



**Brighton & Hove
City Council**

Plans List

PLANNING COMMITTEE

2.00PM, WEDNESDAY, 10 AUGUST 2011

COUNCIL CHAMBER, HOVE TOWN HALL

**BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT**

**PLANS LIST
PLANNING COMMITTEE
Date: 10th August 2011**

TREES - Recommendations

Page 3

MAJOR APPLICATIONS

	Application Number	Area	Ward	Address	Proposal	Recommendation	Page
A	BH2011/01264	West	Hove Park	Blatchington Mill School, Nevill Avenue	Construction of 2no. artificial turf sports pitches incorporating installation of 12no. 15m high floodlights, perimeter fencing and associated ground works.	Grant	23
B	BH2011/01013	East	Preston Park	St Augustines Church, Stanford Avenue	Demolition of timber building to rear and conversion and extension of church hall to provide for 13 self contained flats.	Refuse	64
C	BH2011/01014	East	Preston Park	St Augustines Church, Stanford Avenue	Internal alterations to church incorporating installation of 2 new floors and associated works.	Refuse	83

MINOR APPLICATIONS

	Application Number	Area	Ward	Address	Proposal	Recommendation	Page
D	BH2011/01154	East	Patcham	Mill House, Overhill Drive	Erection of two storey detached residential dwelling.	Grant	94
E	BH2011/01399	East	Rottingdean Coastal	Trinity House, Roedean Vale	Erection of three storey detached dwelling with associated access from Roedean Vale.	Grant	111

Determined Applications:

Page 127

PLEASE NOTE IN LINE WITH THE DECISION OF THE SUB-COMMITTEE TAKEN AT ITS MEETING ON 27 APRIL 2005, copies of "Determined Applications" items are now available as hard copies at public inspection points or may be downloaded from the Council website. Copies of these papers are emailed to individual Committee Members.

Application Number: BH2010/02101 **Ward:** Rottingdean

Address: Outside 1 The Vale, Ovingdean, Brighton

Proposal: To fell 1 x Populus tremula (Aspen)
covered by Tree Preservation Order (No 1) 2002

Officer: Di Morgan, tel. 01273 292929

Date Received: 12 July 2011

Applicant: Mark Haddock, Organic Matters

1 Introduction

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

2 Recommendation

2.1 That the Sub-Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 7 of this report and resolves to **grant** consent subject to the following conditions:

- The felling shall be carried out within two years under the supervision and to the satisfaction of the Local Planning Authority.
- The said existing tree shall be replaced by a tree of a size and species and in a position to be agreed by the Local Planning Authority.
- The replacement tree shall be planted during the period November to March next, following the felling of the existing tree, and such planting shall be in all respects to the satisfaction of the Local Planning Authority.
- If, within a period of two years from the date of the planting, the tree (or any other tree planted in replacement for it) is removed, uprooted or destroyed or dies, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.

3 Description of the Application Site

- 3.1 The tree the subject of this application is an enormous specimen at the entrance to the northern end of The Vale, in Ovingdean.
- 3.2 The over-mature tree, whilst being under the ownership of 1 The Vale, is actually situated on a woodland verge area just outside the boundary fence of the property.

4 Proposal

- 4.1 The applicant wishes to fell this tree as it is in decline, having die-back on the western side. A large limb has been torn away approximately 2 metres from ground level, and evidence of a wasps nest within the main trunk at 10 m. The tree is approximately 25 m in height. It may become unstable due to the above possible failure points, and a pollard would be aesthetically wrong.
- 4.2 The applicant wishes to fell this tree as his client is very concerned about the safety of the public beneath the tree (this road is used by pupils from the nearby Longhill School).

5 Considerations

- 5.1 The tree the subject of this application is approximately 22 - 25 metres high with a joint canopy spread with the Grey Poplar to its south, the subject of another report before this Committee.
- 5.2 The tree is very prominent on the landscape.
- 5.3 There is a large pruning wound at approximately 4 metres, the branch cone is visible and decayed – a possible rot pocket.
- 5.4 The tree is twin stemmed at approximately 10 metres. One stem has a visible rot pocket and signs of decay. There is excessive deadwood on the western side of the canopy. The other stem has a wasps nest just above the stem union, indicating a possible cavity.
- 5.5 Poplars have a high tendency to fail at defect points.
- 5.5 The tree could be pollarded above the 10 m twin stem union, however, this will render the tree aesthetically unpleasing and unworthy of Tree Preservation Order.
- 5.6 There is a semi-mature *Aesculus hippocastanum* (Horse Chestnut) growing under the canopy of the Aspen. This tree should flourish and has the potential to be a fine specimen if the Aspen is removed.

6 Relevant Planning History

6.1 None.

7 Conclusion

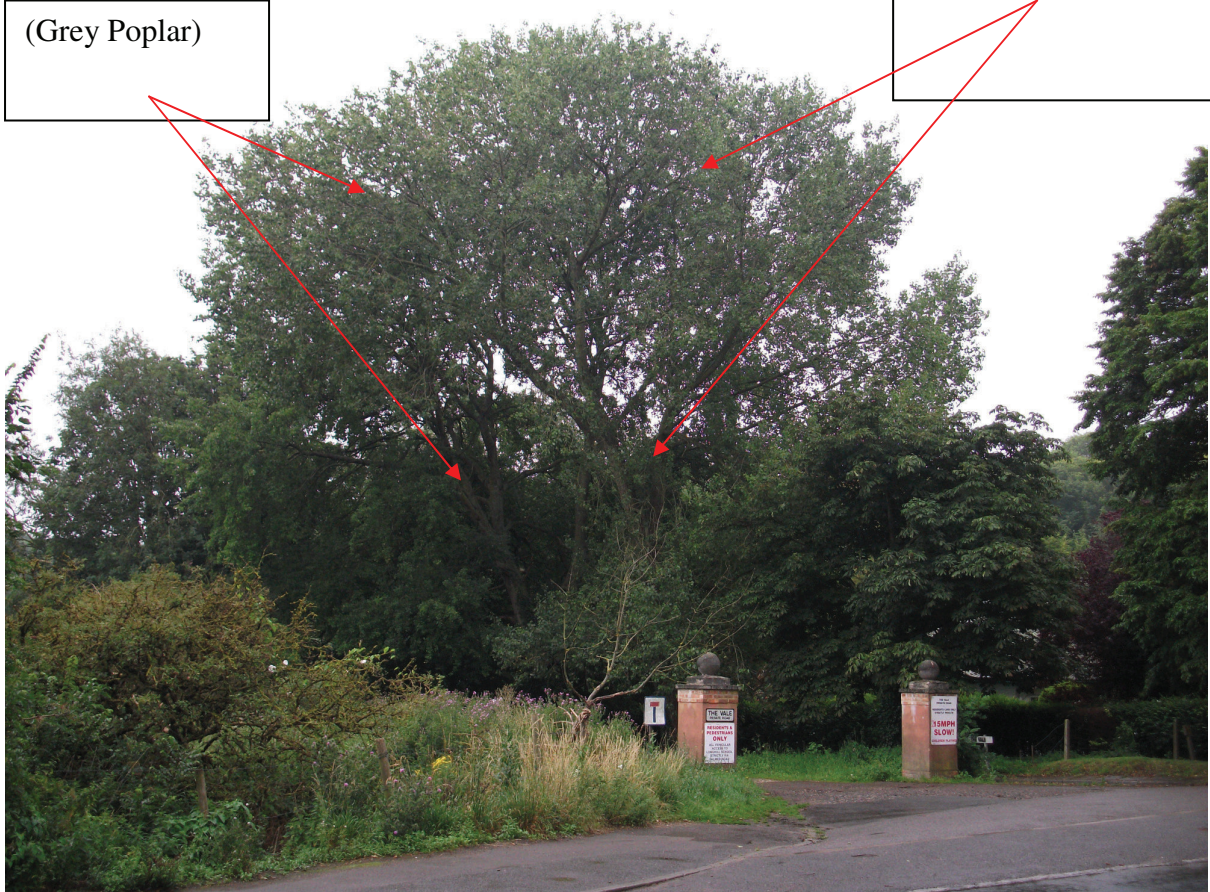
7.1 This tree is highly visible from the road and pavement. It has high public amenity value.

7.2 The tree is obviously in decline with several structural defects that should not be ignored. The tree could be pollarded, however, this would render the tree aesthetically unpleasing and unworthy of Preservation Order, therefore consent should be granted to remove the tree at this time and a suitable replacement planted.

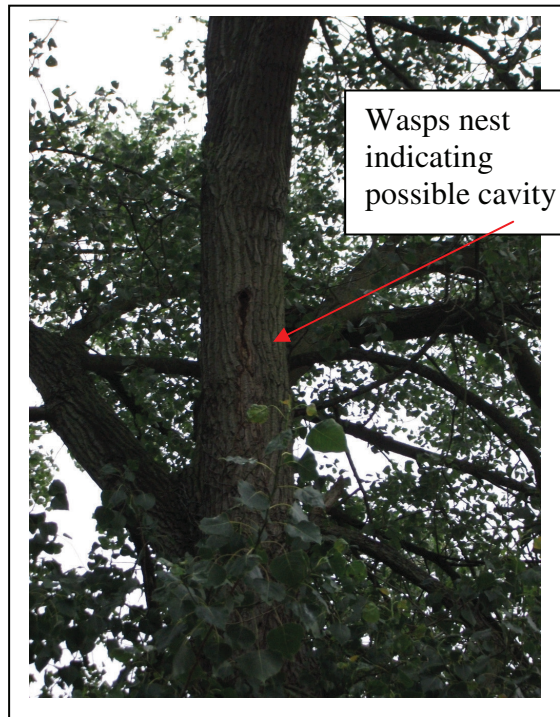
BH2011/02101: 1 The Vale (Aspen)

The Aspen the subject of this application.

(Grey Poplar)

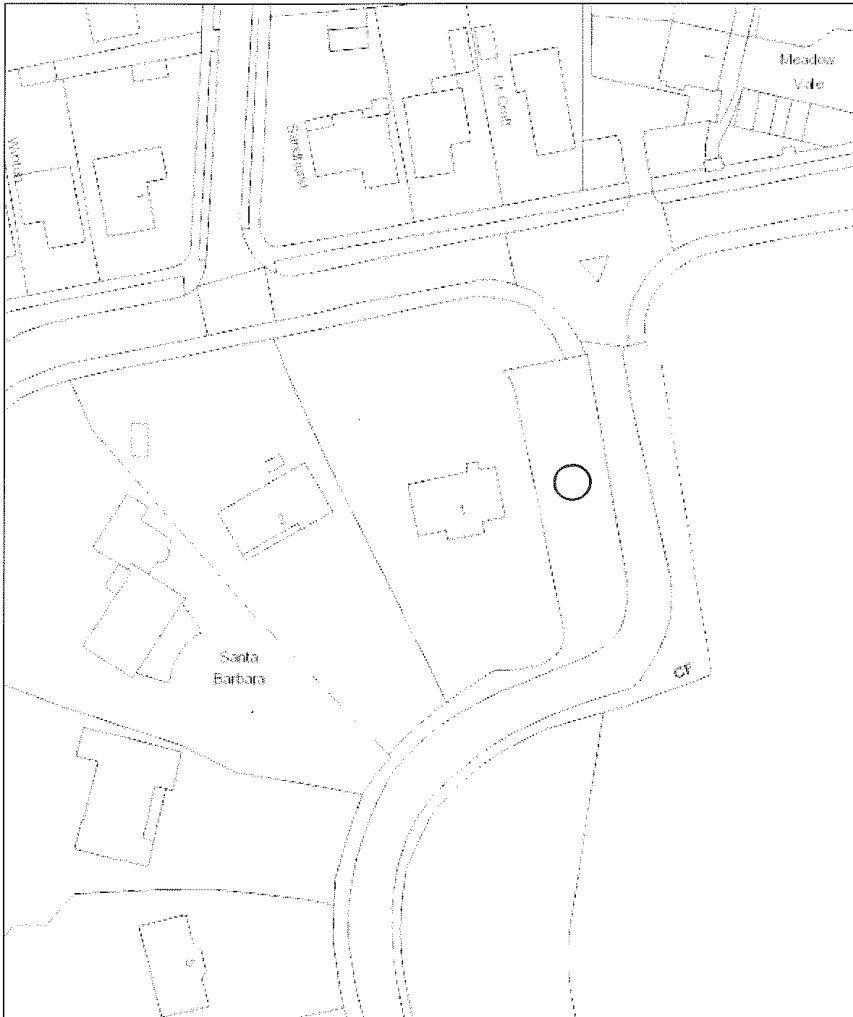


Large pruning wound at approximately 4m



Wasps nest indicating possible cavity

Town & Country Planning (Tree Preservation) (No 1) Order 2002



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BH2011/02101 beside 1 The Vale, Ovingdean



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Gillian Marston
Head of City Infrastructure

Application Number: BH2010/02217 **Ward:** Rottingdean

Address: Outside 1 The Vale, Ovingdean, Brighton

Proposal: To fell 1 x Populus x canescens (Grey Poplar)
covered by Tree Preservation Order (No 1) 2002

Officer: Di Morgan, tel. 01273 292929

Date Received: 12 July 2011

Applicant: Mark Haddock, Organic Matters

1 Introduction

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

2 Recommendation

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

3 Description of the Application Site

3.1 The tree the subject of this application is an enormous specimen at the entrance to the northern end of The Vale, in Ovingdean.

3.2 The over-mature tree, whilst being under the ownership of 1 The Vale, is actually situated on a woodland verge area just outside the boundary fence of the property.

4 Proposal

4.1 The applicant wishes to fell this tree as his client is very concerned about the safety of the public beneath the tree (this road is used by pupils from the nearby Longhill School). The tree has an excessive amount of deadwood and hung-up / torn limbs. A solicitor has advised removal of the tree and it is felt a reduction of the tree would be inappropriate as work would then be required every 2 – 3 years.

5 Considerations

5.1 The over-mature tree the subject of this application is approximately 22 - 25 metres high with a joint canopy spread with the Aspen to its north, the subject of another report before this Committee.

5.2 The tree is very prominent on the landscape.

- 5.3 There are large amounts of deadwood in the canopy but there were no structural defects visible at the time of the inspecting officer's visit that would indicate the tree should be felled.
- 5.4 The tree is ivy clad to 6 metres. The ivy should be removed if possible to allow a full Visual Tree Assessment (ie, the ivy may be masking defects that would indicate the tree should be felled).
- 5.5 The tree does have a large canopy and could be pruned to sufficiently reduce the risk of failure.

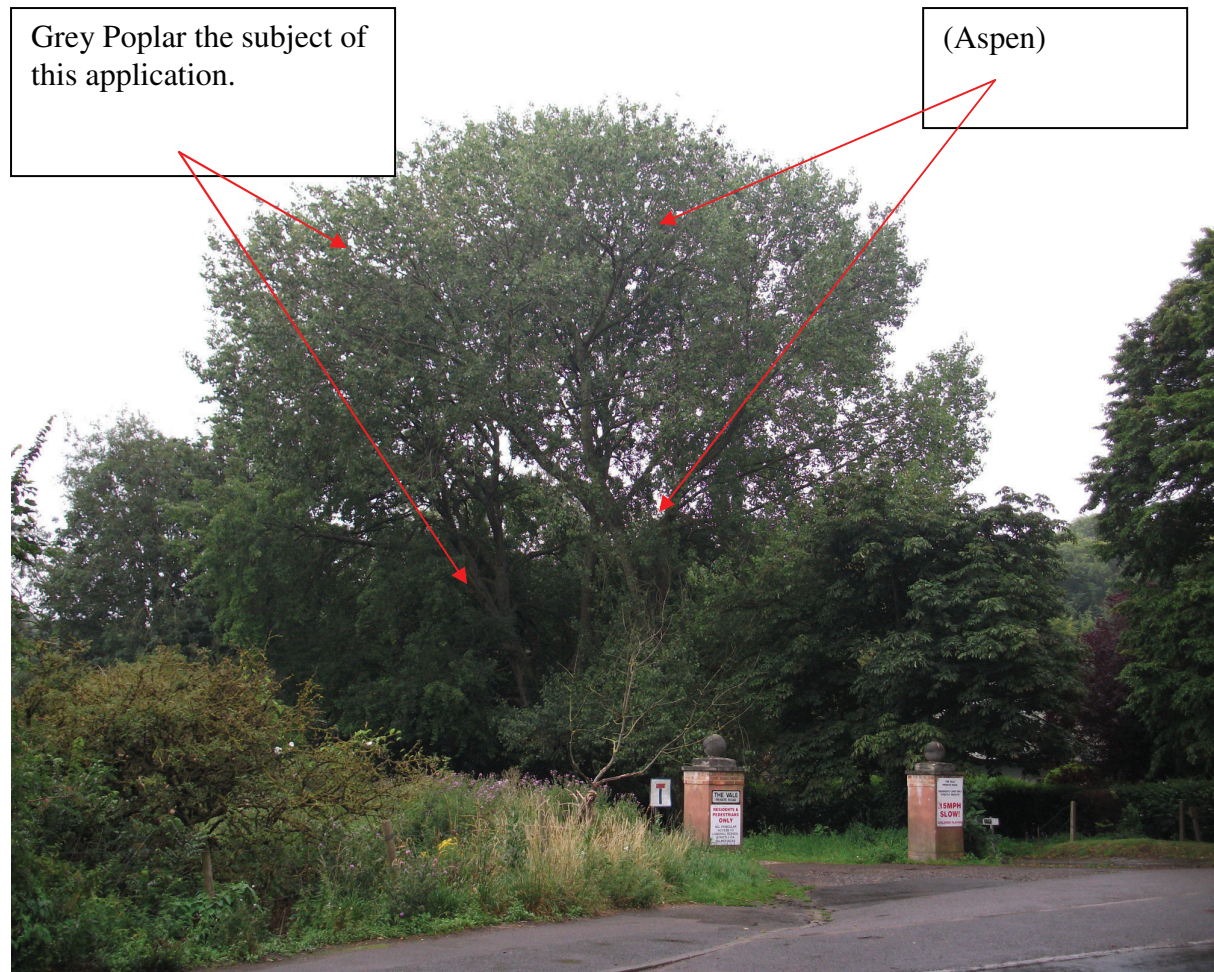
6 Relevant Planning History

- 6.1 None.

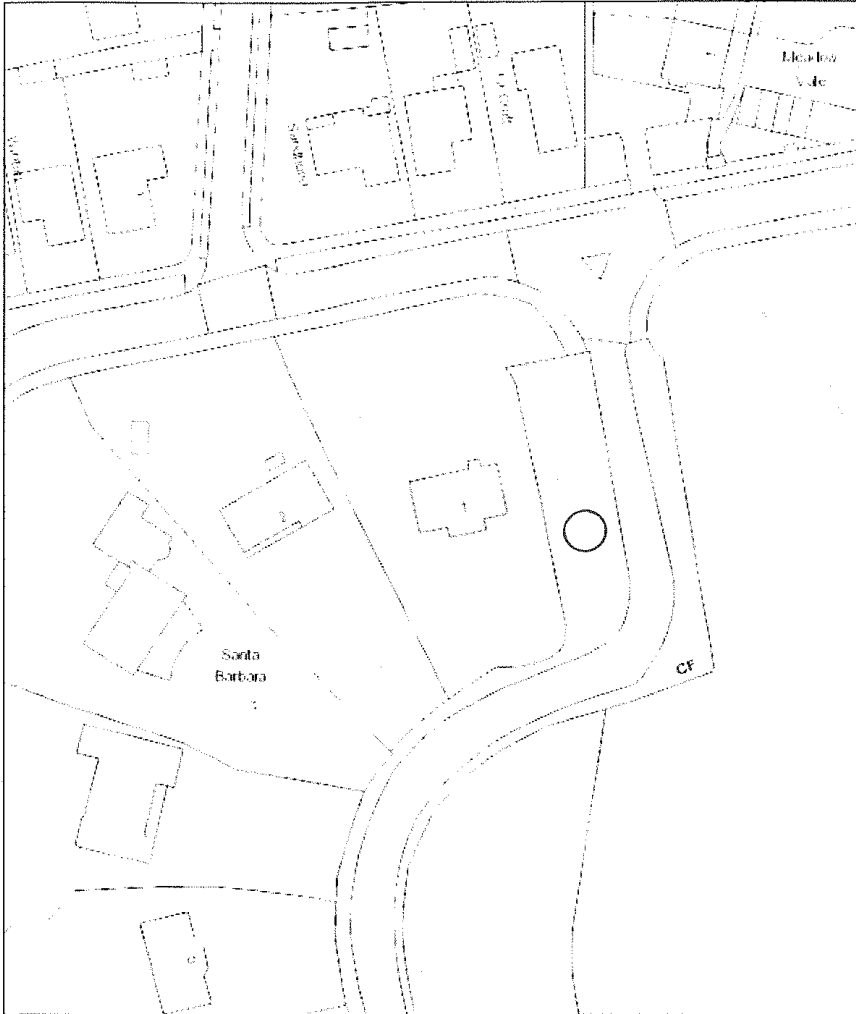
7 Conclusion

- 7.1 This tree is highly visible from the road and pavement. It has high public amenity value.
- 7.2 The tree has large amounts of deadwood, however, there were no structural defects visible at the time of the inspecting officer's visit. Removal of the deadwood and judicial pruning should reduce the risk of the tree failing sufficiently enough to allow its retention.

BH2011/02217: 1 The Vale (Grey Poplar)



Town & Country Planning (Tree Preservation) (No 1) Order 2002



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BH2011/02 ~~217~~ beside 1 The Vale, Ovingdean



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Gillian Marston
Head of City Infrastructure

Application Number: BH2010/01543 **Ward:** Patcham
Address: 8 Patcham Grange, Patcham, Brighton
Proposal: To fell 1 x Acer pseudoplatanus (Sycamore)
covered by Tree Preservation Order (No 6) 1974
Officer: Di Morgan, tel. 01273 292929
Date Received: 25 May 2011
Applicant: Iain Palmer, The Arbor Barber

1 Introduction

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

2 Recommendation

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

3 Description of the Application Site

3.1 The over-mature tree the subject of this application is a fine specimen situated towards the centre of the rear garden of 8 Patcham Grange. It is in a lawned area, approximately 7 metres from the property. The stature of the tree is such that it sweeps away from the house and over the remainder of the garden.

4 Proposal

4.1 The applicant wishes to fell this tree as it has an included stem union at the base of the tree supporting two very large stems with potential for stem failure at ground level with a danger of damaging the house. Also, there is a large cavity approximately 2.5 metres up the most easterly stem.

4.2 The applicant states that the tree has been crown reduced somewhat crudely in the past causing it to lose its natural shape and character, and further reduction would only accentuate this and may still not eliminate the risk of failure.

4.3 The applicant's client would like to replant with a half standard Copper Beech further back from the house, feeling this would be a more suitable tree for the location.

5 Considerations

- 5.1 The tree the subject of this application is approximately 18 metres high with a crown spread of 12 - 14 metres.
- 5.2 There is a deep cavity at a height of approximately 2.5 metres on one stem. The depth of this cavity is beyond recommended guidelines and should not be ignored.
- 5.3 The tree is triple stemmed from 0.5 – 1m from the ground, with weak unions at the base.
- 5.4 The tree has been pruned hard in the past, presumably to reduce the risk of the above-mentioned weak points failing.
- 5.5 Although the tree is in the rear garden of the property, it is highly visible over the roof of the house and is highly visible from the public footpath and road.

6 Relevant Planning History

- 6.1 None.

7 Conclusion

- 7.1 This tree is highly visible from the road and pavement. It has high public amenity value.
- 7.2 The tree has 2 – 3 structural defects that should not be ignored, however, the risk of these points failing can be sufficiently reduced by judicious pruning and possibly the installation of a bracing system.

BH2011/01543: 8 Patcham Grange

The tree the subject of this application.



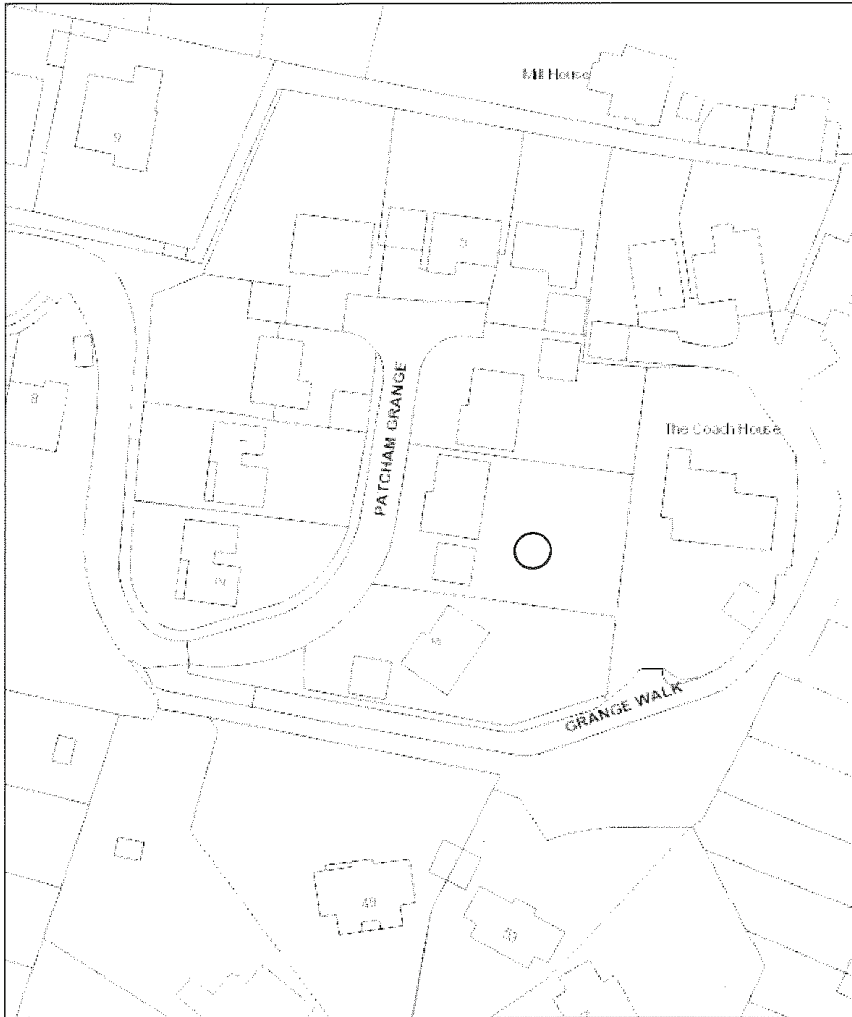
Large cavity on one stem.



Weak Stem Unions.



Town & Country Planning (Tree Preservation)(No 6) Order 1974



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BH2011/01543 8 Patcham Grange



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Gillian Marston
Head of City Infrastructure

Application Number: BH2010/01703 **Ward:** Hangleton and Knoll
Address: 20 Hangleton Manor Close
Proposal: To fell 1 x Populus nigra (Black Poplar)
covered by Tree Preservation Order (No 18) 2001
Officer: Di Morgan, tel. 01273 292929
Date Received: 10 June 2011
Applicant: Mr Vernon Hardman, 24 Hangleton Manor Close

1 Introduction

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

2 Recommendation

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

3 Description of the Application Site

3.1 The tree the subject of this application is an enormous specimen on the front boundary of the front garden of 20 Hangleton Manor Close.

4 Proposal

- 4.1 The applicant wishes to fell this tree as it is approximately 22 metres tall.
- 4.2 The tree is approximately 16 metres from the applicant's property at 24 Hangleton Manor Close.
- 4.3 The tree is leaning in a NE direction by about 12 – 15 degrees (thus leaning towards the applicant's house).
- 4.4 The adjacent flint wall has a large vertical crack and has been lifted several inches, apparently due to the tree roots.
- 4.5 A root is causing the private driveway to lift.
- 4.6 The risk of severe damage to the tree is increased owing to the particular configuration of the adjacent buildings, hedge and walls, thus funnelling the south-westerly wind up through Hangleton Manor Close.

- 4.7 The Coder Index of Tree Wind Damage (Coder, University of Georgia 2007) states a wind pressure of 42 psf at a wind speed of 40 mph resulting in expected branch failures, and indeed small branches have been blown from this tree in such conditions. 40 mph winds with gusts in excess of this are relatively frequent on the south coast. The area of the canopy is visibly large and is therefore subjected to significant pressure in high gusting winds.
- 4.8 The applicant would replace this tree with a species that would not exceed 4 metres in height and whose root structure would not endanger ground structures.

5 Considerations

- 5.1 The over-mature tree the subject of this application is approximately 18 – 20 metres high with a full crown spread of approximately 12 – 14 metres
- 5.2 The tree is very prominent on the landscape.
- 5.3 There were no structural defects visible within the tree at the time of the inspecting officer's visit that would indicate the tree should be felled.
- 5.4 The tree is leaning in a NE direction as it has matured with the prevailing south westerly winds. The tree should put on reactionary wood to combat the effects of this wind. The 15 degree lean is not sufficient to cause alarm at this stage and there were no visible signs of the tree moving within the ground.
- 5.5 The flint wall has recently been repaired and the tree remains in situ.
- 5.6 The private driveway / roadway has been damaged by a tree root, and the root is likely to be from this Poplar. The damage caused appears to be minor at this time and it is presumed if the roadway is to be repaired, it could be repaired with the tree remaining in situ.
- 5.7 The canopy of the tree is indeed full and wind loading will have an effect on the tree, however it was felt by the inspecting officer that the tree could be pruned to sufficiently reduce the risk of the tree or any of its branches failing in the short / medium term.

6 Relevant Planning History

- 6.1 None.

7 Conclusion

- 7.1 This tree is highly visible from the road and pavement. It has high public amenity value. There were no visible defects at the time of the inspecting officer's visit.

- 7.2 The tree is leaning in a north easterly direction as it has matured with the prevailing southwesterly wind.
- 7.3 The flint wall has been repaired already and the roadway could be repaired with the tree still remaining in situ.
- 7.4 It is appreciated that wind loading may have an effect on the full, large canopy of this tree, however, this canopy could be reduced and thus sufficiently reduce the risk of any branches within the canopy failing.

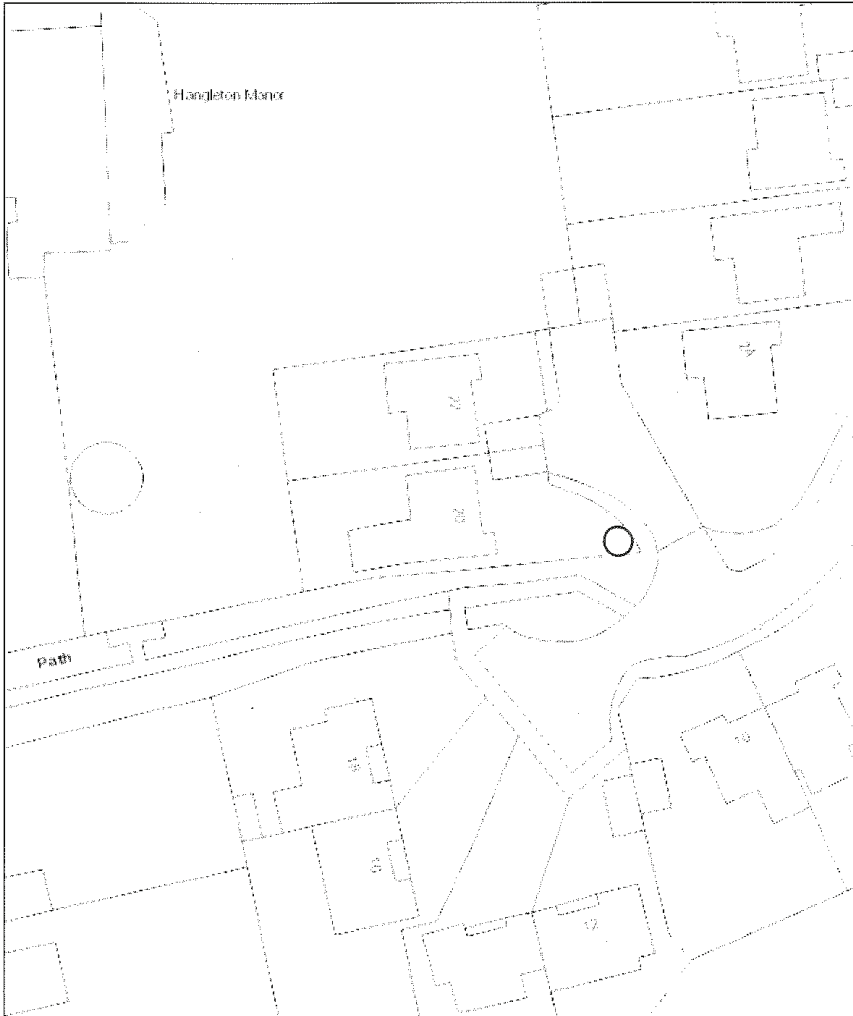
BH2011/01703: 20 Hangleton Manor Close



The tree the subject of this application.



Cracked and slightly raised road surface – root activity underneath.



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BH2011/01703 20 Hangleton Manor Close



A handwritten signature in black ink, appearing to read 'Gillian Marston'.

Gillian Marston
Head of City Infrastructure

LIST OF MAJOR APPLICATIONS

<u>No:</u>	BH2011/01264	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Blatchington Mill School, Nevill Avenue, Hove		
<u>Proposal:</u>	Construction of 2no. artificial turf sports pitches incorporating installation of 12no. 15m high floodlights, perimeter fencing and associated ground works.		
<u>Officer:</u>	Christopher Wright, tel: 292097	<u>Valid Date:</u>	12/05/2011
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	11 August 2011
<u>Agent:</u>	CJ Planning Ltd, 80 Rugby Road, Brighton		
<u>Applicant:</u>	Blatchington Mill School, Brighton & Hove Hockey Club, C/O CJ Planning Ltd		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

Regulatory Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawing nos. SCC/BHHB/05C, SCC/BHHCB/08, SCC/BHHCB/09A, SCC/BHHCB/11C, SCC/BHHCB/12, SCC/BHHCB/13, SCC/BHHCB/14, SCC/BHHCB/19, SCC/BHHCB/20C and the computer visual received on 6 July 2011; the construction timetable received on 24 June 2011; the Location Plan Revision A (pitch markings removed) and Biodiversity Checklist received on 12 May 2011; and the Planning, Design and Access Statement, Travel Plan, draft hebdomadal pitch usage timetables (x2), letter of support from England Hockey Board, Location Plan, P01 (Block Plan), SCC/BHHCB/02B, SCC/BHHCB/03A, SCC/BHHCB/04A, SCC/BHHCB/06A, SCC/BHHCB/09 received on 3 May 2011.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The level of illumination from the floodlights hereby approved shall not exceed 500 Lux peak brightness upon the surface of the artificial pitches .
Reason: In order to comply with the Floodlighting Strategy submitted and to ensure levels of light spillage are kept to a minimum in the interests of safeguarding residential amenity and to comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.
4. Levels of illumination from the floodlights hereby permitted shall not

exceed a maximum brightness of 5 Lux recorded at ground level at distances greater than 30m from the perimeter edge of each of the two artificial pitches hereby approved.

Reason: To ensure minimum light spillage in accordance with the Floodlighting Strategy submitted and to safeguard the residential amenity of neighbouring residents and comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.

5. The sources of light contained within the floodlighting units (the bulbs) shall not be visible when observed from the perimeter edges of the playing field area (shown edged in red on the plans submitted) at a height of 1.7m above ground level.

Reason: To ensure the light sources are not directly visible from neighbouring residential properties, to safeguard neighbour amenity and to comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.

6. The floodlights hereby permitted shall only be used between the hours of 8.00am and 10.00pm. Additionally they shall only be used when the artificial pitches are being used.

Reason: To safeguard residential amenity and to comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.

7. The Travel Plan submitted with the application shall be implemented and carried out in accordance with the details contain therein and the applicant shall engage with the Council Travel Plan Coordinator to ensure regular monitoring of the Travel Plan takes place for the lifetime of the development.

Reason: In order to achieve the objectives of encouraging travel and from the development by alternative modes of transport to the private car, including cycling, walking and bus; reducing reliance on use of the private car in the interests of cutting emissions, reducing congestion and safeguarding neighbouring residential streets from overspill parking; and to comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

8. The noise level (dB(A) Leq) associated with any amplified music, public address systems, or any other entertainment noise on the developed site shall not exceed the background noise level by more than 15dB(A) over a 15 minute period and shall not be in use other than between the hours of 8.00am to 9.00pm.

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

Pre-Commencement Conditions:

9. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written statement of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details.

Reason: To enable the recording of any items of historical or

archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within PPS5 'Planning for the Historic Environment'; and Policy HE12 of the Brighton & Hove Local Plan.

Pre-Operation Conditions:

10. Prior to the floodlights hereby approved being brought into use, the floodlights shall be tested and adjusted such that light spillage is minimised in accordance with the Floodlighting Strategy submitted and the impact on surrounding residential properties is duly minimised. The floodlights shall be maintained as such thereafter.

Reason: To safeguard residential amenity and to comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.

11. A community use agreement shall be produced by Blatchington Mill School and the Brighton & Hove Hockey Club which commits to providing access to the pitches for the community shall be submitted to and approved in writing by the Local Planning Authority prior to the artificial pitches hereby permitted being brought into use.

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

Informatives:

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

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

(Please see section 7 of the report for the full list); and

(ii) for the following reasons:-

In principle the proposed development is considered acceptable and helps meet the objectives of making best use of the playing fields and providing improved facilities for both the school, hockey club and the local community.

The applicant has demonstrated that steps have been taken to minimise the visual impact and the amenity impact on local residents and the proposed floodlighting installation is shown in the submission to be a state of the art system which will minimise light spillage and hence the effect on neighbouring residents.

The development would have no significant adverse effect on existing highway and on-street parking conditions and the Travel Plan submitted with the application demonstrates that measures will be put in place, and continually monitored, to ensure the travel demand generated by the scheme is provided for and that travel to the site by alternative modes of transport such as bus and bicycle are encouraged and promoted.

Accordingly it is recommended that permission is granted subject to the above conditions.

2 THE SITE

The application relates to Blatchington Mill School, a large campus incorporating a Sixth Form College and situated to the west of Aldrington Primary School and an area of allotments. The school buildings are concentrated across the northern part of the campus with the school's playing fields below and adjacent to Nevill Playing Fields.

The school playing fields cover an area of some 3.54 hectares and ground level slopes gently southwards.

The school campus is bounded by residential development predominantly in the form of semi-detached housing. Properties in Holmes Avenue and Nevill Avenue directly back onto the school playing fields.

The school has five car parking areas which offer parking for up to 130 cars. In addition and out of school hours other hard standing areas within the school grounds provide parking for an extra 80 cars, making a total of 210 spaces.

3 RELEVANT HISTORY

There is no relevant planning history for similar proposals at the school. Below are summaries of recent decisions for other forms of development at the school.

BH2011/00019: On 21 February 2011 permission was granted for the erection of a single storey classroom block with ramped access to the north east part of the site following a similar approval on 21 June 2010 (ref. BH2010/01210).

BH2010/00841: Planning permission was granted for replacement of existing single glazed metal framed windows with new PVCu double glazed units including associated building works on 12 May 2010.

BH2009/01830: Proposed external alterations including replacement of existing single glazed metal windows and doors with double glazed UPVC windows and aluminium doors (retrospective) were approved on 23 September 2009.

BH2009/01264: The erection of a single storey extension to the assembly and dining hall was granted permission on 30 June 2009.

BH2006/04293: Erection of canopy to existing internal courtyard. Adaptions to the front entrance including one new disable parking bay. Approved 13 February 2007.

BH2006/00290: Erection of one no. double mobile classroom. Approved 20 March 2006.

BH2005/01908/CD: Installation of 2 no. mobile classrooms and install new pathways. Approved 16 August 2005.

BH2001/01382/FP: Disabled access ramps, new air conditioning system.
Approved 3 December 2001.

