

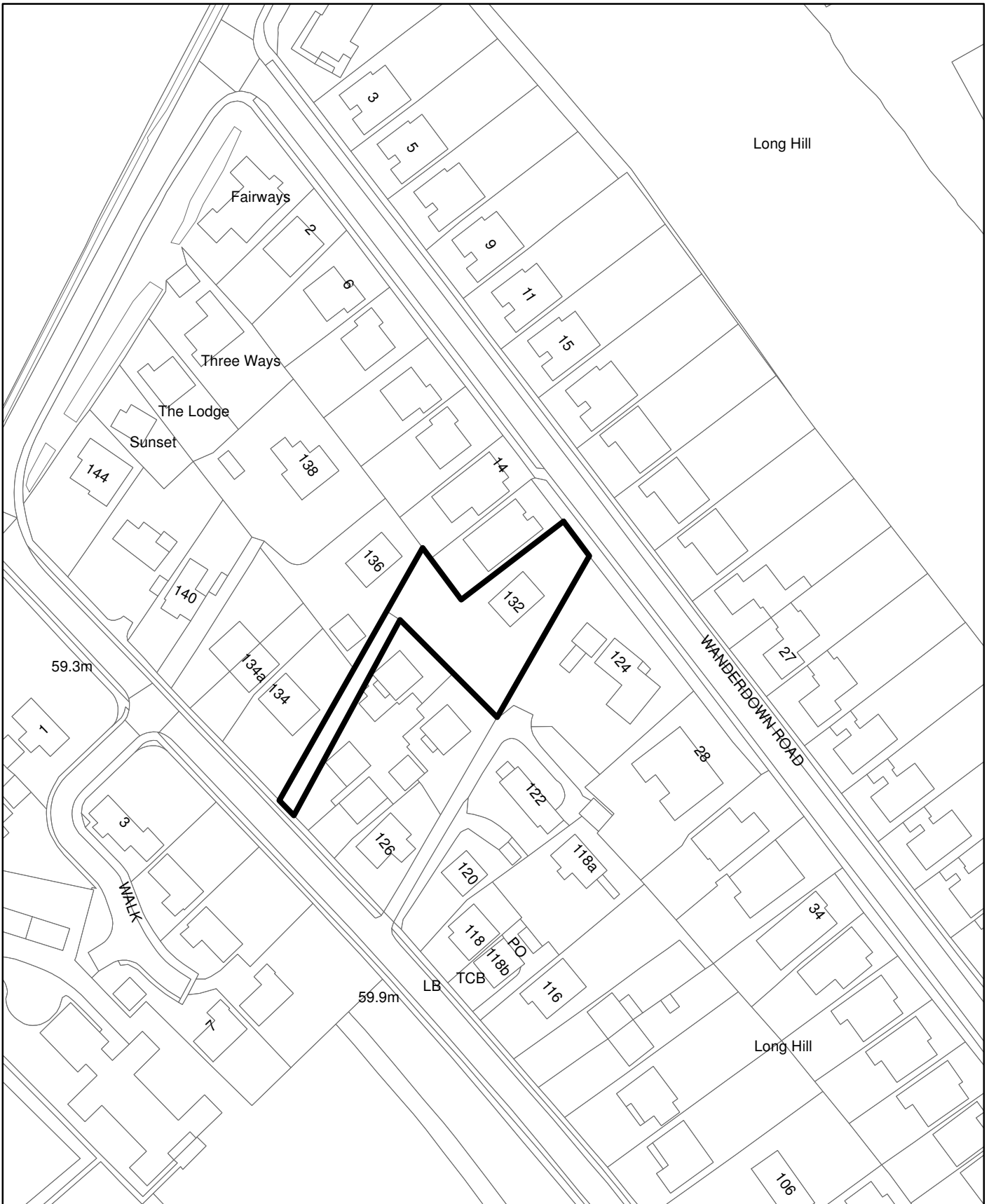
# **ITEM D**

**132 Longhill Road, Brighton**

**BH2015/00195**  
**Full planning**

**15 JULY 2015**

# BH2015/00195 132 Longhill Road, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2015/00195</b>	<b><u>Ward:</u></b>	<b>ROTTINGDEAN COASTAL</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>132 Longhill Road Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of 1no two bedroom detached dwelling with detached garage and 1no three bedroom detached dwelling with revised access from Wanderdown Road, Brighton with associated landscaping and works.</b>		
<b><u>Officer:</u></b>	<b>Adrian Smith Tel 290478</b>	<b><u>Valid Date:</u></b>	<b>03 March 2015</b>
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Expiry Date:</u></b>	<b>28 April 2015</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b><u>Agent:</u></b>	<b>Deacon and Richardson Architects, 253 Ditchling Road, Brighton BN1 6JD</b>		
<b><u>Applicant:</u></b>	<b>Mr Alan Walder, 4 The Park, Rottingdean, Brighton BN27GQ</b>		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **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 vacant plot located on the south side of Wanderdown Road. The site formerly comprised a bungalow and garage however both buildings have now been demolished.
- 2.2 The site immediately to the rear at 128 Longhill Road has recently been redeveloped with four houses (no.128, 128a, 130 & 130a) set in two rows of two. Further backland developments at 118a, 122 & 136 Longhill Road sit adjacent to the north and south of the site. Access to the site is via a driveway from Longhill Road that runs alongside 134 Longhill Road and also serves the four new dwellings at 128 Longhill Road.

## 3 RELEVANT HISTORY

132 Longhill Road:

**BH2014/04253-** Prior Approval for demolition of 132 Longhill Road. Prior Approval Not Required 19/01/2015

**BH2013/02177-** Demolition of existing bungalow and erection of new four bedroom chalet bungalow. Refused 28/10/2013 for the following reason:

1. *The proposed development by reason of its siting, resultant gap in the streetscene, and relationship with others in the area would appear out of context with the established pattern of development, and would fail to make a positive contribution to the visual quality of the area or emphasise the positive characteristics of the area harmful to the overall character of the*

*area and the Wanderdown Road streetscene. The proposal is therefore contrary to policies QD1, QD2, and QD3 of the Brighton and Hove Local Plan.*

Appeal dismissed.

