





Brighton & Hove
City Council

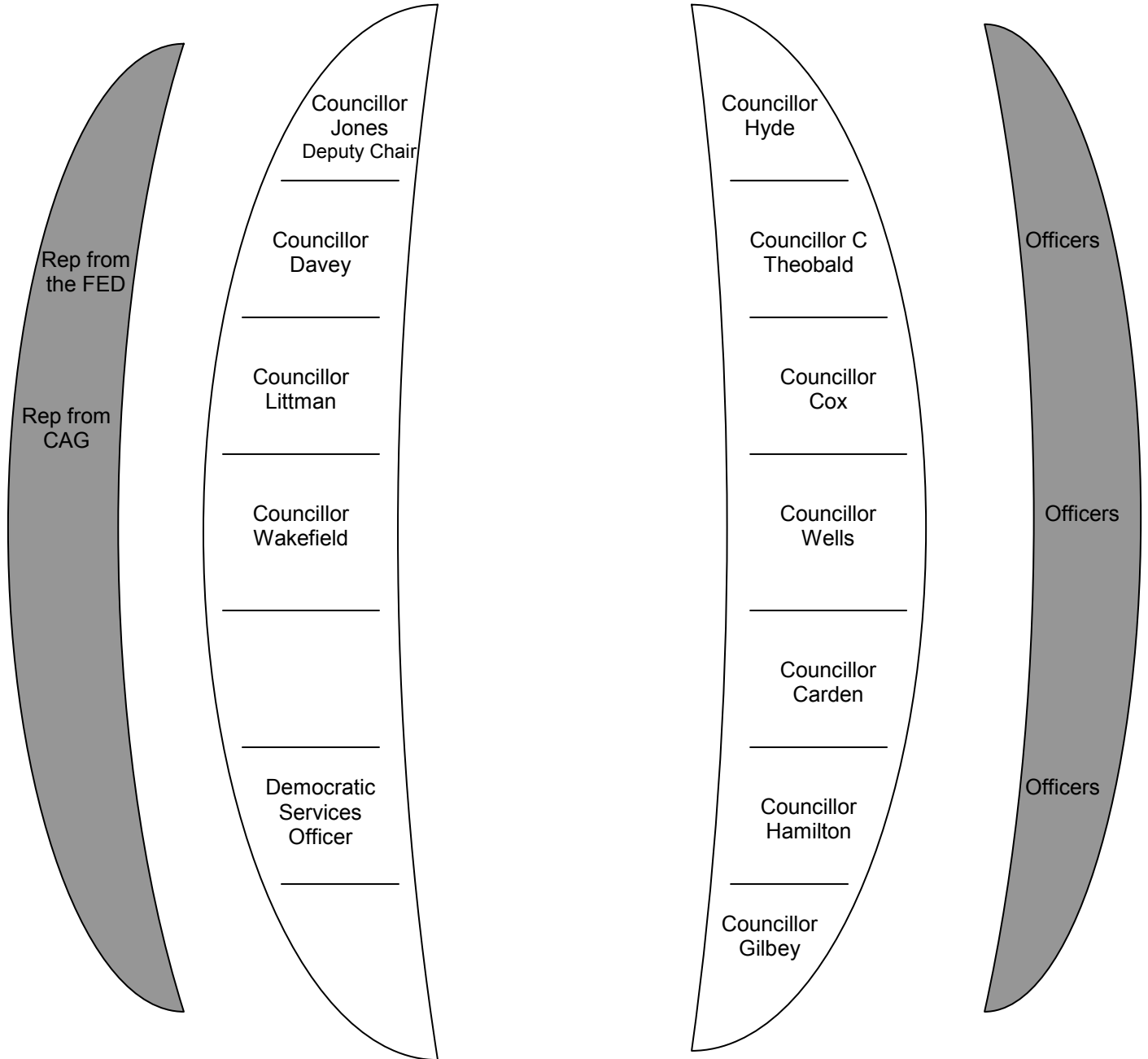
Planning Committee

Title:	Planning Committee
Date:	7 August 2013
Time:	2.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Gilbey, Hamilton, Littman, C Theobald, Wells and Wakefield Co-opted Members: Jim Gowans (Conservation Advisory Group) and Chris Kift (The FED Centre for Independent Living)
Contact:	Ross Keatley Democratic Services Officer 01273 291064 ross.keatley@brighton-hove.gov.uk

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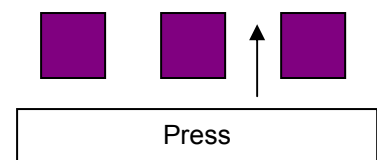
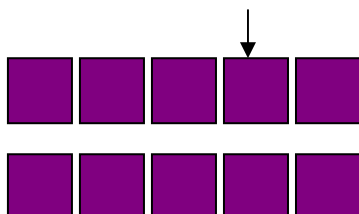
Democratic Services: Planning Committee

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



AGENDA

38. PROCEDURAL BUSINESS

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

(b) Declarations of Interest or Lobbying

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

In each case, you need to declare

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

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

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

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

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

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

39. MINUTES OF THE PREVIOUS MEETING

1 - 16

Minutes of the meeting held on 17 July 2013 (copy attached).

PLANNING COMMITTEE

40. CHAIR'S COMMUNICATIONS

41. PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 31 July 2013.

42. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

43. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

MAJOR APPLICATIONS

A. BH2013/02219 - Veolia Environmental Services South Down Ltd, Hollingdean Lane, Brighton - Removal or Variation of Condition 17 - 36

Application for variation of conditions 3 and 4 (relate to opening hours), 5 and 6 (relate to HGV movements) and removal of condition 21 of application BH2011/03179 (Original application number BH2006/00900) to allow operational changes to the Materials Recovery Facility (MRF) and Waste Transfer Station (WTS), including 0700 - 2200 opening of the MRF and WTS Monday to Sunday including Bank Holidays and 0630 - 2200 for HGV movements Monday to Sunday including Bank Holidays.

RECOMMENDATION – GRANT

Ward Affected: Hollingdean & Stanmer

MINOR APPLICATIONS

B. BH2013/00370 - 17 Hill Drive, Hove - Full Planning Permission 37 - 48

Demolition of existing dwelling and erection of a new 3 bed house.

RECOMMENDATION – REFUSE

Ward Affected: Hove Park

C. BH2013/01447 - Essex Place, Montague Street, Brighton - Full Planning Permission 49 - 58

Removal of brick balconies and enclosure with UPVC double glazed windows. Replacement of existing windows with UPVC double glazed windows to North and East elevations. Installation of insulated render cladding, new rising gas mains pipe work and associated external alterations.

PLANNING COMMITTEE

RECOMMENDATION – GRANT

Ward Affected: Queen's Park

- D. BH2013/01655 - 15 Lenham Avenue Saltdean, Brighton - 59 - 66
Removal or Variation of Condition**

Application for variation of condition 3 of application BH2012/00752 (Demolition of existing dwelling and erection of 2no detached dwellings.) to state that no extension, enlargement or other alteration of the dwelling houses excluding works covered by Class B of the Town and Country Planning (General Permitted Development) Order 1995, shall be carried out without planning permission obtained from the Local Planning Authority.

RECOMMENDATION – REFUSE

Ward Affected: Rottingdean Coastal

- E. BH2013/01112 - Land Rear of 37 & 38 Cromwell Road, Hove 67 - 78
- Full Planning Permission**

Erection of two storey three bedroom eco house with associated improvements.

RECOMMENDATION – REFUSE

Ward Affected: Goldsmid

- F. BH2013/01296 - Land to Rear of 141 Stanmer Park Road, Brighton - Full Planning Permission 79 - 96**

Erection of 1no two bedroom detached dwelling.

RECOMMENDATION – GRANT

Ward Affected: Hollingdean & Stanmer

- G. BH2013/01893 - 58 Dean Court Road, Rottingdean, Brighton 97 - 104
- Householder Planning Permission**

Erection of two storey side and rear extension with a loft conversion incorporating roof extensions, rooflights and associated external alterations.

RECOMMENDATION – REFUSE

Ward Affected: Rottingdean Coastal

PLANNING COMMITTEE

- H. BH2013/00491 - Westview, Cornwall Gardens, Brighton - Householder Planning Permission** **105 - 116**

Extensions and alterations to the existing chalet bungalow to form a two storey house.

RECOMMENDATION – GRANT

Ward Affected: Withdean

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

INFORMATION ITEMS

- 45. APPEAL DECISIONS** **117 - 164**
(copy attached).
- 46. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE** **165 - 168**
(copy attached).
- 47. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES** **169 - 170**
(copy attached).
- 48. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS** **171 - 176**
(copy attached).
- 49. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS)** **177 - 278**
(copy attached)

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

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

PLANNING COMMITTEE

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

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

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

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

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

For further details and general enquiries about this meeting contact Ross Keatley, (01273 291064, email ross.keatley@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Tuesday, 30 July 2013

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 17 JULY 2013

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Gilbey, Hamilton, Littman, Randall, Shanks, C Theobald and Wells

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

Officers in attendance: Jeanette Walsh (Head of Development Control), Aidan Thatcher (Enforcement & Investigations Planning Manager) Nicola Hurley (Area Planning Manager), Maria Seale (Major Projects Officer), Kathryn Boggiano (Senior Planning Officer), Jonathan Puplett (Senior Planning Officer), Steven Shaw (Principal Transport Planning Officer), Hilary Woodward (Senior Solicitor) and Ross Keatley (Democratic Services Officer).

PART ONE

25. PROCEDURAL BUSINESS

25a Declarations of substitutes

25.1 Councillor Shanks was present in substitution for Councillor Wakefield, and Councillor Randall was present in substitution for Councillor Davey.

25b Declarations of interests

25.2 There were none.

25c Exclusion of the press and public

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

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

26. MINUTES OF THE PREVIOUS MEETING

26.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 26 June 2013 as a correct record.

27. CHAIR'S COMMUNICATIONS

27.1 The Chair reminded Members of the training session for all Planning Committee Members and substitutes taking place on Tuesday 23 July.

28. PUBLIC QUESTIONS

28.1 There were none.

29. PLANNING ENFORCEMENT YEARLY REPORT APRIL 2012-MARCH 2013

29.1 The Committee considered a report of the Executive Director of Environment, Development and Housing in relation to the Planning Enforcement Yearly Report (April 2012 – March 2013); the report formed the annual monitoring report to be presented to the Planning Committee.

29.2 Councillor Mac Cafferty noted the importance of this work and thanked the Enforcement Team on behalf of the Committee.

29.3 Councillor Carol Theobald stated that the examples shown during the presentation were very good.

29.4 At the request of Mr Gowans it was agreed by Officers that they would consider ways to remind all residents who lived in conservation areas of the obligations and restrictions involved in living in a such property, and the possibility of this information being sent at the same time as annual Council Tax bills.

29.5 **RESOLVED** – That the Committee note the report.

30. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

30.1 There were none.

31. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

Major Applications

A. BH2012/03872 - Brighton Station, Queen's Road, Brighton - Planning Permission
- Erection of three storey building to provide cycle storage, ancillary shower/changing facilities, cycle shop, café, cycle repair outlet and cycle hire.

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Case Officer (Maria Seale) introduced the application and gave a presentation by reference to photographs, plans and elevational and sectional drawings; reference was also made to matters on the Late List. The development site consisted of a three storey cycle hub, and the associated outside space; the site was next to Site J of the New England Quarter which was currently under construction. The building would appear as two storeys from the concourse level at the station, and the lower storey would only be visible from the rear. The building would contain a cycle hub with: secure storage for 500 bikes; a bike shop and café, and shower and changing facilities, and there would be turnstile 'key' access the cycle storage. A further 170 cycle spaces would be retained elsewhere on site, and there would be an overall net increase of approximately 420 spaces on the station site as a whole. The development was a non-profit scheme from the Department for Transport together with Southern Rail and Network Rail, and funding would be drawn from the wider Brighton Station Gateway project. The building would be of modern appearance and use design and rhythm from the listed station to the rear; however, the building would be largely hidden on most aspects by the new Block J and other existing office buildings behind it. The application also made provision for a series of landscaping improvements on the site; in particular a piece of land between the site and Site J, and the final layout of the landscaping would be secured through condition. The application was considered to be an innovative and exciting community facility that would complement both the listed buildings and more modern buildings surrounding it, and would be a welcome additional to the Station. For the reasons set out in the report the application was recommended for approval.

Questions for Officers

- (3) Councillor Cox asked how the bikes would be loaded on the racks given that they were likely to be installed as one rack on top of another. In response the Principal Transport Officer (Steven Shaw) explained that they were looking at using gas assisted mechanisms, and the full level of detail would be secured through condition. Following a further query from Councillor Cox the Case Officer explained that local businesses and residents had been consulted as a direct result of the application; as well as consultation as part of the wider Brighton Station Gateway project.
- (4) In response to Councillor Randall it was explained that the building would be overshadowed by those around it, and it might not be suitable for the installation of photovoltaic panels; furthermore due to the tight budgetary constraints of the project it had been considered important to use funds to achieve the right landscaping solution at the site.
- (5) Councillor Carol Theobald asked for more information in relation to the security of the bikes. In response the Case Officer explained that access to the storage would be by key, and there were wider security measures on the station site as whole including: CCTV; security lighting and a general security presence on the site.

- (6) In response to Councillor Gilbey it was explained that the cycle storage was on the ground floor and could be accessed directly from the street level. There was a lift which would carry one person and a bike to use the bike repair shop facility on the first floor.
- (7) Councillor Hyde asked if the building would have been an appropriate location for a green roof, and in response it was explained that Officers had raised this with the applicant, but it had not been possible due to the budgetary constraints; however, there would be biodiversity on the site through the landscaping.

Debate and Decision Making Process

- (8) Councillor Carol Theobald stated that this was a very good facility, and would make the whole site look much tidier.
- (9) Councillor Wells stated that it was a great idea, and would give commuters who cycled to the station more peace of mind for the security of their bikes.
- (10) Councillor Hyde stated that the application would open up the area much more to allow cyclists who lived further away to store their bikes on the site.
- (11) Councillor Jones welcomed the design and the development generally, but he noted that he felt the lack of a green roof was a missed opportunity.
- (12) Councillor Littman stated that this kind of form was appropriate in this location, and would help to link the whole site together more. He asked if there could be a facility to provide charging points for electrical bikes on site, and the Committee agreed it would add an additional condition to this extent.
- (13) Councillor Cox noted that the number of cycle spaces was still lower when compared with other stations nationally.
- (14) A vote was taken and planning permission was unanimously granted.

31.1 **RESOLVED** – That the Committee had taken into the consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report, and the additional condition set out below:

- i. (Condition 6) The internal layout of the building including the internal staircase and lift link to all three floors, as shown on the approved drawings (except for the ground floor cycle storage area), shall be implemented before the development hereby permitted is first brought into use. Details of the ground floor cycle storage layout shall be submitted to and approved in writing by the Local Planning Authority and shall include provision for access to charging points and space to serve electrical bicycles. The approved ground floor layout shall be implemented before the building is first brought into use and the cycle parking facilities shall thereafter be retained for use by visitors to the development at all times.

Reason: The provision of the internal staircase and lift links all three floors will help ensure the building relates successfully to its surroundings and the public open space to the north and for accessibility reasons, and to ensure the cycle storage layout incorporates sufficient aisle width to ensure the stands are usable, and to encourage travel by means other than private motor vehicles, to comply with policies QD1, QD2, QD3, QD15, EM13, TR1 and TR14 of the Brighton and Hove Local Plan and to meet the objectives of the Brighton Station Gateway project.

- ii. (Condition 15) The development hereby permitted shall not be first brought into use until a Building Research Establishment issued Post Construction Review Certificate confirming that the development has achieved a BREEAM rating of 'Good' has been submitted to and approved in writing by the Local Planning Authority.

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

B. BH2013/01242 - Brighton Racecourse, Race Hill, Brighton - Full Planning Permission - Permanent 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.

- (1) The Case Officer (Kathryn Boggiano) introduced the application and gave a presentation by reference to plans, photographs and elevational drawings, and reference was made to matters on the Late List. The application proposed the permanent retention of the park and ride site for 700 cars for use up to 50 times each year. The site related to three parcels of land; most of the parking was grassland with some gravel tracks and tarmac circulation space. Spectator cars would access the site from Freshfield Road via the Woodingdean traffic lights; however, once the improvements to the Lewes Road were completed buses would use that route instead. The Committee had approved the previous scheme two years ago for temporary two year consent to give time for further monitoring of the impact on traffic and parking. There was a need for 1300 park and ride spaces in the city, and last year approximately 14% of spectators travelled by park and ride; however, it was highlighted that the Committee had granted an application in 2012 to increase the capacity of the stadium, and subject to the outcome of another application to amend the phasing condition of that permission the club hoped to be able to use the full capacity. Furthermore the new controlled parking zone (CPZ) to be introduced in Coldean was likely to create displacement parking leading to an increased use of the park and ride facility; the facility was also an important part of the travel plan for the stadium as a whole. The amenity impacts were considered to be acceptable; there had been no complaints in relation to the operation of the racecourse site, and there were no adverse environmental concerns. For the reasons set out in the report the application was recommended for approval.

Questions for Officers, Debate and Decision Making Process

- (2) It was confirmed for Councillor Carol Theobald that there was a condition which sought a schedule of events to ensure there were no clashes between the stadium and the racecourse uses.

- (3) A vote was taken and planning permission was unanimously granted.
- 31.2 **RESOLVED** – That the Committee had taken into consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

C. BH2013/01110 - Wholesale Market, Circus Street, Brighton - Full Planning Permission - Change of use for temporary period of two years from wholesale market (sui generis) to mixed use scheme consisting of community garden (D2), arts and cultural activities (D1) and business enterprise pods (B1) for local start up firms, incorporating removal of part of roof structure to allow for provision of community garden.

- (1) It was noted that this application formed the subject of a site visit prior to the meeting.
- (2) The Case Officer (Kathryn Boggiano) introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The site related to the former wholesale fruit and vegetable market that had been vacant for 7 years, the site was also a strategic site in the emerging City Plan. The Milner flats were located to the rear at a much higher level due to the gradient of the land, and the rear windows of the flats overlooked the roof of the site. The application included a screened community garden; B1 use start-up units – for use no more than 85 days a year, and urban water into the site. Over the community garden there would be a section of open roof requiring the removal of existing roof panels. There had been no objections from technical consultees, and most of the objections related to noise and disturbance; however, there had already been two previous approvals for similar uses and therefore the principle was deemed acceptable, and it was noted that the application for only for a two year consent. Due to the close proximity of the Milner flats there were a number of recommended conditions to control noise; in particular any amplified music would need to have an accompanying management scheme. Subject to these conditions Officers were satisfied that the impact was acceptable and could be properly controlled. The transport impact was acceptable, and it was felt the community use was beneficial without prejudicing the long term aspiration of the wider site. For the reasons set out in the report the application was recommended for approval.

Questions for Officers, Debate and Decision Making Process

- (3) It was confirmed for Councillor Randall that Officers had taken the views of Environmental Protection on board and granted the hours of use in line with their recommendations.
- (4) A vote was taken and planning permission was unanimously granted.
- 31.3 **RESOLVED** – That the Committee had taken into consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

D. BH2013/01318 - 154-155 Edward Street, Brighton - Full Planning Permission - Change of use from offices (B1) to education (D1).

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Case Officer (Jonathan Puplett) introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The application site related to a four storey office building adjoining a conservation area, and backing onto residential properties. Permission was sought to change the accommodation from office use to education use, and there would be no internal or external alterations. The building was a block design and the upper three storeys were 'L' shaped, and there was an undercroft at street level used for parking; as well as an existing basement car park. There was also a large flat roof at first floor level over the ground floor, and the site was adjoined by Cavendish House to the south where permission had been granted at appeal to change the use from office to education for use by Brighton University. The loss of the office space would normally need associated proof to demonstrate that the space was redundant; however, weight was given to the applicant, and their wider strategic aims as this application would allow the University of Brighton to vacate a number of smaller sites in the city which could be used as office space. The Council also acknowledged the major role of the universities within the city, and sought to aid them in reaching their objectives. It was therefore considered appropriate to restrict the educational use to the University of Brighton only. There were a number of conditions seeking to restrict opening hours, and protect the amenity of neighbours; as well as a management plan for the arrival, departure and congregation of students. It was noted that the University objected to the opening hours, and the restriction of the use of the outside space, but it was felt these conditions were necessary to protect the amenity of neighbours. Further details were also sought through condition of the disabled and cycle parking; a travel plan; details of sustainability and the provision of 20% local labour during the refurbishment. For the reasons set out in the report it was recommended that the Committee be minded to grant the application.

Questions for Officers, Debate and Decision Making Process

- (3) It was confirmed for Councillor Carol Theobald that the requirement in such size schemes was 20% local labour; however, developers would often seek to go above this. It was proposed that changes to this threshold could be considered by the Planning Working Group.
- (4) Councillor Randall asked for further information on how the use of local labour was monitored, and it was explained that in-depth monitoring was undertaken by Officers in the Economic Development Team and through s106 agreements.
- (5) Councillor Shanks raised concern in relation to the congregation of students outside the building, and in response Officers explained that these details would be outlined in the management plan; if the Council then had concerns about the operation of the site then it would have proper framework to discuss these with the University.

- (6) It was confirmed for Councillor Gilbey that it was not the intention of the University to 'knock through' into Cavendish House, and it was considered the opening time of 08.00 hours was appropriate on this site given the larger size compared with Cavendish House.
- (7) A vote was taken and planning permission was unanimously granted.

31.4 **RESOLVED** – That the Committee had taken into consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the polices and guidance in section 7 of the report and resolves to be **MINDED TO GRANT** planning permission subject to the completion of a s106 planning legal agreement and the Conditions and Informatives set out in section 11 of the report.

Minor Applications

E. BH2012/03335 - Dorothy Stringer School, Loder Road, Brighton - Full Planning Permission - Erection of single storey modular classroom.

- (1) A vote was taken and planning permission was unanimously agreed.

31.5 **RESOLVED** – That the Committee had taken into consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the polices and guidance in section 7 of the report and resolves to be to **GRANT** planning permission subject to no objection from Sport England and the Conditions and Informatives set out in section 11 of the report.

F. BH2013/01223 - The Mill House Public House, 131 Mill Lane, Portslade - Full Planning Permission - Erection of single storey rear extension with associated external alterations.

- (1) The Area Planning Manager (Nicola Hurley) introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. It was explained that two previous applications had been refused under delegated powers, and both dismissed at appeal, for schemes to create rear extensions for reasons relating to design and bulk. This revised scheme had reduced in terms of its footprint, and had a pitched roof with a flat roof on the link parts to the existing building. For the reasons set out in the report the application was recommendation for approval.

Questions for Officers, Debate and Decision Making Process

- (2) Councillor Hamilton explained that some residents believed that the application was to allow the pub to become a convenience store, and it was clarified by Officers that the premises would be able to operate as an A1 retail unit without the need for planning permission.
- (3) Councillor Gilbey asked if the parade of shops would be protected if the premises were to change to a convenience store; in response it was explained that this would not be given consideration as the change was permitted without planning permission.

- (4) Councillor Hamilton noted he was pleased to see that the design was in-keeping with the parent building.
- (5) A vote was taken a planning permission was granted on a vote 9 in favour with 3 abstentions.

31.6 **RESOLVED** – That the Committee had taken into consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

G. BH2013/01447 - Essex Place, Montague Street, Brighton - Full Planning Permission - Removal of brick balconies and enclosure with UPVC double glazed windows. Replacement of existing windows with UPVC double glazed windows to North and East elevations. Installation of insulated render cladding, new rising gas mains pipe work and associated external alterations.

- (1) The Area Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The application related to a 16 storey tower block, and 5 letters of objection had been received from leaseholders of flats. It was considered that the proposed changes would not harm the appearance or character of the building, but would lead to the loss of the small area of amenity space by enclosing it. This loss was considered acceptable, and an additional condition had been included to ensure all changes were implemented to keep the building appearance uniform. For the reasons set out in the report the application was recommended for approval.

Questions for Officers

- (2) Councillor Carol Theobald asked if the residents had been surveyed for their views on the proposals, and in response Officers explained that this was not material planning consideration; however, from a Planning perspective it was important to achieve uniformity, and this was sought by condition.
- (3) It was confirmed for Councillor Cox that the application had been submitted to the Council a second time as the freeholder had failed to serve notice on all of the leaseholders when making the previous application.
- (4) Councillor Littman asked why the loss of amenity was considered acceptable, and in response Officers explained that it was because the spaces were very small and had limited use.

Debate and Decision Making Process

- (5) Councillor Hyde noted that she had reservations about the loss of the small amenity space, and as such she would not support the Officer recommendation.
- (6) Councillor Randall noted that the proposed changes to the balconies were not clear on the plans.

- (7) Councillor Shanks noted it would be unfortunate for residents to lose a small area of outside space. Councillor Wells echoed these comments and noted that he would not support the Officer recommendation.
 - (8) Councillor Hyde noted that it was unlikely a new build property would be granted permission without private amenity space.
 - (9) The Head of Development Control explained that there was refurbishment work being undertaken on all blocks of flats in the ownership of the Council, and as the amenity space was very small, the Case Officer had not felt it could be refused on these grounds.
 - (10) Councillor Mac Cafferty suggested that the item be deferred to allow a site visit to take place, and for further clarification to be sought on the proposed arrangements for changing the balconies
- 31.7 **RESOLVED** – That the item be deferred to allow a site visit to take place, and for further clarification to be sought on the proposed arrangements for changing the balconies.
- H. BH2013/00307 - 81 Trafalgar Street, Brighton - Full Planning Permission -**
Installation of extraction flue with roof mounted cowl. (Retrospective).
- (1) A vote was taken and planning permission was granted on a vote of 11 in favour with 1 abstention.
- 31.8 **RESOLVED** – That the Committee had taken into consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.
- I. BH2013/01470 - 41 Park Crescent, Brighton - Householder Planning Permission -**
External alterations including installation of rear dormer, replacement rooflights to front roofslope, erection of part glazed canopy to rear elevation and alterations to fenestration.
- (1) The Area Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings in relation to both application BH2013/01470 for full planning permission and application BH2013/1469 for listed building consent. The property was located on the western side of the Valley Gardens conservation area, and related to the basement flat and the maisonette above. There would be external alterations and the scheme proposed to reinstate the staircase to the basement flat to create a single family dwelling. Amendments had been sought through the lifetime of the application; including changes to the canopy at the rear. The Conservation Advisory Group (CAG) had objected to the scheme, and requested that it be considered by the Committee. Both applications were recommended for approval for the reasons set out in the reports.

Questions for Officers

- (2) It was confirmed for Councillor Littman that the rooflights would be improved, and the final details would be secured through condition.
- (3) The Area Planning Manager clarified several matters for Mr Gowans in relation to rear ground floor windows and door.

Debate and Decision Making Process

- (4) Mr Gowans highlighted that the scheme had changed since the original discussion at CAG, but their objections related to the two rooflights as they were the only ones that had been installed in the whole street.
- (5) A vote was taken and planning permission was unanimously granted.

31.9 **RESOLVED** – That the Committee had taken into consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

J. BH2013/01469 - 41 Park Crescent, Brighton - Listed Building Consent - Internal and external alterations including installation of rear dormer, replacement rooflights to front roofslope, erection of part glazed canopy to rear elevation, alterations to fenestration and reinstatement of internal stairs between ground and basement levels.

- (1) A vote was taken and listed building consent was unanimously granted.

31.10 **RESOLVED** – That the Committee had taken into consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** listed building consent subject to the Conditions and Informatives set out in section 11 of the report.

K. BH2013/00588 - 31 Old Shoreham Road, Hove - Full Planning Permission - Demolition of existing house and erection of 6no bedroom detached dwelling

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The site was located on the north side of Old Shoreham Road, and due to the rise in ground level it sat one storey above street level with access by steps from the pavement. The application sought the demolition of the existing building, and the construction of a new building of contemporary design. The proposal would also require excavation to create a lower ground floor. It was considered that the modern design was an acceptable approach to the development, but it was felt that this particular design did not enhance or relate sympathetically with the surrounding area. Although the property would be set back from the road Officers were not convinced that the property would be adequately screened by vegetation. The lower ground floor would project, and it was also felt that

this was out of keeping. It was noted that there had been an initial support from the Case Officer, but this had been before the proper consideration of all policies. For the reasons set out in the report the application was recommended for refusal.

Public Speakers and Questions

- (3) Dr Cartwright, together with the architect Mr Phillips, spoke in support of the application in her capacity as the applicant. She stated that she and her family wished to build a family home to accommodate their three generation family, and they had worked closely with the Case Officer who was initially supportive of the scheme and recommending approval. Communication then 'dried up' and they were unable to get further clarification about the Case Officer's concerns in relation to policy QD2, and additional information that had been submitted to help mitigate these concerns had not received considered in the final report to the Committee. The scheme would have more green space than the current arrangements with the existing property; the area also had a wide range of styles and sizes of properties with differing roof lines, and other examples of modern architecture. There were also letters of support for the scheme.

Questions for Officers

- (4) In response to a query from Councillor Littman the difference in height between the existing and proposed building was clarified, but it was also noted that the existing building had accommodation in a pitched roof and the proposed building was much more bulky.
- (5) It was confirmed for Councillor Carol Theobald the trees that were the subject of TPOs.
- (6) It was confirmation for Councillor Gilbey that the current distance from the front of the property to the rear of the plot was 34 metres; this would be reduced to 21 metres with the proposals.
- (7) Councillor Shanks asked for further information on the applicant's comments about the change of position of the Case Officer. In response the Head of Development Control explained that the Case Officer had given pre-application advice, and was initially encouraging of the design; a report was drafted for approval; however, further examination of policy QD2 had led to a recommendation for refusal.
- (8) Councillor Mac Cafferty highlighted some of the points made by the applicant, and asked how Officers had come to the conclusion in relation to policy QD2. In response Officers explained that the concern was not about the modern design, but related to the bulk and massing of the properties in what was an area characterised by two storey pitched roof houses.

Debate and Decision Making Process

- (9) Councillor Wells stated that he did not find the proposals overbearing and he would be voting against the Officer recommendation.
- (10) Councillor Randall noted that he was unconvinced by the reasons for refusal, and he would be voting against the Officer recommendation.

- (11) Councillor Hyde stated that she agreed with the Officer report; she was not objecting to the modern design, but agreed that the proposals did not respect Policy QD2. The site was large enough for a big property, but something in-keeping would be more suitable, and she stated she would be voting in accordance with the Officer recommendation.
- (12) Councillor Jones noted that the report was very positive given that the application was recommended for refusal. It was a very well thought out design, and a modern development could be appropriate in this area of the city. He stated he would be voting in support of the Officer recommendation.
- (13) Councillor Shanks stated that she agreed with Councillor Jones, and it was good to see innovative design; as such she would not support the Officer recommendation.
- (14) Councillor Carol Theobald noted that the property was surrounded by other houses; she thought the design 'hideous' and out of keeping with the area; she stated she would support the Officer recommendation.
- (15) Councillor Gilbey stated that she was concerned the greenery at the front of the site would not sufficiently screen the proposed property, and she believed the properties along the same side of the road were more traditional in design.
- (16) Councillor Mac Cafferty noted that he was keen on the modern design, and would not be supporting the Officer recommendation.
- (17) Before a vote was taken the Head of Development Control noted that there was no objection in principal to the development, but the reasons for refusal were linked to Policy QD2.
- (18) A vote was taken and the Officer recommendation to refuse was not carried on a vote of 6 to 3 with 3 abstentions. Councillor Jones proposed reasons for approval and these were seconded by Councillor Randall. These reasons were then read to the Committee, and it was agreed they reflected what had been put forward by Members. A recorded vote was then taken with the proposed reasons for approval and Councillors: Mac Cafferty, Jones, Cox, Shanks, Randall and Wells voted that planning permission be granted; Councillors: Hyde, Gilbey and Carol Theobald voted that planning permission be refused and Councillors: Carden, Hamilton and Littman abstained from the vote.
- 31.11 **RESOLVED** – That the Committee had taken into the consideration the Officer recommendation to refuse, but resolves to **GRANT** planning permission subject to the Head of Development Control agreeing Conditions and Informatives and for the reasons set out below:
- i. The proposed development is a reasonable building of good, well-thought out design and allows for plenty of open space. There is room for modern development in the neighbourhood, which already contains modern buildings.

L. **BH2013/01403 - Stag Inn, 33 Upper Bedford Street, Brighton - Full Planning Permission** - Demolition of existing public house (A4) and construction of a new 3 storey building comprising 9 one, two and three bedroom residential units with office space (A2) on the ground floor.

- (1) The Area Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The application proposed the demolition of the existing pub, and the creation of a three storey building with nine residential units. All the eight units on the first and second floors would have access to private amenity space, and only the unit on the ground floor would not. The loss of the pub had to be considered against policy to protect community assets, and priority was given to schemes that were mixed residential and commercial. It was also noted that in rural locations a pub could be a much greater community asset, but it was noted there were a number of pubs nearby, and this application was not considered contrary to policy as the office space would provide employment and the flats would help to meet the city's housing needs. Officers had some reservations in relation to sample materials they had received as the colours indicated on concept work looked different; however, there were conditions attached to secure the final materials. There had been some concern in respect of amenity as the proposals were greater in height and scale than the existing building, but it was felt this would be of no significant harm. The principle proposed was acceptable and the application was recommended for approval for the reason set out in the report.

Questions for Officers

- (2) It was clarified for Councillor Hyde that the balconies would be constructed of aluminium and there would be no wood on the bases.
- (3) It was confirmed for Councillor Carol Theobald that the development would be car free.
- (4) Information was provided to Councillor Randall in relation to the size of the flats. The Head of Development Control noted that the Council had no minimum sizes for private units, but the Policy team were looking at minimum standards for private units. The size of the balconies was also confirmed for Councillor Gilbey.

Debate and Decision Making Process

- (5) Councillor Carden welcomed the application; he stated it looked very good and he looked forward to seeing it completed as it would enhance the area.
- (6) Councillor Wells noted he was disappointed that the old pub would be demolished. Councillor Carol Theobald echoed these comments, and stated that it a shame there was no parking, and as such she would not be supporting the Officer recommendation.
- (7) Councillor Cox welcomed the inclusion of office space on the site; stated he liked the design and thought the location was suitable. Councillor Randall echoed these views, and noted that the pub had been vacant for some time and deteriorated in condition; he would be supporting the Officer recommendation and felt the building was reasonable.

- (8) Councillor Hyde noted she shared Officers concerns in relation to the materials; she thought the design was quite good and in particular liked the large windows.
- (9) A vote was taken and planning permission was granted on a vote of 10 in favour with 2 against.

31.12 **RESOLVED** – That the Committee has taken into the consideration and agrees with the reasons for the recommendation set out in the section 11 of the report and the polices and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

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

32.1 **RESOLVED** – That the following site visits be undertaken by the Committee prior to determination of the application:

Application:	Requested by:
BH2013/01447 - Essex Place, Montague Street, Brighton - Full Planning Permission	Councillor Mac Cafferty

33. APPEAL DECISIONS

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

34. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

35. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

36. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

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

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

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

The meeting concluded at 5.07pm

Signed

Chair

Dated this

day of

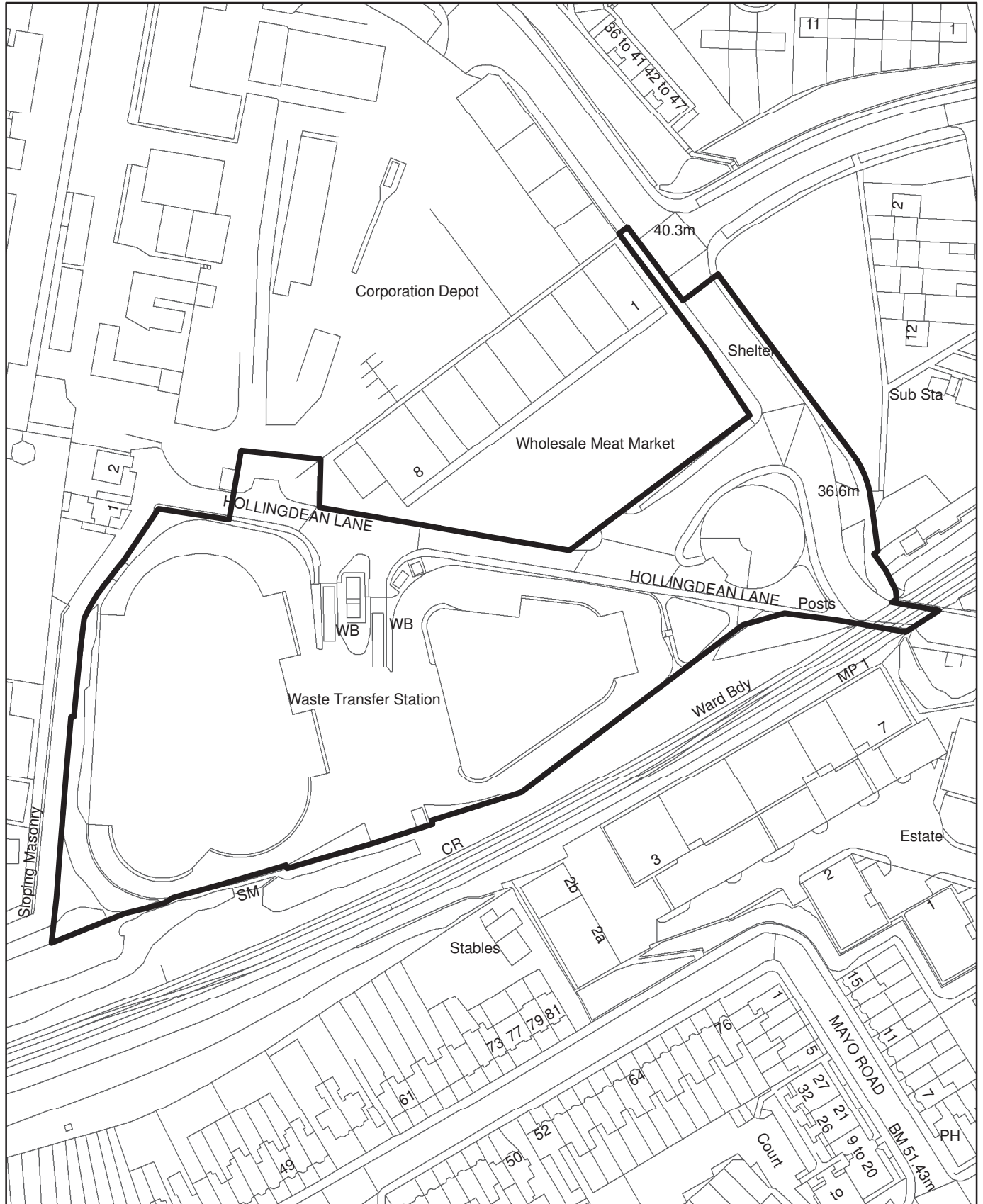
**PLANS LIST
ITEM A**

**Veolia Environmental Services South Down
Ltd, Hollingdean Lane, Brighton**

**BH2013/02219
Removal or Variation of Condition**

07 AUGUST 2013

BH2013/02219 Veolia Environmental Services, South Down Ltd, Hollingdean, Brighton



Scale: 1:1,500

No:	BH2013/02219	Ward:	HOLLINGDEAN & STANMER
App Type:	Removal or Variation of Condition		
Address:	Veolia Environmental Services South Down Ltd, Hollingdean Lane, Brighton		
Proposal:	Application for variation of conditions 3 and 4 (relate to opening hours), 5 and 6 (relate to HGV movements) and removal of condition 21 of application BH2011/03179 (Original application number BH2006/00900) to allow operational changes to the Materials Recovery Facility (MRF) and Waste Transfer Station (WTS), including 0700 - 2200 opening of the MRF and WTS Monday to Sunday including Bank Holidays and 0630 - 2200 for HGV movements Monday to Sunday including Bank Holidays.		
Officer:	Anthony Foster, tel: 294495	Valid Date:	05/07/2013
Con Area:	n/a	Expiry Date:	04 October 2013
Listed Building Grade:	n/a		
Agent:	Veolia Environmental Services, Poles Lane, Otterbourne, Winchester SO21 2EA		
Applicant:	Veolia ES (South Downs) Ltd, 210 Pentonville Road, London, N1 9JY		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 Hollingdean Waste Transfer Station (WTS) and Materials Recovery Facility (MRF) is located on the corner of Upper Hollingdean Road and Hollingdean Lane. The facility abuts the Lewes to Brighton railway line and is also adjacent to the City Clean depot. The topography of the site slopes steeply from west to east.
- 2.3 The site is overlooked by its adjoining neighbours, Downs Infants School is immediately to the North West of the site and due to the steep topography of the surrounding terrain, the school looks directly over the facility's buildings. Similarly to the south east of the site, Princes Road rises up towards to south with residential properties overlooking the site and the adjacent railway line. Although further away to the north and on the other side of Upper Hollingdean Road, residential properties on Davey Drive also partially overlook the site.
- 2.4 On the site itself there are three buildings consisting of the MRF to the west and highest part of the site, the WTS in the centre of the site and at the lowest level, the office and education facility building. Vehicular access is gained from Hollingdean Lane through a weighbridge station whereby vehicles destined for tipping manoeuvre around a central hard standing before accessing either the

MRF or the WTS. Vehicular access around the perimeter of each building has been provided for access to separate loading bays to the rear of either the WTS or the MRF.

3 RELEVANT HISTORY

BH2011/03179: Application for variation of condition 39 of application BH2006/00900 (Construction and operation of a Materials Recovery Facility, Waste Transfer Station and Visitor Centre/Office building and ancillary infrastructure including gatehouse building and weighbridge, parking and highway revisions including creation of new access off Upper Hollingdean Road) to read: The permanent public art display hereby approved shall be carried out in strict accordance with drawings no. LD1, LP1, NTS 7, RL1, Planning Statement, “Expression of Interest”, “Shortlist Submission” “Development Details”, “Jointing/fixing Technique” “Dibond Technical Brochure” and RGB Flexible Lighting Module” received 19 October 2011 and shall be installed within 12 months of this permission. The public art display shall thereafter be permanently retained as such. Approved 18/01/2012

BH2006/00900: Construction and operation of a Materials Recovery Facility, Waste Transfer Station and Visitor Centre/Office building and ancillary infrastructure including gatehouse building and weighbridge, parking and highway revisions including creation of new access off Upper Hollingdean Road. Approved 19/06/2006

4 THE APPLICATION

- 4.1 Planning permission is sought for the variation of condition conditions 3, 4, 5 and 6 of permission reference BH2011/03179 and the removal of condition 21. The variation of the conditions would allow for operational changes to the site to enable the City Council as the waste authority to have greater flexibility in terms of collecting waste and in addition, potentially introduce further communal recycling. The application states that the site tonnage and overall number of vehicle movements is not subject to change.
- 4.2 The site has a number of conditions of which 3, 4, 5 and 6 restrict hours of operation for the MRF, WTS, and the receipt and handling of communal bins and street cleaning loads.
- 4.3 Condition 3 of the consent currently sets out the permitted times for the receipt and removal of materials at the MRF, including the operating hours of 07:00 and 19:00 hours Monday to Friday, and 07:30 and 16:00 hours on Saturdays following a bank holiday.
- 4.4 This application seeks revised opening hours for the MRF between 07:00-22:00 Monday to Sunday including bank holidays, with no operations on Christmas Day or Boxing day unless otherwise agreed in writing with the Local Planning Authority.