BH2001/00544/FP: Erection of new sports hall and link to existing building.
Approved 13 June 2001.

BH2000/02077/FP: Erection of a storage building for use by school theatre.
Approved 3 November 2000.

BH1999/02106/FP: Installation of one no. double mobile classroom.
Approved 1 October 1999.

BH1999/00435/FP: Erection of chain-link fencing to a height of 4 metres to enclose playground area.
Approved 22 April 1999.

BH1999/00049/FP: Block up windows, new windows, replacement windows and new panel doors to Squash courts building.
Approved 4 March 1999.

BH1998/02016/RM: Link between East and West wings of the school to provide science, general teaching and music accommodation.
Approved 23 November 1998.

BH1997/01924/RM: Leisure centre for dual community use, associated car parking, access road from Nevill Avenue and the closure of the access from Holmes Avenue to vehicles, and the laying out of additional tennis courts.
Approved 8 June 1998.

4 THE APPLICATION

Planning permission is sought for the installation of two all-weather artificially surfaced hockey pitches on the north-eastern area of the school playing fields. The existing playing fields cover an area of some 3.54 hectares and the proposed pitches some 1.32 hectares.

The proposal includes a floodlighting scheme comprising twelve columns arranged in three rows of four and each being 15m in height.

5 CONSULTATIONS

External:

Neighbours: 324 letters (list of addresses in Appendix A) have been received in support of the application, for the reasons summarised below:-

Transport

- Convenient and suitable location.
- Accessible by public transport, cycling and walking.
- Reduction in number and length of journeys.
- Makes use of school's existing parking and vehicular access.
- Better for the environment.
- Disabled access.
- Many have to travel outside the city for astro turf pitches.

Facilities

- Benefits schools, sports clubs and local community.
- Encouraging child development and protection.
- Better opportunities needed in Hove.

PLANS LIST – 10 AUGUST 2011

- Improved sports and education facilities for club, school, community and city.
- Enhance sports and education services in the area.
- Brighton & Hove Hockey Club will be more successful.
- Brighton & Hove Hockey Club does not have its own ground.
- Encourages healthy lifestyle, exercise and keeping fit.
- Useful all year round as grass pitches get waterlogged.
- At present school pupils cannot play outdoor sport in the winter.
- Useful for hockey, football and other sports.
- Will add to existing rugby, football, cricket, tennis and netball facilities.
- City lacks recreation facilities.
- Youths will participate and be less induced to crime, vandalism, and computer games.

Amenity

- Acceptable appearance and size.
- Pitches and fences low level.
- Minimal impact on local residents who overlook the site.
- Floodlighting designed to minimise light spillage.
- Padded boards and fences will minimise disturbance.

185 letters have been received (Appendix B) raising objections to the proposal for the reasons summarised as follows:-

Amenity

- Less peace and quiet if pitches used until 10pm, seven days a week.
- More intensified use than present occasional use outside school hours.
- Proposed hours of use should be reduced.
- The playing fields are not currently used until 10pm.
- Noise and disturbance at anti-social times of day.
- Noise from hockey balls hitting the perimeter fences.
- Use of foul language.
- Floodlights will be visible.
- Light spillage into neighbouring properties.
- Light pollution.
- Moisture in the air will intensify the brightness of the lights.
- Anti-social behaviour.
- Detrimental to neighbouring residents' health.
- Impact of late night access on residents' security.
- Local streets will be less safe.
- More litter and vandalism.
- Could turn into a huge commercial sports venue.
- Overlooking from raised end of pitches.
- Loss of privacy.

Transport

- Lack of parking.
- Street parking at capacity due to Legal and General, Coral stadium, LloydsTSB and Co-Op.
- Increased traffic.
- Traffic noise
- Proposed on-site parking managed will be difficult to enforce.
- Inflated Travel Plan forecasts.
- The Travel Plan contains many assumptions.
- Insufficient visibility splays at existing Nevill Avenue access.
- Surrounding roads need to be made safer with reduced speed limits, improved pedestrian crossings and Police patrols.
- Cycle lanes not suitable in Hove.
- Public transport service is not good in the evenings.
- Proposed drop off area unacceptable.

Proposed use

- Loss of green playing field area
- Less space for other sports like football, rugby, cricket and athletics.
- Loss of long jump area.
- Less grass for pupils to sit on at break times.
- Asset to sporty pupils only.
- Two pitches is excessive, one should suffice.
- 15m high lighting columns out of keeping with surrounding buildings.
- Floodlights will be visible across the city.
- Not appropriate in the middle of a well established residential area.
- Will spoil view of playing fields.
- As a commercial venture there is a conflict with policy EM4 of the Local Plan.
- More like a commercial leisure centre than facilities for the school children.
- Proposal is to make money for the school.
- There are no changing rooms.
- Potential flooding of back gardens due to surface water run-off and ground saturation.
- Improved standards of hockey players can be achieved without all weather pitches.
- Alternative sites should be considered.
- Sheepcote Valley, Waterhall or Withdean would be preferable sites.
- The proposal may be followed by application for further development, e.g. a pavilion.
- Illustrative drawings showing markings for athletics/rugby on remaining playing field land represent a compromise.
- Insufficient remaining space for safe operation of archery club.
- Sports taking place on remaining grass playing field will result in rugby balls etc. going over neighbours' fences.

Environment

- The existing grass field is zero carbon, installation of floodlights will not be sustainable and is contrary to SPD08.
- Artificial/synthetic turf is unsafe and bad for the environment.

Additional matters

- Depreciation of neighbouring properties.
- Only one visual has been submitted and the angle of view selected is poor.
- More injuries on artificial surfaces.
- The committee report is to be finished and put on the agenda for Planning Committee prior to the expiry of the second round of neighbour notification and site notices on 28 July 2011. Any additional matters raised by objectors cannot therefore be given consideration.

Sport England: No objection.

The application proposes two floodlit all weather pitches to be located on existing playing field land. In the past it is understood that the site has been used for football and cricket. The pitches would be 63m x 102m in size and comprise sand filled surface type. The proposed size and surface type of the pitches ensure that they will be suitable for competition hockey matches and training and also for football training. It is proposed that the pitches would be floodlit by 12 no. 15m high lighting columns.

The applicant has submitted details of how they decided which artificial surface should be installed on the proposed pitches using the Sport England document "Selecting the Right Artificial Surface for Hockey, Football, Rugby League and Rugby Union" (2010) which concludes demand for 5-a-side football is high and would require a medium pile 3G surface although hockey requires a synthetic (sand dressed) pitch whilst football can still be played on grass.

In addition it is noted that grass football pitches will continue to be provided on the site and there would be no net loss of football pitch provision.

From a Sport England perspective, and considering the application on its planning merits in policy and land use terms, it can be concluded that the principle of the development is acceptable.

The England and Wales Cricket Board (ECB) have been consulted to establish whether the loss of the playing field would impact community cricket locally. In response ECB has stated:

The project is part of the Brighton & Hove City Sports Club project which will see Brighton & Hove Cricket Club, AFC Brighton & Hove and Brighton & Hove Hockey Club, look to improve facilities at the Nevill Ground with the potential building project at the ground which will house all three clubs. The

school is a partner in this project and has been extremely supportive to all 3 clubs. In terms of cricket usage, allotted time has been put aside on the new astro pitches for alternative forms of participation such as Twisted Cricket to further engage the local community. In simple terms this build will encourage and increase participation.

Therefore Sport England raises no objection to this application.

Sussex Police Crime Prevention Design Adviser: No objection.

The construction of these sports pitches together with the associate lighting and fencing will be totally within the site of the existing school grounds and the proper management of the facility will safeguard the amenity of nearby residents.

East Sussex Fire and Rescue Service: No objection.

Brighton & Hove Archaeological Society: No objection.

The area around West Blatchington has produced finds from the Palaeolithic period, the Bronze Age and a Roman Villa. Therefore it is recommended that a condition for an archaeological watching brief be considered as part of any planning approval.

Southern Gas Networks: No objection.

Southern Water: No objection.

Internal:

Planning Policy: No objection.

The proposal should be assessed against the three criteria in policy SR17 in the Local Plan. It is acceptable in terms of criterion (a) as it represents an improvement in sports facilities. The benefits to improving sports facilities in the city and expanding the use of the school grounds, in addition to the land already being used as playing fields, outweigh concerns regarding loss of outdoor recreation space covered by policy SR20. The proposal however, should also be assessed in terms of transport links and amenity issues (in relation to light and noise issues).

Improvement of sports facilities is welcomed in the Core Strategy alongside the expanded use of school facilities to allow use outside school hours by the local community and sports clubs. This is supported both by policy SR17 in the Local Plan and emerging policies in the Submission Version of the Core Strategy as set out in policies CP7 and SA6.

In conclusion, the proposal is considered acceptable in planning policy terms, subject to transport and amenity considerations.

Sports Facilities and Sports Development Team: No objection.

In 2008 the council commissioned leisure consultants PMP to undertake an Open Space, Sport and Recreation report which highlighted a need for more All Weather Pitches and noted that 'in terms of club aspirations for facilities, the largest proportion of respondents felt that more synthetic turf/all weather pitches would be of most value (39%).' As part of the Building Schools for the Future (BSF) programme, a council commissioned study showed a significant under supply of provision and one of the recommendations was to provide additional synthetic turf pitches to ease the pressure on current grass pitches.

The proposal will provide more sporting opportunities for pupils at Blatchington Mill School. The All Weather Pitches (AWP) would provide much more flexibility to the PE staff by providing a suitable playing surface for a multitude of sports even in bad weather. Hockey is generally only played now on AWP's so the proposal will help ensure the sport remains an important part of the PE curriculum and after school coaching programmes and holiday programmes organised by BHC will assist with this.

The proposal will provide more sporting opportunities for the local community with times allocated for community use and general hire by clubs and individuals and community groups (youth clubs, disabled groups, Cubs/Scouts etc.) at a reduced rate. The proposed pitches are located in the heart of the community with a strong local catchment.

The proposal will help the development of the city's primary hockey club. BHC currently rent the pitches at Stanley Deason Leisure Centre and Sussex University for training and matches and they have shared use of the pavilion at Preston Park and demand for pitches by other users is high and so the hockey club's ability to book additional time is limited. By having their own pitches at Blatchington Mill School they will be able to establish a home base to help with the development of their junior coaching programmes and therefore to ensure the long-term sustainability of the club.

Capital Strategy and Development Planning: No objection.

The benefits of this proposal to the school are that it will provide all weather outside team games playing space that the school does not currently have. The school will have exclusive use of the pitches during the school day and will be able to make use of the pitches for intra and inter school competitions after school. While this does currently occur, once the light fades at the end of the day no further use of the space is possible. The proposal includes the provision of floodlighting and therefore it will be possible for the school to make use of the pitches for a longer period than is possible at present.

The school has been working closely with Brighton & Hove Hockey Club for some time on this proposal, the hockey club is one of the oldest in the country having been founded in 1896. It has over 300 members, including a thriving junior section. They are a 'not for profit' organisation and have given an

undertaking that any 'profit' generated by the proposed scheme would either be directed to a sinking fund for replacement of the pitch surfaces or be ploughed back into the club to meet coaching costs etc.

The proposal will not result in a loss of playing field space for the school, in fact it will offer better facilities to the school than are available at the present time. There is very little organised use of these playing fields outside the school day at the present time and therefore the proposal will provide an additional facility to sporting clubs in the city. In addition to this it will offer a permanent home to a sporting club that encourages young people to take up active sport in their leisure time. The proposal will offer increased sporting activity to the school and the wider community of Brighton & Hove.

Environmental Health: No objection.

The site of this application is in close proximity to many residential properties. It has always been in existence as a large playing field with various sporting activities undertaken on it during the day.

It is the case that the proposed floodlight installation will have some environmental impact upon nearby properties. However, it must be established to what extent and then balanced against Government guidelines, community benefits and the advantages of providing such a facility.

The land slopes gently up towards the school buildings and the intention is to achieve a flat playing surface by using a cut and fill method for economy which will also keep the pitches as low as is practical in respect of surrounding landscape. The levelled area will be approximately 125m x 100m, the size of which will allow for two hockey pitches.

The proposed lighting columns are 15m high. The upward slope from the rear fence of the nearest residential gardens amounts to approximately an additional 3m. Then a further 2m should be added because the pitch is raised in order for it to be level. This means that the height of the lighting columns from the base of the rear fence line would be 20m in the air.

The applicant has submitted a Lighting Scheme prepared by LTL Contracts and within this report, Appendix 3a – Explanatory Note, states that the height of the floodlights is the optimum balance between higher, more intrusive columns and the design requirement to direct light downwards so far as possible.

The report calculates the required amount of illumination for the pitches for both football and hockey. Appendix 3a explains that football requires a lower level of illumination than hockey. Hockey requires more because of the smaller ball travelling very fast. The proposed floodlight installation will provide 2 levels of illumination – with the brighter level only used as and when necessary so that no more light than is absolutely required is used. The report points out that this will also reduce running costs, that lamp life will be

extended, and it is overall a more environmentally friendly solution.

The lighting scheme calculations with regards to the amount of light spillage are accepted and the report illustrates how the light level will decrease with distance from the pitches. The resultant light spillage, if any, in the rear gardens of the nearest residential properties, will be less than 2 Lux. This is an encouraging conclusion because the level of light produced by the Moon (moonlight) is around 2 Lux. Therefore, it is probable that the light used to illuminate the surface of the pitches will not impact upon nearby residents to any intrusive degree.

An objection with regards to the lighting scheme was submitted by a local resident who states they are a lighting engineer. The concerns raised in this letter of objection have been addressed by the applicant's response to the individual points raised. Environmental Health has no reason to disagree with, or challenge, the responses given by the applicant.

For instance, glare from the proposed floodlighting was a concern of Environmental Health. The question being, if a local resident is in their garden or home, would the glare when looking at the uppermost part of the floodlight, where the bulb is housed, be so intense as to be a problem, or so powerful and distracting as to become an intrusion when not being directly looked at, but compared against the normal enjoyment that the average person can reasonably expect of their home – a nuisance.

This concern has been addressed by the applicant's responses to the questions posed by the objection letter. The bulbs themselves are not directly visible from any neighbouring property – even those below the level of the pitches. So there will be no glare from looking directly at the light sources from neighbouring houses. This is because the bulbs are fitted deep inside the solid metal light fittings, the faces of which are almost horizontal.

The specification of the luminaires to be used, and the overall specification of the floodlights themselves, is leading edge and one of the most up to date lighting systems possible.

As stated above, there will be some environmental impact on the area but Environmental Health is confident in the data provided in the lighting report and that all reasonable measures would be implemented. These measures should minimise the impact of the lighting to such a degree as to not intrude upon nearby properties and become intrusive or a nuisance.

In the event the application is approved and implemented and complaints are received from local residents, these will be fully investigated under the provisions of the Environmental Protection Act 1990.

Light is now classed as a statutory nuisance. An investigation into a complaint would involve assessment of the character, duration and frequency

of the disturbance and how this is impacting upon the normal enjoyment that the 'average' person can reasonably expect of their home. If Environmental Health establishes that there is a statutory nuisance a notice to abate the nuisance will be served.

The application seeks the use of the development Monday to Saturday and Sundays and Bank Holidays from 08.00hrs to 22.00hrs. There is no objection to these hours of use but a condition should be attached to restrict the use of the pitches to these hours only.

Also, as a precaution although no details are submitted with the application, a further condition preventing the audibility of any amplified music or public address system connected with the development should be attached.

Sustainable Transport: No objection.

The data provided with the application suggests that at any time throughout the year the maximum number of people using the playing fields would be 120 plus spectators. Survey data in the Travel Plan notes that currently roughly 60% of members would drive, and using the new site this would be reduced to 40%. It would therefore be reasonable to assume that the number of members driving would be between 48 and 60. During the times when matches/training sessions will be taking place this potential volume of traffic will not cause a capacity or safety issue on the surrounding road network or junctions serving the site.

The Travel Plan is a well designed document that follows industry best practice. It is recommended that the document is secured by a S106 Agreement to ensure that the Council could take any necessary actions if the travel demand generated by the site did become a material issue/concern.

It is appreciated that there are numerous uses on the school campus that will generate traffic outside the traditional school day. None of this activity would generate sufficient traffic that would cause a material concern to the Highway Authority in terms of highway safety or capacity of the road network, or indeed junctions serving the school.

Council Ecologist: No objection.

Any floodlighting has a potentially detrimental impact on the behaviour patterns of nocturnal wildlife. However, at this urban location it is highly unlikely it would be possible to show that the lighting proposed by this scheme would have a significant additional impact on wildlife of value. The site itself is playing fields of low ecological interest.

County Archaeologist: No objection.

The proposed development is situated within an Archaeological Notification Area defining both the medieval village of Blatchington and an area of prehistoric and Roman activity.

In the light of the potential archaeological significance of this site and the scale of the proposals, the area affected by the works should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded. These recommendations are in line with the requirements given in PPS5.

Cllr Shanks, Cabinet Member for Children and Young People, writes in support of the application (letter attached).

Cllrs Fitch, Brown and Bennett raise an objection to the application (letters attached).

6 MATERIAL CONSIDERATIONS

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.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (18 November 1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

Planning Policy Guidance Notes: (PPGs):

PPG17 Planning for Open Space, Sport, Recreation
PPG24 Planning and Noise

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR4	Travel Plans
TR7	Safe development
TR8	Pedestrian routes
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD4	Design – strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD20	Urban open space
QD26	Floodlighting
QD27	Protection of Amenity

- HO19 New community facilities
- HE12 Schedule ancient monuments and other important archaeological sites
- SR17 Smaller scale sporting and recreational facilities
- SR20 Protection of public and private outdoor recreation space

Supplementary Planning Guidance:
SPGBH4 Parking Standards

- Supplementary Planning Documents:
- SPD08 Sustainable Building Design
 - SPD11 Nature Conservation & Development

8 CONSIDERATIONS

The main considerations in the determination of this application relate to the principle of the proposed development; the visual impact; impact on neighbouring residential amenity, with emphasis on noise and floodlighting; transport implications; and the benefit of the facilities both to the school and the community.

Background

The application is made by Blatchington Mill School which is working in partnership with Brighton & Hove Hockey Club. Grant funding for the development is available from England Hockey Board until 31 March 2012. The end users of the development would be primarily the school and its pupils, along with the hockey club for training and matches outside school hours and with a lesser amount of community and commercial hire use.

Brighton & Hove Hockey Club is one of the oldest in the country and was founded in 1896. Currently there are approaching 300 members, making it the largest hockey club in Sussex, and it is divided into 14 men and women teams and 3 junior teams. Both First Teams play in the South League, which is one below national level. Current home venues comprise Sussex University, Stanley Deason Leisure Centre and Portslade Community College where pitches are hired for training and matches. In keeping with the aspirations of the club, the proposed artificial pitches would be of national hockey league standard.

Hockey is also becoming increasingly popular at schools and Blatchington Mill School is aiming to incorporate hockey into its physical education curriculum. Demand for extra-curricular hockey coaching is expected to increase.

The school carried out a consultation with local residents in July 2010 at Blatchington Mill School where the residents of 60 properties sharing a boundary with the playing fields were individually invited to attend. Around 80 residents attended and 13 left written comments, two of which were in support of the proposal.

The application has been influenced by the school's consultation with neighbouring residents, notably by the siting of the proposed artificial pitches, and in response to the pre-application enquiry with the planning department in June 2010.

Principle of Development

Policy SR17 of the Local Plan states planning permission will be granted for smaller scale new sporting and recreation facilities provided that:

- a. it involves either the expansion of existing facilities or the provision of new facilities located close to the communities that they are intended to serve;
- b. they have good pedestrian and cycle links and are well served by public transport; and
- c. intensification of facilities would not have a harmful impact on the local environment either visually (including artificial lighting), through additional noise and disturbance or impact on the natural environment.

New facilities should be located close to the communities they are intended to serve in order to reduce the length of journeys needed to get to them and school sites are well suited to provide additional community recreation facilities. The council's City Sports Strategy and Action Plan 2006-2012, identifies a number of key priorities for new or improved provision of facilities and preferred locations for them. Educational sites should play an important role in the location and provision of new facilities through the development of community sports programmes.

Policy SR20 is concerned with protecting public and private outdoor recreation space and states permission will not be granted for development on areas of outdoor recreation space other than that which is incidental and appropriate to the respective recreation uses unless it can be demonstrated that the land is not an important open space under the terms set out in Policy QD20, and particular attention should be paid to the retention of playing fields.

In this instance the proposal would enhance sports and recreation facilities for the benefit of pupils of the school. Unlike the existing playing fields, the proposed pitches could be used throughout the year and in all weathers. Such facilities encourage children to play sports and lead active lifestyles. Outside of school hours the proposed facilities would provide a useful resource for local sports clubs, including Brighton & Hove Hockey Club, and the location within a residential area is appropriate for serving the local community. Schools have been identified as having sport facilities which are underused outside of school hours and as such the proposal would provide substantial benefits for the community.

The proposed pitches would cover an area of 1.32 hectares, which is approximately 37% of the size of the existing playing fields, which are some 3.53 hectares in total. As such a large proportion of grass playing field space would remain and the applicant has demonstrated that grass football/rugby pitches and athletics tracks could still be laid out on the remaining grass areas

around the proposed artificial pitches. These drawings are illustrative only, and do not form part of the planning proposal and the marking out of pitches or athletics tracks does not constitute development requiring planning permission because it falls under the existing use of the playing fields.

The proposal meets the requirements of policy SR17 in principle and also those of policy SR20, because the development will not result in a deficiency in accessible outdoor recreation space in the locality and would enhance existing sports and recreation facilities and would be accessible for the public out of school hours and when not in use by Brighton & Hove Hockey Club.

Sport England and Planning Policy have not raised an objection to the proposed development. The principal of the proposal is also supported by Capital Strategy, within the Education Team and Sports Facilities / Developments Team.

Design

The pitches would be laid out east-west across the site and due to the natural slope of the ground there would be a 1.3m height difference between the upper and lower pitches and the southern edge of the lower pitch would be 2m above ground level. The upper pitch would have a retaining wall along the top edge. Due to the gradient of the land and the necessity for the pitches to be level, the ground would be banked on both sides, except for the raised edge of the lower pitch which would be finished in green painted smooth masonry. The reason for this edge not being graded, and indeed the reason it would be 2m above ground level, is to maximise the amount of grass playing field retained and because the amount of excavation and banking proposed would result in no earth needing to be removed from or imported to the site.

Each pitch measures 63m in width and 102m in length with a 2.5m wide space in between for dug outs and spectators. The proposed siting of the pitches has been influenced by the responses from neighbour's to the school's consultation before submitted the planning application. Previously the pitches were proposed nearer the northwest corner of the playing fields nearer to houses in Holmes Avenue, and were also orientated side-by-side (north-south).

The pitches would have a sand-dressed artificial surface, which although not suitable for football is well-suited for national level hockey matches.

Each pitch would have a perimeter fence comprising a low level timber striker board and 1.2m high green painted metal fence (358 style) with strong horizontal element and above this a 1.8m 50mm x 50mm powder coated mesh type fence. Behind each goal and in three positions along the bottom edge of the lower pitch, 20m lengths of demountable nylon nets are proposed and these would have total height of 5m above pitch level. The applicant has submitted detail drawings, photographs and materials samples for these

proposed fences. The demountable nets would only be used during hockey training and matches and would not be erected permanently. When viewed from a distance both the demountable nylon nets and also the powder coated mesh fence would be reasonably transparent and would not have an unduly solid or heavy appearance and would not be detrimental to visual amenity in this location.

The floodlighting scheme proposes twelve lighting columns each 15m in height and arranged in three rows, the middle row being fitted with lights pointing at both pitches. The number of lighting columns has been kept to the minimum required by using the middle row of lighting columns for lighting both pitches. This reduces the number of pylons which might otherwise be required.

The details of the columns show they would be 15m in height and made from metal. The proposed lighting strategy is for a total of 56 luminaires with the columns along the top and bottom edges of the two pitches having 3 floodlights at each end, and two columns with 4 luminaires between. The middle row of columns would have luminaires directed at both pitches, hence six luminaires at each end, and two columns with 8 luminaires in between.

The western boundary of the school playing fields with the back gardens of properties in Holmes Avenue has a 2.5m to 3m high hedge planted right the way along. This boundary is between 57m and 69m from the proposed artificial pitches. To the south, the playing field boundary comprises a wire mesh fence of some 2m in height behind which the majority of properties in Nevill Avenue have 2m high close boarded timber fences. This boundary would be 65m to 66m away from the proposed pitches, and is also planted with medium height hedges and shrubs together with one tall tree. Near to the access road to the school there are six tall trees planted in a row within the school grounds. It is considered that from the ground floor levels of these surrounding properties, the fences and planting would screen a view of the proposed pitches, although the top of the floodlight columns would be visible. From the upper floors of neighbouring properties the pitches themselves would be visible. However, due to the boundary screening and the distances from neighbouring properties to the proposed pitches, it is not considered the proposed development would have a harmful visual impact or adversely affect the outlook from neighbouring properties.

The pitches themselves are not considered detrimental to visual amenity due to the site context within the school playing fields and next to the Nevill Recreation Ground where sports are regularly played. The distance between the proposed pitches and the surrounding houses would be a minimum of 57m and as such the perimeter fencing is not considered unduly harmful to neighbours' outlook and would not have an overbearing impact. In context the pitches are not considered to be unduly dominant or intrusive in relation to local residents' properties around the edges of the playing fields.

The school playing fields are used for sport, and in this context, together with the variety of building forms within the school campus, it is not considered the appearance of the artificial pitches and lighting columns would be incongruous or detrimental to visual amenity.

Impact on Amenity

The proposed development is assessed in terms of residential amenity in two ways: noise and disturbance from people arriving and leaving and taking part in sport, and the light being emitted from the proposed floodlights. The assessment of the amenity impact should be focussed on the use of the proposed pitches outside of school hours – in the evenings and at weekends – because during the school day the pitches would be used by pupils of the school as the existing playing fields are used. The proposed hours of use for the pitches are from 8am until 10pm seven days a week, including Sundays and Bank Holidays. As a result of the proposal the use of the area for sports may be intensified and would occur over extended hours. It is anticipated the use of the floodlights would vary with the four seasons, being used for little more than an hour during the height of the summer and perhaps for up to six or seven hours during the winter, when typically it is becoming dark after 3pm.

Hours of use

The applicant has submitted two draft timetables for the use of the pitches during summer term and the winter/spring terms. The summer timetables show use during weekdays by the school for lessons and after school clubs until 6pm, then one hour of commercial hire followed by hockey club use until 10pm Monday to Thursday, and community use on Fridays. On Saturdays and Sundays school use is proposed in the mornings, followed by public hire from 10am until 7pm, two hours community use and school use between 8pm and 10pm. This timetable is proposed for both artificial pitches.

The draft winter/spring timetable partly extends the amount of commercial hire time between 6pm and 8pm Monday to Thursdays and hockey club matches and junior hockey training on Saturdays and Sundays together with extended periods for community use and school use on weekend evenings up to 10pm.

In both timetables the use of the pitches between 6pm and 10pm on Fridays and at weekends would be community use or more predominantly school use. The existing playing fields could be used at all of these times for sporting activities, and this is acknowledged in the consultation comments from Environmental Health. As a result of the proposal sporting activities would intensify by virtue of the artificial pitches and floodlighting, enabling use throughout the year and in all weathers. However, the proposed pitches are situated in the north-eastern part of the site as far from surrounding residential properties as possible, and the applicant has taken steps through the draft timetables to enable community use and school use on Friday and weekend evenings, so the hockey club would not use the pitches every evening.

Environmental Health does not raise an objection to the proposed hours of

use and there is no convincing argument that, subject to other considerations, the use of the pitches during the hours proposed would be harmful to amenity.

Noise

It is anticipated that sports use of the proposed artificial pitches would produce noise from spectators and participants shouting and perhaps the sound of a referee's whistle. The separation distances between the pitches and the nearest residential properties are as far as can practicably be achieved on the site and such sounds, though they may be heard by neighbouring residents, should not be intrusive or unduly disturbing and would not necessarily be more harmful than the noise from sports activities which can currently take place on the school playing fields.

Environmental Health raises no objection on noise grounds and, although a scheme for public address has not been submitted with the application, a condition should be imposed to ensure that the use of any such public address systems that may be installed cannot be heard from the nearby residential properties.

Floodlights

Policy QD26 of the Local Plan applies to proposals for floodlighting and states proposals for floodlighting are required to keep to the minimum necessary level of light intensity and to an appropriate number, height, design and size of structures and fittings necessary to minimise light pollution and harm to amenity. Floodlighting which creates significant illumination beyond those areas requiring illumination or will result in detriment to amenity or to sensitive areas and their settings will not be permitted.

The floodlighting scheme is a key area of contention, with the objections received from properties around the edges of the playing fields referring to light glare, intrusion and the brightness of the lights being harmful to their living conditions and residential amenity. In particular, one resident has referred to specific medical conditions with symptoms including sensitivity to light.

The proposed floodlighting is a state of the art design and the floodlighting strategy submitted with the application shows that the luminaires would be directed to illuminate the artificial pitches with a minimal spillage of light outside of the pitches. The number of support columns has been kept to a minimum, with the middle row of columns supporting luminaires for both pitches. Also, the applicant states the height of the columns has been decided with reference to minimising the height of the columns, minimising light spillage whilst still providing adequate illumination of the pitch surfaces.

As an example, the graphical table for one of the middle floodlights along the bottom edge of the lower pitch gives light levels of 272 Lux on the pitch surface at half power and 505 Lux on the pitch surface at full power, whilst immediately behind the floodlighting column, light spillage falls dramatically to

only 18 Lux. Some 30m from the edge of the pitch this drops further to 3 Lux and at 45m the figure is 1 Lux. This level of light is less than that of Moonlight, which is 2 Lux.

For the nearest residential properties to the proposed pitches, that is to say those opposite the edges of the pitches, there would be no light spillage at all.

As such there would be no light spillage affecting residents' back gardens or homes.

Concerns of neighbouring residents include whether the lighting strategy has taken into account the downward sloping of the land in the direction of domestic back gardens, which would have the effect of increasing the height of the proposed lighting units in relation to neighbouring properties. Also, the issue of the lighting calculations has been queried and whether the light sources themselves would create a distracting bright appearance on top of the lighting columns.

The applicant has responded to these concerns and confirmed the lighting calculations are correct and produced using industry standard software and that the light spillage data does take into account the sloping ground level outside of the pitches. The luminaires themselves are of a design whereby the bulbs are positioned high up inside the metal casings and the open face of the luminaires is close to the horizontal. As such the bulbs themselves would not be seen from neighbouring properties.

In addition the lighting along the bottom edge of the lower pitch would be pointing towards the pitches and away from neighbouring houses. The luminaires lighting the top edge of the pitch would be a minimum of 130m from the boundary of the playing fields with neighbours' back gardens.

Similarly, the lighting at the western goal end of the upper pitch would be directed towards the pitch surface and not towards neighbouring properties.

Ultimately, the glare and light spillage from street lights would be more significant than the impact of the proposed floodlighting on neighbour amenity.

In summary, the floodlighting strategy submitted, together with the responses of the applicant to neighbour concerns, is acceptable and addresses the concerns of Environmental Health. It is considered the floodlighting strategy complies with policies QD26 and QD27 of the Local Plan.

Aside from affecting neighbouring residents, floodlighting can also affect the ecology and wildlife of the site.

The Council Ecologist comments that in this urban location any significant additional impact on wildlife of value as a result of the lighting scheme would

be difficult to show. The site itself comprises playing fields and these are of low ecological interest. The Council Ecologist raises no objection to the proposal and accordingly it is considered there would be no harmful impact on the ecology and wildlife of the site.

Brighton and Hove Archaeological Society has noted that the area around West Blatchington has produced finds from the Palaeolithic period, the Bronze Age and a Roman Villa. They recommend an archaeological watching brief be undertaken and this may be secured by condition.

Sustainable Transport

Travel Plan

The application is accompanied with a Travel Plan to meet the requirements of policy TR4 of the Local Plan. Travel Plans are required for developments with significant transport implications and where traffic generated by the proposal can be alleviated through measures to reduce use of private vehicles and encourage use of cycling, public transport, car sharing or travel on foot.

Transport Planning raises no objection to the proposed Travel Plan and states that it meets Industry Best Practice guidance.

The Travel Plan is an on-going management strategy intended to address the negative impact of the development and improve sustainability and specifically identifies the issues of parking, congestion and access on neighbouring roads and how this can be successfully managed. The Travel Plan objectives are to reduce the impact of travel to and from the pitches on the local community, particularly in terms of car parking; to reduce the impact of the development on the environment by promoting the use of low carbon mode of transport; to encourage active travel to make a contribution to improving the health of pitch users; and to manage the Travel Plan effectively.

The Travel Plan not only applies to the hockey club and away teams using the pitches, but extends also to other groups in the local area booking the pitches on a regular and irregular basis and young people attending regular school-based activities.

At present hockey club members mostly drive or car share and meet at Preston Park before continuing on to Sussex University, Stanley Deason or Portslade Community College where they hire pitches for training and matches. The hockey club is in competition with other users to book pitches at these venues.

An inherent benefit of the application is that focusing the hockey club activities in a single location will greatly reduce car trips taken across the city and the length of these journeys.

Measures to achieve the Travel Plan objectives include:-

- Secure cycle parking (there are 146 existing cycle parking spaces within the school grounds).
- Discounts on cycling and walking equipment
- Dedicated storage areas for clothing
- Information of Bikeability training
- Operating a lift share scheme for car users
- Producing a leaflet and map showing walking, cycling and public transport information
- Dedicated drop-off zone for users coming by car – the location for this to be agreed.

On site parking would be by ticket only, and managed by the Travel Plan Coordinator which is currently the school's Business Manager.

Of the current membership of approaching 300 members, the majority are based in the Withdean and Preston Park locality, closely followed by Hove Park and Kemptown. The hockey club surveyed its members in February and March 2011 and achieved a response of 35% which revealed most use their own cars or lift share to travel to training and matches and most cover distances of between 5 and 10 miles per journey. The length of these journeys is partly due to the four stage trips currently undertaken whereby members first meet in Preston Park before travelling on to the match or training venues.

The respondents revealed that should club activities be relocated to Blatchington Mill School their use of buses would increase by nearly 7 times its current level and car use would fall by nearly 30%. In addition, the average distance of journeys taken would fall by 22% from 9.8 miles to 7.6 miles. 96% of respondents said they would consider car sharing if information was made available.

Car and cycle parking

The maximum levels of parking provision for sports pitches as set out in SPGBH4 are 1 parking space per 2 players at the busiest period plus 1 parking space per 5 spectator positions.

The Travel Plan identifies that at peak times when both pitches are in use, there would be 52 hockey club members arriving and leaving between matches or for commercial users at the peak times of summer weekends and school holidays, up to 120 users present at the changeover between pitch bookings.

Management of how away hockey teams and other users of the pitches travel to the site is intended to be carried out by visitor surveys with the intention to reduce car travel to the site by 20 to 30 per cent. This would result in a maximum of 50 vehicles being parked within the school site, either arriving or departing.

At the busiest period of use for the proposed pitches there would be 120 users present at peak changeover times, requiring 60 parking spaces. The objectives of the Travel Plan seek to reduce car use such that a maximum of 50 vehicles would be arriving and departing from the site at peak changeover times. There are 210 parking spaces available within the school campus. This comprises 130 parking spaces, 50 of which would be marked out for users of the proposed pitches, and an additional 80 parking spaces which are available outside of school hours on hard surfaced areas. This is sufficient to provide for the level of car use of the proposed development.

Some local residents have raised objections based on levels of parking along the southern access route to the school and along Frant Road and surrounding residential streets. It is considered the proposed development would not materially worsen the present situation and the Travel Plan would successfully manage car use to prevent the current situation deteriorating further. The application demonstrates there is sufficient provision made within the school grounds and by way of encouraging alternative modes of transport to provide for the transport demand created by the development.

SPGBH4 does not set out a minimum level of cycle parking provision for sports pitches, but there are 146 existing cycle parking spaces within the school site and this is considered sufficient to cater for the cycle demand generated by the proposed development.

Sustainability

The above transport measures combined with focusing hockey club activities in a single location would help to reduce car use and the length of journeys undertaken hence also reducing congestion and harmful emissions and pollution. The application also states that for sports other than hockey, the proposed floodlights can be switched to half power and this would not only reduce electricity consumed but would also extend lamp life.

In terms of minimising surface water run-off, the application proposes a series of perforated pipes under and around the pitches which would collect rain water and direct it towards a large soak-away for the water to drain away naturally within the site.

Additional Considerations

The earthworks required to grade the land in order to make the pitches level has been calculated such that no export or import of spoil from outside the site will be necessary. Construction vehicles are proposed to use the existing access road off Nevill Avenue. The applicant has submitted a draft schedule for construction of the pitches which indicates a two month period for earthworks followed by two months for installing the floodlighting then a short break prior to laying the final artificial pitch surfaces.

In terms of changing facilities, there are existing changing facilities, including disabled facilities, within the existing main school building in an area which

can be isolated from the rest of the school buildings and classrooms by way of lockable internal gates across the corridors. These changing facilities would be made available to users of the proposed pitches. As such a stand alone changing facility is not required and does not form part of the planning application.

9 CONCLUSION

In principle the proposed development is considered acceptable and helps meet the objectives of making best use of the playing fields and providing improved facilities for both the school, hockey club and the local community. The applicant has demonstrated that steps have been taken to minimise the visual impact and the amenity impact on local residents and the proposed floodlighting installation is shown in the submission to be a state of the art system which will minimise light spillage and hence the effect on neighbouring residents.

The development would have no significant adverse impact on existing highway and on-street parking conditions and the Travel Plan submitted with the application demonstrates that measures will be put in place, and continually monitored, to ensure the travel demand generated by the scheme is provided for and that alternatives to travelling to the site by other modes of transport, such as bus and cycle, are encouraged.

Accordingly it is recommended that permission is granted subject to the above conditions.

10 EQUALITIES IMPLICATIONS

The proposed pitches will be fully accessible for wheelchair users.

