined in SPGBH15 'Tall Buildings', although it is noted that the eastern and part of the northern building lines of the proposed upper floor would be set back from

the lower levels. The site falls outside of the specific nodes and corridors for tall buildings identified in the SPG, however this does not necessarily preclude a tall building if local context dictates otherwise and the tests of SPG15 have been met. As required by the SPG, the applicants have submitted a Tall Buildings Statement as part of the application to help justify the scale of building proposed in the local and wider city context.

- 8.19 The key test of the SPG is whether the proposed building is deemed 'significantly taller' than the mean height of surrounding development within a 100m radius. If deemed 'significantly taller' and not within an identified tall buildings node or corridor, such buildings will normally be judged contrary to policies QD1, QD2 & QD4 of the Local Plan.
- 8.20 It is stated that the proposed development "has been designed as a natural extension of the existing 1960s six storey bedroom block which was built with basement, ground and first to fifth floor with two sixth floor plant rooms".
- 8.21 Progressing north along Black Lion Street no. 8 (immediately to the north of the development site) is formed of four storeys with a five storey building beyond. To the east of the site the neighbouring property is formed of five storeys, plus a basement (Bartholomew House) with a similar height hotel block (Thistle hotel) to the south. Both the Thistle hotel building and Bartholomew House are of a comparable scale and height to the existing Old Ship Hotel building.
- 8.22 As with the previously approved scheme (BH2009/02606/BH2012/03982), to which the footprint and height of the proposed development would replicate, the proposed extension would be lower than the retained part of the hotel fronting Black Lion Street and would provide an attractive link in terms of scale and design to the lower adjoining building to the north (8 Black Lion Street), and of similar height to the main developments to the northern part of the street and the office and hotel opposite.
- 8.23 The proposed stepped form of the development would relate well to adjoining buildings, would add visual interest to the street scene and would enhance this part of the street and Conservation Area.
- 8.24 The request by CAG for the existing 'Old Ship Garage' sign to be retained is acknowledged. However this lettering is not considered to be of any special merit and it is considered that it would appear out of place on a new residential development.
- 8.25 Overall it is considered that the proposed development maximises the potential of the site whilst respecting the scale, massing and visual amenities of the adjacent buildings and the general rhythm and character of the Black Lion Street and the wider area including the surrounding Old Town Conservation Area. The building would be an appropriate addition to the street in accordance with policies of the Brighton & Hove Local Plan and the tall buildings guidance within SPGBH15.

Impact Upon Amenity

8.26 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.

Future occupiers

8.27 Policy HO5 requires new residential development to provide adequate private and usable amenity space for occupiers, appropriate to the scale and character of the development. In considering the amount of usable private amenity space within new residential proposals the Local Planning Authority will take into account balconies. Each of the proposed residential units would have sole access to at least one external balcony area of between approximately 0.8m and 1m in depth, and as such accords with policy HO5. The site is also located in close proximity to the seafront.

8.28 Policy HO13 requires new residential units to be built to Lifetime Homes Standards, which enables units to be adapted at a later date to meet the changing needs of occupants, without the need for major structural alterations. There are sixteen standards relating to Lifetime Homes and as the proposal is for a new build development all of the standards should be incorporated into the design. Since submission of the application amendments have been made to the proposal to ensure that Lifetime Homes Standards are complied with, including with respect to the provision of a disabled parking bay and the provision of two wheelchair accessible units (one of which would be an affordable housing unit) which includes the provision of a wheelchair storage space.

8.29 It is noted that the proposal only proposes the provision of one lift however it is not considered that refusal on this basis could be sustained given that an 'ambulant stair' would also be constructed and given that it is stated that maintenance would only be carried out 4 times a year for approximately 1 to 2 hours per visit.

8.30 Conditions should be attached to an approval to ensure the provision of accommodation which accords with Lifetime Homes standards and the provision of Wheelchair Accessible units within the scheme.

8.31 The site is located in a built up area where existing buildings surround the development site on all sides. All habitable rooms would be provided with some form of natural light and ventilation. As part of the application a Sunlight and Daylight Analysis Document has been submitted. It is concluded within the submitted report that;

- "Each apartment is provided with very good views out due to the geometry of the room and the size of the glazing.
- The East / West aspect of the building allows all apartments to benefit from direct sunlight at some point during the day and year.
- All open plan kitchen / living areas achieve an average daylight factor of 1.5%.
- All but 3 of the 18 open plan kitchen / living areas achieve an average daylight factor of 2%.

- All bedrooms achieve an average daylight factor of 1%.
- Both the East and West worst case apartments, i.e. the first floor rooms with the least view of the sun and sky, satisfy the sunlight probability criteria in both the summer and winter. The upper floors would see more sunlight compared to the 1st floor rooms”.

- 8.32 It is noted that the BRE Guidance should only be used as a guide and as a result it is not considered that refusal on this basis of 3 of the 18 apartments not meeting the average daylight factor of 2% for a combined open plan kitchen/living room area, could be justified.
- 8.33 Overall it is considered that the standard of accommodation proposed is acceptable.

Neighbouring Amenities

- 8.34 The concern regarding the loss of a sea view from the rooftop of a northern neighbouring property is noted however the loss of such views is not a material planning consideration. In addition the proposed extension would be no higher than the southern section of the retained hotel. The objection regarding noise and disruption during demolition and construction phases are also note. Such concerns can be dealt with via the attachment of a Construction Environmental Management Plan (CEMP) condition to an approval.
- 8.35 The proposed 6 storey extension would replace an existing 3 storey building of an identical width but a greater depth. The principle of the construction of a 6 storey extension on the north-west part of the existing hotel site was approved under a previous application (BH2009/02606) however this previously approved scheme related to the provision of additional hotel accommodation and facilities rather than residential accommodation.
- 8.36 The proposed development would overlook the rear of the hotel to the west. A distance of approximately 8.5m would be located between the western elevation of the proposed extension (from first floor level) and the eastern most building line of the retained hotel. The eastern elevation of the western section of the hotel does not incorporate windows above third floor level. Overall it is not considered that the proposal would have a significant adverse impact upon the patrons of the hotel with regards to overlooking or loss of privacy.
- 8.37 An existing office block is located approximately 14m to the east of the site, on the opposite side of Black Lion Street. Although the proposal includes the provision of windows and balconies in the east facing elevation it is not considered that the inclusion of such features would result in the proposal having a significant adverse impact upon the amenities of this eastern neighbouring property, with regards to overlooking or loss of privacy.
- 8.38 The proposed extension would adjoin the southern elevation of no. 8 Black Lion Street. It is noted that in consideration of the earlier applications (BH2009/02606 and BH2012/03982) it was stated that some overshadowing would be caused to an office window located in the recessed part of the third floor level of the northern neighboring property, which currently overlooks the roof of the hotel. As

with the previous approvals (the latter of which is still extant), which granted consent for an extension of an identical height and footprint, it is considered that the proposal would have a negligible impact upon the amenities of this neighbouring commercial property.

- 8.39 Given the siting of the proposed extension to the north-east of the retained hotel, the height and design of the existing hotel building and the existing urban form, it is not considered that the proposed extension would have a significant adverse impact upon the amenities of the neighbouring properties with regards to loss of sunlight/daylight or overshadowing.
- 8.40 It is recommended that a condition is attached to ensure that the proposed flat roof at first floor level between the proposed extension and the existing hotel is not utilised as an amenity area in order to protect the amenities of the future occupiers of the development and hotel guests.
- 8.41 Overall it is considered that the proposed development would not have a significant adverse impact upon the amenities of neighbouring properties.

Sustainable Transport:

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

Cycle Parking

- 8.44 As part of the proposal 26 cycle parking spaces are proposed with the ground floor level. This intended amount, proposed layout and proposed design is acceptable and accords with SPG04. If approved, the provision of such facilities can be ensured via a condition.
- 8.45 Despite the omission of a door following the Transport Officer's original comments, it is noted that several doors would be located between the ground floor residential entrance and the proposed cycle storage facilities which would be inconvenient for residents to negotiate with a bike. However it has been confirmed that the doors proposed are required for fire protection reasons, overall it is not considered that refusal on this basis would be warranted.

Car Parking

- 8.46 The site is in Controlled Parking Zone Z.

- 8.47 In association with the proposed 18 residential units, 14 car parking spaces are proposed. For the 14 standard car parking spaces the applicant is proposing a 2 tier semi-automated parking system, which is considered acceptable.
- 8.48 Although all of the proposed residential units would not be provided with on-site parking provisions the Council's Transport Officer has assessed the 2011 car ownership census data and as a result considers that it is likely that the number of overspill vehicles from the proposal would be minimal.
- 8.49 The Highway Authority requests that the car parking spaces are allocated to individual dwellings to ensure that the number of cars assessing the spaces and movements on the highway is reduced. It is recommended that a car parking management plan condition is attached if permission is granted, such a plan should also include a system that manages the visitor and disabled parking.
- 8.50 If the site did generate additional car parking on the highway it is considered unlikely that it would have a significant impact and therefore refusal on this basis is not considered warranted.

Disabled Parking

- 8.51 Parking standards SPG04 requires a minimum of 1 space per 10 dwellings or part thereof. Therefore for 18 dwellings the applicant should provide 2 disabled parking spaces.
- 8.52 The applicant is providing 1 guidance compliant space. Whilst this amount does not accord with SPG04 it is not deemed to be a reason for refusal in this instance as it is noted that blue badge holders can park for free in the vicinity at Pay & Display bays on Black Lion Street and at a disabled parking bay in Ship Street.

Other Issues

- 8.53 The proposal would include works to access serving the garaging area off Black Lion Street. These works to the highway would require approval from the Highway Authority. These works include the reinstatement of footway and removal of a redundant vehicle crossover, issues which could be dealt with via a condition if overall the proposal is considered acceptable.
- 8.54 In order to mitigate the potential increase in trips as a result of the proposal the Highway Authority requests that a contribution of £12,150 is provided. Such a contribution would go towards either a real time information sign in the vicinity of the site or pedestrian improvements in the Old Town area.

Sustainability:

- 8.55 Policy SU2 and SPD08 seeks to ensure that development proposals are efficient in the use of energy, water and materials. Proposals are required to demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design.
- 8.56 In order to comply with policy CP8 of the modified City Plan, the proposed development should be constructed to Code for Sustainable Homes Level 4, a standard which the applicant is committed to achieving. Some of the aspects of

the scheme proposed to achieve such a level include a PV array, the installation of A rated gas boilers, fabric performance beyond the minimum, requirements, efficient lighting strategy and passive design.

- 8.57 It is considered that the achievement of a minimum of Code for Sustainable Homes level 4 can be ensured via a condition attached to an approval, in order to comply with policy CP8.
- 8.58 The proposal involves the demolition of the existing buildings on site and therefore a significant quantity of construction and demolition waste is likely to be generated. No information regarding the management of waste in respect of the demolition of the existing building and construction of the proposal has been submitted as part of the application however it is considered that such information can be obtained as part of a CEMP.
- 8.59 A short term refuse and recycling store would be provided in the kitchen area of each proposed residential unit. In addition, since submission of the application, the proposal has been amended to include communal refuse and recycling areas at ground floor level in order to future proof the proposal should the on-street facilities within the vicinity of the site be removed. A condition should be attached to an approval to ensure the provision of such facilities prior to the occupancy of the development.

Other Issues:

- 8.60 Policy HE12 of the Local Plan relates to scheduled ancient monuments and other important archaeological sites. The policy states that development proposals must preserve and enhance sites known and potential archaeological interest and their setting.
- 8.61 The site is located within an Archaeological Notification Area defining the historic core of the medieval village of Brighthelmstone and the post medieval town of Brighton. The site is located in close proximity to the medieval Cluniac complex of St Bartholemews and within an area of regular burgrave plots that formed in the 12th-14th century. Recent archaeological monitoring at 8 Black Lion Street recorded remains of a cellar relating to an earlier building than the one currently occupying the site. The County Archaeologist accepts that the construction of the current building is likely to have damaged/destroyed archaeological deposits that may have existed on this site, however as the recent work to the north at 8 Black Lion Street has demonstrated deeper archaeological deposit can survive this impact. The site also lies above the Brighton Quaternary Deposits, locally known as the Black Rock Raised Beach.
- 8.62 Since submission of the application a revised archaeological desk-based assessment has been submitted, which has addressed concerns initially raised by the County Archaeologist and as a result it is considered that policy HE12 can be dealt with via a condition being attached to an approval, requiring the submission of a programme of archaeological works.

9 CONCLUSION

- 9.1 In conclusion it is considered that the proposed development would make an efficient and effective use of the site. The height, design and bulk of the proposed extension would not compromise the quality of the local environment, including the surrounding Conservation Area. The standard of accommodation proposed is considered acceptable and adequate private amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, cycle storage, waste management and refuse and recycling storage. In addition it is considered that the new residential development would not have a significant adverse impact upon the amenities of neighbouring properties. The proposal accords with policies of the Brighton and Hove Local Plan and the Brighton & Hove Submission City Plan Part One, approval is therefore recommended.

10 EQUALITIES

- 10.1 The development would provide a policy compliant number of wheelchair accessible residential units and all of the residential units would be designed to Lifetime Homes standards. The numbers of disabled parking bays proposed for residential and business occupiers is acceptable and would be sited in suitable locations.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- Construction Training and Employment Strategy including 20% of demolition and construction jobs for the development sourced from Brighton & Hove.
- A contribution of £9,000 towards Local Employment Scheme,
- A contribution of £12, 150 to go towards either a real time information sign for the 'Breeze' 77 bus service at the Ship Street bus stop on the south side of King's Road (the service will be running 7 days a week from Spring 2015) and/or pedestrian improvements in the Old Town area,
- A contribution of £45, 696.69 towards Open Space and Indoor Sports, which will be spent at Pavilion Gardens and/or Valley Gardens; Peter Pans and or Kings Road playground. The indoor sports sum will be spent at Prince Regent Swimming complex and the allotments sum at Craven Vale and/or Walpole Road, Whitehawk Hill allotments.
- A contribution of £14,000 towards Public Art, and
- A contribution of £20,824 towards primary and secondary education.
- Provision of 40% Affordable Housing

11.2 Regulatory Conditions:

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

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Plan Type	Reference	Version	Date Received
Site Location Plan	0001	Rev. P1	4 th July 2014
Site Block Plan	0002	Rev. P2	23 rd April 2015
Existing Ground Floor Plan	1001	Rev. P3	2 nd July 2014
Existing First Floor Plan	1002	Rev. P3	2 nd July 2014
Existing Second Floor Plan	1003	Rev. P3	2 nd July 2014
Existing Elevation to Black Lion Street	1010	Rev. P3	2 nd July 2014
Existing Elevation to Black Lion Street	1011	Rev. P1	2 nd July 2014
Existing Section	1015	Rev. P3	2 nd July 2014
Existing Rear Elevation	1026	Rev. P1	7 th August 2014
Proposed Ground Floor Plan	2000	Rev. P13	16 th October 2014
Proposed First Floor Plan	2001	Rev. P11	23 rd April 2015
Second Floor Plan	2002	Rev. P9	30 th March 2015
Third Floor Plan	2003	Rev. P8	22 nd April 2015
Fourth Floor Plan	2004	Rev. P8	22 nd April 2015
Fifth Floor Plan	2005	Rev. P7	22 nd April 2015
Roof Plan	2006	Rev. P8	6 th October 2014
Proposed Street Elevation on Black Lion Street	2010	Rev. P12	6 th October 2014
Proposed Rear Elevation	2011	Rev. P8	6 th October 2014
Proposed Street Elevation on Black Lion Street	2012	Rev. P2	21 st April 2015
Proposed Rear Elevation	2013	Rev. P1	2 nd July 2014
Proposed Sections	2015	Rev. P5	2 nd July 2014
Main Entrance Detail	2025	Rev. P3	21 st April 2015

- 3) 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: As this matter is fundamental to the acceptable delivery of the permission to prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.
- 4) 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.
- 5) The vehicle parking area relating to the residential development hereby approved, as 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.
- 6) The new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
- 7) i) The glazing and ventilation requirements for the facades of the development hereby approved shall comply with Table 5.1, page 4 of the Noise Impact Assessment for the scheme, undertaken by Environmental Noise Solutions Ltd., dated 26th September 2014, received on the 6th October 2014.
ii) Details showing that part i) has been complied with shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.
Reason: To safeguard the amenities of the future occupiers of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 8) Access to the first floor flat roof hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 9) A minimum of 10% of the affordable housing units and 5% of the total of all of the residential units hereby approved shall be built to wheelchair accessible standards.
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 and Hove Local Plan.

11.3 Pre-Commencement Conditions:

- 10) No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land and buildings 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: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, to comply with policies QD2 and QD27 of the Brighton and Hove Local Plan.

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- 11) No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):
- a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b) samples of all cladding to be used, including details of their treatment to protect against weathering
 - c) samples of all hard surfacing materials including paving materials to the entrance
 - d) samples of the proposed window, door and balcony treatments
 - e) samples of all other materials to be used externally
- Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
- 12) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
- (i) The phases of the Proposed Development including the forecasted completion date(s)
 - (ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to Commence Development until such consent has been obtained
 - (iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
 - (iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site
 - (v) Details of hours of construction including all associated vehicular movements
 - (vi) Details of the construction compound
 - (vii) A plan showing construction traffic routes
 - (viii) An audit of all waste generated during construction works
- The construction shall be carried out in accordance with the approved CEMP.
Reason: As this matter is fundamental to the protection of amenity, highway safety and managing waste throughout development works and to comply with policies QD27, SU10, SU13, SR18, SU9 and TR7 of the Brighton & Hove Local Plan and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.
- 13) No development above ground floor slab level shall take place until 1:20 scale details of the ground floor opaque-glazed opening the upper floor balconies and the parapet balustrade 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 shall be retained as such thereafter.

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- Reason:** To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
- 14) No development above ground floor slab level shall take place until 1:20 scale details of any method of gating or shuttering to the vehicular entrance 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 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.
- 15) No development above ground floor slab level shall take place until details of the proposed means of foul and surface water sewerage disposal shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- Reason:** To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.
- 16) No development above ground floor slab level shall take place 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.
- 17) i) No development above ground floor slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority showing that party Walls/Floors between the bin store and car park, and the residential accommodation, shall achieve an airborne sound insulation value of 5dB greater than that specified in Approved Document E of the Building Regulations.
ii) The development shall not be occupied until details of the pre-completion testing showing that the scheme achieves the standard outlined in part i) have been submitted to and approved in writing by the Local Planning Authority.
- Reason:** To safeguard the amenities of the future occupiers of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 18) 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 (i) (c).

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

19) i) No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

ii) The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under part i) and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This pre-commencement condition is imposed because it is necessary to ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan.

11.4 Pre-Occupation Conditions:

20) 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.

- 21) 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.
- 22) The development hereby permitted shall not be occupied a scheme setting out highway works to implement the reinstatement of footway on Black Lion Street has been submitted to and approved in writing by the Local Planning Authority. No part of the building hereby approved shall be occupied until the approved highway works have been carried out in accordance with the approved scheme.
Reason: To ensure that there suitable footway provision is provided to and from the development and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.
- 23) Prior to first occupation of the development hereby permitted a scheme to enhance the nature conservation interest of the site shall have 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 first 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.
- 24) Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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 policy CP8 of the Submission City Plan Part One.

11.5 Informatives:

1. The applicant is advised that Condition 18 on land contamination has been imposed because the site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. To satisfy the condition a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of (i) (b) and (i) (c) of the condition. It is strongly recommended that in submitting details in accordance with this condition the applicant has reference to Contaminated Land Report 11, Model Procedures for the Management of Land Contamination. This is available on both the DEFRA

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website (www.defra.gov.uk) and the Environment Agency website (www.environment-agency.gov.uk).

2. The applicant is advised to contact the East Sussex County Archaeologist to establish the scope for the Written Scheme of Archaeological Investigation as required by condition 19.
3. The applicant is advised that formal applications for connection to the public sewerage system and to the water supply are required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk
4. The applicant is advised that in respect of condition 23, given the urban nature of the site, swift boxes are recommended.
5. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.
6. 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.
7. 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 would make an efficient and effective use of the site. The height, design and bulk of the proposed extension would not compromise the quality of the local environment, including the surrounding Conservation Area. The standard of accommodation proposed is considered acceptable and adequate private amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, cycle storage, waste management and refuse and recycling storage. In addition it is considered that the new residential development would not have a significant adverse impact upon the amenities of neighbouring properties.

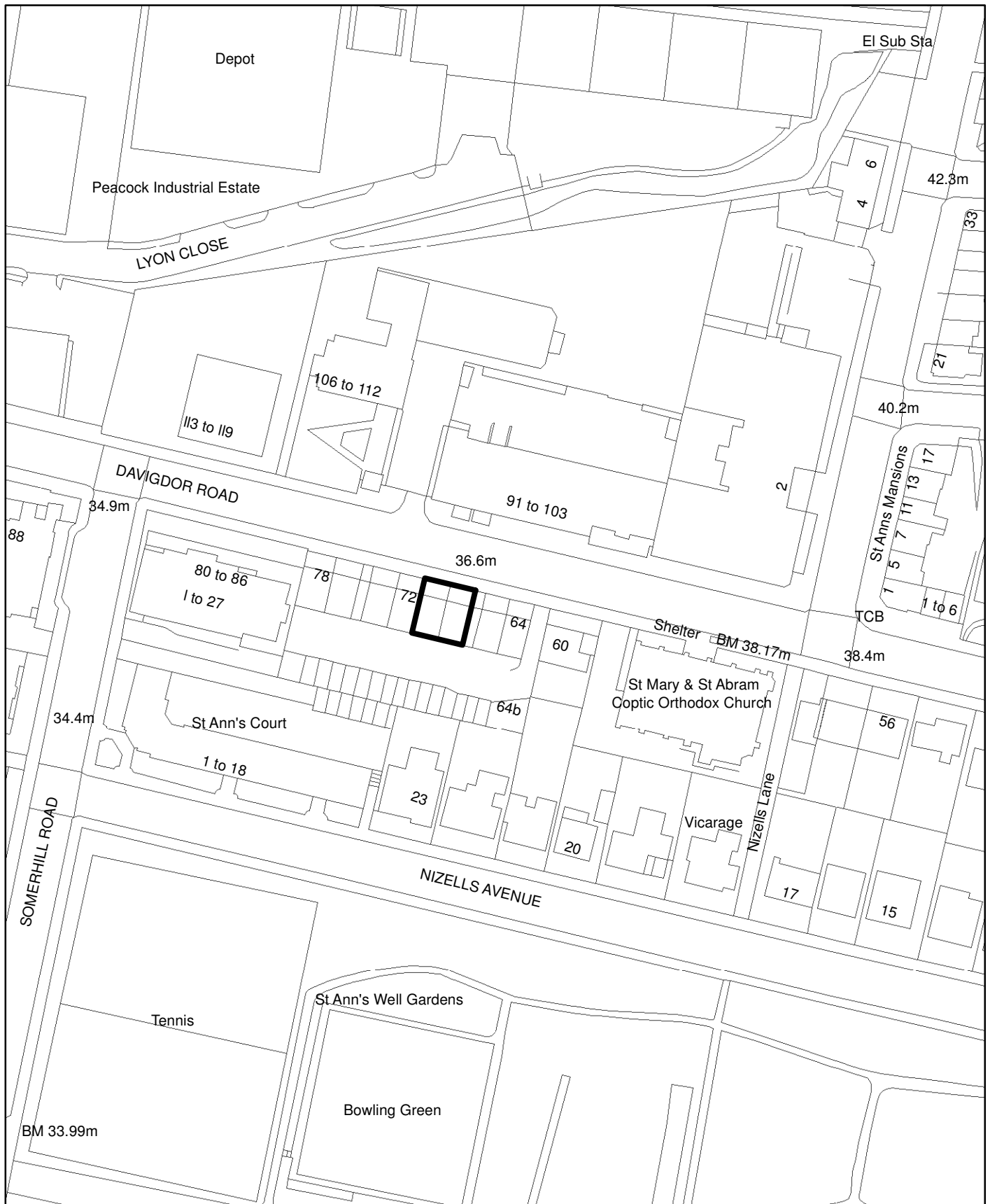
ITEM B

68 Davigdor Road, Hove

BH2015/00439
Full planning

13 MAY 2015

BH2015/00439 68 Davigdor Road, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/00439	<u>Ward:</u>	GOLDSMID
<u>App Type:</u>	Full Planning		
<u>Address:</u>	68 Davigdor Road Hove		
<u>Proposal:</u>	Conversion of first floor flat and loft to create 3no flats including rear dormers and balcony, side dormer and front rooflights, removal of chimney stacks and additional rear window and doors at first floor level.		
<u>Officer:</u>	Helen Hobbs Tel 293335	<u>Valid Date:</u>	10 February 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	07 April 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Chalk Architecture Ltd, 21-22 Old Steine Brighton BN1 1EL		
<u>Applicant:</u>	Copsemill Properties Ltd, Mr Jon Wright 12A Orange Row Brighton BN1 1UQ		

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 site comprises a two-storey building on the southern side of Davigdor Road. The building features four gabled bay windows, a large hipped roof with front dormers, and chimney stacks to the side and rear roofslopes. The building, encompassing 68-74 (even), has been designed to appear as a terrace row but comprises two ground floor flats and two first floor flats. The application relates to the first floor flat within the eastern section of the building.
- 2.2 The rear of the site is appreciably lower than Davigdor Road street level and comprises a continuous hardstanding with a lower ground floor level accommodating commercial units / garages which are not seemingly connected to the residential units above. The rear boundary of the site is marked by a row of single-storey garages.

3 RELEVANT HISTORY

BH2014/02692 Conversion of first floor flat and loft to create 3no flats including rear dormers and balcony, front and side rooflights, removal of chimney stacks and additional rear window and doors at first floor level. Refused 14/10/2014 for the following reasons;

1. *The existing first floor unit is unsuitable for conversion into smaller units of accommodation by virtue of an original floor area of less than 115 sq metres and having only three bedrooms as originally built. The resulting development would create accommodation below the standard that the Council would reasonably expect and, by reason of habitable rooms of an inadequate size and a failure to incorporate Lifetime Home standards in the design, unsuitable for family occupation. This harm is considered to outweigh the benefit provided by the additional residential units. The proposal is therefore contrary to policies QD27, HO9 and HO13 of the Brighton & Hove Local Plan.*
2. *The proposed front rooflights, by reason of their number and siting in relation to features at lower levels of the building, would detract from the appearance of the existing building and the wider street scene. This harm is considered to outweigh the benefit provided by the additional residential units. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.*

BH2012/02244 Conversion of first floor flat and loft to create 3no flats incorporating rear dormers and balcony, front rooflights and removal of chimney stacks. Refused 18/01/2013, for the following reasons

1. *The existing first floor unit is unsuitable for conversion into smaller units of accommodation by virtue of an original floor area of less than 115 sq metres and having only three bedrooms as originally built. The resulting development would create accommodation below the standard that the Council would reasonably expect and, by reason of habitable rooms of an inadequate size and a failure to incorporate Lifetime Home standards in the design, and unsuitable for family occupation. The proposal is therefore contrary to policies QD27, HO9 and HO13 of the Brighton & Hove Local Plan.*
2. *The proposed front rooflights, by reason of their number and siting in relation to features at lower levels of the building, would detract from the appearance of the existing building and the wider street scene. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.*
3. *The proposed rear dormers would appear poorly sited in relation to features at lower levels of the building, with the extensive balustrading introducing an overtly horizontal emphasis at roof level. The resulting structure would detract from the appearance of the building and the wider surrounding area. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 1, Roof Alterations and Extensions.*
4. *The removal of the chimney stack to the side roofslope would be harmful to the appearance of the existing building and the character of the roofscape in this section of Davigdor Road. The proposal is therefore*

contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 9, Architectural Features.

66 Davigdor Road

BH2010/02349: Conversion of first floor flat and loft to create 3no residential units incorporating rear dormers and rooflights to sides and rear. Approved 27/09/2010.

76 Davigdor Road

BH2010/00031: Conversion of first floor flat into 2 self-contained flats. Conversion of roofspace to form 1 self-contained flat with addition of 2 no. rear dormers and 4 no. rooflights. Approved 18/03/2010.

4 THE APPLICATION

- 4.1 Planning permission is sought for the conversion of the first floor flat and loft to create 3 self-contained flats. External alterations include the installation of rear dormers and balcony, front roof lights, dormer to the side roof slope, removal of chimney stacks and additional rear window and doors at first floor level.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Five (5)** letters of representation have been received from **Studio 2 Davigdor Mews Davigdor Road, Flat 3 66 Davigdor Road, Unit 7 rear of 64-78 Davigdor Road and 70 Davigdor Road (x 2)** objecting to the application for the following reasons:

- Noise
- Nuisance
- Disturbance
- Increased traffic/lack of parking
- Pollution
- Loss of privacy
- Layout of the flats
- Poor structure of the building

- 5.2 **Councillor Buckley** objects to the application (email attached).

Internal:

- 5.3 **Sustainable Transport:** Comment A condition should be attached to any approval requiring further details of cycle parking facilities.