- 4.5 Condition 4 of the consent sets out the permitted times for the receipt and removal of materials at the WTS, with the exception of vehicles and activities associated with the handling of street cleansing waste and communal bins, to including the operating hours of 06:30 and 18:30 hours Monday to Friday and 07:30 and 16:00 hours on Saturdays following a bank holiday.
- 4.6 This application seeks revised opening hours for the WTS between 07:00-22:00 Monday to Sunday including bank holidays, with no operations on Christmas Day or Boxing Day, other than the tipping of waste from street cleansing and litter collection.
- 4.7 Condition 5 of the consent currently sets out the permitted times for the receipt and handling of waste materials from communal bins within the WTS. The existing hours are restricted to 06:00 – 22:00 Monday to Saturdays and not at anytime on Sundays or Bank Holidays. A maximum number of 24 loads are also restricted per day.
- 4.8 Condition 6 of the consent restricts the number of loads associated with the handling of street cleansing to a maximum of 15 loads per day except where such operations are required in connection with major events and festivals.
- 4.9 This application now seeks to simplify the timing of the existing vehicle movements to 06:30-22:00 Monday to Sunday, with further restrictions in relation to the requirement for tipping between the hours of 22:00 and 06:30 where required to meet the operational needs for major events and festivals only with prior written consent from the Local Planning Authority. This mechanism currently exists within the existing permission.
- 4.10 A restriction of 8 HGV movements to the site between the hours of 19:00-22:00 per day is also requested and no HGV movement on Christmas Day and Boxing day, with the exception of waste from street cleansing and litter collection again this operation requirement currently exists.
- 4.11 Condition 21 of the consent which this application seeks to remove, is in relation to the deposition of materials at the site which was in relation to construction of the facility and is therefore no longer relevant.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: Eighteen (18) letters of representation have been received from **1, 16 Wigmore Close, 20 Davey Drive, 35 Wolverstone Drive (x2), 121, 164 Dudeney Lodge, 36b, 43, 53 (x2), 68, 76 Princes Road, 17 Hollingbury Road (x2), 159 Ditchling Road, 34 Roundhill Crescent, 51 Upper Lewes Road** objecting to the application for the following reasons:

- Increase noise and disturbance over and above that which already occurs
- Odour issues resulting from the extended hours of use

- We are unable to open our windows as it is due to the noise and odour which currently exists
- It would result in an increase in dirt and dust within the area
- It would result in an increase in air pollution
- The weekend is the only days when there is a break
- The extended hours would make our lives intolerable
- The hours will impact upon the Downs School
- Allowing the extended hours would be negligent
- Increased noise and disturbance from the vehicle movements within the locality
- The quality of life of the existing residents will be greatly affected
- This goes against the original permission which was strictly controlled to ensure that the impacts were lessened
- Increased traffic congestion

5.2 **Environment Agency:** No comment

5.3 **Internal:**
Environmental Health: Comment.
Noise

I have examined the application number – 2013/02219 and with this the Veolia Hollingdean MRF/WTS, Brighton document dated July 2013 and the Clarke Saunders Associates acoustic report dated 3rd July 2013, reference : AS6783.130703.R3.3

5.4 The application seeks to make a number of changes to the existing planning consent which is 2011/03179. This would enable the City Council as the waste authority to have greater flexibility in terms of collecting waste and additionally in the potential roll out of communal recycling. The site benefits from a large number of conditions of which 3,4,5 and 6 restrict hours of operation for the Materials Recycling facility (MRF), The Waste Transfer Station (WTS) and the receipt and handling of communal bins and street cleaning loads.

5.5 It is proposed to delete these 4 and insert 3 simplified conditions merely dealing with the MRF, the WTS and all other vehicle movements, to and from the site. The application would afford seven days a week working and includes bank holidays with the exception of Christmas day and Boxing Day. It is pleasing to note that the consultants carrying out the acoustic survey work have captured two bank holidays ensuring that the survey data is in fact representative. Additionally, during the evenings throughout Monday through to Sunday, the numbers of vehicles to site would be restricted in number between 19:00 hours and 22:00 hours.

5.6 It is important to note that the application states that the site tonnage and overall number of vehicle movements will not be subject to change.

5.7 It is interesting that when examining Appendix B and specifically the table of hours, there is a description of what the MRF and WTS are actually currently

operating and what they are asking for. Broadly speaking, these are as follows and on reviewing the department's record of complaints, we do not have any evidence of a statutory noise nuisance. The table suggests that the site has already been working until 22:00 hours, without adverse comments or complaints being received.

	Actual Hours	Proposed Hours
MRF	07:00 to 16:00	06:30 – 22:00
WTS	06:00 to 22:00	07:00 – 22:00

- 5.8 Both the supporting document and acoustic report make the suggestion that there have not been any noise complaints received since 2010. This is not the case. Four complaints have been received very recently which are as follows with the first two being linked.

Date	Complaint
28.5.2013	Tipping of glass on a Sunday
30.5.2013	Veolia working outside of their permitted hours
31.5.2013	Noise intolerable
4.6.2013	Noise from the site since 13:00 hours

- 5.9 Where appropriate these complaints were discussed with site (Veolia), the local planning authority and of course the complainants. A statutory noise nuisance was not and has not been identified from site activities to date. No further complaints have been received and it is interesting to note that since this time, there have been periods of service disruption due to industrial action being taken where activities were carried out well in excess of those listed within the current application. This did not generate noise complaints.
- 5.10 In discussing complaints received, it is relevant to note that the report authors of the Clarke Saunders Associates document have been made aware of historic complaints to both environmental health but also those made by the residents' liaison group or CLG (Community Liaison Group) run by Veolia to foster direct contact with immediate residents/neighbours.
- 5.11 The report appears to capture the complex background noise climate for the area and also acknowledges that the site has many variable and intermittent noise sources that change over time. I note that site plant remains controlled by smart alarms which by their nature are designed to be less intrusive to any neighbours. As above, it is important to note that the number of vehicles and the site tonnages are not subject to change.
- 5.12 The acoustic report goes onto identify that there is little difference between weekends and weekdays, with the only observation being the lack of a morning rush-hour between 06:00 -09:00 at weekends. Bank holidays are also identified as being comparable to normal weekdays with regards to the noise profile. Comment too is made that the monitoring is indicative of the Hollingdean area

being busy until later with the suggestion that later activities should not be noticeable.

- 5.13 Noise monitoring was carried out at a number of areas and for a number of reasons. These fall into the various categories:

Type of monitor	Location	Dates
Automated Ambient	Veolia offices, relatively shielded from site	7-14 th March 2013 27 th March to 2 nd April
Manual Satellite ambient	4 locations around site	17 th April 2013 (16:45 to 20:00)
Automated Site Monitoring	Near Veolia Weighbridge	30 th May to 5 th June 2013
Manual site measurements	Around Veolia site	7 th March 2013 4 th April 2013 30 May 2013 5 th June 2013

- 5.14 In summary, from a noise perspective, I am satisfied that the applicant has had the foresight to use a professional consultancy to gather acoustic data over relevant periods including bank holidays which appears to be robust. It is suggested from the data gathered, and on clarifying matters that the number of vehicles to site will not change, nor will the permitted site tonnage. Safeguards are also proposed to protect residents in the use of a restriction of the number of HGV's permitted to the site in the evenings. I also note the intention to restrict where practicable the tipping of glass to weekdays.

5.15 Air Quality

No objection to the changes in operating hours and recommend approval on grounds of air quality.

- 5.16 The changes are not likely to be significant in compassion with the existing situation. We do not expect daily changes in ridged or articulated lorry movements along Hollingdean Road as a result of the IWF/MRF variation.

5.17 Odour

I note the intention for working more days and in theory refuse will be collected quicker and not have the opportunity to deteriorate and generate odours.

5.18 **Sustainable Transport: Comment**

The proposals do not involve any change to the permitted tonnage at the facility (BH2011/03179 Condition 1) or the overall number of vehicles. Condition 1 of BH2011/03179 states that that the unit has a capacity of a maximum of 160,000 tonnes per annum. This effectively controls the vehicle numbers allowed per annum and the vehicle numbers associated with the development have already been set. These proposals do not alter this maximum permitted tonnage. It allows greater operational flexibility and will mean that vehicle numbers are

spread over a longer period of the day and less of an impact in the traditional highway peak hours.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

East Sussex and Brighton & Hove Waste Local Plan (February 2006)

WLP8 Site-specific Allocations for Material Recovery Facilities / Waste Transfer Facilities

East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (February 2013)

WMP6 Safeguarding Waste Sites

WMP18 Transport - Road, Rail and Water

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WMP23a	Design Principles for Built Waste Facilities
WMP25	General Amenity
WMP26	Traffic Impacts
WMP27	Environment and Environmental Enhancement
WMP28b	Water Resources and Water Quality

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR4	Travel Plans
TR7	Safe development
TR8	Pedestrian routes
TR11	Safe routes to school and school safety zones
TR12	Helping the independent movement of children
TR13	Pedestrian network
TR14	Cycle access and parking
TR15	Cycle network
TR16	Potential rail freight depot
TR18	Parking for people with a mobility related difficulty
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Design – street frontages
QD6	Public art
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD19	Greenways
QD25	External lighting
QD27	Protection of amenity
QD28	Planning obligations
HO19	New community facilities
EM1	Identified employment sites (industry and business)
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty

HE3	Development affecting the setting of a listed building
HE6	Development within or affecting setting of Conservation Areas
HE12	Scheduled ancient monuments and other important archaeological sites

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in favour of sustainable development
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8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the impact of the extended hours of operation upon the amenity of the adjoining occupiers and also the impact of the proposals upon the existing highways network.

Background

8.2 Permission was granted under planning application reference BH2006/00900 for the use of the site as a materials recovery facility and waste transfer station. The combined throughput of both facilities is restricted to 160,000 tones of waste per year.

8.3 The MRF which is located to the western boundary of the site receives separated recyclable material from kerbside collection schemes, recycling points and household waste recycling sites, such as paper, metal, cardboard, glass and plastic. It is then further separated and bulked, ready for onward transfer to processing companies for recycling.

8.4 The WTS located to the southern boundary of the site receives general household waste from collection rounds and it is then bulked for collection by HGVs who would then take it off the premises.

8.5 In 2011 a variation of condition application was approving in relation to the provision of an artistic installation at the site. This has subsequently been installed.

8.6 A full Environmental Statement (ES) was submitted as part of the original application ref BH2006/00900. The original ES concluded that the proposal would not have a significant adverse impact on the environment including in terms of traffic generation and highway safety, residential amenity, visual amenity, ecology of the site and amenity of the locality in general. This ES also assessed the development with Monday to Sunday 7 day operation between the hours of 07:00 and 22:00.

8.7 The potential impacts of the change in hours of operation have been fully considered within the original ES with the exception of the potential vehicle movements between 06:30 and 07:00. The peak delivery times to the site are likely to remain mid morning and early afternoon.

- 8.8 In terms of traffic movements there will be no increase in the volume or tonnage of waste handled by the facility, there would however be expected to be some change in the pattern of these movements which would be spread across the additional operating hours. It is not considered that this change in vehicle movements is significant enough to require a revised Environmental Impact Assessment to be submitted.

Impact on Amenity:

- 8.9 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health. Local Plan policies SU9 and SU10 seek to ensure that development which may be liable to cause pollution and/or nuisance are appropriately conditioned to ensure that the local amenity is not compromised
- 8.10 Waste and Minerals Plan Policy WMP25 seeks to protect local communities from the potential negative impacts of waste and minerals development such as those resulting from noise, dust, fumes, windblown litter, and visual intrusion.
- 8.11 The application proposes the relaxation of the condition hours of operation for the site. The MRF currently has operating hours of 07:00-19:00 Monday to Friday and 7:30-16:00 on Saturdays following a bank holiday. This is controlled by condition 3 of the consent. The WTS currently has operating hours of 06:00-22:00 Monday to Saturday with specific conditions relating to the types of waste which can be received. This is controlled by condition 4 of the consent.
- 8.12 The two existing conditions 3 and 4 currently allow the operating hours of both of facilities to be extended, over a weekend for a temporary period if agreed in writing by the Local Planning Authority.
- 8.13 Noise
The application has been accompanied by a full acoustic report which was been assessed by the Councils Environmental Health Team who are broadly satisfied that acoustic data which has been gathered over relevant periods including bank holidays is robust. The report captures the complex background noise climate for the area and also acknowledges that the site has many variable and intermittent noise sources that change over time.
- 8.14 The submitted report identifies that there is little difference between weekends and weekdays noise levels, with the only observation being the lack of a morning rush-hour between 06:00 - 09:00 at weekends. Bank holidays have also been surveyed and identified as being comparable to normal weekdays with regards to the noise profile.
- 8.15 The Councils Environmental Health Team has considered previous issues in relation to the complaints received in relation to noise and disturbance resulting from the use of the site. Since 2010 there have been 4 (four) complaints made

in relation to the noise from the site, these were focused to the last week in May and the first week in June of this year. No further complaints have been received since this time. A review of the existing record of complaints held by Environmental Health, shows that no persistent statutory noise nuisance has been identified, resulting from existing operations at the site.

8.16 In relation to noise generated by the site, it is considered that the applicant has demonstrated that the potential increase in noise resultant from the extended hours at the site would not be significant to that which is currently experienced, subject to conditions seeking to restrict the number of vehicular movements to the site, over the weekends.

8.17 Odour

A number of objections relate to odour issues resulting from the use of the site as a WTS and MRF. The continued use of the site 7 days a week may reduce the potential for odours from being created. In theory the intention of working more days would mean refuse would be collected quicker and not have the opportunity to deteriorate and generate odours.

8.18 It should be noted that the Environment Agency as part of the Waste Management Licence, impose criteria of their own. These criteria include tonnage of waste handled, type of waste handled, record-keeping, maintenance, drainage considerations, control of mud and debris, control of odour emissions, control of noise, dust, litter, and pest infestations. The applicant has stated that best practice with regard to odour management will continue to be followed and that the facility is fitted with odour suppression equipment.

8.19 Air quality

Hollingdean Road is located within the Air Quality Management Area, The Councils Environmental Health team has reviewed the submitted supporting information and consider that the proposed changes are not likely to be significant in terms of their impact upon air quality. This is due to there being no additional vehicular movements to and from the site.

8.20 It is noted that the adjoining residents currently do not experience continued working at the site over weekends, however it is not considered that the proposed variation of conditions will result in a significant impact upon the amenity of the adjoining residents in terms of noise and disturbance, odour or air quality in accordance with policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan and policy WMP25 of the Waste and Minerals Plan.

8.21 **Sustainable Transport:**

Policy TR1 requires that development proposals provide for the demand for travel they create and maximise the use of public transport, walking and cycling. The variation of condition seeks greater flexibility over vehicle movements into the site but does not propose additional vehicle movements over and above that which is conditioned. Policy WMP26 within the Waste and Minerals Plan seeks

to ensure that proposals fully address the site-specific issues related to road transport and traffic of waste or minerals developments.

- 8.22 In terms of the proposed alteration to the operating hours of the site, the Sustainable Transport team has reviewed the submitted information, and considers that as the total number of trips to the site is conditioned, and also the allowed tonnage, effectively the proposed increase in hours to allow for greater operational flexibility has the potential to result in existing vehicle numbers being spread over a longer period of the day and less of an impact in the traditional highway peak hours.
- 8.23 As such it is considered that the proposed variation of condition is in accordance with policies TR1 of the Brighton & Hove Local Plan and policy WMP26 of the Waste and Minerals Plan.

9 CONCLUSION

- 9.1 The proposed variation of the conditions will not result in a significant impact on the amenity of adjacent properties or highways safety and congestion. The variation will also allow the site to continue operating in an efficient and effective manner in accordance with local plan policies in respect of a city wide approach to waste management.

10 EQUALITIES

- 10.1 None identified

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

- 11.1 Members should note that many of these conditions have simply been reapplied. They have been updated where the relevant policies have been replaced in the Development Plan.
1. The materials recovery facility and waste transfer station hereby permitted shall not exceed a combined recyclable materials and waste throughput capacity of more than 160,000 tonnes per annum and annual monitoring evidence shall be submitted to demonstrate this, and to demonstrate that the associated vehicular trips do not exceed the total stated in the Transport Assessment as approved by the Local Planning Authority under Planning reference BH2006/00900 dated 19/06/2006.
Reason: The Environmental Statement submitted with the application is based on this throughput and the Local Planning Authority would wish to maintain control over future operation of the site in the interests of amenity and traffic management, to comply with policies QD27 and TR1 of the Brighton & Hove Local Plan and WMP18, WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
 2. Upon first arrival at the waste transfer station building, residual waste stored within the building shall not be stored for a period of longer than 72 hours unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity, to comply with policy QD27 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

3. The processing of recyclable materials within the Materials Recovery Facility building shall only occur between the hours of 0700 to 2200 Monday to Sunday including Bank Holidays. No operations shall take place on Christmas or Boxing Day unless first agreed in writing by the Local Planning Authority. Internal start-up and shut-down operations within the Materials Recovery Facility building shall not extend beyond 30 minutes either side of these hours

Reason: To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

4. Operations or activities authorised by the permission and associated with the operation of the waste transfer station shall only carried out between the hours of 0700 – 2200 Monday to Sunday including Bank Holidays. The only operations that will take place on Christmas Day and Boxing Day are the tipping of waste from street cleansing and litter collection. No other operations shall take place on Christmas Day or Boxing Day unless first agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

5. Unless first agreed by the Local Planning Authority all HGV movements for the importation or export of waste and recyclable materials shall only be carried out between the following hours: 0630 – 2200 Monday to Sunday including Bank Holidays

The following further restrictions shall apply:

(i) Street cleansing waste and litter will only be tipped between the hours of 2200 and 0630 where required to meet operational needs for major events and festivals, and only with prior written consent from the Local Planning Authority.

(ii) Between the hours of 1900 – 2200 Monday to Sunday only a maximum of 8 HGVs per day shall visit the site

(iii) There shall be no HGV movements for the importation or export of waste and recyclable materials on Christmas Day and Boxing Day (with the exception of waste from street cleansing and litter collection).

Reason: To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WMP18,

WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

6. Noise associated with fixed plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1m from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing L_{A90} background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997.
Reason: To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
7. No vehicles or machinery required for the operation of facilities in control of the operator of the development shall be used on site unless fitted with silencers maintained in accordance with the manufacturers' recommendations and specification.
Reason: To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WLP1 and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
8. All vehicle access doors to the Waste Transfer Station and Materials Recovery Facility shall remain closed except to enable the ingress and egress of vehicles.
Reason: To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
9. No materials shall be burnt on site.
Reason: To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU9 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
10. All loading, unloading, sorting and bulking activities shall occur within the Waste Transfer Station and Materials Recovery Facility buildings and no waste material shall be stored or tipped on to the ground for storage purposes, sorting or loading onto skips outside the buildings.
Reason: To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, including visual amenity, to comply with policies QD27, SU9, SU10 and QD1 of the

Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

11. Unless otherwise agreed in writing, the scheme for the suppression of dust and odour from the operations shall be carried out in accordance with the details approved by Local Planning Authority by letter dated 18 February 2008 and retained as such thereafter.
Reason: To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU9 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
12. Any trees, shrubs or hedges planted in accordance with the details approved by Local Planning Authority by letter dated 6 May 2008 which are removed, die, become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.
Reason: To ensure there is satisfactory landscaping and highway provision to serve the development in the interests of visual amenity and to prevent pedestrian/vehicular conflict and enhance ecology, to comply with policies QD1, QD15, QD16, QD17 TR1, TR7 and TR8 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
13. No trees, shrubs or hedges within the site, in accordance with the details as approved by the Local Planning Authority under Application reference BH2006/00900 dated 19 June 2006, which are shown as being retained, shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure there is satisfactory landscaping to serve the development in the interests of visual amenity and to enhance ecology, to comply with policies QD1, QD15, QD16 and QD17 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
14. Any plants planted in relation to the “green roof”, in accordance with the details approved by Local Planning Authority by letter dated 5 March 2007, that die or become severely damaged or seriously diseased within 5 years of planting shall be replaced with those of a similar species.
Reason: To enhance and integrate nature conservation features within the site, in accordance with policy QD17 of the Brighton & Hove Local

Plan and WMP23a, WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

15. Any plants planted in relation to the “green wall” in accordance with the details approved by Local Planning Authority by letter dated 6 May 2008, that die that die or become severely damaged or seriously diseased within 5 years of planting shall be replaced with a similar species.
Reason: To enhance and integrate nature conservation features within the site, and to give visual interest and soften the appearance of the development, in accordance with policies QD1, QD5 and QD17 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
16. The public art display shall be permanently retained as such thereafter.
Reason: To give visual interest and soften the appearance of the development and to partly meet the demand for public art within the scheme, in accordance with policies QD1, QD5 and QD6 of the Brighton & Hove Local Plan and WLP35, WLP39 and WLP40 of the East Sussex and Brighton & Hove Waste Local Plan.
17. All areas where waste is stored, handled or transferred shall be underlain by impervious hardstanding with dedicated drainage to a foul sewer or sealed tank.
Reason: To prevent pollution of the water environment to comply with policy SU3 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
18. Prior to being discharged into any watercourse, surface water sewer or soakaway all surface water drainage shall be passed through an oil bypass interceptor designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor.
Reason: To prevent pollution of the water environment and reduce flood risk to comply with policy SU3 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
19. No soakaway shall be constructed in contaminated ground.
Reason: To prevent pollution of groundwater to comply with policy SU3 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
20. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

PLANS LIST – 07 AUGUST 2013

Plan Type	Reference	Version	Date Received
Site Location Plan	LP1		20/03/2006
Red Line Plan	RL1		20/03/2006
Site Plan	51115_Holl_MRFWTS (01)	3	20/03/2006
MRF Elevations & Sections	051115_Holl_MRFWTS (02-01)	0	20/03/2006
WTS Elevations & Sections	1115_Holl_MRFWTS (02-02)	0	20/03/2006
Office/Education Centre Building Floor plans Facades	051115_Hol_Offices (03)	4	02/06/2006
Gatehouse	051115_Holl_MRFWTS (04)	3	20/03/2006
Construction Typical Details	051115_Details(05)	3	20/03/2006
MRF Drive Through	051115_MRF (06)	3	20/03/2006
WTS HGV Circulation Path	051122_Holl_Circulation (07)	0	20/03/2006
MRF HGV Circulation Path	051122_Holl_Circulation (08)	0	20/03/2006
Sections through western embankment	51123_elev_land (11)	0	20/03/2006
Sections through Hollingdean lane cottage	051126_Holl_cottage (12)	0	20/03/2006
Schematic Drainage Layout	11650_ENV_001 Rev C		20/03/2006
Tree Removal Plan	157812M/LA/SK/003 Rev B		20/03/2006
Planting Plan	157812M/LA/SK/004 Rev C		20/03/2006
ACM Dragonfly Section detail	LD1		19/10/2011
Red Line Plan	RL1		05/07/2013

11.2 Informatives:

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

2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The proposed variation of the conditions will not result in a significant impact on the amenity of adjacent properties or highways safety and congestion. The variation will also allow the site to continue operating in an efficient and effective manner in accordance with local plan policies in respect of a city wide approach to waste management.

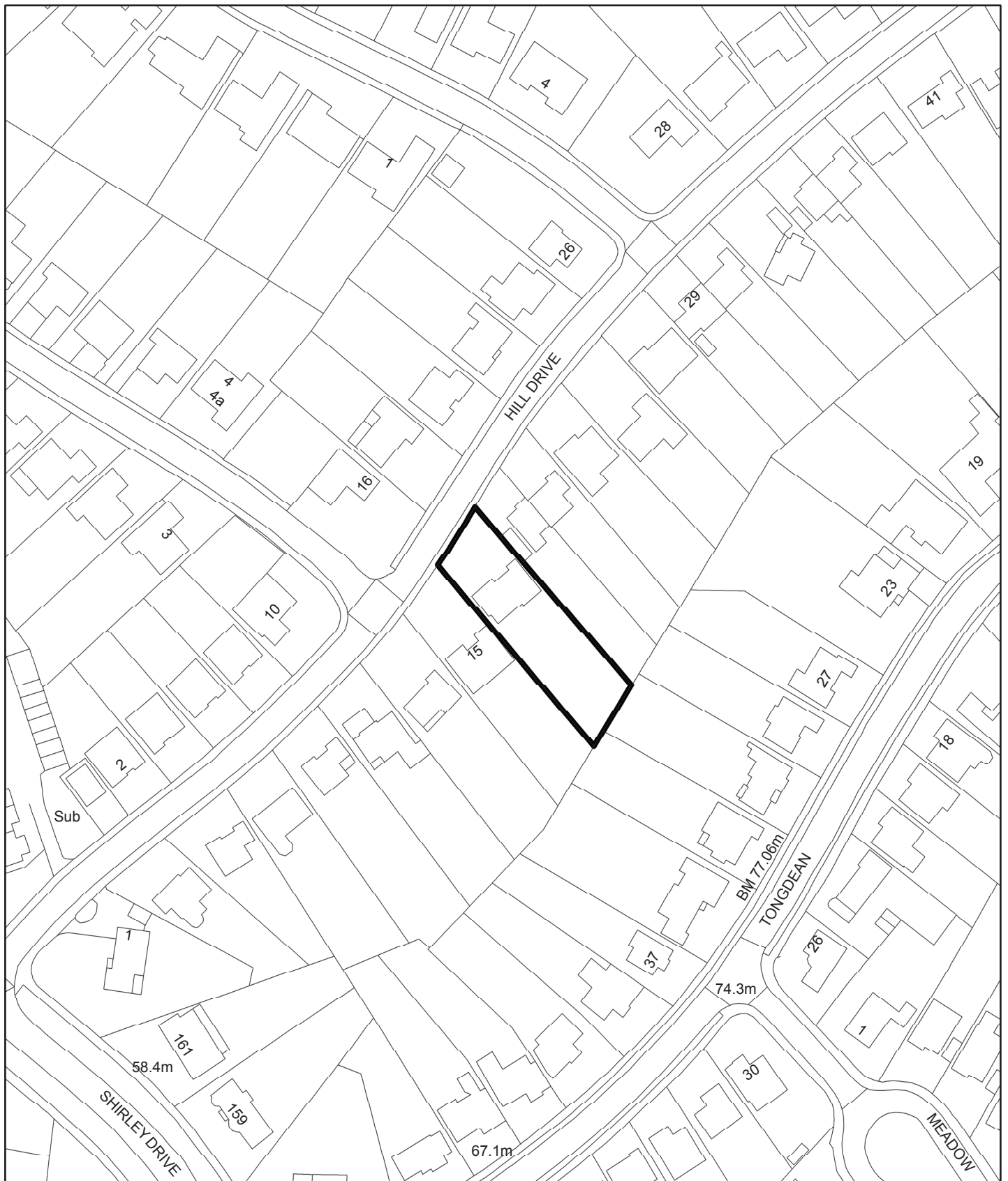
**PLANS LIST
ITEM B**

17 Hill Drive, Hove

**BH2013/00370
Full Planning**

07 AUGUST 2013

BH2013/00370 17 Hill Drive, Hove.



Scale: 1:1,250

<u>No:</u>	BH2013/00370	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	17 Hill Drive Hove		
<u>Proposal:</u>	Demolition of existing dwelling and erection of a new 3 bed house.		
<u>Officer:</u>	Guy Everest Tel 293334	<u>Valid Date:</u>	06/02/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	03 April 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Hogarth Architects, 186 Dawes Road, Fulham		
<u>Applicant:</u>	Mr Jonathan Paxton, 17 Hill Drive, Hove		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises a detached bungalow on the south-eastern side of Hill Drive. The bungalow is set at a higher level than Hill Drive, with land levels rising to the north and west of the site. At street level the frontage of the site comprises off-street parking with a raised garden area. The rear of the property features an open swimming pool with stepped garden.
- 2.2 There is a variable building line in this section of Hill Drive. The existing building is set considerable further forward than the adjoining property to the south (no. 15), and is set back from the adjoining property to the north (no. 19). This arrangement makes the existing building prominent in views north along Hill Drive. Hill Drive is characterised by large detached properties of varying form and appearance set within relatively large plots.

3 RELEVANT HISTORY

BH2012/01831: Demolition of existing dwelling and erection of a new 3 bed house. Refused 28/09/2012 for the following reasons:-

- The development by reason of its scale, siting and detailing would appear unduly dominant and create a contrast and sense of bulk which, in relation to adjoining properties and the wider surrounding area, would harm the existing character and appearance of Hill Drive. The development therefore fails to respond sufficiently to the scale, character and appearance of the existing built environment contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.*

2. *The development by reason of its height, bulk and proximity to the boundary would result in significant loss of light and outlook for occupants of 19 Hill Drive, to the detriment of their amenity. The development therefore fails to protect neighbouring residential amenity contrary to policy QD27 of the Brighton & Hove Local Plan.*
3. *The development by reason of extensive glazing to the southern elevation and an elevated roof terrace would create significant overlooking and cause a harmful loss of privacy for occupants of 15 Hill Drive, to the detriment of their amenity. The development therefore fails to protect neighbouring residential amenity contrary to policy QD27 of the Brighton & Hove Local Plan.*

3/89/0838: Rear extension to house swimming pool. Approved 29/11/1989.

3/87/0442: Double garage and ancillary landscaping works. Refused 07/07/1987 as the size and siting of the garage (in the front garden area) would have been visually obtrusive and detrimental the appearance and character of Hill Drive.

M/4986/57: Erection of a bungalow and garage. Approved 19/06/1957.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing dwelling and the erection of a replacement three-storey building. The three-storey section of the building would incorporate a gabled roof with a north-south ridgeline, with projecting flat-roofed sections to the front and side of the main building. A single-storey flat roofed side section of the building would incorporate a roof terrace. The building would feature render to all elevations with a slate roof.

5 PUBLICITY & CONSULTATIONS

5.1 External:

Neighbours: Ten (10) representations have been received from **18 Hangleton Lane; 13, 15, 18, 19, 20, 21, 23 Hill Drive; 31 Tongdean Road; and 83 Wayland Avenue** objecting to the application for the following reasons:-

- The external materials and appearance of the building is out of character for the area and does not follow the existing building line;
- Viewed from adjoining gardens the building would appear too high, extends too far back with massive and unattractive walls which would too visible;
- The front boundary treatment is inappropriate for the area;
- Loss of light;
- Loss of privacy;
- Noise disturbance from use of the balcony;
- The development would spoil the enjoyment of adjoining gardens;
- The proposal would set a precedent for future proposals;
- Loss of property value.

- 5.2 **Six (6)** representations have been received from **30 Croshaw Close (Lancing); 4 The Deanway; 61 Foredown Drive; 108 (flat 10) Lewes Road; 6 (flat 1) & 57 St Aubyns** supporting the application for the following reasons:-
- The design is innovative and would improve the area;
 - The existing building is out of keeping;
 - The City needs more houses like this.
- 5.3 **Cllrs Brown & Benett** object – see attached letter.
- 5.4 **Three (3)** letters of representation have been received from **Bryant Decorators, Galileo Pizzeria and Londis** supporting the application as good design and in keeping with the area.
- 5.5 **Brighton & Hove Archaeological Society:** The site lies within an area of archaeological sensitivity. Recommend contacting the County Archaeologist.
- 5.6 **Country Archaeologist:** The application site is within an Archaeological Notification Area defining an area of prehistoric activity. A Bronze Age cremation burial was found 70 metres from the site, suggesting that this section of the South Downs was utilised and settled during the Neolithic, Bronze Age, Iron Age and Roman periods.
- 5.7 There is a high potential for areas of undisturbed archaeology outside the footprint of the building, such remains are likely to be destroyed by the proposed development. In light of the potential archaeological interest of the site the proposals should be subject of a programme of archaeological works. This would enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded.
- 5.8 **Environment Agency:** No comments.
- 5.9 **Sussex Police:** No objection.
- 5.10 **Internal:**
Lifetime Homes Officer: The dwelling should incorporate a canopy over the entrance door and leading edges to door openings.
- 5.11 **Transport:** No objections.

6 MATERIAL CONSIDERATIONS

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

- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

- TR1 Development and the demand for travel
- TR7 Safe development
- TR14 Cycle access and parking
- 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
- QD15 Landscape design
- QD16 Trees and hedgerows
- QD27 Protection of Amenity
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO13 Accessible housing and lifetime homes

Supplementary Planning Documents:

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

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main issues of consideration in the determination of this application relate to the impact of the proposed dwelling on the character and appearance of the street, and on residential amenity for occupiers of adjoining properties; transport and sustainability issues.

Character and appearance:

- 8.2 The Urban Characterisation Study states that the character of the Hove Park area derives from 'large interwar and post war houses on generous plots set back from tree-lined roads'. The section of Hill Drive in which the application site is located is reflective of this character. It is considered that this setting is not so sensitive that a modern design, if well conceived and executed, would be detrimental to the prevailing character and appearance of the area. In this regard it is noted there are instances of recently renovated properties on the street which have introduced render and slate materials to an area otherwise dominated by brick and tiles.
- 8.3 The proposed three-storey building would incorporate a gabled roof with subservient flat-roofed side section to the south with render and slate the dominant materials. The roof form and use of material would reflect existing properties in this part of Hill Drive and is acceptable in principle. Although the placement of windows would contrast with the more ordered arrangement at adjoining properties the resulting uncomplicated appearance, if finished to a sufficiently high standard, would not be unduly harmful to the prevailing character and appearance of the area.
- 8.4 The key design concerns relate to the footprint, siting and height of the building in relation to immediately adjoining properties. As part of the application process amendments have been made to set the main body of the dwelling further back from the street scene (although a lower ground floor projection would continue to abut the front boundary) and revisions to fenestration to the front façade to reduce the apparent height of the building.
- 8.5 Whilst the amendments have improved the scheme it is considered that the resulting building would still appear unduly dominant and out of scale with adjoining development. This is primarily a result of the forward projection of the building and the presence off a projecting single-storey structure at street level. These design features reduce the space around the building and increase the apparent height of the building, particularly in views north along Hill Drive. There are further concerns that in creating a southerly aspect for the proposed dwelling the resulting window arrangement is partly relying on the front curtilage of no. 15 and would appear visually overpowering in views north and from this adjoining property.
- 8.6 It is considered that the development by reason of its form and scale in relation to adjoining properties and the wider surrounding area would create a sense of bulk that would harm the existing character and appearance of Hill Drive. The development is therefore considered contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

Impact on amenity:

- 8.7 The rear of 19 Hill Drive features window openings to a kitchen / diner and a small patio area leading to the (raised) main garden. A previous application on the site was partly refused due to the impact on light and outlook to this neighbouring property. In response to this earlier decision the depth and height of the proposed dwelling has been reduced. This reduction in depth and height, coupled with ground level changes within the rear garden of no. 19, is considered sufficient to ensure no significant harm to amenity for occupants of this adjoining property.
- 8.8 There is inevitably a degree of mutual overlooking from window openings at first floor level in this suburban area. As such whilst the development would result in additional overlooking to the rear garden of no. 19 this would not be unusual in this location and the resulting harm would not warrant refusal of the application.
- 8.9 The application site is to the north-east of 15 Hill Drive and as such there are no concerns regarding loss of light. The existing dwelling at no. 15 is set considerably further back than the proposed development and incorporates a front hardstanding and ground floor garage adjoining the boundary. As a result the proposed building would not impact upon any rear amenity space and windows to habitable rooms would not be compromised.
- 8.10 Whilst the proposal incorporates glazing to the side elevation, with a southerly aspect over no. 15, the resulting views would primarily be over a front driveway to the adjoining property (rather than internal rooms or important outdoor amenity space). It is therefore considered that no harmful loss of privacy would result for occupiers of this adjoining property.

Other considerations:

- 8.11 The development would create a family dwellinghouse with generous room sizes, natural light and outlook throughout. A sizeable garden area would be retained to the rear. There are no reasons why Lifetime Home standards could not be incorporated in the proposed design and if necessary this could be secured through condition.
- 8.12 Policy SU2 requires proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance within Supplementary Planning Document 08 'Sustainable Building Design' requires new dwellinghouses achieve Level 3 of the Code for Sustainable Homes (CSH). If necessary this could be secured through condition.
- 8.13 The County Archaeologist comments are noted and if necessary conditions could secure a watching brief for any archaeological remains affected by the development.

9 CONCLUSION

- 9.1 The development by reason of its scale, siting and detailing would appear unduly dominant and create a contrast and sense of bulk which, in relation to adjoining properties and the wider surrounding area, would harm the existing

character and appearance of Hill Drive. The development therefore fails to respond sufficiently to the scale, character and appearance of the existing built environment.

10 EQUALITIES

10.1 The development should be built to Lifetime Home standards in the design.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

- The development by reason of its scale, siting and detailing would appear unduly dominant and create a contrast and sense of bulk which, in relation to adjoining properties and the wider surrounding area, would harm the existing character and appearance of Hill Drive. The development therefore fails to respond sufficiently to the scale, character and appearance of the existing built environment, and is contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

Plan Type	Reference	Version	Date Received
Site location plan	L(-1) 100		06/02/2013
Existing Site Plan	L(-1) 101		06/02/2013
Existing Ground Floor Plan	L(-2) 101		06/02/2013
Existing Sections, A-A, B-B	L(-3) 101		06/02/2013
Existing Elevations (<i>front and side</i>)	L(-4) 101		06/02/2013
Existing Elevations (<i>rear and side</i>)	L(-4) 102		06/02/2013
Proposed Site Plan	L(-1) 301/2	A	10/06/2013
Proposed Lower Ground Floor	L(-2) 301/2		10/06/2013
Proposed Ground Floor Plan	L(-2) 302/2	A	10/06/2013
Proposed First Floor Plan	L(-2) 303/2	A	10/06/2013
Site Location Plan – as proposed	L(-1) 300		
Proposed Section A-A	L(-3) 301/2	A	10/06/2013
Proposed Section B-B	L(-3) 302/2	A	10/06/2013
Proposed Section C-C	L(-3) 303/2	A	10/06/2013
Proposed Section D-D	L(-3) 304/2	A	10/06/2013
Proposed Side Elevation	L(-4) 301/2	A	10/06/2013

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Proposed Side Elevation	L(-4) 302/2	A	10/06/2013
Proposed Front Elevation	L(-4) 303/2	A	10/06/2013
Proposed Rear Elevation	L(-4) 304/2	A	10/06/2013
Proposed Side Elevation – boundary wall elevation	L(-4) 305/2	A	10/06/2013

14th February 2013

Dear Guy

Re: BH2013/00370 17 Hill Drive, Hove

As Councillors for Hove Park Ward we are writing to strongly object to the above planning application which has changed little from the previous application that was refused under delegated powers.

The proposed house is still designed to face South towards the sea instead of facing Hill Drive as all the other houses do. This would be completely detrimental to the character and appearance of the street scene. It would also cause severe overlooking to No. 15 Hill Drive.

Because of the way this proposed house is sited it will project a long way along the rear garden on the boundary of No.19 Hill Drive. As No. 17 is to the South, this three storey house will block the sun from the patio of No. 19 and a large section of their garden where they like to sit.

The design of this house is still overly bulky and dominant as in the previous application.

If this application should be recommended for approval we would like it to go before the planning committee.

Yours sincerely

Cllr Vanessa Brown

Cllr Jayne Bennett

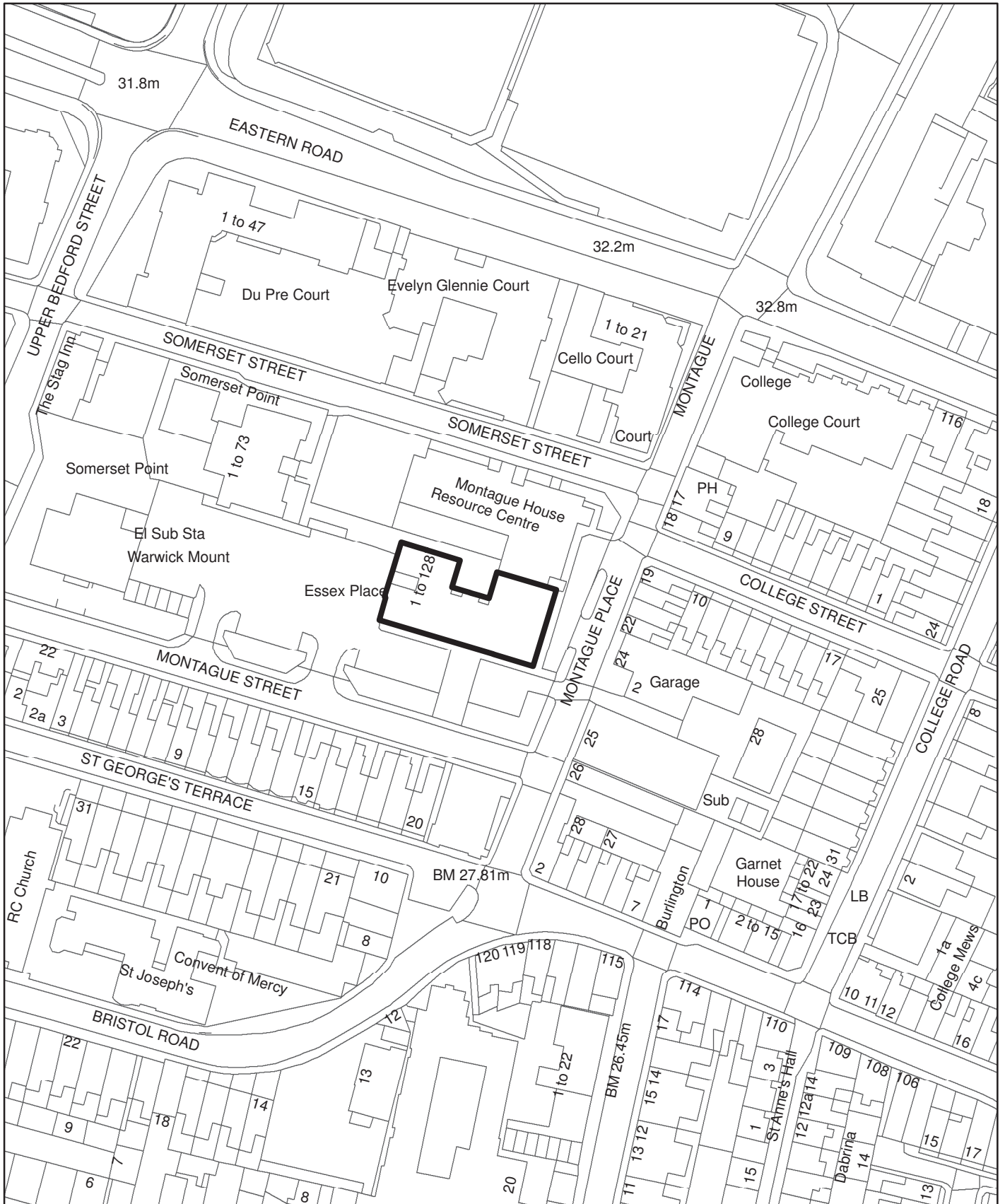
**PLANS LIST
ITEM C**

Essex Place, Montague Street, Brighton

**BH2013/01447
Full Planning**

07 AUGUST 2013

BH2013/01447 Essex Place, Montague Street, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/01447	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Essex Place Montague Street Brighton		
<u>Proposal:</u>	Removal of brick balconies and enclosure with UPVC double glazed windows. Replacement of existing windows with UPVC double glazed windows to North and East elevations. Installation of insulated render cladding, new rising gas mains pipe work and associated external alterations.		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	23/05/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	18/07/2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	David Clarke Associates, 6 Moorfield Road, Orpington, BR6 0HQ		
<u>Applicant:</u>	Mears Group Plc, Mr Jason Paine, 7 Twisleton Court, West Hill, Dartford, DA1 2EN		

This report was deferred by Planning Committee to allow a site visit to take place and for sample floor plans to be submitted for clarification.