Appendix A – Support

Flat No.	Building Name / Number	Street	Town / County	Post Code
	44	Westbourne Gardens	Hove	BN3 5PQ
	1	Station Road	Steyning	BN44 3YN
3	8	Enys Road	Eastbourne	BN21 2DH
	21	Withdean Court Avenue	Btn	BN1 6YF
	77	Beaconsfield Villas	Btn	BN1 6HF
	54	Nevill Avenue	Hove	BN3 7NA
18	Sheridan Mansions	Sheridan Terrace		BN3 5AJ
	101	Holmes Avenue	Hove	BN3 7LE
	32	Essex Street	Btn	BN2 1JW
	1	Kingsbury Street		BN1 4JW
	51	Rotherfield Crescent	Btn	BN1 8FF
	83	Coombe Vale	Btn	BN2 8HN
	38	Inwood Crescent	Btn	BN1 5AQ
	101	Holmes Avenue		BN3 7LE
	43	Nevill Avenue	Hove	BN3 7NB
	65	Cranmer Avenue	Hove	BN3 7JP
	17	Cromwell Street	Btn	BN2 9XN
	16	Byron Street		BN3 5BA
	20	Hollingdean Terrace	Btn	BN1 7HA
7	Lakeside	126 Brighton Road	Lancing	BN15 8LN
	109	Foredown Drive	Portslade	BN41 2BF
	177	Ladies Mile Road	Btn	BN1 8TF
	1	Southdown Mews	Btn	BN2 0TD
	18a	Highcroft Villas		BN1 5PS
	35	Goldstone Road	Hove	BN3 3RN
	172	Hollingdean Terrace	Btn	BN1 7HE
	51	Rotherfield Crescent	Btn	BN1 8FF
	68a	Denmark Villas	Hove	BN3 3TJ
	32	Brunswick Terrace	Hove	BN3 1HJ
	94	Leahurst Court Road		BN1 6UZ
	5A	Ventnor Villas		BN3 3DD
	3	Dyke Close	Hove	BN3 6DB
	9b	Pankhurst Avenue		BN2 9YP
	3	Coulstock Road		RH15 9XH
	23	Winchester Street		BN1 4NX
	3	Dyke Close	Hove	BN3 6DB
	39	Loder Road		BN1 6PL
	173	Bear Road	Btn	BN2 4DB
	38	Vernon Avenue	Btn	BN2 6BF
	74	Rugby Road	Btn	BN1 6ED
		High Street		NH1 2LB

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code
	5	Upper Rock Gardens	Btn	BN2 1QE
	Assisi			
2	Heights	Southdowns Park		RH16 4TQ
2	3	Knogle Road	Btn	BN1 6RB
	110	Bevendean Avenue	Btn	BN2 8PE
	47	Mill Drive	Hove	BN3 6WB
	310	Hangleton Road	Hove	BN3 7LN
	98	Folders Lane		RH15 0DX
	53	Valley Drive	Btn	BN1 5FD
	62	Chester Terrace	Btn	BN1 6GB
	33	Dale View	Btn	BN3 3LA
	Little			
	Colwood	Spronketts Lane		RH1 75SA
	109	Loder Road	Btn	BN1 6PN
	Harrington			
4	Court	Harrington Road	Btn	BN1 6RQ
	47	Goldstone Lane	Hove	BN3 7BB
10	Cherrywood	Curwen Place		BN1 6UR
	85	Blatchington Road	Hove	BN3 3YG
	25	Balsdean Road	Btn	BN2 6PF
	16	Shepherds Croft		BN1 5JF
2	26	Chatham Place		BN1 3TN
	14	Shenfield Way	Btn	BN1 7EX
	7	Valley Drive		BN1 5FA
35	Furzecroft	Furzehill	Hove	BN3 1PB
	9	Downlands Avenue	Bexhill	TN39 3PL
	9b	Pankhurst Avenue	Btn	BN2 9YP
	9b	Pankhurst Avenue	Btn	BN2 9YP
	1b	Chester Terrace	Btn	BN1 6GB
	28	Albert Road	Southwick	BN42 4GE
	16	Mill Lane		BN41 2DE
	101	Compton Road		BN1 5AL
	9	Shanklin Road	Btn	BN2 3LP
2	16	Clermont Terrace	Btn	BN1 6SH
	16	Prince Regents Close	Btn	BN2 5JP
		Nevill Recreation Ground	Hove	BN3 7BT
	1	St Peters Close	Hove	BN3 7LG
	69	Nevill Avenue	Hove	BN3 7NB
	67	Nevill Avenue	Hove	BN3 7NB
1	10	Hartley Avenue	Leeds	LS6 2LP
	3	The Daisycroft	Henfield	BN5 9LH
	51	West Way	Hove	BN3 8LS
	12	Salisbury Road	Hove	BN3 3AD
	39	South Coast Road	Peacehaven	BN10 8QN

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code
	31	Crescent Drive South	Btn	BN2 6RA
	33	Prinsep Road		BN3 7AB
	9	Court Close	Btn	BN1 8YG
	5	Upper Rock Gardens	Btn	BN2 1QE
				BN1 8WP
	11	Overhill Way	Btn	BN1 8WP
	85	Downsway		BN42 4WE
2	33	Dudley Road	Btn	BN1 7GN
	5	Norfolk Square	Btn	BN1 2PB
	81	Overdown Rise	Hove	BN41 2YF
	70	Warleigh Road		BN1 4NS
	7	Mount Caburn Crescent	Peacehaven	BN10 8DW
	171	Nevill Road	Hove	BN3 7QG
	5	Whippingham Road	Btn	BN2 3PF
	69	Nevill Avenue	Hove	BN3 7NB
	78	Holmes Avenue	Hove	BN3 7LD
3	12	Rock Street	Btn	BN2 1NF
	116	Havelock Road	Btn	BN1 6GQ
	95	Holmes Avenue	Hove	BN3 7LE
	137	Godwin Road		BN3 7FS
	16	Overhill Gardens		BN1 8ND
	88	Ripley Road		BN11 5NH
	3	Foxdown Road	Btn	BN2 6TJ
	11	Overhill Way	Btn	BN1 8WP
	142	Carden Avenue	Btn	BN1 8NH
	69	Greenway		BN20 8UQ
	32	New England Road	Btn	BN1 4GG
10	Cherrywood	Curwen Place	Btn	BN1 6UR
3	4a	Alexandra Villas	Btn	BN1 3RE
10	Cherrywood	Curwen Place	Btn	BN1 6UR
	Leahurst			
87	Court			BN1 6UN
10	Cherrywood	Curwen Place	Btn	BN1 6UR
3	8	Enys Road	Eastbourne	BN21 2DH
10	Cherrywood	Curwen Place	Btn	BN1 6UR
	17	Wellington Road	Btn	BN2 3AB
				BN1 6UQ
	103	Leadenhall Street		EC3A 3BP
	Mile Oak	The Haven	Billingshurst	RH14 9BE
	14	Medina Place		BN3 2RF
	8	Ship Street Gardens		BN1 1AJ
	72	Woodland Drive	Hove	BN3 6DJ
	30a	Loder Road		BN1 6PJ
	198	Elm Drive		BN3 7JE
		County Ground	Hove	BN3 3AN

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code	
4	85	Montpelier Road	Btn	BN1 3BD	
	15	Silverdale Road		BN3 6FE	
	63	Cliff Road		IP11 9SH	
	121	Windmill Drive		BN1 5HH	
	20	Shepherds Croft		BN1 5JF	
	11	Seymour Square	Brighton		
	36	Totland Road	Brighton		
	63	Old Mill Close	Brighton		
	5	Canterbury Road		BN13 1AQ	
	18	Dawlish Close	Brighton		
	2	Victoria Road	Southwick		
	45	Orchard Way		BN6 9UB	
	21	Heston Avenue	Brighton		
	25	Pulman Haul	Brighton		
	11	Seymour Square	Brighton	BN2 1DW	
	73	Woodland Avenue	Hove	BN3 6BJ	
	5	Carylls Meadow		RH13 8HW	
	2	18	Medina Villas	Hove	BN3 2RL
		54e	Fordwych Road		NW2 3TG
		46	Wilmington Close		BN6 8QB
161		Nevill Avenue	Hove	BN3 7NF	
27		Viaduct Road	Brighton	BN1 4NB	
44		Great Oaks Park Burpham	Guildford	GU4 7JG	
161		Nevill Avenue	Hove	BN3 7NF	
4		Coomes Way		BN17 7LP	
28		Royal Crescent Manions	Brighton	BN2 1AX	
28		Royal Crescent Manions	Brighton	BN2 1AX	
1 The parade	1 The parade	Hangleton Road	Hove	BN3 7LU	
	1 The parade	Hangleton Road	Hove	BN3 7LU	
	32	Bigwood Avenue	Hove	BN3 6FQ	
	182	Nevill Avenue	Hove	BN3 7QG	
	57	Ellesmere Road		KT13 0HW	
	79	Lark Hill	Hove	BN3 8PH	
	51a	Surrenden Crescent	Brighton	BN1 6WE	
	31	Park Avenue	Shoreham-by-Sea	BN43 6PH	
	51a	Surrenden Crescent	Brighton	BN1 6WE	
	51a	Surrenden Crescent	Brighton	BN1 6WE	
51a	Surrenden Crescent	Brighton	BN1 6WE		

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code
			Maregate	RH20 2DS
36		Hythe Road		BN1 6JS
36		Hythe Road		BN1 6JS
36		Hythe Road		BN1 6JS
39		Portland Road		BN3 5DQ
17		Clermont Road		BN1 6SG
4		Rose Hill Terrace Mews	Brighton	BN1 4HH
		18 Landseer Road	Hove	
		24 Foxdown Road	Brighton	
		83 Bonchurch Road	Brighton	
		47 Langley Crescent	Brighton	
		81 Bonchurch Road	Brighton	
		69 Nevill Avenue	Hove	
		69 The Drive	Shoreham	
		Basement Flat, 1 Norfolk Square	Brighton	
		74 Grand Parade	Brighton	
		74b Springfield Road	Brighton	
		58 Brading Road	Brighton	
		51 Rotherfield Crescent	Brighton	
		54 Clarendon Road	Shoreham	
		41 Upper Lewes Road	Brighton	
		132 Havelock Road	Brighton	
		Flat 3, 18 Portland Road	Hove	
		Tim Hardy	Brighton	
		Flat 3, 8 Enys Road	Eastbourne	
		Flat 1, 21 Upper Rock Gardens	Brighton	
		62 Pembroke Crescent	Hove	
		Croo Kendal	Brighton	
		Garden Flat, 15 St. Catherine's Terrace	Hove	
		21 Laylands Court	Portslade	
		Patrick Roberts	Hove	
		5 Victoria Road	Shoreham	
		40 Brook Gardens	Portsmouth	
		36 Withy Bush	Burgess Hill	
		7 Kingsland Close	Shoreham	
		30a Wish Road	Hove	
		9 Kingston Quay	Eastbourne	
		18 Avondale Rise	London	
12		Queen Alexandra Avenue	Hove	
		Andrew Pearson	Hove	
		3 Pinewood, Curwen Place	Brighton	
		Flat 7, 21 Broadwater Road	Worthing	

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code
		245 Junction Road	Burgess Hill	
		Basement Flat, 38 Sillwood Road	Brighton	
		45 Newick Drive	Lewes	
		18 Avondale Rise	London	
		Flat 3, 47 Tisbury Road	Hove	
		63 May Road	Brighton	
		19 Withdean Court	Brighton	
		48 Ferring Lane	Worthing	
		25 Old Shoreham Road	Hove	
		3 Pinewood, Curwen Place	Brighton	
		3 Gloucester Mews	Brighton	
		27 George Street	Brighton	
			Sayers	
		18 Meadowview, Reeds Lane	Common	
		14 Symonds House, Braeburn Road	Crawley	
		16 Hornby Road	Brighton	
		1 Bates Road	Brighton	
		25 Highcroft Lodge, Highcroft Villas	Brighton	
		2 Pelham Terrace	Lewes	
		18 Landseer Road	Hove	
		52 Commercial Road	Eastbourne	
		First Floor Flat, 62 Wilbury Road	Hove	
		11a Fontenoy Road	London	
		17 Tivoli Crescent	Brighton	
		116 Bevendean Avenue	Brighton	
		15 Chichester Drive East	Brighton	
		Flat 1, 38 First Avenue	Hove	
		8 Windmill Close	Hove	
		12 Mill Drive	Hove	
		12 Mill Drive	Hove	
		14 Shenfield Way	Brighton	
		Flat 6, Church Court, 130 Nevill Road	Hove	
		84 Wordsworth Street	Hove	
		84 Wordsworth Street	Hove	
		84 Wordsworth Street	Hove	
		Flat 6, Church Court, 130 Nevill Road	Hove	
		21 Laylands Court	Portslade	
		46 Mansell Road	Shoreham	
		16 First Avenue	Hove	

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code
		53 Dale View	Hove	
		Gff 33 Shelley Road	Hove	
		1 Jubilee Street	Brighton	
		106 Bannings Vale	Saltdean	
		44 Hartfield Avenue	Brighton	
		9 Sandringham Close	Hove	
		Austen Court, 45 Millfield Close	Rustington	
		66 Hallyburton Road	Hove	
		38 Inwood Crescent	Brighton	
		38 Inwood Crescent	Brighton	
		34 Eggton Road	Brighton	
		13 St Leonard's Gardens	Hove	
		The Old Coach House,	Brighton	
		22 Manor View Court	Worthing	
		1 Grange Close	Brighton	
		1 Grange Close	Brighton	
		7 Redhill Close	Brighton	
		1 Lee Farm Cottages	Worthing	
		1 Bates Road	Brighton	
		78 Dudley Road	Brighton	
		23 Old Shoreham Road	Shoreham	
		126 Hartington Road	Brighton	
		32 Bigwood Avenue	Hove	
		9 Court Close	Brighton	
		Flat 15, Southdown House, 4-8 Somerhill Avenue	Hove	
		Flat 15, Southdown House, 4-8 Somerhill Avenue	Hove	
		11 Orchard Gardens	Hove	
		13 Orchard Gardens	Hove	
		64 Whippingham Road	Brighton	
		11 Hanover Lofts, 8 Finsbury Road	Brighton	
		1 Warburton Close	Uckfield	
		78 Valley Drive	Brighton	
		78 Valley Drive	Brighton	
		78 Valley Drive	Brighton	
		78 Valley Drive	Brighton	
		59 Aleybury Avenue	Bn23	
		52 Pembroke Crescent	Hove	
		40 Woodruff Avenue	Hove	
		19 Withdean Court, London Road	Brighton	
		40 Woodruff Avenue	Hove	

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code
		14 Forest Gardens	So43	
		14 Forest Gardens	So43	
		73 Coombe Road	Brighton	
			Haywards	
		10 Orchard Close	Heath	
		53 Hova Villas	Hove	
		53 Hova Villas	Hove	
		1 Suffolk Street	Hove	
		40 Loder Road	Brighton	
		138 Oaklands Avenue	Brighton	
		57 Spencer Avenue	Hove	
		4 Abbots, 129 King's Road	Brighton	
		Mile Oak	Rh14	
		13 Devonshire Square	Br2	
		5 Norfolk Square	Brighton	
		224-232 St John Street	London	
		224-232 St John Street	London	
		View Farm House, Park Lane	Cb23	
		8 Pembroke Court, 15 New Church Road	Hove	
		68 Highdown Road	Hove	
		70 Warleigh Road	Brighton	
		41 Sproule Close	Ford	
		4 Wootton House, 94 Old London Road	Brighton	
		2 Woodside Avenue	Brighton	
		3 Kites Nesty Walk	Tn39	
		5 Canterbury Road	Worthing	
		9 Court Close	Brighton	
		40 Woodruff Avenue	Hove	
7		Mount Caburn Crescent		BN10 8DW
65		Cranmer Avenue	Brighton	BN3 7JP
22		Elizabeth Avenue	Hove	BN3 6WG
67		Cranmer Avenue	Hove	BN3 7JP
32		Holmes Avenue	Hove	BN3 7LA

In addition a letter was received by email, no address given.

Appendix B – Objection

Building Name / Number	Street	Town / County	Post Code
141	Holmes Avenue		BN3 7LF
22	Court Farm Road	Hove	BN37QR
108	Nevill Avenue	Hove	BN37ND
93	Nevill Avenue	Hove	BN37NE
8	Nevill Avenue	Hove	BN3 7NA
69	Nevill Avenue	Hove	BN3 7NB
28	Nevill Avenue	Hove	BN3 7NA
131	Holmes Avenue	Hove	BN3 7LF
72	Nevill Avenue	Hove	BN3 7NA
83	Holmes Avenue	Hove	BN3 7LE
81	Holmes Avenue	Hove	BN3 7LE
95	Nevill Avenue	Hove	BN3 7NE
105	Holmes Avenue	Hove	BN3 7LE
105	Holmes Avenue	Hove	BN3 7LE
124	Nevill Avenue	Hove	BN3 7ND
55	Nevill Avenue	Hove	BN3 7NB
124	Nevill Avenue	Hove	BN3 7ND
123	Holmes Avenue	Hove	BN3 7LE
124	Nevill Avenue	Hove	BN3 7ND
123	Nevill Avenue	Hove	BN3 7NE
104	Nevill Avenue	Hove	BN3 7ND
20	Nevill Avenue	Hove	BN3 7NA
110	Holmes Avenue	Hove	BN3 3BQ
95	Nevill Avenue	Hove	BN3 7NE
104	Nevill Avenue	Hove	BN3 7ND
34	Court Farm Road	Hove	BN3 7QR
103	Holmes Avenue	Hove	BN3 7LE
103	Holmes Avenue	Hove	BN3 7LE
103	Holmes Avenue	Hove	BN3 7LE
45	Nevill Avenue	Hove	BN3 7NB
44	Nevill Avenue	Hove	BN3 7NA
44	Nevill Avenue	Hove	BN3 7NA
62	Nevill Avenue	Hove	BN3 7NA
73	Holmes Avenue	Hove	BN3 7IB
74	Nevill Avenue	Hove	BN3 7NA
103	Holmes Avenue	Hove	BN3 7LE
103	Holmes Avenue	Hove	BN3 7LE
115	Nevill Avenue	Hove	BN3 7NE
43	Nevill Avenue	Hove	BN3 7NB
	D. Smart		
	L. Smart		
126	Holmes Avenue	Hove	BN3 7LE
129	Nevill Avenue	Hove	BN3 7NE
129	Nevill Avenue	Hove	BN3 7NE

PLANS LIST – 10 AUGUST 2011

Building Name / Number	Street	Town / County	Post Code
84	Nevill Avenue	Hove	BN3 7NA
99	Nevill Avenue	Hove	BN3 7NE
76	Holmes Avenue	Hove	BN3 7LD
33	Holmes Avenue	Hove	BN3 7LB
43	Nevill Avenue	Hove	BN3 7NB
101	Nevill Avenue	Hove	BN3 7NE
49	Nevill Avenue	Hove	BN3 7NB
123	Nevill Avenue	Hove	BN3 7NE
95	Holmes Avenue	Hove	BN3 7LE
139	Nevill Avenue	Hove	BN3 7NE
52	Nevill Avenue	Hove	BN3 7NA
8	St Peters Close	Hove	BN3 7LG
109	Holmes Avenue	Hove	BN3 7LF
109	Holmes Avenue	Hove	BN3 7LF
135	Nevill Avenue	Hove	BN3 7NE
64	Nevill Avenue	Hove	BN3 7NA
127	Nevill Avenue	Hove	BN3 7NE
119	Holmes Avenue	Hove	BN3 7LF
99	Holmes Avenue	Hove	BN3 7LE
101	Holmes Avenue	Hove	BN3 7LE
139	Nevill Avenue	Hove	BN3 7NE
60	Nevill Avenue	Hove	BN3 7NA
99	Holmes Avenue	Hove	BN3 7LE
108	Nevill Avenue	Hove	BN3 7ND
12	Nevill Avenue	Hove	BN3 7NA
81	Holmes Avenue	Hove	BN3 7LE
1	Tudor Close	Hove	BN3 7NR
70	Holmes Avenue	Hove	BN3 7LD
70	Holmes Avenue	Hove	BN3 7LD
63	Holmes Avenue	Hove	BN3 7LB
111	Nevill Avenue	Hove	BN3 7NE
47	Nevill Avenue	Hove	BN3 7NB
19	Nevill Avenue	Hove	BN3 7NB
47	Nevill Avenue	Hove	BN3 7NB
19	Nevill Avenue	Hove	BN3 7NB
48	Nevill Avenue	Hove	BN3 7NA
1	Nevill Gardens	Hove	BN3 7QF
61	Nevill Avenue	Hove	BN3 7NB
6	Frant Road	Hove	BN3 7QS
14	Court Farm Road	Hove	BN3 7QR
16	Nevill Avenue	Hove	BN3 7NA
16	Nevill Avenue	Hove	BN3 7NA
34	Queen Alexandra Avenue	Hove	BN3 6XH
22	Nevill Avenue	Hove	BN3 7NA
10	Nevill Avenue	Hove	BN3 7NA
4	Frant Road	Hove	BN3 7QS

PLANS LIST – 10 AUGUST 2011

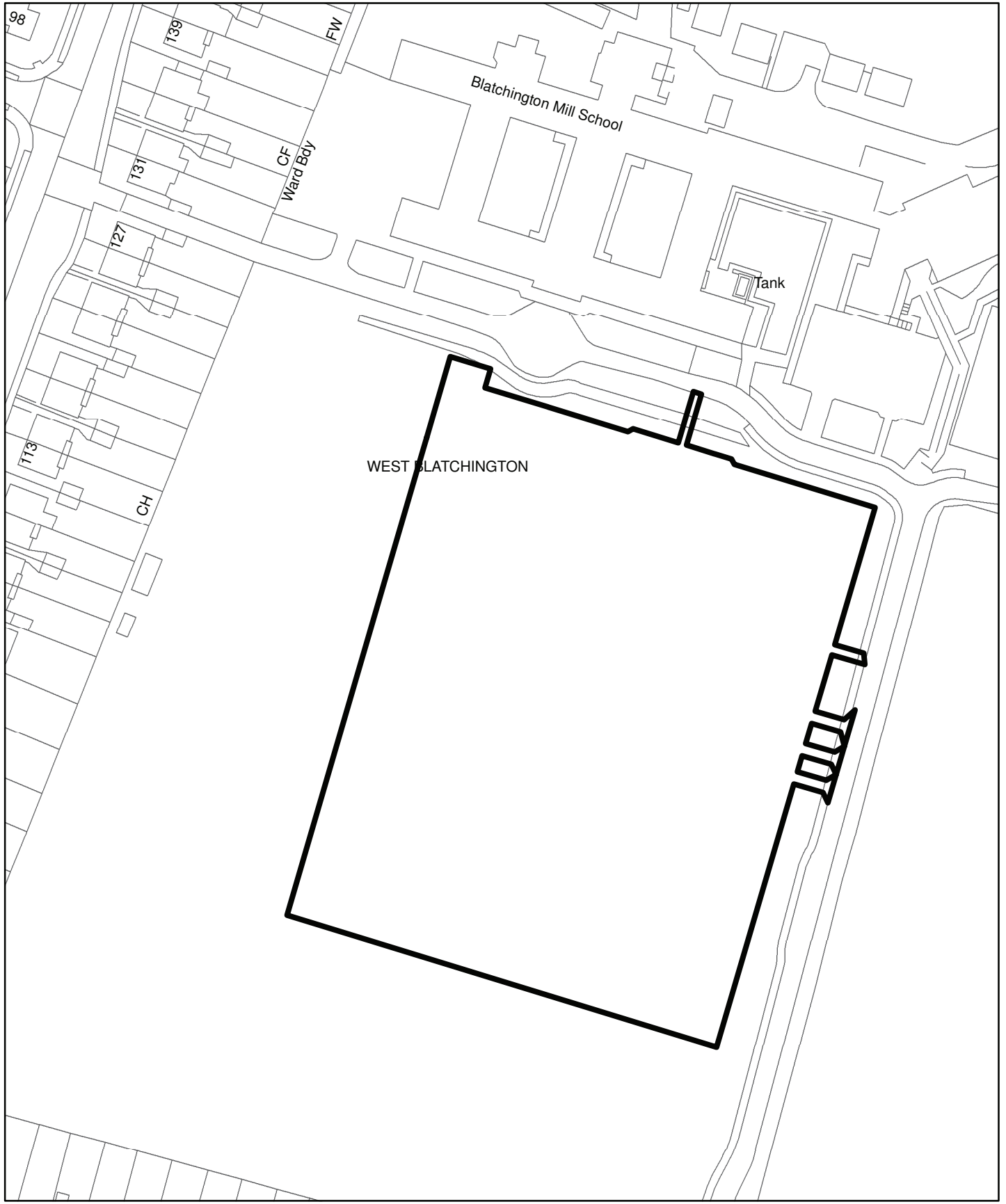
Building Name / Number	Street	Town / County	Post Code
98	Nevill Road	Hove	BN3 7BT
4	Nevill Close	Hove	BN3 7QT
18	Court Farm Road	Hove	BN3 7QR
111	Nevill Avenue	Hove	BN3 7NE
3	St Peters Close	Hove	BN3 7LG
3	Frant Road	Hove	BN3 7QS
3	Frant Road	Hove	BN3 7QS
55	Nevill Avenue	Hove	BN3 7NB
203	Nevill Avenue	Hove	BN3 2NB
43	Nevill Avenue	Hove	BN3 7NB
18A	Wilbury Grove	Hove	BN3 3JQ
123	Nevill Avenue	Hove	BN3 7NE
125	Holmes Avenue	Hove	
145	Holmes Avenue	Hove	BN3 7LF
108	Nevill Avenue P Hubbard	Hove	BN3 7ND
139	Nevill Avenue	Hove	BN3 7NE
105	Nevill Avenue	Hove	BN3 7NE
93	Nevill Avenue	Hove	BN3 7NE
121	Holmes Avenue	Hove	BN3 7LF
98	Nevill Avenue	Hove	BN3 7ND
29	Holmes Avenue	Hove	BN3 7LB
103	Nevill Avenue	Hove	BN3 7NE
121	Nevill Avenue	Hove	BN3 7NE
121	Nevill Avenue	Hove	BN3 7NE
123	Nevill Avenue	Hove	BN3 7NE
80	Nevill Road	Hove	BN3 7BT
78	Nevill Road	Hove	BN3 7BT
80	Nevill Road	Hove	BN3 7BT
71	Holmes Avenue	Hove	BN3 7LB
3	Nevill Close	Hove	BN3 7QT
20	Tudor Close	Hove	BN3 7NR
95	Holmes Avenue	Hove	BN3 7LE
95	Holmes Avenue	Hove	BN3 7LE
122	Nevill Avenue	Hove	BN3 7ND
122	Nevill Avenue	Hove	BN3 7ND
124	Nevill Avenue	Hove	BN3 7ND
49	Holmes Avenue	Hove	BN3 7LB
101	Holmes Avenue	Hove	BN3 7LE
42	Nevill Avenue	Hove	BN3 7NA
124	Nevill Avenue	Hove	BN3 7ND
119	Holmes Avenue	Hove	BN3 7LF
108	Nevill Avenue	Hove	BN3 7ND
121	Holmes Avenue	Hove	BN3 7LF
121	Holmes Avenue	Hove	BN3 7LF
101	Nevill Avenue	Hove	BN3 7NE

PLANS LIST – 10 AUGUST 2011

Building Name / Number	Street	Town / County	Post Code
98	Nevill Avenue	Hove	BN3 7ND
131	Holmes Avenue	Hove	BN3 7LF
124	Holmes Avenue	Hove	BN3 7LF
55	Nevill Avenue	Hove	BN3 7NB
126	Holmes Avenue	Hove	BN3 7LE
43	Nevill Avenue	Hove	BN3 7NB
98	Fallowfield Crescent	Hove	BN3 7NN
43	Nevill Avenue	Hove	BN3 7NB
126	Holmes Avenue	Hove	BN3 7LE
55	Nevill Avenue	Hove	BN3 7NB
124	Nevill Avenue	Hove	BN3 7ND
124	Nevill Avenue	Hove	BN3 7ND
131	Holmes Avenue	Hove	BN3 7LF
125	Holmes Avenue	Hove	BN3 7LF
43	Nevill Avenue	Hove	BN3 7NB
123	Nevill Avenue	Hove	
108	Nevill Avenue	Hove	BN3 3BQ
	95 Holmes Avenue	Hove	
	95 Holmes Avenue	Hove	
	124 Nevill Avenue	Hove	
	123 Holmes Avenue	Hove	
	43 Nevill Avenue	Hove	
	113 Nevill Avenue	Hove	
	117 Nevill Avenue	Hove	
	95 Nevill Avenue	Hove	
	81 Nevill Avenue	Hove	
	91 Nevill Avenue	Hove	
	97 Holmes Avenue	Hove	
	54 Nevill Avenue	Hove	
	101 Holmes Avenue	Hove	
103	Nevill Avenue	Hove	BN3 7NE
114	Holmes Avenue	Hove	BN3 7LE
126	Holmes Avenue	Hove	BN3 7LE
	95 Holmes Avenue	Hove	
98	Fallowfield Crescent	Hove	BN3 7NN
46	Court Farm Road	Hove	BN3 7QR
43	Nevill Avenue	Hove	BN3 7NB
4	Frant Road	Hove	BN3 7QS
70	Nevill Road	Hove	BN3 7BT
3	Frant Road	Hove	BN3 7QS
91	Nevill Avenue	Hove	BN3 7NE
124	Nevill Avenue	Hove	
4	Frant Road	Hove	BN3 7QS

In addition letters have been submitted from five email addresses, no address given.

BH2011/01264 Blatchington Mill School, Nevill Avenue



Scale: 1:1,250



**Brighton & Hove
City Council**

PLANS LIST – 10 AUGUST 2011

COUNCILLOR REPRESENTATION

Jeanette Walsh
Development Control Manager
First Floor
Hove Town Hall
Norton Road
Hove

Date: 23 June 2011
Our Ref: JB/EB
Your Ref:

Dear Jeanette

Re: Planning Application BH2011/01264

As Ward Councillors we wish to object to the above un-neighbourly proposal, and as previously requested by email we wish to register to speak in opposition to this application at the planning meeting.

We have many serious concerns about these plans including the effects of the floodlights and the noise and disturbance late into the evenings for homes surrounding the site. There will also be extra traffic generated, more pressure on parking and the loss of the green space.

Yours sincerely

Councillor Jayne Bennett
Tel (01273) 291135
Email: jayne.bennett@brighton-hove.gov.uk
hove.gov.uk

24 JUN 2011

Councillor Vanessa Brown
Tel: (01273) 291143
email: vanessa.brown@brighton-hove.gov.uk

Councillor Brian Fitch
107 Holmes Avenue
Hove BN3 7LE

Jeannette Walsh
Development Control Manager
Development Control
1st Floor
Hove Town Hall
Norton Road
Hove

Date: 17 May 2011
Our Ref: BF/PJ
Your Ref:

Dear Mrs Walsh

**Re: Planning Application – Blatchington Mill School: Installation of
Floodighting**

I write in my capacity as a Councillor for Hangleton & Knoll Ward to request that this application is determined by the Planning Committee.

I wish to oppose the application and should like to speak in my in my capacity as a Ward Councillor when it comes before the Committee for decision.

Yours sincerely

Councillor Brian Fitch

Email: brian.fitch@brighton-hove.gov.uk

Labour Member for Hangleton & Knoll Ward



**Brighton & Hove
City Council**

PLANS LIST – 10 AUGUST 2011

COUNCILLOR REPRESENTATION

From: Sue Shanks
Sent: 19 June 2011 17:32
To: Christopher Wright
Subject: Blatchington Mill School

I understand you are the officer concerned with the application for hockey pitches at Blatchington Mill School, BH2011/01264.

As Cabinet Member for Children and Young People I would like to support the proposal. The all weather multi-sport pitches will offer excellent opportunities to students of Blatchington Mill and other schools in the city. As well as the hockey club the pitches will also be a facility for the Hangleton & Knoll Project and other community groups. I consider this a well thought out plan involving different sections of the community and the pitches will be an asset for the community.

<u>No:</u>	BH2011/01013	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	St Augustines Church, Stanford Avenue, Brighton		
<u>Proposal:</u>	Demolition of timber building to rear and conversion and extension of church hall to provide for 13 self contained flats.		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	20/04/2011
<u>Con Area:</u>	Preston Park CA	<u>Expiry Date:</u>	20 July 2011
<u>Listed Building Grade:</u>	II		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, Paxton Business Centre, Portland Road, Hove		
<u>Applicant:</u>	Elim International, Rev Peter Dennett, 115 St Georges Road, Cheltenham		

1 RECOMMENDATION

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

1. In the absence of satisfactory justification with regard to the level of enabling development required, as defined in PPS5, the proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design, would be detrimental to the character, appearance and setting of the Grade II listed church, contrary to Policy HE11 of PPS 5 and policies QD1, QD2, QD14, HE1, HE2 & HE3 of the Brighton & Hove Local Plan.
2. The proposed development, in the absence of robust financial information relating to the viability of the scheme and satisfactory justification for the none provision of affordable units, has failed to provide an element of affordable housing contrary to policy HO2 of the Brighton & Hove Local Plan.
3. The proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design, would be detrimental to the character and appearance of the Preston Park Conservation Area, contrary to policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan.
4. The proposed windows and balconies at first and second floor levels in the north facing elevation of the church hall and the proposed rear extension, by virtue of its size, siting, design and form, would adversely affect the amenities of the occupiers of No.24 Stanford Avenue resulting in loss of light, loss of privacy and over-dominance and visual intrusion, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.
5. The proposed development would provide an unsatisfactory residential environment for the future occupiers of the proposed dwellings by virtue of poor light and outlook, potential noise and disturbance and inadequate

private and communal amenity space provision, contrary to policies SU10, QD27 and HO5 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on site location plan, drawing nos.07031/02A, /03, /52, /59, /62A, /63, /66, /67A, /68, /69, /70, /71, /72, /73, /74 Design & Access Statement, Heritage Statement & Structural Engineer's Report, Transport Statement, Biodiversity Checklist, Planning Supporting Statement, Site Waste Management Plan, Heritage Statement received on 4 April 2011, and drawing nos. 07031/60, /61, /75, and Bat Survey Report received on 15 June 2011.

2 THE SITE

The application site is located on the eastern side of Stanford Avenue immediately to the north of its junction with Florence Road. It has a maximum depth of 70m, a maximum width of 46m and an area of 0.23 ha. St Augustine's Church is a prominent landmark Grade II listed building which occupies a central position within the site. The building which dates from the 1890's, is of red brick construction with stone dressings and a tiled pitched roof. A smaller church hall dating from 1914 is located on the northern part of the site and complements the main church building in terms of its scale, design and materials. There are a number of dilapidated timber sheds located on the north-eastern corner of the site. The church and associated church hall are disused. Land levels within the site rise gently from south-west to north-east following the prevalent topography of the area.

The surrounding area is wholly residential in character. Adjoining the site to the north, are a pair of two storey semi-detached Victorian houses fronting Stamford Avenue (No's 24 & 26) and to the east, is a two storey detached property with accommodation in the roofspace which has been sub-divided into flats. To the west of the site, the opposite side of Stanford Avenue comprises substantial two storey semi-detached houses, a number of which have been converted into flats whilst opposite the site, the southern side of Florence Road is characterised by substantial three/ four storey semi-detached houses which are in use as flats.

The application site is located in the Preston Park Conservation Area as designated in the Brighton & Hove Local Plan.

Florence Road and the relevant section of Stanford Avenue are unclassified residential access roads and are not subject to on-street parking restrictions in the vicinity of the application site.

3 RELEVANT HISTORY

BH2011/01014: Internal alterations to church incorporating installation of 2 new floors and associated works and extension to rear of church hall is currently under consideration

BH2010/00061: Conversion of Church Hall to provide 14 self-contained flats

together with alterations to existing building and 2-storey extension with accommodation in roofspace and basement car parking to rear. Alterations to church to provide additional community space. Demolition of timber building to rear. Refused at Planning Committee 30/06/2010.

BH2010/00060: Full planning application for the conversion of the church hall to provide 14 self-contained flats together with alterations to the existing building and two storey extension with accommodation in the roofspace and basement car parking to rear. Alterations to church to provide additional community space. Demolition of timber building to rear. Refused at Planning Committee 30/06/2010.

BH2009/00055: The accompanying application for listed building consent was also withdrawn in December 2009.

BH2009/00054: An application for full planning permission was submitted and subsequently withdrawn in December 2009 for the conversion of the church hall to provide 20 self-contained flats together with alterations to the existing building and three storey extension to the rear together with alterations to the church to provide additional community space.

91/108/CA: The accompanying application for conservation area consent was also withdrawn in March 1993.

91/1507/OA: An outline planning application was submitted and subsequently withdrawn in March 1993 for the demolition of the hall, the erection of a nine storey tower to the west end of the church to provide 16x1 bed flats and the erection of a four storey building to provide 12x1 bed and 4x2 bed flats with 18 parking spaces.

4 THE APPLICATION

Planning permission is sought for the conversion of the church hall to provide thirteen self-contained flats with alterations to the existing building and the erection of a two storey extension with accommodation in the roofspace and basement car parking to the rear. Alterations to the church to provide additional community space and demolition of the existing timber building to the rear.

The proposed extension would abut the eastern gable end of the church hall. It would comprise two distinct elements; a large single storey flat roofed section which would project to both the rear and side of the church hall (i.e. south); and a smaller recessed first floor with a pitched roof containing two dormers, to provide for accommodation within the roofspace. At ground floor level the extension would have a depth of 13m and a maximum width of 14.5m and at first floor a depth of 9.5m and a width of 10.6m. The extension would result in an eaves height of 4.6m and a ridge height of 10.1m. It would be set back a minimum of 2m from the northern boundary of the site with No.24 Stanford Avenue and a minimum of 2.5m from the eastern boundary of the site with No.1 Florence Road.

The proposed external alterations to the existing church hall would involve the replacement of the existing roof with a new pitched roof (utilising the original tiles) with enlarged catslide dormers to both the north and south facing

slopes, to provide for accommodation within the roofspace. New window, door openings and balconies would also be created.

The development would provide a total of thirteen flats comprising, 1x1 bed 9x2 bed and 3x3 bed units. The unit sizes will vary from approximately 49sqm to 90sqm. A private balcony would be provided for seven of the fourteen units proposed together with areas of communal amenity space mainly located on the Stanford Avenue frontage.

Seventeen car parking spaces would be provided, ten at basement level below the proposed extension to the church hall and seven, including one disabled space, on the Florence Road frontage adjoining the eastern boundary of the site. Vehicular access would be from Florence Road. Nineteen cycle parking spaces are also proposed contained within a covered store.

The proposal also includes the conversion of the main church building to a church/community centre. A narrow single storey flat roofed extension comprising a kitchen, WC's and bin store infilling the gap between the church and the church hall is proposed. The other external works to the church are primarily those of repair and refurbishment. Internally, on the ground floor, the north nave aisles would be partitioned to provide a bistro/ cafeteria and whilst the southern nave aisles would be used for offices. The chancel is to be partitioned to provide a multi functional area. A first floor would be formed above the nave to provide a church hall and coffee lounge with a galleried area above.

There are some minor changes between this application and the previously refused application in terms of the design and layout of the hall, the proposed rear extensions and the submitted supporting documents. These changes include:

- a reduction of 1 residential unit from 14 to 13 units,
- additional information in relation to the proposed community use
- financial information relating to the proposed works,
- revised extent of the internal works to the church and church hall
- revised configuration of balconies to the church hall.

5 CONSULTATIONS

External:

Neighbours: Letters of representation have been received from, **13, 44 Havelock Road, 15A, 24 (x2) Stanford Avenue, 2, 3, 5, 6A, 8, 11 (x2), 13, 37, Fiveways Play Centre, Florence Road, 2 Rugby Road, 31 Harrington Road, objecting** the application for the following reasons:

- overlooking/ loss of privacy;
- extension would be overbearing/ visually intrusive;
- overshadowing;
- increased noise and disturbance;
- noise from car park;

- overdevelopment;
- size and appearance of the extension and alterations to the church would be out of character with the area;
- development would adversely affect the appearance of the listed building and conservation area;
- pedestrian access from Stanford Avenue would potentially result in security problems;
- inadequate parking provision would result in increased pressure on limited on-street capacity;
- vehicular access on to Florence Road would be hazardous as close to nursery school;
- increased pressure on local services/ infrastructure; and
- proposed flats would provide poor outlook and orientation for the future occupiers.

Letters of representation have been received from, **33 Kingfisher Drive (Hemel Hempstead), Heart Studios (Haywards Heath), 49 Lockhart Court (Haywards Heath), 96 Woodland Avenue (Burgess Hill), 76 High Street (Ardingly), 15 Ambrose Place (Worthing), 11 Ashurst Heath Road (x2), 3 Rayford Close, 3 Collingwood Close, 121 Hollingdean Terrace, 20 Water May House, 4 Dudley Road, 1 Berry Close, 132 Portland Place, 26 Widdicombe Way, 49 Ventnor Villas, 1 Popes Folly, 16 Chatsworth Avenue, 43 Vale Avenue (x2), 1 Falcon Close, 241 Old Shoreham Road, 12 Greenoaks, 246 Harbour Way (x2), 120 Stanford Avenue Little Oaks Nursery, The Fountain Centre Braybon Avenue, Flat 34 Oliver House Forth Avenue** supporting the application for the following reasons:

- A listed building will be brought back into good use
- It will result in the retention of the existing community use
- It will provide improved community space for the local area
- It will provide additional; employment in the area.