6 MATERIAL CONSIDERATIONS

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

- TR1 Development and the demand for travel
- TR7 Safe development
- TR14 Cycle access and parking
- TR19 Parking standards
- SU2 Efficiency of development in the use of energy, water and materials
- SU13 Minimisation and re-use of construction industry waste
- QD14 Extensions and alterations
- QD27 Protection of Amenity
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO7 Car free housing
- HO9 Residential conversions and the retention of smaller dwellings
- HO13 Accessible housing and lifetime homes

Supplementary Planning Guidance:

- SPG4 Parking Standards

Supplementary Planning Documents:

- SPD03 Construction and Demolition Waste
- SPD08 Sustainable Building Design

SPD12 Design Guide for Extensions and Alterations

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations material to this application are the principle of conversion, the standard of accommodation to be provided, the impact on neighbouring residential amenity, traffic issues and sustainability issues. Accurate plans have now been submitted therefore a full assessment of the scheme can now be made.

Principle of Development

- 8.2 The application seeks the sub-division of a unit of residential accommodation therefore policy HO9 applies. This policy states that planning permission for the conversion of dwellings into smaller units of self-contained accommodation will be permitted in instances where (amongst others) the original floor area is greater than 115sqm or the dwelling has more than 3 bedrooms as originally built, and at least one unit of accommodation is provided which is suitable for family accommodation and has a minimum of two bedrooms.

- 8.3 The building as existing takes the appearance of a semi-detached property yet contains two flats, one on each floor, each with its own separate access from the front. Planning records show no evidence of conversion works having taken place whilst the layout is such that it is considered that the building is still in its original format. The previously refused applications at 68 Davigdor Road failed to satisfactorily demonstrate that the dwelling was built with 3 or more bedrooms, as stated in section 3 above. Within this current application, the applicant has provided evidence in the form of estate agents marketing information, photographs and details of the layout of the current unit and of the adjoining properties to demonstrate that the flat has four bedrooms as originally built. The floor plans have also been properly labelled indicating the use of the rooms, which was not the case in the previous refused application. The Local Planning Authority is therefore satisfied that the first floor flat consists of four bedrooms within an internal floorspace of 112.5sqm, therefore satisfying part a) of policy HO9. In addition, it is noted that applications at No.76 Davigdor Road (BH2010/00031) and No. 66 Davigdor Road (BH2010/02349) were granted planning permission for conversion of the first floor units on the basis that the flats had a floor area of 112sqm and four bedrooms.

- 8.4 On this basis, although the minimum 115sqm floor area is again not met, given the additional information provided with the application, the applicant has demonstrated that the unit does benefit from more than 3 bedrooms as originally built and therefore policy HO9 is not considered to have been conflicted with. Furthermore, one of the proposed flats would contain two bedrooms, thereby complying with sub-section b) of the policy.

Design and Appearance

- 8.5 The proposal also includes the installation of two rooflights to the front elevation, a dormer to the side and a rooflight and two dormer windows, with connecting balcony balustrade, to the rear elevation.

- 8.6 The number of rooflights has been reduced to 2 on the front elevation. Given the width of the roofslope and the proposed size and positioning of the rooflights, the alterations are considered acceptable features would not cause significant harm. Rooflights are evident on the neighbouring properties and therefore the proposal would not disrupt the character of the streetscene.
- 8.7 Supplementary Planning Document 12 provides guidance on extensions and alterations. The creation of two dormer windows connected with a balcony on the rear roof slope would not meet the guidance contained in the SPD. However, the proposed external alterations at the rear are similar to those granted in 2010 at 66 Davigdor Road. Whilst the adoption of the SPD post-dates the approval of the works at 66 Davigdor Road, the section relating to roof alterations was the same as within the relevant guidance at the time of that application.
- 8.8 Guidance contained in SPD12 requires dormer windows to align with fenestration below. The proposed dormer window on the side roof slope, whilst it would not align with the fenestration below in terms of size, given the scale and proportions of the dormer window on the front elevation, together with the fact that much of the dormer is screened by the existing chimney at the front, which is to be retained, the proposal is considered acceptable.
- 8.9 There is no objection to the infilling of an open stair well and creation of a new window opening at first floor level as this would match the existing appearance of the building. Similarly there is no objection to the removal of the chimney stacks to the rear roofslope which are of only limited importance.
- 8.10 For these reasons, it is considered that the external alterations would comply with policy QD14 and Supplementary Planning Document 12 Design Guide on Extensions and Alterations.

Standard of Accommodation

- 8.11 The conversion works would result in the creation of three additional flats. The four bedroom flat at first floor level would be converted to a one bedroom flat and a two bedroom flat. The size and layout of both flats is considered appropriate whilst all rooms would have a suitable outlook. The two bedroom flat would have, a separate kitchen and living space thereby providing for a more suitable layout for potential family occupiers. Although the only outdoor space provided would be a small balcony, it is not considered reasonable to refuse consent on the basis that policy HO5 has not been met.
- 8.12 Within the loft space a two bedroom flat is proposed. As the building has a hipped roof each of the proposed rooms would have sloping roofs on at least two sides, thereby compromising the useable floorspace. Although the open plan kitchen and living space could potentially be cramped owing to the pitched roof, it is not considered that it is so poor as to warrant refusal of the application. Both the living room and larger bedroom would have access to a small rear balcony by virtue of the addition of two dormers to the rear, whilst a further dormer in the side and front rooflights would provide additional natural light. On balance it is considered that all three flats provide a suitable standard of accommodation for

future occupiers, thereby complying with policy QD27 of the Brighton and Hove local plan.

- 8.13 Policy HO13 requires new residential units by way conversions to demonstrate that where possible lifetime homes criteria have been incorporated into the design. The access into all three residential units would be via internal steps and in this respect the application could not meet all lifetime homes standards. However, the internal layout of each unit should be capable of complying with many of the standards without major structural alterations. The applicant has failed to demonstrate in the design that the internal layout of the units can, where practical, meet any lifetime homes standards, however given that the works are purely internal and involve a conversion rather than a new build it is considered that lifetimes home standards can be incorporated in the scheme by way of a suitable condition.

Impact on Residential Amenity

- 8.14 It is noted that representations have been received outlining concerns relating to noise and disturbance from the neighbouring properties. The adequate soundproofing between units would though be secured under the Building Regulations. The structural stability of the building is not considered material to the planning merits of the proposed development and the potential for damage to adjoining properties is a private matter.
- 8.15 The proposed rooflights and dormer windows, due to the separation distances and nature of adjoining development, would not result in intrusive downward overlooking of adjoining properties.

Sustainability

- 8.16 Policy SU2 of the Brighton and Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design require new development to demonstrate a high level of efficiency in the use of water, energy and materials. The submitted sustainability checklist rates the development at 22% (minimum not met) with minimal justifications detailing specific measures that will be implemented to demonstrate how the development would be efficient in the use of energy, water and materials. For this scale of development, the SPD requires development to meet EcoHomes for refurbishment, this requirement is conditioned.

Transport issues

- 8.17 There are 4 cycle parking spaces being proposed at the side of the building on ground floor. This would appear to be an acceptable location. The Highway Authority does request that the applicant submits further details of how each cycle parking space would be secured individually (for each dwelling) and sheltered. This provision is conditioned.

9 CONCLUSION

- 9.1 The proposed development would cause no loss of light or privacy to adjacent occupiers, would not harm the appearance of the building, would not result in the loss of a small unit of self-contained accommodation, and would retain a

PLANNING COMMITTEE LIST- 13 MAY 2015

residential unit suitable for family occupation. The proposal is considered to be in accordance with development plan policies.

10 EQUALITIES

10.1 The proposal demonstrates that lifetime homes criteria have been considered and incorporated into the design.

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
Block & site plan existing and proposed	A.01	B	10 th February 2015
South elevation as existing	A.03	B	10 th February 2015
East elevation as existing	A.04	B	10 th February 2015
North elevation as existing	A.05	B	10 th February 2015
First floor as existing	A.06	B	10 th February 2015
Second floor as existing	A.07	B	10 th February 2015
Roof plan as existing	A.08	B	10 th February 2015
Section BB as existing	A.09	B	10 th February 2015
Section AA as existing	A.10	B	10 th February 2015
Photographs	A.11	B	10 th February 2015
South elevation as proposed	D.01	C	10 th February 2015
East elevation as proposed	D.02	C	10 th February 2015
North elevation as proposed	D.03	C	10 th February 2015
First floor as proposed	D.04	B	10 th February 2015

PLANNING COMMITTEE LIST- 13 MAY 2015

Second floor as proposed	D.05	C	10 th February 2015
Roof plan as proposed	D.06	C	10 th February 2015
Section BB as proposed	D.07	B	10 th February 2015
Section AA as proposed	D.08	C	10 th February 2015

- 3) 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 QD14 of the Brighton & Hove Local Plan.
- 4) Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.
Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.
- 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 policy CP8 of the Submission City Plan Part One.
- 6) Prior to first occupation of the development hereby permitted a scheme for the storage of refuse and recycling shall have 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.
- 7) The new dwelling(s) hereby permitted shall be constructed to Lifetime Homes standards as far as is 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.

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.

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 would cause no loss of light or privacy to adjacent occupiers, would not harm the appearance of the building, would not result in the loss of a small unit of self-contained accommodation, and would retain a residential unit suitable for family occupation. The proposal is considered to be in accordance with development plan policies.
2. The applicant is advised that details of the BREEAM Domestic Refurbishment assessment and a list of approved assessors can be obtained from the BRE website (www.breeam.org/page.jsp?id=228). Details 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).

COUNCILLOR REPRESENTATION

From: Ruth Buckley
Sent: 23 February 2015 12:21
To: Helen Hobbs
Subject: FW: BH2014/02692

Helen,

With regard to application **BH2015/00439**

I have copied in my original complaint below and would yet again like to object to this proposal. Exactly how many times does an application have to be turned down before the applicant is told not to apply again?

I would like to object to this application –again - due to the severe impact the works would have on the resident of number 70, directly below. The resident is of a mature age and should not have to be faced with this on-going application to build above her house. The noise from the proposed works would be extremely distressful to her. Also, having three flats from such a small space is ridiculous. I also believe the loss of light would impact on neighbours of Nizells Avenue.

Regards,
Ruth

Cllr Ruth Buckley

Green Councillor for Goldsmid Ward

Helen,

With regard to application: BH2014/02692 I would like to formally object on the grounds of noise and disturbance.

The application seems to be a duplicate of one put forward last year, to which I also objected.

Please see below the objection I sent through last year of which I still hold the same concerns:

I believe the resident of the flat directly below number 68, no 70 will be extremely impacted by the noise from the proposed three flats, both from the alterations then from use. I would also like to object to the layout of the plans as I believe the density of one flat converted into three in that locale will be too great.

Regards,
Ruth

Cllr Ruth Buckley

Green Councillor for Goldsmid Ward

Deputy Leader (External) of B&H Council



PLANNING COMMITTEE LIST
13 MAY 2015

COUNCILLOR REPRESENTATION

ITEM C

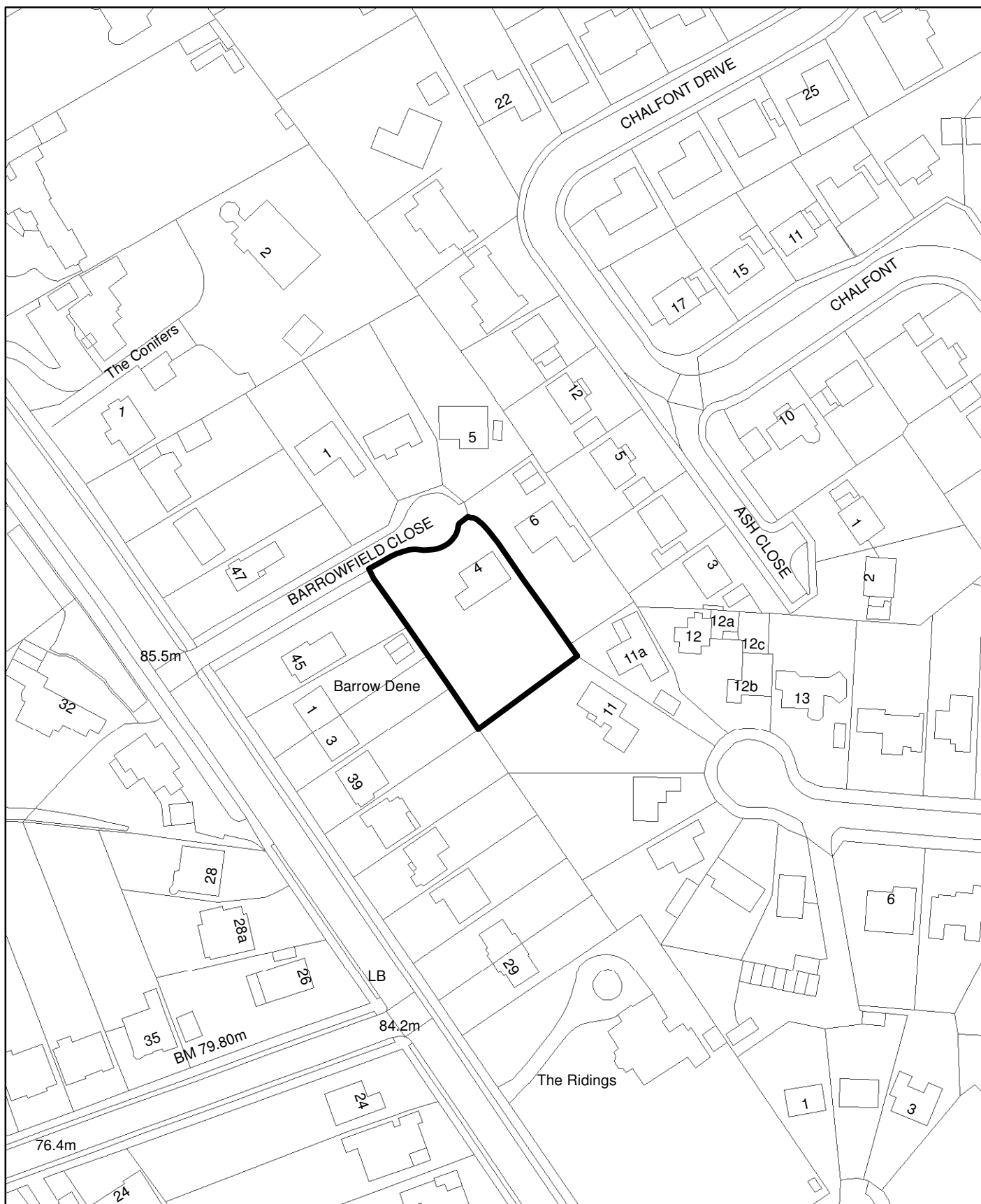
4 Barrowfield Close, Hove

BH2015/00688

Removal or variation of condition

13 MAY 2015

BH2015/00688 4 Barrowfield Close, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/00688	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Removal or Variation of Condition		
<u>Address:</u>	4 Barrowfield Close Hove		
<u>Proposal:</u>	Application for variation of condition 2 of application BH2014/03227 (Erection of 1no four bedroom detached dwelling (C3) to allow for the provision of an additional bedroom and the insertion of 4 no. rooflights.		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	26 February 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	23 April 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Mr & Mrs J T Platt, 4 Barrowfield Close, Hove BN3 6TP		

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 plot of land currently providing garden area for an existing detached dwelling, which is located on the south-eastern side of Barrowfield Close, at the eastern end of the cul-de-sac, and is accessed from Tongdean Avenue. The plot related to no. 4 Barrowfield Close is of a larger width than the plots relating to the other properties within the Close. The existing dwelling is situated towards the north-eastern side of the double plot resulting in a strip of garden area to the south-western side of the dwelling in addition to a large rear garden.
- 2.2 The existing dwelling comprises two storeys, and roofslope accommodation, with a subordinate hipped roof side section and an integral garage.
- 2.3 The Close comprises a total of 5 dwellings all of a detached form but of various styles and designs. A common characteristic in the Close is of the properties being contained towards the front of the plot providing large rear gardens.
- 2.4 The topography of the area results in the neighbouring properties on Tongdean Avenue being sited lower than the site and no. 6 Barrowfield Close being set at a higher level. The southern section of the plot currently related to no. 4 is also set at a slightly lower level than the land upon which the existing house is sited.

- 2.5 The boundary with the Tongdean Conservation Area is located to the rear of the properties on the northern side of the close and to the north of no. 47 Tongdean Avenue.

3 RELEVANT HISTORY

BH2015/00707 - Certificate of lawfulness for proposed loft conversion incorporating roof extension, rear dormer and rooflights, erection of single storey rear extension, conversion of garage into habitable space and front porch extension. Concurrent Application.

BH2014/04342 - Application for Approval of Details Reserved by Conditions 9, 10, 11, 12 and 13 of application BH2014/03227. Approved 13/02/2015

BH2014/03227 - Erection of 1no four bedroom detached dwelling (C3). Approved 24/11/2014.

BH2014/02487 - Erection of 4 bedroom detached dwelling house. Refused 08/09/2014. Reasons for refusal: The proposed development, by virtue of the excessive depth created by the proposed single storey rear section and positioning closer to the front boundary compared to neighbouring properties results in a development that would be out of keeping with the characteristic built form and positioning of the properties within Barrowfield Close. This contrast, in addition to the design and style of windows, would result in a development that is of detriment to the character and appearance of Barrowfield Close and wider surrounding area, contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan. Appeal under consideration.

BH2014/01708 - Demolition of existing house and erection of 5no bedroom house. Approved 18/07/2014.

BH2014/00821 - Remodelling of existing dwelling incorporating two storey rear extension, two storey front/side extension and additional two storey extension to create entrance porch. Enlargement of existing garage, extensions and alterations to roof, revised fenestration and associated works. Approved 08/05/2014.

BH2014/00479 - Erection of 3 bedroom detached dwelling house. Refused 16/04/2014.

BH2013/04218 - Demolition of existing dwelling and erection of seven bedroom dwelling. Refused 28/04/2014

BH2014/00250 - Certificate of lawfulness for proposed loft conversion with side dormer and rooflights, two storey rear extension, single storey extensions to both sides, front porch extension and erection of 2no single storey outbuildings to rear. Approved 07/03/2014

BH2013/03757 - Certificate of lawfulness for proposed loft conversion with side dormer and rooflights, two storey rear extension, single storey extensions to both sides, front porch extension and erection of 2no single storey outbuildings to rear. Split Decision 27/12/2013

Plot 2 Barrowfield Close

There has been 8 previous outline consent applications for the erection of a detached house on the plot, the first granted in 1979 the most recent set out below:

BH2001/00496/OA – Outline application for the erection of one two storey detached house. Approved 09/05/2001

4 THE APPLICATION

Planning permission is sought for the variation of condition 2 (approved drawings) of approved application BH2014/03227, which granted consent for the construction of a new four bedroom detached dwelling, to permit alterations including;

- The insertion of 4 rooflights, and
- The creation of an additional bedroom.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Five (5)** letters of representation have been received from **1, 5 and 6 Barrowfield Close and 45 and 47 Tongdean Avenue** objecting to the application for the following reasons:

- On the same grounds as on previous applications at the site, being overdevelopment of the site and the two projected properties should be considered together as the issue of overdevelopment on both plots in terms of people and building would become apparent,
- Quantity of rooflights are out of scale with the property,
- Considerably increases the actual and perceived overlooking to other neighbours,
- Object to the principle of 5 bedrooms having previously objected to 4, then becomes a three floor property and a 5 bedroom house without a garage. This would attract a considerable increase in vehicular traffic into Barrowfield Close,
- Increased parking problems, concerned about the space allocated for car parking as there is very little space on the road being a small close. It appears that the plan is to use part of the road (which is currently owned by the Council) in order to park cars, at present it is used by everyone as a place to turn. Would cause added congestion and a danger if other road users had to reverse onto a major road,
- Note that with regards to the adjoining property at no. 4 Barrowfield Close a Certificate of Lawfulness application has been applied for to convert the existing garage into a lounge and therefore increasing pressure in parking and the number of vehicles parking in front of the properties. Fearful that a real parking problem will ensure, not to mention the restriction of access for service vehicles. The public parking in the Close has potentially been reduced by the dropped kerb along the face of both plots.

Internal:

5.2 **Arboriculturist:** There does not appear to be any further implications for trees and therefore the Arboriculturist Section has no objections to the proposals in the application.

5.3 Sustainable Transport:

(Comments 31/03/2015) The proposals to insert roof lights are not considered to have a transport impact above the previous permission (BH2014/03227), therefore the Highway Authority has no objections.

5.4 (Comments 8/04/2015 following description amendment) The proposals are not considered to have a greater impact in terms of transport than the originally approved application BH2014/03227. Original conditions included on the permission should be included on any new permission granted.

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

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

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

6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.

6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.

6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

- TR1 Development and the demand for travel
- TR7 Safe development
- TR14 Cycle access and parking

- TR19 Parking standards
- SU2 Efficiency of development in the use of energy, water and materials
- SU13 Minimisation and re-use of construction industry waste
- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites
- QD15 Landscape design
- QD16 Trees and hedgerows
- QD27 Protection of Amenity
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO13 Accessible housing and lifetime homes
- HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

- SPGBH4 Parking Standards

Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD06 Trees & Development Sites
- SPD08 Sustainable Building Design
- SPD11 Nature Conservation & Development
- 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 principle of the construction of a new detached dwellinghouse has been established within the approval of the previous application BH2014/03227. The main considerations in the determination of the application relate to the impacts of the proposed amendments on the visual amenities of the approved new dwelling, the Barrowfield Close streetscene and the wider area, including the setting of the nearby Tongdean Conservation Area. The impacts upon the amenities of neighbouring properties must also be assessed.
- 8.2 The applicant seeks to create a 5th bedroom and associated en-suite with the roofspace of the dwelling. In association with the proposed additional bedroom 4 rooflights would be inserted.
- 8.3 The proposed rooflight within the north-west facing roofslope (front), which would relate to a proposed en-suite bathroom, would be installed in alignment with a first floor window on the elevation below.
- 8.4 It is noted that the proposed east and west facing rooflights, which would relate to the proposed bedroom area, would not align with window openings on the elevation below and would be located to one side of the apex of the roof. The alignment of these rooflights with windows on the elevation below or the apex of

the roof would not be possible whilst allowing the proposed rooflights to provide light and ventilation to the proposed bedroom area. The positioning of the proposed west facing rooflight is also further restricted by the installation of the proposed solar panels (the insertion of solar panels to this roofslope was approved under the previous application).

- 8.5 The proposed south-east facing (rear) rooflight would be located in the centre of the associated roofslope, above the previously approved solar panels.
- 8.6 Whilst it is acknowledged that all four proposed rooflights would not align with features of the approved scheme, namely the roof apex or windows in the elevation below, the guidance set out in SPD12 does state this should only be achieved where possible.
- 8.7 Overall it is considered that the amendments proposed to approved application BH2014/03227, as set out above, would not be of detriment to the visual amenities of the approved dwelling, the Barrowfield Close streetscene and the wider area, including the setting of the nearby Tongdean Conservation Area.

Impact Upon Neighbouring Properties:

- 8.8 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.
- 8.9 Due to the positioning and nature of the proposed rooflights, which would provide angled views skywards, it is not considered that their insertion would have a significant adverse impact upon the amenities of neighbouring properties by reason of increased overlooking and loss of privacy.
- 8.10 It is not considered that the provision of a fifth bedroom would have a significant adverse impact upon the amenities of neighbouring properties.

Other Issues:

- 8.11 The third party objections regarding an overdevelopment of the site and increased parking issues as a result of the creation of an additional bedroom are noted. However the site is not located within a Controlled Parking Zone and no yellow lines are located within the Close and as a result parking within the Close cannot be restricted. In addition no objections are raised by the Highway Authority and were considered acceptable in application BH2014/03227.

9 CONCLUSION

- 9.1 In conclusion it is considered that the proposed amendments to approved application BH2014/03227 would not be of detriment to the visual amenities of the approved scheme, the Barrowfield Close streetscene or the wider area, including the setting of the nearby Tongdean Conservation Area. Furthermore it is not considered that the proposed amendments would have a significant adverse impact upon the amenities of the neighbouring properties. The

proposal accords with policies of the Brighton and Hove Local Plan, approval is therefore recommended.

10 EQUALITIES

10.1 The development would be required to comply with Part M of the Building Regulations and the Lifetime Homes policy of the Brighton & Hove Local Plan.

11 CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced on or before 5th December 2017.
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
Block & Location Plan	001	-	26 th February 2015
Proposed Floor Plans	ADC736/05	Rev. A	23 rd March 2015
Proposed Elevations	ADC736/06	Rev. A	23 rd March 2015

- 3) No extension, enlargement or other 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) (England) Order 2015, 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 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 first floor windows in the eastern elevation, facing no. 4 Barrowfield Close, hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

- 5) 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.

- 6) The new dwelling hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

- 7) 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 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.

- 8) Unless otherwise agreed in writing with the Local Planning Authority the measures set out in the Site Waste Management Statement submitted on the 23rd May 2014 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.

- 9) The external finishes of the approved development shall be in accordance with the materials approved under application BH2014/04342 and shall be retained as such thereafter.

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

- 10) The land levels, height and floor levels of the approved development shall be in accordance with the details approved under application BH2014/04342

- Reason:** To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton and Hove Local Plan.
- 11) The scheme for landscaping of the approved development shall be in accordance with the details approved under application BH2014/04342.
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) No development shall commence until the scheme which provides for the retention and protection of the hedges growing on or adjacent to the site has been implemented in accordance with the details approved under application BH2014/04342. No development or other operations shall take place except in complete accordance with the approved protection scheme. No hedges within the site which are shown as being retained within the approved information in respect of condition 5 shall be wilfully damaged or destroyed or removed without the prior written consent of the Local Planning Authority. Any hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason: this pre-commencement condition is necessary to protect the hedges 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.
- 13) The development approved shall be constructed to a minimum of Code for Sustainable Homes rating level 4, in accordance with the details approved under application BH2014/04342.
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) 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.
- 15) The new crossover and access shall be constructed prior to the first occupation of the development hereby permitted.
Reason: In the interests of highway safety and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.
- 16) Unless otherwise agreed in writing by the Local Planning Authority, the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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.

- 17) 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.

11.2 Informatives:

1. The planning permission granted includes a vehicle crossover which requires alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required to be constructed under licence from the Highways Operations Manager. The applicant must contact the Network Co-ordination Team (01273 293 366) prior to any works commencing on the public highway.
2. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.
3. 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 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.
4. 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.
5. This decision to grant Planning Permission has been taken:

PLANNING COMMITTEE LIST- 13 MAY 2015

(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 amendments to approved application BH2014/03227 would not be of detriment to the visual amenities of the approved development, the Barrowfield Close streetscene or the wider area, including the setting of the nearby Tongdean Conservation Area. Furthermore it is not considered that the proposed amendments would have a significant adverse impact upon the amenities of the neighbouring properties.

ITEM D

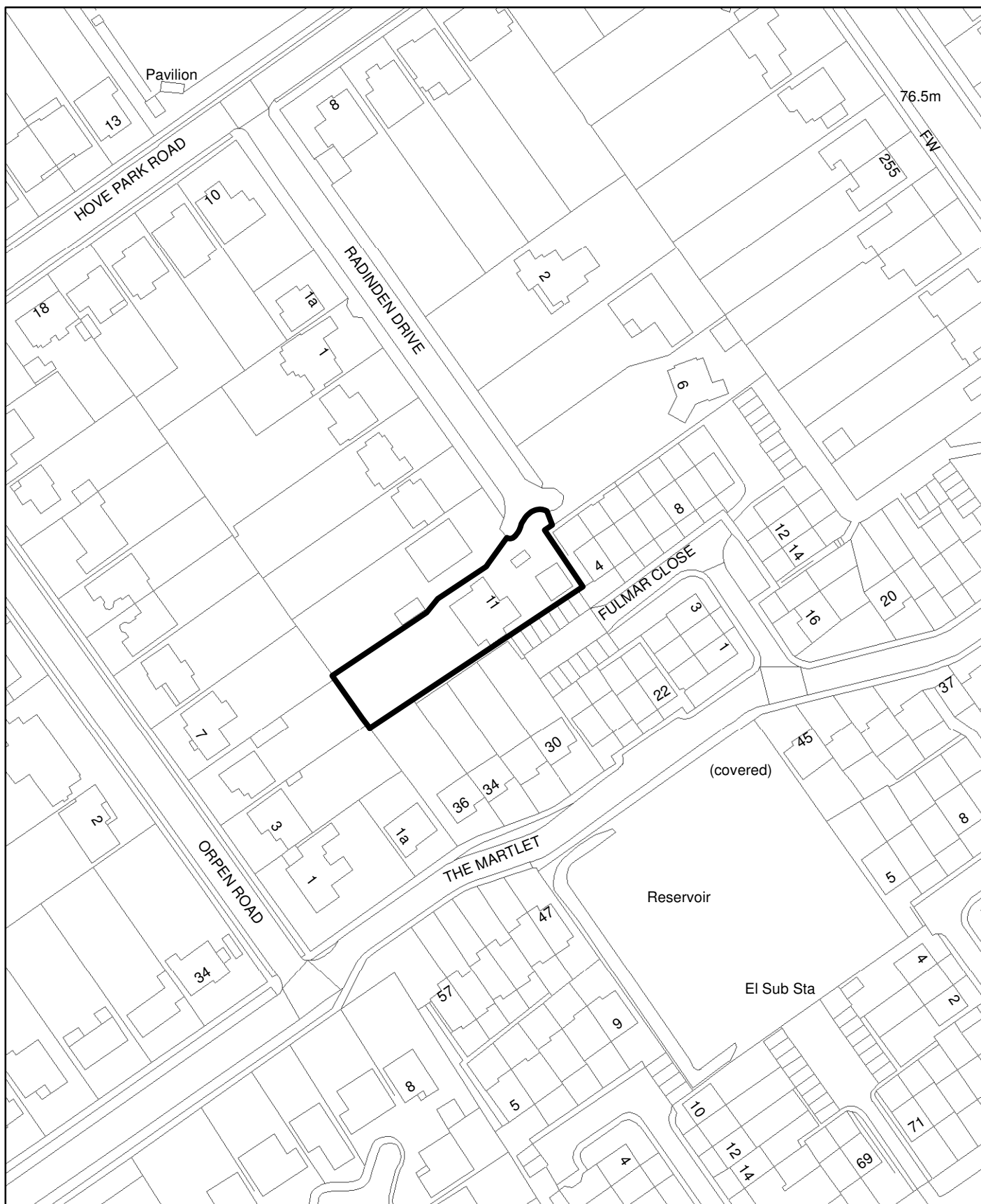
11 Radinden Drive, Hove

BH2015/00529

Householder planning consent

13 MAY 2015

BH2015/00529 11 Raninden Drive, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/00529	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	11 Radinden Drive Hove		
<u>Proposal:</u>	Remodelling of dwelling incorporating two storey front and rear extensions, roof alterations, enlargement of existing garage including additional floor and associated works.		
<u>Officer:</u>	Joanne Doyle Tel 292198	<u>Valid Date:</u>	17 February 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	14 April 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Dr Leung & Mr Morris, 11 Radinden Drive Hove BN3 6LB		

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 site relates to a detached dwelling, located on the south west side of Radinden Drive at the end of the cul-de-sac. The property is bounded by the detached properties on Radinden Drive to the north, the terraced properties on Fulmar Close to the east, the terraced properties on The Martlet to the south and the detached properties on Orpen Road to the west. The property is two storeys and is constructed in brick work with a tiled roof and upvc fenestration. The property has a full width flat roof rear addition with brick steps leading to the garden area. A driveway leads from Radinden Drive to a detached single storey garage located to the front of the property. To the rear there is a large garden space sloping east to west which is bordered by dense vegetation.