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site relates to a 16 storey residential tower block located on the north west corner of the junction of Montague Street with Montague Place. The existing building is brick built with uPVC windows. The residential units with a southerly aspect have recessed balconies whilst the units to the remaining aspects have projecting balconies.
- 2.2 The building is the largest of 3 tower blocks which are located in close vicinity of each other. Somerset Point has recently been externally overclad whilst Warwick Mount is brick built. Other tower blocks within the local vicinity including Wiltshire House and Hereford Court, to the west have either been overclad or have received permission to be overclad.
- 2.3 The character of the area is mixed with residential dwellings to the north and south and commercial properties to the east.
- 2.4 The East Cliff Conservation Area is sited to the south and east of the site.

3 RELEVANT HISTORY

BH2012/04083 - Installation of gas risers and gas meters to all external elevations. Withdrawn by the applicant on 1 February 2013.

BH2012/02652 - Installation of insulated render cladding to all elevations, removal of brick balconies, and replacement with UPVC window system, replacement windows to the northern and eastern elevation, and associated external alterations. Approved on 26 October 2012.

BH1999/02639/FP Replace existing PVCu Windows with PVCu casement windows to all floor levels on the west, south and east elevations. Removal of brick slips to be replaced with continuous band of aggregate faced concrete panels to west, south and east elevations. Approved 23/12/1999

Wiltshire House

BH2008/03779 Application of render to exterior of building. Approved 3 March 2009.

Hereford Court

BH2012/02426 Installation of insulated render cladding to all elevations, renewal of roof and replacement of windows to East and North elevations. Associated renewal of vents, flues and services and other associated alterations. Approved 12/10/2012

4 THE APPLICATION

- 4.1 Planning permission is sought for the removal of brick balconies and the enclosure with UPVC double glazed windows, the replacement of existing windows with UPVC double glazed windows to the North and East elevations and the installation of insulated render cladding, new rising gas mains pipe work and associated external alterations. The internal layout of the flats is to be retained with no alterations proposed.

5 PUBLICITY & CONSULTATIONS

5.1 **External**

Neighbours: Five (5) letters of representation have been received from Nos. **80, 88, 99** and **127 Essex Place** and from **No.2 Rowan House** objecting to the application for the following reasons:

- The proposal would result in a loss of valuable amenity space for each property,
- The existing units have spacious internal dimensions and the enclosing of the balconies is unnecessary,
- The individual flats were not adequately consulted,
- Three surveys that were carried out on the building stated it was not losing significant heat and as such the works are unnecessary,
- The works will incur additional costs to leaseholders,
- Inadequate consultation by the freeholder with leaseholders to discuss proposed works.

6 MATERIAL CONSIDERATIONS

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

- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

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
QD14	Extensions and alterations
QD27	Protection of Amenity
HO5	Provision of private amenity space in residential development
HE6	Development within or affecting the setting of conservation areas

Brighton & Hove City Plan Part One (submission document)

8 CONSIDERATIONS & ASSESSMENT

- 8.1 Issues relating to increased costs to leaseholders and also to the inadequate consultation of occupiers by the freeholder are not material planning considerations.

- 8.2 The main considerations relate to the impact of the development upon the character and appearance of the property and surrounding area and the impact upon existing residential and neighbouring amenity.

Design and Visual Amenity:

- 8.3 The current proposal follows a previous application for the installation of insulated render cladding to external elevations, the removal of brick balconies and replacement with enclosed UPVC window system, and replacement windows to the northern and eastern elevation, approved in October 2012.
- 8.4 The current application combines all these works in a single application.
- 8.5 Essex Place is one of a group of three multi storey residential blocks which are highly visible in the immediate surrounding townscape to the south of Eastern Road and north of Bristol Road. The site is located to the north and west of the East Cliff Conservation Area and due to its height visible from within.
- 8.6 The surrounding blocks are a mix of styles in terms of their elevational treatment, including brick, and rendered finish. Other blocks of flats within the vicinity including Somerset Point, Hereford Court and Wiltshire House have been granted permission for the installation of a rendered overclad system.
- 8.7 Whilst the loss of the brick exterior is regrettable the elevations would retain a coherent finish and would not significantly harm the appearance or character of the building or the character of the adjoining East Cliff Conservation Area.
- 8.8 The applicant has stated that the cladding would be an off white to match the adjoining building to the west, Somerset Point which has also been overclad. The exact colour can be secured by a suitably worded condition.
- 8.9 The application proposes the enclosure of the existing balconies to the property by way of the removal of the existing brick work finish and replacement with a uPVC panel system. The treatment to the balconies is consistent with the existing windows and as such is considered acceptable in design terms. It is prudent to ensure that if the works are commenced that all the balconies are enclosed to ensure the uniform appearance of the building.
- 8.10 The existing white uPVC windows are to be replaced on the east and north elevations with similar white uPVC windows. The uPVC windows to the south and west elevations have previously been replaced and the uniform appearance of the fenestration would be retained and would not harm the visual amenity of the building or the wider surrounding area.
- 8.11 Four external gas risers are proposed to the external elevations (two each on the northern and southern elevations). Whilst these pipes would result in additional clutter to the external elevations of the building they would be painted to match the external cladding and are not considered to result in any significant harm to the appearance or character of the building.

- 8.12 A number of further alterations are proposed; replacement rainwater goods, vent grilles a new insulated roof finish and new roof top hatches. These refurbishment works are considered to be minor in scope and are not considered to significantly harm the appearance or character of the building, subject to appropriate conditions in relation to details of the rainwater goods.
- 8.13 Overall, the proposed development is not considered to detract significantly from the appearance or character of the property or the wider surrounding area.

Impact on Residential Amenity:

- 8.14 The application proposes the loss of a small area of external amenity space which is to be incorporated into the internal floorspace of the units. The existing balconies are small in size and provide circa 2sqm of floorspace. The external floorspace provided is small in size providing restricted use and are of a poor quality. As such the enclosure of these balconies and provision of additional internal space is considered appropriate. In addition to this the existing balconies are minor in scale, are shaded by the balconies above and the loss of these amenity areas are considered to be offset by the improved thermal performance of the building and the additional internal space.
- 8.15 The residential amenity of neighbouring properties will not be affected by the change of fenestration or doors as the window and door openings themselves would remain unchanged. The applicant has confirmed that the method of opening is to remain the same. This may be controlled by a suitably worded condition.

Sustainability:

- 8.16 The proposal would result in increased insulation to the external elevations and would reduce the energy needs of the building. It is in accordance with policy SU2 which states that proposals should demonstrate, “the use of materials and methods to minimise overall energy and / or raw material inputs” and this is welcomed.

9 CONCLUSION

- 9.1 The proposed development is not considered to detract significantly from the appearance or character of the property or the surrounding area. The proposal is not considered to impact significantly on the residential amenity of neighbouring properties.

10 EQUALITIES

- 10.1 None

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

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

PLANS LIST – 07 AUGUST 2013

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

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

Plan Type	Reference	Version	Date Received
Location and Site Plan	01		8 May 2013
Existing North Elevations & Returns	10		8 May 2013
Existing East & West Elevations	11		8 May 2013
Existing South Elevation	12		8 May 2013
Existing Roof Plan	13		8 May 2013
Proposed North Elevation & Returns	20	C	8 May 2013
Proposed East & West Elevations	21	B	8 May 2013
Proposed South Elevation	22	B	17 May 2013
Proposed Roof Plan	23		8 May 2013
Existing example floor plans	24	A	23 July 2013
Proposed example floor plans	25		23 July 2013
Window system	12-91 866W-O	C	17 May 2013
Window system	12-91 866W-Ox2	A	17 May 2013

- 3) No development shall take place until samples of the materials (including the joints between the render panels, the colour of render, paintwork and colourwash) to be used in external surfaces of the development and the proposed rainwater goods have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4) The hereby permitted external gas pipes will be painted to match the external cladding and shall be retained as such thereafter.

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

- 5) No cables, wires, aerials, pipework, meter boxes or flues, except those as existing, shall be fixed to the elevations of the building.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1, HE6 and QD27 of the Brighton & Hove Local Plan.

- 6) The proposed replacement windows to the north and eastern elevations shall have the same method of opening as the existing windows. The windows to the eastern elevation shall be side hung and open outwards. The windows to the northern elevation shall be bottom hung and open inwards.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1, HE6 and QD27 of the Brighton & Hove Local Plan.

- 7) A timetable for the enclosure of all the balconies hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in strict accordance with the approved timetable. Reason: To ensure the satisfactory appearance of the building and to comply with policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

The proposed development is not considered to detract significantly from the appearance or character of the property or the surrounding area. The proposal is not considered to impact significantly on the residential amenity of neighbouring properties.

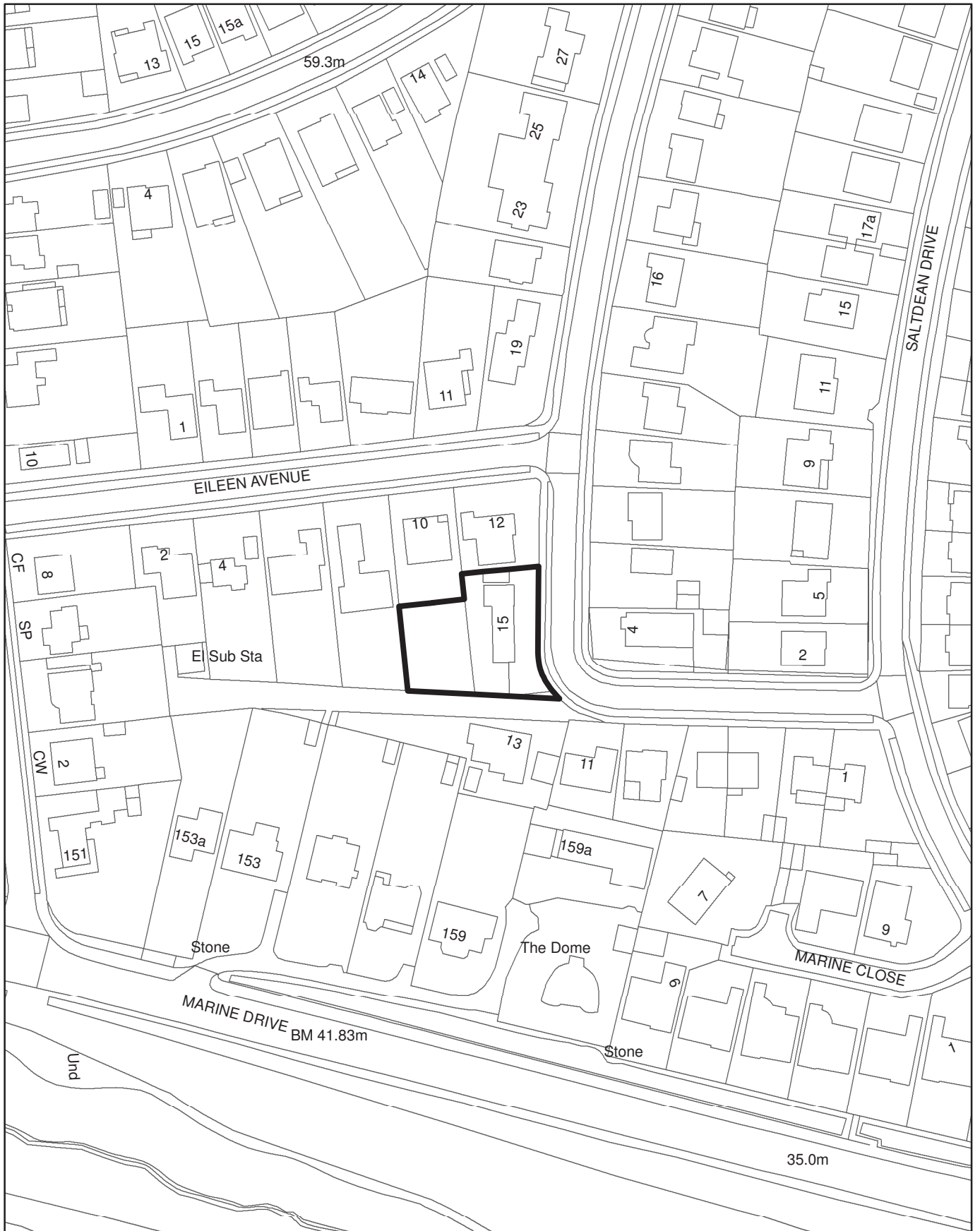
**PLANS LIST
ITEM D**

15 Lenham Avenue, Saltdean, Brighton

**BH2013/01655
Removal Or Variation Of Condition**

07 AUGUST 2013

BH2013/01655 15 Lenham Avenue, Saltdean, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/01655	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Removal or Variation of Condition		
<u>Address:</u>	15 Lenham Avenue Saltdean Brighton		
<u>Proposal:</u>	Application for variation of condition 3 of application BH2012/00752 (Demolition of existing dwelling and erection of 2no detached dwellings.) to state that no extension, enlargement or other alteration of the dwelling houses excluding works covered by Class B of the Town and Country Planning (General Permitted Development) Order 1995, shall be carried out without planning permission obtained from the Local Planning Authority.		
<u>Officer:</u>	Sue Dubberley Tel 293817	<u>Valid Date:</u>	22/05/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	17 July 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Garrick and Team, 36 Edburton Avenue, Brighton, BN1 6EJ		
<u>Applicant:</u>	Mrs Kathryn O’Connell, 10 Eileen Avenue, Saltdean, Brighton, BN2 8AD		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission for the reason(s) set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a detached bungalow located on the west side of Lenham Avenue. To the north of the site is another detached bungalow and to the south is a pedestrian access to the rear of properties in Eileen Avenue. The site is located in a residential suburb.

3 RELEVANT HISTORY

BH2013/00671 variation of condition 3 of application BH2012/00752 (Demolition of existing dwelling and erection of 2no detached dwellings.) to state that no extension, enlargement or other alteration of the dwelling houses excluding works covered by Class B of the Town and Country Planning (General Permitted development) Order 1995, shall be carried out without planning permission obtained from the Local Planning Authority. Refused 03/05/2013. The application was refused on the following grounds: ‘The Local Planning Authority would wish to control any future development to the rear of the property on the basis that rear extensions could cause material harm to neighbouring amenity by way of overlooking.’

BH2012/03148 Demolition of existing dwelling and erection of 2no detached dwellings. Refused 07/12/2012.

BH2012/00752 Demolition of existing dwelling and erection of 2no detached dwellings. Approved 28/08/2012.

90/1908/F: Demolition of existing dwelling and erection of 2 detached 2 storey houses with integral garages. Approved 19/03/1991.

4 THE APPLICATION

- 4.1 Planning permission is sought for the variation of condition 3 of application BH2012/00752 (Demolition of existing dwelling and erection of 2no detached dwellings) to state that no extension, enlargement or other alteration of the dwelling houses excluding works covered by Class B of the Town and Country Planning (General Permitted Development) Order 1995, shall be carried out without planning permission obtained from the Local Planning Authority.
- 4.2 Condition 3 attached to BH2012/00752 removed permitted development rights from the proposed units. The application seems to vary the condition to remove Part B from the condition. Part B of the Town and Country Planning (General Permitted Development) order 1995 refers to rear alterations.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: 4 letters of representation have been received from **157, 159a, Marine Drive, 8, 12 Eileen Avenue**, objecting to the application for the following reasons:

- Council should not agree to relaxation of terms and conditions of the original application. The site is already overdeveloped.
- The applicant should accept Council's constraints on the application.
- Any enlargement or extension including the addition or increase in window size will cause loss of privacy to adjoining properties and gardens.
- Fail to see how application differs from previous refusal.
- Overlooking, loss of privacy, and overshadowing

- 5.2 **12** standard letters of representation have been received from, **6 Eileen Avenue, 8 Royles Close, 16 Margaret Street, 5 Meadow Parade, 9 Ridge close, Portslade, flat 4, 72 Montpelier Road, Flat 3, 104 Highdown Road, 20 Northumberland Court, 62-64 Marine Parade, 7 Lakeview South Avenue, 13 Nevill House, 164-165 Marine Parade, flat 2, 42 St Aubyns, 93 Wordsworth Street** supporting the application for the following reasons:

- The area is not a conservation area; consider the restriction of clause 4 to be inappropriate in this instance.
- Many and varied architectural designs in the area. Do not consider that removing the condition will have a detrimental impact.
- Believe normal planning criteria is sufficient to ensure that suitable design is applied and over development does not take place.

5.3 Internal:

None

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

QD14 Extensions and alterations

QD27 Protection of amenity

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the proposed variation of condition 3 on neighbouring residential amenity.

- 8.2 The original condition states:
'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.'
- 8.3 The applicant proposes the wording to be:
'No extension, enlargement or other alteration of the dwelling houses excluding works covered by Class B of the Town and Country Planning (General Permitted development) Order 1995, shall be carried out without planning permission obtained from the Local Planning Authority.'
- 8.4 Class B refers to the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. The application therefore seeks to remove the restriction on roof extensions and alterations so that the dwellings would have permitted development rights in regard to roof alterations. In this case the condition was placed on the original approval for the two dwellings in order to protect the amenity of adjoining residential properties and there has been no material change that would now justify the removal of roof alterations from the condition.
- 8.5 An identical application (BH2013/00671) to vary condition 4 was refused earlier this year. The applicant has resubmitted the application and this time the application has received 12 letters of support.
- 8.6 It is also noted that an earlier application was refused last year under ref: BH2012/03148. The proposal was almost identical to the approved scheme for two traditional chalet bungalows. However the earlier proposal had four roof lights in the rear roof slope of each bungalow which were to be replaced with two large box dormers and one roof light located between the two dormers. Although the dormers were refused on design grounds and the dormers were shown with obscure glazing, variation of the condition would allow dormers to be erected without the need for planning permission and there would be no control over the glazing.
- 8.7 Given the proximity of neighbouring occupiers, it is considered that further development could cause detriment to the amenities of the occupiers of nearby properties and for this reason the variation of the condition which would allow roof alterations under permitted development rights is recommended for refusal.
- Other Considerations:**
- 8.8 The letters of support are noted however they all refer to design and the fact that the site is not located in a conservation area. The reason for the imposing of the condition was however to *protect the amenities* of the occupiers of nearby properties and not on design issues.

9 CONCLUSION

9.1 It is considered that further development could cause detriment to the amenities of the occupiers of nearby properties, including alterations and extension to the roof and therefore the Local Planning Authority would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

10 EQUALITIES

10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The Local Planning Authority would wish to control any future development to the roof of the property on the basis that roof extensions could cause material harm to neighbouring amenity by way of overlooking contrary to QD14 and QD27 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

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

Plan Type	Reference	Version	Date Received
Proposed plan, elevations and site plan	1124-21	A	22 May 2013
Existing plans, elevations and site plan	1124-20	A	22 May 2013

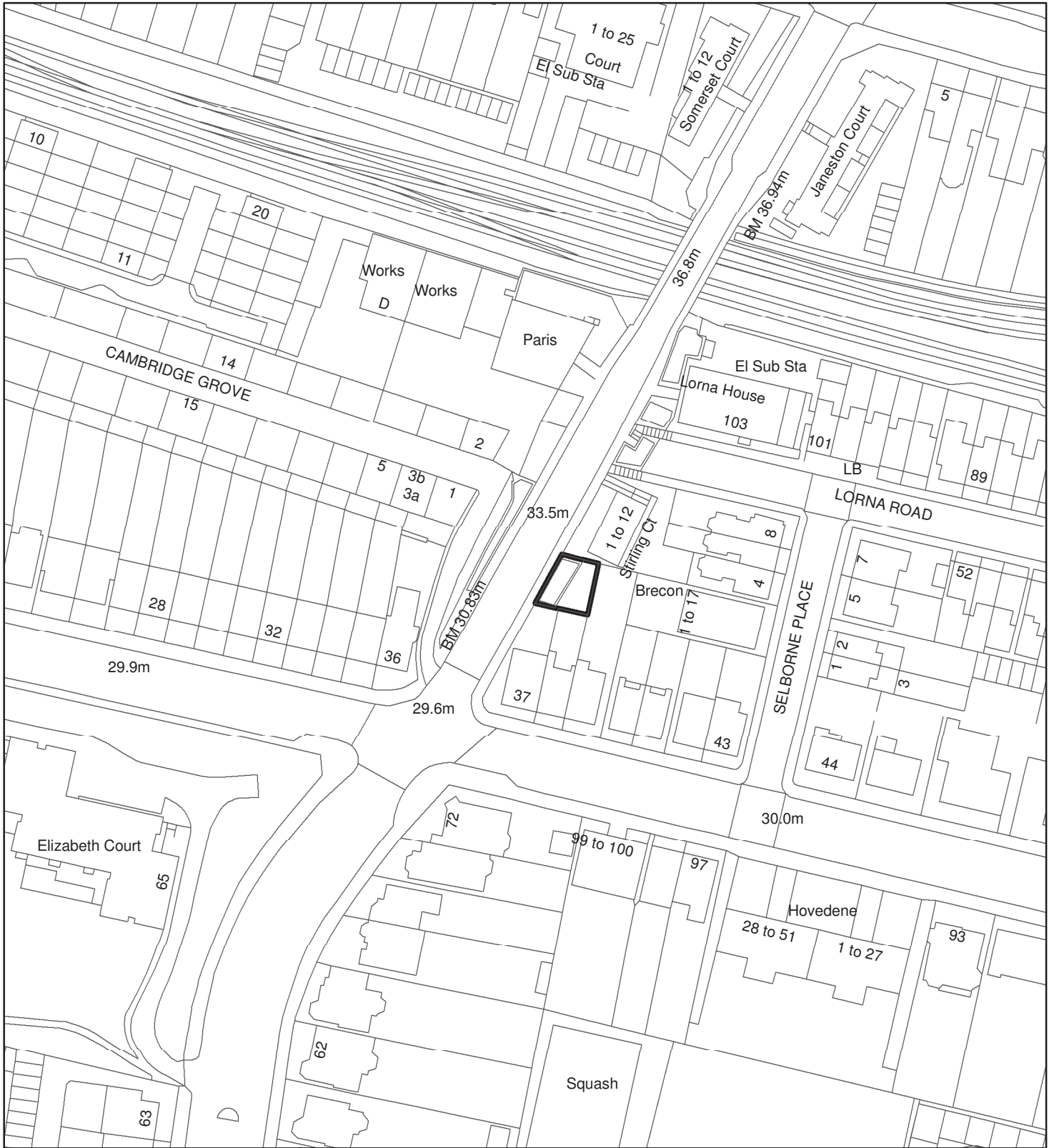
**PLANS LIST
ITEM E**

Land Rear of 37 & 38 Cromwell Road, Hove

**BH2013/01112
Full Planning**

07 AUGUST 2013

BH2013/01112 Land Rear of 37 & 38 Cromwell Road, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

PLANS LIST – 07 AUGUST 2013

<u>No:</u>	BH2013/01112	<u>Ward:</u>	GOLDSMID
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land Rear of 37 & 38 Cromwell Road, Hove		
<u>Proposal:</u>	Erection of two storey three bedroom eco house with associated improvements.		
<u>Officer:</u>	Guy Everest Tel 293334	<u>Valid Date:</u>	09/04/2013
<u>Con Area:</u>	Adjoining Willett Estate	<u>Expiry Date:</u>	04 June 2013
<u>Listed Building Grade:</u>	Adjoining Grade II (39 Cromwell Road)		
<u>Agent:</u>	PROwe Planning Solutions, Melton Lodge, Rusper Road, Newdigate, Dorking		
<u>Applicant:</u>	Mrs Maureen Wheeler, c/o PROwe Planning Solutions		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission for the reason(s) set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises open land to the rear of 37 & 38 Cromwell Road with a street frontage onto Wilbury Villas. The ground levels across the site fall considerably away from Wilbury Villas, with the rear of the site appreciably lower than street level. The site is currently enclosed by fencing and partly characterised by the presence of overgrown shrub planting.
- 2.2 The adjoining buildings to Cromwell Road, south of the site, are large Victorian gault brick semi-detached villas with slate roofs. To the north is a 1960s 4-5 storey brick block of flats, Stirling Court. The site adjoins the Willett Estate Conservation Area and lies to the west of a Grade II Listed Building, 39 Cromwell Road.

3 RELEVANT HISTORY

BH2012/00306: Erection of 1no three bedroom dwelling house. Withdrawn 11/04/2012.

BH2009/00814: Construction of a new five-storey building comprising 4 No. residential flats. To include 4 No. photovoltaic panels on roof. Provision of cycle store and waste /recycling facilities. Refused 10/06/2009 for the following reasons:-

- 1) *The applicant has identified that the land is vacant, with no previous use. There does appear to have been some landscaping of the site, but based on the information submitted, the Local Planning Authority consider the land to be private open space. Policy QD20 of the Brighton & Hove Local Plan*

prevents development on open space unless there are exceptional circumstances to develop the area. The proposal involves the loss of open space important to the setting of the Willett Estate Conservation Area and wider street scene. The development is therefore contrary to policy QD20 of the Brighton & Hove Local Plan.

- 2) *The proposal, due to its height, bulk, massing, design, and excessive foot print, fails to respect the space between buildings, and would be unduly intrusive in the townscape, and would be out of character with the Willett Estate Conservation Area. The scheme represents an overdevelopment of the site which would also be visually incongruous and overbearing in relation to this adjacent Grade II Listed Building in Cromwell Road. The development would harm the setting and appreciation of the Willett Estate Conservation Area and adjacent listed buildings, contrary to policies QD1, QD2, QD3, QD4 and HE3, HE6 of the Brighton & Hove Local Plan.*
- 3) *The proposed development, by virtue of its bulk, form and massing in close proximity to the neighbouring boundaries, results in an excessive and un-neighbourly form of development which would be intrusive, overbearing and cause an increased sense of enclosure to the occupiers of no 37, 38, and 39 Cromwell Road. The development would therefore be contrary to Brighton & Hove Local Plan policies QD1, QD2, QD3, and QD27 of the Brighton & Hove Local Plan.*
- 4) *The excessive footprint of the development, occupying much of the site, leaves limited opportunities for private amenity space. The proposal would result in an unsatisfactory level of private amenity space which would be detrimental to the living conditions of any future residential occupiers of the scheme and is contrary to policies HO5 and QD27.*

A subsequent appeal was dismissed 18/02/2010 with the Inspector agreeing with reasons for refusal 1, 2 & 3 (the appeal was not dismissed for reasons relating to private amenity space, and reason no. 4).

BH2008/00478: Erection of five storey building comprising three two bed apartments and two one bed apartments. Refused 08/04/2008.

3/96/0556(F): Erection of 3 storey house and garage. Refused 25/11/1996, dismissed at appeal 01/10/1997.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a two-storey three-bedroom dwellinghouse on the site. As a result of ground level changes across the site the dwelling would be single-storey above the level of Wilbury Villas and two-storey to the side and rear. The dwelling would incorporate a flat roof form accommodating angled photovoltaic panels and a green roof. Hedgerow planting is proposed to the front and side boundaries of the site.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: Twelve (12) letters of representation have been received from **45 & 96 Church Road; 14 (flat 1 x 2), 37 & 37A Cromwell Road; 91 May Road; 34 (x2) Robertson Road; 49 Waldegrave Road; 18 West Hill Place** and **6 Wolstonbury Road** supporting the application for the following reasons:-

- The site offers no benefit to the local neighbourhood and causes fly-tipping problems;
- The Council should be supporting ecohomes;
- The scheme is well designed and would be unobtrusive.

5.2 **Conservation Advisory Group:** No objection to the principal of development, concerned with the treatment of the roof and in particular the effect of angled solar panels, a pitched roof may be more appropriate.

5.3 **Cllr Buckley** supports the application – letter attached.

5.4 **Cllr Jarrett** supports the application – letter attached.

5.5 **37F Cromwell Road** objects to the application due to loss of light and overshadowing.

5.6 **Hove Civic Society** support the application which would enhance the land with no loss of visual amenity and provide additional housing in a socially and environmentally sustainable manner. The attainment of Code for Sustainable Homes Level 5 and Lifetime Homes standards is welcomed. The site is well served by public transport and local amenities. The design fits in with its surroundings and would avoid overlooking of adjoining properties, the visual effect of photovoltaic panels would be compensated by parts of the green roof.

5.7 **saveHOVE** object to the application which is profoundly out of keeping with the area and adjacent Conservation Area. The roofline is at odds with those adjoining. The site is awkward and small, too small to reasonably build on, and should be used to provide a pocket park.

5.8 Internal:

Access Officer: The revised layout is largely satisfactory, recommend amendments to the entrance and bathroom doors.

5.9 **Arboricultural Officer:** There are no trees on the application site that would be affected by the proposed development.

5.10 **Sustainable Transport:** No objection; the development is not expected to significantly increase trip generation to or from the site. Recommend conditions relating to cycle parking facilities and details of the retaining wall to Wilbury Villas.

6 MATERIAL CONSIDERATIONS

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be

PLANS LIST – 07 AUGUST 2013

made in accordance with the plan unless material considerations indicate otherwise.”

- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
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
QD20	Urban open space
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development

PLANS LIST – 07 AUGUST 2013

HO7	Car free housing
HO13	Accessible housing and lifetime homes
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH4	Parking Standards
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Supplementary Planning Documents:

SPD06	Trees & Development Sites
SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The key issues for consideration in the determination of this application relate to the visual impact of a dwelling in this location, including the impact on the adjoining Conservation Area and Listed Buildings, and its impact on neighbouring amenity and transport. Whether or not rubbish has been dumped on the site is not a material planning consideration,

Character and appearance:

- 8.2 The adjoining section of Cromwell Road is characterised by large town houses with relatively large front and rear gardens. The resulting openness to the rear of buildings in Cromwell Road is important to the setting and character of the Conservation Area. The application site is prominent in views across the junction of Cromwell Road and Wilbury Villas and, despite not previously forming part of a residential garden, contributes to the overall character and spaciousness of the Conservation Area.
- 8.3 The proposed development entails a two-storey dwellinghouse with a square footprint, flat roof and external brickwork. The dwellinghouse would be single-storey from Wilbury Villas due to significant level changes across the site. The applicant considers that the development would be 'invisible' in the street scene due to a proposed hedgerow to the north and western boundaries of the site (the hedgerow is indicated as being approximately 3.3 metres in height to the Wilbury Villas frontage) and that the green roof would enhance the appearance of the site.
- 8.4 It is considered that the introduction of a compact building form would result in a significant reduction of visually important open space to the rear of Cromwell Road at the entrance to Wilbury Villas. The proposed scale, form and siting of the proposed building would bear no relation to the recognised characteristics of the area, with the siting forward of Stirling Court to the north. The resulting development would therefore appear discordant in relation to the prevailing pattern and layout of surrounding development.

- 8.5 The proposed screening (hedgerow) to the Wilbury Villas frontage represents a contrived arrangement designed solely to conceal the proposed dwellinghouse, as opposed to contributing to the overall landscape quality of the area. The height and extent of screening would appear at odds with the informal open nature of adjoining boundaries along Wilbury Villas, with the resulting enclosure of the street scene extenuating the loss of openness resulting from the proposed built form. The suggested amenity value of the proposed green roof is considered to be overstated, and the main impression from Wilbury Villas would be derived from angled solar panels. The green roof and boundary planting would not therefore compensate for the loss of open space which makes an important contribution to the prevailing character and appearance of the area.
- 8.6 A recent appeal decision (see section 3) considered that the site amounts to private open space, important to local people because of its amenity value as a source of outlook from surrounding buildings, and, due to its positive contribution to the street scene where it provides an important sense of openness and the setting of listed buildings. There has been no material change to the site or surrounding area since this view was taken and, as outlined above, the site continues to be of importance to the setting of the adjoining Conservation Area and associated buildings.
- 8.7 Local Plan policy QD20 states that planning permission will not be granted for proposals resulting in the loss of important areas of private open space unless exceptional circumstances can be demonstrated. The applicant has not sought to demonstrate such a circumstance but considers that since the site was not identified in a 2011 Open Space Study (update) (*prepared as a background study for the Submission City Plan*) it has no value for such use. Whilst this is acknowledged, the Open Space Study is not the key document in determining whether development on the site is appropriate. The proposed development is instead considered inappropriate in this location for the reasons outlined in paragraphs 8.2 to 8.5.
- 8.8 It is acknowledged that as existing the site has an unkempt appearance which would benefit from regular upkeep. This would not though justify a development which would result in the loss of open space, important to the amenity and conservation value of the area, and which would harm the character and appearance of the surrounding area and, as a result, the setting of the adjoining Conservation Area and Listed Buildings. The proposal is thereby contrary to Local Plan policies QD1, QD2, QD3, QD20, HE3 and HE6.

Housing:

- 8.9 The development would create a 3-bedroom dwellinghouse with adequate room sizes throughout and private amenity space to the south of the site. At lower ground floor level light and outlook to bedroom accommodation would be compromised by the retaining wall to Wilbury Villas and boundary screening. It is though considered that given the main living space would at first floor level, with an open aspect to the west, the shortcomings at lower ground would not, in themselves, warrant refusal of the application.

- 8.10 The Access Officer has identified minor amendments required in order for the dwellinghouse to meet Lifetime Homes standards. If necessary these amendments, which would not affect the overall form or design of the proposal, could be secured through condition.

Impact on amenity:

- 8.11 The proposed building would be highly visible in views from the lower ground floor levels and rear gardens to residential units within 37, 38 & 39 Cromwell Road. There would though be considerable separation, a minimum of approximately 15 metres, between window openings to Cromwell Road properties, to the south of the site, and the proposed building. This arrangement and separation is considered sufficient to ensure no harmful loss of light.
- 8.12 The garden of no. 39 extends across the rear of the application site and direct views would be possible from first floor window openings within the proposed dwellinghouse. There would also be minimal separation, of approximately 1 metre, between the proposed dwelling and shared boundary. As a result of this close proximity the 2-storey dwelling would appear as an excessively dominant and overbearing feature when viewed from the rear garden of no. 39. Whilst this garden is relatively deep this would not justify the extent of harm which would occur as a direct result of the application.
- 8.13 There would be greater separation between the proposed dwelling and the gardens associated with nos. 37 & 38. Whilst, in amenity terms, the proposal would encroach on the outlook currently available within the adjoining gardens the resulting impact is not considered so significant as to warrant refusal of the application.
- 8.14 The formation of a residential dwelling, and associated amenity space, in this location would not be expected to cause significant levels of noise or disturbance for occupants of adjoining properties.

Transport:

- 8.15 The Sustainable Transport Team has commented that the development would be unlikely to significantly increase trip generation to or from the site; on this basis the proposal would not create a harmful demand for travel. The application site is in an accessible location where, if necessary, a condition could create a car free development in accordance with local plan policy HO7. There is sufficient space within the curtilage of the site for cycle parking facilities, and if necessary further details could be secured through condition.

Sustainability:

- 8.16 Local Plan policy SU2 requires proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance within supplementary planning document 08, sustainable building design, recommends that development on previously undeveloped, Greenfield, sites achieve Level 5 of the Code for Sustainable Homes (CfSH). The supporting information indicates the proposed development could achieve CfSH Level 5. If necessary this could be secured through condition.

9 CONCLUSION

9.1 The development would result in a harmful loss of openness which makes a positive contribution to the character of the street scene and adjoining Conservation Area and Listed Building. Furthermore, the development, by reason of its siting and form, would appear discordant and contrived in relation to the prevailing pattern and layout of surrounding development and constitutes a cramped form of development. The proposal would therefore fail to emphasise and enhance the positive qualities of the local neighbourhood, or preserve the character or appearance of the Conservation Area.

10 EQUALITIES

10.1 The development would be built to Lifetime Homes standards.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The development would result in the loss of open space which would have a harmful impact on the street scene of Wilbury Villas and on the character and appearance of the adjoining Willett Estate Conservation Area and Grade II Listed Building. Furthermore, the development, by reason of its siting and form, would appear discordant and contrived in relation to the prevailing pattern and layout of surrounding development and constitutes a cramped form of development. The proposal would therefore fail to emphasise and enhance the positive qualities of the local neighbourhood, or preserve the character or appearance of the Conservation Area. The proposal is thereby contrary to policies QD1, QD2, QD3, QD20, HE3 and HE6 of the Brighton & Hove Local Plan.

2. The development, by reason of its proximity and scale in relation to the shared boundary of the site with 39 Cromwell Road, would appear overbearing and would result in harmful loss of privacy for occupants of this property. The proposal is thereby contrary to policy QD27 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

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

Plan Type	Reference	Version	Date Received
Proposed Floor Plans & Sections	AD100	-	08/04/2013
Proposed Elevations	AD101	-	08/04/2013

PLANS LIST – 07 AUGUST 2013
COUNCILLOR REPRESENTATION



RECEIVED
09 MAY 2013

Councillor Ruth Buckley

c/o Brighton & Hove City Council
King's House
Grand Avenue
Hove BN3 2LS

Guy Everest
Senior Planning Officer
Development Control
1st Floor
Hove Town Hall
Norton Road
HOVE

Date: 8 May 2013

Our Ref: RB/EB

Your Ref:

Dear Guy

REF: BH2013/01112

I would like to support the above application as:

- I believe neighbours have approved the plans
- The site has been vacant for a number of years and is unsightly
- There is a real need for family housing in the Goldsmid area and in the city as a whole
- There will be no negative visual impact
- The plans are considerate to neighbours and the local environment
- The identified area is not an open space, it is waste land, often used to dump rubbish
- The plans will not impact on the conservation area

It would also be of great benefit to the city to see more of these Code Level 5 eco houses due to their zero carbon rating, which can only be of benefit to the city's residents. These houses also obtain the highest standards generally, meaning they are built to last and can save large amounts of money through water and energy efficiency.

Yours sincerely

Councillor Ruth Buckley

Planning Application - BH2013/01112

I support the Planning Application

Sender's details

Cllr Rob Jarrett

Comment

I think this is a very good design and code level 5 is excellent. The building will improve the visual appearance of this currently scruffy site. I do not think there will be an adverse affect on the nearby conservation area as it is some way away and screened by trees.

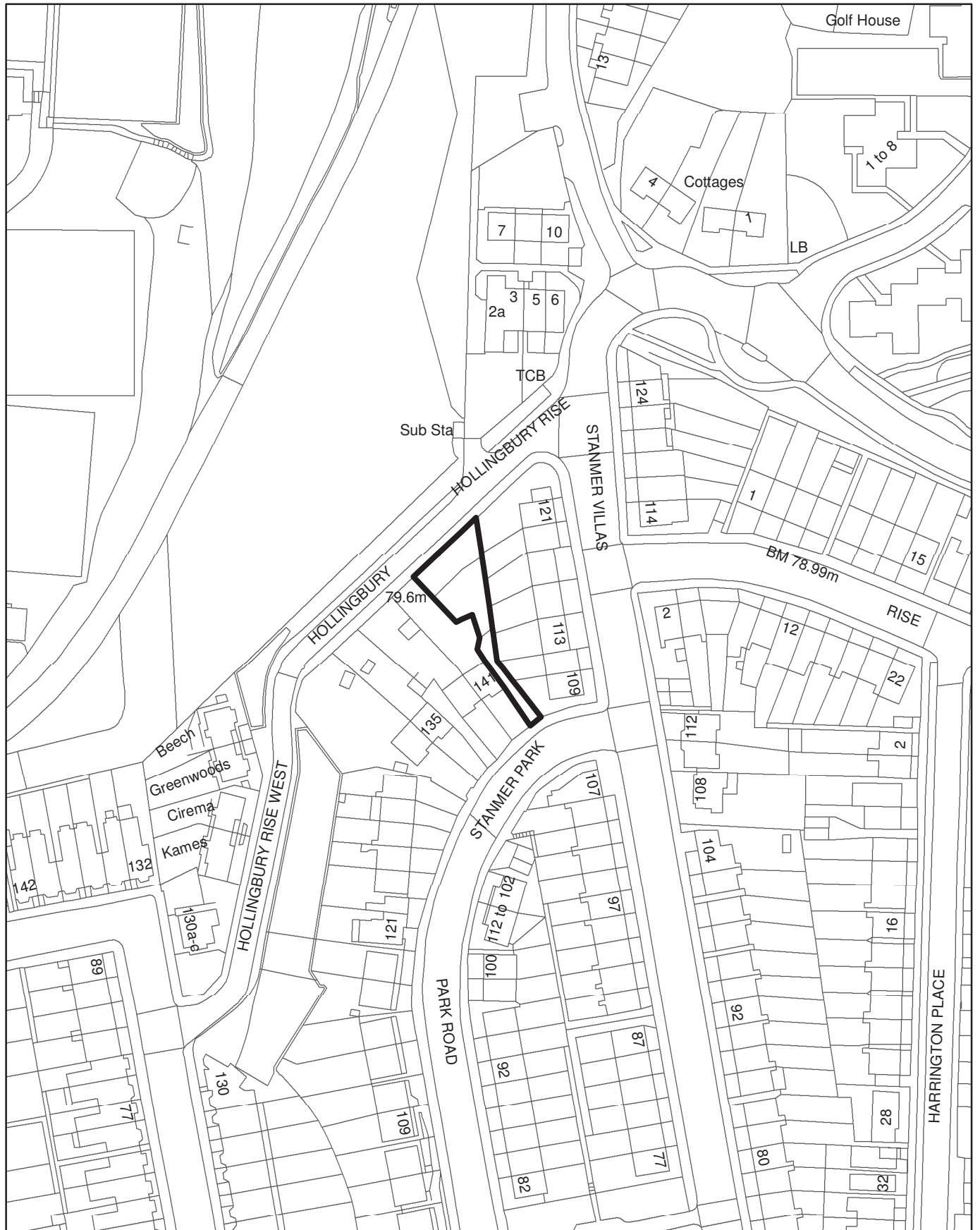
**PLANS LIST
ITEM F**

**Land to Rear of 141 Stanmer Park Road,
Brighton**

**BH2013/01296
Full Planning**

07 AUGUST 2013

BH2013/01296 Land to Rear of 141 Stanmer Park Road, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/01296	<u>Ward:</u>	HOLLINGDEAN & STANMER
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land To Rear of 141 Stanmer Park Road, Brighton.		
<u>Proposal:</u>	Erection of 1no two bedroom detached dwelling.		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	03/05/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	28 June 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Building Solutions Consultants Ltd, 96 Church Road, Hove, BN3 2EB		
<u>Applicant:</u>	Mr Daniel Barker, 96 Church Road, Hove, BN3 2EB		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to land to the rear of properties on Stanmer Park Road and Stanmer Villas. The site adjoins the rear garden areas of 141 Stanmer Park Road and 109, 117, 119 and 121 Stanmer Villas. Access to the site is gained via a pathway/driveway located between 141 Stanmer Park Road and 109 Stanmer Villas. It would appear that the land was formerly linked to 117 Stanmer Villas Road.
- 2.2 The northern section of the site comprises a steep slope, which is located adjacent to Hollingbury Rise West, as a result of the topology of the area.