CAG: Recommends refusal

The group noted that this scheme is similar to that previously considered, but expresses better the front of the church hall. It also noted the positive contribution the hall makes to the appearance of the conservation area. The group agreed the conversion of the hall to housing in principle, but consider the changes have not addressed its concerns regarding the extension's proximity to neighbouring properties, and the number of flats, and the consequential harm to the character and appearance of the conservation area. The flats lack adequate amenity space and will overlook neighbours.

For the above reasons the group agreed the development will harm the character and appearance of the conservation area and, without further improvement.

English Heritage: The application should be determined in accordance with national and local policy guidance, and on the of your specialist conservation

advice.

Internal:

Design & Conservation:

The applications are revised proposals following the refusals of previous applications and have sought to address the reasons for refusal. The applicant has provided more detailed financial information as justification for the enabling development. The extent of the new first floor to the church has been slightly reduced. The ground floor footprint of the new extension to the church hall has been revised and the number of new residential units reduced by one, with minor changes to the fenestration. A maisonette has been provided to the front of the hall. These issues are addressed further below.

There is substantial harm to the character of the listed building arising from the insertion of the new floors but further information is required in order to properly judge how this harm has been, or could be further, mitigated.

The principle of converting and extending the church hall to residential use has already been accepted. The demolition of the utilitarian modern timber building has also been accepted and is welcomed.

The design, scale and form of the proposed extension remain unchanged except that the ground floor footprint has been slightly reduced and has been rationalised to some degree so that it better relates to the floors above. Nevertheless it still projects significantly and awkwardly on the southern side, towards, the church, and the flat roof above this projection is now to be used as a roof terrace, which has necessitated a glazed screen on the terrace, although it is unclear why this does not follow the roof edge. The glazed screening only serves to highlight the awkward relationship between the ground floor projection and the simpler, symmetrical form of the extension above it.

The impact on the character of the listed church hall arising from the conversion scheme, specifically with regard to the Palladian frontage, appears to now be acceptable but cannot be fully judged at this stage due to the lack of a section drawing.

The case for enabling development

Given the degree of harm that would be caused to the significance of the heritage asset, the case for the new housing units as enabling development must be considered. Policy HE11 of PPS5 sets out what must be taken into account in determining whether the benefits of the enabling development in securing the future of the asset outweigh the material harm caused. This issue is not specifically addressed in the Planning Statement but there is information in this and other supporting statements that explains how the proposals would help to secure the long term future of the church as a community asset. In principle a combined church and community use is considered to be “a purpose sympathetic to its conservation” (PPS5 Policy

HE11).

There is also information in the Cost Report (and its appendices) on the financial case. The poor condition of the church is acknowledged from previous inspection and, given its scale, the estimated itemised repair costs do not appear unreasonable. It is noted that there is no similar estimate of the costs of repairing/restoring the church hall to bring it back into use, which would give a much fuller picture of the “problems arising from the inherent needs of the heritage asset” (PPS5, Policy HE11). Appendix 1 sets out the additional costs associated with converting the church to community spaces and providing the underground car park. Appendix 3 includes all further costs associated with the proposals also sets out the anticipated income from the enabling development. The further costs include a sum of £709,753.68 for equipment, facilities and services but no further detail is provided. Given the relative size of this sum a break-down of these costs should be provided. This is important as this sum is almost equivalent to the projected loss incurred on the proposals and because on of the key considerations under policy HE11 of PPS5 is that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”. In this respect “future conservation” must be distinguished from perhaps more ambitious and aspirational plans.

Related to this, it will also be essential to clarify the matter of whether the application is proposing an overall increase in community space. The application form states that there would be a net increase of 344 sq m but in previous meetings the applicant has stated that would be no increase. Based upon the plans this would indeed seem to be the case, assuming that the existing timber building is included in the figures. However, a definitive assessment is required.

PPS5 policy HE11 also requires the applicant to demonstrate that “there is no source of funding that might support the heritage asset without the need for enabling development” but no information on this point has been submitted.

Additional comments received 1 July 2011

Section drawings through the church have now been provided and these confirm that there would be no loss of the roof timbers; all of the raking struts would be retained.

The sections also confirm that the western ends of the new floor would have partly glazed screens and the degree of glazing is considered appropriate. However, the end screen at new first floor level is to have pattern of gothic arches to the glazing and this is considered inappropriate. The glazing should be as simple and undivided as possible, both to distinguish it as a clearly modern intervention and to ensure the maximum possible sight lines from ground level to the roof timbers and ceiling. The proposed second floor end screen is simpler in design but would also benefit from less subdivision.

In order to further enhance views of the original ceiling and roof timbers, the ceiling to the new first floor could be largely glazed where there is no floor over it (i.e. to the two western 'bays').

Concern remains that there would be a lack of natural light to the main ground floor worship area and the impact of this on the character of the interior. There may be ways of mitigating this concern other than the glass edge to the floor previously proposed, such as borrowed lights in the new side partitions (between the nave and the aisles). But in the absence any such measures this remains a significant concern.

The conversion and extension of the church hall

The long section through the hall shows that the internal arrangement of the proposed maisonette, including floor and ceiling heights, would relate satisfactorily to the glazing of the Palladian frontage. It is therefore considered that this concern has now been overcome.

The design and footprint of the proposed extension to the church hall remain unchanged and therefore the previous concerns regarding the degree and shape of the ground floor projection, and the line of the glazed screening to the roof terrace, remain.

The case for enabling development

The issue of the change in gross community floor space has now been clarified and shows that there would be a net loss of 77 sq m. This is considered to assist the case for enabling development.

A budget cost of between £535k and £640K has now been provided for the repair and renovation of the church hall. It is disappointing that this is a simply a standard budget figure based upon square metre-age of floorspace rather than an itemised estimate in the manner of the estimate for the church itself. It is also questioned whether this figure is an over-estimate given that it is roughly half the cost of repairing and renovating the church itself when the church is on a much more substantial scale. Consequently it is felt that less weight can be attached to this evidence. Nevertheless it is acknowledged from site inspection that a significant sum would need to be spent on repairing and restoring the hall to being it back into long term community use.

A detailed breakdown has been provided of the sum of £709,753 set aside in the Cost Report (and appendices) for equipment, facilities and services. Whilst some of these cost items could be regarded as overly aspirational for a new community centre, the breakdown does nevertheless clarify the extent of legitimate costs required to fit out the spaces.

The applicant has also provided letters from community groups that are interested in using space at the converted church and it is noted that this includes interest from nurseries. It therefore needs to be clarified as to whether such potential users (who may be commercial ventures) would be

charged for using the space. This is raised because it is noted from the Cost Report that the only income referred to is from the sale of the flats.

Finally, it is noted that no information has been provided to demonstrate that “there is no source of funding that might support the heritage asset without the need for enabling development”. This is a requirement of policy HE11 of PPS5. Addressing this point should include evidence of any applications, investigations or enquiries that have been made for grant or loan funding from public funds and schemes or any other sources of funding available to or through the Elim Church.

Conclusion

The additional drawings and information have gone some way towards addressing the original concerns. However, the case for enabling development is not yet considered to have been fully made, having regard to the requirements of PPS5 and English Heritage guidance on the subject and specifically that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”.

In addition, concerns still remain about the design and detail of the proposals, particularly to the internal conversion of the church. Given the great significance of the church interior, in terms of its special architectural interest, these concerns are considered to be crucial to determining whether the development is justified and in mitigating the harm that inevitably arises from the horizontal sub-division of the church.

Ecology:

The application includes a bat survey report, submitted by specialist bat surveyors, which concludes that bats were not roosting in the buildings at the time of the survey. No recommendations for further survey are made, although various measures to improve the site for roosting bats are offered.

Annex 6 of SPD 11 quantifies the amount of biodiversity that new developments are required to provide in order to meet the requirements of PPS 9 (paragraph 14) and Local Plan policy QD17. However footnote 5 to Table 6.2 of the Annex explains that green roofs and green walls are not appropriate for listed buildings and “Where it can be demonstrated that these restrictions prevent applications from fully achieving the habitat points required, compensation for this shortfall will not be required.”

In this case it would not be possible for the development to achieve the amount of new biodiversity required under Annex 6 of SPD 11 without the use of green roofs and / or walls. Nevertheless any planning permission should be conditional upon the submission of a landscaping scheme which maximises the biodiversity value of the site. Appropriate measures which should be included in the scheme include a wildlife pond, artificial bat roosts and bird nest boxes and the use of plants which attract wildlife.

Planning Policy:

Whilst the existing and resultant net provision of D1 floorspace should be checked the proposal is considered in principle to meet policy HO20 (previous applications indicated existing D1 area to be approximately 1,165sqm whilst this application states existing D1 area to only be 845sqm). The Housing Development Team should be consulted in respect of the justification provided for the lack of affordable housing (policy HO2), however, it is recognised this is a relatively small development scheme which is enabling the enhancement and retention of a Listed Building and community facilities.

In respect of policy HO5, it is recognised listed building status can impact on such provision and where it is agreed it is in the interest of a Listed Building/Conservation Area not to provide all units with private amenity space then on-site communal space is welcomed. These comments are subject to clarification from the Design and Conservation Team regarding the Grade II Listed Buildings and the setting of the conservation area to which it is located.

Housing

The developer is offering no affordable housing on site. As a scheme of over 10 units we would require at least 40% of the scheme to be affordable. We cannot therefore support this application.

Education:

A financial contribution of £27,551 to be secured by way of a legal agreement would be required to help fund the additional school places that would be generated by the development.

Environmental Health

Having studied the application it is noted that it seeks to bring St. Augustines Church back into use. To do this, it is proposed to demolish the rear church hall and replace this with residential uses on ground, first and second floors. Adjacent this would be an infill extension at ground floor level which would be a kitchen use. The Church would also be utilised on a number of levels including ground, first and second floor. Uses gleaned from the various drawings submitted suggest the following uses:

- Church Ground Floor, Offices, multi function areas, parties, weddings, church services, bistro/cafeteria, coffee lounge and sound centre
- Church First Floor, fun factory, coffee lounge and sound centre
- Church Second Floor, gallery, tea bar and community multimedia uses.

Such community uses all have the potential to cause noise to neighbours and in particular the new residential area proposed immediately to the North. There are similar community spaces which have caused problems to local residents in such a close proximity. There is also concern at the general lack of data as to how any of the application will be managed. I also note air extracts identified on the drawings, yet no details within the application as to how these would be utilised to protect residents.

Sustainable Transport:

Given that as discussed the new application is the same in respect of transport as the previous one, comments on the previous application still stand.

The parking provision proposed is 15 general plus 1 disabled space. This compares to SPG4 requirements of a maximum of 21 general and at least 1 or 2 disabled. It is considered that based on the submitted parking survey, estimates of car ownership and the availability of public transport services, parking levels of less than the allowable maximum are justified and that any small problems arising from displaced parking will not unreasonably inconvenience local residents.

Nineteen cycle spaces are proposed. However, details of the layout of the proposed cycle store is required by condition.

Vehicular access is not satisfactory in that, although there is a turning head this is not easily useable by all vehicles to and from the site and it is likely that a small number of vehicles will reverse onto the carriage way. Traditional design guidance (i.e. Estates Road Manual) would not allow this arrangement but the new approach (i.e. Manual for Streets) is less prescriptive and requires that separate judgement must be applied in each particular set of circumstances. In this case the access is onto Florence Road which is lightly trafficked by pedestrians and vehicles. There are existing traffic calming features on this road which has a long straight alignment with good forward visibility. There are no recorded personal injury accidents during the last 3 years in Florence Road. Visibility from the vehicular access for vehicles emerging into Florence Road meets MfS standards and the actual numbers of vehicles to and from the application site will be very low. In all these circumstances it is considered that the design of the vehicular access route would not be a defensible reason for refusal.

The work submitted indicates that the traffic impact of the development would be insignificant with 18 in and 18 out car movements in a typical day with a peak hour total of five in and out movements combined.

A financial contribution of £10,500 would be required to fund local small scale measures to encourage the use of sustainable modes of transport near the application site such as bus stop improvements and dropped kerbs.

6 MATERIAL CONSIDERATIONS

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.”

The development plan is the Regional Spatial Strategy, The South East Plan

(6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (18 November 1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD1	Design-quality of development and design statements
QD2	Design-key principles for neighbourhoods
QD3	Efficient and effective use of sites
QD7	Crime prevention through environmental design
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD25	External lighting
QD27	Protection of amenity
QD28	Planning obligations
HO2	Affordable housing 'windfall' sites
Ho3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in residential development
HO13	Accessible housing and lifetime homes
HO19	New community facilities
HE1	Listed buildings
HE3	Development affecting the setting of a listed building
HE4	Re-instatement of original features on listed buildings
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance

SPGBH1:	Roof Alterations and Extensions
SPGBH4:	Parking Standards
SPGBH11:	Listed Buildings – General Advice

Supplementary Planning Documents

SPD03:	Construction and Demolition Waste
SPD08	Sustainable Building Design

Planning Advice Notes

PAN03: Accessible Housing and Lifetime Homes

8 CONSIDERATIONS

The main considerations in the determination of this application include the principle of the proposed development, design and impact on the listed building, conservation area and street scene, impact on the amenities of neighbouring the occupiers, amenities of future occupiers, highways and parking, sustainability, and nature conservation.

The previous application reference BH2010/00060 was refused on a number of grounds of these included in sufficient justification for the lack of affordable housing, issues relating to the design of the rear extension to the church hall, design issues relating to the conversion of the church hall, poor amenity for the future occupiers of the proposed dwellings, issues surrounding nature conservation, and the submission of inaccurate drawings.

This application in comparison with the previous application proposes a reduction in numbers of the proposed units, and additional information in relation to the proposed community use and financial information relating to the proposed works, as well as revised internal works to the church and church hall.

The principle of the proposed development

Policy HO20 of the Brighton & Hove Local Plan states that planning permission will not be granted for development proposals, including changes of use, that involve the loss of community facilities such as church halls. The application proposes the loss of 77sqm of community floorspace. The proposed reduction in community floorspace has been previously accepted as part of the previously refused application. It was considered that as the development would bring the existing church back into use and that the total amount of floorspace including the re-use of the church and re-organisation of space within would exceed the total provided by the existing church hall, in principle it is considered that the proposal broadly accords this policy.

Policy H02 of the Local Plan specifies that where a proposal is made for residential development, including conversions, capable of producing 10 or more dwellings, the Local Planning Authority will seek to secure a 40% element of affordable housing. In this case 13 new dwellings are proposed which would equate to a requirement of 5 affordable housing units.

No provision has been made for affordable housing, and the applicant has submitted justification as to why no affordable housing is proposed, this relates to the high cost in bringing back the church into a usable standard. No robust financial information has been provided in terms of the overall viability of the scheme which directly considers the requirement for affordable housing, in the absence of this information it is considered that there is unsatisfactory justification as to why this requirement has not been met within

the supporting documents or the schedule of development costs which has been submitted, the proposal is contrary to policy HO2.

Design

Policies QD1, QD2 and HE6 of the Local Plan state that all development must demonstrate a high standard of design and make a positive contribution to the visual quality of the conservation area. Policies HE1 and HE3 further note that proposals involving the alteration, extension or change of use of a listed building will only be permitted where they would not have an adverse affect on the architectural and historic character, appearance or setting of the building.

Reason 2 for refusal of the previously submitted application related to the proposed design of the rear extension to the church hall. In terms of the submitted application the design, scale and form of the extension has remained largely unchanged, from that of the previously refused application. The ground floor footprint has been slightly reduced and has been rationalised to some degree in an attempt to make it relate better to the floors above.

As with the previously refused application the Design and Conservation Officer has expressed concern over the extension to the rear of the hall. Whilst the extension now attempts to replicate the form of the extension to the upper stories it is felt that due to the irregularly shaped footprint and expansive area of flat roof the extension would relate poorly to the form of the extension above, appearing incongruous and out of keeping with the host building. In addition the proposed glazed screening would only serve to highlight the awkward relationship between the ground floor projection and the simpler, symmetrical form of the extension above it.

Therefore, it is considered that the development would fail to make a positive contribution to the visual amenity of the locality and the character of the Conservation Area, contrary to policies QD1, QD2 and HE6 of the Local Plan.

The Applicant has indicated that the conversion and extension of the church hall for residential use would fund/ enable the conversion of the church to a multi-purpose church and community centre. In such cases, proposals are required to meet the tests for 'Enabling Development' set out by central government in Planning Policy Statement No.5: Planning for the Historic Environment (PPS5). Policy HE11 of PPS5 sets out what must be taken into account in determining whether the benefits of the enabling development in securing the future of the asset outweigh the material harm caused.

The applicant has provided information in support of the financial case for the proposed development and the poor condition of the church is acknowledged. The Councils Design and Conservation Team have reviewed the documentation and consider that the case for enabling development has not yet been fully made, with specific regard to the requirements of PPS5 and

English Heritage guidance on the subject. Specifically that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”. As with the previously refused application ref BH2010/00061 it appears that the housing is proposed to fund the applicant’s plans to convert the church to a multi-purpose church and community centre rather than as a means restoring or addressing any significant inherent problems or defects with the buildings

Therefore, it is considered that the proposed development lacks justification and is unacceptable in principle, contrary to policy HE11 of PPS5 and policy HE1 and HE2 of the Local Plan.

Impact on the amenities of neighbouring occupiers

Policy QD27 and QD14 of the Local Plan seek to ensure that new development, including extensions to existing buildings do not adversely affect the amenities of adjoining and nearby occupiers. Reason 4 of the previously submitted application related to the impact of the proposed extension upon the amenity of the neighbouring property at no. 24 Stanford Avenue.

As previously discussed the design, scale and form of the extension has remained largely unchanged, from that of the previously refused application. At ground floor level the extension would have a depth of 13m and 9.5m at first floor level, with an eaves height of 4.6m and a ridge height of 10.1m, providing accommodation within the roofspace. The proposed extension would be positioned as little as 2m from the boundary with No.24 Stanford Avenue, run almost the length of its rear garden at ground floor level and at first floor project some 10.5m beyond its rear elevation. As the design of the proposed extension remains unchanged, and in the absence of compelling justification it is considered that the size and siting, the proposed extension would remain as a dominant and overbearing feature when viewed from the rear garden and rear facing windows of this property and would adversely affect the outlook and light of the occupiers.

The amenity of future occupiers

Reason 5 for refusal on the previously submitted scheme related to a poor standard of accommodation for the future residents of the development, in terms of poor light and outlook and inadequate private amenity space.

At ground floor level the bedroom windows serving flat No’s 2 & 3 would, at a distance of only 3.5m face on to the northern side elevation of the church over the flat roof of the proposed extension containing a kitchen and WC’s. Whilst at first and second floor levels a total of five bedroom and three lounge windows would directly face the church at minimum distance of 4m, and a maximum of 9m. As with the previously refused application it is considered that such a relationship would result in an unacceptable level of light and outlook for the future occupiers contrary to policy QD27.

Policy HO13 of the Local Plan requires new development to comply with Lifetime Homes standards. The Design and Access Statement indicates that the development would comply with these standards providing accessible off-street parking, appropriate circulation space entrance arrangements and doorway widths. Notwithstanding this, should the application had otherwise been acceptable full compliance would be secured by condition.

In terms of private amenity space provision six of the thirteen units would be provided with a balconies, whilst a further two units would have use of a raised terrace above the first floor component of the proposed rear extension. The private amenity space is supplemented by an area of communal amenity space to the front and a narrow strip to side to the church hall. However the practical use of those areas adjoining the church entrance by the future residents may well be limited, dependent upon the activities which are proposed within the church.

Given that five units would not have access to any private amenity space; the small size of the balconies and poor outlook and sunlight of some on the southern elevation, it is considered that this level of provision would not be commensurate with the nature of the development and the recreational needs of the occupiers. It is therefore considered that the proposed development would provide inadequate amenity space in terms of its size and quality, contrary to policy HO5 of the Brighton & Hove Local Plan.

Policy H06 of the Brighton & Hove Local Plan requires the provision of outdoor recreation space with schemes. The provision must be split appropriately between children's equipped play space, casual and informal space and adult and youth outdoor sports facilities. The restricted nature of the site would preclude the provision of such facilities on the site and as such, a financial contribution of £42,600 towards the provision of off site playspace and recreational facilities would be required. The applicants have indicated their willingness to make such a contribution towards the provision of outdoor recreation space in accordance with policy HO6.

Policy SU10 of the Local Plan requires proposals for new development to minimise the impact of noise on the occupiers of proposed buildings, neighbouring properties and the surrounding environment. The proposed church would contain a number of potential noise sources of which the sound centre is of particular concern. The Environmental Health Officer has indicated that due to the proximity of future residents in the converted church hall and existing residents in Florence Road and Stanford Avenue, in the absence detailed information on the sound system or how noise would be mitigated, the development would be likely to result in undue noise to the detriment of residential amenity, contrary to policy SU10.

Sustainable Transport

Policy TR1 of the Local Plan requires applicants to provide for the travel demands that their proposals create and to maximise the use of public

transport, walking and cycling.

A legal agreement requiring a financial contribution of £10,500 towards sustainable transport improvements in the area such as bus stop enhancements and dropped kerbs, to off-set the increase in demand for public transport services arising from the development is proposed. The Applicants have indicated their willingness to enter into such an agreement.

The Council's car parking standards require a maximum provision of 1 space per unit plus 1 car space per 2 dwelling for visitors. Fifteen car spaces have been provided (plus 1 disabled space) and is consistent with policy TR19 and SPGBH4.

The site has good access to public transport services and the Applicant's Transport Statement contains a parking survey carried out in the area bounded Springfield Road, Ditchling Road, Preston Drove and Preston Park Avenue indicating spare on-street capacity. The Traffic Manager has indicated that the survey demonstrates that any problems arising from displaced parking would not unreasonably inconvenience existing local residents.

Although the Applicant has indicated that 19 cycle parking spaces would be provided in one covered cycle store on the north-eastern corner of the site, the exact nature of the provision and its layout have not been shown. In the event of planning permission being granted, these details should be secured by condition.

The Traffic Manager has highlighted that the proposed turning head within the site would not be easily useable by all vehicles and it is likely that a small number of vehicles may reverse out of the site on to Florence Road. Although under previous guidance (i.e. Estates Roads Manual) such an arrangement would have been unacceptable on highway safety grounds, current guidance (i.e. Manual for Streets) is less prescriptive and requires each case to be judged on its individual merits. In this case, it is considered that because Florence Road is lightly trafficked by vehicles and pedestrians; is straight and subject to traffic calming measures; there have been no personal injury accidents recorded within the last three years; and visibility for vehicles emerging from the site would be satisfactory and vehicle movements low, the access would not be so hazardous as to warrant refusal.

Sustainability

Policy SU2 of the Local Plan requires all developments to be efficient in the use of energy, water and materials. With regard to the new build residential units within the extension to the church hall SPD08 Sustainable Building Design requires applicants to submit a Sustainability Checklist and the development to achieve a minimum rating of level 3 of the Code for Sustainable Homes and the new units within the converted church hall to demonstrate significant environmental improvements via Ecohomes for

refurbishments.

The Applicant has submitted a satisfactory Sustainability Checklist indicating that the new build residential units would meet level 3 of the Code for Sustainable Homes and that Ecohomes for Refurbishment criteria would be applied to the units within the converted church hall. It is recommended that were the application otherwise acceptable compliance could be secured by via a suitably worded condition.

Nature Conservation and Ecology

Reason 7 for refusal on the previously submitted scheme related to the requirement for a bat survey given the nature of the site. The applicant has submitted a full bat survey. The Council's Ecology Officer has reviewed the submitted document which concludes that no bats were roosting in the buildings at the time of the survey. Therefore no recommendations for further survey are required. Measures to improve the site for roosting bats are offered and should the application be considered acceptable could be secured via a suitably worded condition.

9 CONCLUSION

The proposed development, in the absence of robust financial information relating to the viability of the scheme and satisfactory justification for the provision of no affordable units, has failed to provide an element of affordable housing contrary to policy HO2 of the Brighton & Hove Local Plan.

The proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design of the ground floor, would be detrimental to the character and appearance of the host building and to the character, appearance and setting of the Grade II listed Church and the Preston Park Conservation Area, contrary to policies QD1, QD2, QD14, HE1, HE3 and HE6 of the Brighton & Hove Local Plan.

The proposed windows and balconies at first and second floor levels in the north facing elevation of the church hall and the proposed rear extension, by virtue of its size, siting, design and form, would adversely affect the amenities of the occupiers of No.24 Stanford Avenue resulting in loss of light, loss of privacy and over-dominance and visual intrusion, contrary to policy QD27 of the Brighton & Hove Local Plan.

The proposed development would provide an unsatisfactory residential environment for the future occupiers of the proposed dwellings by virtue of poor light and outlook, potential noise and disturbance and inadequate private and communal amenity space provision, contrary to policies SU10, QD27 and HO5 of the Brighton & Hove Local Plan.

10 EQUALITIES IMPLICATIONS

The proposed units would have to comply with lifetime homes standards.

BH2011/01013 St Augustines Church, Stanford Avenue



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2011/01014	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	St Augustines Church, Stanford Avenue, Brighton		
<u>Proposal:</u>	Internal alterations to church incorporating installation of 2 new floors and associated works and extension to rear of church hall		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	04/04/2011
<u>Con Area:</u>	Preston Park CA	<u>Expiry Date:</u>	30 May 2011
<u>Listed Building Grade:</u>	II		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, Paxton Business Centre, Portland Road, Hove		
<u>Applicant:</u>	Elim International, Rev Peter Dennett, 115 St Georges Road, Cheltenham		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in this report and resolves to **REFUSE** listed building consent for the following reason(s):

1. In the absence of satisfactory justification with regard to the level of enabling development required, as defined in PPS5, the proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design would be detrimental to the character and appearance of the host building and to the character, appearance and setting of the Grade II listed church, contrary to Policy HE11 of PPS 5 and policies HE1, HE2 & HE3 of the Brighton & Hove Local Plan.
2. In the absence of satisfactory justification with regard to the level of enabling development required, as defined in PPS5, the proposed internal alterations to the Grade II listed church would be detrimental to its architectural and historic significance, contrary to PPS 5 and policies HE1 and HE2 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on site location plan, drawing nos.07031/02A, /03, /52, /59, /62A, /63, /66, /67A, /68, /69, /70, /71, /72, /73, /74 Design & Access Statement, Heritage Statement & Structural Engineer's Report, Transport Statement, Biodiversity Checklist, Planning Supporting Statement, Site Waste Management Plan, Heritage Statement received on 4 April 2011, and drawing nos. 07031/60, /61, /75, and Bat Survey Report received on 15 June 2011.

2 THE SITE

The application site is located on the eastern side of Stanford Avenue immediately to the north of its junction with Florence Road. It has a maximum depth of 70m, a maximum width of 46m and an area of 0.23 ha. St Augustine's Church is a prominent landmark Grade II listed building which

occupies a central position within the site. The building which dates from the 1890's, is of red brick construction with stone dressings and a tiled pitched roof. A smaller church hall dating from 1914 is located on the northern part of the site and complements the main church building in terms of its scale, design and materials. There are a number of dilapidated timber sheds located on the north-eastern corner of the site. The church and associated church hall are disused. Land levels within the site rise gently from south-west to north-east following the prevalent topography of the area.

The surrounding area is wholly residential in character. Adjoining the site to the north, are a pair of two storey semi-detached Victorian houses fronting Stamford Avenue (No's 24 & 26) and to the east, is a two storey detached property with accommodation in the roofspace which has been sub-divided into flats. To the west of the site, the opposite side of Stamford Avenue comprises substantial two storey semi-detached houses, a number of which have been converted into flats whilst opposite the site, the southern side of Florence Road is characterised by substantial three/ four storey semi-detached houses which are in use as flats.

The application site is located in the Preston Park Conservation Area as designated in the Brighton & Hove Local Plan.

Florence Road and the relevant section of Stamford Avenue are unclassified residential access roads and are not subject to on-street parking restrictions in the vicinity of the application site.

3 RELEVANT HISTORY

BH2011/01013: Demolition of timber building to rear, conversion and extension of church hall to provide for 13 self contained flats is currently under consideration

BH2010/00061: Conversion of Church Hall to provide 14 self-contained flats together with alterations to existing building and 2-storey extension with accommodation in roofspace and basement car parking to rear. Alterations to church to provide additional community space. Demolition of timber building to rear. Refused at Planning Committee 30/06/2010.

BH2010/00060: Full planning application for the conversion of the church hall to provide 14 self-contained flats together with alterations to the existing building and two storey extension with accommodation in the roofspace and basement car parking to rear. Alterations to church to provide additional community space. Demolition of timber building to rear. Refused at Planning Committee 30/06/2010.

BH2009/00055: The accompanying application for listed building consent was also withdrawn in December 2009.

BH2009/00054: An application for full planning permission was submitted and subsequently withdrawn in December 2009 for the conversion of the church hall to provide 20 self-contained flats together with alterations to the existing building and three storey extension to the rear together with alterations to the church to provide additional community space.

91/108/CA: The accompanying application for conservation area consent was also withdrawn in March 1993.

91/1507/OA: An outline planning application was submitted and subsequently withdrawn in March 1993 for the demolition of the hall, the erection of a nine storey tower to the west end of the church to provide 16x1 bed flats and the erection of a four storey building to provide 12x1 bed and 4x2 bed flats with 18 parking spaces.

4 THE APPLICATION

The application seeks listed building consent for the conversion of the existing church hall to provide thirteen self-contained flats, the erection of a two storey extension with accommodation in the roofspace, and basement car parking to the rear. Alterations to the church to provide additional community space and demolition of the existing timber building to the rear. Internal alterations are proposed the existing church including the insertion of 2no. additional floors to provide community floorspace.

The proposed extension would abut the eastern gable end of the church hall. It would comprise two distinct elements; a large single storey flat roofed section which would project to both the rear and side of the church hall to the south and a smaller recessed first floor surmounted by a pitched roof containing two dormers.

At ground floor level the extension would have a depth of 13.2m and a maximum width of 13.2m. At first floor level the a depth of 10.2m and a width of 11.3m with an eaves height of 5.2m and a ridge height of 10.8m. It would be set back a minimum of 2m from the northern boundary of the site with No.24 Stanford Avenue and a minimum of 2.2m from the eastern boundary of the site with No.1 Florence Road.

The proposed internal alterations to the existing church hall would involve the formation of a new second floor and the external alterations, the replacement of the existing roof with a new pitched roof (utilising the original tiles) with enlarged catslide dormers to both the north and south facing slopes. New window, door openings and balconies would also be created.

The development would provide a total of thirteen flats comprising 1x1 bed, 9x2bed units and 3x3 bed unit. Seventeen car parking spaces would be provided, ten at basement level below the proposed extension to the church hall and seven, including one disabled space, on the Florence Road frontage.

The proposal also includes the conversion of the main church building to a church/community centre. A narrow single storey flat roofed extension comprising a kitchen, WC's and bin store infilling the gap between the church and the church hall is proposed. The other external works to the church are primarily those of repair and refurbishment. Internally, on the ground floor, the north nave aisles would be partitioned to provide a bistro/ cafeteria and whilst the southern nave aisles would be used for offices. The chancel is to be

partitioned to provide a multi functional area. A first floor would be formed above the nave to provide a church hall and coffee lounge with a galleried area above.

There are some minor changes between this application and the previously refused application in terms of the design and layout of the hall, the proposed rear extensions and the submitted supporting documents.

5 CONSULTATIONS

External:

Neighbours: Letters of representation have been received from, **8 Florence Road**, objecting the application for the following reasons:

- The scale of development is out of keeping with the area.
- Loss of privacy and overshadowing.
- Increased parking issues.

Letters of representation have been received from, **96 Woodland Avenue (Burgess Hill)**, **49 Lockhart Court (Haywards Heath)**, **1 Heart Studios (Haywards Heath)**, **76 High Street (Ardingly)**, **15 Ambrose Place (Worthing)**, **11 Ashurst Place**, **16 Chatsworth Avenue**, **The Fountain Centre Braybon Avenue**, **3 Collingwood Close**, **49 Ventnor Villas**, **26 Widdcombe Way**, **1 Berry Close**, **121 Hollingdean Terrace**, **132 Portland Road**, **4 Dudley Road**, **20 Walter May House**, **3 Crayford Close**, **Little Oaks Nursery 120 Stanford Avenue**, **1 Popes Folly**, **241 Old Shoreham Road**, **43 Vale Avenue (x2)**, **1 Falcon Close**, **246 Harbour Way (x3)**, **12 Greenoaks**, **34 Oliver House Fourth Avenue** supporting the application for the following reasons:

- A listed building will be brought back into good use.
- It will provide improved community space for the local area.

Internal:

Design & Conservation:

The applications are revised proposals following the refusals of previous applications and have sought to address the reasons for refusal. The applicant has provided more detailed financial information as justification for the enabling development. The extent of the new first floor to the church has been slightly reduced. The ground floor footprint of the new extension to the church hall has been revised and the number of new residential units reduced by one, with minor changes to the fenestration. A maisonette has been provided to the front of the hall. These issues are addressed further below.

There is substantial harm to the character of the listed building arising from the insertion of the new floors but further information is required in order to properly judge how this harm has been, or could be further, mitigated.

The principle of converting and extending the church hall to residential use has already been accepted. The demolition of the utilitarian modern timber building has also been accepted and is welcomed.

The design, scale and form of the proposed extension remain unchanged except that the ground floor footprint has been slightly reduced and has been rationalised to some degree so that it better relates to the floors above. Nevertheless it still projects significantly and awkwardly on the southern side, towards, the church, and the flat roof above this projection is now to be used as a roof terrace, which has necessitated a glazed screen on the terrace, although it is unclear why this does not follow the roof edge. The glazed screening only serves to highlight the awkward relationship between the ground floor projection and the simpler, symmetrical form of the extension above it.

The impact on the character of the listed church hall arising from the conversion scheme, specifically with regard to the Palladian frontage, appears to now be acceptable but cannot be fully judged at this stage due to the lack of a section drawing.

The case for enabling development

Given the degree of harm that would be caused to the significance of the heritage asset, the case for the new housing units as enabling development must be considered. Policy HE11 of PPS5 sets out what must be taken into account in determining whether the benefits of the enabling development in securing the future of the asset outweigh the material harm caused. This issue is not specifically addressed in the Planning Statement but there is information in this and other supporting statements that explains how the proposals would help to secure the long term future of the church as a community asset. In principle a combined church and community use is considered to be “a purpose sympathetic to its conservation” (PPS5 Policy HE11).

There is also information in the Cost Report (and its appendices) on the financial case. The poor condition of the church is acknowledged from previous inspection and, given its scale, the estimated itemised repair costs do not appear unreasonable. It is noted that there is no similar estimate of the costs of repairing/restoring the church hall to bring it back into use, which would give a much fuller picture of the “problems arising from the inherent needs of the heritage asset” (PPS5, Policy HE11). Appendix 1 sets out the additional costs associated with converting the church to community spaces and providing the underground car park. Appendix 3 includes all further costs associated with the proposals also sets out the anticipated income from the enabling development. The further costs include a sum of £709,753.68 for equipment, facilities and services but no further detail is provided. Given the relative size of this sum a break-down of these costs should be provided. This is important as this sum is almost equivalent to the projected loss incurred on the proposals and because on of the key considerations under policy HE11 of PPS5 is that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”. In this respect “future conservation” must be distinguished from perhaps more ambitious and aspirational plans.

Related to this, it will also be essential to clarify the matter of whether the application is proposing an overall increase in community space. The application form states that there would be a net increase of 344 sq m but in previous meetings the applicant has stated that would be no increase. Based upon the plans this would indeed seem to be the case, assuming that the existing timber building is included in the figures. However, a definitive assessment is required.

PPS5 policy HE11 also requires the applicant to demonstrate that “there is no source of funding that might support the heritage asset without the need for enabling development” but no information on this point has been submitted.

Additional comments received 1 July 2011

Section drawings through the church have now been provided and these confirm that there would be no loss of the roof timbers; all of the raking struts would be retained.

The sections also confirm that the western ends of the new floor would have partly glazed screens and the degree of glazing is considered appropriate. However, the end screen at new first floor level is to have pattern of gothic arches to the glazing and this is considered inappropriate. The glazing should be as simple and undivided as possible, both to distinguish it as a clearly modern intervention and to ensure the maximum possible sight lines from ground level to the roof timbers and ceiling. The proposed second floor end screen is simpler in design but would also benefit from less subdivision.

In order to further enhance views of the original ceiling and roof timbers, the ceiling to the new first floor could be largely glazed where there is no floor over it (i.e. to the two western ‘bays’).

Concern remains that there would be a lack of natural light to the main ground floor worship area and the impact of this on the character of the interior. There may be ways of mitigating this concern other than the glass edge to the floor previously proposed, such as borrowed lights in the new side partitions (between the nave and the aisles). But in the absence any such measures this remains a significant concern.

The conversion and extension of the church hall

The long section through the hall shows that the internal arrangement of the proposed maisonette, including floor and ceiling heights, would relate satisfactorily to the glazing of the Palladian frontage. It is therefore considered that this concern has now been overcome.

The design and footprint of the proposed extension to the church hall remain unchanged and therefore the previous concerns regarding the degree and shape of the ground floor projection, and the line of the glazed screening to the roof terrace, remain.

The case for enabling development

The issue of the change in gross community floor space has now been clarified and shows that there would be a net loss of 77 sq m. This is considered to assist the case for enabling development.

A budget cost of between £535k and £640K has now been provided for the repair and renovation of the church hall. It is disappointing that this is a simply a standard budget figure based upon square metre-age of floorspace rather than an itemised estimate in the manner of the estimate for the church itself. It is also questioned whether this figure is an over-estimate given that it is roughly half the cost of repairing and renovating the church itself when the church is on a much more substantial scale. Consequently it is felt that less weight can be attached to this evidence. Nevertheless it is acknowledged from site inspection that a significant sum would need to be spent on repairing and restoring the hall to bring it back into long term community use.

A detailed breakdown has been provided of the sum of £709,753 set aside in the Cost Report (and appendices) for equipment, facilities and services. Whilst some of these cost items could be regarded as overly aspirational for a new community centre, the breakdown does nevertheless clarify the extent of legitimate costs required to fit out the spaces.

The applicant has also provided letters from community groups that are interested in using space at the converted church and it is noted that this includes interest from nurseries. It therefore needs to be clarified as to whether such potential users (who may be commercial ventures) would be charged for using the space. This is raised because it is noted from the Cost Report that the only income referred to is from the sale of the flats.

Finally, it is noted that no information has been provided to demonstrate that “there is no source of funding that might support the heritage asset without the need for enabling development”. This is a requirement of policy HE11 of PPS5. Addressing this point should include evidence of any applications, investigations or enquiries that have been made for grant or loan funding from public funds and schemes or any other sources of funding available to or through the Elim Church.

Conclusion

The additional drawings and information have gone some way towards addressing the original concerns. However, the case for enabling development is not yet considered to have been fully made, having regard to the requirements of PPS5 and English Heritage guidance on the subject and specifically that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”.

In addition, concerns still remain about the design and detail of the proposals, particularly to the internal conversion of the church. Given the great significance of the church interior, in terms of its special architectural interest,

these concerns are considered to be crucial to determining whether the development is justified and in mitigating the harm that inevitably arises from the horizontal sub-division of the church.

6 MATERIAL CONSIDERATIONS

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.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (18 November 1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

National Planning Guidance/Policy

PPS5 Planning for the Historic Environment

Brighton & Hove Local Plan

HE1 Listed buildings

HE2 Demolition of a listed building

HE3 Development affecting the setting of a listed building

HE4 Re-instatement of original features on listed buildings

Supplementary Planning Guidance

SPGBH1 Roof Alterations and Extensions

SPGBH11: Listed Buildings – General Advice

8 CONSIDERATIONS

The consideration in the determination of this application is whether the scheme preserves or enhances the historical and architectural character and appearance of the listed building. As part of the submission for this application the applicant has provided additional financial information as justification for the enabling development. The extent of the new first floor to the church has been slightly reduced. The ground floor footprint of the new extension to the church hall has been revised and the number of new residential units reduced by one, with minor changes to the fenestration. A maisonette has been provided to the front of the hall in order to retain the Palladian frontage to the hall.