3 RELEVANT HISTORY

BH2014/02471- Remodelling of dwelling incorporating two storey front and rear extensions, roof alterations, enlargement of existing garage including additional floor and associated works. Refused on 17/11/2014. The reason for refusal was as follows:-

1. *The proposed remodelling, by reason of its roof form and materials, would create an incongruous appearance at odds with the prevailing character of Radinden Drive and the surrounding area. Further, the proposed garage, by reason of its form and height, would represent an unduly dominant addition which would stand out in the street scene as an inappropriate addition. The proposal would fail to emphasise or enhance the positive qualities of the*

local neighbourhood and is therefore contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2. *The proposed first and second floor terrace areas represent unneighbourly and overbearing additions which would result in overlooking and loss of privacy for occupants of adjoining properties. The proposal would be detrimental to neighbouring amenity and is therefore contrary to policies QD14 and QD27.*

4 THE APPLICATION

- 4.1 This is a revised scheme and planning permission is sought for the remodelling of existing dwelling incorporating two storey front and rear extensions, roof alterations, enlargement of existing garage including additional floor and associated works.
- 4.2 This application has amended the scheme by revising the roof form, simplifying the materials used, reducing the terrace area and changing the scale and design of the garage.
- 4.3 During the course of the application, the size of the first floor terrace area has been further reduced in size, with the inclusion of privacy screening.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Seven (7)** letters of representation have been received from **No 6 & 9 Radinden Drive, No 4 Fulmar Close, No 3 Orpen Road (x2), No 30 The Martlet and No 12 Trafalgar Terrace** objecting to the proposed development for the following reasons:
 - Remodelling (increase in height/contemporary design) would be inappropriate in size and appearance for the area.
 - Overdevelopment and unbecoming of area.
 - Result in overlooking, overshadowing, loss of daylight and loss of privacy to neighbouring properties.
 - Result in loss of outlook to neighbouring properties.
 - The glazed rear elevation could cause problems with sun reflection and loss of privacy.
 - The extension of garage could lead to change of use in future development into habitable accommodation.
 - Garage located up to boundary wall, size questionable and an odd design.
 - Possible depletion of existing vegetation during development.
 - Potential damage of Radinden Drive during development.

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:

- QD2 Design - key principles for neighbourhoods
QD14 Extensions and alterations
QD27 Protection of Amenity

Supplementary Planning Document:

- 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 the impacts of the proposal upon the visual amenities of the parent property, the streetscene and the wider area. The impacts upon the amenities of the neighbouring properties must also be assessed.

Design and character

- 8.2 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 Within SPD12 it is stated that “Additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline and general appearance of the streetscene, including its topography. Additional storeys should respect the design and materials of the host building and should not have a harmful impact on the amenities of adjacent residents by way of an overbearing impact or by blocking light or outlook to principal windows”. The impact upon neighbouring properties is discussed below.
- 8.4 Radinden Drive and the surrounding area comprises a number of large detached houses of varying design, style and age. The properties in the street comprise a mixture of brick and rendered elevations and differ in terms of detailing. 11 Radinden Drive is set back from the cul-de-sac and has a relatively plain appearance with brick elevations, a plain tiled roof and UPVC fenestration. The existing house is similar in scale to the other properties in the street. The property is situated to the south west of the cul-de-sac with a relatively consistent building line with neighbouring properties. The properties on the north east side are relatively unseen as they are set back from the street and screened by dense vegetation.
- 8.5 The application seeks a substantial remodelling of the house. The proposed alterations and extensions would result in the property comprising an asymmetrical pitched slate roof, creating an additional floor, with a stepped rear elevation incorporating a roof terrace at first floor level. Modern detailing would be used throughout the property, with a full height glazing element to the front entrance and full width windows and doors to the rear elevation. A combination of materials would be used consisting of brickwork and render.
- 8.6 The ridge of the main roof would increase by approximately 2.1m. The submitted plans indicate that the ridge of the main roof would be slightly higher than no. 9 Radinden Drive and slightly lower than no 7 Radinden Drive. The street scene is varied in terms of roof form and height and it is therefore felt that the increase in height respects the general appearance of the Radinden Drive and the topography.

- 8.7 Previously permission was refused (BH2014/02471) as the proposed external appearance incorporated a combination of brickwork, render, stone and timber cladding with a slate roof finish, which created an incoherent and ‘fussy’ appearance. The roof form incorporated a mono pitched roof with raised eaves, which contrasted poorly with houses in the vicinity. The proposal was therefore deemed inappropriate in terms of its appearance by virtue of the design of the roof form, the large array of materials which would create a building that would stand out in the street scene as an alien feature and would be unsympathetic to the setting of the street and the character of the area.
- 8.8 The scheme has been amended to include an asymmetrical pitched slate roof with a combination of brickwork and render to the elevations. The result is a less domineering, simpler building which does not present a clash of styles. The palette of materials is considered to be acceptable. The majority of properties in the street and nearby vicinity feature brickwork or render, or a combination of the two, and so the combination of brick and render is considered acceptable. The roof form, introducing an asymmetrical pitched roof is less dominating than the mono-pitched roof form and fits appropriately amongst the variety of roof form and styles prevalent within the immediate surrounding area, with hipped, gable and barn hip roof forms with alterations to the roof space. Similarly, whilst the finish of the property would be substantially different to the existing property and surrounding properties, incorporating a full height glazing element to the front entrance and full width windows and doors to the rear elevation, there is considered to be a sufficient variation of styles and detailing within the street scene and surrounding area to accommodate the modern approach in this case and maintain visual cohesion. It is also noted that whilst the proposed building would be visible from nearby houses and their gardens, due to its location, set back from the cul-de sac it would not be highly visible in views along Radinden Drive and would not impinge upon the streetscene.
- 8.9 The existing single-storey garage is sited in the front garden a distance from the main building. The structure represents the only detached garage in the street with nearby properties incorporating integral garages. It is a prominent feature in the streetscene due to its location at the end of the cul-de-sac and can be viewed along Radinden Drive. The replacement garage would be larger than the existing with a revised roof form incorporating a pitched roof to accommodate the additional floor. The proposal is considered to be proportionate in scale to the main property, which features a relatively large plot size, and the proposed brick construction would reflect the brickwork on the recipient property. The proposed garage has been reduced in height to 5.4m, with a simpler roof form and materials, following the previously refused application (BH2014/02471). These aspects have combined to reduce the scale and bulk of the building and have addressed the previous reason for refusal related to the previous application BH2014/02471 and the detrimental impact on visual amenity.
- 8.10 In view of the above the proposal is not therefore considered to unduly conflict with Local Plan policy QD14 or guidance within SPD12 or significantly harm the appearance or character of the building or the wider area.

Amenity:

- 8.11 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.
- 8.12 The scheme would most affect the property to the north west, no. 9 Radinden Drive. Although the increase of the height of the dwelling would have some impact toward this property, this increase in height of 2.1m at its highest point is unlikely to cause harmful loss of light, overshadowing or outlook toward this property. Whilst there will be some impact toward the two south east facing ground floor windows of this property, these windows are not the sole windows to provide light into these rooms and therefore there would be no significant adverse impact toward these rooms.
- 8.13 Although the proposal would result in new window openings to all elevations it is considered that the proposal would not have a significant adverse impact upon the amenities of the neighbouring properties with regards to overlooking or loss of privacy. The new window openings proposed to the front (north east) and rear (south west) elevations would provide similar views as existing. The views afforded from the new second floor windows to the rear (south west) elevation, although at a higher level, would give similar views as those from existing rear first floor windows. The new window openings to the side (south east) elevation would face the long rear garden space of 30 The Martlet, with adequate screening and distance to prevent overlooking. The windows proposed to the side (north west) elevation would face the side (south east) windows of no. 9 Radinden Drive and therefore a condition is recommended to obscure glaze these windows.
- 8.14 Whilst the proposed garage is located close to the boundary with no. 4 Fulmar Close, it is not considered to have a significant impact. Whilst the main body of the garage would rise 2.8m over the boundary, there is considered to be a sufficient distance between the garage and the garden space of no. 4 Fulmar Close to ensure no harmful loss of light, outlook or overshadowing. Due to the nature and positioning of the rear rooflights it is considered that their insertion will not have a significant adverse effect upon the amenities of the neighbouring properties.
- 8.15 The terrace area proposed to the rear of the property at first floor level, measuring 5.7 metres wide and 1.6 metres in depth, would be set in 4.5 metres from the north east side and 1.5 metres from the south west side with the addition of a 1.8 metre high obscure sand blasted privacy screen each side. The location of the terrace, set in from the sides and the reduced floor area (with privacy screens either side) would prevent any adverse overlooking or loss of privacy toward neighbouring properties. In terms of noise and disturbance as a result of the proposed terrace, it is considered that the siting and size of the terrace would not result in any significant disturbance or noise to warrant refusal of planning permission. The inclusion of the privacy screens on the plans is considered sufficient to mitigate against any overlooking or loss of privacy and should be retained by condition. The reduction in number and scale of the terrace area has

addressed the previous reason for refusal related to the previous application BH2014/02471 and the detrimental impact on neighbouring amenity.

9 CONCLUSION

9.1 The development is of an appropriate height, scale, bulk and design and would make a positive contribution to the visual amenity of its surroundings. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance.

10 EQUALITIES

None identified.

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
Site Location & Block Plan	001		17 Feb 2015
Existing Floor Plans	002		17 Feb 2015
Existing Elevations	003		17 Feb 2015
Proposed Ground Floor Plan	004		17 Feb 2015
Proposed First & Second Floor Plan	005	C	09 Apr 2015
Proposed Front & Rear Elevation	006		17 Feb 2015
Proposed Side Elevations	007	C	09 Apr 2015
Proposed Street Scene	008		17 Feb 2015
Existing Garage Floor Plans & Elevations	009		17 Feb 2015
Proposed Garage Floor Plans	010		17 Feb 2015
Proposed Garage Elevations	011		17 Feb 2015

3. The windows in the north west elevation 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.

PLANNING COMMITTEE LIST – 13 MAY 2015

4. Access to the second floor level flat roof hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
5. Prior to the first occupation of the development hereby permitted the privacy screens to each side of the rear first floor level terrace shown on the drawings hereby approved shall be installed and thereafter permanently retained as such.
Reason: In order to protect adjoining properties from overlooking and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
6. No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A – E of the Town and Country Planning (General Permitted Development) (England) Order 2015, 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.

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:-
The development is of an appropriate height, scale, bulk and design and would make a positive contribution to the visual amenity of its surroundings. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance.

Information on Pre-application Presentations and Requests

Date	Address	Ward	Proposal
2 nd June 2015	Brighton College, Eastern Road, Brighton	Queens Park	Demolition of existing Sports and Science building fronting Sutherland Road and erection of new three storey Sports and Science building comprising swimming pool, Sports Hall, teaching rooms and rooftop running track and gardens.
10 th March 2015	106 Lewes Road, Brighton	St Peter's and North Laine	Eight storey block of student accommodation.
18 th November 2014	15 North Street & Pugets Cottage, Brighton	Regency	Demolition of 15 North Street to be replaced with a new feature entrance building.
7 th October 2014	Brighton College, Eastern Road, Brighton	Queens Park	Demolition of existing swimming pool and old music school buildings and erection of a 5no storey new academic building with connections to the Great Hall and Skidelsky building, including removal of existing elm tree and other associated works.
1 st April 2014	Land at Meadow Vale, Ovingdean	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 th March 2014	Hove Park Depot, The Droveaway, Hove	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 th February 2014	City College, Wilson Avenue, Brighton	East Brighton	Additional accommodation
29 th October 2013	Hippodrome, Middle Street, Brighton	Regency	Refurbishment and Extension
17 th Sept 2013	One Digital, Hollingdean Road,	Hollingdean and Stanmer	Student accommodation 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.

	Brighton		
27 th Aug 2013	The BOAT, Dyke Road Park, Brighton	Hove Park	Outdoor theatre
16 th July 13	Circus Street, Brighton	Queen's Park	Pre-application proposed re- development

PLANS LIST 13 MAY 2015

BRIGHTON AND 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

BH2014/03788

Patcham Service Station London Road Brighton

Removal of existing underground fuel pipework and dispensers, including vent stack and offset fills. Installation of new underground fuel tanks, pipework, fuel dispensers, vent stack and offset fills and new concrete and hard forecourt paving.

Applicant: Esso Petroleum Co Ltd

Officer: Jonathan Puplett 292525

Approved on 21/04/15 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

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that any contamination identified during the construction works is fully characterised and assessed and to comply with Policy SU3 of the Brighton and Hove Local Plan.

3) UNI

The development hereby approved shall not be bought in to use until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remediation, if deemed necessary is satisfactorily completed and to comply with Policy SU3 of the Brighton and Hove Local Plan.

4) UNI

No development shall commence until a scheme to manage the pollution risks associated with the operations of the proposed petrol filling station have been

submitted to and approved, in writing, by the local planning authority. The scheme shall include and address the following components:

- (i) Design and Method Statement for removal of Underground Storage Tank(s); and
- (ii) Design and Method Statement for installation of UST's and Fuel Lines.

The development shall take place in strict accordance with the agreed details.

Reason: The site lies on the Seaford and Newhaven Chalk, which is classified as a principle aquifer and is located in Source Protection Zone 1, and this matter is fundamental to the acceptable delivery of the permission to prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.

5) UNI

No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- (i) A preliminary risk assessment which has identified all previous uses potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.
- (ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (iii). The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (iv). 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 (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The development shall be implemented in strict accordance with the approved details.

Reason: The site lies above Seaford and Newhaven Chalk which is designated a Principal Aquifer and is located in Source Protection Zone 1, and this matter is fundamental to the acceptable delivery of the permission to prevent pollution of the water environment and to comply with Policy SU3 of the Brighton and 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	06/P		11/11/2014
BLOCK PLAN	05/P		11/11/2014
EXISTING SITE LAYOUT	01/P		11/11/2014
PROPOSED SITE LAYOUT	02/P		11/11/2014
EXISTING ELEVATIONS	03/P		11/11/2014
PROPOSED ELEVATIONS	04/P		11/11/2014
PRELIMINARY ASSESSMENT REPORT			11/11/2014
OPTIONS APPRAISAL REPORT			05/01/2015

7) UNI

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that surface water drainage from the proposed development does not result in a deterioration of groundwater quality and to comply with policy SU3 of the Brighton and Hove Local Plan.

BH2015/00343

1 Crowhurst Road Brighton

Erection of external refrigeration and freezer units to East elevation with associated works.

Applicant: ASDA Stores Ltd

Officer: Andrew Huntley 292321

Approved on 16/04/15 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	2007-90-03		12.02.2015
Existing and Proposed Elevations	2007-21-01		12.02.2015
Proposed Plan	2007-23-01		03.02.2015
Existing & Demolition Plan	2007-23-02		03.02.2015
Proposed Site Plan	2007-90-01		12.02.2015
Existing Site Plan	2007-90-02		12.02.2015

BH2015/00482

14 Dale Avenue Brighton

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

Applicant: Mr J Pinkney

Officer: Astrid Fisher 292337

Approved on 20/04/15 DELEGATED

BH2015/00503

28 Larkfield Way Brighton

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

Applicant: Mr & Mrs Mason

Officer: Chris Swain 292178

Approved on 13/04/15 DELEGATED

BH2015/00532

21 Ditchling Crescent Brighton

Erection of rebuilt conservatory extension to rear.

Applicant: Mr James Vallis

Officer: Mark Thomas 292336

Approved on 14/04/15 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 new brickwork 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 or doors shall be constructed in the southern side elevation of the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved 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 plans	-	-	17th February 2015
Existing and proposed plans and elevations	BH-201-01	-	17th February 2015

BH2015/00548

29 Woodbourne Avenue Brighton

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 3.5m, and for which the height of the eaves would be 3m.

Applicant: Elisabet Holstad

Officer: Mark Thomas 292336

Prior approval not required on 02/04/15 DELEGATED

BH2015/00811

109 Mackie Avenue Brighton

Prior approval for the erection of a single storey extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.4m and for which the height of the eaves would be 2.3m.

Applicant: Mr & Mrs Matthew & Karen Noakes

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 16/04/15 DELEGATED

1) UNI

Due to the scale, height and proximity to the boundary of the proposed rear extension, the neighbouring property to the south would suffer from loss of light, outlook and an increased sense of enclosure. The proposal would therefore lead to a significant loss of amenity and is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan, and Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

PRESTON PARK

BH2014/03273

157-159 Preston Road Brighton

External alterations including creation of new and revised balconies, alterations to fenestration, replacement of pitched roof on stair tower with roof lantern and rendering of parts of the building following permission BH2012/01844 (Extension and part conversion of existing building including creation of an additional floor for the provision of 9no self contained flats and additional office space with associated works and additional car and cycle spaces) (southern section of the building) and permission BH2013/03362 (Prior approval for change of use from offices (B1) to residential (C3) to form 22no residential units) (northern section of the building).

Applicant: Cross Stone Securities Ltd

Officer: Adrian Smith 290478

Approved on 22/04/15 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 plan and block plan	2761/P10	-	29/09/2014
Existing floor plans	2761/P100	-	23/10/2014
Existing site plan	2761/P102	-	23/10/2014
Existing elevations	2761/P200 2761/P201		29/09/2014 29/09/2014
Proposed floor plans	2761/P101	B	23/10/2014
Proposed elevations	L(04)005 L(04)007 L(04)008	T4 B B	23/10/2014 29/09/2014 29/09/2014
Proposed site plan	L(00)001	P4	15/12/2014
Render samples	Cool Copper TF150 & Double Cream TF150	-	01/04/2015

BH2014/04084**First Floor Flat 15 Hythe Road Brighton**

Roof alterations incorporating rooflights to front and rear.

Applicant: Adam Butterworth**Officer:** Wayne Nee 292132**Approved on 09/04/15 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
Existing and proposed	PBP0227/01		04 December 2014
Site plan	PBP0227/02		04 December 2014
Block plan	PBP0227/03		04 December 2014

BH2014/04166**Flat 2 122 Beaconsfield Villas Brighton**

Creation of raised decking with balustrading and steps to rear garden, installation of 3no rooflights and removal of chimney to first floor rear.

Applicant: Mr & Mrs Carr**Officer:** Mark Thomas 292336**Approved on 20/04/15 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
Site location plan	ADC686/LP	-	11th December 2014
Block plan	ADC686/BP	-	11th December 2014
Existing plans	ADC686/01	-	11th December 2014
Existing elevations	ADC686/02	Rev. B	11th December 2014

Proposed plans	ADC686/06	Rev. A	10th March 2015
Proposed elevations	ADC686/07	Rev. A	10th March 2015

BH2014/04210

32 Grantham Road Brighton

Roof alterations including installation of 2no front rooflights and 2no rear dormers.

Applicant: Mrs Claire Taylor

Officer: Joanne Doyle 292198

Approved on 16/04/15 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 hereby approved front rooflights 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
Site Location Plan & Block Plan	07		15 Dec 2014
Existing Floor Plans	03		15 Dec 2014
Existing Elevations & Section	04		15 Dec 2014
Proposed Floor Plans	05		15 Dec 2014
Proposed Elevations & Section	06		15 Dec 2014

BH2015/00151

Flat 6 Copper Beeches Rookery Close Brighton

Roof alterations incorporating installation of rooflights to flat roof.

Applicant: Mr R Marks

Officer: Chris Swain 292178

Approved on 15/04/15 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	ADC707/LP		20 January 2015
Block plan	ADC707/BP		20 January 2015

Proposed plans and elevations	ADC707/01		20 January 2015
Existing plans and elevations	ADC707/02		20 January 2015

BH2015/00244

148 Preston Drove Brighton

Installation of new shop front and access ramp with hand rail.

Applicant: Mr Abdul Majid

Officer: Robert Hermitage 290480

Refused on 08/04/15 DELEGATED

1) UNI

The proposal, through the loss of the traditional shopfront, which is a historic and aesthetically significant feature of the building, would have a significant adverse visual impact on the building and would fail to preserve or enhance the character or appearance of the Preston Park Conservation Area. The proposal would not offer any tangible public benefits which would offset the harm that would result on the historic and aesthetic significance of the heritage asset. Further to this, the application fails to demonstrate that the purpose of the proposed change of shopfront would be in the interest of accessibility. The proposal is therefore contrary to policies QD10 and HE6 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 02, Shop Front Design.

BH2015/00300

91 Chester Terrace Brighton

Installation of rooflight to front elevation.

Applicant: Mr Marc Nummy

Officer: Haydon Richardson 292322

Approved on 07/04/15 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 materials of the proposed development; the 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 rooflight hereby permitted shall be obscure glazed and non-opening, unless the part of the rooflight which can be opened is more than 1.7 metres above the floor of the room in which the rooflight 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

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 rooflight	PBP0250/05		29/1/15

Existing front elevation and proposed front elevation	PBP0250/02		29/1/15
Site Plan	PBP0250/03		29/1/15
Block Plan	PBP0250/03		29/1/15

BH2015/00347

106 Beaconsfield Villas Brighton

Erection of single storey rear extension to replace existing conservatory, installation of rooflight to front elevation and replacement of front elevation windows with timber sash windows.

Applicant: Mr Frazer

Officer: Haydon Richardson 292322

Refused on 08/04/15 DELEGATED

1) UNI

The proposed extension, by virtue of its gable roof form, represents an unsympathetic addition that would be harmful to the character and appearance of the existing building; contrary to policies QD14 and HE6 of Brighton & Hove Local Plan and Supplementary Planning Document 12 'Design guide for extensions and alterations'.

2) UNI2

The proposed rooflight, by virtue of its offset position, would not align with the existing fenestration on the front elevation of the property, thereby harming the character and appearance of the existing building and Preston Park Conservation Area, contrary to policies QD14 and HE6 of Brighton & Hove Local Plan and Supplementary Planning Document 12 'Design guide for extensions and alterations'.

BH2015/00460

89c Ditchling Rise Brighton

Creation of rear dormer and installation of 3no rooflights.

Applicant: Ms V Bamford

Officer: Haydon Richardson 292322

Refused on 17/04/15 DELEGATED

1) UNI

The proposed dormer, by virtue of its size and appearance, would be detrimental to the appearance of the existing building, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12.

2) UNI2

The proposed front rooflights, by virtue of their number and the misalignment with the windows below, would be detrimental to the appearance of the existing building and street scene, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12.

BH2015/00484

Garage to Rear of 77 Springfield Road Brighton

Demolition of garage and erection of 1no three bedroom dwelling (C3).

Applicant: Mrs Susan Davis

Officer: Adrian Smith 290478

Refused on 20/04/15 DELEGATED

1) UNI

The proposed development, by virtue of its scale, position and material finish, represents an unduly dominant addition to the street that would detract from the setting of the church hall adjacent and surrounding Preston Park Conservation Area, contrary to policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

BH2015/00635**229 Ditchling Road Brighton**

Roof alterations including rooflights to front and rear roofslopes.

Applicant: Mr & Mrs Crowther**Officer:** Allison Palmer 290493**Approved on 22/04/15 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 plans, elevations, location & block plan	3525.EX.01		24/02/2015
Proposed plans, elevations, location & block plan	3525.PL.01		24/02/2015

BH2015/00666**142 Springfield Road Brighton**

Installation of 2no rooflights to rear roof slope.

Applicant: Mr Geoff Grantham**Officer:** Haydon Richardson 292322**Approved on 22/04/15 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
Location Plan	GR/01		25/2/15
Existing and Proposed Floor Plans	GR/01		25/2/15

Existing and Proposed rear elevation	GR/01		25/2/15
Proposed Section	GR/01		25/2/15

BH2015/00879

24 Hythe Road Brighton

Non Material Amendment to BH2014/02826 to alter the division of garden boundaries to the proposed dwelling.

Applicant: Mr Hurricane Starley

Officer: Adrian Smith 290478

Approved on 21/04/15 DELEGATED

REGENCY

BH2014/01118

21-23 and 37-40 Brighton Square Brighton

Demolition of existing buildings at 21, 22, 23 and 37 Brighton Square. Conversion and extension of existing dwellings at 38, 39 and 40 Brighton Square to create additional 8no residential units (C3) and 2no restaurant units (A3) with associated works. Erection of four storey building fronting Brighton Place comprising 1no retail unit (A1) and offices (B1) above, with revised access from Brighton Place to existing underground car park.

Applicant: Centurion Group

Officer: Jason Hawkes 292153

Approved after Section 106 signed on 15/04/15 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 cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

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

3) 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 10dB 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 and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The restaurant uses (Class A3) hereby permitted shall not be open to customers except between the hours of 08.00 and 23.00 on Mondays to Saturdays and 09.00 to 22.30pm on Sundays, Bank or Public Holidays.

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

5) UNI

Deliveries and waste collections shall not occur except between the hours of 8am and 8pm on Mondays to Saturdays and not at any time on Sundays, Bank or

Public Holidays.

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.

6) UNI

All railings within the development shall be painted black.

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

7) UNI

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent similar re-enactment, the approved offices (Class B1) including the ancillary roof terrace shall not be used for any other purposes without the prior written consent of the Local Planning Authority to whom a planning application must be made.

Reason: For the avoidance of doubt and to enable the Local Planning Authority to control the future use of the premises, and to retain an adequate level of employment on the site, in compliance with policies EM3, EM4 and QD27 of the Brighton & Hove Local Plan and CP3 of Brighton & Hove Submission City Plan Part One.

8) UNI

The new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

9) UNI

Within the hereby approved Class A3 unit named 'no. 1' on drawing 1239-P-511 no intoxicating liquor shall be sold or supplied except to persons who are taking meals on the premises and who are seated at tables. 'Meals' means food that has been cooked or prepared and purchased within the premises. Any bar area shall be ancillary to the approved A3 restaurant use.

Reason: In the interest of general amenity and public order and to comply with policies QD27 and SR12 of the Brighton & Hove Local Plan.

10) 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.

11) 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.

12) UNI

No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and to comply with policy HE12 of the Brighton & Hove Local Plan.

13) 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.

14) UNI

Prior to the commencement of any flint facing elevations or flint construction, a sample flint panel shall be constructed on site and approved in writing. The flintwork hereby approved shall be conducted in accordance with the approved panel and thereafter retained.

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

15) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority 1:20 scale elevations and sections of all architectural features, including the parapets, bays, windows, doors, louvres, balconies, balustrades and shop fronts to all buildings, the raised chimney stack to the retail/residential building and the car park entrance doors. The development shall thereafter be conducted in strict accordance with the approved details and shall be retained as such.

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

16) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority 1:1 scale joinery section details of the new shop front and windows to the retail/residential building and of the segmental bay windows over the car park entrance. The development shall thereafter be conducted in strict accordance with the approved details and shall be retained as such.

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

17) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority 1:5 scale detailed elevations and sections of all rainwater goods. The development shall thereafter be conducted in strict accordance with the approved details and shall be retained as such.

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

18) UNI

No development shall take place until a written scheme for the new street nameplates has been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved

details and thereafter retained.