3 RELEVANT HISTORY

Land to the rear of 141 Stanmer Park Road

BH2009/03177 - Erection of a 2 storey residential dwelling to the rear of 141. Approved 22/09/2010.

BH2009/00531 - Erection of a 2 storey residential dwelling to the rear of 141. Refused 11/05/2009.

141 Stanmer Park Road

BN75.896 – Erection of a detached garage to the rear of the existing premises. Granted 13.05.1975

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a single storey two bedroom detached dwelling, on land to the rear of 141 Stanmer Park Road, which is accessible via a driveway along side this neighbouring property.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Six (6) letters of representation have been received from 111, 113, 117, 119, 121 Stanmer Villas and 141 Stanmer Park Road objecting to the application for the following reasons:**

- The size and appearance of the development is not suitable for the area,
- Increase in noise and disturbance from comings and goings of extra traffic and late night use,
- Overshadowing,
- Overlooking and loss of privacy,
- Proposal for another property in such a close proximity is too congestive and access to the site is very limited,
- 7 trees will be removed aligned along Hollingbury Rise West which will cause irreversible damage to the road leading to Hollingbury Park Avenue. 11 out of the 13 trees on the plot have long term preservation orders. The works that are detailed in the Arboricultural report dated 2009 are contradictory to those preservation orders.
- Land was sold with understanding that plot would not be developed, was sold for storage of a boat,
- In last 6 years site has not been maintained, in this time the area has increased substantially in wildlife activity,
- Development would be intrusive to neighbouring properties,
- The removal of trees would leave neighbours wide open to Hollingbury Rise West, which is a busy road meaning more noise and pollution normally absorbed by the trees,
- The development would encroach on rights of way, impinging legal rights,
- The lane and land is too small to service further use,
- Access to the property is not safe, cars would be driving too close to existing properties and would be dangerous to pedestrians traversing the pavement in Stanmer Road,
- The new dwelling will substantially alter the current landscape of the area, which will include the removal of several established old trees which provide a haven of greenery in the summer months,
- When the property is built/access route resurfaced the new structure will decrease the rate of permeability for the area significantly altering the hydrography of the area, and
- When shared access way is upgraded to asphalt or concrete this will increase the maintenance costs for drainage/sewerage system.

- 5.2 **115 Stanmer Villas, comments on the scheme and advises whilst there are no objections to the current or previous application per se there are some concerns regarding the rear access and neighbouring right of way, which is included in**

house deeds, from rear garden gates during construction and longer term. Seek assurance that this access will be maintained at all times during construction and long term. The necessary construction operations will require deep drainage construction as it is proposed to provide main sewer and unless pumped this will need to be located on the access way. There will obviously be significant construction material deliveries and waste removal by vehicles. Would like clarification on the trees to be removed as discrepancies in report, does not objection to the removal of trees 4, 5, 8, 10, 11 12, and 13.

5.3 **107B Stanmer Villas**, has no objections but would like to see conditions added for construction hours.

5.4 A **petition** signed by **25 signatories** objecting to the application on the grounds that:

- The proposed site is not suitable for the area,
- The appearance and size of a new building is inappropriate and insensitive,
- Adjoining residents will suffer overshadowing, overlooking and loss of privacy,
- There will be a large increase in noise and disturbance,
- New and existing roadways will be unsafe for pedestrians and other road users, and
- The removal of a number of trees with Tree Preservation Orders in place is unacceptable for development purposes.

5.5 **Councillor Lepper**, objects to the application - letter attached.

5.6 **County Ecologist**: The level of the submitted Bat Survey is sufficient. There was no evidence of roosting bats within the survey area. A visual check for bats by a competent climbing arborist (with suitable experience) is still required.

Internal:

5.7 **Access Officer**:

(Original comments 20/05/2013) Comments that the required 300mm leading edge clearance is absent on the entrance door and the bedroom 1 door. Confirmation is required of the provision of floor drainage for a future level entry shower.

5.8 (Additional comments 12/06/2013 following receipt of amended drawings). The amendments are fine.

5.9 **Arboriculturist**: No objection subject to suitable conditions being attached to any planning consent granted regarding tree protection and landscaping.

5.10 **Environmental Health**: No comment.

5.11 **Sustainable Transport**: Recommends approval, the Highway's comments from the previous application (BH2009/031777) still stand. There are no objections to the application subject to conditions relating to cycle parking

details and a vehicle turning table and an informative relating to a vehicle crossover.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

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

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SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD5	Design – street frontages
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

Planning Advice Note

PAN05	Design Guidance for the Storage and Collection of Recyclable Materials and Waste
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Supplementary Planning Guidance:

SPGBH4	Parking Standards
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Supplementary Planning Documents:

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

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 In the determination of the application the main issues for consideration are the principle of the development, secondly the design and visual amenity impacts upon the Stanmer Park Road and Hollingbury Rise West street scenes and the wider area, thirdly the impacts upon the amenities of neighbouring properties, fourthly sustainable issues, fifthly transport issues and finally the adequacy of living conditions for future occupiers.

Principle of Development:

- 8.2 There is an extant consent BH2009/03177 for a dwelling on this site. This previous permission is unimplemented and is due to expire in September 2013. Therefore there is no objection to the principle of the development.

Design and Visual Amenities Impact:

- 8.3 Policies QD1, QD2 and QD3 set out the design criteria for applications of this nature. Although polices discourages the replication of existing styles and pastiche design, unless a development proposal is within an area featuring a

distinctive historic style of architecture the design policies require proposals to make an efficient and effective use of the site, contributing positively to the visual quality of the environment, addressing key principles for the neighbourhoods in terms of height, scale, bulk and design whilst providing an interesting and attractive street frontage where appropriate. As such, a residential redevelopment of the site would not be resisted in principle, but must be carefully assessed and considered in respect of the areas set out below.

- 8.4 The site to which the application relates is located to the rear of 141 Stanmer Park Road and nos. 109 to 121 Stanmer Villas. The southern most elevation of the proposed dwelling would be set back from Stanmer Park Road by approximately 33m.
- 8.5 Except for a slight extension on the south-eastern side, the footprint of the dwelling now proposed is the same as the previously approved ground floor level and would accommodate the provision of two bedrooms, a living room/dining room, a kitchen and bathroom across one floor level.
- 8.6 The proposed dwelling would have a footprint of approximately 8m by 8m although the south-eastern most corner would be set in from the rest of the southern elevation by approximately 0.9m. In the previously approved application this set back was approximately 3.1m to accommodate the provision of a light well to the lower ground floor.
- 8.7 The main entrance to the dwelling would be located within the south-western elevation. Full height bi-folding glazed doors would be inserted in the north-western and south-eastern elevations in relation to the proposed living/dining room and the two bedrooms. Windows would also be inserted within the south-eastern and south-western elevations in relation to the proposed kitchen and bathroom areas.
- 8.8 The proposed flat roof would include a parapet feature with a height which exceeds the flat roof by approximately 0.3m.
- 8.9 As part of the application a plan has been submitted which shows that the internal floor level of the proposed dwelling would have an Ordnance Survey Datum (OSD) height of 74.8m whilst the parapet of the roof would be 77.8m OSD. The submitted plan also shows that the eaves of no. 141 Stanmer Park Road are located 80.4m OSD whilst the pavement level of Hollingbury Rise West, located to the north of the site measures 80.3m OSD.
- 8.10 Due to the design of the proposed dwelling and the existing urban form of nos. 109 to 121 Stanmer Park Villas and 141 Stanmer park Road the proposed dwelling would not be easily viewable from within Stanmer Park Road or Stanmer Park Villas. Hollingbury Rise West is set at a much higher level than the site due to the topography of the area. Although some trees along the northern boundary of the site would be removed to accommodate the proposal, an issue discussed in more detail below, it is not considered that the proposed dwelling would be highly visible from within this northern neighbouring street

scene. Overall the proposed modern design is considered appropriate in this location which would not compromise the quality of the local environment.

Living Conditions for Future Occupiers:

- 8.11 Policy HO5 requires new residential development to provide adequate private and usable amenity space for occupiers, appropriate to the scale and character of the development. The proposed 2 bedroom dwelling would have sole use of the rest of the plot surrounding the property, which would be landscaped. This proposed external amenity space is of a size considered to be acceptable for the scale and character of the development.
- 8.12 Policy HO13 requires new residential dwellings to be built to Lifetime Homes Standards, which enables units to be adapted at a later date to meet the changing needs of occupants, without the need for major structural alterations. There are sixteen standards relating to Lifetime Homes and as the proposal is for a new build development all of the standards must be incorporated into the design (except the standard relating to communal staircases and lifts). A comprehensive Lifetime Homes Checklist has been submitted as part of the application setting out how the proposal would comply with all the relevant Lifetime Homes Standards. Since submission of the application the floorplans have been amended to address issues raised by the Council's Access Officer, with regards to a 300mm leading edge clearance to the main entrance door and the door of bedroom 1 and confirmation that floor drainage would be provided for a future level entry shower. It is recommended that a condition is attached to an approval to ensure full compliance with policy HO13.

Impact Upon Amenities of Neighbouring Properties:

- 8.13 The proposed dwelling will be located to the rear of 141 Stanmer Park Road and nos. 109 to 121 Stanmer Villas. The main entrance to the dwelling will be in the west elevation.
- 8.14 The orientation of the property results in the proposed south facing glazed folding doors, which relate to bedroom 2, facing along the proposed access route.
- 8.15 No windows are proposed which would face towards the neighbouring properties located along Stanmer Park Villas.
- 8.16 The proposed full height glazed doors which would be installed in the north-west facing elevation of the new dwelling would face onto the garden area and beyond towards the boundary with Hollingbury Rise West, which is set at a higher level.
- 8.17 Due to the single aspect of the proposed dwelling and the and the existing treatments on all boundaries of the site, namely standard height solid garden fencing and a brick built structure to the rear of 141 Stanmer Park Road, it is not considered that the development will have a significant adverse impact upon the amenities of the neighbouring properties with regards to overlooking, loss of privacy, overshadowing or loss of sunlight/daylight.

Sustainability Issues:

- 8.18 Policy SU2 and SPD08 seeks to ensure that development proposals are efficient in the use of energy, water and materials. Proposals are required to demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design.
- 8.19 As previously stated the proposal is considered to constitute a Greenfield development. In order to comply with SPD08 the proposed new dwelling should be constructed to Code for Sustainable Homes Level 5. Since submission of the application an amended Sustainability Checklist has been submitted in which it is stated that the proposed dwelling would be constructed to Code for Sustainable Homes Level 5. It is also stated within the Checklist that the development would include measures such as the use of locally sourced materials, timber certified from sustainable sources, re-used/recycled materials, the provision of rain water butts and an air source heat pump. A condition should be attached to any approval to ensure that the development is constructed to Level 5.
- 8.20 Policy SU2 of the Brighton & Hove Local Plan requires all new developments to make provision for adequate refuse and recycling facilities. The plans submitted show the provision of refuse and recycling storage along part of the eastern boundary of the site, within the proposed rear garden amenity space. It is recommended that a condition is attached to any approval to ensure the provision of such facilities.

Transport Issues:

- 8.21 Policy TR1 requires new development to address the demand for travel which the proposal will create and requires the design of the development to promote the use of sustainable modes of transport on and off site, so that public transport, walking and cycling are as attractive as use of a private car. Policy TR7 requires that new development does not increase the danger to users of adjacent pavements, cycle routes and roads. Policy TR14 requires the provision of cycle parking within new developments, in accordance with the Council's minimum standards as set out in SPGBH4. Policy TR19 requires development to accord with the Council's maximum car parking standards, as set out in SPGBH4.
- 8.22 The site is located outside of the City's controlled parking zones and free on-street parking is provided within the vicinity of the site.
- 8.23 A driveway is located along the side of 141 Stanmer Park Road, which the applicant intends to use for both pedestrian and vehicular access to the new dwelling. In association with the new dwelling, one off-street parking space would be provided.
- 8.24 A car turntable was proposed within the approved application BH2009/03177 to address concerns raised in application BH2009/00531. The installation of a car turntable is retained in the current application, which would allow one vehicle at a time to enter and leave in a forward gear.

- 8.25 Plans submitted as part of the application show the provision of cycle storage adjacent to the eastern boundary of the site. It is recommended that a condition is attached to ensure that such facilities are provided.
- 8.26 It is acknowledged that third party letters of objection refer to the fact that some neighbours have access rights to some of the land and raise concerns regarding impacts that the proposal would have upon use of this right; however such issues are civil matters and therefore are not material planning considerations. With regards to comments regarding the resurfacing of this access the plans submitted do not indicate any intention to resurface the access driveway. However under Class F of the Town and Country Planning (General Permitted Development) Order 2008 the applicant/developer could resurface the driveway without planning permission subject to the surface being made of porous material or provision being made for direct run-off to permeable/porous areas if the area exceeds 5m².

Landscaping:

- 8.27 Thirteen of the trees located within the site boundary are covered by a Tree Preservation Order. The applicant intends to remove seven of these existing trees for reasons of sound Arboricultural Management or as the trees are of low quality and value. The Council's Arboriculturist is in full agreement with the Arboricultural Report submitted as part of the application. However, if approved, it is recommended that conditions should be attached for the protection of the retained trees during construction works and the submission of a landscaping scheme, additional to the landscaping shown on the plans submitted, to mitigate the loss of seven trees.

Bats:

- 8.28 Since submission of the application an up-to-date Bat Survey has been submitted in which it is stated that no evidence of bat activity at the site was found and that there is limited potential for roosts in the trees within the site. It is however recommended by the County Ecologist that, as with the 2009 application, a visual check by a competent climbing arborist is carried out and that a suitably qualified bat surveyor should be available on site when the trees proposed for removal are felled. It is recommended that a condition is attached requiring such action.

9 CONCLUSION

- 9.1 The development would make efficient and effective use of the site. Its height, design and bulk would relate well to that of other properties within the vicinity of the site and would not compromise the quality of the local environment. The standard of accommodation provided is considered acceptable and adequate private usable amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, waste management, parking standards and refuse and recycling storage. In addition it is deemed that the new residential property would not have a significant adverse impact upon the amenities of neighbouring properties.

10 EQUALITIES

10.1 The development would be required to comply with all reasonable Lifetime Homes criteria and to meet Part M of the Building Regulations.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

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

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

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

Plan Type	Reference	Version	Date Received
Site Location and Block Plans	AL-100	-	24 th April 2013
Proposed Ground Floor Plan	AL-101	Rev. B	26 th June 2013
Proposed Roof Plan	AL-102	Rev. A	26 th June 2013
Proposed South and East Elevations and Sections	AL-103	Rev. A	27 th June 2013
Proposed North and West Elevations	AL-104	-	24 th April
Proposed Site Sections	AL-105	-	24 th April 2013
Existing Site Plan	AL-106	-	3 rd May 2013

3) No extension, enlargement, alteration or provision within the curtilage of the dwellinghouse hereby approved as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed within the eastern or southern elevations of the dwellinghouse 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 QD1 and QD27 of the Brighton & Hove Local Plan.

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

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

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

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

- 7) 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.

11.2 Pre-Commencement Conditions:

- 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) No residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves Code level 5 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

- 10) No works to trees on the site shall take place until a visual check for bats has been carried out by a competent climbing arborist in accordance with

the recommendation set out in the RW Green Limited Bat Survey, submitted on 17 July 2013. Tree felling shall only take place when a suitably qualified bat surveyor is available on site in accordance with the recommendation set out in the RW Green Limited Bat Survey.

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

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

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

- 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, boundary treatments, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

11.3 Pre-Occupation Conditions:

- 13) 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.

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

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

- 15) The residential unit hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

- 16) The development shall not be occupied until the parking area has been completed and the vehicle turning table has been installed and is fully operational in accordance with the approved plans. The parking area and vehicle turning table shall thereafter be retained and shall not be used other than for the parking and turning of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and entering/leaving the public highway and to comply with policy TR7 of the Brighton & Hove Local Plan.

11.4 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. 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). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.
4. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents: (Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The development would make efficient and effective use of the site. Its height, design and bulk would relate well to that of other properties within the vicinity of the site and would not compromise the quality of the local environment. The standard of accommodation provided is considered acceptable and adequate private usable amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, waste management, parking standards

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and refuse and recycling storage. In addition it is deemed that the new residential property would not have a significant adverse impact upon the amenities of neighbouring properties.

Development Control
Hove Town Hall
Norton Road
Hove

For the attn: Liz Arnold.

15th May 2013

Planning Application No. BH 2013/01296 : Land to the rear 141 Stanmer Park Road, Brighton.

I would like to register my objection to the above application for the development of a two bedroom dwelling on this site. This small plot of land lies behind properties in Stanmer Park Road and Stanmer Villas and such a development would have a detrimental impact on these properties. They would suffer overshadowing and loss of privacy. There are also access problems which would also impact on neighbouring houses.

I also understand that for this development to proceed it would mean that several mature trees would have to be felled, many of them having tree preservation orders. The land is on an incline and the steep road at the back, Hollingbury Rise West, could also be adversely affected if this application is approved.

Please can you place this letter before the Planning Committee when it come to consider this application.

Jeane Lepper

Councillor, Hollingbury and Stanmer.

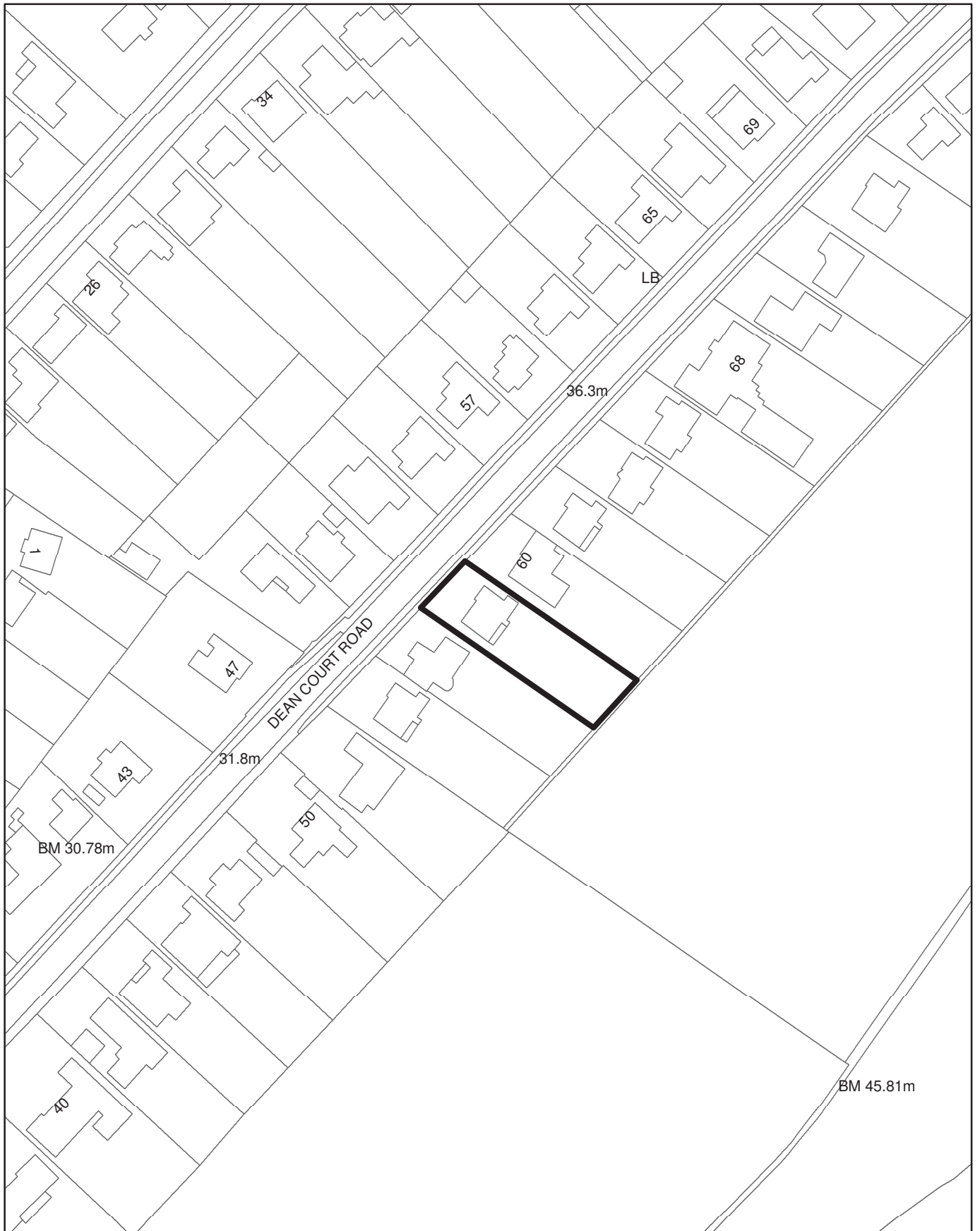
**PLANS LIST
ITEM G**

58 Dean Court Road, Rottingdean, Brighton

**BH2013/01893
Householder Planning Consent**

07 AUGUST 2013

BH2013/01893 58 Dean Court Road, Rottingdean, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/01893	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	58 Dean Court Road, Rottingdean, Brighton		
<u>Proposal:</u>	Erection of two storey side and rear extension with a loft conversion incorporating roof extensions, rooflights and associated external alterations.		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	10/06/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	05 August 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	DH Design, 11 Dartmouth Crescent , Brighton, BN24HY		
<u>Applicant:</u>	Mr Adam Gander, 58 Dean Court Road, Rottingdean, Brighton, BN2 7DJ		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission for the reason(s) set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.2 The site relates to a two storey detached property of mock Tudor design to the south eastern side of Dean Court Road. There is an existing single storey addition with balcony above to the rear and a single storey addition to the north eastern side elevation. The South Downs National Park adjoins the site to the rear of the property.

3 RELEVANT HISTORY

BH2013/00033 - Erection of two storey side and rear extension with a loft conversion incorporating roof extensions and creation of two rear gables, a rear dormer, a balcony, rooflights and associated external alterations. Refused 4 March 2013. The reasons for refusal referred to the design of the extension and resulting impact on amenity and the appropriateness of a front rooflight.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of two storey side and rear extension with a loft conversion incorporating roof extensions, rooflights and associated external alterations.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours:** 6 letters of representation have been received from **51, 60 and 73 Dean Court Road, 13 Welesmere Road and 9 and 11 Challoners Close**, supporting the application for the following reasons:

- Appropriate in regards to scale, design and materials,
- Proposal would respect the character and appearance of the surrounding area,
- The proposal would not result in loss of privacy to neighbouring occupiers,
- The design makes best use of the available space,
- Would allow a local family to live in an appropriate scale house, within walking distance of the local school and thus would not add to local traffic congestion.

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

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

6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.

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

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

QD14	Extensions and alterations
QD27	Protection of Amenity

Supplementary Planning Document

SPD012	Design Guide for Extensions and Alterations
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8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations relate to the impact of the development upon the appearance of the property and the surrounding area, and the effect upon the residential amenities of neighbouring occupiers.

8.2 It is noted that the incorrect property is shown in the photographic schedule (L-102) under “existing street scene”.

8.3 Design and Visual Impact

The proposal is a resubmission of a previous application for substantial additions to the rear incorporating a loft conversion which was refused for the following reasons:

- *The proposed addition, by reason of scale, design, siting, bulk and height would result in an unsympathetic and overly dominant addition that relates poorly to the existing building and detracts from the appearance and character of the building and the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Roof Alterations and Extensions.*
- *The proposed development, by reason its height, depth and bulk would result in an unacceptably overbearing and visually dominant impact towards No.56 Dean Court Road. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.*
- *The proposed rooflight to the front elevation is poorly sited, excessive in scale and relates poorly to the existing building, detracting from the appearance and character of the building, the street scene and the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).*

8.4 The applicant has attempted to address the reasons for refusal by remodelling the proposed additions to the rear, replacing the two gabled ended additions with a flat roofed addition, hipped away at the rear of the property and by removing the rooflight to the front roofslope.

8.5 The existing property has a stepped appearance to the rear with the south western section of the rear elevation set back approximately 0.6m back from the north eastern section. There is an existing single storey addition to the south

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western end of the rear elevation which protrudes out 1.5m from the rear with a terraced area above.

- 8.6 The proposed scheme would comprise of a two storey addition to the rear. The north eastern element would project out 4m from the existing rear wall, would be 6.5m in depth and would take in the existing 1.4m side extension.
- 8.7 The south western element of the addition would be 5m in width and would project out 3.2m beyond the existing rear elevation at first floor level.
- 8.8 The ground floor addition would extend to the same depth as the north eastern element. There would be a terraced area, 1.5m in depth above the ground floor addition. The addition would comprise of a flat roof, hipped away on all three sides at the same pitch as the existing roof. The proposal would be finished in render and facing bricks to match existing.
- 8.9 Three rooflights are proposed to the rear roofslopes, two to the north eastern roofslope and a further rooflight to the south western roofslope. The existing side window at first floor level on the south western elevation would be repositioned closer to the front elevation.
- 8.10 It is considered that whilst the general design approach is more sympathetic to the original building than the previously refused scheme the overall depth of the proposal at first floor level remains unchanged and thus the overall bulk and scale of the addition are still considered excessive and harm the appearance and character of the building.
- 8.11 The removal of the gabled ended elements and the flat roofed central dormer has reduced the contrived and cluttered appearance to the rear, though the extension of the roofslope to the north east has resulted in an unbalanced appearance to the rear roofslope and the loss of the original roof form of the building.
- 8.12 To achieve the required depth to the rear extension a large expanse of flat roof has been proposed. Though there would be an internal, low pitched roof, enclosing the flat roof section to help screen this element of the design in longer views, it is still considered to result in an inappropriate roof form that relates poorly to the pitched roofs of the existing building.
- 8.13 The overall effect of the rear additions and extended roof form would detract from the design and proportions of the original dwelling resulting in an overly dominant and disjointed appearance. The scale and bulk of the proposal would overwhelm the existing dwelling, obscuring the original form and proportions of the building. The additions would also be highly visible from the open space to the rear of the site that forms part of the South Downs National Park and would further detract from the visual amenity of the wider surrounding area.
- 8.14 The extended side elevation would be set well back from the front elevation and is not considered to result in any significant harm to the appearance or character of the building or the Dean Court Road street scene.

- 8.15 The proposed rooflights are satisfactorily sited and are not considered to result in any significant harm to the appearance and character of the building or the wider surrounding area.
- 8.16 Overall, the proposal, due to its excessive bulk and scale would fail to complement the original dwelling and would detract from the appearance and character of the building and the wider surrounding area.
- 8.17 **Impact on Residential Amenity:**
The proposal is considered to result in a detrimental impact to the residential amenity currently enjoyed by the adjoining property to the south, No. 56 Dean Court Road. The revised design, with a pitched roof to the rear, rather than double gable ended elements has removed some of the height and bulk of the scheme at roof level, though to counteract this, the flank wall, adjacent to No.56 would be extended up by a further 0.8m and overall the proposal is still considered to result in a visually dominant and overbearing impact to this property.
- 8.18 The proposed flat roofed element would extend 3.8m beyond the existing ridge, whilst the rear addition would project 3.2m beyond the existing rear elevation at first floor level. The proposed screening adds additional bulk at first floor level. The bulk, depth and height of the proposed additions in conjunction with the siting of the existing property, set further back in the plot than No.56 and also at much higher ground level would result in an overly dominant and overbearing impact on this property.
- 8.19 The adjoining property to the north has a substantial ground floor addition to the rear and is set at a much higher ground level than the application property and for these reasons it is not considered that the proposed additions would result in any significant loss of light, overshadowing, loss of outlook or overbearing impact to this property.
- 8.20 There is already significant overlooking towards both of the adjoining properties and their gardens from the existing terraced area to the rear of the building. Whilst the additional high level windows and terraced area would increase the opportunity for both real and perceived overlooking and loss of privacy to a degree, it is not considered that this would be significantly over and above existing levels. Furthermore the proposed terraced area would include a screen and would be set back from the protruding element to the north eastern part of the rear elevation reducing the likelihood of overlooking.
- 8.21 The proposed rooflights and windows to the side elevation could be conditioned to be obscure glazed and restricted opening if the proposal was otherwise acceptable and this would ensure that there would not be any significant overlooking towards adjoining properties.

9 CONCLUSION

- 9.1 The proposed addition, by reason of scale, design, bulk, height and roof form would result in an unsympathetic and overly dominant addition that would

detract from the appearance and character of the building and the wider surrounding area. Furthermore, the proposed development, by reason its height, depth and bulk would result in a significantly extended flank elevation at first floor level that would have an unacceptably overbearing and visually dominant impact towards No.56 Dean Court Road.

10 EQUALITIES

10.1 None.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposed addition, by reason of scale, design, bulk, height and roof form would result in an unsympathetic and overly dominant addition that would detract from the appearance and character of the building and the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan.
2. The proposed development, by reason its height, depth and bulk would result in a significantly extended flank elevation at first floor level that would have an unacceptably overbearing and visually dominant impact towards No.56 Dean Court Road. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

Plan Type	Reference	Version	Date Received
Site location plan	L-100		10 June 2013
Block plan	L-101		10 June 2013
Site photographs	L-102		10 June 2013
Existing plans and elevations	L-103		10 June 2013
Proposed plans and elevations	L-104	A	10 June 2013

**PLANS LIST
ITEM H**

Westview, Cornwall Gardens, Brighton

**BH2013/00491
Householder Planning Consent**

07 AUGUST 2013

BH2013/00491 Westview, Cornwall Gardens, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/00491	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	Westview Cornwall Gardens, Brighton		
<u>Proposal:</u>	Extensions and alterations to existing chalet bungalow to form a two storey house.		
<u>Officer:</u>	Robert McNicol Tel 292322	<u>Valid Date:</u>	14/02/2013
<u>Con Area:</u>	Preston Park	<u>Expiry Date:</u>	11 April 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis & Co Planning SE Ltd, Paxton Business Centre, Hove, BN3 5SG		
<u>Applicant:</u>	Mr & Mrs Anderson, C/O Lewis & Co Planning, Paxton Business Centre, Hove, BN3 5SG		

This application was deferred by Planning Committee on 5th June 2013. The report has been updated with further submissions from the applicant, comments from the Heritage Team and additional representation.

1. RECOMMENDATION

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

2. SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a detached chalet bungalow on the east side of Cornwall Gardens. Westview is in a group of three detached bungalows, with two similar bungalows opposite. These are inter-war buildings in an English Vernacular style.
- 2.2 Cornwall Gardens slopes down from north to south. To the immediate north is Cinderford, also a bungalow but with significantly higher eaves and roof level. Further to the north the road has mainly semi-detached Edwardian houses on the east side, with prominent gable ends and other attractive decorative features.
- 2.3 Cinderford, to the north, is built on higher ground, and the windows on the south elevation therefore look onto the side roofslope of Westview. There are two windows on the southern side of Cinderford: a secondary window to the front bedroom and the sole window of another bedroom. There is some low shrubbery between the properties.
- 2.4 To the immediate south of Westview is a three storey block of flats. The side elevation of this is over 5 metres from the side wall of Westview, with a stepped brick wall on the boundary. The side elevation of this block facing the application site has small, secondary windows on all floors.

3 RELEVANT HISTORY

BH2012/01933: Extensions and alterations to existing chalet bungalow to form a two storey house. Refused 17/08/12.

4 THE APPLICATION

4.1 Planning permission is sought for extensions and alterations to the existing chalet bungalow to form a two storey house.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Seven (7)** letters of representation have been received from **Lydstep, Cornwall Gardens; Flat 7, 2 Cornwall Gardens; 8 Cornwall Gardens; 45 Stepney Court, New England Street; 42 Florence Road; Flat 3, 43 Preston Park Avenue; and 2 Rugby Road,** supporting the application, primarily supporting the design of the proposed extension.

5.2 One (1) letter of representation has been received from **Cinderford, Cornwall Gardens,** commenting on the application to seek reassurance that any windows overlooking Cinderford should be obscure glazed and that any loss of light is within correct limits.

Internal:

5.3 **Heritage (original comment):** Object. The proposal is to add an additional storey to the building in a traditional form, but with modern detailing and approach to materials with substantial extensions at the rear as well. The roof would be slate covered and it appears that the front walls would be rendered. Extensive use would be made of timber cladding to the rear.

5.4 It is considered that an additional storey could be added to the building without harming the street scene as the buildings on either side are taller. However, the loss of the building's original features and materials are considered harmful to the character of the building and the street scene.

5.5 The proposed mix of materials and styling conflict with its traditional English Vernacular form and would be out of character with the street. The loss of the building's original front door with its stained glass leaded lights and side window in the porch detracts from the character of the building. The fully glazed gables with leaded lights are also an inappropriate and incongruous feature.

5.6 Too many materials are proposed and some of these are not appropriate to the building or this part of the conservation area, or in the case of render is used excessively. The use of slate for the roof and hanging on the bays and room over the garage is not appropriate in this street which is entirely dominated by red and red-brown roof tiles and tile hanging. Dark timber cladding is also inappropriate and out of character with the original building the conservation area. The rendering over of the existing brickwork and the resultant fully

rendered front and side elevations (apart from the slate hanging) also results in the loss of the original character of the building.

- 5.7 Rooflights are not a traditional feature on the front of buildings of this period and form and where visible from the street would detract from the character of the street scene.
- 5.8 **Heritage (verbal comment following receipt of revised plans):** The revised window design is an improvement on the previous scheme. The top level windows, which are above the eaves level, may look slightly unusual, however this is not a serious design failing. They would also be partially obscured and shadowed by the relatively deep projecting roof above the windows, which would make these windows less prominent. The only way to overcome this would be through a complete redesign involving raising the eaves height of the proposed building. Removing the top windows would result in the first floor windows appearing squat and out of proportion.
- 5.9 The revised materials palette is an improvement on that of the previous scheme.
- 5.10 **Arboriculture: No objection.** There would be a loss of 1 Macrocarpa that is not of fine form. No objection subject to suitable conditions being attached to any consent granted.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant

policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD16	Trees and hedgerows
QD27	Protection of Amenity
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD06	Trees & Development Sites
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Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in favour of sustainable development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the extension on the appearance of the existing property and the surrounding Preston Park conservation area, and the effect of the proposed extension on the residential amenity of neighbouring properties.

Planning Policy:

- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - d) uses materials sympathetic to the parent building.
- 8.3 In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.

- 8.4 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.5 Policy HE6 of the Brighton & Hove Local Plan states that proposals within or affecting the setting of a conservation area should preserve or enhance the character or appearance of the area and should show:
- a) A consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, building lines and building forms;
 - b) The use of building materials and finishes which are sympathetic to the area;
 - c) No harmful impact on the townscape and roofscape of the conservation area;
 - d) The retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area;
 - e) Where appropriate, the removal of unsightly and inappropriate features or details; and
 - f) The retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shopfronts and small scale architectural details such as mouldings which individually or cumulatively contribute to the character or appearance of the area.

Amendments:

- 8.6 Planning Committee resolved to defer a decision on the application at the committee meeting on 5th June 2013. Following discussions between officers, the applicants and their agent, amendments to the scheme have been submitted. The revised scheme differs in two primary aspects: the design of the first floor front windows by introducing traditional proportions and the palette of materials for the building rationalised, with the timber cladding removed.

Design:

Design of the Scheme:

- 8.7 The proposal would involve the addition of a full second storey to the property and raising the roof. The property would also be extended to the rear.
- 8.8 The resulting front elevation would have a significantly altered appearance, with the front bays continued into the first floor. The ground floor leaded windows would be retained. The first floor bay windows would have timber frames and leading to the top lights. The top lights would project above the eaves line, with the gable end above this finished in render. The front roof slope would have one central rooflight. The roof, bays and first floor above the garage would be hung with red-brown clay tiles. The ground floor brick of the main part of the dwelling would be retained, with the first floor of this part of the property and the ground floor of the garage covered with render.
- 8.9 To the rear, the building would have a two storey projection on the southern side of the plot and a single storey, flat-roofed projection on the northern side. The rear of the building would be rendered. Windows and doors on the rear

would have grey aluminium frames. There would be three roof lights to the rear roof slope.

- 8.10 The proposed design is considered to be a sympathetic response to the recipient property. The proposed front elevation has a simple form, with the amended design of the first floor windows responding to the traditional character of the building. The retention of attractive features of the building – the arched recessed porch, original bay windows and brick construction – is welcome. The front rooflight is centrally positioned and is sufficiently small to be incidental to the roof slope, rather than dominating its appearance.
- 8.11 The rear elevation would have a more modern design, with a less regular arrangement of fenestration, which responds to the internal layout of the building. The proposed design is an amended scheme, following the refusal of a previous application (BH2012/01933). The amended scheme has successfully addressed the issues raised in the reasons for refusal, with the roof forms to the sides and rear of the building having been simplified in comparison to the previous scheme. Amendments received during the course of the application rationalised the materials with the wooden cladding removed. The rear of the building would have a simple rendered finish, with extensive use of glazed doors to both the ground and first floor giving the building a more modern appearance at the rear.

Design in Context:

- 8.12 The property is located within the Preston Park Conservation Area. The surrounding streets were developed in the early years of the 20th century, with a variety of attractive residential buildings. These buildings are predominantly of brick construction with red or red-brown clay tile roofs and timber windows. Westview is an inter-war bungalow in an English vernacular style, and is one of a small group of similar properties at this end of Cornwall Gardens.
- 8.13 Whilst the resulting house would be higher than the other nearby bungalows, the design of the scheme has sought to minimise this impact by matching the eaves height of the adjacent property (Cinderford). The building would also be a storey lower than the adjacent block of flats. The addition of a storey to this building is not objected to in principle and is not considered in itself to be detrimental to the character of the area.
- 8.14 The palette of materials would be respectful of the character of the area; brick, render (particularly on upper floors) and tile hanging are prevalent in the surrounding streets including in the neighbouring buildings. The use of red-brown tiles is appropriate; this is the original roofing material for most houses in Cornwall Gardens. The application has been altered during the course of its consideration, and the rear elevation – which originally featured extensive timber cladding – has been altered to a simple rendered finish. Whilst the rear of the building would have a more modern appearance than the front, as noted earlier, the current design is considered to be sympathetic to the character of the area; it would not introduce a variety of new materials and its relatively simple form would not be a significant departure from the form of houses locally.

Landscaping:

- 8.15 The positioning of trees and hedges has been identified on the site plan. The scheme would result in the loss of one Cupressus Macrocarpa tree to the rear of the property; this is considered acceptable by the Arboriculturalist. Other trees would need to be protected during the course of construction, should permission be granted; this could be secured by condition.

Impact on Amenity:

- 8.16 The current scheme would have less bulk on the northern side of the plot, closest to Cinderford, than the previously refused application. The previous reason for refusal relating to the impact on a side window on the south side of Cinderford has now been overcome through the reduction in massing on this side of the proposed building. Whilst the extension would be noticeable from the side bedroom window of Cinderford, it is not considered that it would be significantly overbearing nor cause a significant loss of outlook or light in relation to this room to an extent that would now justify refusal on these grounds.
- 8.17 The scheme would involve the addition of two rooflights to the side elevation facing Cinderford, as well as the side windows of the front bays which would give views across the front of Cinderford. No side windows in the north flank wall are proposed. These windows and rooflights would not cause a significant degree of overlooking or cause a loss of privacy for the residents of Cinderford.
- 8.18 The proposal would introduce a significant addition of bulk to the southern side, however there is a driveway of over 4 metres in width to the north of Cornwall House, the block of flats to the south. The property would not be any nearer to the adjacent boundary than the current property. The scheme would not lead to additional overlooking or loss of privacy that would justify refusal on these grounds.

9 CONCLUSION

- 9.1 The proposed scheme would have an acceptable impact on the character and appearance of the recipient property and the wider Preston Park Conservation Area, as well as the amenity of neighbouring residents.

10 EQUALITIES

- 10.1 No issues identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

PLANS LIST – 07 AUGUST 2013

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

Plan Type	Reference	Version	Date Received
Location plan, existing block plan, street scene elevation and site plans	CGWRPO/01		14 February 2013
Existing ground and first floor plans	CGWRPO/02		14 February 2013
Existing front and rear elevations	CGWRPO/03		14 February 2013
Existing side elevations	CGWRPO/04		14 February 2013
Location plan, proposed block plan, street scene elevation and site plans	CGWRPO/05	A	20 June 2013
Proposed ground and first floor plans	CGWRPO/06	A	20 June 2013
Proposed front and rear elevations	CGWRPO/07	A	20 June 2013
Proposed side elevations	CGWRPO/08	A	20 June 2013

11.2 Pre-Commencement Conditions:

1. No development shall commence until an Arboricultural Method Statement, which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the, has been submitted to and approved by the Local Planning Authority. The statement shall be in accordance with BS 5837 (2005) 'Trees in Relation Design, Demolition & Construction' and will include protection of roots. The works shall be implemented in 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.

11.3 Informatives:

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

PLANS LIST – 07 AUGUST 2013

The proposed scheme would have an acceptable impact on the character and appearance of the recipient property and the wider Preston Park conservation area, as well as the amenity of neighbouring residents.