Design and impact on the character and appearance of the listed building

Policies HE1 and HE3 of the Brighton & Hove Local Plan state that proposals involving the alteration, extension or change of use of a listed building will only be permitted where they would not have an adverse affect on the architectural and historic character, appearance or setting of the building.

Internal Works to the Church

The applicant has revised the proposed plans following the refusal of the previous application ref BH2010/00061. The extent of the proposed first floor level within the church has been reduced. The proposed floor is no longer the full length of the church and now stops one 'bay' short approximately 4.5m of the western end, this approach is welcomed as it allows views up to the existing roof structure upon entry into the church.

The application proposes the use of a glazed screen to the western end of the first floor and detailed sections from the applicant suggest that the screen would have a gothic pattern to the glazing. The Councils Design and Conservation Officer has expressed concern over this type of screen and considers this approach to be inappropriate as it should be read as a modern intervention and be consistent with the approach taken elsewhere in the building.

Conversion and extension of the church hall

The principle of converting and extending the church hall to residential use is accepted and the demolition of the utilitarian modern timber building to the rear (east) of the site is welcomed.

The previous issue of retaining the Palladian window frontage to the church hall has now been addressed as the application now proposes to maintain a recessed area around the window as such ensuring that no horizontal or vertical separation of the existing window will take place.

In terms of the proposed extension to the rear the design, scale and form of has remained largely unchanged. The ground floor footprint has been slightly reduced and has been rationalised to some degree in an attempt to make it relate better to the floors above. As with the previously refused application the Design and Conservation Officer has expressed concern over the extension to the rear of the hall. Whilst the extension now attempts to replicate the form of the extension to the upper storeys it is felt that due to the irregularly shaped footprint and expansive area of flat roof the extension would relate poorly to the form of the extension above, appearing incongruous and out of keeping with the host building. In addition the proposed glazed screening would only serve to highlight the awkward relationship between the ground floor projection and the simpler, symmetrical form of the extension above it.

Therefore, given the above it is considered that the proposed development due to the inappropriate internal alterations to the main church building, and the design and form of the proposed rear extension would fail to preserve or enhance the character or appearance or setting of the listed building, contrary to policies HE1 and HE3 of the Brighton & Hove Local Plan.

The case for enabling development

The Applicant has indicated that the conversion and extension of the church hall for residential use would fund/ enable the conversion of the church to a

multi-purpose church and community centre. In such cases, proposals are required to meet the tests for 'Enabling Development' set out by central government in Planning Policy Statement No.5: Planning for the Historic Environment (PPS5). Policy HE11 of PPS5 sets out what must be taken into account in determining whether the benefits of the enabling development in securing the future of the asset outweigh the material harm caused.

The applicant has provided information in support of the financial case for the proposed development and the poor condition of the church is acknowledged. The Councils Design and Conservation Team have reviewed the documentation and consider that the case for enabling development has not yet been fully made, with specific regard to the requirements of PPS5 and English Heritage guidance on the subject. Specifically that "the level of development is the minimum necessary to secure the future conservation of the heritage asset". As with the previously refused application ref BH2010/00061 it appears that the housing is proposed to fund the applicant's plans to convert the church to a multi-purpose church and community centre rather than as a means restoring or addressing any significant inherent problems or defects with the buildings

Therefore, it is considered that the proposed development lacks justification and is unacceptable in principle, contrary to PPS5 and policy HE2 of the Local Plan.

9 CONCLUSION

It is considered that in the absence of sufficient justification the proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design of the ground floor, would be detrimental to the character and appearance of the host building and to the character, appearance and setting of the Grade II listed church, contrary to Planning Policy Statement No.5 – Planning for the Historic Environment and policies HE1, HE2 & HE3 of the Brighton & Hove Local Plan.

In the absence of satisfactory justification, the proposed internal alterations to the Grade II listed church would be detrimental to its architectural and historic significance, contrary to Planning Policy Statement No.5 – Planning for the Historic Environment and policies HE1 and HE2 of the Brighton & Hove Local Plan.

10 EQUALITIES IMPLICATIONS

None identified.

LIST OF MINOR APPLICATIONS

<u>No:</u>	BH2011/01154	<u>Ward:</u>	PATCHAM
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Mill House, Overhill Drive, Brighton		
<u>Proposal:</u>	Erection of two storey detached residential dwelling.		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	03/05/2011
<u>Con Area:</u>		<u>Expiry Date:</u>	28 June 2011
<u>Listed Building Grade:</u>			
<u>Agent:</u>	Folkes Architects, The Design Studio, 94 High Street, Steyning, West Sussex		
<u>Applicant:</u>	Mrs Janet Hall, 15 Chewton Road, Walthamstow, London, E177DW		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.
Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
3. The new dwelling shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
4. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4

- of the Brighton & Hove Local Plan.
5. 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 development hereby permitted shall be carried out in accordance with the approved drawing nos. 1012 2.20, 2.21, and 2.22 received 18 April 2011 and drawing nos. 2.21 rev A, 2.22 rev A and 2.23 rev A, received 8 July 2011.
Reason: For the avoidance of doubt and in the interests of proper planning.

Pre-Commencement Conditions:

7. 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 recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.
8. 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.
9. 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 Report / Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and
 - (b) a Design Stage / Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units has been submitted to, and approved in writing by,

the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

10. No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

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

11. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road[s], surface water drainage, outfall disposal and crossover to be provided, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details prior to occupation of the dwelling hereby approved.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large and for protection of trees and to comply with policies TR7 and QD16 of the Brighton & Hove Local Plan.

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

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

13. No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme to BS5837 (2005) 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.

14. No development shall commence until an Arboricultural Method Statement is submitted to and approved in writing by the Local Planning Authority. The Statement shall include details relating to the levels of the site within the Root Protection Areas and details regarding service runs.

The development shall be carried out in strict accordance with the approved Statement.

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.

Pre-Occupation Conditions:

15. Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall be occupied until a Final / Post Construction Certificate 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.

16. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development to comply with policies TR1 and TR14 of the Brighton & Hove Local Plan.

17. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway to comply with policies TR7 and TR19 of the Brighton & Hove Local Plan.

18. Unless otherwise agreed in writing by the Local Planning Authority, a scheme detailing the measures to improve ecological biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the number and type of bat boxes, and bird boxes. The development shall be carried out in strict accordance with the approved details and thereafter maintained.

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.

Informatives:

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

(Please see section 7 of the report for the full list); and

(ii) for the following reasons:

The proposal would make an effective and efficient use of the site without compromising the quality of the local environment. Subject to the compliance with the attached conditions no significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and traffic issues. The loss of protected trees on the site would be mitigated by additional planting.

2. The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
3. 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).
4. The applicant is advised that details of the Council's requirements for Site Waste Management Plans and Waste Minimisation Statements can be found in Supplementary Planning Document SPD03 Construction and Demolition Waste, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
5. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).
6. The applicant is advised that the driveways and access road should be built in accordance with BS 5837 (2005).
7. The applicant is advised of their obligation to protect bats during construction work, if any bats are found during demolition/conversion, then works should be stopped immediately and advice sought from Natural England.

2 THE SITE

The site is an enclosed plot, which is accessed via a driveway between nos. 61 and 61a Overhill Drive to the south of the junction with Overhill Way and Highview Avenue South.

The application site relates to the south eastern plot within the grounds of Mill

House. The site currently comprises ancillary outbuildings and a single storey studio which are sited along the southern site boundary. A public footpath runs alongside the driveway to the east of the site and continues along the south of the site giving access through to Grangeways.

The site is bounded by the rear of residential properties in Overhill Drive to the east, woodland and the rear of Audrey Close properties to the west, 61a Overhill Drive to the north, and the residential development of Grange Walk, Grangeways to the south.

The site has a number of trees which are protected by Tree Preservation Orders covering the site.

Planning permission reference BH2010/03233 was granted in January of this year for the erection of a bungalow to be located within the north west quadrant of the site and included in principle the shared access into the site.

3 RELEVANT HISTORY

BH2010/03233: Erection of single detached bungalow. Approved 14/01/11.

BH2010/00097: Erection of 3 detached two storey dwellings and a single detached bungalow. Refused 07/06/10.

BH2008/02490: Erection of 3 detached two-storey dwellings and a single detached bungalow – appealed for non-determination with a committee recommendation for refusal - dismissed at Appeal 20/11/09.

BH2005/05112: Outline application for 4 detached dwellings. Means of access to be determined for the development site. (Revised description). Refused 28/11/06.

BH2004/00366/OA: Outline application for six detached dwellings. Withdrawn 02/04/04.

BH2004/02778/OA: Outline application for the erection of 4 detached houses. Refused 22/10/04.

4 THE APPLICATION

Planning permission is sought for the erection of a two-storey detached dwelling, located in the south eastern quadrant of the existing site.

The previously refused scheme reference BH2010/00097 for four dwellings, proposed two properties whose rear elevations would have faced onto the rear gardens of the properties to the south on Grange Walk. This application proposes a single dwelling which would sit on an east-west axis with the front of the property forming the western elevation. The property would comprise 4 no bedrooms and a detached double garage.

The proposed access road is to be a shared surface and would follow the same route as the previously approved application reference BH2010/03233.

5 CONSULTATIONS

External:

Neighbours Letters of representation have been received from **17 (x2) Audrey Close, 59, 61, 61A (x3), 63 Overhill Drive**, objecting to the application for the following reasons:

- Loss of the dedicated existing public right of way, which is used by local people and particularly school children, and concern that the proposed shared surface (site access and public right of way) would be unsafe for pedestrians.
- This application clearly is trying to achieve the access through a back door approach.

Letters of representation have been received from **55 Overhill Drive and 3 Grange Walk** supporting the application for the following reasons:

- In terms of design the property will enhance the area
- The proposed new footpath will benefit pedestrians as it would be safer than the existing
- Subject to conditions restricting permitted development rights for additional windows

A letter of objection has been received from **Cllr Brian Pidgeon and Cllr Geoffrey Theobald** a copy of which is attached.

Internal:

Arboricultural Team:

With regard to the proposed lay-by / passing area, the construction of this will involve the loss of 2 trees, one Sycamore and one Silver Birch. Access to these trees for a full health and safety assessment was not possible because of the above-mentioned fencing, however, as these trees were not included in the Tree Preservation Order made in 2008 (TPO (No 8) 2008), it may be presumed that they have structural defects that render them unworthy of Tree Preservation Order. For this reason, the Arboricultural Section does not object to the loss of these trees.

All other trees on the site that may be affected by the proposed works should be protected to BS 5837 (2005) Trees in Relation to Construction.

Some trees (especially in close proximity to the proposed access) will need to be pruned to facilitate development. The Arboricultural Section would not object to this.

Sustainable Transport: No objections on traffic grounds subject to the following conditions:

1. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road[s], surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with this Authority.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large

2. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.

3. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

As noted in connection with previous Applications & Appeals on this site the access is designed to an appropriate standard as a shared surface street that can be used by both pedestrians & drivers in a safe manner, it has already been through a Road Safety Audit. There are clear case precedents that support the use of shared surfaces within residential areas where traffic flows are less than 100 vehicles per hour.

The highway works, although not fully part of the adopted highway network do affect a public right of way and as such should be controlled via either a condition – as noted above – and/or a S106 Agreement of the Town & Country Planning Act to ensure that the access road and adopted footway are constructed to a satisfactory standard.

Ecologist:

The councils Ecologist agrees with the findings of the Arboricultural, Landscape and Ecology report submitted in support of the application that the site does not appear to support any protected species. Nevertheless the report includes important provisos with regards to bats and it is important that they are taken into account during the development.

Similarly, while the layout provides adequate space for Annex 6 of SPD 11 to be addressed, there is very little information provided on the measures which will be taken to ensure adequate new nature conservation features will be provided and this too should be addressed by condition.

6 MATERIAL CONSIDERATIONS

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.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU4	Surface water run-off and flood risk
SU9	Pollution and nuisance control
SU10	Noise pollution
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD1	Design – Quality of development and design statements
QD2	Design – Key principles for neighbourhoods
QD3	Design – Efficient and effective use of sites
QD4	Design – Strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD27	Protection of amenity
QD28	Planning obligations
HO3	Dwelling type and size
HO4	Dwelling Densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance Documents: (SPG's)

SPGBH 4 Parking Standards

Supplementary Planning Document

SPD03	Construction & Demolition Waste
SPD06	Trees and Development Sites
SPD08	Sustainable Building Design

8 CONSIDERATIONS

The main issues for consideration are the principle of the proposed intensification of residential use on the site, the impact of the development on the living amenities of neighbouring properties, the impact on the existing TPO protected trees on the site, the adequacy of the access into the site and sustainability matters.

Planning permission reference BH2010/03233 was granted in January of this year for the erection of a bungalow to be located within the north west quadrant of the larger site and included the principle of the shared access into the site. This permission is a material consideration, whilst it does not relate specifically to this south east corner of the larger site it considers the principle of development upon the site as a whole and the proposed access route.

Principle of Use

The site is located within the built-up area boundary of the City, as defined on the Brighton & Hove Local Plan proposals map, and permission has been granted elsewhere on the site for the erection of a family dwelling, as such development within the site is acceptable in principle, although it must adequately accord to relevant development plan policies.

On the 9th June 2010 changes by the Government were made to Planning Policy Statement 3 (PPS3) by way of the removal of private residential gardens, and associated buildings, from the definition of previously developed land in addition to the deletion of national indicative minimum density.

The site currently contains a significant detached studio bungalow which covers approximately 100sqm of floor area. This application proposes a 50% increase in development in terms of floor area.

As a result of the above change, the land to which this application relates is considered to constitute both “brownfield land”, namely the existing studio, and “greenfield land”, the related garden area, the impacts of which are discussed in the Sustainability section below.

The changes to PPS3 do not constitute a presumption against the development of greenfield sites however the proposal must be assessed in context with policies QD3 and HO4 of the Brighton & Hove Local Plan. The principle of the development of the site is not in question but the matter in this instance given the previous approval on the site is whether the development of the plot is acceptable given the tests set out in the policies of the Brighton & Hove Local Plan and PPS3.

PPS3 states that a development, such as that proposed, should be integrated with and complimentary to neighbouring buildings and the local area more generally in terms of scale, density, layout and access and thereby resulting in a development which is efficient in the use of the land without compromising the quality of the local environment. Whilst Local Planning Authority are advised to take account of the positive contribution that intensification can make, PPS3 also states that design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted.

Design and Character

The application proposes a modest two-storey dwelling, the front elevation of which is orientated to the west. The previously refused application BH2010/00097 proposed two no. detached dwellings to be located within this section of the site.

This section of Overhill Drive contains a variety of dwelling type including single and two storey properties and a mix of detached and semi-detached properties built in a mixture of brick, render and pebble dash. The proposed dwellings will be barely visible within the existing street scene. The property is to be constructed of materials which reflect the nature of the dwellings in the area and Mill House itself. The proposed roof is to be finished in slate whilst the elevations are to be finished with white render. The application proposes the use of timber painted windows. The proposed design and material are in keeping with the proposed design and finish of the approved scheme ref BH2010/03233.

It is considered that the design of the proposed property reflects the design of properties within this immediate area and would not appear as an incongruous addition to this part of Overhill Drive, in accordance with Policies QD1, QD2, QD3 and QD5.

Amenity for residential occupiers

Policy HO13 requires all new dwellings to fully meet lifetime home standards. From the plans submitted it would appear that the proposed dwelling would be capable of complying with lifetime home standards, given the overall size of the dwelling. Given the internal layout and window arrangement there would be no harm to future occupiers by way of overshadowing, loss of light or overlooking.

Policy HO5 requires all new residential units to have private usable amenity space appropriate to the scale and character of the development. Whilst it is recognised that the proposed garden would be marginally smaller than those serving the dwellings in Overhill Drive, it would however be of sufficient size to serve the future occupiers. It is therefore considered that the development is acceptable.

Policy TR14 requires all new residential developments to have secure, covered cycle storage. Insufficient information has been provided regarding the full details of cycling provision, however it is considered that the property is capable of providing a suitable level of provision and as such a condition is recommended for additional details.

Policy SU2 requires all new residential development to provide refuse and recycling storage facilities. Insufficient information has been provided regarding the full details of the provision of refuse and recycling facilities, however it is considered that the property is capable of providing a suitable level of provision and as such a condition is recommended for additional

details.

Neighbouring amenity

Reason for refusal 1 of application reference BH2010/00097 related to the impact of the development upon the amenity of adjoining neighbours. Within the previous appeal decision the Inspector raised concern over the potential impact of units 2 and 3 upon the privacy of the occupiers of 2 and 3 Grange Walk to the south of the site.

In relation to this previous reason for refusal the applicant now proposes a single dwelling which has been re-orientated so that the flank southern elevation of the dwelling now faces the rear elevation of 2 and 3 Grange Walk, with a separation distance of 18m. The proposed south flank elevation is set 7.5m from the boundary to the south which is 3m closer than previously refused, albeit set on a different orientation. There are no windows proposed at first floor level on this southern elevation to ensure that no direct overlooking occurs. A suitably worded condition is proposed to restrict the permitted development rights to ensure that no windows may be inserted without the requirement of full planning permission. A bay window is proposed on the front elevation, however this bay is 28m away from the rear elevation of 2 Grange Walk.

As a result of the reorientation of the unit the first floor windows would now face east and west. To the east of the site a significant level of screening exists and is to be retained to ensure that no overlooking occurs to the properties to the rear of the property which front on Overhill Drive. To the west of the property lies Mill House 17m away between flank elevations, is orientated on a north-south axis, the flank wall of which faces the front elevation of the proposed dwelling. Given that a garage is proposed between the two properties and as the amenity space for Mill House is located to the west of Mill House itself, it is considered that no overlooking or impact upon the amenity of the existing occupiers of Mill House will occur.

It is therefore considered that the scheme overcomes the previous reason for refusal and that the proposal is in accordance with policy QD27 of the Brighton & Hove Local Plan.

Traffic Matters

The proposal would provide a shared access with the public footpath, demarcated by metal studs. As part of the previously appealed scheme the Inspector recognised there is some element of risk in cars and vulnerable pedestrians using the same space, but the Inspector considered that the length of the shared surface would be relatively short and that there would be sufficient room for cars and pedestrians to pass.

A passing point is proposed to provide vehicles an area whereby they can safely pass each other within along the access road. The proposed access road is the same as that which was approved under planning application

reference BH2010/03233. The Council's Highways Officer raises no objection the proposal it is therefore considered that refusal of the scheme on highways safety grounds could not be sustained, particularly as the access has previously been approved.

The existing tarmac which bounds the site to the east and south is to be retained, however the application proposes a new footpath route which would run along the northern and western boundary of the site. The path meets the existing tarmac to the south of the site and would provide an alternative route from Overhill Drive to Grangeways. This route provides permeability through the site and would provide a greater level of natural surveillance potential creating a safer route.

Trees on Site

A total of 17 trees on the whole Mill House site are covered by a Tree Preservation Order (TPO). The applicant has confirmed that 5 trees are to be removed as part of this application, none of which are covered by the existing TPO. One of trees to be removed is grade B2 whilst the remaining 4 are grade C. The removal of these trees was agreed as part of the previously approved application reference BH2010/03233, subject to appropriate planting of replacement specimens.

As part of the previously appealed decision the Inspector stated "*that the scope for additional planting would adequately mitigate the losses. I therefore find that the proposal would not harm the character and appearance of the surrounding area or conflict with Local Plan Policies QD2 or QD12*" It is therefore considered that a reason for refusal which relates to the current scheme given its similarities with the previously approved scheme could not be supported at appeal.

Ecology

The submitted ecology report identifies that there is no protected species present on the site, which the Council Ecologist agrees. Whilst the report concludes that there are no bats present on the site the Ecologist does however recommend an informative relating to bats to ensure that if bats were found at the site that work shall stop and English Nature notified. The standard condition requiring a scheme of ecological improvements to be submitted to and approved in writing by the local planning authority has been added.

Sustainability

As stated above, the site constitutes brownfield and greenfield land. In order for "greenfield" developments to accord with the recent changes to PPS3, policy SU2 of the Brighton & Hove Local Plan and SPDO8, the submission of such applications must be accompanied by the submission of a sustainability checklist in addition to the development being built to a minimum of Code for Sustainable Homes Level 5. The Local Planning Authority however does recognise that there will be instances where meeting this minimum code level

may not be possible. In assessing the achievement of recommended minimum standards the Local Planning Authority will consider site constraints, technology restrictions, financial viability and/or additional benefits delivered by the development. Satisfactory proof that standards cannot be fully met is required, in order to justify the relation of code level standards.

The applicant has provided further information relating to the scheme which suggests that, due to the existing site constraints including the TPO trees on the site and design restrictions, alterations may result in additional concerns given the previous Inspector's comments. In light of this information it is considered that in this case the minimum of Code Level 4 should be conditioned.

In accordance with policy SU13 of the Brighton & Hove Local Plan and SPD03 on Construction and Demolition Waste, as the proposal is for the construction of two new dwellings, a Waste Minimisation Statement has been submitted as part of the application. However it is considered that the information submitted is not sufficient enough, for example the quantities of such waste has not be stated nor the name of recycling contractors and therefore the submitted statement lacks certainty and detail. Nonetheless the lack of information is not considered to justify refusal of the application, since further information can be required by a condition.

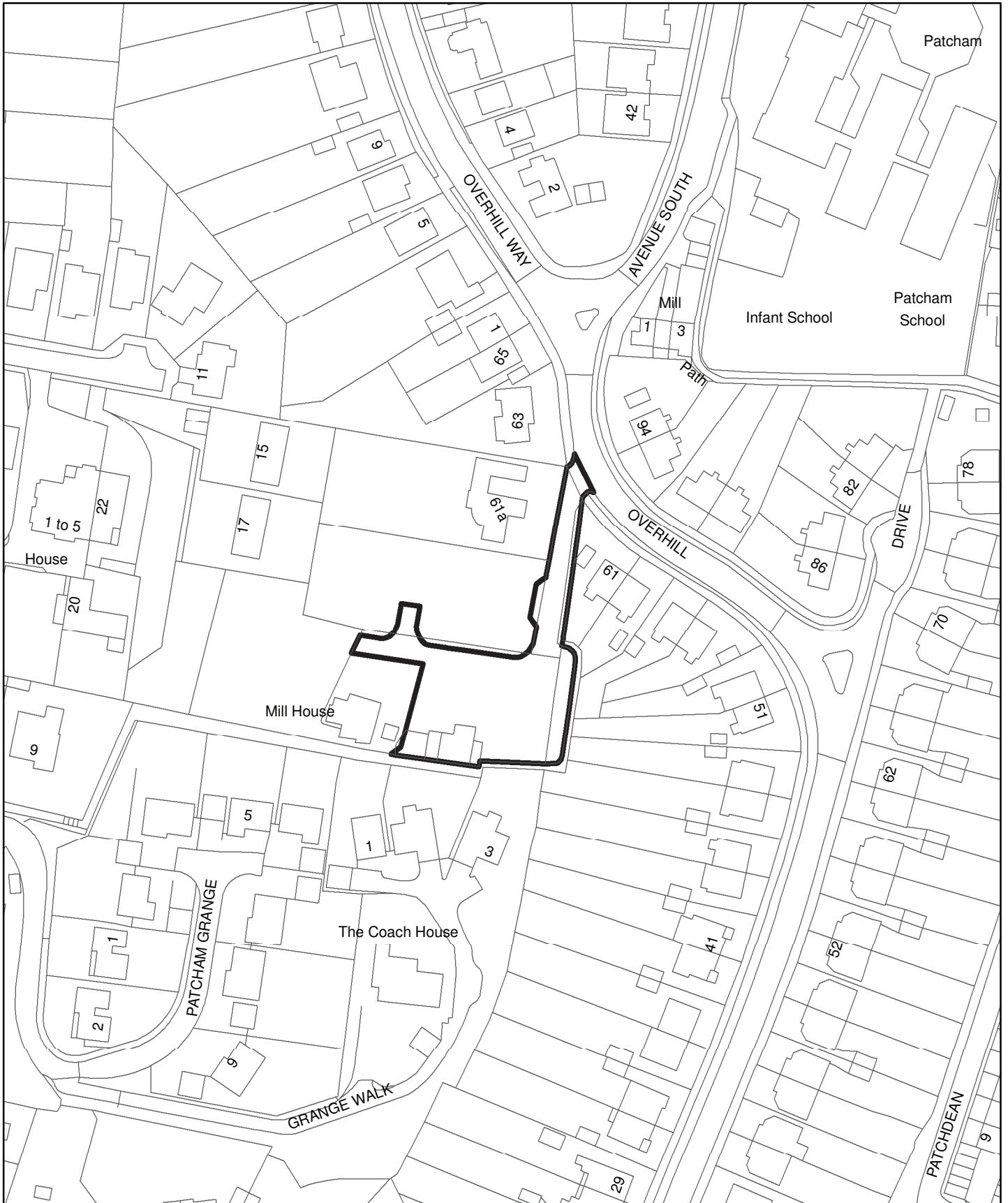
9 CONCLUSION

The proposal would make an effective and efficient use of the site without compromising the quality of the local environment. Subject to the compliance with the attached conditions no significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and traffic issues. The loss of protected trees on the site would be mitigated by additional planting

10 EQUALITIES IMPLICATIONS

The proposed dwelling would need to comply with Lifetime Home Standards and Part M of the Building Regulations.

BH2011/01154 Mill House, Overhill Drive



Scale: 1:1,250



**Brighton & Hove
City Council**

PLANS LIST – 10 AUGUST 2011
COUNCILLOR REPRESENTATION

27 May 2011

Mrs Jeanette Walsh
Head of Development Control
City Planning
Room 302
Hove Town Hall

Dear Mrs Walsh

**Application no: BH2011/01154
Erection of two storey detached dwelling
Mill House Overhill Drive Brighton**

AF ↘

This is the latest in a whole series of planning applications for a development in the garden of the above during the last few years that we are pleased to say were all rejected by the committee and on appeal by the Inspector until the one for a single dwelling only that was granted in January 2011.

Whereas planning permission for a multiple development has been rejected on many occasions it now seems that the applicant is applying for permission for a development in stages. First one dwelling and now a second dwelling in the garden and so with the existing house remaining there will be 3 properties if this latest application is granted.

We are still concerned about loss of trees and the effect on wildlife and ingress to and egress from the long and narrow vehicular access to the site that would have to serve 3 properties rather than just the one existing house. The visibility of this access at its junction with Overhill Drive, which is itself narrow and bends, is very poor. This junction is particularly difficult because it is near the point that Overhill Drive meets with Overhill Way and Highview Avenue South and there is considerable traffic congestion around this roundabout at peak times as it is near the entrance to Patcham Infant School.

This access is likely to be busy first thing in the morning at the same time as children arrive at school and a number will use the public right of way along the eastern edge of the site. We are concerned about the conflict between an increasing number of vehicles using the access to 3 properties and pedestrians using the public right of way. For instance if a vehicle had to be reversed 25 metres to allow another vehicle to pass through then there could be conflict with pedestrians, many of whom will be children.



**Brighton & Hove
City Council**

PLANS LIST – 10 AUGUST 2011

COUNCILLOR REPRESENTATION

It is vital in our view that if the Committee is minded to pass this application that there should be a condition applied that secures in perpetuity the retention of the passing area indicated on the block plan as being located just to the south of 61A Overhill Drive.

Should this application proceed to the Planning Committee then we should like this letter to be printed in full on the agenda at the appropriate meeting

We should be grateful if you would acknowledge safe receipt of this letter.

Yours sincerely

Cllr Brian Pidgeon

Cllr Geoffrey Theobald OBE

Cc: Jane Clarke, Senior Democratic Services Officer, King's House

<u>No:</u>	BH2011/01399	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Trinity House, Roedean Vale, Brighton		
<u>Proposal:</u>	Erection of three storey detached dwelling with associated access from Roedean Vale.		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	20/05/2011
<u>Con Area:</u>		<u>Expiry Date:</u>	15 July 2011
<u>Listed Building Grade:</u>			
<u>Agent:</u>	Haus Ltd, The Basement, 8 Hampton Lane, Winchester, Hampshire		
<u>Applicant:</u>	Mr & Mrs May, C/O Haus Ltd		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.
Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
3. The new dwelling shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
4. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

5. 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 development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.
7. Unless otherwise agreed in writing with the Local Planning Authority the development hereby approved shall be constructed in strict accordance with the approved samples received by the Local Planning Authority on 30 July 2011
Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan.
8. The development hereby approved shall be carried out in strict accordance with the approved Waste Minimisation Statement received 16 May 2011.
Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with the Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.
9. Unless otherwise agreed in writing with the Local Planning Authority the development hereby approved shall be constructed in strict accordance with the approved Arboricultural Impact Assessment and Tree Protection Method Statement received by the Local Planning Authority on 16 May 2011.
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.
10. Other than the areas of flat roof which are explicitly stated, access to the remaining flat roof areas 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.

11. The development hereby permitted shall be carried out in accordance with the approved drawing nos. 21034/OV02 received 6 June 2011 and drawing nos. 21034/PL502b, /PL503b, /PL504b, /PL505b, /PL506b, /PL507b, /PL508b, /PL09b, PL5101 received 12 July 2011.

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

Pre-Commencement Conditions:

12. 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 Report / Interim Report showing that the development will achieve Code level 5 for all residential units have been submitted to the Local Planning Authority; and
 - (b) a Design Stage / Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 5 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

13. 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.

14. No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme to BS5837 (2005) 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.

15. No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of

important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

16. No development shall be commenced until full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting, finished floor levels and ridge heights of the proposed building and neighbouring development have been submitted to and approved in writing by the Local Planning Authority. All levels shall be in metric units and related to Ordnance Survey Datum. The development shall thereafter be built in accordance with the agreed details.

Reason: To safeguard the character and appearance of the area, and to comply with policies QD1 and QD2 of the Brighton & Hove Local Plan.

Pre-Occupation Conditions:

17. Notwithstanding the submitted drawings, the development hereby approved shall not be occupied until full details of the terraces to the first floor roof level have been submitted to and approved in writing by the Local Planning Authority, these details are to include screening, extent of usable area, and balustrade. The development shall be carried out in strict accordance with the approved details and thereafter maintained.

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.

18. Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall be occupied until a Final / Post Construction Certificate by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 has been submitted to, and approved in writing by, the Local Planning Authority.

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

19. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development to comply with policies TR1 and TR14 of the Brighton & Hove Local Plan.

20. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway to comply with policies TR7 and TR19 of the Brighton & Hove Local Plan.
21. Unless otherwise agreed in writing by the Local Planning Authority, a scheme detailing the measures to improve ecological biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the number and type of bat boxes, and bird boxes. The development shall be carried out in strict accordance with the approved details and thereafter maintained.
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.

Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The proposal would make an effective and efficient use of the site without compromising the quality of the local environment. Subject to the compliance with the attached conditions no significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and traffic issues.
2. The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
3. 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).
4. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front

gardens' which can be accessed on the DCLG website (www.communities.gov.uk).

5. The applicant is advised that the driveways and access road should be built in accordance with BS 5837 (2005).

2 THE SITE

The application site comprises what was previously the garden to no 50 Roedean Crescent located to the north of the site. The site is accessed from Roedean Vale and the plot is located between two existing properties no. 50 Roedean Crescent to the north and 19 Roedean Way to the south. The surrounding suburban area comprises detached two and three storey properties.

The topography of the area slopes down from west to east and from north to south. Consequently the property to the north is set upon higher ground than the property to the south "Polano".

An extant permission ref BH2010/00065 exists on the site for a 2-storey detached dwelling.

3 RELEVANT HISTORY

BH2010/00065: Construction of a two storey detached dwelling with partially sunken garage incorporating waste and cycle stores. Formation of a new entrance to Roedean Vale with associated vehicle crossover. Approved 22/03/2010

BH2009/02393: Erection of two storey detached dwelling in rear garden with new access. Withdrawn.

50 Roedean Crescent

BH2010/03571: Erection of front, side and rear extensions with associated works including extension of partially sunken garage with extended terrace above, creation of new front entrance and Juliette balconies to South elevation and rooflight to front. Approved 11/01/2011

BH2009/02399: Erection of a two storey rear extension and first floor balcony. Approved 18/12/09

4 THE APPLICATION

Planning permission is sought for the erection of a part 2 part 3 storey detached dwelling to the south of no. 50 Roedean Crescent. A previous planning application on the site ref BH2010/00065 was approved and is extant. This application seeks an alternative design solution on this site.

5 CONSULTATIONS

External

Neighbours: Letters of representation have been received from **14, 19 Roedean Way, 29, 48 (x2), 50 Roedean Crescent, 11A, 45, Maudareiu House The Cliff, and Roedean Residents Association** objecting the

application for the following reasons:

- The application is too bulky, over dominant and overbearing.
- It extends beyond the established building line.
- Out of keeping for the area.
- Overshadowing created by the building and proposed planting.
- Loss of a sycamore tree.
- Radically different design to what was approved.
- Increased volume over that which was approved.
- Increased overlooking and loss of privacy.
- To large a scale for the plot.

Internal:

Sustainable Transport

Recommended approval with conditions to protect the interests of the public using the roads and footways.

1. *The crossover is constructed in accordance the Council approved Manual for Estate Roads and under licence from the Highway Operations Manager prior to commencement of any other development on the site.*

Reason: In the interest of highway safety and to comply with Local Plan policies TR1, TR7 and TR8.

2. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development and to comply with Local Plan policies TR1, TR14, TR19 and SPG4.

3. *The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles*

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to comply with Local Plan policies TR1, TR19 and SPG4

And;

The developer enters into a legal agreement with the Council to secure a financial contribution towards improving sustainable modes of transport within the vicinity of the site.

Arboriculturalist:

The Arboricultural Section does not object to the loss of the trees and is

pleased to note that they are to be replaced.

The Arboricultural report submitted with the application is comprehensive. The only tree that is of any merit on site is one x *Acer pseudoplatanus* (Sycamore), however, it is probably not worthy of Tree Preservation Order, having a structural defect (included union at 1m).

A small *Prunus* spp (Cherry) on the Council verge will be lost for the vehicle access on to the site, and the Arboricultural survey has also noted that the *Prunus* tree further along on the verge (Tree T.7) is moribund and needs to be replaced.

The Arboricultural Section does not object to this application, but would ask for the following to be made conditions of any planning consent granted.

All trees to be retained on site should be protected to BS 5837 (2005) Trees in Relation to Construction as outlined in the submitted Arboricultural report.

The landscaping plan submitted is considered acceptable, however, the Arboricultural section would like to see precise species attached to the specimen trees outlined on the plan.

Two trees will be lost on the verge, one to facilitate the proposed crossover / vehicle access and one that is in an advanced state of decay. The Arboricultural Section does not object to the loss of these two specimens, as long as they are removed and replaced at the applicant's expense in the approximate vicinity they are currently in, this information to be included on an updated landscaping plan.

Environmental Health: No comment.

Brighton Archaeological Society:

The above application lies within an area of intense archaeological sensitivity. Among the finds from Roedean are burials dating from the Neolithic and Early Bronze Age periods, and the location of a Roman coffin burial. In October 2003 the Brighton & Hove Archaeological Society excavated an Early Bronze Age burial, close by, on the East Brighton golf course.

Other recent discoveries include Roman coins and pottery found in the gardens of a house in Roedean Crescent, and a large underground chamber, hitherto unknown, possibly associated with Royal Navy activities during the Second World War.

The Brighton & Hove Archaeological Society would recommend that the granting of any planning application include a provision for a watching brief while the top soils are removed and the footing trenches are cut. A further inclusion should allow for the recording of any archaeological features and artefacts found.

County Archaeologist:

Although this application is situated within an Archaeological Notification Area, an archaeological watching brief carried out as part of the previous planning application has shown this site to have a low archaeological potential. Therefore I do not believe that any archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance.

6 MATERIAL CONSIDERATIONS

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.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (18 November 1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR7	Safe development
TR14	Cycle 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 statement
QD2	Design – key principles for neighbourhoods
QD3	Design – effective and efficient use of land
QD4	Design – strategic impact
QD5	Design - street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD27	Protection of amenity
HO3	Dwelling type and sizes
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO8	Retaining housing
HO13	Lifetime homes
HE12	Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance

SPGBH4 Parking standards

Supplementary Planning Documents

SPD03 Construction and demolition waste

SPD08 Sustainable Building Design

Planning Advice Notes

PAN03 Accessible Housing and Lifetime Homes

PAN05 Design and Guidance for Storage and Collection of Recyclable Materials and Waste

8 CONSIDERATIONS

The main considerations in the determination of this application relate to the principle of the proposal development, the suitability of the site to accommodate the proposed dwelling having regard to the amenity requirements for the dwelling, the affect upon the character of the area and neighbouring residential amenity. An assessment will also be made of the issues relating to transport and sustainability.

Principle of development

The proposal seeks permission to build on a site which was once the private garden space for the existing dwelling at 50 Roedean Crescent. A still extant permission ref BH2010/00065 has been granted for a residential dwelling on the site. The recent amendment to Planning Policy Statement 3 on Housing (PPS3) now excludes gardens from the definition of previously developed land.

The change in national policy means that the Local Planning Authority can consider the specific qualities of the garden area which is proposed to be developed. Notwithstanding the change in national policy, the adopted local approach has not changed in that proposals for 'backland' development will always need to be rigorously examined in respect of the impact of the surrounding area and its impact on amenities. Special attention will be paid to the design and quality of spaces between buildings. Local plan policies remain applicable; policies QD3 and HO4 can support planning permission for 'backland' development, including development on previously un-developed gardens providing that the proposed building responds well to the character or the area, does not harm neighbouring occupiers, and is acceptable in all other respects.

PPS3 along with Local Plan policies QD3 and HO4 seek the more effective and efficient use of development sites. However, in seeking the more efficient use of sites, PPS3 and Local Plan policies QD2, QD3 and HO4 also seek to ensure that developments are not viewed in isolation and must be characteristic of their surroundings. Considerations of layout and design should be informed by the wider context having regard not just to any immediate neighbouring buildings but the townscape and landscape of the

wider locality. Given the sites history, location and the wider context of the surrounding locality it is considered that the site is suitable for such a redevelopment.

Impact on character and appearance of the area

Local Plan policies QD1, QD2 and QD3 seeks to ensure that developments are not viewed in isolation and must be characteristic of their surroundings. Considerations of layout and design should be informed by the wider context having regard not just to immediate neighbouring buildings but the townscape and landscape of the wider locality.

Policy QD1 of the Local Plan requires design aspects such as the scale and height of development, to be taken into account while discouraging pastiche design. Policy QD2 of the Local Plan requires that all new developments should be designed to emphasise and enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics such as height, scale, bulk and design of existing buildings.

The character of the dwellings located in Roedean is predominately large detached dwellings located within a reasonable sized plot. Roedean Vale and Roedean way are very much varied in terms of design and the finish of the properties. There exists a mix of brick built properties, rendered and pebbledash. A number of properties within this eastern part of Roedean Crescent area including nos. 27, 32, 41, 43, and 50 Roedean Crescent have or are undergoing refurbishment making the properties appear more contemporary and modern in design terms.

The existing property at no. 50 Roedean Crescent is fairly modest in size and is currently undergoing significant external modifications and extensions to give a more modern appearance to the property. This type of modernisation has taken place to a number of properties within the Roedean area.

The proposed design is modern and minimalist in appearance, and is to be finished in white render at 1st and 2nd floor levels with a slightly darker render to the lower ground floor level. The proposed dwelling would have a flat roof with parapet hiding the proposed bank of solar panels. The dwelling would be roughly “L-shaped”, with the longer part of the “L” facing onto Roedean Vale. The property would have a part 2 and part 3 storey frontage onto Roedean Vale with the lower floor being dug into the existing site. The proposed building height is comparable to both the adjoining properties given the topography of the street.