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

19) UNI

No development shall commence until a scheme for the overall glazing and window set of the proposed residential units above the restaurant has been submitted to and approved in writing by the Local Planning Authority. The overall glazing and window set specification for these apartments shall achieve the sound reduction recommendations outlined in the acoustic report by 7th Wave Acoustics, dated 28th March 2014, reference R001.1022.002.NGA.2.0. The development shall be completed in accordance with the agreed details prior to first occupation of the residential units and shall be maintained as such thereafter.

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

20) UNI

No development shall commence until a written scheme for the ventilation of the residential units has been submitted to and approved in writing by the Local Authority. The ventilation scheme shall ensure that the internal noise conditions that will be achieved due to the glazing specifications of the apartments are not compromised. The ventilation scheme shall be installed in accordance with the agreed details prior to the first occupation of the residential units and shall be retained as such thereafter.

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

21) UNI

No development shall take place upon site until detail of all external odour control equipment for the A3 units has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details and shall thereafter be retained.

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

22) UNI

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.

23) UNI

Notwithstanding the submitted details, 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.

24) UNI

No development shall commence until a Delivery & Service Management Plan for the construction project, which includes details of the types of vehicles, how deliveries will take place and the frequency of deliveries shall be submitted to and

approved in writing by the Local Planning Authority. All deliveries and servicing shall thereafter be carried out in accordance with the approved plan.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policies SU10, QD27 and TR7 of the Brighton & Hove Local Plan.

25) 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 new build residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

26) UNI

No residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the converted residential units have 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.

27) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no non-residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the new build office development has achieved a minimum BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all the new build office 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.

28) 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 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.

29) UNI

No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority, details include the location, number, design, luminance level and method of fixings. 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.

30) UNI

Notwithstanding the submitted details, no development shall commence until a comprehensive scheme for the storage of refuse and recycling for all of the development 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.

31) UNI

i) No works pursuant to this permission shall commence 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; (Please note that a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below.

However, this will be confirmed in writing);

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; 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 nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i)c 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) built drawings of the implemented scheme;

b) photographs of the re

32) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new build office development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.

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.

33) UNI

None of the converted 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.

34) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the new build residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each new 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.

35) UNI

The Party Ceiling / Floor between the hereby approved restaurant and the residential units above shall be constructed as outlined in the report by 7th Wave Acoustics: Restaurant Noise Addendum Report dated 27th August 2014, reference R001.1022.ADD.003.NGA prior to the first occupation of any of the approved residential units. The ceiling / floor shall be retained as such thereafter.

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.

36) UNI

The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 30 to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

37) 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	1239-P-500		4th April 2014
Block Plan	1239-P-501		4th April 2014
Existing Basement Plan	1239-P-502		4th April 2014
Existing Ground Floor Plan	1239-P-503		4th April 2014
Existing First Floor Plan	1239-P-504		4th April 2014
Existing Second Floor Plan	1239-P-505		4th April 2014
Existing Roof Plan	1239-P-507		4th April 2014
Proposed Basement Plan	1239-P-510	A	21st January 2015
Proposed Ground Floor Plan	1239-P-511	A	21st January 2015
Proposed First Floor Plan	1239-P-512	A	21st January 2015
Proposed Second Floor Plan	1239-P-513	A	21st January 2015

Proposed Third Floor Plan	1239-P-514	A	21st January 2015
Proposed Roof Plan	1239-P-515	A	21st January 2015
Existing and Proposed Elevation 1	1239-P-520		4th April 2014
Existing and Proposed Elevation 2	1239-P-521		4th April 2014
Existing and Proposed Elevation 3	1239-P-522	A	21st January 2015
Existing and Proposed Elevation 4	1239-P-523	A	21st January 2015
Existing and Proposed Elevation 5	1239-P-524		4th April 2014
Existing and Proposed Elevation 6	1239-P-525		4th April 2014
Proposed Section	1239-P-540		4th April 2014
Demolition Basement Plan	1239-P-550		4th April 2014
Demolition Ground Floor Plan	1239-P-551		4th April 2014
Demolition First Floor Plan	1239-P-552		4th April 2014
Demolition Second Floor Plan	1239-P-553		4th April 2014
Demolition Elevation 1	1239-P-570		4th April 2014
Demolition Elevation 2	1239-P-571		4th April 2014
Demolition Elevation 3	1239-P-572		4th April 2014
Demolition Elevation 4	1239-P-573		4th April 2014
Demolition Elevation 5	1239-P-574		4th April 2014

BH2014/02179

61-62 Western Road Brighton

Change of use of part of basement, first, second and third floors from retail (A1) to 20 bedroom managed house in multiple occupation (Sui Generis) including ancillary staff accommodation, alterations to fenestration, installation of air conditioning units, creation of plant room to roof, creation of new entrance onto Stone Street and associated works.

Applicant: YMCA Downslink Group

Officer: Liz Arnold 291709

Approved after Section 106 signed on 15/04/15 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 approved shall not be occupied until all new and disturbed surfaces have been made good using materials of matching composition, form and finish to 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 number of persons residing at the premises shall not exceed twenty one (21) at any one time and each room shall be for single person occupancy only.

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

4) UNI

The external render finish of the proposed roof plant hereby permitted shall match in material, colour and texture to that 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.

5) UNI

The proposed lift, the mechanical ventilation, air conditioning units and plant hereby approved, must not exceed noise values laid out in BS8233 for the habitable residential rooms located in the property.

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

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. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:2014.

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.

7) 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.

8) UNI

Access to the flat roof and third floor balcony, shall be for maintenance or emergency purposes only and the flat roof and balcony shall not be used as roof gardens, terraces, patio or similar amenity areas.

Reason: In order to protect adjoining properties from overlooking, loss of privacy and noise disturbance and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

9) UNI

The replacement railings hereby permitted shall exactly match those existing in material, dimensions, method of fixing, painted finish and colour 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.

10) UNI

The repairs to and replacement of sections of the decorative render detail shall exactly match that of existing in design, profile, colour and texture. The works shall be carried out in strict accordance with the approved details and maintained as such thereafter.

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

11) UNI

The repairs to the external smooth render finish to the building hereby permitted shall exactly match in material, colour, and texture to that of the existing building and shall be maintained thereafter.

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

12) UNI

Notwithstanding the details submitted, the development hereby permitted shall not be commenced until amended 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.

13) UNI

No development shall take place until full details of all new windows and their reveals and cill and head treatment including 1:20 scale elevation drawings and sections and 1:1 scale sections showing frame and glazing bar profiles 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 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.

14) UNI

No development shall take place until further details, including the location, material, colour and appearance of the new vents for the ventilation system to have been submitted to and approved in writing by the Local Planning Authority. No flues or vents shall be positioned on the North facing principal elevation. The works shall be implemented in strict accordance with the agreed details.

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

15) UNI

The development hereby permitted shall not be commenced until details of sustainability measures to reduce the energy and water consumption of the development have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to occupation and thereafter be retained as such.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy and water 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.

16) UNI

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.

17) UNI

Prior to the first occupation of the development hereby approved all habitable rooms on Western Road façade and Castle Street Façade shall be fitted with a mechanical ventilation system as specified in section 5 of Acoustic Associates Sussex Ltd Noise Assessment Report, received on the 6th August 2014, and thereafter permanently retained as such.

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

18) UNI

Prior to the first occupation of the development hereby approved the replacement glazing hereby approved shall be installed in accordance with the details specified in section 5 of Acoustic Associates Sussex Ltd Noise Assessment Report, received on the 6th August 2014, received on the 6th August 2014, and thereafter permanently retained as such.

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

19) UNI

Prior to the first occupation of the development hereby approved the Party Walls/Floors between the retained ground floor commercial A1 use and the first floor units hereby approved shall be designed to achieve a sound insulation value of 5dB better than Approved Document E performance standard, for airborne sound insulation for floors of purpose built dwelling-houses and flats, and thereafter permanently retained as such.

Reason: To safeguard the amenities of the future occupiers of the building and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.22)

20) UNI

Prior to the first occupation of the development hereby approved, the replacement windows shall be installed in complete accordance with the details approved with respect of condition 13.

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

21) UNI

Prior to the first occupation of the development hereby approved, a full Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall, as a minimum, include the following details,

- i. refuse and recycling collections,
- ii. deliveries,
- iii. complaint procedures,
- iv. staffing arrangements, and
- v. details of 24 hour management and security arrangements.

The approved Management Plan shall be implemented as approved from first occupation of the development for the purpose of student accommodation.

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

22) 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.

23) 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	100	Rev. A	1st July 2014
Existing Floor Plans	101	Rev. A	5th September 2014
Existing Elevations and Section AA	102	Rev. A	5th September 2014
Proposed Floor Plans	103	Rev. F	6th November 2014
Proposed Elevations and	104	Rev. G	18th November

Sections AA and BB			2014
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BH2014/03301

121-122 Western Road Brighton

Blocking up of existing door and installation of new door opening to north elevation at first floor level ground floor infill extension at rear.

Applicant: Indigo Pub Company

Officer: Helen Hobbs 293335

Approved on 14/04/15 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
Existing plans	A-01		1st October 2014
Existing ground floor plans	A-02		1st October 2014
Existing first floor plan	A-03		1st October 2014
Existing north elevation	A-04		1st October 2014
Proposed ground floor plan	D-01		1st October 2014
Proposed first floor plan	D-02		1st October 2014
Proposed north elevation	D-03		1st October 2014

BH2014/03479

2 Victoria Street Brighton

Display of externally illuminated hanging sign (Retrospective).

Applicant: Ms Sophie Corbett & Ms Siobhan Stagg

Officer: Mark Thomas 292336

Refused on 17/04/15 DELEGATED

1) UNI

The hanging sign, by virtue of its size and elevated positioning would represent an unduly prominent advertisement, and would significantly detract from the character and appearance of the recipient building and the wider Montpelier and Clifton Hill Conservation Area, contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and SPD07 (Advertisements).

BH2014/03509

Flat 4 Clarendon Mansions 80 East Street Brighton

Installation of double glazing to existing window frames with alterations to window cills.

Applicant: Mr Paun

Officer: Adrian Smith 290478

Approved on 07/04/15 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 or altered windows shall be painted timber double hung vertically sliding sashes with no trickle vents and shall match exactly the original sash windows to the building, including their frame, rail and stile dimensions and mouldings, and shall have concealed sash boxes recessed within the reveals and set back from the outer face of the building to match exactly the original sash boxes to the building.

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

BH2014/03639

63 Western Road Brighton

Change of use of second floor from restaurant and takeaway (A3) to a 3 bedroom small house in multiple occupation (C4), and associated external alterations.

Applicant: K&Z Enterprises Ltd

Officer: Wayne Nee 292132

Approved on 13/04/15 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 occupation of the C4 unit hereby approved shall be limited to persons solely or mainly working in the A3 unit on the ground and first floor of the property.

Reason: To safeguard the amenities of the future occupiers of the proposed C4 use and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

Noise associated with the relocated condensers 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 future occupiers of the proposed C4 use and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

4) UNI

No development shall take place until full details of a lighting scheme for the flat roof entrance route 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 shall be retained as such thereafter.

Reason: To safeguard the amenities of the future occupiers of the proposed C4 use and to comply with policy QD27 of the Brighton & Hove Local Plan.

5) UNI

Prior to the first occupation of the development hereby approved, the proposed hand railings, floor tiles and lighting associated with the entrance to the second floor shall be installed in complete accordance with the details approved and in respect of condition 5.

Reason: To safeguard the amenities of the future occupiers of the proposed C4 use and to comply with policy QD27 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
Existing basement, ground and first floor	A3/01		06 November 2014
Existing and proposed external elevations	A3/200		02 March 2015
Existing and proposed second floor	A3/100		02 March 2015
Basement, ground and first floor stair	A3/110		02 March 2015
Location and block plans	A3/1000		06 November 2014

7) 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.

BH2014/04201

11A Windlesham Avenue Brighton

Certificate of lawfulness for existing use of a property as a self contained residential dwelling.

Applicant: Mr D Golding

Officer: Mark Thomas 292336

Approved on 17/04/15 DELEGATED

BH2014/04236

15 Middle Street Brighton

Replacement of existing external flue to rear elevation.

Applicant: Friese Green Limited

Officer: Andrew Huntley 292321

Approved on 07/04/15 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 works at ground floor level shall match the 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

No development shall commence until a scheme for the fitting of odour control equipment to the external flue has been submitted to and approved in writing by the Local Planning Authority. The use of the external duct shall not commence until all odour control equipment works have been carried out in accordance with the agreed details.

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.

4) UNI

No development shall commence until a scheme for painting or finishing the hereby approved external ducting a colour to match the existing building has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to use of the external ducting commencing.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policy QD14 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
Site Location Plan			16.12.2014
Existing Ground Floor Layout	101		16.12.2014
Existing Roof Plan	102		16.12.2014
Existing Elevations	103		16.12.2014
Proposed Ground Floor Layout			16.12.2014
Proposed Roof	202		16.12.2014
Proposed Elevations	203		16.12.2014

6) UNI

Noise associated with the proposed external flue shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB(A) below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142: 2014. The measures shall be implemented in strict accordance with the approved details prior to the use of the external flue and shall thereafter be retained as such.

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

BH2015/00055

38-42 East Street Brighton

Application for variation of condition 2 of application BH2013/04150 (conversion of existing office (B1) on parts of second, third and fourth floors to 9no residential dwellings (C3), with associated alterations including second and third floor rear extension to number 38, creation of new link corridor to number 41, replacement timber double glazed windows and refurbishment works) to permit internal and external alterations including regularisation of third floor rear extension, relocation of refuse and cycle stores, division of retail unit with new entrance door and shopfront to form separate retail unit fronting Market Street and alterations to internal layout.

Applicant: CBRE Global Investors

Officer: Liz Arnold 291709

Approved on 16/04/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before the 2nd May 2017.

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

2) UNI

The new dwellings hereby permitted shall be constructed to Lifetime Homes standards, where 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.

3) 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 policies HE1, HE3 and HE6 of the Brighton & Hove Local Plan.

4) UNI

No development shall take place until full details of all new sash windows and their reveals and cills including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The windows shall be painted timber vertical sliding sashes with concealed trickle vents. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

5) UNI

No development shall take place until section details at 1:5 scale of the new cornice and stringcourse mouldings to the extension hereby approved at the rear of number 38 East Street 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.

6) UNI

No development shall take place until further details, including the location, material, colour and appearance of the new vents for the ventilation system to 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: To ensure a satisfactory appearance to the development and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

7) UNI

All new and replacement rainwater goods shall be in cast iron and shall be painted black and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

8) 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 policies HE1 and HE6 of the Brighton & Hove Local Plan.

9) UNI

The development hereby permitted shall not be commenced until further 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

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.

11) 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.

12) UNI

Notwithstanding the information submitted in respect of approved application BH2013/04150, no development shall take place until a written Site Waste Management Plan, 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: As insufficient information has been submitted, 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.

13) UNI

Notwithstanding the information submitted in respect of approved application BH2013/04150, no development shall commence until full details of means of ventilation of the residential units have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of the property and to comply with policy QD27 of the Brighton & Hove Local Plan and to ensure a

satisfactory appearance to the development and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

14) UNI

Notwithstanding the information submitted in respect of approved application BH2013/04150, no development shall commence until full details of the soundproofing of the windows of the residential units hereby approved have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of the property and to comply with policy QD27 of the Brighton & Hove Local Plan and to ensure a satisfactory appearance to the development and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

15) 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.

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 Plan	(00)-10	Rev. P1	13th January 2015
Existing Ground Floor Plan	L639 P(0) 101	-	6th December 2013
Existing Basement Plan	L639 P(0) 102	-	6th December 2013
Existing First & Second Floor Plan	L639 P(0) 103	Rev. G	17th February 2014
Existing Third & Fourth Floor Plan	L639 P(0) 104	Rev. G	17th February 2014
Existing East Street Elevation	L639 P(0) 105	-	6th December 2013
Existing North & South Elevations	L639 P(0) 106	-	20th January 2014
Existing Rear Elevation	L639 P(0) 107	-	6th December 2013
Proposed Amended Basement Plan	(20)-099	Rev. P2	9th January 2015
Proposed Amended Ground Floor Plan	(20)-100	Rev. P1	9th January 2015
Proposed Amended First Floor Plan & Second Floor Plan	(20)-101	Rev. P1	9th January 2015
Proposed Amended Third Floor Plan & Fourth Floor Plan	(20)-103	Rev. P2	9th January 2015
Proposed East Street Elevation	L639 P(0) 112	-	6th December 2013

Proposed Amended Internal Arrangements for No. 42 Second and Third Floors	(20)-200	Rev. P2	9th January 2015
Proposed Section A-A	(20)-300	Rev. P1	24th March 2015
Elevation - Market Street	(20)-401	Rev. P2	9th January 2015
Elevation - Rear Elevation	(20)-402	Rev. P2	9th January 2015
Proposed South Elevation	(20)-403	Rev. P1	24th March 2015
Elevations - Front and Rear			
Elevations to No. 42	(20)-404	Rev. P1	24th March 2015

BH2015/00113

42 East Street Brighton

Internal alterations to layout including division of existing retail unit to form 2no retail units (A1) at ground and basement levels and conversion of offices (B1) to form 3no flats (C3) at first, second and third floor level and associated external alterations.

Applicant: CBRE Global Investments

Officer: Liz Arnold 291709

Approved on 16/04/15 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 development shall take place until further details, including the location, material, colour and appearance of the new vents for the ventilation system to 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: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The replacement roof covering hereby approved shall match in material, colour, style, bonding and texture that of the existing roof covering.

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.

5) UNI

All new and replacement rainwater goods shall be in cast iron and shall be painted black and retained as such thereafter.

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

6) UNI

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.

7) 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 works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

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

8) UNI

All new sash windows to the rear elevation must be painted timber sliding sashes with concealed trickle vents to exactly match the existing sash windows including their architrave, frame and glazing bar dimensions and mouldings, and sub-cill, masonry cill and reveal details and shall have concealed sash boxes recessed within the reveals and set back from the outer face of the building to match exactly the original sash boxes to the building.

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

BH2015/00158

Century House 15-19 Dyke Road Brighton

Display of non illuminated fascia signs.

Applicant: Mayo Wynne Baxter

Officer: Robert Hermitage 290480

Approved on 07/04/15 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.

BH2015/00380

17 Stone Street Brighton

Erection of four storey building containing 3no self contained flats (C3).

Applicant: Winnet Investments Ltd

Officer: Adrian Smith 290478

Refused on 02/04/15 DELEGATED

1) UNI

The proposed ground floor studio flat, by virtue of its limited floorspace with single aspect directly onto the Stone Street footway, would form an excessively cramped and claustrophobic form of residential accommodation with limited access to natural light and outlook, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00516

18 Market Street Brighton

Application for Approval of Details Reserved by Conditions 3, 4 and 5 of application BH2014/03699

Applicant: Lyons Investments Ltd

Officer: Liz Arnold 291709

Approved on 14/04/15 DELEGATED

BH2015/00521

13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place Brighton

Application for approval of details reserved by conditions 19 and 20 of application BH2013/00710.

Applicant: West Register (Property Investments) Ltd

Officer: Jason Hawkes 292153

Approved on 10/04/15 DELEGATED

ST. PETER'S & NORTH LAINE

BH2013/02958

Site J New England Quarter Fleet Street Brighton

Application for approval of details reserved by condition 17A iv) of application BH2012/01627.

Applicant: The Hyde Group

Officer: Sarah Collins 292232
Approved on 17/04/15 DELEGATED

BH2014/01431

27-33 Ditchling Road Brighton

Demolition of existing building and erection of new four storey building (plus basement) comprising new College facility and Halls of Residence (58 students rooms, 1 wheelchair accessible room, 1 warden's room and 2 rooms for supervisors), catering facilities, cycle parking and refuse and recycling facilities.

Applicant: Zise Ltd

Officer: Jonathan Puplett 292525

Approved after Section 106 signed on 22/04/15 COMMITTEE

1) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

2) UNI

No development shall take place until a scheme for the sound insulation of the odour control equipment referred to in the condition set out above has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such

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

3) 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 policies QD1, QD2, QD3, QD4, QD5 and HE6 of the Brighton & Hove Local Plan.

4) UNI

Notwithstanding the details shown in the approved drawings, no development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) Full details of the proposed shopfronts including 1:20 scale elevation drawings and section drawings;
- b) Elevations and sections at 1:20 scale of the proposed doors, and proposed windows, including solar shading and louvers;
- c) Sections at no smaller than 1:10 scale showing the horizontal bands of precast concrete; and
- d) Details of the proposed rainwater downpipes.

Reason: To secure further details of the proposed building design and to comply with policies QD1, QD2, QD3, QD4, QD5 and HE6 of the Brighton & Hove Local Plan.

5) UNI

Notwithstanding the details shown in the approved plans, no development shall take place until a scheme for the storage of refuse and recycling, including improved provision to serve the individual commercial units approved, 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.

6) 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 lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Light Pollution" (2011) for zone E or similar guidance recognised by the council. 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.

7) UNI

No development shall take place 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. The scheme as approved shall thereafter be implemented.

Reason: To ensure that the development is car-free and to comply with policies TR1, HO7 and QD27 of the Brighton & Hove Local Plan.

8) UNI

Prior to the occupation of the development hereby approved the applicant shall reinstate the redundant vehicle crossover on the northern side of Oxford Place back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development and shall be retained as such thereafter.

Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.

9) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of '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.

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential development (student accommodation) hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the residential development (student accommodation) built has achieved a Multi Residential BREEAM rating of '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.

11) UNI

Within 3 months of occupation of the hereby approved student accommodation a Travel Plan (a document that sets out a package of measures tailored to the needs of the site, which is aimed at promoting sustainable travel choices by residents, visitors, staff, deliveries and parking management) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include as a minimum the following initiatives and commitments:

(i) Promote and enable increased use of walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use:

(ii) A commitment to reduce carbon emissions associated with business and commuter travel:

(iii) Increase awareness of and improve road safety and personal security:

(iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses:

(v) Identify targets focussed on reductions in the level of business and commuter car use:

(vi) Identify a monitoring framework, which shall include a commitment to undertake an annual staff travel survey utilising iTrace Travel Plan monitoring software, for at least five years, or until such time as the targets identified in section (v) above are met, to enable the Travel Plan to be reviewed and updated as appropriate:

(vii) Assess the demand for and provision of disabled parking in the vicinity of the site, including surveys of usage of existing on-street parking bays, and identify the most appropriate locations for additional disabled bays as required, and submit these findings to the Local Planning Authority.

(viii) Following the annual staff survey, an annual review will be submitted to the Local Planning Authority to update on progress towards meeting targets:

(ix) Identify a nominated member of staff or post to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.

Reason: To ensure the promotion of sustainable forms of travel and compl

12) UNI

No development shall take place until a written scheme has been submitted to and approved in writing by the Local Planning Authority detailing the glazing requirements to be installed to facades at Ditchling Road, Oxford Place and Oxford Road at all storeys to meet the sound reduction losses as identified in the 7th Wave Acoustics report dated 8th July 2014 reference R001.1037.001.NGA.2.0. 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 future occupiers and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

13) UNI

No development shall take place until a written scheme has been submitted to and approved in writing by the Local Planning Authority detailing how and where ventilation will be provided to the various storeys and facades including specifics of where the clean air is drawn from and that sufficient acoustic protection is built into the system to protect end users of the development. 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 future occupiers and to comply with

policies SU10 and QD27 of the Brighton & Hove Local Plan.

14) UNI

No development shall take place until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

15) 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 10dB 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.

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

16) 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.

17) 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	1000	01	02/05/2014
Existing and Proposed Block Plan	1001	01	02/05/2014
Existing Ground Floor Plan	2000	01	16/05/2014
Existing First Floor Plan	2001	01	16/05/2014
Proposed Basement Floor Plan	2004	01	16/05/2014
Proposed Ground Floor Plan	2005	02	09/07/2014
Proposed First & Second Floor Plans	2006	01	16/05/2014
Proposed Third Floor Plan	2007	01	16/05/2014
Existing North, East and South Elevations			
Elevations	2100	01	16/05/2014
Existing East and South Elevations in Context	2101	01	02/05/2014
Contextual Analysis Ditchling Road	2103	02	09/07/2014
Contextual Analysis Oxford Place	2104	02	09/07/2014
Proposed North, East and South Elevations	2105	02	09/07/2014

Proposed Elevations in Context	2106	02	09/07/2014
Proposed Extant Mass Comparison Typical Sections	2111	01	02/05/2014
Visual Impact Diagram	2200	02	02/05/2014
Proposed Sections and Courtyard Elevations	2201	01	02/05/2014

18) UNI

No more than 300 students shall be taught within the college hereby approved at any one time.

Reason: To ensure that the scale of development and level of activity remains at an acceptable level and that harm to neighbouring amenity is not caused, and to comply with policies TR1 and QD27 of the Brighton & Hove Local Plan.

19) UNI

No deliveries to or from the development hereby approved, shall occur except between the hours of 07.00 and 19.00 Monday to Saturday, and not at all on Sundays, Bank or Public Holidays.

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.

20) UNI

No servicing for collection of refuse/recycling at the site shall occur except between the hours of 07:00 and 19:00 on Mondays to Saturdays not at all on Sundays or Bank/Public Holidays.

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.

21) 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.

22) UNI

(i) No works pursuant to this permission shall commence 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; 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 nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i)c 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) built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination (or has been secured / contained in a manner which makes such material safe). Thereafter the scheme shall be moni

23) UNI

No development approved by this permission shall be commenced until a scheme for the provision of foul and surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

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.

24) UNI

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

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 'Excellent' for all non-residential development have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of '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.

25) UNI

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

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the residential development (student accommodation) hereby approved will achieve a Multi Residential BREEAM rating of 'Excellent' for the development have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the residential development (student accommodation) hereby approved has achieved a Multi Residential BREEAM rating of 'Excellent' for the 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.

Building Design.

26) UNI

No development shall take place until a scheme for the fitting of odour control equipment to the building has been submitted to and approved in writing by the Local Planning Authority. 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.

27) UNI

No development shall take place until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

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

BH2014/03012

70-71 Rose Hill Terrace Brighton

Change of use from Public House (A4) to form two residential units (C3). Reinstatement of railings and basement level window to front elevation and associated alterations.

Applicant: Evenden Estates

Officer: Chris Swain 292178

Refused on 13/04/15 COMMITTEE

1) UNI

Notwithstanding the need for housing the Rose Hill Tavern is a community asset which is valued for its unique offer. The applicant has submitted no evidence to persuade the local planning authority that this type of community facility is provided for in the vicinity of the site or that it is re-provided elsewhere. The proposed development is therefore contrary to policy HO20 of the Brighton & Hove Local Plan 2005.

2) UNI2

The approval of this application would have a detrimental impact on the reasonable range of public houses within easy walking distance for local residents and would represent a lost opportunity to enhance the sustainability of this community. The proposed development is therefore contrary to policy SA6 of the Brighton & Hove City Plan Part One (Submission Document).

BH2014/03202

46 Princes Road Brighton

Revised fenestration and roof alterations including front and rear rooflights.

Applicant: Mr Max St John

Officer: Robert Hermitage 290480

Refused on 02/04/15 DELEGATED

1) UNI

The proposed rooflights to the front roofslope, by virtue of their number, size, and position, would be clearly visible in the streetscene and would detract from the character and appearance of the Round Hill Conservation Area, contrary to Policies QD14 and HE6 of the Brighton & Hove Local and Supplementary Planning Document 12.

2) UNI2

The proposed rear rooflights, by reason of their number, positioning, and size, would comprise a large amount of glazing to the rear roofslope which would be

visible from long views, and would detract from the character and appearance of the Round Hill Conservation Area, contrary to Policies QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 12.

BH2014/03695

97 Gloucester Road Brighton

Certificate of lawfulness for existing single storey pitched roof rear studio extension and single storey rear extension with roof terrace over.

Applicant: Eileen Flynn

Officer: Luke Austin 294495

Split Decision on 09/04/15 DELEGATED

BH2015/00187

First Floor Flat 48 Vere Road Brighton

Roof alterations incorporating installation of rooflights to front and rear elevations with alterations to first floor rear window and removal of external stairs

Applicant: Mr Neville Carter

Officer: Haydon Richardson 292322

Approved on 09/04/15 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
Existing front, rear, and side elevations , including Window dimension and hinge type	1502-01		28/1/15
Proposed front, rear, and side elevations , including Window dimension and hinge type	1502-02A		27/2/15

BH2015/00288

61 Centurion Road Brighton

Replacement of front door and porchlight and revised landscaping to lower ground floor front patio. (Part Retrospective)

Applicant: Mrs Wendy Lam

Officer: Liz Arnold 291709

Refused on 10/04/15 DELEGATED

1) UNI

The replacement front entrance door, by reason of its differing material, style and design, represents a visually inappropriate and incongruous alteration to the property which has adversely affected the character and appearance of the associated terrace, the Centurion Road streetscene and the surrounding Conservation Area. The development therefore fails to preserve or enhance the character and appearance of the Conservation Area contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 09 'Architectural Features'.

2) UNI2

Insufficient information has been provided to demonstrate that the proposed patio lights within the lower patio area would not have a significant adverse impact upon the appearance of the building or surrounding Conservation Area, or the amenities of neighbouring properties, contrary to policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

BH2015/00291

32-34 Queens Road Brighton

Application for approval of details reserved by condition 1 of application BH2014/00624.