APPEAL DECISIONS

	Page
A – FLAT 37, THE VAN ALLEN BUILDING, 24-30 MARINE PARADE, BRIGHTON – QUEEN’S PARK	121
Application BH2012/03157 – Appeal against refusal for the erection of a single storey side extension over the existing flat’s terrace to increase the living room accommodation and flexibility and use of the top floor flat (Flat 37) at the Van Allen Building. APPEAL DISMISSED (committee decision 12/12/12)	
B – 6 CORNWALL GARDENS, BRIGHTON – WITHDEAN	123
Application BH2013/00055 – Appeal against refusal for the erection of a single storey porch at the front of property. APPEAL DISMISSED (delegated decision)	
C – UNIT 2, FRESHFIELD INDUSTRIAL ESTATE, STEVENSON ROAD, BRIGHTON – QUEEN’S PARK	125
Application BH2012/02614 – Appeal against conditions: The conditions in dispute are No.s 3, 4, 5, 6 and 8, which state as follows:	
3. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building. Reason: To ensure a satisfactory appearance to the development 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. The planning units hereby approved shall be used for B2 uses except ancillary facilities. Reason: For the avoidance of doubt, in the interests of protecting the identified employment sites and to safeguard the amenities of the area and to comply with Policies EM1 and QD27 of the Brighton & Hove Local Plan.	
5. The premises shall not be open or in use except between the hours of 7.00am to 10.00pm on Monday to Saturday, and between the hours of 8.00am to 8.00pm on Sundays and Bank Holidays. Reason: To safeguard the amenities of the locality, in accordance with Policy QD27 of the Brighton & Hove Local Plan.	
6. No commercial vehicular movements nor any loading or unloading of vehicles shall take place other than between the hours of 8.00am to 8.00pm on Monday to Saturday, and not at any time on Sundays and Bank Holidays. Reason: To safeguard the amenities of the occupiers of adjoining properties.	
8. There shall be no use of any of the units, either partially or wholly, as a trade counter. Reason: To ensure any Class B2 units remain for genuine small starter	

business occupiers only and to comply with Policy EM1 of the Brighton & Hove Local Plan. **APPEAL ALLOWED & COSTS ALLOWED** (above conditions deleted – delegated decision)

D – THE GRENADIER, 200 HANGLETON ROAD, HOVE – HANGLETON & KNOLL **131**

Application BH2012/04009 – Appeal against refusal for internally illuminated totem sign. **APPEAL DISMISSED** (delegated decision)

E – 14 THE BEECHES, BRIGHTON – WITHDEAN **133**

Application BH2012/03971 – Appeal against refusal for single storey side extension with bedroom and en-suite bathroom. Single storey rear extension with dining room and extended kitchen. **APPEAL ALLOWED** (delegated decision)

F – MARCHE HOUSE, WOODLAND DRIVE, HOVE – HOVE PARK **135**

Application BH2012/02739 – Appeal against refusal for two storey dwelling. **APPEAL ALLOWED** (delegated decision)

G – 95 MILL ROSE, BRIGHTON – WITHDEAN **141**

Application BH2012/02744 – Appeal against refusal for construction of raised decking in rear garden. **APPEAL DISMISSED** (delegated decision)

H – 37 AINSWORTH AVENUE, BRIGHTON – ROTTINGDEAN COASTAL **145**

Application BH2013/00856 – Appeal against refusal for part two storey, part single storey rear extension. **APPEAL DISMISSED** (delegated decision)

I – 1 HILLCREST, BRIGHTON – WITHDEAN **147**

Application BH2012/01066 – Appeal against refusal for side extension and insertion of a series of dormer windows in the front, side and rear roof slopes. **APPEAL DISMISSED** (delegated decision)

J – 26 WHITEHORN DRIVE, BRIGHTON – WITHDEAN **151**

Application BH2013/00642 – Appeal against refusal for single storey rear extension. **APPEAL ALLOWED** (delegated decision)

K – ST. ANDREW'S DAY CENTRE, ST. ANDREW'S ROAD, BRIGHTON – PRESTON PARK **153**

Application BH2012/02831 & BH2012/02832 – Appeal against refusal for demolition of single storey building and rear garages and erection of four three-bedroom houses and three two-bedroom houses with associated car and cycle parking and landscaping and demolition of single storey building and rear garages. **APPEAL DISMISSED** (delegated decision)

L – 40 ALDRINGTON AVENUE, HOVE – HOVE PARK

163

Application BH2013/00073 – Appeal against refusal for erect a conservatory at rear. **APPEAL DISMISSED** (delegated decision)



Appeal Decision

Site visit made on 8 July 2013

by **S M Holden** BSc MSc CEng MICE TPP MRTPI FCIHT

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 July 2013

Appeal Ref: APP/Q1445/A/13/2193370

Flat 37, The Van Alen Building, 24-30 Marine Parade, Brighton BN2 1WP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Simpson against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03157, dated 28 September 2012, was refused by notice dated 19 December 2012.
 - The development proposed is the erection of a single storey side extension over the existing flat's terrace to increase the living room accommodation and flexibility and use of the top floor flat (Flat 37) at the Van Alen Building.
-

Decision

1. The appeal is dismissed.

Main issue

2. The main issue is whether the proposed extension would preserve or enhance the character or appearance of the East Cliff Conservation Area and the host property (the Van Alen building).

Reasons

3. The Van Alen building is a large, modern building in a prominent position on Brighton seafront within the East Cliff Conservation Area. It is five storeys in height and contains 38 flats and six two-storey houses. The building's design has sought to accommodate the alignment of the road along Marine Parade and the height of the buildings to either side. The front elevation is staggered and divided into three sections divided by distinctive round bay windows. An additional section at the western end provides the link between the Van Alen Building and Nos 19-23, which have a traditional frontage with bay windows on four floors.
4. The top level, which creates a sixth storey, appears to comprise five residential units whose principal elevations are set back from the main elevations of the rest of the building. The set back of these top floor flats not only reduces the bulk of the building but has also permitted the provision of external amenity areas on three sides. No 37 is the flat on the western side of the top floor and has amenity areas on its southern and western sides. The proposal seeks permission for a single storey side extension over part of the existing side terrace to enable an enlargement of the flat's internal living space.

5. The terrace at No 37 appears to be the same height as the parapet wall on the top of the front elevation of Nos 19-23. It is an important feature that marks the transition between the heights of the adjoining properties. It therefore ensures that the Van Alen Building does not dominate the older structure and helps to create an effective integration between the old and new buildings. The proposed extension would be towards the rear of the existing terrace but it would occupy its full width and would increase the height of the building immediately adjacent to Nos 19-23. In my view the loss of part of the terrace would be detrimental to the relationship between the two buildings.
6. From the evidence presented it would appear that great care was taken with the original design to ensure that the upper storey did not dominate the new building. On the contrary, it appears somewhat understated as a consequence of the set backs on the western, southern and eastern elevations. In this context the proposal would introduce additional bulk and mass to the upper storey of the building, which would disrupt the existing design to the detriment of the appearance of the building as a whole as well as its relationship with Nos 19-23. Whilst the proposal would match the existing shape, finishes and materials of the host property this would not diminish the harm arising from the loss of part of the terrace.
7. When viewed from Marine Parade in close proximity to the Van Alen Building the extension would not be visible. However, from a little further afield and particularly to the south west of the site, it would be seen. Furthermore, it would be especially noticeable when facing the site from Madeira Drive and when viewed from further west along the seafront, particularly on the section approaching the pier. In my view this would be harmful to strategic views along this prominent and important section of the Brighton seafront within the East Cliff Conservation area. I consider this to be the case notwithstanding the variety of roofscapes, building styles and materials used in the Conservation area.
8. I therefore conclude that the proposed extension would neither preserve nor enhance the character or appearance of the East Cliff Conservation Area and would be harmful to the character and appearance of the Van Alen Building. It would fail to comply with saved Policies QD1, QD2, QD4 and QD14 of the Brighton and Hove Local Plan. These policies require high quality design that positively contributes to the visual quality of the environment, taking account of the impact on the skyline and strategic views along the seafront. It would also conflict with saved Policy HE6 of the Local Plan, which seeks to protect the roofscape of conservation areas.
9. In reaching my conclusion I have taken into account other relevant matters raised, including the views of local residents who have expressed both support for the proposal and expressed objections to it. However, I find nothing to alter my conclusion that the appeal should be dismissed.

Sheila Holden

INSPECTOR



Appeal Decision

Site visit made on 24 June 2013

by C Tokley MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 July 2013

Appeal Ref: APP/Q1445/D/13/2196015
6 Cornwall Gardens, Brighton, BN1 6RJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Blackmore against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00055 was refused by notice dated 11 March 2013.
 - The development proposed is the erection of a single storey porch at the front of property.
-

Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and Preston Park Conservation Area (CA).

Reasons

3. The CA is a residential area lying to the north and east of Preston Park. Cornwall Gardens is close to its northern boundary and comprises a range of semi-detached and individually-designed detached dwellings. The land rises across the road from west to east and the houses on the west side (including No 6) are set down from road level whereas those to the east including three handsome pairs of semi-detached dwellings are elevated.
4. The appeal property lacks the elaborate fenestration and timber features of those pairs and has a much more restrained appearance. However it is a well-proportioned building with some unusual original detailing. Of particular note is the partly-jettied first floor supported by a timber beam which covers a splayed front entrance area with a circular window and a pointed-arch front door. Whilst these details are not specifically referred to in the CA appraisal they are part of a building that makes an important contribution to the character of the heritage asset (the CA).
5. The proposed porch would extend forward of the main range of the house alongside the gabled forward-projection. The pitched front and side roof planes would extend up to a flat roofed section resulting in a semi-hipped roof that would not be in keeping with the gabled roofs at the front of the dwelling. As a result of the reduced level of the site as compared with the road the uncharacteristic flat roof would be clearly apparent when seen from the street.

6. As a result of its height and bulk the porch would compete with and detract from the clearly-defined ranges of the dwelling. It would result in the loss of the original entrance area and reduce the width of the jetty. Whilst the proposal attempts to replicate the front-facing elevation of the entrance area the oblique view from the street across the open front garden would bear little resemblance to the current entrance.
7. A note on the drawing indicates that the original door would be re-used but this is depicted as a semi-circular headed door in contrast with the "Gothic" pointed arch of the existing door. In my view within the context of the projecting porch either approach would appear incongruous. The appellant indicates that the design approach reflects the advice in the Council's Supplementary Planning Document (SPD); however the Council points out that the Draft SPD has not been adopted by the Council and I therefore give it limited weight.
8. I consider that the proposal would not respect the form of the dwelling and would unacceptably detract from the character and appearance of both the house and the CA. It would therefore conflict with "saved" Policies QD14 and HE6 of the *Brighton and Hove Local Plan (LP)* which indicate that development within CAs should be well designed and should preserve or enhance the character or appearance of the CA. Whilst the LP pre-dates the National Planning Policy Framework the objectives of those policies are consistent with those of the Framework and I therefore give them substantial weight.

Conclusion

9. Taking account of all matters I conclude that the proposal would be harmful to the character and appearance of the host building and would fail at least to preserve the character or appearance of the Preston Park Conservation Area. With reference to part 12 of the Framework I consider that the harm to the CA resulting from the proposal would be less than substantial; however there are no public benefits that weigh in favour of the proposal that are sufficient to justify the grant of permission.
10. The appeal is therefore dismissed.

Clive Tokley

INSPECTOR



Appeal Decision

Site visit made on 10 June 2013

by Simon Miles BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 June 2013

Appeal Ref: APP/Q1445/A/13/2190720

Unit 2, Freshfield Industrial Estate, Stevenson Road, Brighton BN2 0DF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
- The appeal is made by Hargreaves Management Ltd against the decision of Brighton & Hove City Council.
- The application Ref BH2012/02614, dated 23 August 2012, was approved on 27 December 2012 and planning permission was granted subject to conditions.
- The development permitted is demolition of two storey wing to front of unit; renewal of external cladding; provision of new entrances, loading doors and glazing to front elevation.
- The conditions in dispute are Nos 3, 4, 5, 6 and 8, which state as follows:
 - 3. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
Reason: To ensure a satisfactory appearance to the development 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. The planning units hereby approved shall be used for B2 uses except ancillary facilities.
Reason: For the avoidance of doubt, in the interests of protecting the identified employment sites and to safeguard the amenities of the area and to comply with Policies EM1 and QD27 of the Brighton & Hove Local Plan.*
 - 5. The premises shall not be open or in use except between the hours of 7.00am to 10.00pm on Monday to Saturday, and between the hours of 8.00am to 8.00pm on Sundays and Bank Holidays.
Reason: To safeguard the amenities of the locality, in accordance with Policy QD27 of the Brighton & Hove Local Plan.*
 - 6. No commercial vehicular movements nor any loading or unloading of vehicles shall take place other than between the hours of 8.00am to 8.00pm on Monday to Saturday, and not at any time on Sundays and Bank Holidays.
Reason: To safeguard the amenities of the occupiers of adjoining properties.*
 - 8. There shall be no use of any of the units, either partially or wholly, as a trade counter.
Reason: To ensure any Class B2 units remain for genuine small starter business occupiers only and to comply with Policy EM1 of the Brighton & Hove Local Plan.*

Procedural Matter

1. The description of the development given on the Council's decision notice is different to that given on the application form. However, as there is nothing to indicate that the description was formally amended, I have taken it from the application form.
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Decision

2. The appeal is allowed and planning permission Ref BH2012/02614 for demolition of two storey wing to front of unit; renewal of external cladding; provision of new entrances, loading doors and glazing to front elevation at Unit 2, Freshfield Industrial Estate, Stevenson Road, Brighton BN2 0DF, granted on 27 December 2012 by Brighton & Hove City Council, is varied by deleting condition Nos 3, 4, 5, 6 and 8.

Main Issue

3. The main issue is whether condition Nos 3, 4, 5, 6 and 8 are necessary to ensure that the development does not cause significant harm to the character, appearance and amenities of the area and having regard to the tests for conditions set out in paragraph 206 of the National Planning Policy Framework.

Reasons

4. The appeal relates to an existing Class B2 industrial unit on the Freshfield Industrial Estate. The National Planning Policy Framework states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. However, planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Condition No 3

5. The development includes the refurbishment of the exterior of the building. Whilst certain elements, such as the facing brickwork, are shown to match existing, much of the exterior is to be re-clad in new materials. It follows that condition No 3, which requires the external finishes to match those of the existing building, is in large part irrelevant to the development permitted.
6. Had the Council intended to retain detailed control over the external finishes, a condition requiring the submission and prior approval of further details and/or samples would have been more appropriate. However, the approved plans already include detailed annotations specifying the external finishes and colours. In view of this and the general character of the estate, whereby the exterior finishes are not of critical importance, I see no reason why these matters need be the subject of a condition.

Condition No 4

7. The meaning of this condition is not clear from the wording. The application did not propose 'planning units' and in the context of the development applied for this term lacks clarity and precision. The further reference to 'ancillary facilities' only adds to the potential confusion, particularly as neither 'planning units' nor 'ancillary facilities' are identified in the application or on any of the accompanying plans. The Council has clarified its position by stating that its intention was not to remove permitted development rights that apply to certain changes of use. However, if that is the case, condition No 4 serves no useful purpose, since any future change of use requiring planning permission would have to be the subject of a separate planning application. Whilst an informative would not have been inappropriate, condition No 4 is unnecessary.

Condition Nos 5 and 6

8. Saved LP Policy QD27 ensures that regard must be had to any material nuisance or loss of amenity in respect of any proposed development or change of use. However, it is not reasonable to seek to impose new restrictions retrospectively on an existing use unless this is justified by the circumstances of the development. In this case, even if the existing main space were subdivided into two smaller units, the overall floorspace would remain the same (and a small attached office area would actually be removed).
9. I therefore see no compelling reason why the development should lead to any significant intensification of use or other material change that would justify the imposition of significant new restrictions on opening hours and deliveries. I am mindful that this is not an isolated unit in the midst of a residential area, but a unit on an established industrial estate. As above, it is not clear whether similar restrictions apply to other units on the estate. In short, these conditions are not supported by an appropriate and precise justification but would needlessly restrict the flexibility of potential occupiers.

Condition No 8

10. LP Policy EM1 states that trade counters will not be acceptable in Class B8 units. However, no such prohibition applies to Class B2 units, as here. Moreover, I see no reason why the provision of a trade counter, presumably in an ancillary capacity, should prejudice the suitability of the unit for small starter business occupiers. It follows that such a condition would needlessly restrict the flexibility of the unit for potential occupiers.

Conclusions

11. For the reasons given I find that condition Nos 3, 4, 5, 6 and 8 are not necessary to ensure that the development does not cause significant harm to the character, appearance and amenities of the area. The tests for conditions set out in paragraph 206 of the National Planning Policy Framework are not met, as the conditions are not necessary to make the development acceptable. Furthermore, condition Nos 5, 6 and 8 unreasonably restrict the flexibility of the unit for potential occupiers. Accordingly, the appeal succeeds and condition Nos 3, 4, 5, 6 and 8 are deleted.

Simon Miles

INSPECTOR



Costs Decision

Site visit made on 10 June 2013

Simon Miles BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 June 2013

Costs Application in relation to Appeal Ref: APP/Q1445/A/13/2190720 Unit 2, Freshfield Industrial Estate, Stevenson Road, Brighton BN2 0DF

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Hargreaves Management Ltd for a full award of costs against Brighton & Hove City Council.
 - The appeal was made against the grant of planning permission subject to conditions for demolition of two storey wing to front of unit; renewal of external cladding; provision of new entrances, loading doors and glazing to front elevation.
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Decision

1. The application for an award of costs is allowed in the terms set out below.

Reasons

2. Circular 03/2009 advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. In this case the appellant complains that the Council failed to justify the conditions which are the subject of this appeal.
 3. A planning authority is at risk of an award of costs against it if it imposes conditions that are not necessary, precise, enforceable, relevant to planning, relevant to the development permitted or reasonable and thereby does not comply with the tests for conditions set out in national policy. The Council provided reasons for its conditions in its decision notice and, belatedly, set out further information in its written submissions.
 4. However, I set out in the main decision the reasons why I find the conditions to be unnecessary and, in certain cases, unreasonable, having regard to the approach set out in the National Planning Policy Framework. Given my findings, I cannot avoid the conclusion that the Council acted unreasonably by imposing conditions that failed to comply with the relevant tests. This clearly led the appellant to incur unnecessary expense, as there should have been no need for these matters to be the subject of an appeal.
 5. I therefore find that unreasonable behaviour resulting in unnecessary expense, as described in Circular 03/2009, has been demonstrated. This justifies a full award of costs against the Council.
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Costs Order

6. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Brighton & Hove City Council shall pay to Hargreaves Management Ltd the costs of the appeal proceedings described in the heading of this decision.
7. The applicant is now invited to submit to Brighton & Hove City Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Simon Miles

INSPECTOR



Appeal Decision

Site visit made on 24 June 2013

by Clive Tokley MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 July 2013

Appeal Ref: APP/Q1445/H/13/2193533

The Grenadier, 200 Hangleton Road, Hove, BN3 7LT.

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mitchells and Butlers PLC against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/04009, dated 10 December 2012, was refused by notice dated 15 February 2013.
 - The advertisement proposed is an internally illuminated totem sign.
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Decision

The appeal is dismissed.

Main Issue

1. The main issue is the effect of the sign on the visual amenities of the site and its surroundings.

Reasons

2. The Grenadier public house is located at the apex of the junction between the main through route, Hangleton Road, and West Way. In total six routes converge on the junction which, on the north side of Hangleton Road, forms a local shopping centre containing shops, food and drink outlets and local services. Trees and shrubs between the pavement and the carriageway break up the space between the buildings and the roads creating a pleasant area with a human scale. This area contrasts with a petrol filling station and office supplies premises which are starkly in view about 50m to the east of the junction.
3. The public house is prominent when approaching from the east but at the time of my visit it was partly screened by the street trees; however for half of the year when the trees are not in leaf the building would be more clearly in view. Lower level shrubs provide all year round screening of the car park. The public house has three high-level signs in the central section of the building which clearly indicate the use of the building. In addition there are two flag poles, with flags flying when I visited, attached to the front wall of the building extending up to about ridge height.
4. The proposal indicates the replacement of four free-standing signs around the edge of the car park with two signs; the proposed totem sign and a relocated sign "C" (to be moved from the car park entrance to the centre of the front boundary). The proposed totem sign would have an overall height of 4.35m

and would replace the two signs formerly located at the site entrance; however the proposed sign would be taller than those signs and would be very prominent when approached from the west, where there is no tree cover. Whilst at some times of the year it would be partly screened from the east I consider that as a result of its height and width it would stand out as a stark feature in the street scene very close to the pavement.

5. The Council's SPD 07 – *Advertisements* adopted in June 2007 acknowledges that commercial advertising will be expected in local shopping areas. However I consider that the proposed sign would be unacceptably intrusive and would detract from the pedestrian scale that has been created by the design of the pavements and planting in the area.
6. I agree with the appellant that there is merit in reducing the clutter of signs and I note that the proposal would result in the removal of a 3.75m high sign. However I consider that this does not justify the installation of a sign of the size proposed. The appellant comments that the size of the display is determined by the brand identity; however I consider that a sign of this size would not be appropriate in this location where it would be unacceptably harmful to the visual amenities of the area.

Conclusion

7. Taking account of all matters I have concluded that the totem sign would be unacceptably harmful to the visual amenities of the site and its surroundings and that the appeal should not succeed.

Clive Tokley

INSPECTOR



Appeal Decision

Site visit made on 24 June 2013

by Jennifer Tempest BA(Hons) MA PGDip PGCert CertHE MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 July 2013

Appeal Ref: APP/Q1445/D/13/2197644

14 The Beeches, Brighton BN1 5LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dr Stephen Hempling against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03971, dated 10 December 2012, was refused by notice dated 13 February 2013.
 - The development proposed is single storey side extension with bedroom and en-suite bathroom. Single storey rear extension with dining room and extended kitchen.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension with bedroom and en-suite bathroom and a single storey rear extension with dining room and extended kitchen at 14 The Beeches, Brighton BN1 5LS in accordance with the terms of the application Ref BH2012/03971, dated 10 December 2012, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: TB/01; TB/02; TB/03; TB/04; 1:500 scale site plan; 1:1250 scale location plan.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this appeal is the effect of the proposed side extension on the character and appearance of the area.

Reasons

3. The Beeches is a spacious development of bungalows. The sense of space derives from the relatively low height of the dwellings coupled with the open plan nature of the frontages. I do not consider that the distance between properties makes a significant contribution to this sense of spaciousness. The properties are not all of uniform design. There are variations in orientation with some, including the appeal property, having their longer elevation facing the road whilst others are 'end on' to the road. There are also variations in facing materials and other design elements. The overall impression is therefore not one of a single style or design.

4. The decision and report of the Council make clear that although the development proposes two extensions, only the side extension is in dispute. I have dealt with the appeal on this basis.
5. The Council's approach to extensions and alterations is set out in policy QD14 of the Brighton & Hove Local Plan (2005). The relevant parts of the policy in respect of this appeal require development to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. Account must also be taken of existing space around buildings and the character of the area, and there is a requirement to use materials sympathetic to the parent building.
6. Entering The Beeches from Dyke Road Avenue, the appeal property becomes evident in views from the south west as it occupies a corner plot which faces the road. There is a substantial open area in front of Nos 14, 12 and 10 which would not be directly affected by the proposed side extension.
7. Although there are other several other properties in the area with a similar L-shaped plan form including a projecting gable at one end, the appeal property does not sit between others like this. The properties to either side are sited with their narrower gable ends towards the road. Hence, the appeal property is not obviously 'read' in the context of a close knit group of similar properties. The existing roof form of the appeal property, unlike some other properties, already has a main ridge line which extends beyond the projecting gable. The extension would extend this ridge line further, rather than introducing a wholly new feature.
8. The dominance of the projecting gable would not be lost as a consequence of the proposed extension which would be set back from the front wall of the gable. The importance of the gable is also emphasised by the brick piers on either side of the tile hung gable wall. The width of the proposed extension is relatively modest in comparison with the overall length of the existing frontage. Furthermore, in views from the north west, the extension would be masked by the projecting gable. The extension is proposed to be finished in bricks and tiles to match the existing bungalow.
9. The Council's policy with regard to extensions does not expressly require extensions to be subservient to the host dwelling. Notwithstanding this, the proposed extension would not be unduly prominent and is of a modest size in the context of the existing bungalow.

Conclusion and Conditions

10. For the reasons given about I consider that the proposal would comply with policy QD14 of the Local Plan and would not harm the character and appearance of the area. Accordingly, I conclude the appeal should be allowed.
11. I have imposed conditions requiring that the development is carried out in accordance with the approved plans and that the materials match the existing dwelling. These are necessary for the avoidance of doubt and in the interests of the character and appearance of the area.

Jennifer Tempest

INSPECTOR



Appeal Decision

Site visit made on 24 June 2013

by **Clive Tokley MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 July 2013

Appeal Ref: APP/Q1445/A/13/2192771
Marche House, Woodland Drive, Hove, BN3 7RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Holland against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/02739, dated 31 August 2012, was refused by notice dated 26 November 2012.
 - The development proposed is a two storey dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey dwelling at Marche House, Woodland Drive, Hove, BN3 7RA. The permission is in accordance with the terms of the application ref BH2012/02739 dated 31 August 2012 subject to the 13 conditions set out in the schedule at the end of this decision.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and the adequacy of the private amenity space for the proposed dwelling.

Reasons

Character and appearance

3. The front of Marche House faces Woodland Drive as it rises towards its junction with Nevill Road. As a result of the relative ground levels only the upper part of the walls and the roof of Marche House can be seen above its 2m side boundary fence alongside the Nevill Road footway. This close boarded fence and gates combined with the return boundary wall with the neighbouring dwelling (No 121 Nevill Road) limit views into the rear garden of Marche House from the adjacent footpath with only the top of the garage being seen across the front garden of No 121. Even when seen at a greater distance from the west side of Nevill Road views are limited to the eaves and roof of the house.
 4. The flat roofed design of the proposed building would contrast with the surrounding hipped and gabled roofs. However as a result of its height and set
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back from the pavement, combined with the screen fencing, the dwelling would not be a prominent feature of the street scene with only limited views of the top of the building being available above the fence. The narrow view from the street with the gates open would reveal what would appear to be a single storey domestic building which to my mind would not be out of keeping with the residential character of the area.

5. The garden of the proposed dwelling would be much smaller than its neighbours in both Woodland Drive and Nevill Road and the proposal would result in the length of the garden of Marche House being almost halved. However as a result of the differences in level, boundary screening and the orientation of Marche House there would be limited public perception of the proposal and I consider that it would not unacceptably change the character or appearance of the area.
6. The Council describes a number of aspects of the proposal as "contrived" but in my view these have been introduced in order to create a neighbourly development without compromising the design of the proposed dwelling or the living conditions of its future occupants.
7. The National Planning Policy Framework (the Framework) specifically excludes private gardens in built up areas from the definition of "previously developed land"; however it does not rule out the development of garden land. It indicates that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example, where the development would cause harm to the local area. The Council has no specific policy concerning the development of garden land; however Policies QD1, QD2 and QD3 of the Brighton and Hove Local Plan 2005 (LP) indicate that the Council seeks to ensure the most effective and efficient use of land whilst avoiding "town cramming" and ensuring that new developments are compatible with their surroundings.
8. I consider that whilst the proposed dwelling would occupy a much smaller plot than its neighbours it would not appear out of place and would not detract from the character or appearance of the area.

Amenity Space

9. LP Policy HO5 indicates that private useable amenity space should be provided for new residential development as appropriate to the scale and character of the development. Unlike the neighbouring houses the proposed dwelling would not have a conventional back garden; however the proposal would be a two-bedroom dwelling as compared with the larger family houses in the area.
10. The two terraces would be easily accessible from the dwelling and would have south easterly and south westerly main aspects. The narrow rear terrace would have limited value but it would be sufficient to accommodate a garden table and chairs. The squarer shape of the larger front terrace would enable a greater range of uses and the fencing and cycle/refuse stores at the front of the site would prevent it from being overlooked from the street. The south westerly aspect would enable a pleasant sitting out space to be created and opportunities would exist for the hard edges of the terrace to be softened by planting.

11. On this issue I conclude that overall the provision of amenity space would be adequate and appropriate to the scale and character of the two-bedroom dwelling and that in this respect the proposal would not conflict with Policy HO5.

Other matters

12. Refusal reason 1 refers to Policy QD27 (Protection of Amenity) of the LP; however the Officer report states that the proposal would not have a harmful impact upon the amenities of adjacent residential occupiers and I have seen no evidence from the Council to indicate that the proposal would cause material nuisance or loss of amenity. Neighbouring residents have indicated concern at being overlooked but I consider that this would be prevented by the use of high level windows and obscured glass in the rear and side-facing upper floor windows.

Conditions

13. Taking account of the limited space around the building and the proximity of nearby dwellings I have imposed conditions along the lines suggested by the Council preventing the extension or alteration of the exterior of the dwelling and prohibiting the use of the flat roofs as sitting out areas. Conditions are also imposed requiring the completion of all boundary screening prior to the first occupation of the dwelling and the use of obscure glazing in the south-east facing bathroom window.

14. The submitted drawings indicate that the dwelling would be constructed to lifetime homes standards and I have reinforced that facet of the proposal by a condition requiring the retention of those measures. The relationship between the proposal and the neighbouring dwellings and its appearance from the street are dependent on the finished levels. Whilst the levels as compared with nearby building are illustrated on the section drawings I agree with the Council's suggestion that a condition is imposed requiring its agreement to finished levels. The appellant has supplied limited details of the proposed external materials and the "green wall" and I have imposed conditions requiring that full details are submitted for approval by the Council.

15. The Assistant County Archaeologist draws attention to the location of the site within an Archaeological Notification Area and I have therefore imposed conditions as recommended by him. The proposal seeks to achieve a Level 4 rating as indicated by the Code for Sustainable Homes. This aspect of the proposal enhances the sustainability credentials of the development and with the agreement of the appellant I have imposed conditions requiring the achievement of that level. In order to prevent pressure being placed on on-street parking I have imposed a condition as suggested by the Council limiting the use of the parking space to occupiers of the dwelling and their visitors.

Conclusion

16. The Framework indicates that all housing applications should be considered in the context of the presumption in favour of sustainable development. The appeal site is close to local shops and services and bus routes. Brighton is generally well-served by cycle routes and the provision of a cycle store would encourage non car-based journeys. In my view the site is in a sustainable location. The dwelling has been designed to safeguard the living conditions of

neighbouring residents and in my view provides sufficient amenity space for its occupiers. Whilst the development is of a modest scale it would also make a positive contribution to the building industry in the area.

17. I consider that the proposal would not detract from the character or appearance of the area and would satisfy all three dimensions of sustainability set out in the Framework (economic, social and environmental). Taking account of all matters I have concluded that the appeal should succeed.

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 3) No development shall take place until details of the "green wall" have been submitted to and approved in writing by the local planning authority. The details shall include specifications of the species to be planted, density of planting, their method of support and irrigation. It shall also include a programme for planting. The green wall shall be created in accordance with those approved details and thereafter retained.
- 4) No development shall take place until details of a) existing and proposed ground levels both within and adjoining the site and b) finished floor and roof levels of the dwelling have been submitted to and approved in writing by the local planning authority. Those details shall include both spot heights and cross sections that illustrate the levels of the proposal as compared with Marche House and No 121 Nevill Road. The development shall be carried out in accordance with the approved levels.
- 5) The boundary treatment as indicated on the approved drawings shall be completed before the dwelling is occupied and thereafter retained.
- 6) 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), the dwelling shall not be enlarged, extended or altered and no windows or doors other than those expressly authorised by this permission shall be constructed.
- 7) No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme and the dwelling shall not be occupied until the archaeological site investigation and post investigation assessments have been completed in accordance with the written scheme.
- 8) The south facing window in the family bathroom shall be fitted with obscured glass and shall be non-openable below 1.7m above the floor level of the bathroom. The window shall be permanently retained in that condition.

- 9) The flat roof areas of the dwelling shall not be used as a balcony, roof garden or similar amenity area.
- 10) The car parking space shall be used solely for the benefit of the occupants of the dwelling and their visitors.
- 11) The dwelling shall achieve Level 4 of the Code for Sustainable Homes. It shall not be occupied until a final Code Certificate certifying that Code Level 4 has been achieved has been submitted to and approved in writing by the local planning authority.
- 12) The development hereby permitted shall be carried out in accordance with the lifetime home standards as set out on drawing no 0223.PL.003 and the measures taken to comply with those standards shall thereafter be retained.
- 13) The development shall be carried out in accordance with the following approved drawings: 0223.EXG.001, 0223.EXG.002, 0223.PL.001, 0223.PL.002, 0223.PL.003

Clive Tokley

INSPECTOR



Appeal Decision

Site visit made on 24 June 2013

by Jennifer Tempest BA(Hons) MA PGDip PGCert CertHE MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 July 2013

Appeal Ref: APP/Q1445/D/13/2197745
95 Mill Rise, Brighton, East Sussex BN1 5GJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Simah against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/02744, dated 26 July 2012, was refused by notice dated 20 February 2013.
 - The development proposed is construction of raised decking in rear garden.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the development on:
 - (1) the living conditions of the occupiers of neighbouring property with particular reference to privacy; and
 - (2) the character and appearance of the appeal property and its immediate surroundings.

Reasons

Living Conditions

3. Mill Rise is on sloping ground. The pair of semi-detached properties, 95 and 93 Mill Rise, have their two storey front elevation facing Mill Rise. However, although entered at ground floor level from the front, the main ground floor living accommodation of the appeal property is elevated above the rear garden. A similar arrangement appears to be the case for the houses to either side.
4. The decking and steps down to the garden are already in place. The Council's report indicates that the brick piers supporting the decking are around 1.5 m in height and the appellant states the garden is around 1.8 metres below the ground floor level of the house. The garden itself slopes away from the house.
5. From some parts of the decking area I was able to see clearly through the ground floor window of the adjoining semi-detached property, No 93 Mill Rise. Given the levels and boundary treatment at garden level, I consider this degree of overlooking would not be possible whilst standing in a similar position in the garden level of the appeal property. Hence use of the decking would result in an unacceptable loss of privacy to the neighbouring property. I accept that were the appeal property and the adjoining house sited on level ground, it

would be normal to have a screen fence or similar between the two properties. However, they are not on level ground and the situation with regard to overlooking is created by the proposal.

6. With regard to the privacy of users of the gardens on either side of the appeal property, the layout of the dwellings combined with the levels are such that there is already the potential for a relatively high degree of mutual overlooking of rear gardens. Nonetheless, the introduction of a substantial area of decking, which is large enough for sitting out on and children's play, increases the likelihood of overlooking taking place. Thus I consider that both the perception and the reality of neighbours being overlooked whilst in their gardens would be greater than would be the case with use of the garden of No 95 at ground level, or with the provision of steps without a substantial deck. Accordingly, I consider the proposal has an adverse effect on the privacy of neighbours to each side.
7. I noted during my site visit that the fence panel which has been positioned on the side of the decking provides a measure of additional privacy to the garden of No 93 in views from inside the appeal property. However, this benefit is not sufficient to outweigh the harm caused by the proposal.
8. Accordingly I find that the proposal conflicts with that part of Policy QD14(b) of the Brighton & Hove Local Plan 2005 (Local Plan) which requires extensions and alterations not to result in a significant loss of privacy to neighbouring properties. It also conflicts with Policy QD27 of the Local Plan which seeks to protect the amenities of adjacent occupiers.

Character and Appearance

9. The brick piers match the brickwork of the house. The timber rails, balusters, steps and decking are simple and robust in form and appearance. I consider that they are acceptable in the context of the appearance of the appeal property and the various extensions and additions to the rear of other properties in the immediate area.
10. The screen fence panel, whilst it would not appear intrusive or unusual were it at ground level, does appear as an incongruous feature in this elevated position. As a consequence of the ground levels, the rear of the property at this level is visible from neighbouring gardens and I consider this aspect of the proposal is harmful to the character and appearance of the dwelling and of the immediate area. In this regard the scheme is contrary to Policy QD14 (a) of the Local Plan as it is not well designed and detailed. I do not consider that other elements of the proposal are harmful to the character and appearance of the appeal property or to views of it from neighbouring gardens.

Other matters

11. I have taken into account what I was able to see of the rear elevations of other properties in the immediate locality and the photographs provided by the appellant. The ground floor of No 97 appears to be set above its garden by a lesser height than is the case with the appeal property. The area which has been created outside the sliding doors of No 97 is considerably smaller than that of the appeal proposal and is set some distance from the boundary with No 99. Additionally, No 99 has a conservatory on the rear which incorporates obscure glazing in the elevation facing No 97.

12. A timber deck and steps has been erected at No 91 Mill Rise. The Council advise this has been in place for some time and I have not been provided with the planning history of this structure. I noted during my site visit that there is a relatively high fence on the garden level boundary of No 91 with the adjoining neighbours as well as considerable vegetation.
13. Accordingly, I do not consider that these examples are sufficiently similar to the appeal proposal to lead me to alter my conclusions. In any event, each proposal must be determined on its own merits.

Conclusion

14. I appreciate the desirability of providing direct and safe access to the garden of this family house. However, I do not consider that the proposal achieves this without creating unacceptably harmful effects on the privacy of the occupiers of the neighbouring properties.
15. For the reasons given above I conclude that the appeal should be dismissed.

Jennifer Tempest

INSPECTOR



Appeal Decision

Site visit made on 8 July 2013

by S Holden BSc MSc CEng TPP MRTPI FCIHT

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 July 2013

Appeal Ref: APP/Q1445/D/13/2198614

37 Ainsworth Avenue, Ovingdean, Brighton BN2 7BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Linda Eklind against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00856 was refused by notice dated 15 May 2013.
 - The development proposed is a part two storey, part single storey rear extension.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed extension on the character and appearance of the host property and the surrounding area.

Reasons

3. Ainsworth Avenue is characterised by good-sized, detached dwellings in well-proportioned plots. No 37 is a two storey house with an attached garage/utility room on the western elevation. These elements have mono-pitched roofs. To the rear there is a single storey extension with a flat roof, which is a predominant feature of the rear elevation and occupies more than half the width of the house.
4. The proposal is to enlarge the existing single storey rear extension by extending it across the full width of the main house and incorporating an additional storey. This two-storey extension would have a flat roof. In addition there would be a new single storey rear extension that would protrude approximately 5m beyond the new two-storey element. It would project some 7m beyond the rear elevation of the host property, so that the rear of the house becomes an 'L' shape. This element would also have a flat roof.
5. There is no objection in principle to an extension being of contemporary design or incorporating a flat roof. However, it is necessary to demonstrate that the overall scale of the proposal respects the proportions of the host property and that new features can be satisfactorily integrated with the existing building. The fenestration proposed for the first floor would be an improvement on the existing, rather utilitarian appearance. However, the overall depth, height and width of the proposal would comprise a substantial and bulky addition to the property. It seems to me that this would be out of proportion with the original dwelling and simply overwhelm the rear elevation, subsuming its features.

6. I consider the depth of the single storey element would be excessive, as it would effectively almost double the depth of this part of the house. Although the proposal would make use of the change in levels it would still be a bulky addition that would not relate well to the proportions and features of the existing house.
7. The extension would also incorporate the use of a parapet wall that would protrude above the existing eaves. This would create an awkward relationship between the flat roof of the extension and the pitched roof of the host property, particularly as it would span the full width of the house. To my mind this would not be an effective integration between the host property and the contemporary design of the extension.
8. On my site visit I saw that a similar feature is present on two nearby houses, which served to illustrate the difficulties of such an arrangement. However, in both those cases the extension did not occupy the full width of the host property and was therefore less dominant than the current proposal would be in relation to No 37. I am therefore not persuaded that use of this feature elsewhere in the vicinity is a justification for permitting the appeal proposal.
9. I acknowledge that neither element of the extension would be visible from the public realm. In addition, the house is sited on a plot of generous proportions and adequate separation distances between the extension and the adjoining properties would be retained. The proposal would therefore not give rise to the extended house appearing cramped on its plot. Neither would be any adverse effects on the surrounding street scene.
10. However, for the reasons set out above, I conclude that notwithstanding the lack of harm to the wider street scene, the proposal would be harmful to the character and appearance of the host property arising from its overall height, depth and bulk. In this respect it would fail to comply with saved Policies QD2 and QD14 of the Brighton & Hove Local Plan, which seeks development that is well designed, sited and detailed in relation to the host property.

Other matter

11. The appellant states that the proposal would not give rise to any loss of amenity to neighbouring properties and I note that the Council appears to be satisfied on this matter. However, on my site visit I saw that the adjoining property at No 35 has several windows in the side elevation facing No 37. Two of these windows serve a kitchen. The only other window serving this room looks out on the rear garden but is small and faces north. From my observations I am of the view that the outlook from the kitchen windows facing No 37 could be adversely affected by the height and bulk of the proposed extension, notwithstanding the separation distance between the adjoining properties. This adds weight to my concerns about the scale of the proposal.

Conclusion

12. For the reason given above, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR



Appeal Decision

Site visit made on 8 July 2013

by S Holden BSc MSc CEng TPP MRTPI FCIHT

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 July 2013

Appeal Ref: APP/Q1445/D/13/2196767

1 Hillcrest, Brighton, BN1 5FP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr A Embling against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00328 was refused by notice dated 4 April 2013.
 - The development proposed is erection of ground floor side extension, extension to roof incorporating front, rear and side dormers.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. An application for a side extension and insertion of a series of dormer windows in the front, side and rear roof slopes at the appeal property was refused by the Council in May 2012, Ref: BH2012/01066. The scheme was subsequently dismissed on appeal on the grounds that the front dormer windows would detract from the character and appearance of the pair of dwellings, Ref: APP/Q1445/D/12/2178201. Following this, the Council granted planning permission for a revised proposal comprising a side extension, a front dormer window to match that on the adjoining property (No 3) and another dormer window in each of the side and rear roof slopes, Ref: BH2012/03212. The current proposal seeks further amendments to the side and rear dormer windows and alterations to the roof of the ground floor side extension of the property.

Main issue

3. Having regard to the Inspector's comments on the previous scheme, the Council assessed the side extension within the current proposal and found it to be acceptable. I see no reason to take a different view. The main issue in this appeal is therefore the effect of the proposed side and rear dormer windows on the character and appearance of the host property and the surrounding area.

Reasons

4. 1 Hillcrest is a semi-detached bungalow on a triangular shaped plot. It is in a prominent position on the brow of a hill and is highly visible on the approach from Fairview Rise. The other half of the pair (No 3) has already been altered with the insertion of a dormer window in the front roof slope. The front dormer window in the approved scheme will match that on No 3.

5. The revised side facing dormer window would be both wider and taller than the dormer in the extant permission. The roof slope in which the window would be placed is of very modest proportions, so although these changes would be small in dimensional terms, they would nevertheless affect the appearance of the dormer window. Firstly, the dormer would be sited higher up the slope and closer to the edges of the roof and the ridge of the existing dwelling. This would make it appear less subordinate to the host property and more prominent from the surrounding area. Secondly, the design would include dormer cheeks, which would be on either side of the glazed section resulting in the overall appearance of the dormer being more bulky than the approved scheme. I am therefore not persuaded that the need to comply with the building regulations is a justification for the increased size or altered position of the proposed dormer window.
6. The Councils Supplementary Planning Guidance: *Roof Alterations and Extensions* (SPG) provides a series of principles to be applied to the assessment of new dormer windows. Not all of these are relevant to the appeal proposal. However, the overarching aim of this guidance is to ensure that dormer windows do not dominate the original building and properly respect the proportions and features of the host property. In particular it advises that dormers should be kept as small as possible.
7. To my mind the appeal proposal would not comply with this advice. Instead its enlarged width and height, combined with its altered position in the roof slope would make it a dominant feature that would be out of proportion with the modestly sized side roof slope. I acknowledge that views of the side roof slope of the bungalow are partially obscured by the garage and also by the position of the adjoining dwelling in Redhill Drive. However, it would be seen from elsewhere in Redhill Drive and Fairview Rise from where its overall bulk and the height of its ridge would be apparent. Consequently, it would appear as an overly large and incongruous addition to this modest dwelling.
8. The proposed rear dormer would be enlarged to match the overall size of that which has been approved for insertion in the front roof slope. I understand that this may appear logical to the appellant and accept that it would improve the internal layout of the loft conversion.
9. However, the proposal is for a large and bulky dormer. It would be both wider and deeper than that which has been approved by application BH2012/03212 and would occupy a significantly larger proportion of the rear roof slope. It would include substantial areas of cladding and incorporate a section of flat roof. Consequently, it would dominate the modestly proportioned rear roof slope to the detriment of the appearance of the dwelling as a whole. In these respects the enlarged dormer window would also fail to comply with the guidance set out in the SPG.
10. Furthermore, No 3 has no rear facing dormer window but includes only two small roof lights. In this regard the insertion of a dormer of the size proposed would appear particularly intrusive alongside the smaller rear roof slope of the adjoining bungalow. I appreciate that the appellant wants to harmonise the appearance of the two dormers. However, since the front and rear roof slopes cannot be seen simultaneously there is no requirement for the dormer windows to be identical to one another in order to provide visual symmetry. In my view the benefits that this would bring to the internal layout of the loft conversion would be outweighed by the harm to the appearance of the dwelling.