The rear part of the dwelling is raised on stilts with the creation of a bridge section at second floor level whilst still maintaining the appearance of a two-storey dwelling, not three storeys. This is achieved due to the change in level across the site being up to 4m in difference.

In terms of design and finish it is considered that the property is of

architectural interest which makes a positive contribution to the street scene and surrounding area, in accordance with policies QD1, QD2, and QD3 of the Brighton and Hove Local Plan.

The applicant has provided an overlay which details the footprint of the previously approved dwelling which indicates that the front building line is similar to that of the previously approved scheme. The proposed front building line is set back 7.5m from the back edge of Roedean Vale, along which the main span of the front elevation is set along, although a section of the property projects an additional 1.5m forward at both first and second floor levels.

The neighbouring properties 50 Roedean Crescent to the north is set back a maximum of 7.5 m whilst Polano to the south is set back a maximum of 9.5m from the frontage. Polano provides the established building line along Roedean Vale as it fronts directly onto Roedean Vale, whilst traditionally no. 50 Roedean Crescent fronts onto Roedean Crescent. The provided measurements suggest that Polano is set further back in terms of its building line, however this is not the case due to a slight bend in the road. Both Polano and 50 Roedean Crescent benefit from garages which extend to the east of the main property creating additional built form along the street frontage of Roedean Vale at ground and lower ground floor level.

Given the design and siting of the proposed dwelling, the previously consented scheme and the existing built form along Roedean Vale it is considered that the proposal sits well within the existing street scene and established building lines, in accordance with local plan policies QD1, QD2, QD3 and QD5.

Amenity for Future Occupiers

Policy HO13 requires residential units to be lifetime homes compliant, new residential dwellings should comply with the standards. The floor plans submitted with the application show that the internal layout of the proposed dwelling is acceptable in relation to Lifetime Homes standards.

Policy HO5 requires all new residential units to have private useable amenity space appropriate to the scale and character of the development. The proposed dwelling is capable of family occupation as such the amenity space provision should reflect this. Further-more the site is in a suburban location where it is expected that a reasonable provision would be made. The proposed and resultant amenity space is considered acceptable in relation the size of dwelling and what is characteristic for the area.

Residential amenity

Policy QD27 relates to protection of amenity and confirms that permission will not be granted where development 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.

The development proposes balconies and windows to the southern elevation. The balconies are to the front and rear of the property, the balcony to the rear allows access to the rear garden over a platform, and the balcony to the front is located on the south-eastern corner of the property. No windows are proposed to the northern elevation which is adjacent to no. 50 Roedean Crescent or at second floor level on the western elevation.

The application previously proposed balcony to the front of the property, however through discussions with the Planning Officer this has been removed due to concerns regarding overlooking into the amenity space of Polano to the south. The applicant proposes the use part of the first storey roof as a terrace to be accessed from the second storey. Subject to a suitable condition restricting that only the half of the roof closest to the main house may be used it is considered that no undue overlooking will occur. A condition is also proposed to restrict the use of the second floor use for maintenance only.

Windows are proposed along the southern elevation there is a separation of approx 37m between the windows on the side elevation of the proposal and the windows of the rear elevation of Polano and a distance of 13m to the shared boundary of the two properties. Given these distances, the parapet to the roof and proposed screening along the boundary this relationship is considered acceptable.

The closest flank elevation window to the adjoining southern boundary with Polano is a side return window, which is proposed to the south-eastern corner of the dwelling. The window at first floor level will be 1m in width, located 4m from the shared boundary. Two further return windows at first and second floor level are proposed on the southern flank elevation of the forward projecting component of the scheme. These windows are located 14m from the shared boundary.

Given the building line of the two properties the side return windows may allow oblique views into Polano, however the majority of the views from that window will be across the front of the property to the south. Boundary screening is proposed in the form of a fence and hedging which further reduces the possibility for direct overlooking from this window. Given the proposed screening and the orientation of the two properties it is considered that there will be no demonstrable impact in terms of overlooking upon the residents of Polano.

The existing property at no. 50 Roedean Crescent fronts onto Roedean Way however the orientation of the rooms within the house is towards the east, onto Roedean Vale. No windows are proposed to face no. 50 Roedean Crescent and the proposed building is set 5m off the adjoining boundary, therefore there is no potential for overlooking into no 50 Roedean Crescent.

In terms of the potential overbearing impact of the development upon the neighbouring properties, the separation of flank elevations between the

proposal and no 50 Roedean Crescent is approximately 14m. The three-storey component of the proposal is set 6m off the shared boundary and the two storey component is set 5m off the boundary. It is considered that this degree of separation between the two properties and the boundary minimises the potential overbearing impact of the building.

Traffic issues

Policy TR1 confirms that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling.

The Traffic Manager has stated no objection subject to the applicant entering into an agreement to secure a contribution of £2,000 towards improving accessibility to bus stops, pedestrian facilities and cycling infrastructure in the area of the site.

On the 17th May 2010, the Council introduced new temporary measures in order to assist the Development Industry. This was in light of the recession and an attempt to encourage growth within the city. The temporary measures are still in place and have removed the requirement of transport contributions for developments involving 1-4 new residential units. Having regard to the temporary measures brought in by the Council to assist the Development Industry the non-requirement of a contribution towards sustainable transport infrastructure is deemed acceptable.

The development provides sufficient space for cycle parking and the large garage facility can comfortably provide the required cycle parking spaces to meet the present parking standards.

Sustainability

Policy SU2 of the Brighton & Hove Local Plan requires new development to demonstrate efficiency in the use of energy, water and materials.

The applicants have submitted a Brighton & Hove Sustainability Checklist, in accordance with SPD08, along with a Code for Sustainable Homes pre-assessment and a supporting statement which clearly identifies the aspirations of the applicant to achieve level 5 of the Code for Sustainable Homes. This is considered an acceptable and minimal standard for a new development of this type.

The statement proposes the use of photovoltaic cells on the flat roof of the building to contribute towards micro-regeneration of electricity. On the basis of conditions being placed to ensure that the development meets level 5 of the Code for Sustainable Homes the development would be considered to attain an acceptable standard of sustainability.

Policy SU2 requires all new residential development to provide refuse and recycling storage facilities. The details submitted are considered acceptable

and in accordance with policy SU2, subject to a suitably worded condition to secure the facilities.

Archaeology

Policy HE12 relates to Scheduled Ancient Monuments and other important archaeological sites. It confirms that development proposals must preserve and enhance sites of known and potential archaeological interest and their settings.

It has been advised that the site lies within an archaeological sensitive area defining an area of Prehistoric and Romano-British activity. Neolithic/Bronze age inhumation burials were discovered in Roedean Way during the digging of sewers in 1931 and 1937, and a Romano-British remains have also been found.

On this basis it is considered that a planning condition can be placed upon the development for an Archaeological Watching Brief to take place.

Waste minimisation

Policy SU13 relates to the minimisation and re-use of construction industry waste. It confirms that permission will be granted for developments which reduce the amount of construction waste, which are otherwise in accordance with the other policies of the development plan.

Planning permission will not be granted for developments which cannot demonstrate that the minimisation and reuse of construction industry waste has been sought in an effective manner.

The development has been accompanied by an acceptable waste minimisation strategy. The submitted waste minimisation statement covers in sufficient detail the opportunity to recycle new and old construction materials, excavation material, minimise waste materials and use of a licensed waste contractor. A planning condition is recommended to ensure that the strategy is carried out.

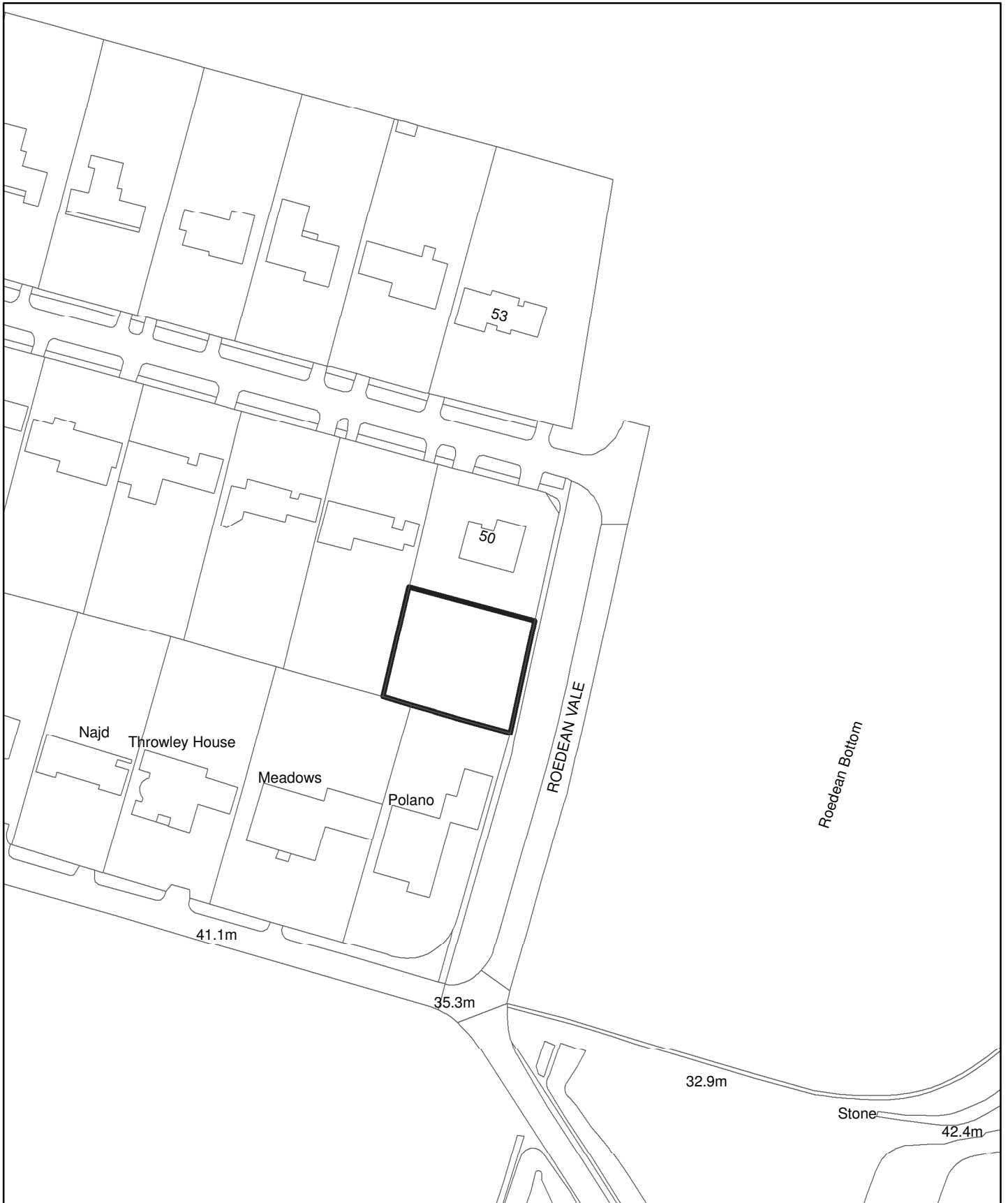
9 CONCLUSION

The proposal would make an effective and efficient use of the site without compromising the quality of the local environment. Subject to the compliance with the attached conditions no significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and traffic issues.

10 EQUALITIES IMPLICATIONS

The proposed dwelling would need to comply with Lifetime Home Standards and Part M of the Building Regulations.

BH2011/01399 Trinity House, Roedean Vale



Scale: 1:1,250

PLANS LIST 10 August 2011

BRIGHTON AND HOVE CITY COUNCIL

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

PRESTON PARK

Application No: BH2011/01753
38 Beaconsfield Villas

1 Cherry - reduce/formative prune.

Applicant: J Hatch
Approved on 15 Jul 2011

Application No: BH2011/01913
20 Preston Park Avenue

Fell 1 Sycamore - structurally defective, no public amenity value.

Applicant: Mr Duncan Armstrong
Approved on 15 Jul 2011

Application No: BH2011/01918
20 Preston Park Avenue

1 Ash - reduce by up to 4m.

Applicant: Mr Duncan Armstrong
Approved on 15 Jul 2011

Application No: BH2011/01946
8 Southdown Place

1 Macrocarpa - cut back branches overhanging garden of 83 Edburton Avenue.

Applicant: Mr Alistair Robson
Approved on 15 Jul 2011

REGENCY

Application No: BH2011/01689
10 Powis Villas

1 Sycamore - repollard to previous points.

Applicant: Ben McWalter
Approved on 15 Jul 2011

Application No: BH2011/02020
91 Montpelier Road

Fell 1 x Evergreen Oak - immature specimen, inappropriate species for the location.

Applicant: Mr John Higgins
Approved on 14 Jul 2011

ST. PETER'S & NORTH LAINE

Application No: BH2011/01670
7 Alexandra Villas

1 Bay - reduce overhang (to ensure that no more than 1m exceeds the boundary fence) and lower in height by no more than 1.5m but retain a natural overall shape.

Applicant: Mr Peter Green
Approved on 15 Jul 2011

Application No: BH2011/01996
69C Roundhill Crescent, Brighton

Ash - pollard at 20 feet

Applicant: Tom Fellows
Approved on 18 Jul 2011

Application No: BH2011/02032
7 Alexandra Villas

Group of Bays - remove stems leaning towards/over garden. Lift and tidy remainder.

Applicant: Mr J Hatch
Approved on 15 Jul 2011

WITHDEAN

Application No: BH2011/01668
Stamford Lodge, Cumberland Road

Himalayan Birch T1 - remove lower limb (at trunk) on east side. Horse Chestnut T3 - remove epicormic growth up to 6m, crown thin by 30%. 2 x Lime T4, T6 and Norway Maple T7 - remove epicormic growth up to 6m, 20% crown reduction and 20% crown

thin. Plum T8 - crown lift to 4m, 25% crown thin. Plum T10 - 25% crown thin. Copper Beech T11 - 20% crown reduction, 20% crown thin, remove epicormic, cut back on north side to leave 2m eaves clearance, remove 3" dia forked limb. Horse Chestnut T12 - raise crown and remove epicormics, 25% crown thin and 25% crown reduction. Lime T13 - repollard. Horse Chestnut T15 - raise crown and remove epicormics, 30% crown reduction and 30% crown thin, trim lower limb. Yew T16 - reduce spread and height of crown and low level side shoots.

Applicant: David Westgate
Approved on 18 Jul 2011

Application No: BH2011/02033
2 Highcroft Mews, Highcroft Villas

1 Ash - reduce and reshape crown by approx 30%, thin crown by approx 15%, lift crown to 4m. Remove 2 stems from the base of the main stem.

Applicant: Mr Justin Lee
Approved on 18 Jul 2011

QUEEN'S PARK

Application No: BH2011/01750
1-3 Richmond Gardens

1 Lime - crown reduction by a third and crown lift by 2m.

Applicant: Helen Watson
Approved on 25 Jul 2011

ROTTINGDEAN COASTAL

Application No: BH2011/01236
9 Challoners Close

2 x Sycamore - 30-35% reduction.

Applicant: Mr Wayne Botting
Approved on 13 Jul 2011

Application No: BH2011/01834
St Margaret's Church, The Green, Rottingdean

1 Sycamore - prune back light growth (less than 25mm dia) to suitable growth points at boundary. Remainder, prune back 50% of overhang to suitable growth points.

Applicant: Mr Adam King
Approved on 15 Jul 2011

Application No: BH2011/02024
Royal Mail, Nevill Road, Rottingdean

1 x Lime - crown reduce to previous points

Applicant: Shaun Wright
Approved on 15 Jul 2011

Application No: BH2011/02106
Badgers Copse, 11 Ainsworth Avenue

Line of Ash/Sycamore to rear of 11 Ainsworth Avenue (5 x Sycamore and 1 Ash) - crown lift light growth to 5 metres back to boundary (overhang only). Prune back overhang by maximum of 40% to suitable growth points.

Applicant: Miss Amanda Hill
Approved on 18 Jul 2011

BRUNSWICK AND ADELAIDE

Application No: BH2011/01758
24 Holland Road, Hove

2 x Sycamore - reduce by 3/4m. 1 Elder - reduce. 2 x Conifer - reduce

Applicant: J Hatch
Approved on 07 Jul 2011

Application No: BH2011/01921
St John's Church, Church Road

1 Cherry - reduce weight on lateral branches over the flower bed, raise crown, reduce spread and thin by 25%. 1 Cherry - cut smaller trunk to ground level and cut back branches growing into the tree to the left. 1 Cherry - remove small branch growing towards the patio, reduce the branches growing into the tree on the right and remove one low branch over the lawn.

Applicant: Ms Lesley Baker
Approved on 15 Jul 2011

GOLDSMID

Application No: BH2011/01830
Wick Hall, Furze Hill

1 Sweet Chestnut - thin by 15%. 1 Elm - reduce south and east of crown by up to 3m.

Applicant: Mr Duncan Armstrong

Approved on 07 Jul 2011

Application No: BH2011/01835

10 Denmark Villas

1 Silver Birch - reduce birch by 1m all round and thin by 10%. 1 Alder - reduce height by 3m and prune for formative shape.

Applicant: Mr Mark Haddock

Approved on 07 Jul 2011

Application No: BH2011/02027

Veric, 16-18 Eaton Gardens, Hove

1 x Norway Maple - reduce and reshape by 30%, crown lift to 4m. 1 x Sweet Bay - reduce and reshape by 40% and cut back overhang to parking bay.

Applicant: Mr Lee

Approved on 15 Jul 2011

HOVE PARK

Application No: BH2011/01755

15 Chalfont Drive

1 Pine - remove large low dead bough.

Applicant: Mr Adam King

Approved on 07 Jul 2011

Application No: BH2011/02028

25c Shirley Drive, Hove

3 x Copper Beech - 5m crown lift, reduce crown by 3m all round.

Applicant: Tom Fellows

Approved on 15 Jul 2011

WESTBOURNE

Application No: BH2011/01370

32 New Church Road

1 x Cedar - clean up damage caused by builders. Reduce lower limbs which now mis-shape the tree. Balance the tree to improve formative shape and future growth.

Applicant: Mr Mark Haddock
Approved on 15 Jul 2011

Application No: BH2011/01371
32 New Church Road

1 x Holm Oak - crown raise to 6ft, 30% reduction and 10% thin

Applicant: Mr Mark Haddock
Approved on 15 Jul 2011

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

PATCHAM

BH2011/00824

12 Carden Avenue Brighton

Construction of vehicular crossover.

Applicant: Mr A Capetta

Officer: Chris Swain 292178

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 2055/01 received on 15 March 2011 and drawing nos. 2055/02-4 (inclusive) received on 4 April 2011.

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

BH2011/01295

17 Baranscraig Avenue Brighton

Erection of single storey rear extension.

Applicant: Mr & Mrs Max Kammerling

Officer: Louise Kent 292198

Approved on 30/06/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 1112-02 received on 5 May and 1112-01A received on 27 June 2011.

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

BH2011/01298

19 Braybon Avenue Brighton

Certificate of Lawfulness for a proposed single storey rear extension.

Applicant: Mr Brian Redman

Officer: Helen Hobbs 293335

Refused on 04/07/11 DELEGATED

BH2011/01321

25 Highfield Crescent Brighton

Erection of a two storey rear extension to replace existing single storey extension.

Applicant: Mr Stewart Hyland

Officer: Sonia Gillam 292359

Approved on 06/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The rooflight in the south western elevation serving the bathroom hereby permitted shall be obscure glazed and non-opening, unless the parts of the window 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 window to the south western elevation serving the bathroom 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 nos. CH410/001, 002, 003, 004, 005 received on the 9th May 2011.

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

5) UNI

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

BH2011/01382

73 Graham Avenue Brighton

Erection of a single storey rear extension to replace existing incorporating steps down to garden and rooflights.

Applicant: Mr David Parker

Officer: Helen Hobbs 293335

Refused on 18/07/11 DELEGATED

1) UNI

The length, siting, height and design of the proposal would, by reason of loss of light and outlook, overshadowing and its overbearing impact, adversely impact on the residential amenity currently enjoyed by the adjoining property No.75 Graham Avenue, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2011/01389

30 Brangwyn Way Brighton

Erection of front porch.

Applicant: Mr & Mrs O'Hara

Officer: Helen Hobbs 293335

Approved on 11/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 01 and site plan received on 13th May 2011.

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

BH2011/01416

43 Greenfield Crescent Brighton

Erection of single storey rear extension. (Part retrospective)

Applicant: Mrs Clare Grant

Officer: Anthony Foster 294495

Approved on 13/07/11 DELEGATED

1) BH01.01

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

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

2) BH02.09

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

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

3) BH03.03

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

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos.B43/01A received on the 19 May 2011.

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

BH2011/01437

8 Stoneleigh Avenue Brighton

Certificate of lawfulness for proposed loft conversion incorporating a rear dormer and rooflights to front elevation with the addition of a window to side elevation.

Applicant: Mr & Mrs Fitzgerald

Officer: Aidan Thatcher 292265

Approved on 13/07/11 DELEGATED

BH2011/01459

96 Woodbourne Avenue Brighton

Erection of porch to front elevation.

Applicant: Mr Graham Willmott-Hills

Officer: Liz Arnold 291709

Approved on 30/06/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. L-03 and L04 received on the 19th May 2011.

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

BH2011/01539

33 Carden Crescent Brighton

Erection of front porch.

Applicant: Mr & Mrs Anderson

Officer: Louise Kent 292198

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 949/03, site plan and block plan received on 26 May 2011.

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

PRESTON PARK

BH2011/00854

8 Chester Terrace Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2010/01811.

Applicant: Mckellar Schwerdt Architects

Officer: Sue Dubberley 293817

Approved on 08/07/11 DELEGATED

BH2011/00967

155 Waldegrave Road Brighton

Erection of single storey side extension.

Applicant: Mr Steve Squire

Officer: Louise Kent 292198

Approved on 20/07/11 DELEGATED

1) BH01.01

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

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

2) BH02.04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door to either side of the rear extensions other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

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

3) BH12.02

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

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

4) BH12.05A

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.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. PL/012011 L-04 rev. D1 received on 28 June 2011 and L03 Rev. A received on 28 June 2011.

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

BH2011/01307

197 Ditchling Road Brighton

Installation of rooflight to front roof slope.

Applicant: Charlotte Busby

Officer: Helen Hobbs 293335

Approved on 01/07/11 DELEGATED

1) BH01.01

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

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

2) BH12.05

The rooflights in the approved development shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 11/008/02 received on 6th May 2011.

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

BH2011/01383

95 Waldegrave Road Brighton

Loft conversion incorporating rooflight to front roofslope.

Applicant: Mr Peter Wilkinson

Officer: Helen Hobbs 293335

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) BH12.05

The rooflights in the approved development shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

Notwithstanding drawing no. 457.01A, the rooflight hereby permitted shall not be brought into use before the existing rooflight has been removed and the area of roof made good.

Reason: To ensure the satisfactory appearance to the development and to comply with policy HE 6 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 457/01A and 457/02A received on 23rd May 2011.

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

BH2011/01398

98 Chester Terrace Brighton

Replacement of existing aluminium framed windows to front elevation with double glazed timber sash windows.

Applicant: Mr Richard Harvey

Officer: Sonia Gillam 292359

Approved on 13/07/11 DELEGATED

1) BH01.01

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

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

2) BH12.03

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings entitled "Front elevation" and "Side section (all sashes)" received on the 16th May 2011, and the site location plan received on the 20th May 2011.

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

BH2011/01402

149 Waldegrave Road Brighton

Erection of single storey rear extension and loft conversion incorporating rear dormer and rooflights to front and rear.

Applicant: Mr David Hicks

Officer: Sonia Gillam 292359

Approved on 14/07/11 DELEGATED

1) BH01.01

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

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

2) BH12.05A

The rooflight[*s*] hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

The rooflight in the northern side elevation of the existing rear two storey projection 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.

4) UNI

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

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 149_01 received on the 16th May 2011 and 149_02revA received on the 6th June 2011.

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

6) UNI

The new dormer window shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

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

BH2011/01430

51 Cleveland Road Brighton

Erection of single storey rear extension and external alterations.

Applicant: Maggie Williams

Officer: Sonia Gillam 292359

Approved on 18/07/11 DELEGATED

1) BH01.01

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

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

2) BH12.02

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 3348.EXG.01 received on the 17th May 2011 and 3348.DD.01revA received on the 24th May 2011.

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

BH2011/01549

60B Springfield Road Brighton

Certificate of Lawfulness for existing single storey rear extension.

Applicant: Mr Robert Nash

Officer: Helen Hobbs 293335

Approved on 15/07/11 DELEGATED

BH2011/02010

196 Dyke Road Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2011/00193.

Applicant: SDP

Officer: Jonathan Puplett 292525

Approved on 11/07/11 DELEGATED

REGENCY

BH2000/00246/LB

Royal Albion Hotel 35 Old Steine Brighton

Internal and external alterations and extensions to ground, first, second, third and fourth floors of the Albion Building of the Royal Albion Hotel, 35 Old Steine, Brighton.

Applicant: Britannia Hotels Ltd

Officer: Steve Walker 292337

Finally Disposed of on 08/07/11 DELEGATED

BH2000/02189/FP

Royal Albion Hotel 35 Old Steine Brighton

External alterations and extensions to ground, first, second, third and fourth floors of the Albion Building of the Royal Albion Hotel, 35 Old Steine, Brighton.

Applicant: Britannia Hotels Ltd

Officer: Steve Walker 292337

Finally Disposed of on 08/07/11 DELEGATED

BH2011/01021

85 Upper North Street Brighton

Erection of single storey rear extension.

Applicant: Mr P & Mrs J Morrison

Officer: Charlotte Hughes 292321

Approved on 07/07/11 PLANNING COMMITTEE

1) BH01.01

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

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

2) UNI

No works shall take place until the following details have been submitted to and approved in writing by the local planning authority:

- 1:20 scale sample elevations and 1:1 scale joinery details of all joinery on the extension;
- 1:20 scale sample elevations and 1:1 scale joinery details of all new doors, windows, architraves;
- 1:20 scale sample elevations and 1:1 scale joinery details of the roof light;
- Details of the opening method of the hinged panels to the roof;
- A Method Statement (as proposed) prior to any structural work commencing;
- Details of the proposals for re-using the red brick pavers within the rear garden.
- Details of the layout and bonding pattern proposed for the new stone floor.
- Samples of the obscure glass for the roof.

The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.214/01B and 214/03B received on 10th June 2011.

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

BH2011/01066

85 Upper North Street Brighton

Erection of single storey rear extension.

Applicant: Mr P & Mrs J Morrison

Officer: Charlotte Hughes 292321

Approved on 07/07/11 PLANNING COMMITTEE

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

Other than the lighting shown on the approved plan no 214/01/B received on 10th June 2011, no other lighting shall be installed within the extension hereby approved, unless agreed in writing by the Local Planning Authority.

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

3) UNI

2. No works shall take place until the following details have been submitted to and approved in writing by the local planning authority:

- 1:20 scale sample elevations and 1:1 scale joinery details of all joinery on the extension;
- 1:20 scale sample elevations and 1:1 scale joinery details of all new doors, windows, architraves;
- 1:20 scale sample elevations and 1:1 scale joinery details of the roof light;
- Details of the opening method of the hinged panels to the roof;
- A Method Statement (as proposed) prior to any structural work commencing;
- Details of the proposals for re-using the red brick pavers within the rear garden.
- Details of the layout and bonding pattern proposed for the new stone floor.
- Samples of the opaque glass for the roof.

The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2011/01202

26A Clifton Terrace Brighton

Erection of timber decked balcony with glass balustrade, stainless steel rail and incorporating double white UPVC doors at second floor rear.

Applicant: Mr Ian Pointer

Officer: Steven Lewis 290480

Refused on 30/06/11 DELEGATED

1) UNI

The terrace would severely harm the residential amenity of the occupiers and users of adjacent occupiers, resulting in overlooking, loss of privacy and an overbearing presence. This is contrary to policies QD1, QD14 and QD27 of the Brighton & Hove Local Plan.

BH2011/01221

14 Victoria Road Brighton

Removal of existing tiles on steps at the front of the property to reveal stone steps and render with a stone dust mix.

Applicant: Mr Trevor Jones

Officer: Adrian Smith 290478

Approved on 05/07/11 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

Unless otherwise agreed in writing by the Local Planning Authority, prior to any works of restoration being commenced and following the removal of all tiles and cement from the front steps, details of all necessary restoration works shall be

submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include full details and samples of any new stonework to be used in the repair of the steps. In the event new stonework is not required, and subject to the agreement of the Local Planning Authority, a sample of the mortar mix for the repair of the existing steps, or a sample of the render to be used in the rendering of the steps shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out and completed fully in accordance with the approved details and samples.

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

BH2011/01235

Christchurch House Montpelier Road / Bedford Place Brighton

Replacement of existing Aluminium windows and doors with UPVC windows and doors.

Applicant: Two Piers Co-Operative

Officer: Steven Lewis 290480

Approved on 12/07/11 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 MacConvilles Surveying drawings no. 21489-05/LP.EP.001, 2149-05/GA.E.001, 21489/05/GA.P.001, 21489-05/GA.P002 Rev A, 21489-05/GA.E.002 Rev A, 21489-05/GA.P.003 Rev A, 21489-05/GA.E.003 Rev A received on 27/04/2011, 12/05/2011 & 18/05/2011.

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

BH2011/01255

1-5 Prince Albert Street Brighton

Internal alterations and refurbishment works to numbers 3, 4 and 5 including installation of new staircase and insertion of hidden steel supports within floor and ceiling voids to number 4, changes to internal layout and removal of internal ventilation ducts.

Applicant: Baron Pension Scheme

Officer: Adrian Smith 290478

Approved on 01/07/11 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 blocking up of the openings in the original walls shall be carried out in brickwork bedded in lime mortar and the replastering of the original walls shall be carried out in a lime plaster.

Reason: To ensure the satisfactory preservation and enhancement of the Listed building in accordance with policies HE1 and HE4 of the Brighton & Hove Local Plan.

3) UNI

All existing original fabric including floor timbers, floorboards and lathe and plasterwork shall be retained and shall be repaired and made good exactly like

for like, and shall not be covered over, except where otherwise agreed in writing with the Local Planning Authority before work commences. Any defective original lime plasterwork and lathing shall be replaced exactly like for like.

Reason: To ensure the satisfactory preservation and enhancement of the Listed building in accordance with policies HE1 and HE4 of the Brighton & Hove Local Plan.

4) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the plywood overboarding of the floors shall be covered over with wide pine long boarding to match the original floor boarding.

Reason: To ensure the satisfactory preservation and enhancement of the Listed building in accordance with policies HE1 and HE4 of the Brighton & Hove Local Plan.

5) UNI

No development shall take place until full details of the proposals have been submitted to and approved by the local planning authority in writing, including:

- i) details of the structural strengthening and repair works to the building including plans and sections showing any new timberwork, steelwork and padstones and method of repairing cracks together with a structural engineering scheme report;
- ii) 1:20 sample elevations and sections, and 1:1 joinery sectional profiles of all new joinery work including all types of new doors, architraves, staircases and their balustrading and handrails and skirting boards;
- iii) details, including 1:5 scale sample plans/elevations and 1:1 sectional profiles of any new decorative plasterwork, including cornices, ceiling roses, bracketed arches and other features that may be proposed;
- iv) details of any new fireplaces which may proposed to be installed in the building, including where they are to be located, including 1:10 scale drawings and if available, photographs;
- v) the method of fire protection of the walls, floors, ceilings and doors, including 1:5 sections through walls and ceilings, which shall be carried out within the original floor to ceiling and wall voids;
- vi) the method of sound and thermal insulation of the floors and walls, including 1:5 sections through walls and ceilings which shall be carried out within the original floor to ceiling and wall voids;
- vii) details of the floor boarding; and the works shall be carried out and completed in strict accordance with the approved details and maintained as such thereafter.

Reason: To ensure the satisfactory preservation and enhancement of the Listed building in accordance with policies HE1 and HE4 of the Brighton & Hove Local Plan.

6) UNI

The smoke detectors, fire alarm call points, fire alarms, emergency lighting fittings and control boxes shall be located in unobtrusive positions in the corners of rooms and their electrical cabling systems shall not be surface mounted but concealed within the floors, ceilings and walls, except where otherwise approved, and the walls, floors and ceilings made good to the satisfaction of the Local Planning Authority.

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

BH2011/01287

28 Hampton Place Brighton

Conversion of lower ground floor of existing house to form 1no self-contained one bed flat.

Applicant: Mr Mike Percival

Officer: Christopher Wright 292097

Approved on 07/07/11 DELEGATED

1) BH01.01

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

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

2) BH13.11

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

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

3) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling unit hereby permitted shall be constructed to meet Lifetime Homes standards as far as practicable prior to first occupation.

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

This decision is based on the design and access statement and heritage statement; sustainability checklist; location plan; photographs (x 4); drawing nos. 003 (Ground Floor Plan only), 004 and 005 (Ground Floor Plan only) received on 5 May 2011; the photograph received on 12 May 2011; and the drawing numbered 006 received on 27 June 2011.

BH2011/01288

28 Hampton Place Brighton

Conversion of lower ground floor of existing house to form 1no self-contained one bed flat.

Applicant: Mr Mike Percival

Officer: Christopher Wright 292097

Refused on 07/07/11 DELEGATED

1) UNI

The proposed removal of the internal staircase and banisters between the basement and ground floor levels is not acceptable and would be detrimental to the original plan form and historic character and fabric of the Listed Building and is therefore contrary to the requirements of Policy HE1 of the Brighton & Hove Local Plan.

BH2011/01296

New Venture Theatre Bedford Place Brighton

Installation of climate control system with external units in rear yard.

Applicant: Jerry Lyne

Officer: Jason Hawkes 292153

Approved on 18/07/11 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 commence until details of an enclosure for the external pipework and tray has been submitted to and approved in writing by the Local Planning Authority. The enclosed pipework and tray shall be painted black. The scheme shall be implemented in accordance with the approved details and maintained as such thereafter.

Reason: To minimise the impact of the proposal on the character and appearance of the listed building in accordance with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the acoustic report and details and approved drawings no.15307-1 & 2 and 26103/01 received on the 5th May and 28th June 2011.

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

4) UNI

The climate control system shall not be in use except between the hours of 0900 and 2300 daily.

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

BH2011/01413

7 East Street Brighton

Change of use from office (B1) and retail (A1) to 1no one bed studio and 1no one bed flats at three upper floor levels.

Applicant: Scott & Sargeant (Properties) Ltd

Officer: Adrian Smith 290478

Approved on 13/07/11 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, including the new rear access doorway and all new timber windows, 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 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.

4) UNI

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

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

5) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be occupied until the sustainability measures detailed within the submitted Sustainability Checklist have been fully implemented, and such measures shall thereafter be retained as such.

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

6) UNI

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

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

7) UNI

The development hereby permitted shall be carried out in accordance with the site plan, block plan and approved drawing nos. ES/11/05 received on the 16th May 2011; and drawing no. ES/11/04A received on the 11th July 2011.

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

8) UNI

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

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

BH2011/01442

Flat 2 17 Powis Square Brighton

Internal alterations to layout of flat.

Applicant: Ms Abby Jones

Officer: Jason Hawkes 292153

Approved on 13/07/11 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 works shall be carried out and completed fully in accordance with the approved drawings and maintained as such thereafter.

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

3) UNI

Any fireproofing to new doors should be an integral part of the door construction and fireproofing of original doors shall be carried out using intumescent veneers, papers or paints in such a manner as to not obscure the panelling and its mouldings. Self-closing mechanisms, if required, shall be of the concealed mortice type.

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

4) UNI

The cast iron grille shall be painted white to match the wall.

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 existing surface mounted pipework and electrical and telecommunications cabling shall be removed and all new replacement electrical and telecommunications cabling and pipework shall be concealed and not be surface mounted, without the prior permission 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.

BH2011/01449

4 Bedford Square Brighton

Demolition of existing chimney and replacement with new chimney (part retrospective).

Applicant: Miss Jacqui Church

Officer: Wayne Nee 292132

Approved on 13/07/11 DELEGATED

1) UNI

The existing chimney pots shall be salvaged and reused. If they are defective they shall be replaced exactly like for like.

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

2) UNI

The rebuilt chimney shall be rendered in a smooth lime render without the use of steel corner beads and shall be painted in a colour to match the front wall using smooth masonry paint.

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

BH2011/01450

4 Bedford Square Brighton

Demolition of existing chimney and replacement with new chimney (part retrospective).

Applicant: Miss Jacqui Church

Officer: Wayne Nee 292132

Approved on 13/07/11 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 1101/AL/(0-)01 and 05 received on 19 May 2011, and drawing no. 1101/AL/(0-)06A received on 28 June 2011.

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

2) UNI

The existing chimney pots shall be salvaged and reused. If they are defective they shall be replaced exactly like for like.

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

3) UNI

The rebuilt chimney shall be rendered in a smooth lime render without the use of steel corner beads and shall be painted in a colour to match the front wall using smooth masonry paint.

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

BH2011/01498

43 Regency Square Brighton

Replacement of existing concrete balcony to first floor with a new timber structure and natural lead sheet.

Applicant: Town & Country Property Services

Officer: Jason Hawkes 292153

Approved on 18/07/11 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 underside of the new timber deck shall be painted in smooth gloss paint to match the colour (BS10.C31) of the rest of the building and the balustrading shall be painted in gloss black paint.

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

3) UNI

The new timber brackets shall match exactly the existing ones and one of the original of the original timber brackets shall be salvaged and retained for use as a template to form the new ones.

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

BH2011/01505

2 St Margarets Place Brighton

Internal alterations including alterations to layout on second floor. External alterations including replacement timber soffit boards and lead guttering and installation of rooflight to rear elevation. (Part retrospective)

Applicant: Mr Andy Spector

Officer: Clare Simpson 292454

Approved on 20/07/11 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

Prior to works commencing on the WC a 1:20 elevation and 1:1 scale sections of the new door to the WC shall be submitted to and approved by the Local Planning Authority in writing. The works shall be carried out in accordance with the approved details 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.

3) UNI

Prior to works commencing on the proposed roof light full details of the rooflight shall be submitted to and approved by the Local Planning Authority in writing. The rooflight shall be traditional steel or cast metal ones fitted flush with the adjoining roof surface and shall not project above the plane of the roof. The works shall be carried out in accordance with approved details 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.

4) UNI

The existing and new pipework at the rear shall be painted black and the new

pipework at the front shall be of cast iron and shall be painted to match the colour of the rendered façade 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.

BH2011/01510

The Lanes Car Park Black Lion Street Brighton

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

Applicant: Brighton & Hove City Council

Officer: Jason Hawkes 292153

Approved on 20/07/11 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.

ST. PETER'S & NORTH LAINE

BH2011/00180

69 Lewes Road Brighton

Application for Approval of details Reserved by Conditions 2, 3, 4, 5, 7 and 8 of application BH2007/00880.

Applicant: Mr E Yesilyurt

Officer: Jonathan Puplett 292525

Split Decision on 04/07/11 DELEGATED

1) UNI

1. Insufficient detail of odour control measures have been submitted to comply with the requirements of Condition 2, and the design of flue which has been installed and shown on the submitted plans is considered unacceptable.
2. Insufficient information has been submitted regarding sound insulation and noise outputs to comply with the requirements of Condition 3. A noise report to assess background noise levels has not been carried out.
3. Insufficient information has been submitted regarding sound insulation and noise outputs to comply with the requirements of Condition 4. A noise report to assess background noise levels has not been carried out.
4. Insufficient information has been submitted regarding refuse and recycling storage and collection has been submitted to comply with the requirements of Condition 7.
5. No information has been submitted to confirm that appropriate cycle storage has been installed to comply with the requirements of Condition 8.

BH2011/01086

6 Queens Road Brighton

Installation of extraction system incorporating metal chimney to rear elevation.