**BH2012/03153-** Demolition of existing bungalow and erection of new four bedroom chalet bungalow. Refused 07/01/2013 for the following reasons:

- 1. Cumulatively the proposal, by virtue of siting, relationship between the surrounding dwellings and the potential for overlooking results in an inadequate amenity space which would be a considerably overlooked by the neighbouring properties to the detriment of the amenity of the future occupiers contrary to policies QD27 and HO5 of the Brighton and Hove Local Plan.*
- 2. The proposal represents development in the rear garden now classified as Greenfield land. Given the sensitive nature of the location, the highest level of sustainability must be sought for the proposed building. The applicant has failed to demonstrate that the proposed dwelling is capable of achieving Code for Sustainable Homes Level 5 without a material change to the design. The proposal is considered to be contrary to policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document on Sustainable Building Design (SPD 08).*

**BH2011/01239-** Demolition of existing two bedroom dwelling and erection of new two bedroom chalet bungalow. Refused 29/07/2011 for the following reason:

- 1. Cumulatively the proposal, by virtue of siting, relationship between the surrounding dwellings and the potential for overlooking results in an inadequate amenity space which would be a considerably overlooked by the neighbouring properties to the detriment of the amenity of the future occupiers contrary to policies QD27 and HO5 of the Brighton and Hove Local Plan.*
- 2. The proposal represents development in the rear garden now classified as Greenfield land. Given the sensitive nature of the location, the highest level of sustainability must be sought for the proposed building. It is not considered that the development could meet Code for Sustainable Homes Level 5 without a material change to the design. The proposal is considered to be contrary to policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document on Sustainable Building Design (SPD 08).*
- 3. The proposed development, by reason of its height, scale and bulk would relate poorly to the proposed dwelling, resulting in a roofslope that would appear disproportionate to the main front façade, detracting from the appearance and character of the property, contrary to policies QD1, QD2, and QD3 of the Brighton and Hove Local Plan.*

**BH2008/02530-** Demolition of existing bungalow and erection of 1 no. new bungalow and 1 no. chalet bungalow. Refused 15/10/2008 for the following reason:

- 1. Cumulatively the proposal, by virtue of siting, relationship between each of the proposed dwellings, substandard living conditions and inadequate*

*amenity space represents an unsuitable, overdevelopment of the site. As such the proposal is contrary to policies QD1, QD2, QD3, QD27, HO4 and HO5 of the Brighton and Hove Local Plan.*