11. On my site visit I saw that there were some larger dormers on other nearby properties in Hillcrest. However, the Council has suggested that these were most likely to have been built as permitted development. Their presence is therefore not a justification for permitting a scheme that is contrary to the Council's current advice and policies.
12. I therefore conclude that the side and rear dormer windows would be harmful to the character and appearance of the host property and the surrounding area. They would fail to comply with saved Policy QD14 of the Brighton & Hove Local Plan, which seeks to ensure that extensions and alterations to existing buildings are well designed, sited and detailed in relation to the host property and the surrounding area. The proposal would also be contrary to the advice set out in the Council's SPG.
13. The National Planning Policy Framework (The Framework) sets out the Government's approach to securing sustainable development and confirms that applications for planning permission must be determined in accordance with the development plan. The Framework also states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. The proposal would therefore be contrary to the advice of the Framework.

Conclusion

14. For these reasons, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR



Appeal Decision

Site visit made on 8 July 2013

by S Holden BSc MSc CEng TPP MRTPI FCIHT

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 July 2013

Appeal Ref: APP/Q1445/D/13/2198949
26 Whitethorn Drive, Brighton, BN1 5LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Collis against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00642 was refused by notice dated 19 April 2013.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission granted for a single storey rear extension at 26 Whitehorn Drive, Brighton BN1 5LH, in accordance with the application ref: BH2013/00642, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
 - 3) The development shall not take place other than in complete accordance with the details shown on the submitted plans: 1472/1673 and 1472/1674A.

Main issue

2. The main issue is the effect of the proposed extension on the character and appearance of the host property and the surrounding area.

Reasons

3. Whitehorn Drive is within a well-established residential area dating from the 1970s, characterised by detached dwellings in modest sized plots. The houses vary in style and design and there is no strong sense of rhythm or uniformity to the street scene. No 26 is a chalet bungalow with flat roof dormer windows on both front and rear roof slopes. There is an attached single garage with a false pitched roof and a small single storey rear extension. The proposal is for a single storey rear extension that would be sited behind the existing garage.
4. The proposal would extend the flank wall of the garage to beyond the depth of the existing rear extension. It would therefore include a long section of dummy pitched roof adjacent to the shared boundary with No 25. It would extend approximately 5m beyond the rear elevation of the house and would be a little deeper and wider than the current extension. However, its overall

proportions would reflect those of the existing extension and its height and roof form would be complimentary to the features of the existing building. It would therefore appear to be subordinate to the host property, notwithstanding its dimensions. In my view these factors would enable the proposed extension to be satisfactorily integrated with the existing building.

5. An adequate separation distance would be retained between the extension and the shared boundary with No 25. As this adjoining property is sited on slightly higher ground the extension would be only marginally taller than the boundary fence. It would therefore not appear dominant with respect to the surrounding buildings. The position of the proposed extension would ensure that it would not be prominent in the street scene. The gap between Nos 25 and 26, which provides views over the existing garage towards development beyond the rear gardens, would be retained. The additional length of the wall and the mock pitched roof would be visible, but its low level, proximity to the boundary fence and the relationship between this and No 25 would reduce any harmful effects on views from the surrounding area.
6. I therefore conclude that the proposed extension would not be harmful to the character and appearance of the host property or the surrounding area. It would comply with saved Policy QD14 of the Brighton & Hove Local Plan, which seeks development that respects its setting. It would also accord with the aim of the National Planning Policy Framework to secure design that is appropriate in its context. I am therefore of the view that the appeal should succeed.
7. In addition to the standard time limit the Council has requested a materials condition. This is justified in the interests of the appearance of the building. It is also necessary that the development should be carried out in accordance with the approved plans. A condition to this effect is required for the avoidance of doubt and in the interests of proper planning.
8. For these reasons, and having regard to all other relevant matters raised, I conclude that the appeal should be allowed, subject to conditions.

Sheila Holden

INSPECTOR



Appeal Decision

Site visit made on 24 June 2013

by **Clive Tokley MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 July 2013

Appeal Ref: APP/Q1445/A/13/2191882

St Andrew's Day Centre, St Andrew's Road, Brighton, BN1 6EN.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Stonerix Ltd against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/02831, dated 10 September 2012, was refused by notice dated 30 November 2012.
 - The development proposed is demolition of single storey building and rear garages and erection of four three-bedroom houses and three two-bedroom houses with associated car and cycle parking and landscaping.
-

Conservation area consent:- This appeal is accompanied by an appeal against the Council's refusal to grant conservation area consent. A separate decision has been issued for that appeal.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues area:-1) Whether the day centre building is needed for community facilities; 2) The effect of the proposal on the character and appearance of the Preston Park Conservation Area (CA); 3) The effect of the proposal on the living conditions of neighbouring residents as regards outlook and 4) The quality of the living conditions of the occupiers of the proposed dwellings as regards noise and disturbance.

Reasons

Need for facilities

3. The building formerly used as a day centre appeared to be well maintained and the spaces within it suggested that it would be suitable for a range of community uses. Policy HO20 of the Brighton and Hove Local Plan 2005 (LP) indicates that planning permission will not normally be given for development proposals that would result in the loss of community facilities. The appellant argues that as the use ceased some years ago the development would not in itself result in the loss of the "facility" and Policy HO20 does not apply.
-

However to my mind the objectives of that policy are clear and I consider that it is a material consideration in the determination of this appeal.

4. Policy HO20 indicates that exceptions may apply when the community use is to be replaced, relocated or existing nearby facilities are to be improved (exceptions a, b and c) or where it can be demonstrated that the site is not needed either for its existing use or for any other types of community use (exception d). The policy goes on to indicate that where an exception occurs priority will be given to the development of residential and mixed use schemes that may provide "live work" or starter business units to meet identified local needs. The objective of safeguarding facilities that are needed by the community is consistent with the National Planning Policy Framework (The Framework) which indicates in section 8 (Promoting healthy communities) that planning decisions should, amongst other things, guard against the unnecessary loss of valued facilities and services; particularly where this would reduce the community's ability to meet its day to day needs.
5. The appellant indicates that the use of the building as a community centre ceased over three years ago. However neither the appellant nor the Council provides any indication of whether exceptions a to d of Policy HO20 apply. The Council indicates that the responsibility to demonstrate that any of the exceptions apply to the proposal lies with the appellant; however I would expect the Council to be aware of any specific need for community facilities in the area that could be met by the appeal site. The Council has given no indication of community need for the appeal property and taking account of the length of time during which the facility has been unused I conclude that there is no justification for seeking to retain the site for community purposes.
6. The proposal does not include any employment element and therefore it would not be a "priority" alternative use. However the Council has given no indication of need for small business or live work units and taking account of the absence of a five year supply of housing land I consider that redevelopment for residential purposes would be most appropriate.

Character and appearance

7. Preston Park Conservation Area is a predominantly residential area lying to the north and east of Preston Park. The eastern area, containing the appeal site, has an underlying north-south and east-west rectilinear street pattern that is crossed by a diagonal road. In the vicinity of the appeal site the north-south streets (Southdown Avenue, Edburton Avenue and Ditchling Road) are fronted by terraces of principally two-storey dwellings. The dwellings have characteristic turn of the C20 front bay windows and the front walls of the terraces are finished in red brick or render depending upon the date of their construction. Whilst there is an outward uniformity of scale and design the individual phases of development may be distinguished by the use of materials such as tile hanging and the relative exuberance of decoration of timber and metal work and applied wall mouldings.
8. St Andrews Road runs east to west and climbs the fairly steep hill between Southdown Avenue and Ditchling Road crossing Edburton Avenue. Towards the Ditchling Road end it is fronted by short terraces of mainly red brick houses of a similar character to the north south streets; however the section from

Southdown Avenue to beyond Edburton Avenue (including the appeal site) is fronted by the more mundane side elevations at the ends of the terraces. The appeal site and the land on the opposite side of St Andrews Road are occupied by lower buildings and this, combined with the rear gardens of the return frontage houses enables the plainer gabled rear out shots of the frontage houses to be seen from the street. The main building on the appeal site has the appearance and proportions of a small industrial unit with a corrugated sheet roof. The gardens on each side of the appeal site are bounded by white painted walls and there are similar walls on each side of the entrance to the lock up garage court on the opposite side of the Road. The character of this part of St Andrew's Road has very little in common with attractive and well ordered frontages around it.

9. The proposed buildings would share none of the defining characteristics of the frontages of the surrounding residential area. However in their size and scale the dwellings would appear subservient to the main frontage houses and their relative simplicity of design, slated gabled roofs and white rendered wall finishes would respond to the character at the rear of the houses. Whilst the nearby houses do not have the eccentric gables of the proposal I consider that the proposed frontage units to St Andrews Road would not appear out of place in this part of the street which is primarily fronted by end gables and white painted walls. I share the Heritage Team's concern about the hipped roofs which to my mind are not appropriate here but I consider that the bay windows and porches are a simple modern reworking of the features found on the surrounding houses and overall I consider that the design approach is acceptable.
10. The narrow linear nature of the site together with the differences in level on each side limit the scope for the layout of buildings. The proposal would create a succession of small spaces bounded by a retaining wall to the east and a combination of walls and fences to the west and the three units at the southern end would close the view along the access way. The spaces would provide an opportunity for tree planting to provide shade and soften what would otherwise be a harsh environment; I consider that with careful use of planting and surface treatments an acceptable living environment could be created. Whilst the proposed gardens would be smaller than those of the surrounding development they would not be perceived in the context of the wider CA and in my view would not detract from its character or appearance.
11. I consider that as regards both the layout and design of buildings the proposal has successfully responded to its context at the rear of the more flamboyant frontages. I consider that the proposal would at least preserve the character and appearance of the CA and would accord with the objectives of LP Policies QD1, QD2 and HE6.

Living conditions of neighbouring residents

12. The front of the appeal site is mostly occupied by the former community building with a narrow vehicular access along its western side. The site then opens out into a hard surfaced area across its full width beyond which are two parallel rows of unused lock up garages with an access way between them. As a result of the rising land the existing ground level within the site is higher than the rear gardens of Southdown Avenue (to the west) and lower than those in

Edburton Avenue (to the east). The appeal site itself has very little lateral slope but it slopes gently down from St Andrew's Road towards the rear of houses beyond the garage blocks in Grantham Road. The east flank wall of the frontage building lies on or close to the eastern boundary of the site and this is continued by a wall of about 3.5 m in height (as derived from the survey information) which extends to the lock up garages. The front of the western side of the site is bounded by a domestic garage beyond which is wall of about 1.5m. Towards the rear of the site both side boundaries are marked by the rear walls of the garages which have parapets extending above the mono-pitch garage roofs to a height of 3m and more above the site level.

13. The cross sections submitted by the appellant give a snap shot of the relationships between the site and the houses to the east and west. They are not referenced on the plans but I have taken them to represent cross sections on the approximate line of the front walls of the proposed dwellings. I was able to visit one property on each side which allowed me to gain an impression of the relationships in the vicinity of proposed plots 5 to 7. I was also able to see above the boundary wall into some of the rear gardens of the Southdown Avenue houses backing onto the northern half of the site.
14. The rear walls of the garages are the most dominant aspects of the outlook at the rear of houses backing onto the southern half of the site. Further north, the outlook from Edburton Avenue is towards the flank wall of the building and the high wall behind it whereas from Southdown Avenue the view is towards the lower boundary wall.
15. My impression was that the cross sections provide a reasonably accurate indication of the relative levels of the higher Edburton Avenue houses as compared with the appeal site; however as I saw at the appeal site the actual profile of the gardens varies. Observations and a measurement taken in the rear garden of No 15 indicate that the garden level next to the boundary with the appeal site is higher than illustrated on the cross sections.
16. I also saw that the ground/garden levels of the Southdown Avenue properties are, in reality, significantly and consistently lower than illustrated. From the ground floor and gardens of the Southdown Avenue side the rear wall of the garage block forms the skyline. Even from the upper floors only the tops of the higher houses in Edburton Avenue can be seen above the garages. If the garage wall was retained at its current height I estimate that it would allow only the shallow pitched roof of the Plot 7 house (closest to Southdown Avenue) to be seen from the rear gardens of the adjacent dwellings. The changed angle of view from the first floors of those houses would bring the roof of Plot 7 more squarely into view; however I consider that if the wall was retained at its present height the proposal would have a limited effect on the outlook at the rear of the Southdown Avenue houses.
17. However the application indicates a 2m wall on the western boundary which would be significantly lower than the existing wall. It is not clear whether this would be achieved by reducing the height of the garage wall or replacing it with a garden wall. A lower wall would be less dominating than the existing; however it would result in a significant change to the skyline and would enable the upper parts of the flank walls of the proposed houses to be seen from the Southdown Avenue properties. Although dominant the existing wall is a long-established

familiar feature at the rear of the Southdown Avenue houses that has been softened by vegetation and put to use for other purposes, such as supporting garden buildings. I consider that replacing the wall with a lower structure would detract from that familiar outlook and result in an unacceptably over-dominant relationship between the Plot 7 house and the houses in Southdown Avenue. The proposed houses at the northern end and centre of the site would be positioned further from the western boundary and I consider that they would not appear as dominant as Plot 7.

18. The Edburton Avenue houses are on higher land than the appeal site and from their rear windows they have open outlooks above the site. Whilst the proposed dwellings would change that outlook I consider that when seen from within the dwellings they would not be unacceptably dominant. The proposal indicates that the wall towards the southern end of the site, in the vicinity of Plot 5, the site boundary with the Edburton Avenue properties would be a wall of about 1.5m whereas in the vicinity of Plot 3 it is indicated to be 2.5m. I consider that the levels of the adjacent gardens as shown on the cross sections cannot be relied upon and based on what I saw at the site visit the 1.5m walls would be unlikely to be high enough to prevent overlooking into the gardens of the proposed houses. In common with the Southdown Avenue properties the reduction in height or replacement of the existing walls at the rear of Edburton Avenue would change a familiar feature of the dwellings. Whilst the relative height of the proposed dwellings as compared with the adjacent gardens would not be as great as at Plot 7 a combination of the height and proximity of the buildings, together with the lower boundary wall would result in the dwellings appearing unacceptably dominant and intrusive when seen from the gardens of the nearest Edburton Avenue houses.
19. At the southern end of the site the dwellings would back onto dwellings in Grantham Road. Taking account of the limited difference in level and the distance between the dwellings I consider that the proposal would not unacceptably detract from the outlook from those dwellings.
20. The main windows of the proposed dwellings would have outlooks along the site and whilst there would be oblique views of the adjacent gardens these could be minimised by careful detailing including the provision of boundary screening. Taking account of the levels and distances between buildings I consider that the proposal would not result in unacceptable loss of light.
21. In assessing this issue I have not been able to rely on the cross section drawings and my indications of relative proposed heights have been based on the survey and scaling from the submitted drawings. Nevertheless, based on what I have read and seen I have concluded that the proposal would unacceptably detract from the outlook of the occupiers of dwellings in both Southdown Avenue and Edburton Avenue. In this respect therefore the proposal would conflict with LP Policy QD27 which indicates that permission will not be granted for development that would cause a material loss of amenity to adjacent occupiers. This objective is consistent with the Framework which indicates that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings and I therefore give that policy substantial weight.

Living conditions of occupiers of the proposal

22. The access within the site would pass alongside the proposed houses and serve the small parking areas between them. This is not an unusual arrangement within housing developments of this size and I consider that taking account of the small number of dwellings the activity associated with the access would not result in material nuisance or loss of amenity to the occupiers of the dwellings and would not conflict with LP Policy QD27.

Other matters

23. I am conscious of the large number of objections from surrounding residents and the most frequently occurring matters are considered within the main issues. The Council and the Highways Authority consider that adequate provision has been made for on site parking in accordance with the adopted policy. I have noted residents concern about overspill parking from the site but there is no evidence to indicate that this would result in a parking deficit in the area or compromise highway safety. The Highways Authority does not raise concern about emergency access to the site. A number of residents have referred to water supply and drainage issues and were planning permission to be granted these would be matters to be resolved with the Council and the appropriate infrastructure bodies. In the event of planning permission being granted issues arising from the demolition and construction processes would be controlled by planning conditions and, in matters such as the removal of asbestos, other legislation.

Policy Framework Balance

24. The Council does not have a five year supply of housing land and therefore in this respect its LP policies are not up to date. Nevertheless I consider that LP Policy QD27 is consistent with the Framework. Paragraph 14 of the Framework indicates that where a relevant policy is out of date planning permission should be granted unless any adverse effects would significantly and demonstrably outweigh the benefits when assessed against the framework as a whole; or where specific policies in the Framework indicate that development should be restricted. The Framework also indicates that all housing applications should be considered in the context of the presumption in favour of sustainable development.

25. The appeal site is in a sustainable location in the City of Brighton. However in order to be "sustainable development" as defined by the Framework the proposal must satisfy all three dimensions of sustainability set out within it (economic, social and environmental). The carrying out of the development would make a positive contribution to the building industry in the area and would satisfy the economic dimension. It would also make a contribution to the housing stock and make use of an unused site. I consider that the development would be appropriate to the CA and would result in the removal of the unattractive buildings on the land thereby enhancing it.

26. However I consider that the relationship between the development and adjacent residential properties has not been fully resolved and based on what I have read and seen I have concluded that the proposal would be unacceptably harmful to the occupiers of nearby dwellings. In my view the harm arising from this aspect of the proposal would outweigh the benefits that I have identified

and that the proposal would fail to satisfactorily address the social dimension of sustainable development.

27. Taking account of all matters I have therefore determined that the appeal should not succeed.

Clive Tokley

INSPECTOR



Appeal Decision

Site visit made on 24 June 2013

by Clive Tokley MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 July 2013

Appeal Ref: APP/Q1445/E/13/2191888

St Andrew's Day Centre, St Andrew's Road, Brighton, BN1 6EN.

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
 - The appeal is made by Stonerix Ltd against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/02832, dated 10 September 2012, was refused by notice dated 30 November 2012.
 - The demolition proposed is demolition of single storey building and rear garages.
-

Decision

The appeal is dismissed.

Reasons

1. It is common ground between the main parties that the buildings on the appeal site have no intrinsic historic or town-scape value. In the event that permission is granted to redevelop the site there would be no reason to refuse consent for their demolition. However in the absence of an approved redevelopment scheme their demolition would result in an open site that would detract from the character and appearance of the Preston Park Conservation Area.
2. As a result of the decision to dismiss planning appeal ref APP/Q1445/A/13/2191882 there is no extant permission for redevelopment and therefore this appeal is also dismissed.

Clive Tokley

INSPECTOR



Appeal Decision

Site visit made on 16 July 2013

by **S Holden BSc MSc CEng TPP MRTPI FCIHT**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 July 2013

Appeal Ref: APP/Q1445/D/13/2198773
40 Aldrington Avenue, HOVE, BN3 7EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Martin against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00073 was refused by notice dated 28 February 2013.
 - The development proposed is to erect a conservatory at rear.
-

Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effects of the proposed extension firstly, on the character and appearance of the host property and the surrounding area and secondly, on the living conditions of the occupants of No 38, in relation to visual intrusion.

Reasons

Character and appearance

3. Aldrington Avenue is characterised by semi-detached houses in modest sized plots. No 40 is paired with No 38. Both already have single storey rear extensions. The extension at No 40 has a mono-pitched, tiled roof; No 38 has a conservatory with a mono-pitched roof. The other neighbouring property, No 42, has a brick built extension with a flat roof. No 40 also has a lightweight corrugated plastic canopy that provides some enclosure and protection from the weather for the patio situated to the rear of the house. This currently occupies the full width of the existing extension. The proposal seeks to remove this canopy and replace it with a conservatory that would occupy just over half the width of the rear extension and would project 3.3m beyond it.
4. Rear extensions are a feature of many of the surrounding properties. However, the proposal to add a conservatory to the rear of No 40 would result in the enlarged building projecting some 6.4m beyond the original rear elevation. This would be out of proportion with the host property and out of keeping with other dwellings in the vicinity. The proposed conservatory would be a more permanent and enclosed structure than the lightweight canopy that it would replace. It would be a little taller in height and its proposed roof form would create an awkward relationship with the existing dwelling. It would therefore

fail to integrate effectively with the host property, but would appear to be an incongruous and over-sized addition to this modestly proportioned dwelling.

5. I therefore conclude that the proposal would be harmful to the character and appearance of the host property and the surrounding area. It would be contrary to saved Policy QD14 of the Brighton & Hove Local Plan, which seeks development that is well designed, sited and detailed in relation to the host property. It would also fail to comply with the National Planning Policy Framework's advice to always secure development of good design that would improve the quality of the built environment.

Living conditions

6. Immediately to the rear of the house the shared boundary with No 42 is a brick wall. However, adjoining No 38 there is a close board fence and an section of obscure glazing that supports the existing canopy. These features project out to the depth of the existing canopy. The replacement of the existing structure with the proposed conservatory would therefore not adversely affect the outlook from either of these neighbouring dwellings. It is likely that the additional depth and height of the proposed conservatory would be apparent from the garden of No 38. However, in view of the existing boundary treatment and the presence of mature vegetation within both gardens, I am not persuaded that the proposal would appear overbearing or visually intrusive for these neighbours.
7. I therefore conclude that the proposal would not be harmful to the living conditions of the occupants of either of the adjoining dwellings. In this regard it would comply with saved Policy QD27 of the Local Plan, which seeks to ensure that development does not have unacceptable effects on the amenity of the City's residents.

Conclusion

8. I appreciate that the appellant wishes to improve the rear of the house and to provide additional living space by replacing the existing plastic corrugated canopy with a more substantial and permanent conservatory. I have concluded that the proposal would not be harmful to the living conditions of neighbours. However, this positive aspect of the scheme and the use of higher quality materials to replace the existing structure would not outweigh the harm I have identified to the host property and the surrounding area.
9. For this reason, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR

NEW APPEALS RECEIVED

WARD

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

HANOVER & ELM GROVE

BH2013/00759

10 & 10A De Montfort Road Brighton

Change of use of ground floor shop/office (A1/B1) and first floor flat to single dwelling house (Use Class C3). External alterations including erection of single storey rear extension to replace existing single storey structure, alterations to fenestration, installation of new garage door to side elevation, erection of new boundary wall to front elevation and associated works.

APPEAL LODGED

27/06/2013

Delegated

WARD

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

QUEEN'S PARK

BH2013/00577

97 Freshfield Road Brighton

Alterations to roof of rear outrigger to create additional habitable space. Replacement of existing basement window with door to front elevation.

APPEAL LODGED

02/07/2013

Delegated

WARD

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

ROTTINGDEAN COASTAL

BH2012/00145

11 West Street Rottingdean Brighton

Erection of single storey rear extension (retrospective)

APPEAL LODGED

03/07/2013

Delegated

WARD

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

REGENCY

BH2013/00815

1-3 Prince Albert Street Brighton

Replacement of existing ground floor windows with bi-fold windows to North and bi-fold doors to East elevations.

APPEAL LODGED

03/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****REGENCY**

BH2013/00816

1-3 Prince Albert Street Brighton

Replacement of existing ground floor windows with bi-fold windows to North and bi-fold doors to East elevations.

APPEAL LODGED

03/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ROTTINGDEAN COASTAL**

BH2013/01082

25 Withyham Avenue Saltdean Brighton

Erection of rear extension to lower ground and ground floor including a conservatory.

APPEAL LODGED

02/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ROTTINGDEAN COASTAL**

BH2013/01014

6 Stanmer Avenue Saltdean Brighton

Erection of single storey front extensions and single storey rear extension (Part Retrospective).

APPEAL LODGED

09/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WESTBOURNE**

BH2013/01221

13 Carlisle Road Hove

Erection of single storey rear extension.

APPEAL LODGED

11/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****REGENCY**

BH2012/03423

22, 22A, 23 & 23A East Street Brighton

Conversion of upper floors from offices (B1) to 2no two bedroom flats.

APPEAL LODGED

11/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****REGENCY**

BH2012/03424

22, 22A, 23 & 23A East Street Brighton

Internal alterations to upper floors to convert offices to 2no two bedroom flats.

APPEAL LODGED

11/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PATCHAM**

BH2013/00906

4 Brangwyn Crescent Brighton

Erection of two storey side and rear extension.

APPEAL LODGED

12/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****GOLDSMID**

BH2013/00696

23 Ferndale Road Hove

Erection of a single storey rear extension.

APPEAL LODGED

08/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

BH2013/00803

Land at 4 Elrington Road Hove

Erection of 3no bedroom detached house.

APPEAL LODGED

12/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

BH2013/00453

Land rear of 39-73 Queen Victoria Avenue Hove

Erection of 2no single storey one bedroom dwellings.

APPEAL LODGED

17/07/2013

Planning (Applications) Committee

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HANOVER & ELM GROVE**

BH2013/00936

3 Wellington Road Brighton

Change of use from dwelling (C3) to either dwelling (C3) or House in Multiple Occupation (C4) and replacement of timber windows and doors with UPVC windows and doors.

APPEAL LODGED

17/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ST. PETER'S & NORTH LAINE**

BH2013/00478

24 Albert Road Brighton

Single storey extension to existing garage and roof alterations to facilitate creation of storage area above and associated works. (Retrospective)

APPEAL LODGED

17/07/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****MOULSECOOMB & BEVENDEAN**

BH2012/03818

Willow Surgery 50 Heath Hill Avenue Brighton

Demolition of existing surgery and residential accommodation and erection of new surgery and student accommodation comprising of 19 rooms.

APPEAL LODGED

16/07/2013

Delegated



**Brighton & Hove
City Council**

**INFORMATION ON HEARINGS / PUBLIC INQUIRIES
07 AUGUST 2013**

This is a note of the current position regarding Planning Inquiries and Hearings

22, 22A, 23, 23A East Street, Brighton

Planning application no: BH2012/03423

Description: Conversion of upper floors from offices (B1) to 2no two bedroom flats.

Decision: Committee

Type of appeal: Informal Hearing

Date: TBC

Location: TBC

22, 22A, 23, 23A East Street, Brighton

Planning application no: BH2012/03424

Description: Internal alterations to upper floors to convert offices to 2no two bedroom flats.

Decision: Committee

Type of appeal: Informal Hearing

Date: TBC

Location: TBC

Information on Pre-application Presentations and Requests

Date	Address	Ward	Proposal
17 March 2010	Former Nurses Accommodation, Brighton General Hospital	Hanover & Elm Grove	Demolition of the former nurses accommodation buildings and the construction of three residential apartment blocks comprising 95 units and a 105 square metre community facility with associated car parking and landscaping.
27 April 2010	Open Market	St Peter's & North Laine	Proposed replacement, covered market, 87 affordable housing units, 12 x B1 workshops and public realm improvements.
29 June 2010	Former Royal Alexandra Children's Hospital, Dyke Road, Brighton	Regency	A) <i>Conversion scheme</i> Conversion of a retained main building to provide 118 units. The scheme is 100% private housing and does not include provision of a GP surgery. B) <i>New building scheme</i> Demolition of all existing buildings with a new development comprising 136 units with 54 affordable units (40%) and a GP surgery.
20 July 2010	The Keep, Wollards Field, Lewes Road, Brighton	Moulsecoomb & Bevendean	A new historical resource centre for East Sussex, Brighton & Hove.
10 August 2010	Former Sackville Hotel, Kingsway, Hove	Westbourne	Construction of 47 flats (mix of 1, 2, 3, & 4 bed units) within 6 to 9 floor building, and to incorporate basement parking of 49 spaces, and 2 spaces at ground floor level.
21 September 2010	3Ts	East Brighton	3T's (teaching, tertiary & trauma). Comprehensive redevelopment of southern half of RSCH on Eastern Road to provide replacement modern clinical facilities over three phases.

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

Date	Address	Ward	Proposal
14 December 2010	Brighton Station, Block J	St Peters & North Laine	Proposed mixed use scheme comprising 3500 sq m B1 commercial office space, 147 residential units, 3* hotel in buildings of between 5-8 storeys, provision of civic square, Southern SNCI, and 250 sq m A1 retail / A3 café
11 January 2011	Park House	Hove Park Ward	Demolition of former residential language school buildings and the residential redevelopment of the site by way of flats in buildings of between 4 and 5 storeys.
15 March 2011	Anston House, 137-147 Preston Road	Preston Park	Demolition of existing building and proposed mixed scheme. Exact details of the scheme are not finalised. The presentation is to show Cllrs the concept of the scheme and how they have come to the point that they are now at.
15 July 2011	3Ts	East Brighton	3T's (teaching, tertiary & trauma). Comprehensive redevelopment of southern half of RSCH on Eastern Road to provide replacement modern clinical facilities over three phases and erection of a helipad on top of the Thomas Kemp Tower.
20 September 2011	Ice Rink & No.11 Queens Square	St Peter's & North Laine	Demolition of former ice rink and no.11 Queens Square and erection of 5-6 storey building to provide ApartHotel (58 serviced apartments) with associated restaurant/café and alterations to public realm.
22 November 2011	Park House	Hove Park	Demolition of former residential language school buildings and the residential redevelopment of the site by way of flats in buildings of between 4 and 5 storeys.

Date	Address	Ward	Proposal
21 February	Anston House, 137-139 Preston Road, Brighton	Preston Park	Demolition of existing building and proposed mixed scheme. Exact details of the scheme are not finalised. The presentation is to show Cllrs the concept of the scheme and how they have come to the point that they are now at.
24 April 2012	PortZed, 9-16 Aldrington Basin, Land south of Kingsway, Basin Road North, Portslade	Wish	Demolition of business unit to east of Magnet showroom. Erection of new five and a half storey building at Kingsway level and a further one and half storeys of car parking beneath Kingsway ground floor accessed via Basin Road North. Development comprises mixed use commercial premises with associated new access and car parking at Kingsway level and 52 residential units in 6 blocks.
15 May 2012	1. Brighton Station, Block J 2. Woolards Field, Lewes Road	1. St Peters & North Laine 2. Moulsecoomb & Bevendean	1. The commercial and residential blocks will be developed separately. An amended 6/8 storey mixed use commercial building, plus basement, comprising hotel, office and retail uses, is proposed at the southern end of the site. 2. A 1-3 storey building to be used as a make ready ambulance centre including cleaning, maintenance and preparation of ambulances with office, staff facilities, training and education facilities. Associated landscaping car parking (158 spaces) and cycle parking.
28 August 2012	Infinity Foods, Norway Street	South Portslade	An office block (Class B1) of 743sqm, served by 15 parking spaces accessed from Franklin Street to the north of the site. 1 2, 3 and 4 bed dwellings including 12 affordable housing units served by 50 parking

			spaces access from Norway Street and Franklin Road.
09 October 2012	<p>1. Hannington Lane</p> <p>2. Brighton Square</p>	<p>1. Regency</p> <p>2. Regency</p>	<p>1. Creation of new retail shopping lane behind the former Hanningtons Store connecting Meeting House Lane with Brighton Place, with new links to North St and Brighton Square. Accommodation comprising 9 new residential units (approx 900 sqm) and office accommodation (approx 520 sqm) over 21 new/refurbished/extended retail units (A1/A3 mix TBA) (approx 1,300 sqm). Please note that approximately half of the retail area is to be within existing building envelopes. Relocation of sub-station.</p> <p>2. Remodelling facades of Brighton Square. New 50 bedroom hotel and reception (approx 1,500sqm) fronting Brighton Place with rooftop café/restaurant (approx 75sqm) and roof terrace and 5 new residential units (approx 500 sqm), office accommodation (approx 300 sqm) over 7 new/refurbished/extended retail units (A1/A3 mix TBA) (approx 300 sqm).</p>
30 October 2012	Brighton & Hove Bus Depot, Industrial House, Gill House, Tecore House & The Builder Centre all on Conway Street, Units 1 – 3 Ellen Street & The Agora, Ellen Street	Goldsmid	Demolition of all buildings expect for The Agora, Ellen Street. Redevelopment of the site to comprise the following: A1 retail unit (food) of 3,716 square metres and an A1 retail unit (non food) of 4,650 square metres; 4 No. A1 (non food) retail units (but could also be A3/A4 restaurant/bar uses) totalling 1,716 square metres; 8 No. A3/A4 restaurants/bars totalling 2730 square metres; Exhibition space 232 metres; B1 office units totalling 8,820 square metres; 9 screen D2 cinema of

			3,875 square metres. 400 Residential units to be mainly provided at upper levels including 5 tower blocks ranging in height of between 10 and 25 storeys. Car parking for 800 vehicles.
20 November 2012	City College, Pelham Street	St Peters & North Laine	Demolition of all buildings. Redevelopment of the site to provide a 11,800 sqm educational building, a building accommodating 501 student units, 22 townhouses, two buildings containing 72 residential flats and a public square.
16 th July 2013	Circus Street, Brighton	Queen's Park	Pre-application proposed re-development

Upcoming presentations – Dates TBC

Anston House, Preston Road, Brighton

City College, Wilson Avenue, Brighton

Hippodrome, Middle Street, Brighton

PLANS LIST 07 August 2013

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

BH2013/01116

10 Heston Avenue Brighton

Erection of single storey rear extension and installation of new window to side elevation.

Applicant: Mr Mark Kent

Officer: Sonia Gillam 292265

Approved on 15/07/13 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan proposed elevations and floor plans	477/01	A	21/05/2013
Existing elevations and floor plans	477/02	A	21/05/2013

BH2013/01256

30 Dale Drive Brighton

Erection of front porch to replace existing.

Applicant: Ramya Perera

Officer: Chris Swain 292178

Approved on 04/07/13 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			14 April 2013
Block plan			14 April 2013
Front elevation as existing	4410 01		18 April 2013
Front elevation as proposed	4410 02		18 April 2013
Front elevation as proposed	4410 03		18 April 2013
Plan existing and proposed	4410 04		18 April 2013
East elevation existing and proposed	4410 05		18 April 2013
West elevation existing and proposed	4410 06		18 April 2013

BH2013/01289

33-39 Old London Road Brighton

Removal of existing entrance lobby, relocation of entrance door and ATM incorporating new external entrance ramp with railings.

Applicant: Co-operative Group Ltd

Officer: Chris Swain 292178

Approved on 09/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site and block plan	2121.03		23 April 2013
Proposed plan	2121.02	C	8 July 2013
Existing plan	2121.01		23 April 2013

BH2013/01353

133 Woodbourne Avenue Brighton

Certificate of Lawfulness for proposed single storey rear extension.

Applicant: Mr Jason Hawkes

Officer: Jonathan Puplett 292525

Refused on 08/07/13 DELEGATED

BH2013/01572

Asda Stores Ltd 1 Crowhurst Road Brighton

Display of externally-illuminated fascia signs and non-illuminated hoarding sign to proposed customer grocery collection canopy and associated non-illuminated road and direction signs.

Applicant: ASDA

Officer: Andrew Huntley 292321

Approved on 04/07/13 DELEGATED

1) UNI

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) UNI

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) UNI

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) UNI

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.

5) UNI

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) UNI

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) UNI

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.

BH2013/01573**Asda Stores Ltd 1 Crowhurst Road Brighton**

Erection of single storey canopy in existing car park to provide customer grocery collection facility.

Applicant: ASDA

Officer: Andrew Huntley 292321

Approved on 04/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Site Plan	(0)001	A	28.05.2013
Proposed Layout Plan	(0)010	A	17.05.2013
Proposed Canopy Elevations and Plan	(0)015		17.05.2013
Proposed Signage	(0)016	A	28.05.2013
Click and Collect Canopy	S(28) - 111	B	17.05.2013

BH2013/01592**Unit 8B Hollingbury Enterprise Estate 8 Crowhurst Road Brighton**

Certificate of lawfulness for existing use as a motor vehicle service and repair centre to include MOT testing (B2).

Applicant: R J Engineering

Officer: Andrew Huntley 292321

Approved on 11/07/13 DELEGATED

1) UNI

The site has an established lawful use for any purpose which falls under Use Classes B1(c), B2 and B8 of the Town and Country Planning (Use Classes) Order 2005 as amended. Car repair, servicing and MOT testing all fall within Use Class B2, and as such, these uses are lawful.

BH2013/01607**42 Ridgeside Avenue Brighton**

Erection of two storey side and rear extensions, single storey side extension, formation of front porch and loft conversion incorporating formation of hip end roof extensions with increased ridge height, rear dormer, and rooflights to front and side elevations.

Applicant: Mr & Mrs Rowland

Officer: Wayne Nee 292132

Approved on 17/07/13 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 upper floor windows and rooflights on the side elevations of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of

the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

3) UNI

No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan	ADC556/LP		20 May 2013
Block plan	ADC556/BP		20 May 2013
Existing plans	ADC556/01		20 May 2013
Existing elevations	ADC556/02		20 May 2013
Proposed plans	ADC556/03	A	20 May 2013
Proposed elevations	ADC556/04	A	20 May 2013
Contextual elevation	ADC556/06		20 May 2013
Arboricultural Report	n/a		30 May 2013

5) UNI

No development shall take place until details and samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

BH2013/01788

16 Mayfield Crescent Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.7m from rear of dining room and 4.05m from kitchen wall, for which the maximum height would be 3.6m, and for which the height of the eaves would be 3m.

Applicant: Adam Hughes

Officer: Chris Swain 292178

Prior approval not required on 11/07/13 DELEGATED

BH2013/01789

19 Dale Drive Brighton

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

Applicant: Gavin Lanaway

Officer: Jonathan Puplett 292525

Prior approval not required on 12/07/13 DELEGATED

BH2013/01866

2 Cragnair Avenue Brighton

Non Material Amendment to BH2012/01984 to install a 3m x 1.5m roof lantern on the extension, to change side door on extension to a window 900mm wide x 1050mm high.

Applicant: Mrs Jill Ward

Officer: Pete Campbell 292359

Refused on 12/07/13 DELEGATED

1) UNI

The proposed revision to include a substantial roof lantern to the scheme approved under application BH2009/01940 is considered material and warrants the submission of a further application for planning permission.

PRESTON PARK

BH2012/03257

22 Preston Road Brighton

Replacement of shop front. (Retrospective)

Applicant: Shula Rich

Officer: Pete Campbell 292359

Refused on 01/07/13 DELEGATED

1) UNI

The alterations to the shop front, by reason of design, materials and detailing are unsympathetic, failing to represent an improvement to the design of the pre-existing timber shopfront. The application is considered detrimental to the character and appearance of the existing building, the Preston Road street scene and the surrounding area. As such the proposal is contrary to policy QD10 of the Brighton & Hove Local Plan and the Supplementary Planning Document on Shop Front Design (SPD02).

BH2012/03806

Port Hall Mews Brighton

Conversion of existing buildings to form 6no two storey town houses and 2no single storey cottages with associated alterations, parking and integral garages.

Applicant: Agar Property

Officer: Sue Dubberley 293817

Refused on 28/06/13 DELEGATED

1) UNI

The proposal would be contrary to policy EM3 of the Brighton & Hove Local Plan which seeks to restrict the loss of industrial/office uses unless it has been demonstrated that the use is no longer viable. Applicants are expected to demonstrate active marketing of the unit on competitive terms detailing the ways in which the site has been made attractive to other types of employment uses. Insufficient information has been submitted with the application to demonstrate the use is no longer viable in this location and that the premise is unsuitable for

modern employment needs. It has therefore not been demonstrated that the premises are genuinely redundant.

BH2013/00679

10 Preston Park Avenue Brighton

Application for Approval of Details Reserved by Conditions 2, 4, 7, 8, 10, 12, 13, 18 and 19 of application BH2010/00220

Applicant: Mr Peter Franks

Officer: Liz Arnold 291709

Approved on 27/06/13 DELEGATED

BH2013/01384

59 Stanford Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, rear dormer and 3no rooflights to the front elevation.

Applicant: Mrs Rakhi Talwar

Officer: Sonia Gillam 292265

Approved on 02/07/13 DELEGATED

BH2013/01386

59 Stanford Road Brighton

Erection of single storey rear extension incorporating alterations to fenestration.

Applicant: Mrs Rakhi Talwar

Officer: Sonia Gillam 292265

Approved on 02/07/13 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing ground floor plan	01		02/05/2013
Existing roof plan	02		02/05/2013
Existing rear elevation	03		02/05/2013
Existing side elevation	04		02/05/2013
Proposed ground floor plan	05		02/05/2013
Proposed roof plan	06		02/05/2013

Report from: 27/06/13 to: 17/07/13

Proposed rear elevation	07		02/05/2013
Proposed side elevation	08		02/05/2013
Site location plan			02/05/2013
Block plan			02/05/2013

BH2013/01396

81 Springfield Road Brighton

Loft conversion incorporating rooflight to front.

Applicant: Mr David Bacon

Officer: Robin K Hodgetts 292366

Approved on 27/06/13 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 hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan	ADC546/LP		03/05/13
Block plan	ADC546/BP		03/05/13
Existing plans	ADC546/01		03/05/13
Existing section and elevations	ADC546/02		03/05/13
Proposed plans	ADC546/03	C	03/05/13
Proposed section and elevations	ADC546/04	C	03/05/13

BH2013/01400

1 Waldegrave Road Brighton

Loft conversion incorporating 3no dormers to rear and 2no rooflights to front.

Applicant: Mr Peter Crawhurst

Officer: Sue Dubberley 293817

Refused on 28/06/13 DELEGATED

1) UNI

The proposed middle dormer which would house the staircase, by virtue of its positioning, inappropriate design and impact in terms of the cumulative size of the rear roof alterations, would form an incongruous addition, which would be detrimental to the appearance of the building and the surrounding area. The development is therefore contrary to policies QD1, QD14 and HE6 of the Brighton & Hove Local Plan and to Supplementary Planning Guidance Note SPGBH1: Roof Alterations and Extensions.

BH2013/01444**12 Waldegrave Road Brighton**

Erection of a single storey rear extension with associated alterations.

Applicant: Mrs Agnes Baetens**Officer:** Chris Swain 292178**Approved on 15/07/13 DELEGATED****1) BH01.01**

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

*Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.***2) UNI**

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

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

Plan Type	Reference	Version	Date Received
Existing plans and elevations			8 May 2013
Proposed plans and elevations			8 May 2013

3) UNI

The external finishes of the walls of the extension 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.***BH2013/01453****251-253 Ditchling Road Brighton**

Application for Approval of Details Reserved by Condition 13 of application BH2012/03484

Applicant: Mr David Cook**Officer:** Anthony Foster 294495**Approved on 04/07/13 DELEGATED****BH2013/01483****166 Havelock Road Brighton**

Replacement windows to front elevation.

Applicant: Mrs Alison Addy**Officer:** Wayne Nee 292132**Approved on 05/07/13 DELEGATED****1) BH01.01**

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

*Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.***2) UNI**

Notwithstanding the approved drawings, the replacement front elevation windows hereby permitted shall match the glazing pattern (including the central glazing bar of the first floor bedroom window), the glazing bar dimensions and the horn details of the existing windows, and shall be retained as such thereafter.