Applicant: Pastry Perfection

Officer: Liz Arnold 291709

Approved on 11/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

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

Reason: To safeguard the amenities of the locality against potential noise disturbance and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings received on the 8th and 18th of April 2011 and drawing no. 113/301 received on the 16th May 2011.

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

BH2011/01127

39 Upper Gardner Street Brighton

Change of use from storage and distribution (B8) to mixed use retail (A1) and café/restaurant (A3) together with installation of new sliding glazed doors to the front elevation behind an existing timber door.

Applicant: Thorne's Foods Limited

Officer: Aidan Thatcher 292265

Approved on 06/07/11 DELEGATED

1) BH01.01

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

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

2) BH02.06

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

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

3) BH02.08

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.

4) BH05.09A

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

5) BH06.02

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

6) UNI

The mechanical extract duct shall be painted dark grey within 2 weeks of its installation.

Reason: To ensure successful integration with the existing building and to limit its impact on the wider North Laine Conservation Area and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

7) UNI

Prior to the installation of the new sliding glazed doors, a 1:1 scale horizontal section of the proposed doors in situ detailing their set back within the opening shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and be maintained as such thereafter.

Reason: To ensure successful integration with the existing building and to limit its impact on the wider North Laine Conservation Area and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

8) UNI

Prior to the installation of the proposed mechanical ducting, a roof plan detailing its exact location shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and be maintained as such thereafter.

Reason: To ensure successful integration with the existing building and to limit its impact on the wider North Laine Conservation Area and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

9) UNI

The existing windows shall be painted black to match the sliding glazed doors as per condition 9 prior to the occupation of the building and be retained as such.

Reason: To ensure successful integration with the existing building and to limit its impact on the wider North Laine Conservation Area and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

10) UNI

The kitchen mechanical extract system shall not be in use outside the opening hours for the A3 use hereby permitted, as set out in condition 5 of this consent.

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

11) UNI

No loading or unloading of vehicles shall take place to the premises except between the hours of 07.30 and 19.00 Mondays to Saturdays and 08.00 and 18.00 on Sundays.

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

12) UNI

The second floor Class A3 use hereby permitted shall not be open to customers except between the hours of 08.00 and 22.00 Sundays to Thursdays and 08.00 and 23.00 on Fridays and Saturdays.

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

13) UNI

The ground floor Class A1 use hereby permitted shall not be open to customers except between the hours of 08.00 and 21.00 Sundays to Fridays and 08.00 and 22.00 on Saturdays.

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

14) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. PL3658-01, -03 and -04 received on 13.04.11, drawing nos. PL3658-04, 2048 01 and 2048 02 received on 28.04.11 drawing nos. 126.00-1-1 2, -2-2 2 and -2-2 2 received on 24.05.11, drawing nos. PL3658-06 2 and sliding doors elevations (unreferenced) received on 22.06.11 and drawing

nos. 2.05.13, 2.05.15, 2.05.19 and 2048 05 received on 28.06.11.

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

15) UNI

The metal frames to the sliding glazed doors hereby approved shall be painted black within 2 weeks of their installation and be retained as such.

Reason: To ensure successful integration with the existing building and to limit its impact on the wider North Laine Conservation Area and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2011/01212

9 Guildford Street Brighton

Refurbishment of existing front dormer and formation of a rear dormer and rooflight.

Applicant: Mrs Herbert

Officer: Sonia Gillam 292359

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) BH12.05A

The rooflight[*s*] hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

The new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings entitled "Existing plans" received on the 26th April 2011, and "RI=Rear dormer re-designed" received on the 31st May 2011, and the site location plan received on the 26th April 2011.

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

BH2011/01240

43 Providence Place Brighton

Demolition of existing disused bar/night club and erection of a new 4 storey building comprising 4no one bed flats, 1no two bed flat and 1no office/workshop.

Applicant: James McPherson

Officer: Kate Brocklebank 292175

Refused on 06/07/11 DELEGATED

1) UNI

The various elements of the design of the front façade of the building relate poorly to one another and create an incoherent, uncoordinated and cluttered appearance. The ground floor has a squat appearance and appears out of scale with the upper floors, which is exaggerated by the large scale of the upper window openings. The recessed entrance would also add to the fear of crime in this location. The projection of the top storey forward of the adjoining roofslope relates poorly to the neighbouring building resulting in an unacceptable appearance in views from the north along Providence Place. The railings would

appear as an unsatisfactory and alien addition above the parapet height and relate poorly to the building. The development would therefore cause harm to the character of the street scene contrary to policies QD1, QD2, QD3 and QD5 of the Brighton & Hove Local Plan.

2) UNI2

The development has failed to make provision of private amenity space for four of the proposed units contrary to policy HO5 of the Brighton & Hove Local Plan.

3) UNI3

The applicant has failed to demonstrate that the proposal will not give rise to adverse overlooking to neighbouring development to the rear of the site contrary to policy QD27 of the Brighton & Hove Local Plan.

4) UNI4

The applicant has failed to demonstrate that the development will accord to Lifetime Homes Standards contrary to policy HO13 of the Brighton & Hove Local Plan and Planning Advice Note 03 Accessible Housing and Lifetime Homes.

BH2011/01328

Ground and Lower Ground Floor Flat 15 London Terrace Brighton

External alterations including alterations to layout of windows and doors, installation of rooflights to rear and creation of new patio area and steps (Part Retrospective).

Applicant: PIB

Officer: Aidan Thatcher 292265

Approved on 11/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. Site Location Plan/Block Plan (unreferenced), 774/02, /04, /12, /13, /14 and /15 received on 09.05.11.

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

BH2011/01361

Victory House Trafalgar Place Brighton

Display of 1no halo illuminated fascia sign to North elevation.

Applicant: Bupa Property

Officer: Liz Arnold 291709

Approved on 01/07/11 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.

BH2011/01369

11 London Road Brighton

Application for Approval of Details Reserved by Conditions 2 and 3 of application BH2010/01707.

Applicant: API

Officer: Jonathan Puplett 292525

Approved on 07/07/11 DELEGATED

BH2011/01379

36 Roundhill Crescent Brighton

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

Applicant: Mrs Joana Montjardino

Officer: Chris Swain 292178

Approved on 19/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with drawing no. 36RHC/01 received on 23 May 2011 and no.36RHC/02B received on 8 July 2011.

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

BH2011/01407

41 - 42 London Road Brighton

Installation of 1no additional ATM cash machine to front elevation.

Applicant: The Royal Bank of Scotland

Officer: Sue Dubberley 293817

Approved on 20/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.4295/29/D01, D02, D03, D05, D06, D07, D08 and D09 received on 20 May 2011.

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

BH2011/01440

3 4 5 and 6 Gloucester Road Brighton

Replacement of existing front windows with timber framed double glazed units, and replacement of existing rear windows with white powder coated aluminium windows.

Applicant: Sanctuary Housing Association

Officer: Jonathan Puplett 292525

Approved on 20/07/11 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 replacement windows hereby approved to the ground and first floor of the front elevation of the building shall be white painted softwood, double hung vertical sliding sashes with frame profiles to match the existing windows, and shall be retained as such thereafter. The front dormer windows shall be white painted softwood casement windows with frame profiles to match the existing windows 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 location plan received on the 18th of May, window specification documents received on the 26th of May 2011, and drawing nos. 11157_001A and 002A received on the 11th of July 2011.

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

BH2011/01732

G B Liners Ltd Warehouse Blackman Street Brighton

Non Material Amendment to BH2010/03840 for the omission of access ramp, provision of ambulant disabled steps, reduction in length of glazed canopy and call bell for assisted wheelchair access via loading door into warehouse and office via internal door.

Applicant: G B Liners Ltd

Officer: Kate Brocklebank 292175

Approved on 13/07/11 DELEGATED

BH2011/01842

11 London Road Brighton

Non Material Amendment to BH2010/01707 for omission of french doors to rear elevation, relocation of rear entrance door, minor reconfiguration of entrance lobby and minor reconfiguration of external Kee - Klamp Barrier.

Applicant: Derandd Investment Partners Ltd Partnership

Officer: Jonathan Puplett 292525

Approved on 07/07/11 DELEGATED

WITHDEAN

BH2010/00692

Land West Of Redhill Close Westdene Brighton

Outline application for 31 dwellings (0.62 ha) with public open space (2.11 ha) and approval of reserved matters for layout, access and landscaping.

Applicant: Braybon Holdings Ltd

Officer: Paul Earp 292193

Approved after Section 106 signed on 13/07/11 PLANNING COMMITTEE

1) BH01.02

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

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

2) BH01.03

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

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

3) BH02.03

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) BH02.08

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.

5) BH04.01A

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

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

6) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 5 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 5 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

7) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 has been submitted to, and approved in writing by, the Local Planning Authority.

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

8) BH06.01

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

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

9) BH06.02

The development hereby permitted shall not be commenced until details of

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

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

10) BH11.02

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

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

11) BH11.03

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.

12) 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.

13) UNI

No development shall take place until a Nature Conservation Report assessing current nature conservation interest and setting out a scheme to protect and enhance such interest as been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details.

Reason: In the interests of nature conservation and in accordance with policy QD17 of the Brighton & Hove Local Plan.

14) UNI

No development shall commence until a scheme to enhance the nature conservation interest of all of the land other than the open space land 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.

15) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. Site Survey Ref S01/A, Location Plan Ref S02, Indicative Site Layout Ref P01, Indicative Site Sections Ref P02, and the following supporting documents, Design Statement: OSP Architecture; Sustainability Statement and Checklist: Blue Sky Unlimited; Ecological Assessment: Hankinson Duckett Associates; Landscape and Visual Impact Assessment: Hankinson Duckett Associates which includes drawing HDA5 - landscaping and ecological masterplan and HDA6 - playspace elements; Flood Risk Assessment: Monson Engineering; Tree Survey Report: Simon Pryce Arboriculture; Open Space and Recreation Assessment: Humberts Leisure; Transportation Assessment: Motion Consulting; Waste Minimisation Statement; Statement of Community Involvement: Nex Communications; received on 9 March 2009.

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

BH2011/01101

Blocks A & B Kingsmere Brighton

Additional storey to form 4no three bedroom flats with private roof gardens over Blocks A & B.

Applicant: Anstone Properties Ltd

Officer: Steven Lewis 290480

Approved on 07/07/11 PLANNING COMMITTEE

1) BH01.01

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

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

2) BH02.08

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) BH03.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4) BH04.01A

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

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

5) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing

that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and

- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

6) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority.

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

7) BH05.09

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

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

8) BH06.02

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

9) UNI

The development hereby permitted shall be carried out in accordance with the approved site plan, block plan and Andrew Borley drawings no. A811/03, A811/04, A811/05, A811/06, A811/07, A811/08 and A1011/09 received on 12/04/2011 and 17/06/2011.

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

BH2011/01327

3 Highcroft Mews Highcroft Villas Brighton

Erection of front porch. (Retrospective)

Applicant: Mr Robertson

Officer: Jason Hawkes 292153

Approved on 14/07/11 DELEGATED

BH2011/01351

85 Tivoli Crescent North Brighton

Erection of two storey extension to North side elevation and single storey extension to South side elevation. (Part retrospective)

Applicant: Mr M Mousavi

Officer: Steven Lewis 290480

Approved on 15/07/11 DELEGATED

1) BH03.03

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

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

2) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door, other than those expressly authorised by this permission, shall be constructed in the walls or roof of the extension hereby permitted without first obtaining planning permission from the local planning authority.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved unnumbered Tim Cording drawings received on 11/05/2011.

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

BH2011/01410

40 Varndean Gardens Brighton

Application for approval of details reserved by conditions 2 and 4 of application BH2008/00082.

Applicant: Mr Nigel Robinson

Officer: Wayne Nee 292132

Approved on 14/07/11 DELEGATED

BH2011/01418

27 Hazeldene Meads Brighton

Certificate of Lawfulness for the proposed erection of a log cabin to rear garden.

Applicant: Mr Peter Dunn

Officer: Wayne Nee 292132

Approved on 15/07/11 DELEGATED

BH2011/01478

76 Dyke Road Avenue Brighton

Non material amendment to BH2010/01469 to replace 2no roof windows with 1no lantern light with ventilator openings, and reduction of extension roof height.

Applicant: Mr T P Milligan

Officer: Wayne Nee 292132

Approved on 30/06/11 DELEGATED

BH2011/01488

14 Bavant Road Brighton

Replacement of ground floor windows with UPVC units (Part Retrospective).

Applicant: Hopscotch Nurseries

Officer: Mark Thomas 292336

Approved on 19/07/11 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. TA 561/01A, Photos and 'Front Elevation Casement Window' drawing within the Window Schedule received on 24th May 2011 and Window Specification Document received on 25th May 2011.

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

2) UNI

The windows to the front elevation at ground floor level hereby permitted shall be installed within six months of the date of this consent unless otherwise agreed 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.

BH2011/01504

45 Regency Court Withdean Rise Brighton

Replacement of existing white timber single glazed vertical sliding sash windows with white PVCU double glazed low energy glass casement windows.

Applicant: Leaders Property Management

Officer: Charlotte Hughes 292321

Approved on 18/07/11 DECISION ON APPEAL

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no.110501/1 and the sectional drawings received on 26th May 2011.

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

BH2011/01596

72 Kingsmere London Road Preston Brighton

Replacement of existing Crittall windows in timber subframes with new uPVC double glazed windows.

Applicant: Mr C Cope

Officer: Steven Lewis 290480

Approved on 18/07/11 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 site plan and window specifications received on 02/06/2011.

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

EAST BRIGHTON

BH2011/01096

39 Chesham Road Brighton

Alteration and additions to existing windows and doors. Removal of existing rear porch.

Applicant: Mr S Logue

Officer: Sonia Gillam 292359

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 1008/1/A, 2, 3, 4, 5, 6, 7, 8, 9/A, 10/A and the unnumbered section, profile and elevation drawings of the windows and doors received on the 12th April 2011, and drawing no. 1008/11/D received on the 20th May 2011.

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

BH2011/01152

Brighton Racecourse Race Hill Brighton

Proposed use of land for park and ride facilities for up to 700 cars in conjunction with outdoor events (no more than 50 per year) at the American Express Community Stadium Falmer.

Applicant: Brighton & Hove Albion Football Club Ltd

Officer: Kathryn Boggiano 292138

Approved on 08/07/11 PLANNING COMMITTEE

1) BH14.01

No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

2) UNI

No other area at Brighton racecourse, apart from the 3 parking areas shown on plan number 5, referenced NI2034-03 submitted on the 13 June 2011, shall be used as parking in connection with park and ride to the football stadium of Brighton & Hove Albion Football Club. The parking within these 3 areas referred to above, shall not exceed 50 days in any 12 month period. Of these 50 days in any 12 month period the number of vehicles within these 3 parking areas shall not exceed 700 vehicles for a maximum number of 35 days, and for the further 15 days shall not exceed 500 vehicles.

Reason: To limit the capacity of parking and number of days in order to minimise disruption to the local highway network and to residents by reason of noise and disturbance and traffic pollution, and to comply with policies TR1, TR7, SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI

Prior to the start of each football season, a Schedule of Events, which will include the dates and times of the days Brighton racecourse will be used as parking in connection with park and ride to the football stadium of Brighton & Hove Albion Football Club, along with the full details of any of events which are to be held at

the racecourse on these days (including a description of the event, times of the day of the event, the anticipated likely capacity of people attending such an event, and number of parking spaces available for such an event), will be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority 7 days prior to any change, the parking for the park and ride to the football stadium shall only be permitted in accordance with the approved Schedule of Events.

Reason: To ensure that there is no clash of large scale events with park and ride at the racecourse in connection with the Stadium, which may cause disruption to the local highway network and to residents by reason of noise and disturbance and traffic pollution, and to comply with policies TR1, TR7, SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

4) UNI

Unless otherwise agreed in writing with the Local Planning Authority, all spectator traffic shall access and egress the site via the site entrance on Freshfield Road.

Reason: In order to prevent spectator traffic using the site access located to the north of the site near to the junctions of Warren Road, Elm Grove, Tenantry Down Road and Freshfield Road, for highway safety reasons and to comply with policy TR7 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.NI2034-03 Rev B received on 13 June 2011, NI2034-05 received on 1 June 2011, NI2034-02 and NI2034-01 received on 20 April 2011.

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

6) UNI

The maintenance work required by the Management, Monitoring and Maintenance Plan, required by condition 5, must be carried out in accordance with the agreed Plan and within the agreed timescales.

Reason: In order to maintain the grass in good condition for highway and visual appearance reasons and to comply with policies TR1, QD2, SR22 and NC6 of the Brighton & Hove Local Plan.

7) UNI

Prior to the start of the 2011-2012 football season, full details of the cycle parking to be provided at the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details prior to the start of the 2011-2012 football season and retained as such thereafter.

Reason: To ensure satisfactory facilities for the parking of cycles and to encourage cycle and ride to the Stadium and to comply with policy TR14 of the Brighton & Hove Local Plan.

8) UNI

The use hereby permitted shall be discontinued and the land restored to its condition immediately prior to the use, commencing on or before 30 June 2013 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to assess the transport and amenity impacts of the development and to comply with policies TR7, QD2, QD27 and SU10 of the Brighton & Hove Local Plan.

9) UNI

Before the parking areas are first brought into use as parking in connection with park and ride to the football stadium of Brighton & Hove Albion Football Club, a Management, Monitoring and Maintenance Plan for the parking areas shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details and timeframes for the porous surfacing work for the first 10 metres of each access point into each of the 3 parking areas, and shall include

the timeframes for regular monitoring and maintenance of the condition of the grassed areas. Monitoring and maintenance information must be submitted to and agreed in writing by the Local Planning Authority on an annual basis by the end of each football season.

Reason: To safeguard the condition of the grassed areas and the visual amenities of the locality and to comply with policies QD2 and QD15 of the Brighton & Hove Local Plan.

BH2011/01341

1 Slinfold Close Brighton

Erection of conservatory to West elevation.

Applicant: Mrs J Hunt

Officer: Helen Hobbs 293335

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no S435PW/HP/02, S435PW/HP/03, S435PW/HP/03 Location Plan and S435PW/HP/04 received on 10th May 2011.

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

BH2011/01433

2 Rock Street Brighton

Alterations to convert existing maisonette into two 1no bedroom flats and a studio flat at first and second floors and formation of 1no bedroom maisonette to the rear of ground and lower ground floors.

Applicant: Sandon Homes

Officer: Aidan Thatcher 292265

Refused on 18/07/11 DELEGATED

1) UNI

The proposed development would result in cramped units of accommodation that would fail to meet lifetime homes standards where feasible and would result in an overdevelopment of the building. As such the proposal would be contrary to policies QD27 and HO3 of the Brighton & Hove Local Plan.

2) UNI2

A lack of information has been submitted, specifically in relation to the ground/basement level residential unit, to demonstrate that it would receive adequate levels of natural light. In addition the unit would receive poor outlook and as such would be contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed development has an inadequate number of cycle parking spaces that would be inappropriately located and as such would not be conveniently accessible for the proposed occupiers of the development. Therefore the proposal would be contrary to policy TR14 of the Brighton & Hove Local Plan.

4) UNI4

A lack of information has been submitted to demonstrate that the proposed development would achieve an acceptable level of sustainability. As such the proposal would be contrary to policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document 08: Sustainable Building Design.

HANOVER & ELM GROVE

BH2009/01811

112 - 113 Lewes Road Brighton

Erection of 4 storey building providing retail on ground and first floors and 12 self contained flats on ground and upper floors.

Applicant: WP Properties Ltd

Officer: Aidan Thatcher 292265

Finally Disposed of on 20/07/11 DELEGATED

BH2010/01824

112-113 Lewes Road Brighton

Erection of four storey building providing retail floor space on ground and first floors and student halls of residence (39 units) on ground and upper floors.

Applicant: WP Properties

Officer: Aidan Thatcher 292265

Approved after Section 106 signed on 19/07/11

1) BH01.01

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

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

2) BH02.06

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

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

3) BH05.05

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 'standard' BREEAM or a 'bespoke' BREEAM) and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development have been submitted to the Local Planning Authority; and
- (b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

4) BH05.06

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 60% in energy and water sections of

relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

5) BH05.10

The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

6) BH06.03

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

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

7) BH07.02

No development shall commence until a scheme for the soundproofing of the building has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

8) BH07.07

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

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

9) BH07.11

No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

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

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the student accommodation hereby approved shall be occupied until a Multi Residential BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built has achieved a Multi Residential BREEAM rating of 60% in energy and water sections of relevant Multi Residential BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the

Local Planning Authority.

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

11) UNI

No development shall take place until a scheme for the storage of refuse and recycling in association with the retail unit hereby 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 retail unit and the facilities 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 SR1 of the Brighton & Hove Local Plan.

12) UNI

The student accommodation hereby approved shall not be occupied until the refuse and recycling 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.

13) UNI

The use of the retail unit hereby permitted shall not be open to customers except between the hours of 08.00 and 20.00.

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

14) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. site location plan (unreferenced), 52B, 05, 13 submitted on 14.06.10, drawing no. 56C submitted on 07.07.10 and drawing no. 55A (mechanical ventilation details only) submitted on 20.07.10.

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

15) UNI

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 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,
- (b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works. The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning authority verification by a competent person approved under the provisions of part (b) above that any remediation scheme required and approved under the provisions of part (b) 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:
 - i. as built drawings of the implemented scheme;
 - ii. photographs of the remediation works in progress;
 - iii. 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 part (b) above.

Reason: To ensure that there is no risk to people, animals or the surrounding environment and to comply with policy SU11 of the Brighton & Hove Local Plan.

16) UNI

If, during development, contaminated land 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 the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that there is no risk to people, animals or the surrounding environment and to comply with policy SU11 of the Brighton & Hove Local Plan.

17) UNI

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

Reason: To safeguard the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

18) UNI

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 ensure that there is no risk to people, animals or the surrounding environment and to comply with policy SU11 of the Brighton & Hove Local Plan.

19) UNI

No development shall commence until a scheme detailing the glazing methods for the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in strict accordance with the approved details.

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

20) UNI

No development shall commence until a scheme detailing additional sound insulation measures to the noise sensitive areas of the building, those being the party wall with no. 6 Newmarket Road, and between the retail units, above the entrance, refuse and cycle stores and the laundry room, have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in strict accordance with the approved details.

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

21) UNI

The retail unit hereby approved shall not be occupied until a full deliveries management plan for the retail premises has been submitted to and approved in writing by the Local Planning Authority. The Plan must include full details of the proposed delivery times, delivery method, route and location. Deliveries shall be undertaken in full compliance with the approved document in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the amenities of the neighbouring residential occupiers and to ensure there is no increased risk to the users of the local

highway network and to comply with policies QD27 and TR7 of the Brighton & Hove Local Plan.

22) UNI

Prior to first occupation of the development, or any subsequent change of use hereby permitted by this permission a Travel Plan (a document setting out a package of measures tailored to the needs of the site and aimed at promoting sustainable travel choices and reduce reliance on the car) for the student accommodation shall be submitted to the Local Planning Authority. The Travel Plan shall be approved in writing prior to first occupation of the development and shall be implemented as approved thereafter. The Travel Plan shall include a process of annual monitoring and reports to quantify if the specified targets are being met, and the council shall be able to require proportionate and reasonable additional measures for the promotion of sustainable modes if it is show that monitoring targets are not being met.

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

23) UNI

No servicing or deliveries to or from the retail premises hereby approved shall occur outside the hours of 08.00 and 20.00 Monday to Saturday or on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

24) UNI

Prior to the commencement of development, detailed drawings, including levels, sections and construction details of improvements to the surrounding pavement including reinstatement of the existing dropped kerbs on Newmarket Road and Lewes Road which directly adjoin the site shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

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

25) UNI

Prior to the commencement of development, full details of the proposed ventilation system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details and retained as such thereafter and the passive ventilation shall be fully operational prior to the first occupation of any of the flats hereby approved.

Reason: To ensure the occupants of the units do not suffer from adverse air quality and to comply with policies SU9 and QD27 of the Brighton & Hove Local Plan.

26) UNI

The commercial unit on the ground and first floors shall be used as Class A1 retail only.

Reason: To maintain the vitality and viability of the Lewes Road District Centre and to comply with Policy SR5 of the Brighton & Hove Local Plan.

27) UNI

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash, paving) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

28) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the student accommodation hereby approved shall commence until:

- a) evidence that the development is registered with the Building Research Establishment (BRE) BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve a Multi Residential BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for the development have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a Multi Residential BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall '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.

BH2010/03525

226 Elm Grove Brighton

Roof terrace and balustrade to rear at second floor (part - retrospective).

Applicant: Mr Rod Hughes

Officer: Chris Swain 292178

Refused on 20/07/11 DELEGATED

1) UNI

The proposed roof terrace would result in significant overlooking and loss of privacy towards the rear elevation of No.224 Elm Grove and also to the rear gardens of neighbouring properties to the detriment of their residential amenity. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/03528

226 Elm Grove Brighton

Erection of timber access stairs to garden from first floor level. (part - retrospective).

Applicant: Mr Rod Hughes

Officer: Chris Swain 292178

Refused on 20/07/11 DELEGATED

1) UNI

The proposed timber access stairs and platform would result in significant overlooking and loss of privacy towards the rear elevations and rear gardens of the adjoining properties, No.224 and No.228 Elm Grove, to the detriment of their residential amenity. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2011/01019

Land adjacent to 18 Wellington Road Brighton

Erection of 9no flats with associated parking and landscaping.

Applicant: Mrs N Blencowe

Officer: Kate Brocklebank 292175

Refused on 12/07/11 DELEGATED

1) UNI

The proposed subdivision of the site would negatively impact on the character and the setting of the adjacent undesignated heritage asset, the Victorian Villa at 18 Wellington Road. The physical subdivision of the plot and associated boundary treatment would also make the plot associated with this development uncharacteristically narrow with a cramped appearance in contrast to the established character of Wellington Road. The applicant has failed to demonstrate that the proposed plot subdivision, cycle parking and refuse store will have a satisfactory appearance and will not have a negative impact on the setting of the existing building and the character of the street scene. No justification has been given for the substantial plot coverage and loss of open space. The development is therefore contrary to policies HO6, QD1, QD2, QD3, QD5 and QD20 of the Brighton & Hove Local Plan and PPS5 and PPG17.

2) UNI2

The applicant has failed to justify the partial loss of a community facility, which in the absence of sufficient evidence to the contrary, is considered to have the potential to make a contribution to the well-being of the community and the quality of the neighbourhood. The development is therefore contrary to policy HO20 of the Brighton & Hove Local Plan.

3) UNI3

The proposed balconies on the front elevation relate poorly to the development, as they would project forward of the main building line and detract from the entrance portico. In addition, the proposed French doors are considered to be of an unsatisfactory appearance with inappropriate proportions and would relate poorly to the adjacent window openings which are of traditional proportions contrary to policies QD1, QD2 and QD5 of the Brighton & Hove Local Plan.

4) UNI4

The applicant has failed to demonstrate that a suitable level of privacy for the proposed residential units on the south western side of the site will be retained or that the proposed units and first floor balconies on the south west side of the building will not give rise to adverse overlooking to the existing and/or recently approved development at Ainsworth House. The proposed rear boundary as a result of its extreme height in close proximity to the proposed development will have an unacceptable overbearing impact on Unit 3 in particular. The close proximity to boundaries will further impact on the outlook and in the absence of evidence to the contrary will also adversely impact on daylighting to this unit. The development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

5) UNI5

As a result of the sloped access into the site, the applicant has failed to demonstrate that the development will fully accord with Lifetime Homes Standards contrary to policy HO13 of the Brighton & Hove Local Plan and PAN 03 Lifetime Homes.

6) UNI6

The development has failed to provide a suitable level of provision and quality of private amenity space for each unit and has therefore failed to meet the needs of and provide adequate living conditions for future occupiers, contrary to policy HO5 Brighton & Hove Local Plan.

7) UNI7

The applicant has failed to demonstrate that the development will achieve an acceptable level of sustainability to accord with the requirements of policy SU2 of the Brighton & Hove Local Plan and the standards set out in SPD08: Sustainable Building Design.

8) UNI8

The applicant has failed to demonstrate that sufficient protection will be afforded to the existing nature conservation features on the site and that suitable enhancement and compensatory measures are being provided. The development is therefore contrary to policies QD17 and QD18 of the Brighton & Hove Local Plan, SPD11 Nature Conservation and Development and PPS9 Biodiversity and Geological Conservation.

9) UNI9

Notwithstanding the above reasons for refusal, there are a number of inaccuracies contained with the plans submitted which inhibited making a complete assessment of the development and its potential impacts, contrary to policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

BH2011/01193

149 Lewes Road Brighton

Change of Use from retail (A1) to café/restaurant (A3) on ground floor incorporating installation of extraction unit and flue to rear.

Applicant: Mrs Shamima Rahman

Officer: Aidan Thatcher 292265

Refused on 14/07/11 DELEGATED

1) UNI

The proposed change of use would result in the loss of an active retail use and the resulting proportion of retail (Class A1) units in the centre being below 50%. The proposal would therefore undermine the primary shopping function and the vitality and viability of the Lewes Road shopping centre, contrary to policy SR5 of the Brighton & Hove Local Plan.

2) UNI2

A lack of information has been submitted in relation to the proposed extraction and associated flue to enable a full assessment of the potential impact. As such there is concern on the impact to nearby occupiers and thus is contrary to policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2011/01309

84 Bernard Road Brighton

Erection of additional storey to existing dwelling incorporating balcony.

Applicant: Mr Rob Lane

Officer: Anthony Foster 294495

Refused on 11/07/11 DELEGATED

1) UNI

The proposed development by virtue of its appearance, design, bulk and massing would result in an over dominant and incongruous addition, to the detriment of the character and appearance of the existing building, and the surrounding area. As such the proposal is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and SPD01 'Roof Alterations and Extensions'.

2) UNI2

The proposed extension, by reason of its height and siting, would lead to a loss of light and a sense of enclosure to the neighbouring occupiers of 56 Hartington Road and would have an overbearing impact leading to a loss of residential amenity, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2011/01475

1 Carisbrooke Road Brighton

Application for approval of details reserved by conditions 3, 5, 7 and 8 of application BH2010/04007.

Applicant: Soltek Energy Ltd

Officer: Liz Arnold 291709

Approved on 18/07/11 DELEGATED

BH2011/01491

128-129 Lewes Road Brighton

Change of Use from retail (A1) to financial and professional services (A2). (Retrospective)

Applicant: Peermark Ltd

Officer: Aidan Thatcher 292265

Refused on 20/07/11 DELEGATED

1) UNI

The proposed change of use would result in the loss of an active retail use, would create a break in the retail frontage in excess of 15m and the resulting proportion of retail (Class A1) units in the centre would be below 50%. The proposal would therefore undermine the primary shopping function and the vitality and viability of the Lewes Road shopping centre, contrary to policy SR5 of the Brighton and Hove Local Plan.

HOLLINGDEAN & STANMER

BH2010/03970

8 Hollingbury Road Brighton

Erection of single storey extension to rear and raised timber decking.

Applicant: Mr Peter Taylor

Officer: Louise Kent 292198

Refused on 07/07/11 DELEGATED

1) UNI

The extension and decking area, by reason of their siting, design, size and height, would adversely impact on the residential amenity of the neighbouring property at 10A Hollingbury Road due to their overbearing nature and would result in a loss of light and outlook from the lower ground floor and basement windows of this property. As such, the proposal would adversely affect the residential amenity of this property and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed extension, decking area and staircase to the rear garden would result in significant overlooking and loss of privacy towards neighbouring properties, and is contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2011/00276

Falmer House University of Sussex Lewes Road Brighton

Installation of additional entrance to West elevation.

Applicant: University of Sussex

Officer: Louise Kent 292198

Refused on 07/07/11 DELEGATED

1) UNI

The proposed door would have an adverse impact upon the architectural and historic character of the exterior of the Grade I Listed Building, due to its size and position. It would harm the original features of the building. As such the proposal is therefore contrary to policy HE1 of the Brighton & Hove Local Plan and

BH2011/01268

2 Twyford Road Brighton

Application for Approval of Details Reserved by Conditions 7, 9 and 10 of application BH2008/00408.

Applicant: Mr P Goodall

Officer: Anthony Foster 294495

Approved on 30/06/11 DELEGATED

BH2011/01354

Stanmer House Stanmer Park Lewes Road Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2007/01206.

Applicant: Cherrywood Investments Ltd

Officer: Jonathan Puplett 292525

Approved on 04/07/11 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2011/01222

12 Upper Bevendean Avenue Brighton

Demolition of existing garage and erection of single storey rear extension.

Applicant: Yeslets

Officer: Helen Hobbs 293335

Refused on 22/06/11 DELEGATED

1) UNI

The length, siting and height of the proposed extension would, by reason of loss of light and outlook, overshadowing and its overbearing impact, adversely impact on the residential amenity currently enjoyed by the adjoining properties No. 14 and No. 10 Upper Bevendean Avenue, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed extension, by reason of its design, length and height would be an incongruous feature resulting in an overextended appearance of the property and loss of amenity space, detrimental to the character and appearance of the existing building and the visual amenities enjoyed by neighbouring properties. The proposal is therefore contrary to policies QD1 and QD14 of the Brighton and Hove Local Plan.

BH2011/01256

Land to rear of 34 & 36 Baden Road Brighton

Erection of two semi-detached houses.

Applicant: Mr S Brown

Officer: Sue Dubberley 293817

Approved on 18/07/11 DELEGATED

1) BH01.01

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

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

2) BH02.01

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

of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) BH02.07

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

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

4) BH03.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5) BH04.01A

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

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

6) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and
- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

7) BH05.02B

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

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

Building Design.

8) BH06.01

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

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

9) BH06.03

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

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

10) UNI

Prior to commencement of development a Discovery Strategy shall be submitted and approved in writing by the Local Planning Authority detailing what action will be taken if unsuspected contamination findings are discovered whilst developing the site. Development shall be undertaken in strict accordance with the approved strategy.

Reason: Previous activities within close proximity of this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution and in accordance with policy SU11 of the Brighton & Hove Local Plan.

11) UNI

Prior to commencement of development full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished ridge heights of all buildings including the adjoining approved houses at the rear of Nos.20-32 Baden Road and structures have been submitted to and approved in writing by the Local Planning Authority. All levels shall be in metric units and related to Ordnance Survey Datum. The development shall thereafter be built in accordance with the agreed details.

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

12) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.194800-01, 02, 03 received on 3 May 2011.

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

BH2011/01318

Land to the rear of 10 - 12 Crayford Road Brighton

Application for Approval of Details Reserved by Conditions 4, 6 and 9 of application BH2010/03506.

Applicant: Joseph Charles Developments Ltd

Officer: Sue Dubberley 293817

Approved on 01/07/11 DELEGATED

BH2011/01319

3 Carlyle Avenue Brighton

Certificate of lawfulness for proposed erection of a single storey rear extension and associated extension of raised patio area.

Applicant: Mr Saul Johnston

Officer: Sonia Gillam 292359

Approved on 11/07/11 DELEGATED

BH2011/01339

The Keep Woollards Field Lewes Road Falmer Brighton

Application for Approval of Details Reserved by Condition13 of application BH2011/01339.

Applicant: East Sussex County Council

Officer: Maria Seale 292322

Approved on 18/07/11 DELEGATED

BH2011/01353

77 Widdicombe Way Brighton

Certificate of lawfulness for a proposed loft conversion incorporating a rear dormer and 2no rooflights to front roofslope. Erection of single storey rear extension.

Applicant: Mr Shah

Officer: Helen Hobbs 293335

Approved on 06/07/11 DELEGATED

BH2011/01515

Woollards Field Lewes Road Falmer Brighton

Application for approval of details reserved by condition 12 of application BH2010/03259.

Applicant: East Sussex County Council

Officer: Maria Seale 292322

Approved on 18/07/11 DELEGATED

QUEEN'S PARK

BH2011/00542

61 Queens Park Rise Brighton

Change of use from mixed use retail (A1) and residential (C3) to residential (C3).

Applicant: Ms Lisa hardy

Officer: Aidan Thatcher 292265

Refused on 13/07/11 DELEGATED

1) UNI

The applicant has failed to demonstrate that the existing Class A1 retail use is no longer commercially viable and as such the application is contrary to policy SR8 of the Brighton & Hove Local Plan.

BH2011/00738

Morley Street CASH Clinic 4 Morley Street Brighton

Installation of canopy over front entrance.

Applicant: NHS Trust Services

Officer: Kate Brocklebank 292175

Approved on 06/07/11 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, unnumbered location plan received on 5 May 2011, 'Existing floor plan', 'south and west elevation', 'north and east elevation' received 10 May 2011, 'Proposed Uxbridge 2.2m wide x 2.17m deep' revision 1 plan received 11 May 2011.

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

BH2011/00872

Greek Orthodox Church Carlton Hill Brighton

Erection of two storey building to form community hall and priest accommodation and formation of new door in main church building.

Applicant: Chairman for the Greek Orthodox Church

Officer: Sue Dubberley 293817

Approved on 14/07/11 PLANNING COMMITTEE

1) BH01.01

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

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

2) BH02.08

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) BH04.01A

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

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

4) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

5) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority.

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

6) BH05.09A

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

7) BH06.02

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

8) BH12.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

9) UNI

The residential flat hereby approved shall only be occupied by the priest employed in connection with the adjacent main church building.

Reason: In order to ensure that the residential flat remains connected to the church use and is not used independently.

10) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 2566/10, 11 received on 23 March 2011 and approved drawings no. 2566/12E, 13D, 14E and 15C received on 14 June 2011.

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

11) UNI

Prior to commencement of development a Discovery Strategy shall be submitted and approved in writing by the Local Planning Authority detailing what action will be taken if unsuspected contamination findings are discovered whilst developing

the site. Development shall be undertaken in strict accordance with the approved strategy.

Reason: Previous activities within close proximity of this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution and in accordance with policy SU11 of the Brighton & Hove Local Plan.

12) UNI

No development shall take place until full details of the proposed rear door and internal steps to the church have been submitted to and approved by the Local Planning Authority.

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

BH2011/00873

Greek Orthodox Church Carlton Hill Brighton

Erection of two storey building to form community hall and priest accommodation and formation of new door in main building.

Applicant: Chairman for the Greek Orthodox Church

Officer: Sue Dubberley 293817

Approved on 14/07/11 PLANNING COMMITTEE

1) BH01.05

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

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

2) BH13.01

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.

3) UNI

No development shall take place until full details of the proposed rear door and internal steps to the church have been submitted to and approved by the Local Planning Authority.

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

BH2011/01077

Jacqueline Du Pre Court Somerset Street Brighton

Replacement of existing timber windows with new double glazed uPVC units.

Applicant: Anchor Trust

Officer: Helen Hobbs 293335

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. JacDuPre/Plan 001 rev B, JacDuPre/Plan 002 rev B, JacDuPre/Plan 003 rev B and JacDuPre/Plan 004 rev B received on 9th May

2011.

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

BH2011/01179

St Lukes Infant School Queens Park Rise Brighton

Erection of canopy between canteen and school building.

Applicant: St Lukes Primary School

Officer: Sonia Gillam 292359

Approved on 13/07/11 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 canopy shown on the approved plans shall be colour finished in white and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 814 and the approved drawing entitled "Oxford lean to Style Canopy 4.5m wide x 25m long I beam", and the site location plan and block plan received on the 7th June 2011.

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

BH2011/01197

Land adjacent to Amex House fronting John Street Carlton Hill Mighell Street and land adjacent to 31 White Street Brighton

Non Material Amendment to BH2009/01477 to reduce the roof pitch to the second floor of the services facility building from 14 degrees to 4 degrees and reduce building length by 4 metres.

Applicant: EPR Architects

Officer: Mick Anson 292354

Approved on 04/07/11 DELEGATED

BH2011/01279

Flat 4 10 Devonshire Place Brighton

Replacement of 2no Crittall windows with new double glazed timber units.