Applicant: Mr Geoffrey Holden, Mr Keith Brinsmead, Mr Clive Botting & Mr Graham St John Richardson

Officer: Christopher Wright 292097

Approved on 21/04/15 DELEGATED

BH2015/00322

Land to Rear of 101 Roundhill Crescent Brighton

Erection of two storey building comprising of 5no one bedroom flats.

Applicant: Ms Wendy Jamieson

Officer: Liz Arnold 291709

Refused on 07/04/15 DELEGATED

1) UNI

The proposed development, by virtue of its siting, excessive footprint, scale, bulk and massing would erode the existing visual open character of the site, would have a harmful impact on the overall layout and design of the area, which includes the Round Hill Conservation Area and the setting of neighbouring Listed Buildings. The proposal would also have a harmful impact upon the distinctive layout and predominance of open space seen in longer views into and out of the Conservation Area. The proposal is therefore contrary to development plan policies QD1, QD2, QD3, QD4 and HE3 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development by reason of its design, form, excessive footprint, detailing, plot size and the required reduction in the plot size of 101 Roundhill Crescent would result in a development that fails to reflect the immediate character of the D'Aubigny Road and Roundhill Crescent streetscenes and the wider area including the surrounding Round Hill Conservation Area, compromising the quality of the local environment. The mass, scale and bulk of the development would appear out of scale and overly prominent in the D'Aubigny Road streetscene and views of the Round Hill Conservation Area. The proposal would represent an incongruous and an overdevelopment of the site. This identified harm would outweigh the benefit of additional housing and as such is contrary to policies QD1, QD2, QD3 and HE6 of the Brighton & Hove Local Plan.

3) UNI3

The insertion of two rooflights within the west and south facing roofslopes would result in the provision of incongruous features in the development. In addition the proposed rooflights are considered to be uncharacteristically high in the associated roofslopes, located too close together and the proposed side rooflights are considered to be of an excessive size. As such the proposed rooflights are considered to be of detriment to the character and appearance of the proposed development, the D'Aubigny Road streetscene and the wider area including the surrounding Conservation Area and the setting of adjacent Listed Buildings, contrary to policies QD14, HE3 and HE6 of the Brighton and Hove Local Plan, and Supplementary Planning Document 12, Design Guide for

Extensions and Alterations.

4) UNI4

The proposed development would be built on an existing Grade II historic wall located to the east of the site and as such would substantially alter the character and appearance of this historic wall. The proposal would also result in the insertion of an opening within the existing historic western boundary wall which, although likely acceptable in principle, would lead to a boundary treatment out of keeping with other front boundaries in the D'Aubigny Road streetscene and the surrounding Conservation Area and therefore an untraditional relationship between the proposed building and historic boundary wall. The proposal is therefore contrary to policies QD1, QD2, HE1, HE3 and HE6 of the Brighton & Hove Local Plan.

5) UNI5

The proposed first floor south facing window in the development would represent an unneighbourly form of development by virtue of resulting in actual and perceived overlooking and loss of privacy to the occupiers of the flats located in 101 Roundhill Crescent. As such the proposal would have a harmful impact on neighbouring amenity contrary to policy QD27 of the Brighton & Hove Local Plan.

6) UNI6

The proposal by virtue of its scale, bulk and massing along the boundary with no. 3 Roundhill Crescent would represent an unneighbourly form of development which would appear overbearing and oppressive when viewed from the garden areas of neighbouring properties located to the east of the site and a development that results in a sense of enclosure to the garden area of no. 3 Roundhill Crescent. As such the proposal would have a harmful impact on neighbouring amenity and is contrary to policy QD27 of the Brighton & Hove Local Plan.

7) UNI7

The applicant has failed to demonstrate that the development would accord to Lifetime Homes Standards contrary to policy HO13 of the Brighton and Hove Local Plan.

8) UNI8

The small size and layout of the proposed residential units would provide an inadequate and poor standard of accommodation, with a cramped and confined internal environment that would fail to provide adequate living conditions for future occupiers contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00381

22 West Hill Street Brighton

Application for approval of details reserved by condition 3 of application BH2014/03349.

Applicant: Dr Sophie Foster

Officer: Robert Hermitage 290480

Approved on 08/04/15 DELEGATED

BH2015/00422

103A Roundhill Crescent Brighton

Replacement of existing front door.

Applicant: Bradford Property Trust Limited

Officer: Luke Austin 294495

Approved on 15/04/15 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 new door hereby approved shall be of timber construction and painted and shall be retained.

Reason: To ensure the satisfactory presentation of this listed building, to safeguard the character and appearance of the Roundhill Conservation Area and to comply with policies HE1 and HE6 of the Brighton and 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	763-068	-	10/02/2015
Block Plan	763-068	-	10/02/2015
Existing and Proposed Elevations	763-068-PL01	B	09/04/2015
Proposed Door Elevations	00287-001	003	09/04/2015

BH2015/00493

Richmond House Richmond Road Brighton

Change of use from offices (B1) to mixed use office (B1) and non residential institution (D1) with associated covered cycle storage.

Applicant: Cranstoun

Officer: Liz Arnold 291709

Approved on 09/04/15 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 D1 element of the mixed use premises hereby approved shall be used for provision of a medical clinic / consulting rooms only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and transport impacts within the vicinity of the site and to comply with policies SU10, QD27 and TR1 of the Brighton & Hove Local Plan.

3) UNI

The ground floor accommodation hereby permitted shall not be operational except between the hours of 08:00 and 21:00 on Mondays to Saturdays, and not at any time on Sundays, Bank or Public Holidays.

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

4) UNI

The development hereby permitted shall not be occupied until a scheme of Travel Plan measures to promote sustainable transport to and from the site has been submitted to and been approved in writing by the Local Planning Authority. The Scheme should include but not be limited to, the following measures:

- i) The provision of up to date public transport information within the building and to users of the building,
- ii) Provision of public transport information at the book of booking appointments,
- iii) Promotion of sustainable travel for staff trips including personal travel planning, and
- iv) Car Parking Management Plan which allocates parking spaces on the basis on need.

The above works must be implemented prior to the first occupation of the building and thereafter be maintained as such.

Reason: To ensure the development maintains a sustainable transport strategy and to comply with policies TR1, TR4 and TR14 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall not be occupied until details of sustainability measures to reduce the energy and water consumption of the development have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to occupation and thereafter be retained as such.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy and water 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

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

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

7) UNI

The development hereby permitted shall not be occupied until details of disabled car parking provision for the occupants of, 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.

8) 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 Floorplans, Front Elevation and Location Plan	01	-	24th February 2015
Proposed Floorplans, Location Plan and Block Plan	02	Rev. A	30th March 2015

9) UNI

The first floor accommodation hereby permitted shall not be operational except between the hours of 08:00 and 18:00 on Mondays to Saturdays, and not at anytime on Sundays, Bank or Public Holidays.

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

BH2015/00501

100 Upper Lewes Road Brighton

Installation of extract duct to roof and fresh air intake fan within existing rear window.

Applicant: Mrs Alison Cornelius

Officer: Andrew Huntley 292321

Approved on 13/04/15 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 equipment shall be installed in accordance with the recommendations of the acoustic consultant's report reference J 02093R1 dated 16 February 2015 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.

3) UNI

No works for the fresh air intake vent shall commence until full details of the external appearance of the window and intake vent including 1:20 scale elevational drawings and sections and 1:1 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 shall be retained as such thereafter.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	13.76.EI.P.103		16.02.2015
Block Plan	13.76.EI.P.104		16.02.2015
Existing & Proposed Elevations	13.76.EI.P.106	A	16.02.2015

BH2015/00538

43 Providence Place Brighton

Demolition of existing three storey building and erection of four storey and basement building with roof terrace to front comprising of 10no short term let rooms (Sui Generis), 1no function room at basement level and 1no function room (D1) at third floor level with kitchen at fourth floor level.

Applicant: Mr J Watts

Officer: Adrian Smith 290478

Approved on 15/04/15 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 D1 function room uses hereby permitted at basement level and third/fourth floor level shall not be open or in use except between the hours of 07:00 to 00:00 daily.

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

3) UNI

i) No works pursuant to this permission shall commence 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; (Please note that a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below. However, this will be confirmed in writing); 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; 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 nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i)c 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) built drawings of the implemented scheme;

b) photographs of the remediation

4) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

a) samples of all brick and tiling

b) samples of the proposed window, door and balcony treatments

c) samples of all other materials to be used externally

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 & QD14 of the Brighton & Hove Local Plan.

5) UNI

Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

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

6) UNI

No development above ground floor slab level of any part of the development hereby permitted shall place until details of a sustainability scheme for the basement and third/fourth floor function rooms, which details the sustainability measures to be incorporated in order to reduce their energy and water consumption, have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to occupation of the basement and third floor function rooms and thereafter be retained as such.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy and water 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.

7) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the short term lets within the ground, first and second floor levels hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate has been submitted to and approved in writing by the Local Planning Authority confirming that the short term lets within the ground, first and second floor levels have achieved a minimum BREEAM Multi-residential rating of 'Very Good', including 50% in the energy and water sections.

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

8) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the short term lets within the ground, first and second floor levels hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate has been submitted to and approved in writing by the Local Planning Authority confirming that the short term lets within the ground, first and second floor levels have achieved a minimum BREEAM Multi-residential rating of 'Very Good', including 50% in the energy and water sections.

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

9) UNI

Prior to first occupation of the development hereby permitted a scheme for the storage of refuse and recycling shall have 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.

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
Site plan and block plan	(10)001	A	18/02/2015

Existing floor plans	(20)001	A	18/02/2015
	(20)002	A	18/02/2015
	(20)003	A	18/02/2015
Existing elevations	(31)001	B	18/02/2015
	(31)002	B	18/02/2015
Proposed floor plans	(21)000	K	18/02/2015
	(21)001	K	18/02/2015
	(21)002	G	18/02/2015
	(21)003	E	18/02/2015
	(21)004	U	18/02/2015
	(21)005	J	18/02/2015
	(21)006	A	18/02/2015
Proposed elevations	(31)001		18/02/2015
	(31)002		18/02/2015
	(31)003		13/04/2015
Proposed sections	(41)001	H	18/02/2015
Existing and proposed section	(41)003	A	18/02/2015
Vision splays	(21)007	-	18/02/2015

11) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the soundproofing measures to be incorporated between all floors and the adjoining properties to the north and south of the site have been submitted to and approved in writing by the Local Planning Authority. The scheme should demonstrate soundproofing to a minimum of 5db in excess of Part E of the Building Regulations. The proposed lift must not exceed the noise values set out in BS8233 for the habitable residential rooms located in the property. The development shall then be carried out in strict accordance with the approved details.

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

WITHDEAN

BH2014/02999

2 Barn Rise Brighton

Application for Approval of Details Reserved by Conditions 8, 9, 10, 11, 12 and 13 of application BH2013/03524.

Applicant: Mr Sunil Mehra

Officer: Christopher Wright 292097

Split Decision on 15/04/15 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 8 and 10 subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 9, 11, 12 and 13 are NOT APPROVED.

2) UNI2

The requirements of condition 9 have not been met because the applicant has not submitted details of the heights of finished floor levels and section lines and existing ground levels.

3) UNI3

The requirements of condition 11 have not been met because the applicant has not submitted a Design Stage/Interim Code for Sustainable Homes Certificate.

4) UNI4

The requirements of condition 12 cannot be met until the amendments to the size of the detached garage have been regularised.

5) UNI5

The requirements of condition 13 cannot be met until the new dwelling has been constructed.

BH2014/03421

2 Friar Road Brighton

Erection of two storey extension incorporating replacement of existing garage and shed and alterations including dormers to front, rear and side, rear rooflight, internal garage, new porch and changes to fenestration.

Applicant: Mr Richard Allen

Officer: Helen Hobbs 293335

Refused on 21/04/15 DELEGATED

1) UNI

1. The proposed dormers by reason of their design and size would create unduly bulky additions which relate poorly to the existing building and would harm the appearance of the building and the visual amenities of the wider surrounding area. The proposal is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/04068

Wayland Paddock 41 Wayland Avenue Brighton

Application to vary condition 2 of application BH2012/00935 (Demolition of existing bungalow and erection of 2no four bedroom dwelling houses with detached garages) to substitute new drawings for those previously approved in order to provide details of the proposed heights and ground levels of the development in relation to the neighbouring properties, and to remove condition 14 (approval of existing and proposed levels).

Applicant: Mr K Healey

Officer: Christopher Wright 292097

Approved on 07/04/15 DELEGATED

1) 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. The development shall be carried out in accordance with the approved details.

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

2) 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.

3) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development and details of replacement trees.

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.

4) UNI

The three trees identified in the submitted Arboricultural Implications Assessment shall be retained at all times. No development shall commence until fences for the protection of trees to be retained 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 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.

5) 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 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.

6) UNI

No development shall take place until precise construction details of the driveway access to the site from Wayland Avenue, to include precise dimensions of the driveway and details of boundary fences or walls, together with details of porous surfacing materials to be used or provision for run-off water from the hard surface to be directed from the hard surface to a permeable or porous area or surface within the boundary of the development site, have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development, in the interests of safeguarding neighbour amenity, to reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies QD1, QD2, QD3 and SU4 of the Brighton & Hove Local Plan.

7) UNI

Not used.

8) UNI

No development shall take place until details of the green roof have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the dwellings and shall be retained as such thereafter.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and in accordance with policy SU2 of the Brighton & Hove Local Plan and SPD08.

9) UNI

Notwithstanding the approved plans, 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

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 has been submitted to, and approved in writing by, the Local Planning Authority.

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

11) 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.

12) UNI

Prior to occupation of the development, the photovoltaic panels hereby approved shall be implemented in strict accordance with the details submitted on the 9 May 2012 and retained as such thereafter.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and in accordance with policy SU2 of the Brighton & Hove Local Plan and SPD08.

13) UNI

The development hereby permitted shall be commenced on or before 3 July 2015.

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

14) 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	WA.01	A	27 Mar 2012
Proposed First Floor / Roof Plan	WA.10	C	16 May 2012
Proposed Ground Floor Plan and Site Plan	WA.11	C	16 May 2012
Proposed Lower Ground Floor Plan and Sections	WA.12	C	16 May 2012
Proposed Elevations	WA.14	D	2 Dec 2014
Proposed Side Elevations /	WA.15	D	2 Dec 2014

Site Sections			
Proposed Front Elevation	WA.16	C	16 May 2012
Proposed Front Elevation with Garages in Foreground	WA.17		16 May 2012
Proposed View (CGI)	WA.20		14 May 2012
Proposed View (CGI)	WA.21		14 May 2012
Proposed Block Plan	WA.23		27 Mar 2012
Solar photovoltaic tile details			9 May 2012
Site Plan As Proposed Inc Spot Heights	1701/SP		2 Dec 2014
Section B As Existing Inc Spot Heights	1701/SP		2 Dec 2014
Section B As Proposed Inc Spot Heights (39 Wayland Avenue)	1701/SHSP		2 Dec 2014
Section B As Proposed Inc Spot Heights (43 Wayland Avenue)	1701/SHSP		2 Dec 2014

15) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses 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.

16) 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.

17) UNI

The vehicle parking areas 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.

18) UNI

Unless otherwise agreed in writing by the Local Planning Authority, 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.

19) UNI

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

(a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and

(b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

BH2014/04228

3 Clermont Terrace Brighton

Erection of rear extension to ground and basement level.

Applicant: Mr Stephen Pennington

Officer: Joanne Doyle 292198

Approved on 20/04/15 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, with the exception of the folding doors and rooflights, 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
Site Location & Block Plan	RFA 14/316/0S		16 Dec 2014
Existing & Proposed Floor Plans	RFA 14/316/01		16 Dec 2014
Existing & Proposed Rear Elevation	RFA 14/316/02		16 Dec 2014
Existing & Proposed South Flank Elevation & Section	RFA 14/316/03		16 Dec 2014
Existing & Proposed North Flank Elevation	RFA 14/316/04		16 Dec 2014

BH2015/00023

1 Mill Rise Brighton

Erection of single storey rear extension.

Applicant: Jignesh Agnihotri

Officer: Astrid Fisher 292337

Approved on 14/04/15 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 extension hereby permitted shall match in material, colour, style, bonding and texture to 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 policy 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 south eastern side elevation of the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Planning Application Rear Extension Location Plan	001	A	6th January 2015
Existing Plans	002		6th January 2015
Existing Plans	003		6th January 2015
Existing Elevations	004		6th January 2015
Planning Application Proposed GF Plan	006	A	6th January 2015
Planning Application Proposed plans	007	A	6th January 2015
Planning Application Proposed Elevations	008	B	12th March 2015

BH2015/00105

Park Manor London Road Brighton

Application for Approval of Details Reserved by Condition 8 of application BH2012/03981.

Applicant: Anstone Properties Ltd

Officer: Helen Hobbs 293335

Approved on 13/04/15 DELEGATED

BH2015/00120

The Excelsior London Road Patcham Brighton

Application for approval of details reserved by condition 11 of application BH2011/00370.

Applicant: Mr William Mackintosh

Officer: Jason Hawkes 292153

Refused on 14/04/15 DELEGATED

BH2015/00173**1A Preston Lodge 1 Millers Road Brighton**

Replacement timber double glazed windows to front, side and rear.

Applicant: Mr Shaw

Officer: Helen Hobbs 293335

Approved on 20/04/15 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 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			21st January 2015
Block plan			21st January 2015
Window drawings	1 of 9		21st January 2015
Window drawings	2 of 9		21st January 2015
Window drawings	3 of 9		21st January 2015
Window drawings	4 of 9		21st January 2015
Window drawings	5 of 9		21st January 2015
Window drawings	6 of 9		21st January 2015
Window drawings	7 of 9		21st January 2015
Window drawings	8 of 9		21st January 2015
Window drawings	9 of 9		21st January 2015

BH2015/00202**29 Mandalay Court London Road Brighton**

Replacement of existing windows with double glazed aluminum windows to front elevation and UPVC windows to side elevation and replacement of existing balcony door with UPVC door.

Applicant: Mr John David Charlesworth

Officer: Haydon Richardson 292322

Approved on 02/04/15 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
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Block Plan	ESX5588		21/1/15
Replacement window 1			21/1/15
Replacement window 2			21/1/15
Replacement window 3			21/1/15
Replacement balcony door, kitchen window and side lounge window			21/1/15

BH2015/00252

180 Tivoli Crescent North Brighton

Certificate of lawfulness for proposed erection of a single storey rear extension.

Applicant: Mr Seth Richardson

Officer: Mark Thomas 292336

Approved on 15/04/15 DELEGATED

BH2015/00285

48 Bankside Brighton

Certificate of lawfulness for proposed erection of a single storey rear extension and loft conversion incorporating rear hip to gable roof extension, side dormer and side rooflight with associated alterations.

Applicant: Mr & Mrs Powell

Officer: Astrid Fisher 292337

Approved on 13/04/15 DELEGATED

BH2015/00303

4 Harrington Road Brighton

Creation of vehicle crossover, dropped kerb and hardstanding with associated alterations to front boundary wall.

Applicant: Clodagh & Emma Warde-Robinson

Officer: Astrid Fisher 292337

Refused on 02/04/15 DELEGATED

1) UNI

The existing front boundary wall and garden contribute positively to the character of the street scene and of the Preston Park Conservation Area. The partial loss of the front wall would erode the front boundary treatment in this section of the street and would detract from the historic character of Harrington Road. The hardstanding, when in use, would disrupt the front elevation and bay window of the building which would further detract from the character of the area. The proposal would fail to preserve the character or appearance of the Preston Park Conservation Area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and to the provisions of Supplementary Planning Document 09, Architectural Features.

BH2015/00369

31 Cornwall Gardens Brighton

Erection of two storey rear extension, single storey side extension and single storey front extension with extension to garage at basement level and associated alterations.

Applicant: Mr & Mrs Dabadie de Lurbe

Officer: Adrian Smith 290478

Refused on 10/04/15 DELEGATED

1) UNI

The proposed first floor extensions, by virtue of their scale, bulk, roof form and depth including a balcony, would overwhelm and dominate the form and proportions of the existing dwelling. The proposal therefore fails to suitably

respect the scale, form and appearance of the existing dwelling in a subservient manner to the detriment of its appearance and that of the wider area and contrary to policy QD14 of the Brighton & Hove Local plan and SPD12 guidance.

2) UNI2

The proposed first floor extensions, by virtue of their scale, bulk and depth including a balcony, would have an unduly dominating and unneighbourly impact on the amenities of no.33 Cornwall Gardens, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00394

160 Valley Drive Brighton

Erection of first floor side extension above garage, single storey rear extension and creation of doorway to side.

Applicant: Mr B Khan

Officer: Robert Hermitage 290480

Approved on 02/04/15 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 ground floor window to the rear elevation 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.

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	-	-	5th February 2015
Block Plan	-	-	5th February 2015
Existing and Proposed Plans and Elevations	1439/01	C	24th March 2015

BH2015/00476

79 Green Ridge Brighton

Hip to gable roof extension incorporating enlargement of side dormers.

Applicant: Mr A Sellins

Officer: Luke Austin 294495

Refused on 13/04/15 DELEGATED

1) UNI

The proposed roof extensions, by virtue of their size and design, would form incongruous and unsightly features, detrimental to the appearance of the building and are out of character with appearance of the street scene. The proposal is

therefore contrary to the Brighton and Hove Local Plan Policy QD14 and the guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2015/00630

18 Highbank Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.2m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.8m.

Applicant: Mr & Mrs Taylor

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 10/04/15 DELEGATED

BH2015/00631

7 Tivoli Crescent Brighton

Certificate of lawfulness for proposed loft conversion incorporating front rooflights and rear dormer.

Applicant: Mr Stephen Schwartz

Officer: Astrid Fisher 292337

Approved on 21/04/15 DELEGATED

BH2015/00632

146 Eldred Avenue Brighton

Erection of single storey front extension and associated alterations.

Applicant: Mr & Mrs Lake

Officer: Robert Hermitage 290480

Refused on 21/04/15 DELEGATED

1) UNI

The proposed development, by reason of its inappropriate material and excessive bulk to the front elevation, would detract from the overall appearance of the property and character of the street, and is considered contrary to Policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2015/00711

17 Green Ridge Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 7.95m from rear of the garage wall and 6m from rear of the lounge/kitchen wall, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Mr James Booth

Officer: Haydon Richardson 292322

Prior Approval is required and is refused on 13/04/15 DELEGATED

BH2015/00744

10 Dyke Road Avenue 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 3.4m, and for which the height of the eaves would be 2.77m.

Applicant: Mrs Carolina Rodriguez

Officer: Helen Hobbs 293335

Prior approval not required on 15/04/15 DELEGATED

BH2015/00789

16 Varndean Gardens Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.1m, for which the maximum height would be 3.7m and for which the height of the eaves would be 2.3m.

Applicant: Mr Andrew Cusack

Officer: Haydon Richardson 292322

Prior approval not required on 16/04/15 DELEGATED

BH2015/00903

36 Maldon 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 4.95m, for which the maximum height would be 3.7m, and for which the height of the eaves would be 2.95m.

Applicant: Ms Gillian Churchill

Officer: Luke Austin 294495

Prior approval not required on 21/04/15 DELEGATED

BH2015/00983

Varndean College Surrenden Road Brighton

Non Material Amendment to BH2014/01793 to accommodate the proposed rear (north) fire escape in a new revised position within an extension over the existing east side escape stairs.

Applicant: Varndean College

Officer: Helen Hobbs 293335

Refused on 22/04/15 DELEGATED

1) UNI

The proposed revisions to the scheme approved under application BH2014/01793 are considered material and warrant the submission of a further application for planning permission to enable the Local Planning Authority to fully assess the revised proposals.

EAST BRIGHTON

BH2014/03155

68a St Georges Road Brighton

Application for Approval of Details Reserved by Conditions 7, 8, 9, 10, 11 and 13 (a, b and c) of application BH2013/04061.

Applicant: Sussex Property Investments Ltd

Officer: Christopher Wright 292097

Split Decision on 21/04/15 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 7, 8, 9 and 10 subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 11 and 13 (a, b, c) are NOT APPROVED

2) UNI2

The applicant has not submitted a Design Stage/Interim Certificate demonstrating the new development would achieve a minimum of Level 3 of the Code for Sustainable Homes in respect of condition 11.

3) UNI3

Insufficient information has been submitted in respect of condition 13 (a, b, c) in relation to the risk of contaminants potentially affecting future residents. As such

the details reserved by condition 13 (a, b, c) cannot be approved.

BH2014/04026

1 Bristol Mews Bristol Gardens Brighton

Erection of single storey extension to front and erection of infill extension to rear. Alterations and extension to roof including installation of front dormer, installation of 6no rooflights and revised fenestration.

Applicant: Mr Sudirman Yusef

Officer: Joanne Doyle 292198

Refused on 21/04/15 DELEGATED

1) UNI

The proposed first floor rear extension, by reason of its design, form and bulk would dominate the rear of the building, appearing poorly designed and detailed in relation to the existing building and wider Bristol Mews development. The proposal would thereby be contrary to policy QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2) UNI2

The proposed front dormer, by reason of its design and size, would appear an unduly bulky addition which would dominate the front roofslope of the property. The proposal would disrupt the character and appearance of the existing property and wider Bristol Mews development. The proposal would thereby be contrary to policy QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2015/00442

Royal Sussex County Hospital Eastern Road Brighton

Application for approval of details reserved by condition 11 of application BH2013/03983.

Applicant: Brighton and Sussex University Hospitals NHS Trust

Officer: Kathryn Boggiano 292138

Approved on 02/04/15 DELEGATED

HANOVER & ELM GROVE

BH2014/03627

77 Carlyle Street Brighton

Extension of rear roof slope and installation of 2no dormers to rear elevation.

Applicant: Mr Ian Bingham

Officer: Joanne Doyle 292198

Refused on 14/04/15 DELEGATED

1) UNI

The proposed linked dormer extension by reason of its excessive size, cladding and projection and positioning would be poorly designed in relation to the existing building, would stand out as an incongruous feature and would fail to emphasise and enhance the positive qualities of the local neighbourhood. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2015/00400

10 & 10a St Leonards Road Brighton

Creation of external timber steps from ground floor to garden level with platform and balustrade and alterations to fenestration.

Applicant: Pelham Properties

Officer: Chris Swain 292178

Refused on 20/04/15 DELEGATED

1) UNI

1. The raised platform, due to its elevated position, would result in significant overlooking and loss of privacy towards the garden of the adjoining property, No.9 St Leonards Road and also to the rear windows and garden of the adjoining property, No.8 Franklin Road to the detriment of the residential amenity of the occupiers of these dwellings. As such, the proposal is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

BH2015/00424

109A Whippingham Road Brighton

Demolition of existing storage area (B8) and erection of 2no four bedroom terraced houses (C3).

Applicant: Soldene Developments

Officer: Liz Arnold 291709

Refused on 16/04/15 DELEGATED

1) UNI

The applicant has failed to adequately demonstrate that the existing Class B8 premises are no longer viable and are genuinely redundant, contrary to policies EM3 and EM6 of the Brighton & Hove Local Plan and CP3 of the Brighton & Hove City Plan Part One.

2) UNI2

The proposed development, by virtue of its modern design, unsympathetic proportions and limited architectural detailing, would result in an incongruous development that fails to reflect the immediate character of the Whippingham Road streetscene and the wider area, compromising the quality of the local environment. The vast differences between the proposed modern dwellings and the associated Victorian terrace would result in a development that is out of character with and overly prominent within the Whippingham Road streetscene and the wider area. In addition the proposed rooflights, by virtue of their excessive size and low positioning in the associated front roofslope would be of detriment to the visual amenities of the proposed development, the Whippingham Road streetscene and the wider area. This identified harm would outweigh the benefit of additional housing and as such is contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

3) UNI3

The applicant has failed to demonstrate that the development would accord to Lifetime Homes Standards contrary to policy HO13 of the Brighton and Hove Local Plan.

BH2015/00458

1 De Montfort Road Brighton

Non material amendment to BH2014/02610 to change of materials for light well balustrade from glass screen to wrought iron railings.

Applicant: Lindene GB Promotions Ltd

Officer: Adrian Smith 290478

Approved on 08/04/15 DELEGATED

BH2015/00505

9 Hallett Road Brighton

Certificate of lawfulness for proposed erection single storey rear extension.

Applicant: Mohammed Sikdar

Officer: Luke Austin 294495

Approved on 22/04/15 DELEGATED

BH2015/00867

131 Bonchurch 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 4.02m, for which the maximum height would be 3.08m, and for which the height of the eaves would be 2.75m.

Applicant: Mr Rob Fuller

Officer: Allison Palmer 290493

Prior Approval is required and is refused on 21/04/15 DELEGATED

HOLLINGDEAN & STANMER

BH2015/00540

43 Wolverstone Drive Brighton

Certificate of lawfulness for proposed dormers to side and rear roof slopes with 2no rooflights to front.

Applicant: Mr & Mrs Williams

Officer: Luke Austin 294495

Approved on 15/04/15 DELEGATED

BH2015/00607

40 Beatty Avenue Brighton

Application for approval of details reserved by conditions 5, 6, 8, 12 and 14 of application BH2014/01223.