*Reason: For the avoidance of doubt and in the interests of the visual amenities of the Preston Park Conservation Area, and to comply with policies QD1, QD14, and HE6 of the Brighton & Hove Local Plan.***3) UNI**

The development hereby permitted shall be carried out in accordance with the

approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site plan	n/a		10 May 2013
Retail survey report	n/a		10 May 2013
Anglican Timber Product Guide	n/a		10 May 2013

BH2013/01498

22 Beaconsfield Villas Brighton

Installation of 2no rooflights to front roof slope.

Applicant: Beverly Sawyers

Officer: Jonathan Puplett 292525

Approved on 08/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	13/024/03		13/05/2013
Block Plan	13/024/04		13/05/2013
Existing And Proposed Elevations	13/024/05		13/05/2013
Rooflight Details	13/05/2013		13/05/2013

BH2013/01504

42 Florence Road Brighton

Erection of single storey rear extension. Loft conversion incorporating rear dormer and 1no rooflight to the front roof slope and 1 no. rooflight to the side roof slope.

Applicant: Mr Jon Wilson

Officer: Sonia Gillam 292265

Refused on 03/07/13 DELEGATED

1) UNI

The proposed ground floor rear extension, by virtue of its inappropriate form, size and design would not respect the historic form, layout, design and detailing of the property, and therefore would fail to preserve or enhance its traditional character or make a positive contribution to the visual quality of the environment. As such the proposal would be detrimental to the character and appearance of the property and the Preston Park conservation area and is contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

REGENCY

BH2012/03469

Flat 1A Clarendon Mansions 80 East Street Brighton

Installation of secondary internal glazing to 5no sash windows and replacement architraves to match existing.

Applicant: Mr Simon McGarity

Officer: Adrian Smith 290478

Approved on 15/07/13 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.

BH2013/00462

51 Ship Street Brighton

Internal and external alterations to facilitate change of use of ground floor and basement from Post Office (A1) to restaurant (A3) with associated plant.

Applicant: TGI Fridays

Officer: Mark Thomas 292336

Approved on 28/06/13 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

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

3) UNI

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

4) UNI

No works shall take place until samples of the materials (including timber panelling, wood effect flooring and other flooring treatments and ceiling tiles) to be used in the construction of the internal 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.

5) UNI

For the avoidance of doubt the following features shall be retained and made good to match the existing detail and finishes unless otherwise agreed in writing by the LPA:

- i) The timber door surrounds/architraves to the two doors on the rear screen

wall as shown on drawing no. 2405/13/D

ii) The architrave and keystone to arched opening N as shown on drawing no. 2405/13/D

iii) The timber cladding to the structural columns.

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

BH2013/00463

51 Ship Street Brighton

Change of use of ground floor and basement from Post Office (A1) to restaurant (A3) with associated plant and alterations.

Applicant: TGI Fridays

Officer: Mark Thomas 292336

Approved on 28/06/13 DELEGATED

1) UNI

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

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

2) UNI

The use hereby permitted shall not be open to customers except between the hours of 8:00 and 24:00 on Mondays to Sundays.

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 intoxicating liquor shall be sold or supplied within the A3 unit hereby approved except to persons who are taking meals on the premises and who are seated at tables, or to persons intending to take meals at the premises and seated at the bar area as shown on approved drawing no. 2405/03/G. 'Meals' means food that has been cooked or prepared and purchased within the premises. Any bar area shall be ancillary to the approved A3 restaurant use.

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

4) UNI

No vehicular movements, deliveries nor any loading or unloading of vehicles shall take place on the site except between the hours of 7:00 and 19:00 on Monday to Saturday and not at any time on Sundays, Bank or Public Holidays.

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

5) UNI

Noise associated with the kitchen extraction, air conditioning, lift plant and refrigeration systems, and any other plant associated with the development thereby permitted, shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest noise sensitive premises shall not exceed a level 5dB(A) below the existing LA90 background noise level. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:1997.

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

BH2013/00902

32-36 North Street Brighton

Display of internally illuminated fascia signs, 2 internally illuminated projecting signs and one externally illuminated hanging sign (retrospective)

Applicant: TJX Europe

Officer: Jason Hawkes 292153
Split Decision on 15/07/13 DELEGATED

1) BH10.01

REFUSE advertisement consent for the hanging sign fronting Ship Street shown on drawing nos. 1271-10-V50/1, 1271-PP-C51/C, 1271-10-V51/1 & 1271-10-V52/1 for the reason and Informatives set out in section 11.

GRANT advertisement consent for the fascia signs and projecting signs shown on drawing nos. 1271-10-V50/1, 1271-PP-C51/C, 1271-10-V51/1 & 1271-10-V52/1 subject to Conditions and Informatives set out in section 11.

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

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

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

2) BH10.02

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

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

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

3) BH10.03

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

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

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.

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.

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.

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

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

1) UNI

The proposed suspended hanging sign, due to its design and positioning on the building, detracts from the character and appearance of the Ship Street elevation and the surrounding conservation area. The advertisement thereby results in material harm to amenity, and the scheme is also contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and to advice in Supplementary Planning Document 7: Advertisements.

BH2013/01167

54 - 56 West Street Brighton

Display of internally illuminated fascia sign.

Applicant: Nationwide Building Society

Officer: Mark Thomas 292336

Refused on 15/07/13 DELEGATED

1) UNI

The proposed advertisement, when viewed in context with existing signage to be retained, would unduly dominate the appearance of the recipient business frontage and give it a cluttered and unattractive appearance representing an over-proliferation of advertisements. Furthermore, the cumulative advertisements would detract from the character and appearance of the Old Town conservation area. The advertisement would therefore be detrimental to the visual amenity of the recipient building and the street scene and are contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and advice in SPD07 'Advertisements'.

BH2013/01381

Ground Floor Flat 40 Norfolk Road Brighton

Erection of single storey rear extension to replace existing.

Applicant: Miss Jane Jones

Officer: Robert McNicol 292322

Approved on 27/06/13 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall be carried out in accordance with the

approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan			2 May 2013
Block plan			2 May 2013
Existing plans and elevations			15 May 2013
Proposed plans and elevations			15 May 2013

BH2013/01383

8-13 Black Lion Street Brighton

Display of 2no externally illuminated hanging signs.

Applicant: Mr Justin Hardy

Officer: Robert McNicol 292322

Refused on 04/07/13 DELEGATED

1) UNI

By virtue of their size, position, design, number and method of illumination, the proposed signs would unduly dominate the appearance of the recipient business frontage and give it a cluttered and unattractive appearance. Furthermore, the proposed signs would detract from the historic character and appearance of the Old Town conservation area and the setting of nearby listed buildings. The advertisements would therefore be detrimental to the visual amenity of the recipient building and the street scene and are contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and advice in SPD07 'Advertisements'

BH2013/01422

8 North Street Brighton

Display of 3no non-illuminated signs and 1no internally illuminated projecting sign.

Applicant: Mr David Noble

Officer: Helen Hobbs 293335

Approved on 08/07/13 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.

BH2013/01465

Flat 3 76 Montpelier Road Brighton

Internal alterations for form additional bathroom and additional pipework to the rear of the property.

Applicant: Mr Paul Allen

Officer: Jason Hawkes 292153

Approved on 01/07/13 DELEGATED

1) BH01.05

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

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

2) UNI

The new pipe work shall be in cast iron and shall be painted black and retained as such thereafter.

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

3) UNI

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

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

4) UNI

The new walls shall be scribed around all existing features including any skirting boards, dado rails, picture rails and cornices, and the existing features shall not be cut into or damaged. Any new skirting boards, picture rails, dado rails and cornices shall be run around the new walls and the blocked up doors to match exactly the originals in each respective part of the building.

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

BH2013/01466

Flat 3 76 Montpelier Road Brighton

Installation of additional pipework to the rear of the property.

Applicant: Mr Paul Allen

Officer: Jason Hawkes 292153

Approved on 04/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

The new pipe work shall be in cast iron and shall be painted black and retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location / Block Plan	10		9th May 2013
Existing Floor Plans	20	A	21st May 2013
Existing Front Elevation	22		9th May 2013
Existing Section A	24	A	21st May 2013
Existing Rear Elevations	25		9th May 2013
Proposed Floor Plans	50	C	21st May 2013
Proposed Rear Elevations	52	C	13th June 2013
Proposed Section A	53	C	13th June 2013
Proposed Doors / Storage	55	A	9th May 2013
Existing Photos	60	A	9th May 2013

BH2013/01497

60 Western Road Brighton

Change of use from retail (A1) to restaurant (A3) incorporating installation of ventilation plant at the roof level.

Applicant: Omaha Nominees (A) Ltd & Omaha Nominees (B) Ltd

Officer: Christopher Wright 292097

Refused on 10/07/13 DELEGATED

1) UNI

The proposed extraction outlet would, by reason of its height and siting, represent an incongruous feature in the historic roofscape that would be detrimental to the character of the building and the appearance of the Regency Square Conservation Area. As such the proposal is contrary to the requirements of policies QD14 and HE6 of the Brighton & Hove Local Plan 2005.

BH2013/01506

The Font & Firkin Public House Union Street Brighton

Display of non-illuminated fascia signs, externally-illuminated hanging signs and internally-illuminated and non-illuminated display cases.

Applicant: Mitchells & Butlers

Report from: 27/06/13 to: 17/07/13

Officer: Robert McNicol 292322
Split Decision on 16/07/13 DELEGATED

1) BH10.01

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

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

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

2) BH10.02

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

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

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

3) BH10.03

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

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

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.

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.

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.

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.

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

8) UNI

The signs hereby permitted shall not be installed until the spot light above the easternmost door of the Union Street elevation has been removed and the wall made good to match in material, colour, style, bonding and texture those of the existing building.

Reason: To safeguard the appearance and character of the grade II listed building and the wider area in accordance with policy QD12, HE1 and HE9 of the Brighton & Hove Local Plan.

1) UNI

By virtue of their position, number, materials and (where relevant) illumination, the six proposed display cases would detract from the historic and architectural appearance and character of the recipient grade II listed building and would contribute to giving the building an excessively cluttered appearance. The proposed advertisements would therefore be detrimental to the visual amenity of the area, contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and the guidance contained in SPD07 'Advertisements'.

2) UNI2

By virtue of their position, the proposed fascia signs above the entrance doors would obscure an architectural feature of the grade II listed building. These advertisements would therefore be detrimental to the visual amenity of the area and would be contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and the guidance contained in SPD07 'Advertisements'.

BH2013/01630

Font & Firkin Union Street Brighton

Display of non-illuminated fascia signs, externally illuminated hanging signs and internally illuminated and non-illuminated display cases.

Applicant: Mitchells & Butlers

Officer: Robert McNicol 292322

Refused on 15/07/13 DELEGATED

1) UNI

By virtue of their position, number, materials and (where relevant) illumination, the six proposed display cases would detract from the historic and architectural appearance and character of the recipient grade II listed building and would contribute to giving the building an excessively cluttered appearance. The proposed advertisements would therefore be contrary to policy HE1 of the Brighton & Hove Local Plan.

2) UNI2

By virtue of their position, the proposed fascia signs above the entrance doors would obscure an architectural feature of the grade II listed building. These advertisements would therefore detract from the historic and architectural appearance and character of the recipient grade II listed building. The proposed advertisements would therefore be contrary to policy HE1 of the Brighton & Hove

Local Plan.

BH2013/01867

Flat 3 6 Montpelier Terrace Brighton

Application for Approval of Details Reserved by Condition 4 of application BH2013/00526.

Applicant: Mr Joe McNulty

Officer: Jason Hawkes 292153

Approved on 28/06/13 DELEGATED

ST. PETER'S & NORTH LAINE

BH2013/00787

(Former Co-op Department Store) 94-103 London Road & 6-11 & 12 Baker Street Brighton

Application for Approval of Details Reserved by Conditions 15, 18, 19 and 21 of application BH2012/02675

Applicant: Watkin Jones & Co-op Group

Officer: Kathryn Boggiano 292138

Approved on 04/07/13 DELEGATED

BH2013/01147

The Open Market Marshalls Row Brighton

Application for removal of condition 40 and variation of conditions 2 and 53 of application BH2010/03744 (Redevelopment of Open Market and Francis Street car park comprising: a new partly covered market with 44 permanent market stalls, 12 B1/A1 (light industrial/retail) workshops, 8 loading bays, central square/market space, public toilets, offices and meeting room, ancillary market accommodation and plant, new gates to Marshalls Row and Ditchling Road entrances and 87 residential units in 3no 1-6 storey blocks, refuse and recycling stores, cycle parking, 5 car ports together with landscaping including alterations to carriageway and footway in Francis Street. Proposals to include a temporary market during construction. Proposal is to remove public toilets from approved location and provide toilets within market for use by the public and provision of additional permanent market stall. Condition 40 relates to the internal layout of the public toilets that this application seeks to remove from the approved scheme. Condition 2 varied to include new drawing - number E-130 P3 and 131 P3 Rev A, which shows a market stall instead of public toilets. Condition 53 varied to remove reference to public toilets within wording.

Applicant: Brighton & Hove City Council

Officer: Maria Seale 292232

Approved on 17/07/13 DELEGATED

1) UNI

The loading bays hereby approved shall be used only for temporary loading/unloading of vehicles associated with activities within the market and workshops and for no other purpose including longer term parking.

Reason: To ensure there are sufficient loading bays available to users of the market to ensure vehicles are not unduly waiting on

Francis Street, in the interest of protecting highway safety and amenity, to comply with policies TR7, QD27, SU10 and EM9 of the Brighton & Hove Local Plan.

2) UNI

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, 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. The approved remediation strategy shall be implemented.

Reason: To protect groundwater quality and ensure compliance policy SU3 of the Brighton & Hove Local Plan and PPS23.

3) UNI

The external lighting shall be implemented in accordance with the details contained in the submitted Light Pollution Assessment

06590/pd/001_App8 V1 dated September 2010 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and biodiversity to comply with policies QD25, QD27, QD17 of the Brighton & Hove Local Plan and SPD11.

4) UNI

The phasing of the construction of the development hereby approved and provision of the temporary market shall take place as per the application and submitted drawings E693/PH/01, 02, 03, 04, 05, 06, 07, 08 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity, highway safety and the visual appearance of the locality to comply with policies QD27, SU10, TR7, SR11, QD1 and QD2 of the Brighton & Hove Local Plan.

5) UNI

The first floor door in the north elevation of the north-west block forming part of the lobby to the market office and meeting room shall be used for maintenance or emergency purposes only and the door shall remain shut except for access and egress associated with maintenance or emergency activity.

Reason: In the interests of amenity, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

6) UNI

Access to the flat green 'living' roofs 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: To protect the amenity of occupiers of adjacent properties and to protect biodiversity, to comply with policies QD27, QD17 and SU2 of the Brighton & Hove Local Plan and SPD11.

7) UNI

Vehicular access and deliveries to the market and workshops hereby approved shall be via Francis Street only and the Marshalls Row and Ditchling Road entrances shall be used by vehicles for emergency or maintenance purposes only unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to protect amenity, to comply with policies TR7, QD27, SU10 and SR11 of the Brighton & Hove Local Plan.

8) UNI

The first and second floor windows in the south elevation of the Southern Block 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 shall thereafter permanently retained as such.

Reason: To prevent mutual overlooking and loss of privacy with occupiers of adjacent properties, to comply with policies QD27 of the Brighton & Hove Local Plan.

9) UNI

The car ports in the Central and South Blocks hereby approved shall be used for use by residents of the wheelchair accessible flats hereby approved only.

Reason: To ensure the parking is made available to meet the demand created by those in most need, to comply with policies HO13 and TR18 of the Brighton & Hove Local Plan.

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to Lifetime Homes standards and 8 of the dwellings (indicated as CB1, CB2, SB01, SB02, SB03, SB04, SB05 and SB07) shall be constructed to wheelchair accessible standards and shall be retained as such thereafter.

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

11) UNI

No piling or any other foundation designs using penetrative methods shall be carried out, other than those approved on 18th July 2012 by planning permission ref BH2012/00673, unless details have been submitted to and approved in writing by the Local Planning Authority which demonstrate that groundwater have been satisfactorily protected. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater, to comply with policy SU3 of the Brighton & Hove Local Plan.

12) UNI

Within 6 months of the date of this permission, the following shall be submitted to the Local Planning Authority for written approval:

(i) (a) A desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175; and, unless otherwise agreed in writing by the Local Planning Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

c) certificates demonstrating that imported and/or material left in situ is free from contamination. Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (i) c."

A Closure Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent pollution of groundwater and in the interests of amenity to comply with policy SU3 and SU11 of the Brighton & Hove Local Plan.

13) UNI

Within 6 months of the date of this permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to the Local Planning Authority for written approval:

- (i) A preliminary risk assessment which has identified:
 - a) all previous uses
 - b) potential contaminants associated with those uses
 - c) a conceptual model of the site indicating sources, pathways and receptors
 - d) potentially unacceptable risks arising from contamination at the site.
- (ii) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (iii) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To protect groundwater quality and ensure compliance with policy SU3 of the Brighton & Hove Local Plan and PPS 23.

14) UNI

Within 6 months of the date of this permission, details of the measures which will be undertaken to protect/divert the public sewers and water supply mains shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented.

Reason: To prevent pollution of controlled waters and ensure satisfactory drainage and sewerage to serve the development, to comply with policy SU3 of the Brighton & Hove Local Plan.

15) UNI

Within 6 months of the date of this permission, the following shall be submitted to the Local Planning Authority for written approval:

- (a) evidence that the non-residential development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and
- (b) a BREEAM Pre-assessment Report showing that the development is predicted to achieve a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development.

Reason: To ensure the development meets the sustainable target stated in the application and as it is necessary to build in sustainable measures at an early stage in the development, to comply with policy SU2 of the Brighton & Hove Local Plan and SPD08.

16) UNI

Within 6 months of the date of this permission, 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 shall be submitted to the Local Planning Authority for written approval:

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 SPD08.

17) UNI

Not used. [Note: This condition (relating to BREEAM Design Stage) on the original permission BH2010/03744 has been complied with. See Informative no.1 below]

18) UNI

The green roofs and walls shall be installed in accordance with the details approved on 29th May 2013 by planning permission ref. BH2012/03831 within 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.

Reason: In the interests of biodiversity and sustainability, to comply with policies QD17, QD15, SU2 and SPD11 of the Brighton & Hove Local Plan.

19) UNI

Notwithstanding the details shown on the submitted plans, within 6 months of the date of this permission, details of the photovoltaic panels including their precise location, appearance and details demonstrating they are located in their optimum position for productivity shall be submitted to the Local Planning Authority for written approval. This shall include details of service voids sized to accommodate additional pipework and/or cabling to allow for the future installation of additional photovoltaic or solar thermal collectors. The approved panels and service voids shall be implemented before first occupation of the development and maintained in perpetuity.

Reason: In the interests of sustainability and the visual amenities of the locality, to comply with policies SU2, SU16, QD1 and QD2 of the Brighton & Hove Local Plan and SPD08.

20) UNI

Notwithstanding the details submitted, within 6 months of the date of this permission a scheme for the enhancement of Francis Street shall be submitted to the Local Planning Authority for written approval. The scheme shall include:

- (a) pedestrian priority measures including a 'shared surface' concept
- (b) enhanced public realm including resurfacing of the entire length of the street
- (c) street furniture and lighting
- (d) new landscaping including street trees
- (e) highway safety and traffic calming measures
- (f) provision of a car club parking bay
- (g) a feasibility study to show whether disabled parking spaces can be provided
- (h) measures to ensure safe travel by cyclists
- (i) a Stage 1 Safety Audit
- (j) measures to ensure disabled are not disadvantaged
- (k) a feasibility study to show whether on-street visitor cycle parking can be provided.

The approved scheme shall be implemented before first occupation of the development and shall be maintained in perpetuity.

Reason: The scheme requires further design development and to achieve transport objectives with regard highway safety, traffic generation, promotion of sustainable modes of transport, to achieve an appropriate residential environment and to contribute to the regeneration of the locality, and in the interests of visual amenity and biodiversity, in accordance with policies TR1, TR2, TR7, TR8, TR10, TR13, TR14, TR18, SR1, SR5, SR11, QD1, QD2, QD15, QD16, QD17, QD27 and QD27 of the Brighton & Hove Local Plan and SPD10, SPD06 and SPD11.

21) UNI

Notwithstanding the landscaping indicated within the submitted documents and plans, within 6 months of the date of this permission a scheme for hard and soft landscaping shall be submitted to the Local Planning Authority for written approval, which shall include hard surfacing within the market square, means of enclosure, and planting of the development which shall include at least 9 trees

and an Arboricultural Method Statement on the size of tree to be planted and method of planting.

Reason: Some of the species of planting suggested are unsuitable in this location, in the interests of enhancing the appearance of the development and the visual amenities and regeneration of the area and to enhance biodiversity, to comply with policies QD1, QD2, QD15, QD16 and QD17 of the Brighton & Hove Local Plan and SPD10, SPD06 and SPD11.

22) UNI

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

Reason: To enhance the appearance of the development in the interest of the visual amenities and regeneration of the area and to enhance biodiversity, to comply with policies QD1, QD2, QD15, QD16 and QD17 of the Brighton & Hove Local Plan and SPD10, SPD06 and SPD11.

23) UNI

Within 6 months of the date of this permission, a specification for the flooring serving the ground floor loading bays, so as to minimise noise from vehicle movements including fork lift trucks, shall be submitted to the Local Planning Authority for written approval. The approved specification shall be implemented and maintained in perpetuity.

Reason: In the interests of protection of amenity, to comply with policy QD27, SU10 and SR11 of the Brighton & Hove Local Plan.

24) UNI

No development of the market and workshop units within which an A3 café (currently no.s 14-15) and heat source pump are to be located shall commence until a scheme for the fitting of odour control equipment to the building has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: In the interests of protection of amenity, to comply with policies QD27, SU9 and SR11 of the Brighton & Hove Local Plan.

25) UNI

No development of the market and workshop units within which an A3 café (currently no.s 14-15) and heat source pump are to be located shall commence until a scheme for the sound insulation of the odour control equipment referred to in the condition set out above has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of those units and shall thereafter be retained as such.

Reason: In the interests of protection of amenity, to comply with policy QD27, SU9, SR11 and SU10 of the Brighton & Hove Local Plan.

26) UNI

The following architectural details shall be implemented in accordance with the details approved on 1st February 2013 by planning permission ref BH2012/02160:

- (i) street entrances to flats
- (ii) projecting bays

(iii) balustrading to the balconies and roof terraces

(iv) external doors and windows.

The approved designs shall be implemented before first occupation of the residential units and maintained in perpetuity.

Reason: In the interests of the securing a good quality design appropriate to the area, to comply with policies QD1 and QD2 of the Brighton & Hove Local Plan.

27) UNI

The materials to be used in the development shall be implemented in accordance with the details approved on 15th October 2012 by planning permission BH2012/01716.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD2 of the Brighton & Hove Local Plan.

28) UNI

The internal and external cycle parking facilities approved on 12th September 2012 by planning permission ref BH2012/00740 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 by the occupants of, and visitors to, the development at all times.

Reason: To ensure sufficient number are allocated to residents, and commercial users and their visitors and to ensure their design is efficient and effective, to encourage travel by means other than private motor vehicles and to comply with policies TR1 and TR14 of the Brighton & Hove Local Plan.

29) UNI

A rainwater harvesting system within the development shall be carried out in accordance with the details approved on 26th September 2012 by planning permission BH2012/02347.

Reason: In the interests of sustainability and to comply with policy SU2 of the Brighton & Hove Local Plan and SPD08.

30) UNI

Not used. [Note: This condition (relating to the layout of the public toilet block) on the original permission BH2010/03744 is not applicable to this amended permission hereby granted. See Informative no.1 below]

31) UNI

Within 3 months of first occupation, an Acoustic Report shall be provided demonstrating that the predicted internal noise levels in the submitted Anderson Acoustic Report dated October 2010 and associated noise mitigation measures, such as glazing to the residential units and ceiling and wall construction of the loading bay and workshops, has been satisfactorily achieved. The parameters and scope of this Acoustic Report shall be agreed with the Local Planning Authority. If the report shows non compliance with the predicted noise levels then details of further mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority. The approved further mitigation measures shall implemented.

Reason: In the interests of protecting the amenity of residents, to comply with policies QD27, SU10 and EM9 of the Brighton & Hove Local Plan.

32) UNI

Notwithstanding the location and design of the canopies at the Marshalls Row/London Rd and Ditchling Road entrances, a revised design for the both entrances to the market including signing shall be submitted to and approved in writing by the Local Planning Authority. The design shall include measures to enhance the entrances to the market and ensure the market signals its presence on the main road frontages, and shall incorporate an artistic element. The approved design shall be implemented before the market is first occupied and maintained in perpetuity.

Reason: To secure a sympathetic design which relates positively to Marshalls

Row, London Road and Ditchling Road., to comply with policies QD1, QD2, QD6, QD27, SR1, SR5 of the Brighton & Hove Local Plan and SPD10.

33) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until 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 SPD08.

34) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built except the 8 wheelchair accessible units has achieved a minimum of 50% of the energy credits within an overall Code for Sustainable Homes rating of level 3 score of at least 64 points and each of the wheelchair accessible units have achieved 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 SPD08.

35) UNI

Within 6 months of the date of this permission the following shall be submitted to the Local Planning Authority for written approval:

- (i) A Management Plan for the operation of the day to day activities and long-term management of the premises, which shall include details of:
 - (a) how deliveries will be co-ordinated, to ensure loading bays are available to prevent vehicles waiting unduly in Francis Street;
 - (b) how visiting markets and other events will be managed;
 - (c) how the use of the community room will be managed;
 - (d) how refuse and recycling and its collection will be managed
 - (e) the regular review of the Plan; and
- (ii) A Management Plan for the operation of day to day activities associated with the temporary market, which shall include details of:
 - (a) how deliveries take place and are co-ordinated
 - (b) how refuse and recycling is managed
 - (c) regular review of the Plan; and
- (iii) A Management Plan for how refuse and recycling and its collection will be managed for the residential units.

The approved Management Plans shall be implemented within a time scale to be agreed by the Local Planning Authority and before first occupation of the final permanent market premises.

Reason: In the interests of highway safety, to protect amenity and to ensure satisfactory management and general operation of the premises, to comply with policies TR1, TR7, QD27, SU10, SR11 and SU2 of the Brighton & Hove Local Plan.

36) UNI

The development shall not be occupied or brought into use until details of the type and locations of at least 5 bat and 5 bird nesting boxes have been submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be implemented before occupation of the development and maintained in

perpetuity.

Reason: In the interests of biodiversity, to comply with policy QD17 of the Brighton & Hove Local Plan and SPD11.

37) UNI

The 1.8 metre high screens to the balconies serving the flats in the first floor north elevation of the Northern Block and the first, second and third floor flats in the east elevation of the Central Block shall be implemented in accordance with the details approved on 1st February 2013 by planning permission ref BH2012/02160 before first occupation of the flats to which they relate. The approved screens shall be maintained in perpetuity.

Reason: To prevent undue loss of privacy to occupiers of properties opposite, to comply with policy QD27 of the Brighton & Hove Local Plan.

38) UNI

The market and workshops hereby permitted shall not be occupied until a Design Strategy for the signing, lighting, shopfronts, gates, loading bays and security shutters to the market, its stalls and shop units has been submitted to and approved in writing by the Local Planning Authority. Signs, lighting, shopfronts, gates and security shutters shall be in accordance with the approved Strategy.

Reason: To ensure a consistent and attractive appearance to the development in the interests of quality design, to comply with policies QD1 and QD5 of the Brighton & Hove Local Plan and SPD02.

39) UNI

The external loading bay doors shall be implemented in accordance with the details approved by planning permission BH2013/00369 on 10/6/13 before first occupation of the market and workshops. The approved doors shall be maintained in perpetuity.

Reason: To secure a good quality design and finish, in the interests of the visual amenity of the building and the locality, to comply with policies QD1 and QD2 of the Brighton & Hove Local Plan.

40) UNI

The market and workshops hereby approved shall not be occupied until details of electrical connection points for delivery vehicles within the loading bay areas hereby approved have been provided. The design and number of electrical connection points shall be agreed in writing by the Local Planning Authority.

Reason: In the interests of protection of amenity, to comply with policies QD27, SU10 and SR11 of the Brighton & Hove Local Plan.

41) UNI

The market and workshops hereby approved shall not be occupied until details of the design, including specification of the reversing alarms, and number of all fork lift trucks operating within the development site have been agreed in writing by the Local Planning Authority. Only fork lift trucks of the approved design and number shall be used within and around the site in connection with the market and workshop uses hereby approved.

Reason: In the interests of protection of amenity, to comply with policies QD27, SU10 and SR11 of the Brighton & Hove Local Plan.

42) UNI

The development hereby permitted shall not be first occupied until evidence that Secure By Design accreditation has been achieved for the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Secure By Design measures unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of crime prevention, to comply with policy QD7 of the Brighton & Hove Local Plan.

43) UNI

The development shall not be occupied until all the toilet facilities (including market trader toilets to be used by the public on the ground floor), market office, meeting room, lifts and refuse and recycling stores hereby approved have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure there are sufficient community and waste facilities to meet the demands created by the development and to ensure the development is accessible to all, to comply with policies SU2, HO19, HO20, HO21 and QD27 of the Brighton & Hove Local Plan.

44) UNI

The residential units hereby approved shall not be occupied until details of the alternative internal ventilation system which allows residents to achieve satisfactory ventilation without the need to open windows, has been submitted to and approved in writing by the Local Planning Authority. The approved ventilation system shall be implemented before first occupation.

Reason: In the interests of amenity, to comply with policies SU9, SU10, SR11 and QD27 of the Brighton & Hove Local Plan.

45) UNI

The market trader toilets on the ground floor in the south-east corner of the new market as shown on drawings Extract from E-130 P3 and 131 P3 Rev A, 11-073-E-130-1 C1A and 11-073-E-130-3 C1A shall be open and made available for use by the general public during the opening hours of the market and shall include provision of a baby change facility within the unisex disabled cubicle.

Reason: To ensure the former public toilet provision is not lost within the development and to ensure the toilets are accessible to all members of the public for community benefit, to comply with policies HO19 and HO20 of the Brighton & Hove Local Plan.

46) UNI

Not used. [Note: This condition (relating to time limit for commencement of development) on the original permission BH2010/03744 has been complied with. See Informative no.1 below].

47) UNI

2. The development hereby permitted shall be carried out in accordance with the following approved drawings unless indicated otherwise in the conditions below:

06590/PA/001A,
06590/PA/002A,
06590/PA/003B,
06590/PA/004A,
06590/PA/005A,
06590/PA/014E,
06590/PA/025B,
06590/PA/030D,
06590/PA/031D,
06590/PA/35,
06590/PA/36,
06590/PA/37,
06590/PA/38,
06590/PA/039,
06590/PA/40A,
06590/PA/45A,
06590/PA/046,
06590/PA/047,

06590/PA/048A,
06590/PA/49,
06590/PA/50A,
06590/PA/55B,
06590/PA/56C,
06590/PA/57B,
06590/PA/058B,
06590/PA/059B,
06590/PA/060A,
06590/PA/65B,
06590/PA/66A,
06590/PA/067A,
06590/PA/068,
06590/PA/069A,
06590/PA/070,
06590/PA/071,
06590/PA/075,
06590/PA/076,
06590/PA/077,
06590/PA/078,
06590/PA/079,
06590/PA/081,
06590/PA/082,
06590/PA/083,
06590/PA/100,
E693/PH/01,
E693/PH/02,
E693/PH/03,
E693/PH/04,
E693/PH/05,
E693/PH/06,
E693/PH/07,

E693/PH/08 received on 3rd December 2010

and 06590/PA/006A,

6590/PA/007B,
06590/PA/008G,
06590/PA/009G,
06590/PA/010F,
06590/PA/011F,
06590/PA/012F,
06590/PA/020F,
06590/PA/021F,
06590/PA/022D,
06590/PA/23C,
06590/PA/024D,
06590/PA/026D,

06590/PA/032G received on 9th February 2011 (and the amended drawings approved as a Non-Material Amendment on 15th October 2012 under ref. BH2012/01924) and Extract from E-130 P3 and 131 P3 Rev A and Site Location Plan received 9th April 2013 and 11-073-E-130-1 C1A and 11-073-E-130-3 C1A received on 17th April 2013

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

48) UNI

All doors allowing vehicle access to the development hereby approved shall remain closed at all times apart from access or egress.

Reason: In the interests of protection of amenity, to comply with policies QD27, SU10 and SR11 of the Brighton & Hove Local Plan.

49) UNI

All windows serving the A1/B1 workshops hereby approved shall remain closed at all times.

Reason: In the interests of protection of amenity, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

50) UNI

All doors serving the A1/B1 workshops hereby approved shall remain closed other than for access and egress.

Reason: In the interests of protection of amenity, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

51) UNI

No deliveries shall take place except between 07.00-19.00 hours Monday to Friday or 09.00-18.00 hours Saturdays and not at any time on Sunday, bank or public holidays unless otherwise agreed in writing by the Local Planning Authority. Where an exception from the specified hours is proposed, the Local Planning Authority shall be notified in writing at least 14 days in advance of the proposal and a strategy for notification of local residents shall be provided. The approved notification strategy shall be implemented.

Reason: In the interests of protection of amenity, to comply with policies QD27, SU10 and SR11 of the Brighton & Hove Local Plan.

52) UNI

The market (including temporary market) and workshop uses hereby approved, excluding use of the market office and meeting room, shall only be open to the general public from 07.00-19.00 hours Monday to Saturdays and 10.00-17.00 hours on Sundays, bank or public holidays except for 12 occasions per year and no more than 2 such occasions in any one month where the premises may be open between 07.00- 22.00 hours Monday to Saturdays and 09.00-21.00 hours Sundays and bank holidays. Where an exception from the specified hours is proposed, for up to 12 exceptional events, the Local Planning Authority shall be notified in writing at least 14 days in advance of the proposal and a strategy for notification of local residents shall be provided. The approved notification strategy shall be implemented.

Reason: In the interests of protection of amenity and to allow for other events to take place such as visiting markets, community or festival events which would help regenerate the area, to comply with policies QD27, SU10, SR1, SR5, SR11 and EM9 of the Brighton & Hove Local Plan and SPD10.

53) UNI

The market (including temporary market) and workshops, excluding the market office and meeting room, shall only be in use by the market operator, tenants and other users other than the general public between 07.00-19.30 hours Monday to Saturdays and 09.30-17.30 on Sundays, bank or public holidays.

Reason: To allow for activities such as setting up and down of stalls, stocktaking and other essential operational activities when the public are not present to enable the efficient and effective operation of the market and workshops whilst protecting amenity, to comply with policies QD27, SU10, SR1, SR5 SR11 and EM9 of the Brighton & Hove Local Plan and SPD10.

54) UNI

The market office and meeting room in the north-west corner of the site shall only be in use between 07.00-22.00 hours Monday to Saturdays and 09.00-21.00 hours Sundays, bank and public holidays unless otherwise agreed in writing by the Local Planning Authority. Where an exception from the specified hours is proposed, the Local Planning Authority shall be notified in writing at least 14 days in advance of the proposal and a strategy for notification of local residents shall

be provided. The approved notification strategy shall be implemented.

Reason: In the interests of protection of amenity, to comply with policies QD27, SU10 and SR11 of the Brighton & Hove Local Plan.

55) 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: In the interests of protecting the amenity of residents, to comply with policies QD27, SU10 and EM9 of the Brighton & Hove Local Plan.

BH2013/01320

Flat 3 8 Alexandra Villas Brighton

Loft conversion incorporating 6no rooflights.

Applicant: Mr & Mrs Webb

Officer: Louise Kent 292198

Approved on 27/06/13 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Existing site and location plan	1303 E01		26 April 2013
Existing floor plans	1303 E02		26 April 2013
Existing south and east elevations	1303 E03		26 April 2013
Existing west elevation and sections	1303 E04		26 April 2013
Proposed second floor plan	1303 P02		26 April 2013
Proposed loft floor plan	1303 P03	A	13 June 2013
Proposed sections	1303 P07	A	13 June 2013
Proposed roof plan	1303 P04	A	13 June 2013
Proposed elevations	1303 P05	A	13 June 2013
Proposed elevation	1303 P06		26 April 2013

BH2013/01339

171-173 North Street Brighton

Display of 3no non illuminated fascia signs and internally illuminated lettering, 2no externally illuminated hanging signs, internally applied window vinyl, externally applied letterbox vinyl patch and vinyl name plate, 1no non illuminated ATM backing panel and 1no internally illuminated ATM collar.

Report from: 27/06/13 to: 17/07/13

Applicant: Lloyds Banking Group
Officer: Andrew Huntley 292321

Approved on 01/07/13 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.

BH2013/01398

22 - 23 York Place Brighton

Installation of ventilation ductwork, air conditioning and condenser units to rear of property.

Applicant: Meatliquor
Officer: Pete Campbell 292359

Approved on 27/06/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
OS Site location plan			02/05/2013
Site plan			02/05/2013
Plant noise assessment	BS 33536/NI	A	02/05/2013
Performance specification report			02/05/2013
Design and Access Statement	PG/AP/1221		02/05/2013
Existing plan at rear of property	1221/1		02/05/2013
Existing elevation at rear of property	1221/2		02/05/2013
Ventilation layout, ground floor	001-016-04	B	02/05/2013
Ventilation layout roof area & elevation	001-016-05	C	02/05/2013

3) UNI

Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997. In addition, there should be no significant low frequency tones present.

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 air conditioning, extract and supply systems shall only operate between the hours of 09:00am and midnight daily.

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

5) UNI

The air conditioning units and refrigeration condensers shall not be brought into use unless or until the timber enclosure and acoustic enclosure as shown on drawing number 001-016-05 revision C received 2 May 2013 have been fully installed in accordance with the approved details and retained as such thereafter. All plant shall be fitted with suitable anti-vibration mounts.

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

BH2013/01415

29 St Nicholas Road Brighton

Alteration to layout of windows to front of dormer with existing sash windows

Report from: 27/06/13 to: 17/07/13

replaced by sliding doors.

Applicant: Mr Alex Pitt

Officer: Andrew Huntley 292321

Approved on 04/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan.			07.05.2013
Existing and Proposed Front Elevations.			20.05.2013
Current and Proposed Window Layout.			07.05.2013
Blyweert Range Information			22.05.2013

BH2013/01472

55 Princes Road Brighton

External alterations to the house including creation of flat roof and installation of rooflight to existing pitched roof single storey rear extension. Removal of existing two storey flat roof rear extension. Raising of height to pitched roof side extension and installation of rooflight. Erection of single storey pitched roof rear extension including 2no rooflights and chimney. Installation of roof to existing porch to side, installation of rooflight to rear roof slope, revised fenestration and associated works.

Applicant: Mr & Mrs Ted & Jane Power

Officer: Liz Arnold 291709

Refused on 10/07/13 DELEGATED

1) UNI

The proposed flat roofed rear extension would result in the loss of the existing traditional outrigger which mirrors that of the second half of the semi-detached pair of properties, no. 57 Princes Road thereby having an unbalancing and detrimental impact upon the visual amenities of the pair of semi-detached properties. In addition the proposed raised rooflight appears to intersect the north-west facing ground floor window when viewed from areas to the north-west of the site and therefore relates poorly to and fails to respect the design of the existing parent property. As such the proposal would have a harmful impact upon the visual amenities of the parent property, the pair of semi-detached properties and the wider area, including the surrounding Round Hill Conservation Area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

2. The proposed gable end pitched roof rear extension, by virtue of its excessive size, bulk, massing and poor design which includes an incongruous sited chimney and excessive sized rooflights result in an unusually intrusive and unsympathetic extension to the dwelling. Furthermore the proposed eastern pitched roof would have a poor and haphazard relationship with the adjacent flat roofed rear extension. As such the proposed gable end pitched roof rear extension would be harmful to the visual amenities of the parent property, the pair of semi-detached properties and the wider area, including the surrounding Round

Hill Conservation Area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

3) UNI3

The proposed rooflight within the side extension, by virtue of its excessive size, would be of detriment to the visual amenities of the parent property and the wider area, including the surrounding Conservation Area. As such the proposal is contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

4) UNI4

The combined impacts of the proposed extensions, by virtue of their design, size, form and massing would result in visually intrusive and bulky additions to the property, which are unsympathetic to the design of the existing property and as such would be of detriment to the visual amenities of the parent property, the pair of semi-detached properties and the wider area, including the surrounding Round Hill Conservation Area. As such the proposal is contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2013/01523

19A & Workshop 19A Bath Street Brighton

Application for Approval of Details Reserved by Condition 4 of application BH2012/02001.

Applicant: Mr Christopher Korodyski

Officer: Anthony Foster 294495

Approved on 17/07/13 DELEGATED

BH2013/01562

18A Bond Street Brighton

Enclosure of courtyard with new flat roof and brick wall at lower ground floor.

Applicant: InnBrighton Ltd

Officer: Andrew Huntley 292321

Approved on 05/07/13 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 works hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans, Elevations and Sections.	1062 01		16.05.2013
Proposed Plans, Elevations and Sections.	1062 02		16.05.2013
Location and Block Plan			16.05.2013

BH2013/01563

18A Bond Street Brighton

Internal and external alterations including enclosure of courtyard with new flat

Report from: 27/06/13 to: 17/07/13

roof and brick wall at lower ground floor and creation of internal staircase between ground and lower ground floor.

Applicant: InnBrighton Ltd

Officer: Andrew Huntley 292321

Approved on 05/07/13 DELEGATED

1) BH01.05

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

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

2) UNI

The external finishes of the works hereby permitted shall match in material, colour, style, bonding and texture those of the existing building. The proposed staircase shall be made of timber.

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

WITHDEAN

BH2013/00732

70 Redhill Drive Brighton

Demolition of existing rear store, conservatory, terraces and bays and erection of rear extension to lower ground and ground floor levels.

Applicant: Mr & Mrs T Dodsworth

Officer: Andrew Huntley 292321

Refused on 11/07/13 DELEGATED

1) UNI

The development, by reason of bulk, depth, height, roof form and massing would appear as excessively dominant and incongruous additions that would relate poorly with the existing bungalow, resulting in a over extended appearance harming the character of the building and the surrounding area. Therefore, the development is contrary to policy QD14 of the Brighton & Hove Local Plan.

2) UNI2

Notwithstanding the existing vegetation along the boundary of the site with 68 and 72 Redhill Drive, the proposed large terrace could cause significant harm to neighbouring amenity by reason of overlooking and loss of privacy to neighbouring properties. Therefore, the proposal would be contrary to Policy QD27 of the Brighton & Hove Local Plan.

BH2013/01111

124 Valley Drive Brighton

Erection of two storey pitched roof rear extension and loft conversion incorporating half-hip roof extension, front and side rooflights and associated alterations.