2. *The applicant has failed to provide sufficient information to demonstrate that the proposed private amenity space for House 2 would not be overlooked from within the curtilage of House 1. Given the close proximity of the properties and the significant changes in ground level it is considered that an unacceptable level of overlooking would occur, to the detriment of the living conditions of future occupiers of House 2 contrary to policies QD27 and HO5 of the Brighton and Hove Local Plan.*
3. *The resultant provision of amenity space would be out of keeping with this suburban locality where predominantly neighbouring properties benefit from generous plots with gardens that are not located in such close proximity to neighbouring dwellings. Consequently the applicant has failed to demonstrate that there is sufficient private usable outside amenity space for each unit of accommodation appropriate to the scale and character of development in this area. As such the development is contrary to policies QD27 and HO5 of the Brighton and Hove Local Plan.*
4. *The proposed obscurely glazed window within the bedroom of House 1, by virtue of it being the principle window within the habitable room would result in a poor standard of living conditions and residential amenity contrary to policy QD27 of the Brighton and Hove Local Plan.*
5. *The proposal by virtue of insufficient vehicular access would result in a risk to users of the public highway. As such the proposal is contrary to policies TR1 and TR7, of the Brighton & Hove Local Plan.*

**BH2007/04231-** Demolition of existing bungalow and erection of new bungalow and chalet bungalow with parking for 4 vehicles. Refused 05/06/2008 for the following reasons:

1. *Cumulatively the proposal, by virtue of siting, relationship between each of the proposed dwellings, inadequate amenity space and impact on neighbouring amenity represents an unsuitable, overdevelopment of the site. As such the proposal is contrary to policies QD1, QD2, QD3, QD27, HO4 and HO5 of the Brighton and Hove Local Plan.*
2. *The proposal by virtue of the siting of Houses 1 & 2 and their relationship to one another would result in an unacceptable level of overlooking and loss of privacy for future occupiers of House 2, in that the rear amenity space for House 2 would be completely overlooked by House 1. Furthermore, the applicant has failed to demonstrate that the proposed dwellings would have a satisfactory relationship to the 'approved' dwellings at 128 Longhill Road. Finally the first floor bedroom window in the side elevation of House 1 would provide direct views onto the roof terrace of No.124 Longhill Road. Cumulatively the applicant has failed to demonstrate that the proposed dwellings would not lead to a loss of amenity for future occupiers as well as occupiers of neighbouring properties. Consequently the proposal is contrary to policy QD27 of the Brighton and Hove Local Plan.*
3. *The proposed external amenity space for House 2 would be completely overlooked by House 1 and by the 2no. approved dwellings on the adjacent plot (128 Longhill Road). Taking account of the close proximity of the aforementioned properties to House 2 and the significant changes in ground*

*level it is considered that an unacceptable level of overlooking would occur. The resultant provision of amenity space would be out of keeping with this suburban locality where predominantly neighbouring properties benefit from generous plots with gardens that are not located in such close proximity to neighbouring dwellings. Consequently the applicant has failed to demonstrate that there is sufficient private usable outside amenity space for each unit of accommodation appropriate to the scale and character of development in this area. As such the development is contrary to policy HO5 of the Brighton and Hove Local Plan.*

4. *The internal layout of House 2 does not appear to include a bathroom/shower room. Consequently it has not been adequately demonstrated that the development will not lead to a loss of amenity for future occupiers of House 2, contrary to policy QD27 of the Brighton & Hove Local Plan.*
5. *The proposal by virtue of insufficient vehicular access would result in a risk to users of the public highway. Furthermore the proposed number of parking spaces, 6 in total, exceeds the maximum standards for dwellings outside of a controlled parking zone. As such the proposal is contrary to policies TR1, TR7, TR19 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 4: Parking Standards.*

128 Longhill Road:

**BH2008/03328-** Construction of four houses. Existing dwelling to be demolished. Approved 20/11/2008

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the erection of a new chalet bungalow fronting Wanderdown Road and a separate single storey two-bedroom dwelling in the rear garden accessed from the existing accessway fronting Longhill Road.