Applicant: Dr Melissa Hempling

Officer: Chris Swain 292178

Approved on 11/07/11 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 a design and access statement and four photographs received on 4 May 2011, a site plan and a sectional drawing received on 16 May 2011 and a window specification document and two unnumbered drawings received on 8 July 2011.

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

3) UNI

The windows shall be painted white 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.

BH2011/01280

Flat 4 10 Devonshire Place Brighton

Replacement of 2no Crittall windows with new double glazed timber units.

Applicant: Dr Melissa Hempling

Officer: Chris Swain 292178

Approved on 11/07/11 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 windows hereby approved shall be painted white 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.

BH2011/01436

Flat 1 6 Evelyn Terrace Brighton

Replacement of existing white wooden sash windows with white UPVC sliding sash windows at front bay.

Applicant: Amanda Joy Blake

Officer: Helen Hobbs 293335

Approved on 18/07/11 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 window details, site plan and photographs received on 2nd June 2011.

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

BH2011/01482

Flat 4 5 Walpole Terrace Brighton

External alterations to rear incorporating replacement of window with French doors and Juliet balcony.

Applicant: Mr Charles Higson

Officer: Jonathan Puplett 292525

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The railings hereby approved shall be painted black, the door hereby approved shall be painted white and these items shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

3) UNI

No development shall take place until full details of the proposed timber doors including 1:20 elevations and 1:20 joinery sections and sections of the recess of the doorframe have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in strict accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved location plan, block plan and drawing nos. 01/1104511 and 03/1104511 received on the 23rd of May 2011, and drawing no. 02/1104511 received on the 24th of June 2011.

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

5) UNI

The glazed doors hereby approved shall only provide access to the flat roof below for maintenance or emergency purposes and shall not provide access to the flat roof for use 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.

BH2011/01516

221 Freshfield Road Brighton

Erection of part single part two storey rear extension to replace existing single storey extension.

Applicant: Mr Adam Whitehead

Officer: Helen Hobbs 293335

Approved on 20/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. CH412/001, CH412/002, CH412/003, CH412/004 and CH412/005 received on 24th May 2011.

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

BH2011/01554

8 Blaker Street Brighton

Formation of roof terrace to existing flat roof to rear incorporating obscure glass and steel balustrade.

Applicant: Mr Chris How

Officer: Sonia Gillam 292359

Refused on 20/07/11 DELEGATED

1) UNI

Due to the position and height of the proposed roof terrace in close proximity to

the adjacent properties, the proposal would result in overlooking of neighbouring gardens and the rear elevations of neighbouring dwellings, causing significant harm to the privacy of neighbouring residents. The terrace due to its position, size and use would additionally result in a significant noise disturbance to adjacent properties. The proposal would therefore lead to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

Policy QD14 of the Brighton and Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The balustrade and terrace, by virtue of potential structures and objects placed on it, would be inappropriate additions to the rear of the property and, by reason of their siting, design and materials, would appear incongruous with regards to the existing features of the property and be of visual detriment to the street scene. The scheme is therefore contrary to the above policy.

BH2011/01756

Upper Esplanade Daltons Bastian Madiera Drive Brighton

Application for Approval of Details Reserved by Condition 6 of application BH2011/00764.

Applicant: Paramount Attractions

Officer: Maria Seale 292322

Approved on 08/07/11 DELEGATED

ROTTINGDEAN COASTAL

BH2009/02201

Court House The Green Rottingdean Brighton

Erection of railings on top of existing brick wall of front garden.

Applicant: Mr Adrian Wood

Officer: Liz Arnold 291709

Approved on 30/06/11 PLANNING COMMITTEE

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

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

3) UNI

Notwithstanding details shown on drawing no. AD101A received on the 23rd February 2011, all steelwork used with the works hereby approved shall be galvanised before being painted.

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

BH2011/00812

Flat 3 7 Lewes Crescent Brighton

Internal alterations to layout of flat.

Applicant: DHA

Officer: Sonia Gillam 292359

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) BH13.06

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

3) UNI

No works shall take place until large scale details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (1) Details of the metal railings to the rear elevation;
- (2) Details of the proposed new doors and architraves;
- (3) Details of the altered entrance and of the proposed cupboards; and
- (4) Details of the proposed balustrades.

The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

No works shall take place until the following details are submitted to and approved in writing by the Local Planning Authority:

- (1) Scaled elevational drawings showing full details of the proposed internal pipe work, including where the pipes enter the chimney breast and an indication of the line of the flue within the chimney;
- (2) Details of the design of the flue liner and the method for securing it in place at the top; and
- (3) Details of a chimney pot to be reinstated on top of the flue following its installation.

The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2011/00853

Flat 9 10 Sussex Square Brighton

Internal alterations to layout including repositioning and replacement of internal staircase to upper floor.

Applicant: Mr Roy Pook

Officer: Chris Swain 292178

Approved on 14/07/11 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 works shall take place until full details of the proposed architraves and doors

including 1:20 scale sample elevations and 1:1 scale joinery profiles have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2011/00982

Flat 26 Highcliff Court High Street Rottingdean

Extension of existing room on 5th floor with revised access staircase from flat and new glazing to South and West elevations.

Applicant: Mr Jonathon Lowen

Officer: Liz Arnold 291709

Approved on 18/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 9114/1A and 9114/2B received on the 6th May 2011.

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

BH2011/00990

8 Cliff Approach & 1 Cliff Road Brighton

Application for Approval Of Details Reserved by Condition 5, 6, 8, 12,13 & 15 of Application BH2010/00736.

Applicant: Mr Rakan Alajmi

Officer: Hamish Walke 292101

Approved on 13/07/11 DELEGATED

BH2011/01190

41 Wivelsfield Road Saltdean Brighton

Loft conversion incorporating hip to barn end roof extension and an increase in ridge height. Dormers to front and rear, installation of a balcony to rear and rooflights to front.

Applicant: Father Geoffrey Holness

Officer: Sonia Gillam 292359

Refused on 20/07/11 DELEGATED

1) UNI

The proposed rear dormer and balcony, by virtue of its bulk, size, positioning and inappropriate design would form an incongruous addition, detrimental to the appearance of the building and the visual amenities enjoyed by neighbouring properties. Additionally the dormer would potentially detract from views out of and harm the setting of the Sussex Downs National Park. The development is therefore contrary to policies QD14 and NC8 of the Brighton and Hove Local Plan and to Supplementary Planning Guidance Note SPGBH1: Roof Alterations and

Extensions.

2) UNI2

The proposed front dormer, by virtue of its bulk, size, positioning and inappropriate design would form an incongruous addition, which is out of character with the immediate street scene and, in conjunction with the proposed rooflights, would give the front roofslope a cluttered and unbalanced appearance. The development is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and to Supplementary Planning Guidance Note SPGBH1: Roof Alterations and Extensions.

BH2011/01284

25 Bazehill Road Rottingdean Brighton

Remodelling of building including first floor and roof extensions to side and rear, front roof dormer and raised terrace area to rear.

Applicant: Mr Barry Shoebridge

Officer: Jonathan Puplett 292525

Approved on 20/07/11 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 brick facing shall match in material, colour, style, bonding and texture that of the existing building.

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

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window shall be constructed to the western side elevation of the first floor side 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 nos. BR., 002C, 003C and BR.004 received on the 4th of May 2011, BR.001A received on the 13th of May 2011, nos. BR.002C and 003C received on the 15th of June 2011, and the submitted tile samples.

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

BH2011/01338

The Nook Ovingdean Road Ovingdean Brighton

Replacement of existing windows with new timber windows.

Applicant: Mr Steven Warriner

Officer: Chris Swain 292178

Refused on 05/07/11 DELEGATED

1) UNI

The proposed replacement double glazed windows, by reason of their detailing, design, and frame thickness, would form a visually inappropriate alteration that would detract from the architectural and historical character of listed building, contrary to policy HE1 of the Brighton & Hove Local Plan and the Supplementary Planning Document on Architectural Features (SPD09).

BH2011/01346

15 Cranleigh Avenue Rottingdean Brighton

Erection of single storey outbuilding to rear garden.

Applicant: Mr Huyton

Officer: Sonia Gillam 292359

Approved on 06/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing entitled "Huyton - As Proposed", the site location plan and the block plan received on the 11th May 2011.

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

BH2011/01400

28 Lenham Avenue Saltdean

Additional storey to side incorporating new ridge roof which exceeds height of existing.

Applicant: Mr & Mrs Mathew White

Officer: Aidan Thatcher 292265

Approved on 08/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 28LEN/001, /002, /003, /004 and /005.B received on 16.05.11.

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

BH2011/01415

45 Wivelsfield Road Saltdean Brighton

Loft conversion incorporating French doors with terrace area and balcony to front and rooflights to rear.

Applicant: Miss Megan Wood

Officer: Liz Arnold 291709

Refused on 12/07/11 DELEGATED

1) NI

The formation of a roof terrace within the front roofslope of the property and the erection of associated balustrading would result in a contrived and incongruous addition to the existing property to the detriment of the Wivelsfield Road street scene and the wider area. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and the design guidance contained in Supplementary Planning Guidance note SPGBH1: Roof Alterations and

Extensions.

2) UNI2

The development would result in a perception of overlooking and loss of privacy for no. 46 Wivelsfield Road and as such results in harm to the amenity of the neighbouring occupiers. The proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2011/01426

14 Church Place Brighton

Demolition of wall to side of garage.

Applicant: Mr Ash Southgate

Officer: Liz Arnold 291709

Approved on 07/07/11 DELEGATED

1) BH01.04

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

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

2) UNI

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 3 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.

BH2011/01452

44 Arundel Drive East Saltdean Brighton

Provision of dormer with Juliette balcony and 3 no. rooflights to front elevation.

Applicant: Mrs Jenny Campbell

Officer: Helen Hobbs 293335

Approved on 14/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 02 and site plan received on 19th May 2011 and drawing no. 01 received on 2nd June 2011.

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

BH2011/01931

12 Welesmere Road Rottingdean Brighton

Non Material Amendment to BH2008/02139 for a change to elevational materials to front elevations from tile hung to mock Tudor rendered panels with stained timbers. Change to North West side elevation from tile hung to brickwork to match existing.

Applicant: Mr Perry Blackmore

Officer: Sonia Gillam 292359

Refused on 18/07/11 DELEGATED

WOODINGDEAN

BH2011/00814

198 Warren Road Brighton

Installation of new front wall. (Retrospective)

Applicant: Mr Nathan Banks

Officer: Helen Hobbs 293335

Refused on 04/07/11 DELEGATED

1) UNI

The front boundary wall, fencing and store, due to their excessive height, size, materials and appearance are out of keeping with the character and appearance of the surrounding area, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

BH2011/00974

Woodingdean Business Park Bexhill Road Woodingdean Brighton

Application for Approval Of Details Reserved by Condition 3, 5, 8, 10, 11, 14, 22, 27, 31, 33, 36, 37, 39 and 40 of Application BH2011/00255.

Applicant: St Modwen Developments

Officer: Aidan Thatcher 292265

Split Decision on 07/07/11 DELEGATED

1) UNI

1. The BREEAM Design Stage Certificate relates to block 1 only, and not all the on-site buildings and the energy section target has not been met and as such insufficient information has been submitted to discharge condition 5.
2. The cycle parking information submitted in relation to condition 8 is ambiguous and as such this cannot be discharged. Clarification is required in relation to spacing of cycle stands.
3. Insufficient information has been submitted in relation to odour control equipment and thus it is not possible to discharge condition 10.
4. Insufficient information has been submitted in relation to acoustic insulation of odour control equipment and thus it is not possible to discharge condition 11.
5. Insufficient information has been submitted in relation to plant/machinery sound and vibration transmission and thus it is not possible to discharge condition 14.
6. Limited information relating to landscaping, particularly replacement trees and inappropriate species are detailed, as such condition 27 cannot be discharged.
7. The Nature Conservation measures proposed are inadequate and features recommended in the submitted Ecological Reports are not shown on the proposed plans thus it is not possible to discharge condition 40.

BH2011/01260

Woodingdean Business Park Sea View Way Brighton

Display of externally illuminated monolith sign, externally illuminated fascia signs, non illuminated fascia signs and non illuminated information panel sign.

Applicant: Reflex Nutrition Ltd

Officer: Aidan Thatcher 292265

Approved on 15/07/11 DELEGATED

1) BH10.01

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

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

2) BH10.02

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

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

3) BH10.03

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

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

4) BH10.04

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

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

5) BH10.05

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

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

6) BH10.06

No advertisement shall be sited or displayed so as to-

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

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

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

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

8) UNI

The two advertisements labelled EX02 shall not be illuminated later than 23.00 or after the premises are closed (whichever is the earlier) and shall not be illuminated before 07.00 on any day.

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

BH2011/01299

48 Crescent Drive South Brighton

Erection of single storey rear extension.

Applicant: Mr Keiran Madden

Officer: Aidan Thatcher 292265

Refused on 06/07/11 DELEGATED

1) UNI

The plans submitted are inaccurate, in particular plan nos. 612/01 A and 612/03 A, the distance to the western boundary is incorrect and thus it is not possible to undertake an accurate assessment of the proposal and the scheme could be contrary to policies QD1, QD14 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposal would increase direct overlooking into the rear garden of no. 44 Crescent Drive South to the west of the site, resulting in a loss of amenity for its occupiers. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed extension is likely to impact on mature trees to the south of the site, potentially harming their lifespan. These trees are considered to contribute to the character and appearance of the wider area and minimises overlooking from the application property to the rear garden of no. 1 Rosedene Close. As such, any threat to these trees would be contrary to policies QD16 and QD27 of the Brighton & Hove Local Plan.

BH2011/01310

7 Midway Road Brighton

Erection of additional storey to existing bungalow with new drive way and vehicle space at front and terrace to rear.

Applicant: Mrs Lydia Rhodri Jones

Officer: Kate Brocklebank 292175

Refused on 04/07/11 DELEGATED

1) UNI

The proposal, by reason of its design, height, bulk and massing fails to emphasise and enhance the positive qualities of the local neighbourhood and would result in the building appearing incongruous and out of character. The development would be of detriment to the character and appearance of the street scene contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

2) UNI2

The proposed rear terrace, by reason of its width, siting close to neighbouring boundaries, height and method of screening would result in overlooking and loss of privacy to and have an overbearing impact on neighbouring amenity. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed outward opening gates would result in increased risk to users of the public highway by causing an obstruction on the footway and therefore fails to comply with Local Plan policies TR7 and TR8 of the Brighton & Hove Local Plan.

BRUNSWICK AND ADELAIDE

BH2009/02753

64 Brunswick Street West Hove

Alterations to front glazed panel of basement and front entrance door (retrospective).

Applicant: No 7 Limited

Officer: Clare Simpson 292454

Approved on 13/07/11 DELEGATED

1) UNI

The development hereby granted consent is in accordance with the approved drawing no. 22 received on the 19th August 2010 in relation to the front door and glazed basement panel only. The signs and lettering shown on drawing no.22 do not form part of this consent.

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

BH2009/02755

64 Brunswick Street West Hove

Alterations to front glazed panel of basement, front entrance door and new signage to front elevation. Internal works including installation of steel supports to stairs (part retrospective).

Applicant: No 7 Limited

Officer: Clare Simpson 292454

Refused on 13/07/11 DELEGATED

1) UNI

The fascia sign by virtue of its size, design, colour and material is considered to dominate the front of the building and would detract from the historic character of the listed building and wider Brunswick Town Conservation Area. There is insufficient information to assess the other signs detailed in the application. The installed fascia sign is contrary to policies HE1 and Supplementary Planning Documents Advertisements (SPD07)

BH2009/03114

68-72 Western Road Hove

Creation of 3 no. two bedroom flats at 1st, 2nd & 3rd floor levels including associated external works.

Applicant: Mrs Florina Sayidhum

Officer: Paul Earp 292193

Finally Disposed of on 08/07/11 DELEGATED

BH2009/03115

68-72 Western Road Hove

Creation of 3no. two bedroom flats at 1st, 2nd and 3rd floor levels including associated external works, and internal works to existing flats to change layout at 1st, 2nd, 3rd and 4th floors.

Applicant: Mrs Florina Sayidhum

Officer: Paul Earp 292193

Finally Disposed of on 08/07/11 DELEGATED

BH2011/01161

121-123 Western Road Hove

Change of use of first and second floors from restaurant (A3) to healthy living centre (D2).

Applicant: Mr Richard Brown

Officer: Paul Earp 292193

Approved on 01/07/11 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) BH07.12

The premises shall only be used for healthy living centre and no other purposes and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

The premises shall not be in use except between the hours of 07.30 - 23.00 Monday to Friday, 08.30 - 21.00 Saturdays, and 08.30 - 19.00 Sundays and Bank Holidays.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the unnumbered floor layout drawing received on 19 April 2011.

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

BH2011/01174

1 Western Road Hove

Change of use from mixed use café and internet café (A3/A1) to mixed use café, internet café and takeaway (A3/A1/A5).

Applicant: Mr Hani Mahmoud

Officer: Adrian Smith 290478

Approved on 15/07/11 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 use hereby permitted shall not be open to customers except between the hours of 07:00 and 01:00 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

No chairs, tables or other outdoor furniture shall be used in conjunction with the development hereby permitted between the hours of 11.00pm and 7.00am daily.

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 be carried out in accordance with the approved drawing no. 10A received on the 2nd June 2011.

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

BH2011/01198

Flat 2 33 Adelaide Crescent Hove

Creation of roof terrace over existing flat roof at rear including glazed balustrading.

Applicant: Ms Polly Borland

Officer: Clare Simpson 292454

Refused on 05/07/11 DELEGATED

1) UNI

The proposal to erect glazed balustrade to the rear of the property would give the proposed terrace an unduly prominent appearance which would detract from the historic character of the listed building to the detriment of rear elevation of the listed building, the wider listed terrace and the Brunswick Town Conservation Area. The proposal is therefore contrary to policies HE1 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed balustrade by virtue of its height and elevated position relative to the flat below would cause significant harm to the outlook of this property and cause increased sense of enclosure harming the residential amenity of the occupiers of this property. The proposed development would be un-neighbourly and contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2011/01455

51 Brunswick Square Hove

Repairs to main chimney stack with associated roof alterations and removal of pipes to front elevation.

Applicant: 51 Brunswick Square Hove (1996) Ltd

Officer: Adrian Smith 290478

Approved on 13/07/11 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

Unless otherwise agreed in writing by the Local Planning Authority, all existing chimney pots shall be reclaimed and reused on the new chimney stacks.

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

3) UNI

Following the removal of the pipework to the front elevation, the walls shall be made good to match exactly the finish of the building.

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

4) UNI

Unless otherwise approved in writing by the Local Planning Authority, prior to the commencement of demolition works photographic and scaled drawing records of both chimney stacks shall be submitted to the Local Planning Authority. The new chimney stacks shall be constructed to match exactly the existing with all demolition and construction works conducted in accordance with the details submitted in the approved Design and Access statement received on the 19th May 2011.

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

CENTRAL HOVE

BH2011/01258

8 Victoria Terrace Hove

Display of 1no non-illuminated fascia sign.

Applicant: STS Stapletons Tyres

Officer: Wayne Nee 292132

Approved on 19/07/11 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.

BH2011/01302

Flats 4 & 5 Albemarle Mansions 1 Medina Terrace Hove

Conversion of two flats on third floor to form one 4 bed roomed maisonette incorporating loft conversion with recessed roof terrace to East elevation.

Applicant: Mr Lea Denison

Officer: Paul Earp 292193

Approved on 30/06/11 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 patio door frames hereby approved shall match the colour of the adjacent slate roof.

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

GOLDSMID

BH2011/01303

108 Goldstone Road Hove

Conversion of existing rear garage/storage building to form 2no one bedroom dwellings.

Applicant: Mr Tom Kozdon

Officer: Adrian Smith 290478

Refused on 06/07/11 DELEGATED

1) UNI

Policies QD27 and SU10 of the Brighton & Hove Local Plan states that planning permission for any development will not be granted where it would cause loss of amenity by way of overlooking, daylight, sunlight, outlook and noise disturbance to the proposed, existing and/or adjacent users, residents and occupiers. Policy HO5 requires the provision of private useable amenity space in new development. The proposed development, by virtue of the number of units proposed in close proximity to existing residential properties, would result in the potential for significant loss of amenity to adjoining occupiers by way of noise, light disturbance, loss of privacy, and a reduction in private useable amenity space. For these reasons the development represents an overdevelopment of the site contrary to policies HO5 and QD27 of the Brighton & Hove Local Plan.

BH2011/01423

33 Hove Park Villas Hove

Erection of single storey rear extension and associated works and installation of rooflight to front roofslope.

Applicant: Mrs Gavin Bruce

Officer: Clare Simpson 292454

Approved on 12/07/11 DELEGATED

1) BH01.01

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

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

2) BH02.09

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a

roof garden, terrace, patio or similar amenity area.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 110311 P1, P2, P3, P4, P5, P6, P7, P8, P9, P10, P11, received 17th May 2011

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

BH2011/01471

46 Cromwell Road Hove

Display of externally-illuminated totem sign adjacent to main entrance. (Retrospective).

Applicant: Supersaurus Nurseries

Officer: Jason Hawkes 292153

Approved on 19/07/11 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.

BH2011/01487

Flat 73 Eaton Manor Eaton Gardens Hove

Certificate of Lawfulness for proposed internal alterations associated with use part of Flat 73 as a residents room.

Applicant: Dorrington Plc

Officer: Charlotte Hughes 292321

Approved on 13/07/11 DELEGATED

BH2011/01528

Flat 6 Gainsborough House 4 - 6 Eaton Gardens Hove

Replacement of existing aluminium and timber framed windows and door with UPVC doubled glazed windows and door.

Applicant: Mr Alex Davidson

Officer: Mark Thomas 292336

Approved on 20/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. E56PW/HP/02, 03, 04, 05, Schedule of Photographs, and Window specification document received on 26th May 2011.

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

HANGLETON & KNOLL

BH2011/00895

The Old Manor House 7 Hangleton Valley Drive Hove

Installation of cast iron guttering and down pipes to replace existing and replacement of external cement pointing and internal concrete render with lime based mortar.

Applicant: Mr Richard Nerurkar

Officer: Clare Simpson 292454

Approved on 12/07/11 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

Prior to works commencing on the external re-pointing, written details of the proposed mortar mix shall be submitted to the Local Planning Authority and a

sample flint panel of the mix shall be carried out on the building. The submitted details of the flint panel shall be approved in writing, and the works carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure satisfactory preservation of the listed building in accordance with HE1 of the Brighton & Hove Local Plan.

3) UNI

Prior to works commences on the internal re-plastering, details of the internal lime plaster mix shall be submitted to and approved by the local planning authority in writing. The works shall be carried out and completed to match the approved details and retained as such thereafter.

Reason: To ensure satisfactory preservation of the listed building in accordance with HE1 of the Brighton & Hove Local Plan.

BH2011/01263

86 Dale View Hove

Demolition of existing garage and erection of new treble garage.

Applicant: Mr R Dyson

Officer: Steven Lewis 290480

Refused on 06/07/11 DELEGATED

1) UNI

The proposed development will not make a positive contribution to the visual quality of the local environment and to the appearance of Kingston Close. Whilst the development does take into account elements of the built form of the west side of Kingston Close, it does not enhance or emphasise the positive qualities of the street scene. The parking with wide open access fronting the street, hard surfacing and a full width garage would be prominent when considered with the existing hard built form of neighbouring garages. This is contrary to Policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The site is situated within a residential area. The use of the land as for separated domestic car parking would be detrimental to the residential amenities of the occupiers of surrounding properties with a potential for greater noise and harmful levels of disturbance by reason of the layout and likely intensity of use. This is contrary to policy QD27 of the Brighton & Hove Local Plan which aims to protect residential amenity.

BH2011/01286

17 Summerdale Road Hove

Certificate of lawfulness for proposed installation of rear dormer.

Applicant: Mr & Mrs Wickham

Officer: Clare Simpson 292454

Refused on 30/06/11 DELEGATED

1) UNI

The development is not permitted under Schedule 2, Part 1 Class B of the Town and Country Planning (General Permitted Development) Order 2008. The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic metres in any other case;

BH2011/01290

111 Hangleton Road Hove

Erection of single storey rear extension to replace existing conservatory.

Applicant: Mr Steve Gray

Officer: Wayne Nee 292132

Approved on 30/06/11 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 unnumbered drawings received on 02 June 2011.

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

NORTH PORTSLADE

BH2011/01344

5 Juniper Close Portslade

Certificate of Lawfulness for proposed loft conversion incorporating installation of rear dormer and rooflights to front elevation.

Applicant: Mr Daniel Earl

Officer: Wayne Nee 292132

Approved on 07/07/11 DELEGATED

SOUTH PORTSLADE

BH2011/00849

Land at the Rear of 8 Locks Hill Portslade

Erection of single storey 3no bedroom detached residential dwelling incorporating rear dormer and associated landscaping.

Applicant: Mr Ian Dodd

Officer: Adrian Smith 290478

Refused on 07/07/11 PLANNING COMMITTEE

1) UNI

Policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan require proposals for new buildings to demonstrate a high standard of design that emphasises and enhances the positive qualities of the local neighbourhood by taking into account the local characteristics, including the height, scale, bulk and design of existing buildings. Policy HE3 seeks to protect the setting of Listed Buildings from inappropriate or poorly designed development. The proposed dwelling, by virtue of its scale, design and close proximity to the listed building, represents an inappropriate and poor standard of development that fails to reflect the general character of the area and the setting of the Grade II Listed Building, contrary to the above policies.

2) UNI2

Policies TR1 and TR7 of the Brighton & Hove Local Plan require all new development to provide for the travel demand it creates without increasing the danger to users of pavements, cycle routes and roads. The proposed development, by virtue of the lack of designated parking provision, fails to adequately demonstrate that it can cater for the traffic demand it would create without detriment to existing limited parking provision in the area, and public highway and pedestrian safety, contrary to the above policies.

3) UNI3

Policy SU2 of the Brighton & Hove Local Plan, including SPD08 'Sustainable Building Design', requires new residential development on land not previously developed to achieve Level 5 of the Code for Sustainable Homes. The applicant has failed to adequately demonstrate that measures of sustainability have been considered or incorporated into the design of the dwelling, and has failed to demonstrate that Level 5 of the Code for Sustainable Homes can reasonably be achieved without significant alterations to the design and appearance of the dwelling. The proposal is therefore contrary to policy SU2 of the Brighton & Hove Local Plan, and Supplementary Planning Document 08 'Sustainable Building Design'.

BH2011/01453

184 Old Shoreham Road Portslade

Application for approval of details reserved by condition 1 of application BH2010/03981

Applicant: Mr James Timpson

Officer: Charlotte Hughes 292321

Approved on 13/07/11 DELEGATED

HOVE PARK

BH2011/00004

2 Bishops Road Hove

Erection of a part two storey part single storey rear extension incorporating the removal of a dormer and the creation of an additional gable end to rear elevation. Erection of a rear extension at first floor level over existing ground floor. New dormer to front elevation with associated external alterations.

Applicant: Mr Philip Drake

Officer: Christopher Wright 292097

Refused on 15/07/11 DELEGATED

1) UNI

The proposed rear extensions would, by reason of their form, design and detailing, detract from the character of the host dwelling to the detriment of visual amenity and contrary to the aims of policy QD14 of the Brighton and Hove Local Plan.

BH2011/00931

44 Tongdean Avenue Hove

Erection of a two storey pitched roof front extension, ground and first floor extensions on North-West elevation including extending main roof, pitched roof garage and two storey extension to South East elevation, rooflights to rear and side elevations, balustrading at rear and replacement windows. (amended scheme)

Applicant: Mr & Mrs Prince

Officer: Wayne Nee 292132

Approved on 08/07/11 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 the proposals have been submitted to and approved by the local planning authority in writing, comprising

of:

- i) a sample of the wall render and finish. The render shall have no expansion joints, external beads, stops or bell drips;
- ii) sample of the roof slates tiles;
- iii) 1:20 scale sample elevations, 1:1 scale joinery details, and details of the finishes of the windows and doors hereby approved; and the works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted; to ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 106-E001, E002A, E003A, E004, SK001C, SK005, SK006, SK007A and SK008E received on 29 March 2011, and drawing nos. 106-SK009 and SK010 received on 07 April 2011, and drawing nos. 106-SK002H, SK003G and SK004G received on 13 May 2011.

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

BH2011/01115

1 Meadow Close Hove

Erection of two storey side extension.

Applicant: Mrs P Holley

Officer: Mark Thomas 292336

Approved on 08/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 13/789 rev 1.4 received on 8th June 2011.

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

BH2011/01229

19 Bishops Road Hove

Application for Approval of Details Reserved by Conditions 4 and 6 of application BH2005/02386/FP.

Applicant: Tasker Construction

Officer: Paul Earp 292193

Approved on 11/07/11 DELEGATED

BH2011/01333

49 Mill Drive Hove

Erection of single storey side and rear extensions.

Applicant: Mr Graham House

Officer: Charlotte Hughes 292321

Approved on 04/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.477/01/A received on 20th June 2011 and 477.02 received on 9th May 2011.

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

BH2011/01334

30 Nevill Avenue Hove

Certificate of Lawfulness for proposed single storey rear extension to replace existing conservatory.

Applicant: Mark Waters

Officer: Wayne Nee 292132

Approved on 04/07/11 DELEGATED

BH2011/01417

14 Tongdean Avenue Hove

Replacement of rear conservatory with erection of single storey rear extension. Removal of part of first floor rear balcony and replacement of balustrade of remaining portion of balcony with stainless steel wire & supports. Raising of a portion of the rear terrace by 0.6 metres.

Applicant: Mr David Gann

Officer: Charlotte Hughes 292321

Approved on 07/07/11 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 constructed using the materials specified in the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and 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 no.2009-12/52 and 2009-12/53 received on 13th May 2011.

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

BH2011/01445

17 Rigden Road Hove

Erection of part single storey part two storey pitched roof rear extensions incorporating demolition of existing garage.

Applicant: Mr & Mrs M Charles

Officer: Adrian Smith 290478

Approved on 14/07/11 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 drawing nos. Loc1, 02 & 03 received on the 18th May 2011.

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

BH2011/01446

17 Rigden Road Hove

Erection of two storey pitched roof rear extension incorporating demolition of existing garage.

Applicant: Mr & Mrs M Charles

Officer: Adrian Smith 290478

Refused on 14/07/11 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended and adjoining properties. The proposed two storey rear extension, by virtue of its excessive width projecting beyond the main side elevation to the building, represents a poorly scaled and incongruous addition to the building that would relate poorly to the host building and add excessive bulk to the rear of the property. It would therefore be harmful to the appearance of the property and the wider street scene, contrary to the above policy.

BH2011/01454

9 Tongdean Road Hove

Remodelling of existing house including the erection of a single storey rear extension, alterations to fenestration, removal of front gable, alterations to remaining front gable end and associated works.

Applicant: Mr Tim Thrower

Officer: Clare Simpson 292454

Approved on 18/07/11 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of

three years from the date of this permission.

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

2) BH12.02

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

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

3) UNI

Prior to development commencing on the front Portico, full details of the structure, including 1:20 elevations and sections shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: As insufficient details have been submitted and to ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

4) UNI

Prior to development on the replacement windows and doors, full details of the windows and including 1:20 sections and elevations and the dimensions of the window meeting rails/glazing bars shall be submitted to and approved by the Local Planning Authority in writing. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: As insufficient details have been submitted and to ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.TR9PRO/ 01 received on the 23rd May 2011, TR9PRO/02, received on the 20th May 2011, TR9PRO/03, 05, 06, received on the 16th May 2011, TR9PRO/ 10 received on the 15th June 2011, and TRPRO/07 and 08 received 8th July 2011

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

BH2011/01484

48 Nevill Road Hove

Certificate of Lawfulness for a proposed loft conversion incorporating hip to gable roof alterations, front rooflights, rear dormer and fixed glazed obscure glass flank window.

Applicant: Mr Paul Jaconelli

Officer: Charlotte Hughes 292321

Refused on 15/07/11 DELEGATED

1) UNI

The development is not permitted development under Schedule 2, Part 1, Class B of the Town & Country Planning (General Permitted Development) Order 1995, as amended, as the roof alterations would increase the cubic content of the dwellinghouse by more than 50 cubic metres.

2) UNI2

The development is not permitted under Schedule 2, Part 1, Class C of the Town & Country Planning (General Permitted Development) Order 1995, as amended, as the drawings fail to demonstrate that the roof lights would not protrude more than 150mm beyond the plane of the slope of the original roof.

BH2011/01518

1A Frith Road Hove

Loft conversion incorporating rooflights to front and rear elevations.

Applicant: Mr Mark Jackson

Officer: Adrian Smith 290478

Approved on 13/07/11 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 site plan, block plan and 1 no. approved drawing received on the 26th May 2011.

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

BH2011/01522

11 Edward Avenue Hove

Erection of single storey extension with pitched roof to front elevation and a single storey rear extension with alterations to fenestration.

Applicant: Mr Kwai Kun Wong

Officer: Christopher Wright 292097

Approved on 18/07/11 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 window on the north flank wall of the proposed front extension (bathroom) 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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed on the extensions hereby permitted without planning permission obtained from the Local Planning Authority.

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

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. ED-02 received on 30 May 2011; 003 received on 31 May 2011; and ED-01/1, ED-05/1 and ED-06 received on 28 June 2011.

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

WESTBOURNE

BH2009/02010

11 Pembroke Avenue Hove

Conversion of house to 5no. self-contained flats, to include extension at rear.

Applicant: South East Properties Ltd

Officer: Paul Earp 292193

Finally Disposed of on 11/07/11 DELEGATED

BH2011/01289

32 Shelley Road Hove

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

Applicant: Linear Properties Ltd

Officer: Charlotte Hughes 292321

Approved on 07/07/11 DELEGATED

BH2011/01294

129 Westbourne Street Hove

Demolition of existing out building and erection of a single storey rear extension.

Applicant: Mrs Victoria Cooper

Officer: Adrian Smith 290478

Approved on 05/07/11 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 site plan received on the 10th May 2011 and approved drawing no. 411(PL)1 received on the 5th May 2011.

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

BH2011/01429

Shelters adjoining Babylon Lounge Gardens Kingsway Hove

Demolition of shelters to South West of Babylon Lounge. (Part retrospective)

Applicant: Brighton & Hove City Council

Officer: Paul Earp 292193

Approved on 19/07/11 DELEGATED

BH2011/01435

149-151 Kingsway Hove

Loft conversion to both properties incorporating 2no dormers to side roofslopes, 1no dormer to front roofslope, 2no rooflights to the rear roofslope and 2no rooflights to the front roofslope. External alterations to include demolition of existing entrance lobby and erection of new entrance canopy, erection of tiled projection extensions at first floor to each flank elevation, removal of garage door and installation of new bow window and infilling of doors to flank elevations.

Applicant: Ms N Mutana

Officer: Clare Simpson 292454

Approved on 12/07/11 DELEGATED

1) BH01.01

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

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

2) BH12.02

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

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

3) BH12.05A

The rooflight[*s*] hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

4) UNI

Prior to works commencing on the replacement bow window at ground floor level, 1:20 sections and elevations of the proposed windows shall be submitted to and approved the Local Planning Authority in writing. The window shall be installed in accordance with the approved details and retained as such thereafter.

Reason: As insufficient details have been submitted and to ensure a satisfactory finish to the building in accordance with policies QD14 and HE6 of the Brighton and Hove Local Plan.

5) UNI

The proposed first floor projections shall be tile hung to match the existing finishes and retained as such thereafter.

Reason: To ensure a satisfactory finish to the building in accordance with policies QD14 and HE6 of the Brighton and Hove Local Plan.

6) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.RFA/11/197/ 02B and 03A received on the 20th June 2011.

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

WISH

BH2011/01245

29 Welbeck Avenue Hove

Demolition of part of existing property and erection of 4no bedroom detached house with associated parking for 2 vehicles.

Applicant: Mr & Mrs Kamtarin

Officer: Paul Earp 292193

Approved on 11/07/11 DELEGATED

1) BH01.01

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

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

2) BH02.07

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully

implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) BH03.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4) BH05.01B

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

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

5) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority.

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

6) BH06.02

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

7) UNI

No development shall take place until details of the solar thermal panels have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the building 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.

8) UNI

No development shall take place until details of the proposed boundary fence or wall between the existing and proposed dwelling have been submitted to and approved by the Local planning Authority. The fence or wall shall thereafter be maintained as approved.

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

9) UNI

The property shall not be occupied until the car parking area is made available for use and retained for parking use thereafter.

Reason: In order to provide a satisfactory level of parking to comply with policy TR1 of the Brighton & Hove Local Plan.

10) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 1104512 / 1-14 received 28 April 2011 and 1104512 / 26-27 received 16 May 2011.

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

BH2011/01335

310 Portland Road Hove

Change of Use from retail (A1) to café/restaurant (A3).

Applicant: Mr Antones A Siluvairajah

Officer: Charlotte Hughes 292321

Approved on 13/07/11 DELEGATED

1) BH01.01

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

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

2) UNI

No alcohol is to be sold or supplied except to persons seated and consuming food prepared and purchased on the premises as a result of waiter/ess service.

Reason: In the interest of public order and crime prevention and to protect neighbouring amenity in accordance with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

The use hereby permitted shall not be open to customers except between the hours of 07.00 and 23.00 on Mondays to Saturdays and 07.00 and 22.30 on Sundays, Bank or Public Holidays.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no's AD02 and AD03 received on 18th May 2011.

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

5) UNI

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

BH2011/01388

22 Glastonbury Road Hove

Erection of single storey side and rear extension.

Applicant: Mr & Mrs Vinall

Officer: Wayne Nee 292132

Approved on 07/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 778.01, 02, 03, 04 and 05 received on 13 May 2011.

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

BH2011/01486

30 Ruskin Road Hove

Certificate of Lawfulness for proposed loft conversion incorporating rooflight to front and rear dormers, and single storey rear extension.

Applicant: Mr Paul Jaconelli

Officer: Mark Thomas 292336

Split Decision on 18/07/11 DELEGATED

1) UNI

The proposed single storey rear extension and front rooflights are permitted under Schedule 2, Part 1, Classes A & C of the Town & Country Planning (General Permitted Development) Order 1995, as amended.

Informatives:

1. This decision is based on drawing no. 849/02 received on 23rd May 2011.
2. The applicant is advised that in order for the proposed scheme to represent permitted development the following condition and criteria, set out in the 2008 amendment to the General Permitted Development Order, must be complied with:

Development is permitted by Class A subject to the following condition-

- The materials used in any exterior work shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

Development is permitted by Class C subject to the following criteria-

- The rooflights would not protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.

1) UNI

The proposed fire break wall adjoining the rear dormer is not permitted under

schedule 2, Part 1, Class B of the Town & Country Planning (General Permitted Development) Order 1995, as amended, in that the submitted sectional drawing shows the wall being higher than the ridge height of the main house contrary to criterion B.1 (a) and would not be set back 20 centimetres from the eaves of the original roof contrary to condition B.2 (b).

Informatives:

1. This decision is based on drawing no. 849/02 received on 23rd May 2011.

BH2011/01502

6 Glendor Road Hove

Certificate of Lawfulness for a proposed loft conversion incorporating hip to gable roof extension, rear dormer and 3no rooflights to front elevation.

Applicant: Stuart Blacklaw-Taylor

Officer: Mark Thomas 292336

Approved on 18/07/11 DELEGATED

BH2011/01503

3A Portland Avenue Hove

Loft conversion incorporating front and rear rooflights and installation of sun pipe to front elevation.

Applicant: Mr John Nicklin

Officer: Steven Lewis 290480

Approved on 13/07/11 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The rooflights in the approved development shall not protrude more than 150mm beyond the plane of the roof slope of the original roof when measured from the perpendicular with the external surface of the original roof, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 & QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 1 (Roof Extensions and Alterations).

4) UNI

The development hereby permitted shall be carried out in accordance with the approved unnamed drawings no. 007/2011p received on 23/05/2011.

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