Applicant: Mr S Malins

Officer: Andrew Huntley 292321

Refused on 22/04/15 DELEGATED

1) UNI

The details required by Condition 5 cannot be approved as no samples of the materials have been submitted so it is not possible to ensure that they match the existing building. Therefore, the details submitted are insufficient and are contrary to Local Plan Policy QD1.

2) UNI2

The details required by Condition 6 cannot be approved as no further details of the landscaping proposals have been submitted. Therefore, the details submitted are insufficient and are contrary to policies QD1 and QD15 of the Brighton & Hove Local Plan.

3) UNI3

The details required by Condition 8 cannot be approved as no further details of the cycle parking proposals have been submitted. Therefore, the details submitted are insufficient and are contrary to policy TR14 of the Brighton & Hove Local Plan.

4) UNI4

The details required by Condition 12 cannot be approved as no Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves Code level 4 as a minimum has been submitted. Therefore, the details submitted are insufficient and are contrary to policy SU2 of the Brighton & Hove Local Plan.

5) UNI5

The details required by Condition 14 cannot be approved as no scheme to enhance the nature conservation interest of the site has been submitted. Therefore, the details submitted are insufficient and are contrary to policy QD17 of the Brighton & Hove Local Plan

BH2015/00648

27 Ingham Drive Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.1m, for which the maximum height would be 4m, and for which the height of the eaves would be 2.7m.

Applicant: Miss Louise Gibbs & Mr Chirstopher Grainger

Officer: Astrid Fisher 292337

Prior approval not required on 07/04/15 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2015/00323

30 Barcombe Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating front rooflights and rear dormer.

Applicant: Mr Mark Barrowcliffe

Officer: Astrid Fisher 292337

Approved on 13/04/15 DELEGATED

QUEEN'S PARK

BH2014/02539

154 - 155 Edward Street Brighton

Erection of single storey extension to side, alterations to undercroft entrance, conversion of basement parking area to teaching facilities, replacement of roof plant and external alterations including replacement glazing.

Applicant: University of Brighton

Officer: Andrew Huntley 292321

Approved on 02/04/15 DELEGATED

1) BH01.01

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

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

2) UNI

Noise associated with hereby approved plant and machinery shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB 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 and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI

No plant or machinery shall be installed until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and / or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details and shall thereafter be retained as such thereafter.

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.

4) UNI

The metal screens shall not be installed until full details of the metal screening including 1:20 scale elevational drawings and 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 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.

5) UNI

The vehicle parking areas 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

Within six months of the commencement of development, the cycle parking facilities shown on the approved plans have been fully implemented and made available for use, unless otherwise agreed in writing. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

7) UNI

Within six months of the commencement of development details of disabled car parking provision for the occupants of, 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 within six months from the date of approval 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.

8) UNI

Within six months of the commencement of development hereby permitted, the redundant vehicle crossovers on Dorset Place (both the basement access and access to Dorset Place parking) shall be reinstated back to a footway by raising the existing kerb and footway in accordance with a specification that has been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton and Hove Local Plan.

9) 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	01.01		29.07.2014
Block Plan	01.02		29.07.2014
Proposed Ground Floor Plan	02.02		29.07.2014
Proposed East & North Elevations	04.01		29.07.2014
Proposed South & West Elevations	04.02		29.07.2014
Existing Ground Floor Plan	06.02		29.07.2014
Existing Roof Top Plan	06.06		29.07.2014
Existing Elevations East & North	06.07		29.07.2014

Existing Elevations South & West	06.08		29.07.2014
Existing Basement Plan	GPGE-A-GA-0 B-9001		13.11.2014

10) UNI

No plant rooms / plant shall be installed until full details of the plant rooms / plant including materials, elevational drawings, plans and 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 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.

BH2014/03873

105 St James Street Brighton

Installation of new shopfront incorporating new entrance door to flat above.

Applicant: Utilec Properties

Officer: Chris Swain 292178

Approved on 21/04/15 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 shopfront frame and doors hereby permitted shall be painted timber and retained as such thereafter.

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

3) UNI

Notwithstanding the submitted drawing 2345/01A there shall be a ramped access to provide a level threshold to both the upper floor flat and the ground floor unit and this shall be retained as such thereafter.

Reason: To ensure the satisfactory appearance of the development and to comply with policy QD10 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			18 November 2014
Existing and proposed elevations, plan and section and block plan.	2345/01	A	28 November 2014

BH2015/00067

Car Park Ardringly Street Brighton

Erection of three storey block containing 2no. two bedroom and 3no. one bedroom flats.

Applicant: Brighton and Hove City Council

Officer: Adrian Smith 290478

Approved on 13/04/15 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
Existing site plan and block plan	P_001	-	12/01/2015
Proposed site plan and block plan	P_002	A	16/03/2015
Proposed floor plans and roof plan	P_003	A	16/03/2015
	P_004	A	16/03/2015
	P_005	A	16/03/2015
	P_006	A	16/03/2015
	P_007	A	16/03/2015
Proposed elevations	P_008	B	16/03/2015
	P_009	A	16/03/2015
	P_010	A	16/03/2015
Proposed external works	P_011	A	16/03/2015

3) UNI

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

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

4) UNI

Other than the dedicated balcony areas detailed on the submitted plans, access to the flat roofs shall be for maintenance or emergency purposes only and the flat roofs 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 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.

6) UNI

No development shall take place until samples of the following materials 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:

- a) Samples of brick and wet render (including details of colour to be used)
- b) details of the proposed window and door treatments

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 & HE6 of the Brighton & Hove Local Plan.

7) 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.

8) UNI

No development above ground floor slab level shall take place until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

9) UNI

No development above ground floor slab level shall take place 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.

10) UNI

No development shall take place until a scheme setting out highway works to implement changes to the kerb line at the corner of Cavendish Street and Ardingly Street and at the corner of High Street and Ardingly Street which includes the provision of dropped kerbs and tactile paving and to reinstate the dropped kerb around the site to footway has been submitted to and approved in writing by the local planning authority. No part of the building hereby approved shall be occupied until the approved highway works have been carried out in accordance with the approved scheme.

Reason: To ensure that suitable footway provision is provided to and from the development and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.

11) UNI

No development shall commence until a scheme setting out the full details of the re-provision of the existing car parking spaces on the Ardingly car park, including the provision of 3 spaces for the Ardingly Court doctors surgery, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available prior to any works commencing on site.

Reason: To ensure that a suitable parking provision is provided for the operational needs of existing businesses and to comply with policies TR1 and QD27 of the Brighton & Hove Local Plan.

12) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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 CP8 of the submission City Plan Part One.

13) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development above ground floor slab level shall take place until 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 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 policies SU2 of the Brighton & Hove Local Plan and CP8 of the submission City Plan Part One

BH2015/00344

31-34 Marine Parade Brighton

Replacement of existing mansard roof with glass mansard roof to provide two floors of accommodation. Alterations to all elevations including replacement windows and changes to fenestration. New canopy, entrance doors and terrace doors to ground floor on South elevation and associated alterations.

Applicant: Legends Hotel Brighton Ltd

Officer: Adrian Smith 290478

Refused on 16/04/15 DELEGATED

1) UNI

Notwithstanding the inaccuracies within the submitted plans, the proposed roof extension, by virtue of its scale, form, material appearance and detailing including the loss of the existing chimneys stacks and mansard roof form, would represent a visually dominant, alien and incongruous addition to the host building that would be highly visible both long and short views and fail to suitably complement or preserve the traditional form and roofscape of the surrounding streetscene and East Cliff Conservation Area, contrary to policies QD2, QD14 & HE6 of the Brighton & Hove Local Plan, the guidance contained in SPD09 and SPD12 and the statutory requirements set out in paragraph 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI2

Notwithstanding the inaccuracies within the submitted plans, the proposed external alterations to the detailing, fenestration and front canopy structure, including the replacement of existing timber sash windows with larger metal windows, would result in the harmful erosion of historic detailing to the detriment of the appearance of the building and surrounding streetscene and East Cliff Conservation Area, contrary to policies QD2, QD14 & HE6 of the Brighton & Hove Local Plan, the guidance contained in SPD09 and SPD12 and the statutory requirements set out in paragraph 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3) UNI3

Notwithstanding the inaccuracies within the submitted plans, the proposed development, by virtue of the scale, form, material appearance and detailing of the roof extension and the erosion of traditional detailing to the elevations, would fail to suitably preserve the setting of the adjacent Grade II listed buildings, contrary to policies HE1 & HE3 of the Brighton & Hove Local Plan, the guidance contained in SPD09 and SPD12, and the statutory requirements set out in paragraph 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4) UNI4

The proposed roof extension, by virtue of its scale and extent of unrelieved glazing, would result in significant overlooking of adjacent properties to the east and west, contrary to policy QD27 of the Brighton & Hove Local plan.

BH2015/00373

Lower Ground Floor 56A Marine Parade Brighton

Prior approval for change of use from office (B1) to residential (C3) to form 1no studio flat.

Applicant: St Mary's Properties (BTN) Ltd

Officer: Andrew Huntley 292321

Prior Approval is required and is refused on 02/04/15 DELEGATED

1) UNI

The development would not be permitted under the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 3, Class J). The development has commenced before the giving of written notice by the Local Planning Authority stating that either prior is not required (a) or that prior approval has been granted (b), the expiry of 56 days following the date on which the application was received by the local planning authority without the authority notifying the applicant as to whether prior approval is given or refused (c).

2) UNI2

Notwithstanding the above reason for refusal, 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 ("the 1995 Order") and the application is refused pursuant to paragraph N. (2A) of the aforesaid Part 3.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Site Location Plan			05.02.2015
Lease Plan			05.02.2015

BH2015/00429

19 Windmill Street Brighton

Certificate of lawfulness for proposed loft conversion incorporating creation of rear dormer and installation of 3no rooflights to front.

Applicant: Mrs Helen Trendel

Officer: Haydon Richardson 292322

Approved on 07/04/15 DELEGATED

BH2015/00541

2 Royal Crescent Brighton

Application for approval of details reserved by condition 2 of application BH2014/02859.

Applicant: Mr Peter Greenhalgh

Officer: Adrian Smith 290478

Approved on 13/04/15 DELEGATED

BH2015/00579

2 Royal Crescent Brighton

Application for approval of details reserved by condition 2 of application BH2014/02858.

Applicant: Mr Peter Greenhalgh

Officer: Adrian Smith 290478

Approved on 13/04/15 DELEGATED

BH2015/00582

1 St Lukes Terrace Brighton

Certificate of Lawfulness for proposed loft conversion incorporating dormer to rear elevation.

Applicant: Mr Simon Charleton

Officer: Haydon Richardson 292322

Approved on 21/04/15 DELEGATED

BH2015/00645

10 Freshfield Place Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.2m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 2.6m.

Applicant: Mr & Mrs D Curtayne

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 07/04/15 DELEGATED

ROTTINGDEAN COASTAL

BH2014/03302

7 Dean Court Road Rottingdean Brighton

Demolition of existing garage and erection of new three bay garage.

Applicant: Mr N Kermode

Officer: Joanne Doyle 292198

Approved on 22/04/15 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 above ground floor slab level of any part of the development hereby permitted shall take place until samples of the brick and tile materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until a sample panel of flintwork has been constructed on the site and approved in writing by the Local Planning Authority. The flintwork comprised within the development shall be carried out and completed to match the approved sample flint panel.

Reason: To ensure a satisfactory appearance to the development and to comply

with policy HE6 of the Brighton & Hove Local Plan.

4) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until there has been submitted to and approved in writing by the Local Planning Authority a planting scheme to screen the garage.

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

5) UNI

No development above ground floor slab level of any part of the development hereby permitted shall take place until until large scale details of all architectural details including doors, windows (and sills) and eaves have been submitted to and approved in writing by the Local Planning Authority.

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

6) UNI

No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework

7) UNI

The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [1] and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework

8) 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 & Block Plan	Ker01C		16 Mar 2015
Existing Site Plan	Ker05B		16 Mar 2015
Existing Site Plan Elevation & Roof Plan	Ker06C		16 Mar 2015
Proposed Site Plan	Ker10F		16 Mar 2015
Proposed Ground Plan Elevation & Roof Plan	Ker12J		16 Mar 2015
Existing & Proposed Section			
Streetscene	Ker16B		16 Mar 2015

9) UNI

The rooflights hereby approved to the garage roofslope 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.

BH2014/03365

53 Roedean Crescent Brighton

Remodelling of existing dwelling including partial demolition of side of property, creation of new garage and replacement of existing railing with glass balustrading to front. Creation of rear dormer, installation of 2no rooflights to front, revised fenestration and associated works. Erection of a detached two storey four bedroom dwelling house to land to side of existing dwelling.

Applicant: Mr Kevin Massey

Officer: Guy Everest 293334

Approved on 07/04/15 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 new-build residential 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 and Hove Local Plan.

3) UNI

No new-build residential development shall take place until details demonstrating that the new dwelling will be constructed to Lifetime Homes standards 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 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

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.

5) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no new-build 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 4 has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton &

Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

6) UNI

The development shall be carried out in accordance with the details outlined within the Thames Valley Archaeological Services written scheme of investigation dated 13th March 2015. The new-build dwellinghouse hereby approved shall not be occupied until the post investigation assessment has been submitted to and approved in writing with the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan

7) 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 & Block Plan	1030.01		07/10/2014
Existing Site Elevation	1030.02	a	07/10/2014
Existing Site Plan	1030.03		07/10/2014
Existing Ground Floor Plan	1030.04	a	07/10/2014
Existing First Floor Plan	1030.05	a	07/10/2014
Existing Attic Floor Plan	1030.06	a	07/10/2014
Existing Roof Plan	1030.07	a	07/10/2014
Existing Sections	1030.08	a	07/10/2014
Existing Elevations 1	1030.09	a	07/10/2014
Existing Elevations 2	1030.10	a	07/10/2014
Proposed Site Plan	1030.11	d	07/10/2014
Proposed Basement Floor Plan	1030.12	d	07/10/2014
Proposed Ground Floor Plan	1030.13	d	07/10/2014
Proposed First & Second Floor Plan	1030.14	d	07/10/2014
Proposed Roof Plan	1030.15	d	07/10/2014
Proposed Section A-A	1030.16	d	07/10/2014
Proposed Section B-B & C-C	1030.17	d	07/10/2014
Proposed South Elevations	1030.18	d	07/10/2014
Proposed North & East Elevations	1030.19	d	07/10/2014
Proposed West Elevation	1030.20	d	07/10/2014
Proposed Ground Floor Plan	1030.22	b	07/10/2014
Proposed First Floor & Second Floor Plan	1030.23	b	07/10/2014
Proposed Roof Plan	1030.24	b	07/10/2014
Proposed Sections	1030.25	b	07/10/2014
Proposed Elevations	1030.26	b	07/10/2014

8) 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.

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

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

11) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new-build dwellinghouse hereby approved shall not be occupied until a Final / Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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.

BH2014/03620

1 Eley Crescent Rottingdean Brighton

Erection of single storey rear and side extension.

Applicant: Timothy Chetwynd-Stapylton

Officer: Joanne Doyle 292198

Approved on 07/04/15 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			10 Nov 2014
Block Plan			10 Nov 2014
Existing Elevations	EC1		10 Nov 2014
Existing Floor Plans	EC2		10 Nov 2014
Proposed Elevations	EC3R		10 Nov 2014
Proposed Floor Plans	EC4R		10 Nov 2014
Existing & Proposed Roof Plan	EC5R		10 Nov 2014
Site Impact Plan	EC6		10 Nov 2014

BH2014/03949

5 The Cliff Brighton

Erection of rear extension to ground and first floor, front porch extension with new steps and front boundary wall. Roof extension with side rooflights and window to rear gable end and Juliet balcony to first floor front elevation.

Applicant: Mr & Mrs Brown

Officer: Mark Thomas 292336

Approved on 17/04/15 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 first floor window to the western (side) elevation of the extension hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed to the side facing 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	-	-	24th November 2014

Existing side elevations and ground floor plan	214/487/1	-	24th 2014	November
Block plan and existing first floor and roof plans	214/487/2	-	24th 2014	November
Existing elevations	214/487/3	-	24th 2014	November
Proposed side elevation and ground floor plan	214/487/4	-	24th 2014	November
Proposed floor plans and roof plan	214/487/5	-	24th 2014	November
Proposed elevations	214/487/6	-	24th 2014	November

5) 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 policy QD14 of the Brighton & Hove Local Plan.

BH2015/00169

5-8 West Street Rottingdean Brighton

Application for variation of condition 5 of application BH2005/06332 (Amendment to approved permission BH2004/02617/FP (reduction in floor area). Part single storey, part two storey retail unit) to state that the premises shall not be open for customers or in use except between the hours of 06:00 and 23:00.

Applicant: Tesco Stores Ltd

Officer: Chris Swain 292178

Refused on 13/04/15 COMMITTEE

1) UNI

The proposed variation to extend the morning opening hours would have a detrimental impact on the amenities of adjoining residents by reason of increased noise and disturbance. The proposal is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2015/00290

15 Ovingdean Close Brighton

Roof alterations incorporating dormers to front, side and rear and rooflight to side. Integral garage increased in height and converted into habitable accommodation with associated alterations.

Applicant: Mr Frank Mendoza

Officer: Christopher Wright 292097

Refused on 02/04/15 DELEGATED

1) UNI

The proposed roof extensions would, by reason of their size, design, positioning and scale, significantly alter the form of the existing roof, and would have a bulky and dominant appearance that would detract from the character of the recipient property and have an incongruous and harmful visual impact on the street scene. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12: Design Guidance of Extensions and Alterations.

BH2015/00339

11 Ashdown Avenue Saltdean Brighton

Erection of single storey side extension, infill of two first floor balconies and alterations including changes to fenestration.

Applicant: Mr Steve Oliver
Officer: Robert Hermitage 290480

Approved on 13/04/15 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 first floor corner window hereby permitted in the rear (west) and south side elevations shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

3) 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	238.100	-	3rd February 2015
Existing Lower and Ground Floor Plans	238.01	-	3rd February 2015
Existing First Floor and Roof Plans	238.02	-	3rd February 2015
Existing Elevations	238.03	-	3rd February 2015
Existing Elevation and Sections a.a & b.b	238.04	-	3rd February 2015
Proposed Lower and Ground Floor Plan	238.05	B	3rd February 2015
Proposed First Floor and Roof Plan	238.06	A	3rd February 2015
Proposed Elevations	238.07	B	3rd February 2015
Proposed Elevation and Sections a.a & b.b	238.08	B	3rd February 2015

BH2015/00441

12 Arlington Gardens Saltdean Brighton

Erection of a single storey rear and side extension, creation of raised timber deck to front and associated works.

Applicant: Mr & Mrs J Rowe

Officer: Andrew Huntley 292321

Refused on 16/04/15 DELEGATED

1) UNI

The proposed addition, by virtue of design, size, depth, width, form and massing would result in a visually discordant and bulky addition to the property, which is unsympathetic to the design of the existing modest bungalow. The proposal would significantly alter the character and appearance of the host building and would overwhelm the existing dwelling with unsympathetic additions. As such, the proposal would harm the character and appearance of the existing building and the wider area contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and

Alterations.

BH2015/00457

49 Wivelsfield Road Saltdean Brighton

Erection of hip to barn end roof extension, dormer with balcony to rear and dormer and rooflights to front. Widening of existing vehicular crossover.

Applicant: Liane Kirkcaldy

Officer: Robert Hermitage 290480

Approved on 08/04/15 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
Proposed Rear Dormer, Balcony & Extended Crossover	599/02	A	11th February 2015
Existing Layout	599/03	-	11th February 2015
Existing Layout	599/04	-	11th February 2015

BH2015/00504

131 Saltdean Vale Saltdean Brighton

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension, dormer to rear and front rooflights with alterations to fenestration to side and rear elevations.

Applicant: Jayne Houghton

Officer: Luke Austin 294495

Approved on 13/04/15 DELEGATED

BH2015/00520

Ground Floor Flat 4 Park Road Rottingdean Brighton

Removal of existing brick steps and wooden structure and erection of a single storey extension to rear, with associated works.

Applicant: Ms Sandra Payne & Mr Richard Deal

Officer: Chris Swain 292178

Approved on 20/04/15 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

The hereby permitted window to the existing rear elevation of the main building serving the kitchen and the rear window within the extension serving the shower room 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.

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			13 February 2015
Block plan	MCA/Park Road/001		13 February 2015
Existing and proposed plans and elevations	MCA/Park Road/001		13 February 2015

BH2015/00528

9 Coombe Rise Saltdean Brighton

Erection of single storey detached studio in rear garden with retention of existing raised decking and handrail.

Applicant: Mrs Eva Weaver

Officer: Allison Palmer 290493

Approved on 15/04/15 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 or other operations shall commence on site in connection with the development hereby approved (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 Arboriculture Method Statement for protection of the Sycamore has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement.

Reason: To ensure the adequate protection of 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.

3) UNI

No development or other operations shall commence on site in connection with the development hereby approved until a detailed Construction Specification/Method Statement for foundation design has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the

long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.

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

4) UNI

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	9CO-100	A	16/03/2015
Existing site plan & site location	9CO-102		17/02/2015
Proposed site plan & site location	9CO-102	B	16/03/2015
Proposed side elevations	9CO-103	B	16/03/2015
Proposed plan & elevations	9CO-104	B	16/03/2015
Log cabin	WM		17/02/2015

5) UNI

The extension hereby permitted shall be used solely as ancillary accommodation in connection with the enjoyment of the main property as a single dwellinghouse and it shall at no time be converted or sold as a self-contained unit.

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

BH2015/00593

136 Longhill Road Brighton

Conversion of detached garage to form annex with alterations including roof extension, side dormer and rooflights with associated external works.

Applicant: Mr Derek Herriott

Officer: Robert Hermitage 290480

Refused on 21/04/15 DELEGATED

1) UNI

The proposed dormer, by virtue of its excessive scale and cladding, represents an excessively dominant and incongruous addition that would unbalance the roof of the building, contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

BH2015/00669

Land to Rear of 23 Falmer Road Rottingdean Brighton

Application For Approval of Details Reserved by Condition 1 of application BH2014/00723 (approved on appeal Ref APPQ1445/A/14/2228097).

Applicant: Mr Stuart Macrorie

Officer: Wayne Nee 292132

Approved on 21/04/15 DELEGATED

WOODINGDEAN

BH2015/00486

84 Cowley Drive Brighton

Certificate of lawfulness for proposed demolition of existing conservatory and erection of single storey rear extension.

Applicant: Mr Andrew Gatt

Officer: Astrid Fisher 292337

Refused on 15/04/15 DELEGATED

BRUNSWICK AND ADELAIDE

BH2014/03536

30 Waterloo Street Hove

Erection of sun room on top of existing raised decking with timber supports to rear elevation.

Applicant: Field House Hotels

Officer: Chris Swain 292178

Refused on 16/04/15 DELEGATED

1) UNI

The proposal, by reason of its design, siting, detailing and materials, would result in an unsympathetic and visually harmful addition which would harm the historic character and appearance of the Grade II Listed Building, and would fail to preserve or enhance the character or appearance of the Brunswick Town Conservation Area. The proposal is therefore contrary to policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2) UNI2

The proposal, by reason of its height, scale, design and close proximity to the shared boundary would result in an unneighbourly form of development to the adjoining property, 31 Waterloo Street, resulting in an overbearing and visually dominant impact and a harmful loss of light and outlook. The presence of glazing to the northern (side) elevation would also result in harmful overlooking and loss of privacy for occupants of 29 Waterloo Street. The proposal would therefore result in significant harm to amenity for occupants of adjoining properties and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2015/00304

68A Lansdowne Place Hove

Internal alterations to layout of flat.

Applicant: Mr Christopher Webster

Officer: Robert Hermitage 290480

Approved on 02/04/15 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 external finishes of the works hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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

BH2015/00438

Flat 5 16 Salisbury Road Hove

Insertion of 2no rooflights to front.

Applicant: Mr Paul Bullivant

Officer: Haydon Richardson 292322

Approved on 14/04/15 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 materials of the proposed development; 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.

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	1105/01		10/2/15
Site Plan	1105/02		10/2/15
Existing floor and elevation plans	1105/03		10/2/15
Proposed roof and floor plans	1105/04		10/2/15

BH2015/00451

Flat 3 16 Palmeira Avenue Hove

Conversion of existing second floor flat into 1no self contained one bedroom flat and 1no self contained two bedroom flat, with installation of rooflight to flat roof.

Applicant: Mr Martin Heath

Officer: Chris Swain 292178

Refused on 08/04/15 DELEGATED

1) UNI

Policy HO9 of the Brighton & Hove Local Plan states that planning permission will be granted for the conversion of dwellings into smaller units of self-contained accommodation when the original floor area of the unit is greater than 115 square metres or the unit has more than 3 bedrooms as originally built. The policy also states at least one unit of accommodation provided should be suitable for family accommodation and has a minimum of two bedrooms. The floor area of the existing flat is less than 115 square metres and the flat does not have more than 3 bedrooms as originally built. Additionally, the proposed two bedroom flat would have an overly cramped layout and is not considered suitable for family accommodation. The scheme is therefore contrary to the above policy and results in the loss of a unit of accommodation which is suitable for smaller households.

2) UNI2

The proposed two bedroom unit (Flat 3A), by virtue of the low levels of natural light and a lack of outlook to the internal room that serves as the kitchen / living room would result in unacceptably poor living conditions for future occupiers and a substandard form of residential accommodation. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00485

Flat 2 29 Brunswick Terrace Hove

Application for approval of details reserved by condition 1 of application BH2014/03439.

Applicant: Stephen McNee

Officer: Haydon Richardson 292322

Approved on 20/04/15 DELEGATED

BH2015/00488

30 Brunswick Square Hove

Removal of existing East hopperhead and downpipe and replacement with cast iron hopperhead and downpipe.

Applicant: Pepper Fox

Officer: Helen Hobbs 293335

Approved on 10/04/15 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 cornice shall be made good in matching masonry, bonded in lime based mortar, rendered in a traditional lime based stucco to matching profiles in crisp, straight runs and decorated to match.

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

3) UNI

The pipework and hopperhead shown on the approved plans shall be painted to match the wall colour 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.

4) UNI

No works shall take place until full details of the hopperhead and downpipe, including 1:2 scale elevational drawings and 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 and to comply with policy HE1 of the Brighton & Hove Local Plan.

CENTRAL HOVE

BH2014/04159

Toad Hall 9 Wilbury Road Hove

Removal of existing rear staircase, alteration to rear fenestration at ground floor and basement level, creation of new access to rear garden and alterations to rear paving.

Applicant: F Lavaux

Officer: Andrew Huntley 292321

Approved on 16/04/15 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 reinstated brickwork and new render 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 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 Location Plan			10.12.2014
Proposed Alterations	2348/01		22.12.2014

BH2015/00094

Flat 2 54-55 Ventnor Villas Hove

Replacement of two existing rear Crittal windows with timber framed single glazed windows.

Applicant: Ms Ismet Rasul

Officer: Robert Hermitage 290480

Approved on 02/04/15 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 full details of all new windows and their reveals and cills including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The windows shall be single glazed painted timber. The works shall be carried out and completed fully in accordance with the approved details 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
Site Plan	-	-	3rd February 2015
Block Plan	-	-	13th January 2015
Photographs of Existing Windows	-	-	13th January 2015
Photographs of Existing Windows	-	-	3rd February 2015
Existing Side Window	-	-	13th January 2015
Existing Bay Window	-	-	13th January 2015
Proposed Side Window	-	-	3rd February 2015
Proposed Bay Window	-	-	3rd February 2015

BH2015/00346**26 Tisbury Road Hove**

Conversion of existing first and second floor two bedroom flats to form 4no one bedroom flats.

Applicant: Mr Tim Brown

Officer: Chris Swain 292178

Refused on 14/04/15 DELEGATED

1) UNI

Policy HO9 of the Brighton & Hove Local Plan states that planning permission will be granted for the conversion of dwellings into smaller units of self-contained accommodation when the original floor area of the unit is greater than 115 square metres or the unit has more than 3 bedrooms as originally built. The policy also states that at least one unit of accommodation should be suitable for family accommodation with a minimum of two bedrooms. The floor area of the existing flats are less than 115 square metres and do not have more than 3 bedrooms as originally built. The scheme is therefore contrary to the above policy and would result in the loss of accommodation suitable for smaller households.

2) UNI2

The proposed four, one bedroom flats by virtue of their limited size would create cramped accommodation and provide a substandard form of residential accommodation for future occupiers. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00404**Flat 51 4 Grand Avenue Hove**

Replacement of existing single glazed Crittall framed windows and doors with double glazed Crittall units.

Applicant: Mr & Mrs Kevin Murray

Officer: Haydon Richardson 292322

Approved on 02/04/15 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 replacement windows shall exactly match the glazing pattern of the existing windows, including the profiles of the metal frames and any projecting elements.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies 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 Plan	1062015/01		5/2/15
Existing balcony Doors	1062015/06		5/2/15
Existing balcony doors	1062015/07		5/2/15
Proposed Balcony doors	1062015/08		5/2/15
Existing bedroom windows 1&2 (south/west elevation)	1062015/04		5/2/15
Proposed bedroom windows 1&2 (south/west elevation)	1062015/05		5/2/15

Proposed window sections (south/west elevations)	1062015/10		5/2/15
Proposed door/ window sections (south/ west facing elevation)	1062015/09		5/2/15
Existing Kitchen and Bathroom windows (south facing elevation)	1062015/02		5/2/15
Proposed Kitchen and Bathroom windows (South facing elevation)	1062015/02a	A	30/3/15

BH2015/00405

Flat 51 4 Grand Avenue Hove

Replacement of existing single framed glazed Crittal windows and doors with double glazed Crittal framed units.