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

**External:**

##### **5.1 Neighbours:**

**Eleven (11) letters have been received from 122, 128a, 130, 130a (x3) Longhill Road; 19, 21, 23 (x2) Wanderdown Road; and Heron Estates (owners of the access from Longhill Road), objecting to the proposed development for the following reasons:**

- Development is contrary to previous appeal inspectors decision
- Adding a dwelling adjacent to Wanderdown Road is detrimental to the streetscene
- Loss of views
- Amenity space insufficient compared to locality
- Overdevelopment
- Density of development not compatible with surrounding area
- Bats and badgers in the locality (but not at the site). Bat flight lines not addressed. Loss of habitats
- There are bats on the site
- Building work should be serviced from Longhill Road

- Access should remain via Longhill Road; access via Wanderdown Road is unnecessary
- Previous access from Wanderdown Road was rarely used
- Overlooking, loss of privacy and noise disturbance
- Increased traffic noise and pollution
- Water run-off
- Lighting disturbance
- Insufficient landscaping proposals
- The applicants do not own the access from Longhill Road, they only have right of way
- Visibility and highway safety issues from use of driveway to Longhill Road
- Insufficient access to Unit 2 for refuse, fire and emergency services
- Driveway too steep

5.2 **Internal:**

**Ecology:** No objection.

5.3 **Sustainable Transport:** No objection.

5.4 **Environmental Health:** No objection.

5.5 **Arboriculture:** No objection.

5.6 **Access:** No objection.

**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

#### 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

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

- SS1 Presumption in Favour of Sustainable Development
- CP8 Sustainable buildings

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the design and appearance of the proposed development and its impact on the street scene, the impact on the amenities of adjacent occupiers, the standard of accommodation to be provided, sustainability and transport issues.



- 8.2 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.
- 8.3 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 **Design and Appearance:**  
Policy QD1 of the Brighton & Hove Local Plan states that “all proposals for new buildings must demonstrate a high standard of design and make a positive contribution to the visual quality of the environment.” Furthermore, the policy advises that “unless a development proposal is within an area featuring a distinctive historic style of architecture, replication of existing styles and pastiche designs will be discouraged”. Policy QD2 states that all new developments shall emphasise and enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics, including a) the height, scale, bulk and design of existing buildings.
- 8.5 The former dwelling and garage on the site has been demolished and the entire site is now vacant and cleared. The plans detail the site would be divided into two plots. The main plot fronting Wanderdown Road would follow the rear plot boundaries to the street and therefore be proportionate to the character of the area. The new rear boundary would create a second plot 13m in depth and 35m in width on lower ground to the rear. This plot would broadly align with other backland plots in the area, notably 136 Longhill Road directly adjacent to the north. The size and position of both plots is such that their appropriate development can be supported in principle having regard the context and mixed character of the area
- 8.6 Unit 1 (fronting Wanderdown Road)  
The proposed dwelling within the plot fronting Wanderdown Road would align with the building line to the street and be broadly the same height and footprint as the adjacent bungalows to the north. The building would be single storey to the front with a lower ground floor leading onto the rear garden. The roof would have a split pitch with a front gable and would complement the similar dual pitch bungalows adjacent. The plans detail the building would be completed in facing brick with grey cedar weatherboarding to the front elevation and rear gable. The roof would be fibre cement slate with a larch fascia, and the windows would be grey aluminium. This mix of materials and finishes is considered broadly acceptable given the mixed character of the street.

8.7 Unit 2 (rear garden)

The proposed dwelling in the plot within the rear part of the garden would be 'L' shaped and single storey in height with a mono-pitch roof to the main body running alongside the boundary with Unit 1. A separate pitched roof garage would sit to the north side. Given the fall in land through the site Unit 2 would sit considerably lower to Wanderdown Road and below rear garden level to Unit 1. As such it would not be visible from Wanderdown Road. Likewise its backland position rear of 128, 128a, 130 & 130a Longhill Road is such that it would not be visible from Longhill Road.

8.8 The development of this rear part of the site has previously been refused planning permission on both amenity and design grounds (see planning history above). The appeal inspector for the last application BH2013/02177 considered that a chalet bungalow was unacceptable on this part of the site on the grounds that the scale and bulky roof to the dwelling was deemed excessively large, and the proximity of the dwelling would have had an overbearing impact on 130 Longhill Road.

8.9 The plans for the chalet bungalow indicated it would have been set 7m rear of 130 Longhill Road with a depth of 8m and height of 6.5m. The appeal inspector noted the existing backland development in the area and considered this, in combination with the overall size of the dwelling and its bulky roof, represented a cramped form of development that would not complement its surroundings.