Applicant: Mr & Mrs Kevin Murray

Officer: Haydon Richardson 292322

Approved on 02/04/15 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 replacement windows shall exactly match the glazing pattern of the existing windows, including the profiles of the metal frames and any projecting elements.

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

BH2015/00406

Flat 51 4 Grand Avenue Hove

Installation of glass panelling behind existing balcony railings to front and side elevations.

Applicant: Mr & Mrs Kevin Murray

Officer: Haydon Richardson 292322

Approved on 02/04/15 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 and Block Plan	1072015/01		5/2/15
Existing Balcony Plan	1072015/02		5/2/15
Proposed Balcony Plan	1072015/03		5/2/15

BH2015/00407**Flat 51 4 Grand Avenue Hove**

Installation of glass panelling behind existing balcony railings to front and side elevations.

Applicant: Mr & Mrs Kevin Murray

Officer: Haydon Richardson 292322

Approved on 02/04/15 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.

BH2015/00465**1 Sussex Road Hove**

Certificate of lawfulness for existing alterations incorporating installation of UPVC windows and doors at side and rear basement level, replacement roof covering and rear alterations including 2no rooflights.

Applicant: Mr John Whelan

Officer: Mark Thomas 292336

Approved on 09/04/15 DELEGATED

BH2015/00517**Flat 8 Ascot House 18-20 Third Avenue Hove**

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

Applicant: Dr Sergei Korneev

Officer: Luke Austin 294495

Approved on 14/04/15 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	14002-100	-	16/02/2015
Contextual Elevational Photographs	14002-200	-	16/02/2015
Existing and Proposed Window 1	14002-201	-	16/02/2015
Existing and Proposed Window 2	14002-202	-	16/02/2015
Existing and Proposed Window 3	14002-203	-	16/02/2015
Existing and Proposed Window 4	14002-204	-	16/02/2015
Proposed Detail A - Typical Cill	14002-300	-	16/02/2015
Proposed Detail B - Typical	14002-301	-	16/02/2015

Head and Jam			
Proposed Detail C - Typical Mullions and Transoms	14002-302	-	16/02/2015
Mullion/Transom Existing, Proposed and Concept Design Details	14002-900-SK	-	30/05/2015

BH2015/00612

41 Vallance Gardens Hove

Partial conversion of existing garage into habitable space, erection of single storey rear extension, extension to first floor above garage and other associated alterations.

Applicant: Mr & Mrs James Verguson

Officer: Mark Thomas 292336

Refused on 22/04/15 DELEGATED

1) UNI

The proposed development, by virtue of its bulk, scale, height, positioning and form would appear as a bulky and contrived addition, failing to respect the form, hierarchy and building lines of the recipient property, the open nature of the rear garden or the visual break between the application property and those to the south on Vallance Gardens. The resultant extension would lack a suitable subservience, representing an overextension of the application property and an overdevelopment of this site. As such, the proposed development would be contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and SPD12: Design guide for extensions and alterations.

2) UNI2

The proposed development, by virtue of its bulk, scale, height, form, positioning and proximity to the shared boundary with no. 14 Vallance Road would represent an overbearing impact on occupiers of this neighbouring property as well as those at no. 43 Vallance Gardens. Occupiers of these neighbouring properties would suffer significant loss of amenity in terms of overshadowing, loss of outlook, increased sense of enclosure and increase overlooking and loss of privacy. As such, the proposed development would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2015/00629

48 Blatchington Road Hove

Application for approval of details reserved by conditions 9 and 10 of application BH2014/00902.

Applicant: Amli Ltd

Officer: Christopher Wright 292097

Refused on 20/04/15 DELEGATED

1) UNI

1. The details submitted do not meet the requirements of condition 9 because 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 have not been provided. As such the proposals do not meet the requirements of policies TR1 and TR19 of the Brighton & Hove Local Plan.

2) UNI2

2. The details submitted in relation to condition 10 are not acceptable because an insufficient number of cycle parking spaces is proposed and due to the location near the bin/recycling store, and narrow proportions of the room, the facilities would not be convenient to use. As such the proposals do not meet the requirements of policy TR14 of the Brighton & Hove Local Plan.

GOLDSMID

BH2014/04359

84-86 Denmark Villas Hove

Replacement of existing single glazed metal windows and door with double glazed aluminium windows and door following prior approval application BH2014/01042 for change of use at first, second and third floor levels from offices (B1) to residential (C3) to form 15no flats.

Applicant: The Baron Homes Corporation

Officer: Andrew Huntley 292321

Approved on 15/04/15 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 and doors shall comprise aluminium frames in a white colour 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 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	140211B/LP1		24.12.2014
Existing & Proposed Front Elevations	140211/Win/F		24.12.2014
Existing & Proposed Rear Elevations	140211/Win/R		24.12.2014
Existing & Proposed Side (North) Elevations	140211/Win/N		24.12.2014
Existing & Proposed Side (South) Elevations	140211/Win/S		24.12.2014
Window Sections	58BW ST		18.03.2015
Window Details			18.03.2015

BH2015/00222

Kings Gate 111 The Drive Hove

Application for Approval of Details Reserved by Condition 4 of application BH2014/00075.

Applicant: Anstone Properties Ltd

Officer: Christopher Wright 292097

Approved on 13/04/15 DELEGATED

BH2015/00256

29 Goldstone Villas Hove

Roof alterations including dormers to front, side and rear elevations.

Applicant: Mr & Mrs J Brown

Officer: Luke Austin 294495

Refused on 02/04/15 DELEGATED

1) UNI

The proposed dormers by way of their height, width and depth would add excessive bulk to the host building, would detract from the original roof form and would unbalance the semi-detached pair. The proposal is therefore contrary to The Brighton and Hove Local Plan Policy QD14, HE6 and the guidance within SPD12 Design Guide for Extensions and alterations.

BH2015/00328

Flat C 10 Denmark Villas Hove

Replacement of rear window to provide access to new decked area with glass balustrade and steps.

Applicant: Ms Emily Wadman

Officer: Mark Thomas 292336

Refused on 17/04/15 DELEGATED

1) UNI

The loss of a traditional sliding sash window and its replacement with a door has not been demonstrated in itself not to significantly detract from the character and appearance of the recipient property due to a lack of detail within the submission. Nonetheless, it is considered that the proposed door would appear incongruous when in use. The proposed raised platform and balustrade would add unwelcome visual clutter to the rear elevation, and represents an inappropriately designed addition comprising inappropriate materials. Furthermore, they would detract from the symmetry of the rear bay. For these reasons, the proposed development would be contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2015/00354

27 Coniston Court Holland Road Hove

Replacement of existing timber windows and door with UPVC units.

Applicant: Mr Derek Bredenkamp

Officer: Luke Austin 294495

Approved on 09/04/15 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	-	-	04/02/2015
Floor Plan	-	-	12/02/2015
Photographs of Existing Windows	-	-	12/02/2015
Product Survey	-	-	12/02/2015
Technical Survey	-	-	04/02/2015

BH2015/00418

Microscape House Hove Park Villas Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 7no flats.

Applicant: FR Properties

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 08/04/15 DELEGATED

BH2015/00447

Flat 1 60 The Drive Hove

Application for Approval of Details Reserved by Conditions 3, 4 and 5 of application BH2014/03211.

Applicant: Mr Trevor Roberts

Officer: Helen Hobbs 293335

Approved on 16/04/15 DELEGATED

BH2015/00448

Flat 1 60 The Drive Hove

Application for approval of details reserved by condition 2 of application BH2014/03212.

Applicant: Mr Trevor Roberts

Officer: Helen Hobbs 293335

Approved on 16/04/15 DELEGATED

BH2015/00565

34 Wilbury Crescent Hove

Erection of single storey rear extension.

Applicant: Mr Nigel Stock

Officer: Luke Austin 294495

Approved on 17/04/15 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 Plan and Block Plan	CH660/001	-	19/02/2015
Existing Plans	CH660/002	-	19/02/2015
Proposed Plans	CH660/005	-	19/02/2015
Existing Sections	CH660/004	-	19/02/2015
Proposed Elevations	CH660/006	-	19/02/2015
Proposed Sections	CH660/007	-	19/02/2015

BH2015/00566

34 Wilbury Crescent Hove

Certificate of lawfulness for proposed rear dormer and three front rooflights.

Applicant: Mr Nigel Stock

Officer: Luke Austin 294495

Approved on 17/04/15 DELEGATED

BH2015/00700

54 Livingstone Road Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 2no flats.

Applicant: SMS

Officer: Liz Arnold 291709

Prior Approval is required and is approved on 22/04/15 DELEGATED

BH2015/00815

Garages at rear of 90 Cromwell Road Hove

Non Material Amendment to BH2008/02452 to change proposed rendered areas at first floor to tile hanging. Change ground floor garage to brickwork and change two brick piers (enclosing steelwork) to become GRP column encasement.

Applicant: Mr Bill Tozer

Officer: Adrian Smith 290478

Approved on 17/04/15 DELEGATED

HANGLETON & KNOLL

BH2014/04103

72 Hangleton Road Hove

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr & Mrs Brasington

Officer: Guy Everest 293334

Approved on 17/04/15 DELEGATED

BH2015/00690

8 Meadway Crescent Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.8m.

Applicant: Mr John Harrington

Officer: Luke Austin 294495

Prior approval not required on 10/04/15 DELEGATED

BH2015/00753

82 Hangleton 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 4.2m, for which the maximum height would be 4m, and for which the height of the eaves would be 3m.

Applicant: Luke Fisher

Officer: Luke Austin 294495

Prior approval not required on 13/04/15 DELEGATED

NORTH PORTSLADE

BH2015/00420

15 Broomfield Drive Portslade

Certificate of Lawfulness for proposed single storey rear extension and loft conversion incorporating installation of 2no front rooflights and rear dormer.

Applicant: Mr Philip Bacon

Officer: Astrid Fisher 292337

Approved on 02/04/15 DELEGATED

BH2015/00812

5 Langridge Drive Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.1m, for which the maximum height would be 3.6m and for which the height of the eaves would be 2.3m.

Applicant: Mrs Sarah Elshafie

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 20/04/15 DELEGATED

SOUTH PORTSLADE

BH2014/04366

48 Fairway Crescent Portslade

Certificate of lawfulness for proposed erection of garage to rear to replace existing.

Applicant: Mr Martin Tilbury

Officer: Haydon Richardson 292322

Approved on 17/04/15 DELEGATED

BH2015/00324

7 Mill Lane Portslade

Erection of a single storey rear extension.

Applicant: Mr & Mrs Magauran

Officer: Luke Austin 294495

Refused on 02/04/15 DELEGATED

1) UNI

The width and length of projection would create an unduly prominent extension. In this respect the scale and uncompromising form of the proposed extension would be an excessively dominant feature resulting in the recipient property having an over extended appearance detracting from the character and appearance of the dwelling. The proposal is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

2) UNI2

The proposed extension would, by reason of excessive depth and height along the shared boundary, be unneighbourly and would result in a loss of light and an overbearing effect to the adjoining property, no. 9 Mill Lane. The proposal is therefore contrary to policy Q27 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2015/00408

57 Gladstone Road Portslade

Creation of vehicular crossover, dropped kerb and hardstanding.

Applicant: Mr Owen Lewis

Officer: Luke Austin 294495

Approved on 20/04/15 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/Block Plans	-	-	23/02/2015
Existing Plans	-	-	23/02/2015
Proposed Plans	-	-	23/02/2015

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.

BH2015/00472

86 Foredown Drive Portslade

Erection of single storey rear extension.

Applicant: Mr Olsi Kraja

Officer: Luke Austin 294495

Refused on 21/04/15 DELEGATED

1) UNI

The proposed extension, by virtue of its depth, would result in an excessively scaled and overdominant addition that would relate unsympathetically to the host building and the visual amenity of the area, contrary to policy QD14 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

2) UNI2

The proposed extension, by virtue of its scale and depth on the boundary, would have an overbearing effect on the amenities of the neighbouring property at no. 88, contrary to policy QD27 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2015/00477

109 Victoria Road Portslade

Change of use from hair salon (A1) to sports injury clinic (D1).

Applicant: Miss Lucy Meakin

Officer: Christopher Wright 292097

Refused on 20/04/15 DELEGATED

1) UNI

The proposed change of use is not acceptable in principle because the applicant has not adequately demonstrated that an A1 retail use is no longer economically viable. As such the proposal is contrary to the requirements of policy SR8 of the Brighton & Hove Local Plan.

BH2015/00730

20 Fairfield Gardens Portslade

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 3.25m, and for which the height of the eaves would be 2.75m.

Applicant: Dave Mills

Officer: Astrid Fisher 292337
Prior approval not required on 10/04/15 DELEGATED

HOVE PARK

BH2014/03689

55 Tongdean Avenue Hove

Erection of single storey extension to front and side.

Applicant: Mr D Jackson

Officer: Helen Hobbs 293335

Approved on 07/04/15 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 hedge located on the Eastern boundary shall be pruned to BS3998 (2008) - Tree Pruning Operations standard.

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.

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, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed [in the western elevation of the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

4) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for the planting of replacement trees not less than one in number, of a size and species similar to the existing Walnut Tree at the site. The planting of the replacement trees shall be carried out in the first planting season following commencement of the development, and any tree which within a 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size and species.

Reason: To ensure appropriate and satisfactory replacement of trees on the site in the interest of visual amenities of the area and to comply with policies QD16 and HE6 of the Brighton and 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
Site Plan			3rd November 2014
Block Plan			3rd November 2014

Existing Plan	01/1409599		3rd 2014	November
Proposed plan	02/1409599		3rd 2014	November
Proposed roof plan	04/1409599		3rd 2014	November
Proposed plan	05/1409599		3rd 2014	November
Existing elevation	06/1409599		3rd 2014	November
Proposed elevation	07/1409599		3rd 2014	November
Existing elevation	08/1409599		3rd 2014	November
Proposed section	09/1409599		3rd 2014	November
Proposed elevation	10/1409599		3rd 2014	November

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

BH2014/04053

29 Gannet House Goldstone Crescent Hove

Replacement of existing single glazed aluminum windows with UPVC double glazed windows.

Applicant: Millydale Ltd

Officer: Mark Thomas 292336

Refused on 17/04/15 DELEGATED

1) UNI

The proposed replacement windows, by virtue of their uncharacteristic material and subsequent frame bulk, and their non-original method of opening would significantly harm the character and appearance of the recipient property contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12: Design guide for extensions and alterations.

BH2014/04195

46 Woodland Avenue Hove

Demolition of existing garage and erection of two storey extension to side.

Applicant: Mr Knight

Officer: Joanne Doyle 292198

Approved on 16/04/15 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 policy QD14 of the Brighton

& Hove Local Plan.

3) UNI

The ground and first floor windows in the southern elevation of the development hereby permitted shall be obscure glazed and shall thereafter be permanently retained as such.

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

4) 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 & Block Plan	233.100		12 Dec 2014
Existing Floor Plans	233.01		12 Dec 2014
Existing Loft & Roof Plans	233.02		12 Dec 2014
Existing Elevations	233.03		12 Dec 2014
Existing Sections	233.04		12 Dec 2014
Proposed Floor Plans	233.09a		12 Dec 2014
Proposed Loft & Roof Plans	233.10a		12 Dec 2014
Proposed Elevations	233.11a		12 Dec 2014
Proposed Sections	233.12a		12 Dec 2014

BH2014/04255

Flamingo 4 Hill Brow Hove

Application for Approval of Details Reserved by Conditions 10, 11, 12, 13, 14, 15, 16 and 17 of application BH2013/04293.

Applicant: Sigma Homes Limited

Officer: Liz Arnold 291709

Approved on 14/04/15 DELEGATED

BH2015/00664

64 Amherst Crescent Hove

Certificate of lawfulness for proposed loft conversion incorporating hip to gable extension, front rooflights, side window and rear dormer.

Applicant: Mr & Mrs Stokes

Officer: Astrid Fisher 292337

Approved on 22/04/15 DELEGATED

BH2015/00712

20 Orchard Gardens Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.65m, for which the maximum height would be 3.4m, and for which the height of the eaves would be 3m.

Applicant: Mark and Kirsty Boyle

Officer: Astrid Fisher 292337

Prior Approval is required and is approved on 14/04/15 DELEGATED

WESTBOURNE

BH2014/03702

Flat 1 52 Sackville Gardens Hove

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

to rear elevation.

Applicant: Mr Laszlo Gyenes
Officer: Mark Thomas 292336
Approved on 14/04/15 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	-	-	17th	November 2014
Block plan	-	-	3rd	November 2014
Photographs	-	-	17th	November 2014
Rear elevation	-	-	3rd	November 2014
Door and window survey sheet	-	-	28th	November 2014
Window elevation	-	-	24th	November 2014
Door detail by 'Wickes'	-	-	17th	November 2014
Product brochure with specification	-	-	24th	November 2014

BH2014/03731

2 Pembroke Avenue Hove

Insertion of rooflights to front and side and creation of rear dormer.

Applicant: Nick Hoffelner
Officer: Mark Thomas 292336
Approved on 08/04/15 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
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			Received
Existing plans and elevations	HO/02	-	5th November 2014
Proposed plans and elevations with site location plan	HO/01	-	5th November 2014

BH2014/03872

51 New Church Road Hove

Application for approval of details reserved by conditions 3, 4, 8, 9, 10 and 16 of application BH2014/00766.

Applicant: AMF Property Investments Ltd

Officer: Jason Hawkes 292153

Approved on 08/04/15 DELEGATED

BH2015/00106

8 Pembroke Gardens Hove

Alterations to fenestration at rear and side.

Applicant: Mr & Mrs Neil Chapman

Officer: Joanne Doyle 292198

Approved on 16/04/15 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 hereby approved door to the northern side elevation of the building shall not be glazed otherwise than with obscured glass and shall thereafter be permanently retained as such.

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

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			15 Jan 2015
Block Plan			15 Jan 2015
Existing Site Plan	S1		15 Jan 2015
Existing Ground Floor Plan	S2		15 Jan 2015
Existing First Floor Plan	S3		15 Jan 2015
Existing Roof Plan	S5		15 Jan 2015
Existing Front (East) Elevation	S6		15 Jan 2015
Existing Side (South) Elevation	S7		15 Jan 2015
Existing Rear (West) Elevation	S8		15 Jan 2015
Existing Side (North) Elevation	S9		15 Jan 2015
Existing Section	S10		15 Jan 2015

Proposed Site Plan	P1		15 Jan 2015
Proposed Ground Floor Plan	P2		15 Jan 2015
Proposed First Floor Plan	P3		15 Jan 2015
Proposed Roof Plan	P5		
Proposed Front (East) Elevation	P6		15 Jan 2015
Proposed Side (South) Elevation	P7		15 Jan 2015
Proposed Rear (West) Elevation	P8		15 Jan 2015
Proposed Side (North) Elevation	P9	A	23 Jan 2015
Proposed Section	P10	A	23 Jan 2015

BH2015/00314

Pembroke Court 15 New Church Road Hove

Removal of brick slips on the south elevation and replacement with a new rendered band on each floor and associated works. (Part retrospective).

Applicant: Pembroke Court (Hove) Freeholders Ltd

Officer: Luke Austin 294495

Approved on 07/04/15 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	mb/03/pembroke court	-	30/01/2015
Block Plan	mb/04/pembroke court	-	30/01/2015
Existing Elevations	mb/01/pembroke court	-	30/01/2015
Proposed Elevations	mb/02/pembroke court	-	30/01/2015
Existing Photographs	mb/SOP/Pembroke Court	-	30/01/2015
Design and Access Statement	-	-	30/01/2015

BH2015/00471

189 Kingsway Hove

Erection of 5no houses facing kingsway in five storey terrace with basement and roof terrace and separate 5no storey building with basement facing Sackville Gardens of 2no flats and 2no maisonettes, incorporating underground parking accessed from Sackville Gardens.

Applicant: Mr M Deol

Officer: Adrian Smith 290478

Approved on 15/04/15 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 full accordance with the materials details and samples approved under application reference BH2012/03507 and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with planning policies QD1, QD2 and HE6 of the Brighton and Hove Local Plan.

3) UNI

The proposed structural screens, balconies, windows and entrance doors, front and side boundary walls and gates, barrel vaulted roofline and car park ventilation shall be carried out in full accordance with the submitted details.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with planning policies QD1, QD2 and HE6 of the Brighton and Hove Local Plan.

4) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses hereby permitted shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the character of the area and to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development proposals to comply with policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

5) UNI

Before first occupation of the buildings hereby permitted the windows in the west side elevation of the Kingsway terrace building shall be fitted with obscured glass and non-opening and shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

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

6) UNI

Before first occupation of the buildings hereby permitted the windows in the north side elevation of the villa building fronting Sackville Gardens shall be fitted with obscured glass and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

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

7) 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.

8) UNI

No dwelling shall be occupied until space has been laid out within the site in accordance with the approved drawings for cycle parking and shall be permanently retained thereafter for use by occupants and visitors.

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

9) UNI

No dwelling shall be occupied until the refuse and recycling storage facilities shown on the approved drawings have been put in place. They shall be thereafter 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.

10) UNI

No dwelling hereby permitted shall be occupied until the underground car parking shown on the approved drawings has been constructed and is capable of use. It shall be thereafter retained for use at all times by residents of and visitors to the development.

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

11) UNI

Prior to first occupation, the site shall be landscaped in accordance with the scheme set out on drawing no. ST- Conditions 4a & 4b & 13 rev.A received on 12/02/2015 and retained as such thereafter.

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 proposed access ramp, retaining wall and shutter and traffic light system shall be carried out in full accordance with the submitted details. The traffic light system shall be implemented prior to first occupation of the development and retained as such thereafter.

Reason: To ensure the ramp and its operation is practical and safe for vehicles entering and leaving the basement car park and to comply with Local Plan policies TR1 and TR7 of the Brighton & Hove Local Plan.

13) UNI

The hard surfaces hereby approved shall be made of porous materials and retained as such thereafter unless otherwise agreed in writing by the Local planning Authority.

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.

14) UNI

The development hereby permitted shall not be occupied until the approved scheme for the provision of alternative means of ventilation for the south facing rooms within the Kingsway terrace has been fully implemented.

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

15) UNI

The dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

16) 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 4 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 CP8 of the submission City Plan Part One.

17) UNI

i) No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

ii) The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [1] and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This pre-commencement condition is imposed because it is necessary to ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan

18) 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	ST.01	-	12/02/2015
Block plan	ST.02	-	12/02/2015
Site survey	ST.03	-	12/02/2015
Demolished elevations	ST.04		12/02/2015
	ST.05		12/02/2015
Proposed site plan	ST.06	A	12/02/2015
Proposed basement plan	ST.07	B	12/02/2015
Proposed basement plan-terrace	ST.08	B	12/02/2015
Typical terrace floor plans	ST.09A		12/02/2015
	ST.10A		12/02/2015
	ST.11A		12/02/2015
	ST.12A		12/02/2015
	ST.13A		12/02/2015
West-end terrace floor plans	ST.09B	A	12/02/2015
	ST.10B	A	18/02/2015
	ST.11B	A	12/02/2015
	ST.12B	A	12/02/2015

	ST.13B	A	12/02/2015
East-end terrace floor plans	ST.09C		12/02/2015
	ST.10C		12/02/2015
	ST.11C		12/02/2015
	ST.12C		12/02/2015
	ST.13C		12/02/2015
Rooftop terrace	ST.14	-	12/02/2015
Roof plan	ST.15	-	12/02/2015
East-west section and typical elevation	ST.16	-	12/02/2015
Proposed elevations	ST.17	A	12/02/2015
	ST.18		12/02/2015
	ST.19		12/02/2015
	ST.20		12/02/2015
Context south elevation	ST.21		12/02/2015
	ST.23		12/02/2015
Context south elevation overlaid	ST.22	-	12/02/2015
Villa floor plans and roof plan	ST.23		12/02/2015
	ST.24		12/02/2015
	ST.25		12/02/2015
	ST.26		12/02/2015
	ST.27		12/02/2015
	ST.28		12/02/2015
	ST.29		12/02/2015
	ST.30		12/02/2015
Villa long section	ST.31	-	12/02/2015
Villa elevations	ST.32		12/02/2015
	ST.33		12/02/2015
	ST.34		12/02/2015
	ST.35		12/02/2015
Sackville Gardens elevation	ST.36	A	12/02/2015
Section details and landscape details	ST- Conditions 4a & 4b & 13	A	12/02/2015
Roof section and ventilation details	ST- Conditions 4c & 15	-	12/02/2015
Access ramp and ventilation details	ST- Conditions 4d, 12a, 12b & 12c	A	12/02/2015

BH2015/00527

Flat 2 5 Princes Avenue Hove

Installation of first floor balcony to front elevation.

Applicant: Mrs Kate Heath

Officer: Haydon Richardson 292322

Refused on 15/04/15 DELEGATED

1) UNI

The proposed development would form an unsympathetic addition to the Princes Avenue streetscene: where there are no balconies at present. It would also form an incongruous addition to the host building. As such the proposed development would harm the character and appearance of the property, streetscene and Princes Avenue conservation area, contrary to local planning policies QD14, HE6 and Supplementary planning guidance SPD12.

BH2015/00536**55 Langdale 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 3.45m, for which the maximum height would be 2.995m, and for which the height of the eaves would be 2.614m.

Applicant: Mr Daniel Smyth

Officer: Haydon Richardson 292322

Prior Approval is required and is refused on 02/04/15 DELEGATED

1) UNI

It is a requirement of prior approval, A.4 (9)(a), that development is carried in accordance with the submitted details. It would not be possible to erect a structure that accords with the submitted details due to inconsistencies between the application form measurements and the submitted drawings. The development could not therefore comply with Part 1, Class A (A.4 (9)(a)) of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Existing and proposed elevations and floor plans	425(PL)1b		17/2/15
Block and Site plan	425(PL)2		20/2/15

BH2015/00561**3 Langdale Gardens Hove**

Certificate of lawfulness for proposed erection of a single storey rear extension with associated external works including alterations to fenestration.

Applicant: Mr Paul Smith

Officer: Astrid Fisher 292337

Refused on 16/04/15 DELEGATED

1) UNI

The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse with a width greater than half the width of the original dwellinghouse, contrary to paragraph A.1 (h(iii)). The development would not therefore be permitted by Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended

WISH**BH2014/03525****18 24 28 & 30 Kingsthorpe Road Hove**

Demolition of existing building and erection of 9no three storey houses (C3) and 1no three storey office unit (B1(a)) with associated parking area.

Applicant: Danworth Holdings

Officer: Jonathan Puplett 292525

Approved after Section 106 signed on 15/04/15 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 commercial premises hereby approved shall be used as office (Use Class B1(a)) only and for no other purpose (including any other purpose in Class B 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). Notwithstanding the provisions 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), no change of use shall occur without the formal approval of the Local Planning Authority.

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

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse 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 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.

5) UNI

No development shall take place until samples of the following materials 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:

- a) samples of brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used, including details of their treatment to protect against weathering
- c) samples of all hard surfacing materials
- d) samples of the proposed window and door treatments

Development shall be carried out in accordance with the approved details.

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

6) UNI

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 does not create an increased demand for on-street resident parking spaces in the vicinity of the site and to comply with

policies TR1, TR7 and QD27 of the Brighton & Hove Local Plan.

7) 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 and Hove Local Plan.

8) UNI

Notwithstanding the details shown in the approved drawings, the development hereby permitted shall not be commenced until revised details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

9) UNI

No development shall take place until revised dwelling layouts which demonstrate compliance with Lifetime Homes Standards have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

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

10) 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. The scheme shall include the following:

- a. details of all hard surfacing;
- b. details of all boundary treatments;
- c. details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.

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

11) UNI

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.

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 4 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, no non-residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for 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) 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 unde

15) UNI

The residential dwellings hereby approved shall not be occupied until the commercial building hereby approved has been constructed and made available for occupation as office space (Use Class B1(a)) in accordance with the approved drawings.

Reason: To ensure the provision of modern office accommodation on the site and

to comply with policy EM3 of the Brighton and Hove Local Plan and policy CP3 of the Brighton and Hove City Plan Part 1 (submission document).

16) 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 4 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.

17) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.

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

18) UNI

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.

19) UNI

Prior to the first occupation of the development hereby permitted the applicant shall reinstate the redundant vehicle crossovers on Kingsthorpe Road back to a footway by raising the existing kerb and footway.

Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton and 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
LOCATION PLAN	100		23/10/2014
LOCATION PLAN	101		23/10/2014
EXISTING STREET SCENE	102		23/10/2014
EXISTING GROUND FLOOR	103		13/11/2014

PLAN			
PROPOSED BLOCK PLAN	200		13/11/2014
EXISTING AND PROPOSED PARKING LAYOUT	201	A	23/10/2014
PROPOSED GROUND FLOOR PLAN	202	A	23/10/2014
PROPOSED FIRST FLOOR PLAN	203		23/10/2014
PROPOSED SECOND FLOOR PLAN	204		23/10/2014
PROPOSED ELEVATIONS	205		30/10/2014
PROPOSED ELEVATIONS AND STREET SCENE	206	A	23/10/2014

BH2014/03994

1 Boundary Road Hove

Application for Approval of Details Reserved by Conditions 5, 6, 7, 8 and 9 of application BH2013/01844.

Applicant: Harman Hire Ltd

Officer: Jason Hawkes 292153

Split Decision on 14/04/15 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 5, 6, 7 and 9 of BH2013/01844 subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 8 is NOT APPROVED

BH2015/00315

5 Scott Road Hove

Erection of single storey rear extension.

Applicant: Mrs Emily Pickering

Officer: Liz Arnold 291709

Refused on 02/04/15 DELEGATED

1) UNI

The proposed extension would in-fill the existing recess in addition to replacing the existing mono-pitched roof single storey rear element, resulting in an extension that would wrap around the south-eastern corner of the existing outrigger. As such the proposal would relate poorly to the existing dwelling and detract from the original plan of the building. The size and design of the proposed extension would create an overly dominant extension resulting in the recipient property having an overextended appearance, detracting from the character and appearance of the parent dwelling, the rear of the related terrace and wider area, contrary to policy QD14 of the Brighton & Hove Local Plan, and to guidance within Supplementary Planning Document (SPD12): Design Guide for Extensions and Alterations.

2) UNI2

The proposed extension, by virtue of its positioning, height, excessive depth and massing, would adversely affect the amenities of the occupiers of No. 3 Scott Road, resulting in an overbearing and oppressive development, loss of outlook and an increased sense of enclosure, and therefore represents an unneighbourly form of development. As such the proposal would detrimentally impact on the residential amenity of this adjacent property and is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2015/00461

39 Berriedale Avenue Hove

Erection of single storey side and rear extension.

Applicant: Mr & Mrs J Warren

Officer: Mark Thomas 292336

Refused on 10/04/15 DELEGATED

1) UNI

The proposed extension, by virtue of its excessive scale consuming the full width of the site and excessive volume of rear glazing, represents an overextension of the building that would significantly detract from its scale, form and appearance, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.

Withdrawn Applications

BH2015/00845

19 Woodhouse Road Hove

Alterations to roof incorporating hip to gable end roof extension, front rooflights, side window and rear dormer.

Applicant: Ms Catherine Bergwerf

Officer: Robert Hermitage 290480

WITHDRAWN ON 09/04/15

PLANNING COMMITTEE

Agenda Item 193(b)

Brighton & Hove City Council

PLANS LIST 13 May 2015

PRESTON PARK

Application No: BH2015/01208
207 Preston Drove, Brighton

Fell one Eucalyptus. (Tree is not sustainable in the long-term.)

Applicant: Mr H Mason
Approved on 13 Apr 2015

Application No: BH2015/01209
88 Beaconsfield Villas, Brighton

Fell one Horse Chestnut. (No public visibility thus no amenity value.)

Applicant: Mr D Steell
Approved on 13 Apr 2015

Application No: BH2015/01320
Preston Mansions, Preston Park Avenue, Brighton

1no Acer platanoides 'Crimson King' - crown lift lower limbs.

Applicant: Mr J Wignall
Approved on 22 Apr 2015

ST. PETER'S & NORTH LAINE

Application No: BH2015/00925
6 West Hill Place, Brighton

Fell 1no Leylandii in back garden. (Not visible from a public space thus has little public amenity value.)

Applicant: Mr Simon Rawson
Approved on 13 Apr 2015

WITHDEAN

Application No: BH2015/00884
7 Croft Road, Brighton

Fell 1no Cherry (T2) & 1no Hawthorn (T3).

Applicant: J Hatch
Approved on 13 Apr 2015

Application No: BH2015/00886
7 Croft Road, Brighton

1no Yew Tree (T1) - Reduce by 1-2m and reshape leggy growth

Applicant: Mr J Hatch
Approved on 13 Apr 2015

Application No: BH2015/01197
3 Hollingbury Copse, Brighton

2no Elms (T1 & T3) - reduce to approx. 1-1.5m above the old pollard points, remove all epicormic growth to crown break.

Applicant: Mr G O'Flanagan
Approved on 07 Apr 2015

Application No: BH2015/01212
Robinia Lodge, Station Road, Brighton

3no Sycamores - reduce by 2-3m.

Applicant: Mr J Hatch
Approved on 22 Apr 2015

Application No: BH2015/01336
32A Dyke Road Avenue, Brighton

2no Cupressus macrocarpa (T1 & T2) - Reduce crown by 3m, uplift to 5m and remove all deadwood. 1no Cupressus macrocarpa (T3) - Reduce crown by 2m, uplift to 5m and remove all deadwood.

Applicant: Mr D Holder
Approved on 22 Apr 2015

MOULSECOOMB & BEVENDEAN

Application No: BH2015/01216
10A Auckland Drive, Brighton

Fell one Sycamore (T1).

Applicant: Mr J Hatch
Refused on 22 Apr 2015

Application No: BH2015/01217
10A Auckland Drive, Brighton

2no Sycamores (T2 & T3) - reduce by 2-3m.

Applicant: Mr J Hatch
Refused on 22 Apr 2015

Application No: BH2015/01428
10A Auckland Drive, Brighton

1no Sycamores (T4) - reduce by 2-3m.

Applicant: Mr J Hatch
Approved on 22 Apr 2015

QUEEN'S PARK

Application No: BH2015/01218
84 Marine Parade, Brighton

Fell 9no Leylandii. (Not visible from a public space, thus have no public amenity value.)

Applicant: Mr C Quigley
Approved on 13 Apr 2015

BRUNSWICK AND ADELAIDE

Application No: BH2015/01207
Flat 1, 38 Selborne Road, Hove

1no Horse Chestnut - to be pruned to balance already removed dangerous limb; 2no Sycamores - to be thinned to maintain, selected braches to be reduced in length.

Applicant: Miss B Musker

Approved on 22 Apr 2015

CENTRAL HOVE

Application No: BH2015/01324
53 Tisbury Road, Hove

2no Elms in rear garden - pollard/trim.

Applicant: Mr D Shefford
Approved on 22 Apr 2015

HOVE PARK

Application No: BH2015/00801
Busy Bee's, 41 Dyke Road Avenue, Hove

Fell 1no Sycamore.

Applicant: Paige Parsons
Approved on 22 Apr 2015

WESTBOURNE

Application No: BH2015/01214
67 Pembroke Crescent, Hove

1no Magnolia - reduce by 1-2m.

Applicant: Mr J Hatch
Approved on 13 Apr 2015

NEW APPEALS RECEIVED**WARD****APPEAL APP NUMBER****ADDRESS**

Brighton

DEVELOPMENT DESCRIPTION**APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HANOVER & ELM GROVE**

BH2013/04295

Land to the side of and 14 Southover Street

Demolition of existing brick outhouse and erection of 1no one bedroom house and 1no two bedroom house (C3).

APPEAL LODGED

02/04/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WITHDEAN**

BH2014/03378

23 Wayland Avenue Brighton

Conversion of existing garage into habitable accommodation, erection of new single storey double garage and new entrance porch to front elevation and associated works.

APPEAL LODGED

09/04/2015

Delegated



**Brighton & Hove
City Council**

**INFORMATION ON HEARINGS / PUBLIC INQUIRIES
13th May 2015**

This is a note of the current position regarding Planning Inquiries and Hearings

University of Sussex, Refectory Road, Falmer, Brighton

Planning application no:	BH2013/04337
Description:	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.
Decision:	Planning Committee
Type of appeal:	Public Inquiry
Date:	10:00am 20 th October 2015
Location:	Brighton Town Hall, Bartholomew Square, Brighton BN1 1JE

Brighton College, Eastern Road, Brighton

Planning application no:	BH2014/02054
Description:	Demolition of existing swimming pool and old music school buildings and erection of a 5no storey new academic building with connections to the Great Hall and Skidelsky building, including removal of existing elm tree and other associated works.
Decision:	Planning Committee
Type of appeal:	Informal Hearing
Date:	TBC
Location:	TBC

APPEAL DECISIONS

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A – 10 FRESHFIELD PLACE, BRIGHTON – QUEEN’S PARK	211

Application BH2014/00437 – Request for a certificate of lawful use or development for proposed loft conversion incorporating rear dormer, rear roof extension and a rooflight to front elevation **APPEAL ALLOWED, certificate of lawful use issued in the terms set out** (Delegated Decision)

B – 12 MONTPELIER CRESCENT, BRIGHTON - REGENCY	219
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Application BH2014/02067 – Appeal against refusal to grant permission removal of an internal wall at rear ground floor. **APPEAL ALLOWED** (Delegated Decision)

C – 154A PORTLAND ROAD, HOVE - WESTBOURNE	223
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Application BH2014/02180 – Appeal against refusal to grant permission for a raised deck. **APPEAL ALLOWED** (Delegated Decision)

D – 21 GLADSTONE ROAD, PORTSLADE – SOUTH PORTSLADE	226
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Application BH2014/03540 - Appeal against refusal to grant planning permission for proposed two-storey extension and loft conversion extension. **APPEAL ALLOWED** - (Delegated Decision)

Appeal Decision

Site visit made on 20 March 2015

by Sandra Prail, MBA, LLB (Hons), Solicitor (non-practising)

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 April 2015

Appeal Ref: APP/Q1445/X/14/2219913

10 Freshfield Place, Brighton, BN2 0BN.

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a lawful development certificate (LDC).
- The appeal is made by Mrs Emma Curtayne against the decision of Brighton and Hove City Council.
- The application No. BH2014/00437 was dated 10 February 2014. It was refused by notice dated 7 April 2014.
- The application was made under section 192(1) (b) of the Town and Country Planning Act 1990 as amended.
- The development for which a lawful development certificate is sought is proposed loft conversion incorporating rear dormer, rear roof extension and a rooflight to front elevation.

Summary of decision: the appeal is allowed and a certificate of lawful use or development is issued, in the terms set out below in the Formal Decision.

Preliminary matters

1. For the avoidance of doubt, I should explain that the planning merits of any future operations are not relevant, and they are not therefore an issue for me to consider in the context of an appeal under section 195 of the Town and Country Planning Act 1990 as amended, which relates to an application for a lawful development certificate (LDC). My decision rests on the facts of the case, and on relevant planning law and judicial authority.
2. The refusal notice states that the volume of the roof additions exceeds 40 cubic metres and therefore not permitted under Schedule 2 Part 1 Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (the GPDO). The Council has agreed in correspondence in the course of this appeal that this is incorrect and that the 40 cubic metre threshold is met. I have no reason to reach an alternative conclusion and therefore this reason for refusal is not well founded.
3. The questionnaire submitted by the Council states that the appeal site is located in a Conservation Area. In correspondence during the course of this appeal the Council has confirmed that the rear boundary adjoins a conservation area but

the site is not within a conservation area. It is therefore now common ground that the site is not on article 1(5) land for the purposes of this appeal.

Main Issue

4. I consider that the main issue is whether the Council's refusal to grant a lawful development certificate was well-founded. This turns on whether at the date of the application (10 February 2014) the proposed development would have been lawful. Whether development is permitted must be considered in the context of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (the GPDO) and the Technical Guidance issued by the Department for Communities and Local Government (the Technical Guidance) as they were at the date of the application the subject of this appeal.
5. The proposed development is a loft conversion incorporating rear dormer, rear roof extension and a roof light to front elevation. The plans show a new extract flue to the rear. The proposed dormer is within the pitched roof on the rear elevation. The proposed rear roof extension sits on the flat roof of the rear outrigger and links to the pitched roof. The flat roof of the outrigger lies below the eaves level of the pitched roof.
6. Article 3 and Class B of Part 1 to Schedule 2 of the GPDO permits the enlargement of a house consisting of an addition or alteration to its roof subject to certain conditions and limitations. Subject to restrictions Class C provides permitted development rights for any alteration to the roof of a house and Class G for the installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse. It is common ground between the parties that the flue and front rooflight are permitted development. The issue in dispute between the parties is whether the proposed development would be able to meet condition B.2 (b) of Schedule 2 Part 1 Class B to the GPDO if carried out at the date of the application. It is common ground between the parties that all other conditions and limitations are satisfied and I have no reason to reach an alternative conclusion.
7. The Council maintain that condition B.2 (b) is not met. They say that the rear dormer extends beyond the eaves of the original pitched roof over the flat roof of the rear outrigger and that the plans show a height distinction between the pitched eaves and the flat roof below of approximately 200mm with the eaves extending the full width of the building. Therefore they say the proposal would fail to be set back 20cm from the eaves of the main pitch to the building and there are no practicable reasons why this requirement should not be met in this instance.
8. The Appellant argues that a 20 cm set back is not practicable. She says that the flat roof lies just below the eaves level of the pitched roof and it is at this point where the bathroom would be accessed from the staircase and landing within the pitched roof that it would not be practicable to maintain a 20 cm separation. She argues that the words 'so far as practicable' in condition B.2 (b) of the GPDO are to allow for exceptions and that this is reaffirmed in the Technical Guidance. She argues that the Council has not given any weight to the words 'where practicable' and refers to the planning history at other sites which suggests to her that the Council may be conflating their opinions on the planning merits with the correct application of condition B.2 (b). The Appellant

refers to alterations to the GPDO and the Technical Guidance which she suggests are of assistance in the interpretation of the words 'so far as practicable'.

Reasons

9. In any application for a LDC the onus is on the applicant to demonstrate that the proposed development would be lawful.
10. Class B of the GPDO sets out permitted development rights for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. Condition B.2 (b) states that other than in the case of a hip-to-gable enlargement the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof. There is no dispute that the 20cm set back distance is not achieved by the proposed development. What is at issue is whether it would be practicable to achieve this distance in the circumstances of this case. The Technical Guidance at the time of the application states that the 20 cm set back will be required unless it can be demonstrated that it is not possible due to practical or structural considerations. It gives an example of one circumstance where it will not prove practical to maintain the 20cm distance, namely where a dormer on a side extension of a house joins an existing, or proposed, dormer on the main roof of the house.
11. Practicable is not defined in the GPDO. I have applied the definition in the Oxford English Dictionary, namely 'able to be done or put into practice successfully'.
12. The burden is on the Appellant to show that it would not be practicable to achieve the set back distance sought by condition B.2 (b). She has explained her reasoning and I concur with her view. She has discharged the burden of proof that rests upon her in this appeal. I find the particular facts of this case similar to the circumstance given in the Technical Guidance as an example where it will not be practicable to maintain a 20cm distance. I consider that in the particular circumstances of this case it would not be practicable, applying the ordinary meaning of that word, to achieve the 20 cm separation distance other than where it has been achieved. I therefore find condition B.2 (b) of the GPDO to be complied with.
13. For the reasons given above I conclude on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development in respect of the proposed loft conversion incorporating rear dormer, rear roof extension and a rooflight to front elevation at 10 Freshfield Place, Brighton, BN2 OBN was not well-founded and that the appeal should succeed. I will exercise accordingly the powers transferred to me under section 195(2) of the 1990 Act as amended.

Formal Decision

14. The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the proposed operation which is considered to be lawful.

S. Prail

INSPECTOR



LAWFUL DEVELOPMENT CERTIFICATE

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2010: ARTICLE 35

TOWN AND COUNTRY PLANNING ACT: SECTION 191 (as amended by section 10 of the Planning and
Compensation Act 1991)

IT IS HEREBY CERTIFIED that on 10 February 2014 the operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in black on the plan attached to this certificate would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 as amended, for the following reason:

The operations described in the first schedule would be permitted development by virtue of Article 3 and Class B, C and G of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

The development does not contravene the requirements of any enforcement notice in force.

Signed:

S. Prail

INSPECTOR

Date: 10 April 2015

Reference: APP/Q1445/X/14/2219913

First Schedule

Loft conversion incorporating rear dormer, rear roof extension and a rooflight to front elevation as shown on site location plan date stamped by the Council on 14 February 2014, existing plans and elevations and proposed floor plans date stamped by the Council on 24 February 2014 and proposed elevations and section date stamped by the Council on 10 February 2014 (plans marked EC1, EC2 and EC3 in this appeal).

Second Schedule

Land at 10 Freshfield Place, Brighton, BN2 0BN

NOTES

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 as amended.
2. It certifies that the operations described in the First Schedule taking place on the land specified in the Second Schedule would have been lawful, on the certified date and, thus, would not have been liable to enforcement action, under section 172 of the 1990 Act, on that date.
3. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.
4. The effect of the certificate is subject to the provisions in section 192(4) of the 1990 Act, as amended, which state that the lawfulness of a specified use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters which were relevant to the decision about lawfulness.

Plan

This is the plan referred to in the Lawful Development Certificate dated:

by Sandra Prail MBA, LLB(Hons), Solicitor (non-practising)

Land at: 10 Freshfield Place, Brighton, BN2 0BN.

Appeal ref: APP/Q1445/X/14/2219913

Not to Scale





Appeal Decision

Site visit made on 31 March 2015

by **Philip Willmer BSc Dip Arch RIBA**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 April 2015

Appeal Ref: **APP/Q1445/Y/14/3001183**

12 Montpelier Crescent, Brighton, East Sussex, BN1 3JF.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Michael and Mrs Mary D'Arcy against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/02067, dated 23 June 2014, was refused by notice dated 18 August 2014.
 - The works proposed are described as proposed removal of an internal wall at rear ground floor.
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Decision

1. The appeal is allowed and listed building consent is granted for the removal of an internal wall at rear ground floor at 12 Montpelier Crescent, Brighton, East Sussex, BN1 3JF in accordance with the terms of the application Ref BH2014/02067, dated 23 June 2014 and the plans submitted with it, subject to the conditions set out in the attached schedule.

Main Issue

2. I consider the main issue to be the effect of the proposed works on the special architectural and historic interest of the grade II* listed property.

Reasons

3. The property the subject of this appeal, 12 Montpelier Crescent, is one of a block of three houses, where the blocks of two or three dwellings in the terrace are arranged into a concave crescent. It is listed grade II* and located in the Montpelier and Cliftonhill Conservation Area.
 4. According to the list description the houses were probably built between 1843 and 1847. In my view, the property's special architectural and historic interest relates to the history of the crescent's development, the building's design and detailing, and the dwelling's setting as part of Montpelier Crescent.
 5. This property has previously been the subject of some alteration in that the lower ground floor, which no doubt originally housed the service areas of the house, such as the kitchen etc., was converted into a self-contained flat. Accordingly, while the cellular room layout has been retained, as identified, the function of the ground floor rooms has probably changed over time including
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the installation of a galley style kitchen in a small space at the end of the entrance hall, which also accommodates the main staircase.

6. The appellants propose the removal of part of an internal wall between the current kitchen and rear sitting room. This includes an access door and an internal window that appeared to be a later intervention. This would allow more natural light into the kitchen that I saw to be a dark and somewhat gloomy space. The works the subject of this appeal are part of a scheme to reinstate the property to a single family dwelling house. The more substantive works of alteration and extension having been granted consent by the Council, its references: BH2014/01946 and BH2014/01947.
7. The removal of the wall would result in the loss of a small part of the fabric of the building that may well be original. The appellants, however, do not propose the complete removal of the wall and seek to express the position of the original partition wall through the retention of piers either side of the opening and a substantive downstand, such that the existing cornice and decorative ceiling in the sitting room would be retained and the new opening framed. Further, it is proposed, and indeed I understand consent has already been granted, to both retain and open up the original fireplace located on the opposite wall that would act as a focal point for the sitting room. In these ways visual evidence of the original wall position, a sense of the original spaces, the integrity of the building's original plan, the original design and its historic character in terms of room proportions, ceiling heights and decorative features, would in my judgement be preserved and in a small way enhanced.
8. In my opinion, the removal of part of the wall as proposed would not, other than for the most casual of observers, diminish in any significant way the potential to understand the original design, function of the house or the hierarchy of the floors as suggested by the Council. Additionally, detailed survey drawings and photographs have been provided. These would ensure that an accurate historic record of the property, as it currently stands, is retained. Accordingly, having regard to the limited extent of the works, I do not consider the structural alterations to be harmful in this instance.
9. I therefore conclude that the proposed works, when considered in conjunction with the more comprehensive scheme to convert the property back to a single family dwelling house, would not cause harm to the special architectural or historic interest of the grade II* listed building. The works therefore comply with the objectives of saved Policy HE1 of the Brighton and Hove Local Plan (Adopted 2005) (LP).
10. My attention has been drawn to an appeal decision Ref: APP/B1605/E/11/2146683, the details of which have not been provided, where the Inspector concluded that the proposal before her was as a result of the appellant's own personal preference with no tangible public benefit which would offset the harm that the development would have on the historic and architectural significance of the listed building. Whatever the circumstances pertaining to that matter, in this case, which I have considered on its individual merits, I have concluded that the proposed works would not have a major impact on the significance of this heritage asset.

Conditions

11. The conditions follow from those suggested by the Council. The application drawings are small scale and lack detail. In order, therefore, to ensure the satisfactory preservation of the listed building, I shall require detailed drawings to be submitted and approved by the Council before works start. Those drawings will also be required to illustrate how the new opening will be formed, detailed and finished. In addition, I will condition the use of matching materials and details for any necessary making good along with the protection of the existing cornice and decorative ceiling in the sitting room. In the interests of proper planning, I will impose a condition requiring the internal works to be carried out in accordance with the approved plans.

Conclusions

12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should succeed.

Philip Willmer

INSPECTOR

Schedule of conditions

- 1) The works hereby authorised shall begin not later than three years from the date of this consent.
- 2) The works hereby authorised shall be carried out in accordance with the following plans: drawings numbered 1137 PL001, 2137 PL002 and PL003, 2137 SU004 to SU009, 2137 PU010 Rev. A and 2137 PU030.
- 3) The works hereby authorised shall not be commenced until larger scale detailed plans and drawings showing full details of how the new internal opening will be formed, including the proposed nibs, any pad stones and structural beams or lintels and the design detail and finish of the reveals and soffit of the new opening, in elevation and section at a scale of 1:20, 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.
- 4) Before any works hereby authorised begin, steps shall be taken to secure the safety and stability of the cornice and the ceiling of the sitting room which are to be retained. Such steps shall, where necessary, include measures to strengthen any wall or vertical surface to support any floor or horizontal surface.
- 5) All new and existing surfaces disturbed shall be made good at the time that the works are carried out using materials of matching composition, form and finish to those of the listed building.



Appeal Decision

Site visit made on 17 March 2015

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08/04/2015

Appeal Ref: APP/Q1445/A/14/2229081
154A Portland Road, Hove, East Sussex BN3 5QL

- 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 Jacquee Davey against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/02180, dated 1 July 2014, was refused by notice dated 26 August 2014.
 - The appellant describes the proposed works as a raised deck.
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Decision

1. The appeal is allowed and planning permission is granted for a raised deck at 154A Portland Road, Hove, East Sussex BN3 5QL, in accordance with the terms of the application, Ref BH2014/02180, dated 1 July 2014, 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: Site Location Plan, Block Plan, Existing Plan and Elevations, and Proposed Plan and Elevations.

Main Issue

2. The main issue in this case is the effect of the appeal proposal on the character and appearance of the area.

Reasons

3. The appeal site is situated within a terrace which fronts Portland Road and to the rear of which is a block of single storey garages. The rear of the appeal property is relatively well visually self-contained by surrounding buildings, although the subject building can be glimpsed from Modena Road from its first floor upwards. There exists a substantial balcony area over a flat roof extension to the rear of 156 Portland Road adjacent and to the west of the appeal site, which is at a higher level than that proposed. Another smaller balcony is also situated to the rear of another property further west within the terrace, but at a similar height as that at no 156.
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4. The top of the balustrade that would surround the proposed deck would be approximately level with the first floor, being lower than the balcony serving no 156, adjacent to the flank wall of that property its visual impact would be limited within the rear garden scene. I note the Council's concerns with regard to setting a precedent, but each case must be assessed on its own merits. By virtue of its limited height and the design of the timber balustrade and replacement staircase, the proposal would not have an unduly dominant appearance. Consequently, I consider that the proposal would relate sympathetically to the existing layout and character of the surrounding area.
5. I therefore find that the proposal complies with Policy QD14 of the Brighton and Hove Local Plan 2005 (LP) in that the scheme would be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The Council has not clarified how the proposal would conflict with their Supplementary Planning Document 12: Design Guide for Alterations and Extensions (SPD). However, I note that with respect to balconies and roof terraces, the SPD, where concerning matters of character and appearance, seeks to dissuade balconies and roof terraces where proposed to the front of buildings and in other prominent locations. As the balcony would not be visually prominent I find no material conflict with the SPD either.

Other Matters

6. I acknowledge the concerns of the occupants of 34 Modena Road with respect to privacy, however, the distance between the proposed deck and their rear garden would be reasonable in an urban situation, with the garage block and parking court intervening. Whilst the proposal could give rise to an increase in overlooking, this would not be material. I note that on this matter the Council considered that the decking, due to its height and positioning, would not increase the level of overlooking with it complying with LP Policy QD27 and I have no reason to disagree with this assertion. I also note the concerns with regard to noise from the use of the balcony, although by virtue of its limited size, I consider this is not a determining factor in this appeal.

Conclusion and Conditions

7. For the reasons set out above, I conclude that the appeal should succeed. The Council has not suggested any conditions, however, in addition to the standard time limit condition, and for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans is imposed.

C J Tivey

INSPECTOR



Appeal Decision

Site visit made on 31 March 2015

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21/04/2015

Appeal Ref: APP/Q1445/D/15/3003248

21 Gladstone Road, Portslade, Brighton, East Sussex, BN41 1LJ.

- 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 Suzana Rucaj against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/03540, dated 21 October 2014, was refused by notice dated 16 December 2014.
 - The development proposed is a two-storey extension and loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey extension and loft conversion at 21 Gladstone Road, Portslade, Brighton, East Sussex, BN41 1LJ in accordance with the terms of the application, Ref BH2014/03540, dated 21 October 2014, and the plans submitted with it, 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: drawings numbered: 100 Rev. P, 101 Rev. P, 102 Rev. P, 103 Rev. P, 104. Rev. P, 105 Rev. P and the 45 *Degrees Rule Study* dated 21 October 2014.

Main Issue

2. I consider the main issue in this appeal to be the effect of the proposed extension on the character and appearance of the existing property, the street and the wider surrounding area by virtue of its scale, design, roof form, mass and height.

Reasons

3. The property the subject of this appeal, 21 Gladstone Road, is a two-storey terraced dwelling on the north side of the road. It is one of a short terrace of four houses and has a small enclosed rear garden that backs on to the railway embankment. The street in the immediate surrounding area generally comprises other similar short residential terraces. As I observed, a number have had roof alterations that manifest themselves with roof windows in the front roof slope and there is at least one example, albeit not in this short terrace, of a two-storey rear addition.
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4. The appellant proposes a two-storey rear extension that would be about 2.8 metres deep and set in some 0.6 metres from the party wall line with the neighbouring dwellings on either side. It would have a hipped roof, the ridge height of which would be lower than that of the main roof. The new roof void to be formed and the existing loft space would be converted to provide a bedroom with en-suite shower room. Two roof windows are proposed to the front roof slope. The Council considers that the two rooflights would be acceptable and from what I have seen and read I would not disagree with its findings on this matter.
5. The extension would be of a modest depth in comparison to that of both the existing house and back garden, such that the private garden retained would have a depth of about 10.5 metres or so. The proposed addition would sit well within and not replace either side boundaries. Its roof form and pitch would reflect that of the host building with its ridgeline set below that of the main roof of the terrace. The materials proposed for the external envelope of the addition are shown to match those of the host property.
6. As I observed the proportions and styles of the rear windows of the houses in this terrace are not uniform. I therefore consider the introduction of the simple and more contemporary casement windows proposed would be acceptable here. Although it would be two-storey in height and consequently would be of some visual prominence, I nevertheless consider that in all respects the proposed development would appear as a well mannered addition that would play a subordinate 'supporting role', respecting the design, scale and proportions of the host building as well as the terrace of which it is part.
7. Furthermore, as illustrated on the application drawings, the extension would comply with the '45 degree rule' which the Council states in its Supplementary Planning Document spd12: *Design Guide for Extensions and Alterations* (adopted June 2013) (SPD12) is required to avoid harming neighbouring amenity. I therefore agree with the Council that the proposed addition would not cause significant harm to the living conditions of neighbouring residential occupiers in terms of overshadowing, loss of light, loss of privacy or overbearing impact.
8. I therefore conclude in respect of the main issue that the proposed two-storey extension would not cause harm to the character and appearance of the existing property, the street or the wider surrounding area by virtue of its scale, design, roof form, mass and height. Accordingly, it would comply with the objectives of Policy QD14 of the *Brighton and Hove Local Plan 2005* and the guidance set out in SPD12 as they relate to the quality of design.

Conclusions and Conditions

9. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should succeed and planning permission granted.
10. Notwithstanding the Council's suggestion, I see no need to attach a condition about materials as these are shown on the appellant's plans. However, for the avoidance of doubt and in the interests of proper planning, I shall impose a condition requiring the development to be carried out in accordance with the approved plans.

Philip Willmer

INSPECTOR