8.10 The proposed dwelling is of a significantly reduced single storey form and is now positioned at the rear of the plot away from the new dwellings at 130 & 130a Longhill Road. This gives the building more breathing space than the previous proposals, with the building now set between 7m and 12m from the new properties at 130 & 130a Longhill Road, 10.3m from Unit 1, and with a maximum height of 3.8m. The revised position of the dwelling and its reduced single storey scale and form is such that the concerns that prompted the refusals of the previous schemes and appeal are considered to have been overcome. The proposed dwelling would sit more comfortably in its plot retaining a good sized garden to the rear/south side proportionate to those elsewhere in the immediate area. Consequently it would not appear unduly cramped and would not result in a harmful overdevelopment of the site or surrounds.

8.11 The resultant building is now considered suitably positioned, scaled and designed in relation to adjacent buildings and the surrounding development pattern, in accordance with policies QD1 & QD2 of the Brighton & Hove Local Plan.

8.12 Trees and Landscaping:

The site and all vegetation within it has been cleared. There remains boundary hedging to the north and south sides and semi-mature trees adjacent to the western site boundary. The Council's Arboriculturalist has raised no objection to the clearing of the site and the proposed development subject to suitable fencing being erected to protect the remaining trees and hedges. This is secured by condition alongside a finalised landscaping scheme.

- 8.13 An Extended Phase 1 Habitat Survey has been submitted with the application. The survey addresses the ecological interest of the site prior to its clearance. The survey identifies that the site was of little ecological interest with no protected species present, and recommends that suitable ecological enhancements are included in any permission to include bird and bat boxes and use of native species. This is secured by condition.
- 8.14 **Standard of Accommodation:**  
Both dwellings are of a good size with good access to natural light and ventilation with a good sized private rear gardens retained, in accordance with policies QD27 and HO5 of the Brighton & Hove Local Plan.
- 8.15 Policy HO13 requires all new residential dwellings to be built to Lifetime Homes standards whereby they can be adapted to meet people with disabilities without major structural alterations. No details have been submitted however full compliance is secured by condition.
- 8.16 **Impact on Amenity:**  
Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.17 Unit 1:  
Unit 1 would sit directly alongside 16 Wanderdown Road in a more advanced position than the former dwelling on the site. The two side facing windows to no.16 are non-principal, with the front-most having previously faced the side wall to a garage. As such the proposed dwelling would not have a harmful impact in terms of light and outlook to no.16. To the rear the proposed terrace would align with the rear elevation of no.16, thereby ensuring no views into the rear windows of this property. Both nos. 14 & 16 Wanderdown Road have a similar rear terraces which result in mutual overlooking of their respective rear gardens. The addition of a further terrace for unit 1 would result in the overlooking of the rear garden to no.16, however the level of overlooking between the properties would be mutual and not be out of character with that which prevails in the area.
- 8.18 No 124 Longhill Road adjacent to the south is set at a suitable separation such that there would be no significant loss of amenity by way of overlooking or loss of light or outlook from the building, side or rear terraces, with the boundary fencing providing suitable screening.
- 8.19 The position and layout of Unit 2 on lower ground level to the west is sufficient to ensure that any overlooking from the terrace into Unit 2 would be blocked by its mono-pitched roof.
- 8.20 Unit 2:  
Unit 2 is single storey and set below garden level to the properties on Wanderdown Road. As such it would not result in any amenity impact on these properties. Similarly there is a suitable separation to 136 Longhill Road to north to avoid any amenity concerns. The main potential impact would be to the east to

the new dwellings at 130 & 130a Longhill Road. These are set on lower ground to Unit 2 with boundary fencing and trees within their gardens providing good screening. This boundary treatment would protect the privacy of the rear gardens and ground floor windows to both dwellings. The only window that would be impacted are a stairwell window, landing window and 'study' window to both dwellings. These are non-principal windows set above ground floor level to Unit 2 therefore any overlooking would be of minimal impact and harm.

8.21 For these reasons the proposed development accords with policy QD27 of the Brighton & Hove Local Plan.

**8.22 Sustainable Transport:**

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

8.23 The proposal details that Unit 1 would be served by the existing hardstanding fronting Wanderdown Road, whilst Unit 2 would be served by the existing accessway from Longhill Road. As such the vehicular access and parking arrangements would be broadly the same as existing. Secure covered cycle parking is detailed within the garages to each property. The Sustainable Transport officer has raised no objection to this arrangement. On this basis the proposal accords with policies TR1, TR7 & TR14 of the Brighton & Hove Local Plan.

**8.24 Sustainability:**

Policy SU2 of the Brighton & Hove Local Plan, including SDP08 'Sustainable Building Design', requires new development to demonstrate a high level of efficiency in the use of water, energy and materials. Both dwellings fall outside the footprint of the existing building on previously undeveloped garden land. In such incidences SPD08 advises that proposals should include a completed sustainability checklist, should achieve Level 5 of the Code for Sustainable Homes, and should meet all Lifetimes Homes Standards. However, the main modifications to the submission City Plan Part One reduce the expected sustainability requirements for greenfield development from Level 5 to Level 4 and this is the level currently now being sought.

8.25 The application is supported with a Sustainability Checklist and supporting documentation which details that Unit 1 will achieve Level 3 of the Code and Unit 2 Level 5. A condition is attached to ensure both units achieve level 4 of the Code for Sustainable Homes in line with policy CP8. Subject to this condition the proposed development would meet the sustainability criteria set out in policy SU2 and SPD08. Suitable refuse and recycling details are included on the submitted plans and secured by condition.

**8.26 Other matters:**

The plans detail that a right of way to 14 Wanderdown Road through the north part of the lower plot would be retained. Representations have been received identifying that the access driveway from Longhill Road is not under sole ownership of the applicants (only a narrow 10ft strip of the driveway is controlled

by the applicant), and that this would restrict the right of vehicles accessing Unit 2. Land ownership matters are not normally material planning considerations however in this instance regard should be had to the possibility that vehicular access to Unit 2 may be restricted. The access is 50m long on rising land. Sustainable Transport officers have raised no objection to the possibility that occupiers of Unit 2 may be unable to use the drive for vehicular access, identifying that suitable street parking is available in the area. Whilst the driveway is long, pedestrian access would remain.

8.27 In terms of access for fire appliances, this is normally a matter addressed under the Building Regulations. Fire appliances normally require a maximum 45m from the street to the rearmost part of the building, although a 90m distance can be accepted if sprinkler systems are installed. In this instance the distance from Longhill Road to the rearmost part of Unit 2 is approximately 75m therefore suitable fire access would appear possible.

## 9 CONCLUSION

9.1 The proposed development is of a suitable layout, scale and design that would complement the character of the surrounding area and would have an acceptable impact on the amenities of adjacent properties, in accordance with development plan policies.

## 10 EQUALITIES

10.1 The development is required to meet Lifetime Homes standards

## 11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

### 11.1 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Existing site plan and block plan	3488.EX.00	A	28/01/2015
Existing site plan	3488.EX.01	A	03/03/2015
Proposed site plan and block plan	3488.PL.00	B	03/03/2015
Proposed overall site plan	3488.PL.01	A	03/03/2015
Unit 1 floor plan	3488.PL.02	-	22/01/2015
Unit 1 floor plan, elevations	3488.PL.02	-	22/01/2015

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and sections			
Unit 2 floor plan	3488.PL.04	A	03/03/2015
Unit 2 elevations and sections	3488.PL.05	A	03/03/2015

- 3) No extension, enlargement or alteration of the dwellinghouses as provided for within Schedule 2, Part 1, Classes A - B 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.

- 4) If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

**Reason:** To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

11.2 Pre-Commencement Conditions:

- 5) 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):
- samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
  - samples of all cladding to be used, including details of their treatment to protect against weathering
  - samples of all hard surfacing materials
  - samples of the proposed window, door and balcony treatments
  - 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.

- 6) No development shall commence until fences for the protection of trees and hedges to be retained in and adjacent to the site have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be erected in

accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

**Reason:** As this matter is fundamental to protecting the trees which are to be retained on and adjacent to the site during construction works in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

11.3 Pre-Occupation Conditions:

- 7) Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. 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.
- All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. 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 first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.
- 8) 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.
- 9) Prior to first occupation of the development hereby permitted a scheme to enhance the nature conservation interest of the site in accordance with the recommendations set out in the Extended Phase 1 Habitat Survey received on 22 January 2015 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.

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**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.

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

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

- 12) 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.

### 11.4 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-  
The proposed development is of a suitable layout, scale and design that would complement the character of the surrounding area and would have an acceptable impact on the amenities of adjacent properties, in accordance with development plan policies.