Applicant: Mr Chris Adderley

Officer: Christopher Wright 292097

Refused on 28/06/13 DELEGATED

1) UNI

The proposed rear extension would, by reason of the materials, form, height, bulk, massing and design detailing, give the recipient dwelling an over-extended appearance and would appear unduly dominant, discordant and unsympathetic in relation to the scale and traditional appearance and character of the existing dwelling, and incongruous and out of context in relation to neighbouring properties in Valley Drive, including those which have been extended in a more sympathetic and traditional fashion. As such the proposal would be harmful to

visual amenity and would detract from the character and appearance of the property to be extended and is therefore contrary to the requirements of policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan 2005.

2) UNI2

The applicant has failed to provide sufficient information to demonstrate that the proposed development would not have an unneighbourly impact resulting in loss of skylight, daylight and outlook to the adjoining property, 126 Valley Drive, and as such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan 2005.

BH2013/01402

36 Bramble Rise Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension and 2no rooflights to the front and rear.

Applicant: Mr Andy Bradley

Officer: Robert McNicol 292322

Approved on 27/06/13 DELEGATED

BH2013/01413

8 Elms Lea Avenue Brighton

Erection of single storey rear/side extension and conversion of existing garage to form granny annexe. External alterations including replacement of UPVC windows with timber windows, cladding of first floor with timber boards, installation of solar panels to roof and associated works. (Part Retrospective).

Applicant: Mr & Mrs R&C Gorst-Unsworth

Officer: Christopher Wright 292097

Refused on 28/06/13 DELEGATED

1) UNI

The proposed side and rear extension would, by reason of the scale, form, design, detailing, siting and position forward of the line of the front wall of the original dwellinghouse, have an unduly dominant and discordant visual relationship with the recipient property and the character and appearance of the locality, to the detriment of visual amenity. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan 2005.

BH2013/01419

36 Bramble Rise Brighton

Erection of single storey rear extension.

Applicant: Mr Andy Bradley

Officer: Robert McNicol 292322

Approved on 27/06/13 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Block and site location plans	RHA.020-100		7 May 2013
Existing floor plans	RHA.020-101		7 May 2013
Existing elevations	RHA.020-102		7 May 2013
Proposed floor plans	RHA.020-201	A	7 May 2013
Proposed elevations	RHA.020-202	B	20 June 2013

BH2013/01493

66A Dyke Road Avenue Brighton

Erection of a two storey front extension and an infill extension at first floor level to the front elevation with associated external alterations.

Applicant: Mr Graeme Cox

Officer: Jason Hawkes 292153

Approved on 04/07/13 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 proposed side windows and door on the south east elevation of the dwelling hereby approved shall be obscure glazed and retained as such thereafter. The proposed windows shall also be non-opening unless any parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and thereafter retained as such.

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

4) UNI

The retained trees adjacent the boundary with 66 Dyke Road Avenue shall be protected during the works to the standards laid out in BS 5837 (2012) Trees in Relation to Design, Demolition & Construction - Recommendations.

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

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Survey Drawing	11/ S1		13th May 2013
Location Plan	148PA001		13th May 2013
Existing Plans	148PA002		13th May 2013
Existing Plans - First	148PA003		13th May 2013
Existing Elevations - North &	148PA004		13th May 2013

East			
Existing Elevations - South and West	148PA005		13th May 2013
Existing and Proposed Block Plans	148PA101		13th May 2013
Proposed Plans - Ground	148PA102		13th May 2013
Proposed Plans - First	148PA103	A	26th June 2013
Proposed Elevations - North and East	148PA104		13th May 2013
Proposed Elevations - South and West	148PA105		13th May 2013
Proposed Sections AA-BB	148PA106		13th May 2013

BH2013/01495

39 Westdene Drive Brighton

Certificate of Lawfulness for proposed loft conversion incorporating full width rear dormer and rooflights to front and side elevations, and erection of single storey rear extension.

Applicant: Mr Louie Rix-Martin

Officer: Robert McNicol 292322

Refused on 08/07/13 DELEGATED

1) UNI

The proposed rear dormer extension would be partially constructed above, and would rely on, the proposed ground floor rear extension. The dormer cannot therefore be considered under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995, as amended. The combined rear extension and dormer would have more than one storey and would extend more than 3 metres beyond the rear wall of the house. The proposed rear extension would also have an eaves height higher than that of the existing house. The proposal is therefore contrary to Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2013/01553

109 Windmill Drive Brighton

Erection of single storey rear extension.

Applicant: Mr & Mrs Fuchs

Officer: Robert McNicol 292322

Refused on 05/07/13 DELEGATED

1) UNI

By virtue of its depth, the proposed rear extension would fail to respect the domestic character and appearance of the recipient property and would unduly dominate the rear of the building, giving it an overextended appearance. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

BH2013/01554

109 Windmill Drive Brighton

Certificate of lawfulness for proposed loft conversion incorporating 4no rooflights to the front and dormer to the rear. Erection of single storey rear extension.

Applicant: Mr & Mrs Fuchs

Officer: Robert McNicol 292322

Refused on 09/07/13 DELEGATED

1) UNI

The proposed rear dormer extension would be partially constructed above, and would rely on, the proposed ground floor rear extension. The dormer cannot

therefore be considered under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995, as amended. The combined rear extension and dormer would have more than one storey and would extend more than 3 metres beyond the rear wall of the house. The proposed rear extension would also have an eaves height higher than that of the existing house. The proposal is therefore contrary to Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2013/01601

The Excelsior London Road Patcham Brighton

Creation of eleven additional car parking spaces.

Applicant: The Excelsior Brighton Ltd

Officer: Robert McNicol 292322

Refused on 12/07/13 DELEGATED

1) UNI

By virtue of the loss of a significant part of the attractive lawn area at the front of the building and the covering of this with a hardstanding for parking, the proposed development would have a detrimental impact on the appearance and setting of the recipient building and would undermine the open and green character of the area. The proposal is therefore contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

BH2013/01687

12 Middle Road Brighton

Replacement of existing timber framed windows and door with timber framed windows to front and UPVC units to rear.

Applicant: Miss Patterson

Officer: Robert McNicol 292322

Refused on 15/07/13 DELEGATED

1) UNI

By virtue of the thickness of the proposed frames of the replacement windows, the proposed front windows would have a detrimental impact on the appearance of the recipient property and the historic character of the Preston Village conservation area. The proposed development is therefore contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2013/01785

47 Compton Road Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.3m, for which the maximum height would be 3.5m, and for which the height of the eaves would be 2.57m.

Applicant: Dr & Mrs Andrew Brown

Officer: Chris Swain 292178

Prior approval not required on 12/07/13 DELEGATED

EAST BRIGHTON

BH2012/03923

15 Eaton Place Brighton

Installation of cast iron access stairs and French doors to first floor rear elevation.

Applicant: Ms Denitza Moreau

Officer: Louise Kent 292198

Refused on 27/06/13 DELEGATED

1) UNI

The proposed alterations would have an adverse impact upon the architectural and historic character of the exterior of the Grade II Listed Building, due to their size and position and through the loss of original building fabric. The proposal would therefore be contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2012/03924

15 Eaton Place Brighton

Installation of cast iron access stairs and French doors to rear elevation.

Applicant: Dr Merle Lipton

Officer: Louise Kent 292198

Refused on 27/06/13 DELEGATED

1) UNI

The proposed alterations would constitute an incongruous and uncharacteristic feature, causing a detrimental visual impact on the existing building and the neighbouring buildings. They would detract from the historic character and appearance of the grade II Listed Building and the surrounding East Cliff conservation area. The proposal is therefore contrary to policies QD1, QD14, HE1, and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The staircase and balcony would cause loss of residential amenity to 13 and 17 Eaton Place, and 61 St George's Place, due to the potential for overlooking and loss of privacy, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/01280

4 Robin Dene Brighton

Conversion of integral garage into living accommodation.

Applicant: Miss Jane Bawden

Officer: Chris Swain 292178

Approved on 28/06/13 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 condition 2, no development shall commence until full details of the proposed new window hereby permitted, including scaled drawings of the design of the frames and glazing bars, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory appearance of the building and to comply with policy QD14 of the Brighton & Hove Local Plan.

4) UNI

2. The development hereby permitted shall be carried out in accordance with

the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site plan			9 May 2013
Annotated photograph			9 May 2013
Existing plan			9 May 2013
Proposed plan			9 May 2013
Existing elevations			9 May 2013
Proposed elevations			9 May 2013

BH2013/01596

Flat 2A Chesham Mansions 25 - 27 Eaton Place Brighton

Alteration to rear side elevation from window to timber door at basement level.

Applicant: Mr Michael Edwards

Officer: Pete Campbell 292359

Approved on 05/07/13 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan and block plan			17/05/2013
Existing and proposed plans			17/05/2013

BH2013/01761

10 Chesham Road Brighton

Certificate of lawfulness for proposed conversion of 1no flat and 1no maisonette into a single residential dwelling.

Applicant: Mr & Mrs Mark Clark

Officer: Andrew Huntley 292321

Approved on 11/07/13 DELEGATED

1) UNI

The works necessary to facilitate the conversion affect only the interior and do not materially affect the external appearance of the building. The conversion of 2 no. flats into a single dwelling does not constitute a material change of use. The proposal does not constitute development as outlined by Section 55 of the Town and Country Planning Act 1990 and as amended by Section 49 of the Planning and Compulsory Purchase Act 2004.

HANOVER & ELM GROVE

BH2012/03761

Land Adjacent to Bib & Tucker Pub 212 Elm Grove Brighton

Erection of new two storey three bed detached house.

Applicant: Bramwood Taverns Ltd

Officer: Jonathan Puplett 292525

Approved on 22/01/13 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 two windows which serve the stairway of the dwelling shall be obscure glazed and non-opening, and shall be retained as such thereafter.

Reason: To protect the privacy of adjoining properties and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

The hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

4) UNI

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

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

5) UNI

During construction of the development hereby approved the measures set out in the approved Waste Minimisation Statement 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, to comply with policy WLP11 of the East Sussex and Brighton & Hove Waste Local Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD03 Construction and Demolition Waste.

6) UNI

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for: a method statement to identify, risk assess and address the unidentified contaminants.

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

7) UNI

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

(a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 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.

8) UNI

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the dwelling hereby permitted, and confirmation of the paint colours to be applied to the windows and doors of the dwelling, 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) UNI

All of the windows to the front elevation of the dwelling hereby approved shall be painted timber, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

Reason: In the interests of the character and appearance of the building(s) and the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

10) UNI

The development hereby permitted shall not be commenced until full details of the proposed cycle parking facilities 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.

11) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure and planting of the development.

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

12) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton &

Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

13) UNI

The approved boundary screening measures shall be implemented in full prior to the first occupation of the dwelling and shall be retained as such thereafter.

Reason: To protect the privacy of adjoining properties and to comply with policy QD27 of the Brighton & Hove Local Plan.

14) UNI

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

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

15) UNI

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

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

16) UNI

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

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation & Development.

17) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans And Elevations	297/HP21		26/11/2012
Proposed Plans And Elevations	297/HP22		26/11/2012
Existing And Proposed Sections	297/HP23		26/11/2012

18) UNI

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

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

19) UNI

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

BH2013/00890

64 Bentham Road Brighton

Removal of existing steps and erection of pitched roof bin store (Part Retrospective).

Applicant: Ms Angela Webb

Officer: Chris Swain 292178

Approved on 16/07/13 DELEGATED

1) UNI

Notwithstanding the submitted drawing "proposed elevation showing door details", received on 8 May 2013, within three months of the date of this permission, full details of the proposed new door, including materials and finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details within 6 months and maintained as such thereafter.

Reason: To ensure the satisfactory appearance of the building and to comply with policy QD14 of the Brighton & Hove Local Plan.

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan			21 May 2013
Block plan			21 May 2013
Pre-existing plan			8 May 2013
Proposed plan			8 May 2013
Pre-existing corner elevation			8 May 2013
Existing corner elevation			8 May 2013
Proposed corner elevation			8 May 2013
Proposed Whichelo Place elevation			8 May 2013
Proposed side elevation / Bentham Road			8 May 2013
Proposed elevation showing door details			8 May 2013

BH2013/01136

Wellesley House 10 - 14 Waterloo Place Brighton

Display of externally-illuminated screen mesh scaffolding shroud. (Retrospective).

Applicant: Phoenix Brighton

Officer: Jonathan Puplett 292525

Refused on 12/07/13 DELEGATED

Report from: 27/06/13 to: 17/07/13

1) UNI

No information has been submitted regarding the need for the scaffolding and shroud in situ. No explanation of any proposed building works and their likely duration has been submitted. In the absence of such details, with no justification for the display of the advertisement and no defined timescale for the duration of its display, the proposed advertisement is considered to have an overly prominent and harmful appearance. The advertisement is considered to be detrimental to the visual amenity of the recipient building and the surrounding Valley Gardens Conservation Area, contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and advice set out in SPD07 'Advertisements'.

BH2013/01343

2a Whippingham Street Brighton

Creation of additional floor above first floor level incorporating 2no dormers to front.

Applicant: Mr Steve Martin

Officer: Anthony Foster 294495

Refused on 02/07/13 DELEGATED

1) UNI

The proposed development by virtue of its appearance, design, height, bulk and massing would result in an over dominant and incongruous addition, which fails to respect the hierarchy of the existing development, to the detriment of the character and appearance of the existing building, the adjoining dwelling at no. 67 Hartington Road 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 result in an un-neighbourly development leading to a loss of light and a sense of enclosure to the neighbouring occupiers of 69 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.

BH2013/01674

13 Richmond Terrace Brighton

Application for approval of details reserved by conditions 3, 4 and 6 of application BH2011/00925.

Applicant: Mr Haydn Hughes

Officer: Sue Dubberley 293817

Approved on 04/07/13 DELEGATED

HOLLINGDEAN & STANMER

BH2008/03887

1 Pevensey Building University of Sussex North South Road Brighton

Installation of free standing handrail on the roof and all existing windows to be replaced with new double glazing.

Applicant: Mr Neil Troak

Officer: Andrew Huntley 292321

Approved on 04/07/13 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Window Details	87777G2B	Sheets D1 - D35	26.10.2009
Window Details	87777G2B	Sheets E1 - E17	26.10.2009
Glazing Details	87777G2B	Sheet S1	26.10.2009

BH2011/02773

Chichester 1 North South Road University Of Sussex Brighton

Internal alterations and refurbishment of first floor. (Part retrospective)

Applicant: University of Sussex

Officer: Andrew Huntley 292321

Refused on 27/06/13 DELEGATED

1) UNI

In the absence of detailed drawings showing the existing laboratory furniture, the lack of detail and justification within the heritage statement submitted, there is insufficient information to fully assess the impact of the works undertaken on the architectural and historic fabric, character, and the appearance of the interior of the Grade II* listed building. As such, the proposal is contrary to the requirements of policy HE1 of the Brighton & Hove Local Plan and the Council's Supplementary Planning Guidance Notes SPGBH13: Listed Buildings - General Advice.

2) UNI2

Notwithstanding the first reason for refusal, the replacement of the largely original Spence laboratory furniture will significantly harm the historic fabric, character, and the appearance of the interior of the Grade II* listed building. Therefore, the proposal is contrary to policy HE1 of the Brighton & Hove Local Plan and the Council's Supplementary Planning Guidance Notes SPGBH13: Listed Buildings - General Advice.

BH2012/00695

1 Pevensey Building University of Sussex North South Road Brighton

Internal alterations to layout and refurbishment works to level two school offices.

Applicant: University of Sussex

Officer: Andrew Huntley 292321

Approved on 27/06/13 DELEGATED

BH2012/03568

1 Pevensey Building North South Road University of Sussex Brighton

Internal alterations to lecture theatres including replacement seating and writing desks, including new wheelchair seating positions and extension of top tier of room 1A6. Replacement lighting and remedial and refurbishments works.

Applicant: Mr Steven Vale

Officer: Andrew Huntley 292321

Refused on 27/06/13 DELEGATED

1) UNI

In the absence of detailed drawings showing the existing and proposed seating and writing desks, the lack of detail and justification within the heritage statement submitted, there is insufficient information to fully assess the impact of the works undertaken on the architectural and historic fabric, character, and the appearance of the interior of the Grade II* listed building. As such, the proposal is contrary to the requirements of policy HE1 of the Brighton & Hove Local Plan and the Council's Supplementary Planning Guidance Notes SPGBH13: Listed Buildings - General Advice.

Report from: 27/06/13 to: 17/07/13

2) UNI2

Notwithstanding the first reason for refusal, the replacement of the largely original Spence seating and writing desks has significantly harmed the architectural and historic fabric, character, and the appearance of the interior of the Grade II* listed building. Therefore, the proposal is contrary to policy HE1 of the Brighton & Hove Local Plan and the Council's Supplementary Planning Guidance Notes SPGBH13: Listed Buildings - General Advice.

BH2013/00857

20 Davey Drive Brighton

Erection of raised decked area to rear (Part retrospective).

Applicant: Mr Ross Everett

Officer: Chris Swain 292178

Approved on 08/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Block and location plan	4A		8 May 2013
Existing and proposed plans	CH02	A	8 July 2013
Existing and proposed elevations	CH02	B	13 May 2013
Existing and proposed section	CH03	A	3 July 2013

3) UNI

The hereby approved external decked area shall not be brought into use until the proposed boundary screening indicated on the submitted drawings is installed in its entirety. The screening shall be retained as such thereafter.

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

BH2013/00896

Unit 3 Wholesale Meat Market Upper Hollingdean Road Brighton

Change of use from trade sales/storage to mixed use of trade sales and retail (Retrospective).

Applicant: Malpass Meats

Officer: Liz Arnold 291709

Approved on 02/07/13 DELEGATED

1) UNI

1. The mixed trade sales and retail use hereby approved shall cease on or before the 16th January 2016.

Reason: The mixed use of the unit hereby approved is not considered acceptable as a permanent form of development to safeguard the use of the unit for Industrial and Business Use and to comply with policy EM1 of the Brighton & Hove Local Plan and policy CP3 of the Brighton & Hove Submission City Plan Part One.

2) UNI

The development hereby permitted shall be carried out in accordance with the

approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site Plan	-	-	20th March 2013
Block Plan	-	-	20th March 2013
Existing and Proposed Floor Plans	-	-	20th March 2013

3) UNI

Notwithstanding the information provided, within 2 months of the permission hereby approved further details of the disabled car parking provision for the occupants of and visitors to, the development shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be fully implemented and made available for use within 4 months from the date of their approval.

Reason: To ensure the development provides for the needs of disabled staff and visitors to the site and to comply with policies TR1 and TR18 of the Brighton & Hove Local Plan and SPG4 on Parking Standards.

4) UNI

Within 2 months of the permission hereby approved 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 within 2 months of the date of their approval and shall thereafter be retained for use at all times.

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

5) UNI

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

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

BH2013/01026

226 Ditchling Road Brighton

Certificate of lawfulness for the existing use of two separate flats.

Applicant: Mr Zakir Mohamed

Officer: Jonathan Puplett 292525

Approved on 11/07/13 DELEGATED

BH2013/01366

35 Uplands Road Brighton

Change of use from single dwelling (C3) to House in Multiple Occupation (C4).

Applicant: Mr David Tamplin

Officer: Jonathan Puplett 292525

Approved on 04/07/13 XXXX

1) UNI

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

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

2) UNI

No development shall 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) UNI

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			13/05/2013
Existing Floorplans			13/05/2013
Proposed Floorplans			13/05/2013

BH2013/01441

126 Hollingbury Park Avenue Brighton

Creation of lightwell to lower ground floor.

Applicant: Mr Justin Kirby

Officer: Sonia Gillam 292265

Approved on 02/07/13 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 grate shown on the approved plans of the development hereby permitted shall match in material and colour the railings to the front boundary wall of the existing property and shall be retained as such. *Reason: In the interests of the character and appearance of*

the development and the visual amenities of the area and to comply with policy QD14 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	K141-001		07/05/2013
Existing lower ground floor plan	K141-002		07/05/2013
Existing ground floor plan	K141-003		07/05/2013
Existing front elevation and section	K141-005		07/05/2013
Proposed lower ground and ground floor plan	K141-100		07/05/2013
Proposed sections and front elevation	K141-101		07/05/2013

BH2013/01545

8 Walton Bank Brighton

Erection of single storey front extension.

Applicant: Martin Phillips

Officer: Pete Campbell 292359

Approved on 08/07/13 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Proposed F/F plan, existing side elevations	1		13/05/2013
Proposed G/F plan, proposed front elevation	2		13/05/2013
Existing F/F plan, proposed side elevation	3		13/05/2013
Existing ground floor plan, existing front elevation	4		13/05/2013
Site plan and block plan	5		13/05/2013

MOULSECOOMB & BEVENDEAN

BH2013/01331

St Albans Church Coombe Road Brighton

Application for approval of details reserved by conditions 11, 12 and 13 of application BH2012/01589.

Applicant: Bailey Brothers Ltd

Officer: Liz Arnold 291709

Approved on 12/07/13 DELEGATED

BH2013/01348

8 Coombe Terrace Brighton

Conversion of ground floor (front) financial and professional services (A2) and ground and first floor residential (C3) to small house in multiple occupation (C4).

Applicant: T & G Estates Ltd

Officer: Jonathan Puplett 292525

Approved on 02/07/13 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

Prior to the first occupation of the development hereby approved, all external works hereby approved and agreed in relation to the requirements of the above conditions shall be carried out in full.

Reason: To ensure an acceptable appearance to the development and to comply with policies QD2 and QD14 of the Brighton & Hove Local Plan.

4) 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.

5) UNI

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

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan And Block Plan			30/04/2013
Existing Floorplans And Elevations			30/04/2013
Proposed Floorplans And Elevations			21/06/2013
Cycle Store Details			30/04/2013
Refuse And Recycling Store Details			30/04/2013

7) UNI

Notwithstanding the details shown in the approved drawings, no development shall take place until full details of the proposed replacement / new windows and any replacement doors have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure an acceptable appearance to the development and to comply with policies QD2 and QD14 of the Brighton & Hove Local Plan.

BH2013/01361

81 Newick Road Brighton

Change of use from dwelling house (C3) to House in Multiple Occupation (C4).

Applicant: Mr David Stanbrook

Officer: Andrew Huntley 292321

Approved on 01/07/13 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) BH02.08

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) 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.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			09.05.2013
Lease Plan			15.05.2013

BH2013/01424

12 Ringmer Drive Brighton

Change of use from dwelling house (C3) to House in Multiple Occupation (C4).

Applicant: Mr Christopher Dyke

Officer: Andrew Huntley 292321

Approved on 01/07/13 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) BH02.08

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) 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.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			
Ground and First Floor Plans			17.05.2013

QUEEN'S PARK

BH2013/00394

94 Albion Hill Brighton

Certificate of Lawfulness for proposed single storey rear extension, loft conversion incorporating rear dormer and front rooflight and alterations to windows to rear elevation.

Applicant: Hugh Miller

Officer: Louise Kent 292198

Approved on 11/07/13 DELEGATED

BH2013/00983

9-10 St James Street Brighton

Display of 2no non-illuminated fascia signs and 1no externally illuminated projecting sign.

Applicant: William Hill Organisation Ltd

Officer: Wayne Nee 292132

Approved on 08/07/13 DELEGATED

1) UNI

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) UNI

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) UNI

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) UNI

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.

5) UNI

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) UNI

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) UNI

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.

BH2013/00984

9-10 St James Street Brighton

Installation of new shopfront to No 10 St James's Street.

Applicant: William Hill Organisation Ltd

Officer: Wayne Nee 292132

Approved on 08/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

The proposed new section of wall shall match the existing walls in terms of material and rendered finish.

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

3) UNI

The proposed new entrance flooring hereby permitted shall match in material, colour, pattern and style to that of the existing.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan	n/a		13 May 2013
Fascia signage details	PROV/E/NL/70 0/502C		28 March 2013
Existing and proposed	PROV/E/NL/70 0/201	A	28 March 2013

5) UNI

No works shall take place until full details of the new shopfront and entrance door 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 appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2013/00985

9-10 St James Street Brighton

Display of non-illuminated fascia sign to No 9 St James's Street.

Applicant: William Hill Organisation Ltd

Officer: Wayne Nee 292132

Approved on 08/07/13 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.

BH2013/01106

40-42 Upper St James Street Brighton

Erection of a two storey extension creating additional second and third floors. Creation of 2no flats at second and third floor levels.

Applicant: Nordstar Property Co Ltd

Officer: Chris Swain 292178

Approved on 27/06/13 XXXX

1) UNI

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

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

2) UNI

All new and replacement rainwater goods, soil and other waste pipes shall be in traditional cast iron and painted to match the existing and maintained as such thereafter.

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

3) UNI

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

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

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

The development hereby permitted shall be finished in wet render to match the existing building in composition (lime based) and texture, without external beads, stops or bell drips 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.

6) UNI

The development hereby permitted shall not begin until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

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

7) UNI

The windows shown as serving the bathrooms and kitchens to the rear at second and third floor level, hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

8) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			4 April 2013
Block plan			4 April 2013
Existing floor plans and elevations	PL01		4 April 2013
Proposed floor plans and elevations	PL02	D	11 June 2013

9) UNI

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

- (i) 1:20 sample elevations and sections showing the proposed windows and masonry cills and 1:1 joinery details of the windows,
- (ii) 1:20 sample elevations and sections showing the proposed cornicing detailing.
- (iii) details and samples of materials and colours; and the works shall be carried out and completed in their entirety fully in accordance with the approved details and maintained as such thereafter.

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

10) UNI

The development hereby permitted for the second and third floors 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.

11) UNI

Cycle parking details to be submitted. 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.

BH2013/01156

17 Marine Parade Brighton

Replacement of UPVC and timber framed windows and door with timber framed units incorporating revised fenestration and relocation of soil pipes to East elevation.

Applicant: Mr Tibbett

Officer: Pete Campbell 292359

Approved on 04/07/13 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 windows hereby approved shall be painted timber vertical sliding sashes with no trickle vents and shall match exactly the original sash windows to the building, including their architrave, frame and glazing bar dimensions and mouldings, and subcill, masonry cill and reveal details, and shall have concealed sash boxes recessed within the reveals and set back from the outer face of the building to match exactly the original sash boxes to the building.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan	ADC470/LP		10/04/2013
Block plan	ADC470/BP		10/04/2013
Lower ground, ground & first floor plans as proposed	ADC470/12	A	21/06/2013
Second, third & fourth floor plans as proposed	ADC470/13		10/04/2013
Elevations as existing & proposed	ADC470/14	A	21/06/2013
Joinery details	ADC470/15	A	21/06/2013
Plans as existing	ADC470/16		07/05/2013
Design and access statement			10/04/2013

4) UNI

The external finish of the east elevation including any damage caused as a result of the removal of external pipe work shall be made good to match in colour and texture the original building.

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

BH2013/01157

17 Marine Parade Brighton

Replacement of UPVC and timber framed windows and door with timber framed units incorporating revised fenestration and re-location of soil pipes to East elevation.

Applicant: Mr Tibbett

Officer: Pete Campbell 292359

Approved on 01/07/13 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 timber vertical sliding sashes with no trickle vents and shall match exactly the original sash windows to the building, including their architrave, frame and glazing bar dimensions and mouldings, and subcill, masonry cill and reveal details, and shall have concealed sash boxes recessed within the reveals and set back from the outer face of the building to match exactly the original sash boxes to the building.

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

3) UNI

The external finish of the east elevation including any damage caused as a result of the removal of external pipe work shall be made good to match in colour and texture the original building.

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

BH2013/01193

18 Upper Rock Gardens Brighton

Installation of roller blind to first floor front window. (Retrospective)

Applicant: Miss Kimberly Le Brocq

Officer: Chris Swain 292178

Refused on 08/07/13 DELEGATED1) UNI

The installed shutter and associated motor housing by reason of scale, design, materials and detailing results in a harmful alteration to the front elevation, obscuring the traditional architectural and joinery details of the first floor window and significantly detracting from the historic appearance and character of the of the listed building, contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2013/01212

77 Grand Parade Brighton

Application for Approval of Details reserved by conditions 1-15 of application BH2011/01074.

Applicant: Haysport Properties Ltd

Officer: Chris Swain 292178

Split Decision on 05/07/13 DELEGATED

1) UNI

The applicant has failed to submit sufficient details in relation to proposed plant and machinery. Accordingly, the local planning authority is unable to assess the potential impact of any installation and Conditions 7, 8 and 10 cannot be discharged at this time.

2) UNI2

The applicant has failed to submit sufficient details in relation to the external lighting, specifically a lack of details on siting and the precise specifications of the lighting. Accordingly, the local planning authority is unable to assess the potential impact of any installation and Condition 11 cannot be discharged at this time.

3) UNI3

The applicant has failed to submit any details in relation to cycling parking facilities. Accordingly, the local planning authority is unable to assess any potential impacts. As such Condition 5 cannot be discharged at this time.

4) UNI4

The applicant has failed to submit sufficient details in relation to a soundproofing scheme for the building. Accordingly, the local planning authority is unable to adequately assess the potential impact of any soundproofing measures and Condition 6 cannot be discharged at this time.

BH2013/01304

27 Richmond Place Brighton

Application for variation of condition 2 of previously approved application BH2011/03077 (Conversion of first and second floor offices to form 1no two bedroom and 1no three bedroom maisonettes) to allow for minor material amendments (part retrospective).

Applicant: Stephen Logue

Officer: Jonathan Puplett 292525

Approved on 27/06/13 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	0915/1		13/10/2011
Proposed Ground Floor Plan	0915/30	A	26/06/2013
Proposed First Floor Plan And Section	0915/6	C	17/04/2013
Proposed Second Floor Plan And Section	0915/7	C	17/04/2013
Proposed Window Details	0915/31		26/06/2013
Proposed Window Details	0915/32		26/06/2013
Proposed Window Details	0915/33		26/06/2013
Statement Of Sustainability Measures	DOC 4.0915	1.2	26/06/2013

2) UNI

The replacement first floor and second floor windows hereby approved to the Richmond Street frontage of the building shall meet the acoustic requirements and specifically the losses stated in the Andersen Acoustics report, 1492_001R_1-0_RNM dated 22 February 2012. The windows shall be retained as such thereafter.

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

3) UNI

The development hereby approved shall be carried out in accordance with the APPROVED statement of sustainability measures ref. DOC 4.0915 rev. 1.2.

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) UNI

The rear residential unit hereby approved shall not be occupied until details of secure cycle parking facilities for the occupants of the residential unit have been submitted to and approved in writing by the Local Planning Authority. The approved cycle facilities to serve both residential units shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

5) UNI

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

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

The development hereby permitted shall not begin until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

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

7) UNI

The passive ventilation system shown in drawing no. 0915/12/A shall be installed and functioning prior to the first occupation of the residential dwellings hereby approved. The ventilation system shall be retained as such thereafter.

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

BH2013/01335

94 St James's Street Brighton

Conversion of first, second and third floors from retail (A1) to a three bedroom maisonette (C3), an amended retail unit across the ground and basement levels and alterations to existing shopfront to allow access to residential unit.

Applicant: Geneva Investment Group Ltd

Officer: Jonathan Puplett 292525

Approved on 08/07/13 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 Class A1 use hereby approved at ground and basement floor levels shall not be in use except between the hours of 07.30 and 23.00 hours Monday to Sunday.

Reason: To safeguard the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.

4) UNI

Notwithstanding the detail shown in the approved drawings, no development shall take place until full details of the proposed shopfront and exterior doors have been submitted to and approved in writing by the Local Planning Authority. The details shall include 1:20 scale elevation drawings, 1:1 scale sample joinery section drawings, and full details of the proposed materials of construction, finishes and colours of finishes.

Reason: To ensure an acceptable appearance to the development and to accord with policies QD10 and HE6 of the Brighton & Hove Local Plan and the guidance set out in SPD02 'Shop Front Design'.

5) UNI

The development hereby permitted shall not begin until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

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

6) UNI

The development hereby permitted shall not be occupied until the sustainability measures detailed within the Sustainability Checklist received on the 13th of May 2013 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.

7) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	2753-Loc		29/04/2013
Existing Floorplans And Elevations	2753-01		29/04/2013
Proposed Floorplans And Elevations	2753-02		29/04/2013
Waste Minimisation Statement			29/04/2013
Sustainability Checklist	SG13/01043		13/05/2013

8) UNI

The development shall be carried out in accordance with the measures set out in the approved Waste Management Plan.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2013/01349

8 & 9 Atlingworth Street Brighton

Replacement of existing single glazed, timber sash and casement windows with double glazed, timber sash and casement windows. Removal of external steel fire escape stairs and refuge balconies.

Applicant: Southern Housing Group Ltd

Officer: Sonia Gillam 292265

Approved on 03/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	3306/01		30/04/2013
Existing elevations	3306/02	B	08/05/2013
Existing window schedule	3306/03	A	30/04/2013
Proposed elevations	3306/04	C	08/05/2013
Proposed window schedule	3306/05	B	30/04/2013
Existing window sections	3306/08		30/04/2013

BH2013/01423**97 Freshfield Road Brighton**

Replacement of existing basement window with front door to front elevation and removal of door and window from ground floor rear and insertion of bi-folding patio doors.

Applicant: Mr N W Chrisp

Officer: Pete Campbell 292359

Approved on 01/07/13 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 store as shown on drawing No.12 received 7 May 2013 shall only be used as ancillary accommodation/storage in connection with the use of the main property as a single dwelling house and shall at no time be converted to or sold as a self-contained unit.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			07/05/2013
Block plan			07/05/2013
Existing basement and ground floor plan	10		07/05/2013
Existing first and second floor	11		07/05/2013
Proposed basement and ground floor plan	12		07/05/2013
Existing and proposed elevations	14	A	07/05/2013
Email from agent			20/05/2013

BH2013/01426**Flat 14 Northumberland Court 62-64 Marine Parade Brighton**

Installation of replacement entrance door, French doors and sash window to front and enlarged windows to rear.

Applicant: Ms Maria Boyce

Officer: Sonia Gillam 292265

Approved on 05/07/13 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.

BH2013/01427**Flat 14 Northumberland Court 62-64 Marine Parade Brighton**

Installation of replacement entrance door, French doors and sash window to front and enlarged windows to rear.

Applicant: Ms Maria Boyce

Officer: Sonia Gillam 292265

Approved on 05/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	121101/S0		07/05/2013
Block plan	121101/P00		07/05/2013
Existing gf plan	S1	A	04/07/2013
Existing gf plan (part)	S2		07/05/2013
Existing gf plan (part)	S3		07/05/2013
Existing rear elevation	S7		07/05/2013
Existing door detail	S8		07/05/2013
Existing joinery details	S9		07/05/2013
Existing joinery details	S10		07/05/2013
Proposed rear elevation	P7		07/05/2013
Proposed front door details	P8	A	28/05/2013
Proposed front door detail	P9	A	28/05/2013
Proposed Door detail	P10		07/05/2013
Proposed rear window detail	P12	A	28/05/2013
Proposed rear window detail	P13		07/05/2013
Proposed French door detail	P21	A	28/05/2013
Proposed French door detail	P22	A	28/05/2013
Proposed French door detail	P23	A	28/05/2013
Proposed front window detail	P24	A	28/05/2013
Proposed front window detail	P25		28/05/2013
Proposed gf plan	P51	A	04/07/2013
Proposed gf plan (part)	P52		07/05/2013
Proposed gf plan (part)	P53		10/05/2013

BH2013/01475**9 Wyndham Street Brighton**

Erection of single storey rear extension to replace existing with associated internal alterations to layout.

Applicant: Mr Daniel Scoular

Officer: Wayne Nee 292132

Approved on 17/07/13 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 proposals have been submitted to and approved by the Local Planning Authority in writing, comprising of:

- a) 1:1 scale joinery details of the ground floor rear window
- b) 1:20 sections and details of the materials and finishes of the glazed roof framework 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 the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The window and patio doors hereby approved shall be painted timber with concealed trickle vents.

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

BH2013/01491

41 Marine Parade Brighton

Replacement windows on front elevation at second, third and fourth floor levels, replacement of lower half of sash window to rear and refurbishment works. (Part-Retrospective).

Applicant: Mr Stephen Bull

Officer: Liz Arnold 291709

Approved on 16/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

Notwithstanding the annotations on plan no. PL102 Rev.B the second and third floor front elevation sash windows shall be altered to accord with the window details shown in plan no. PL108 Rev.A whilst the lower section of the rear landing sash window shall be replaced with a sash to match the existing upper sash.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	-	-	13th May 2013
Survey - Floor Plans	PL100	-	13th May 2013
Survey - Elevations	PL101	-	13th May 2013
Proposed Floor Plans	PL102	Rev. B	12th July 2013
Proposed Elevations	PL103	Rev. A	12th July 2013
Details - 4th Floor Casement Windows	PL107	-	13th May 2013
Typical Double - Hung, Weight Balanced Sash Windows - Details	PL108	Rev. A12th July 2013	

BH2013/01492

41 Marine Parade Brighton

Internal alterations to layout, internal and external refurbishment and replacement of windows on front elevation at second, third and fourth floor levels and replacement of lower half of sash window to rear. (Part-Retrospective).

Applicant: Mr Stephen Bull

Officer: Liz Arnold 291709

Refused on 16/07/13 DELEGATED

1) UNI

The covering of cornices, the depth of skirting, the following of cornices and skirting to the size and shape of related rooms (rather than to their respective position within the building), the installation of recessed spotlights, the new hearth at ground floor level, the removal of lime plaster, the lowering of ceilings, the creation of irregular shaped rooms at basement level, the installation of flush doors at basement level and the installation of unpainted panelled doors throughout the property, have had an adverse impact upon the architectural and historic character and appearance of the Listed Building, contrary to policy HE1 of the Brighton & Hove Local Plan, the Council's Supplementary Planning Guidance Notes, SPGBH11: Listed Building Interiors and SPGBH13: Listed Buildings - General Advice.

2) UNI2

The applicant has failed to provide sufficient information in relation to the strengthening works undertaken to the floor of bedroom 4 and the repair works to the portico. As such the Local Planning Authority is unable to fully assess the impacts that these works have had on the architectural and historic character and appearance of the Grade II Listed Building. The proposal is thereby contrary to policy HE1 of the Brighton & Hove Local Plan, the Council's Supplementary Planning Guidance Notes, SPGBH11: Listed Building Interiors and SPGBH13: Listed Buildings - General Advice.

BH2013/01515

19B Camelford Street Brighton

Roof alterations including raising of ridge height, dormer to rear elevation and creation of parapet wall to front and rear elevations.

Applicant: Mr Charles Meloy

Officer: Wayne Nee 292132

Refused on 09/07/13 DELEGATED

1) UNI

The proposed rear dormer, by reason of its size and siting on the eaves of the roof, is considered to represent an unsympathetic and non-traditional addition that would over dominate the roof slope. The proposal is therefore contrary to policy QD14 and the advice within Supplementary Planning Guidance SPGBH1.

2) UNI2

The proposed vertical rear wall, by reason of its tile hang cladding finish, would form an inappropriate and unsympathetic addition to the property which would result in material harm to the appearance of the existing property and would be detrimental to the character and appearance of East Cliff Conservation Area. The proposal is therefore contrary to policies HE6 and QD14.

ROTTINGDEAN COASTAL

BH2012/03759

Ovingdean Hall College Greenways Brighton

Demolition and removal of existing storage sheds and containers. Erection of 2no single storage buildings in college grounds.

Applicant: Ovingdean Property Ltd

Officer: Sue Dubberley 293817

Approved on 15/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Construction Specification/Method Statement has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification/Method Statement.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and block plans	0239.EXG.001		26 Nov 2012
Southern stores existing	0239.EXG.001		26 Nov 2012
Northern site plan existing	0239.EXG.001		26 Nov 2012
Location and block plans	0239.PL.001	A	11 Mar 2013
Northern store plans sections and elevations	0239.PL.002	A	11 Mar 2013
Proposed tractor/lawnmower store, plans sections and elevations	0239.PL.003	A	11 Mar 2013

BH2012/03760

Ovingdean Hall College Greenways Brighton

Demolition of existing storage sheds and containers.

Applicant: Ovingdean Property Ltd

Officer: Sue Dubberley 293817

Approved on 12/07/13 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.

BH2013/00021

Ovingdean Hall College Greenways Brighton

Application for approval of details reserved by conditions 3, 4v and 5 of BH2011/03422.

Applicant: Mr T Racke

Officer: Sue Dubberley 293817

Report from: 27/06/13 to: 17/07/13

Approved on 28/06/13 DELEGATED

BH2013/00022

Ovingdean Hall College Greenways Brighton

Application for approval of details reserved by conditions 5, 6v, 7, 9, 10 and 12a and 12b of BH2011/03421.

Applicant: Mr T Racke

Officer: Sue Dubberley 293817

Split Decision on 04/07/13 DELEGATED

1) UNI

Condition 12b cannot be discharged at this time because a design Stage Certificate confirming that an overall rating of 'excellent' has been achieved for the development has not been submitted

BH2013/01300

23 Wanderdown Road Brighton

Erection of raised decking with stairs above existing shed to rear garden.

Applicant: Mr Jonathan Perham

Officer: Andrew Huntley 292321

Refused on 28/06/13 DELEGATED

1) UNI

Notwithstanding the existing vegetation along the boundary of the site with 21 and 25 Wanderdown Road, the proposed raised terrace could cause significant harm to neighbouring amenity by reason of overlooking and loss of privacy to neighbouring properties. Therefore, the proposal would be contrary to policies QD14 & QD27 of the Brighton & Hove Local Plan.

2) UNI2

Due to its unusual and contrived design the proposed development would appear incongruous within this residential setting and would thereby harm the visual amenities of the locality contrary to the provisions of policy QD14 of the Brighton & Hove Local Plan.

BH2013/01533

1 Meadow Close Rottingdean Brighton

Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2009/00948 (Appeal ref APP/Q1445/A/09/2113807)

Applicant: South Eastern Construction Ltd

Officer: Anthony Foster 294495

Approved on 17/07/13 DELEGATED

BH2013/01535

57 Lustrells Vale Saltdean Brighton

Erection of conservatory to side elevation.

Applicant: Lisa Rothwell

Officer: Andrew Huntley 292321

Approved on 16/07/13 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

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

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

Plan Type	Reference	Version	Date Received
Location Plan			13.05.2013
Block Plan			13.05.2013
Existing Layout and Elevations	ROTO1		13.05.2013
Proposed Layout and Elevations	ROTO2		13.05.2013
All Conservatory Views	Rothwell001		13.05.2013

BH2013/01648

12 Chorley Avenue Saltdean Brighton

Removal of existing rear conservatory and erection of single storey rear extension incorporating mono-pitch roof and bi-folding patio doors. Replacement of existing flat roof with pitch roof over existing kitchen to match extension. Extension of existing rear timber decking.

Applicant: Mr Lawrence Andrew

Officer: Andrew Huntley 292321

Approved on 04/07/13 DELEGATED

1) UNI

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

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

2) UNI

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			20.05.2013
Existing Block Plan			20.05.2013
Proposed Block Plan			20.05.2013
Proposed Rear Extension, Replacement of Flat Roof and Additional Decking	MCA/CA/001	A	20.05.2013

BH2013/02076

Kemp Town Enclosures Marine Parade Brighton

Non Material Amendment to BH2011/01995 to install a wet cast stone rather than a dry cast stone.

Applicant: Kemp Town Society

Officer: Liz Arnold 291709

Approved on 15/07/13 DELEGATED

WOODINGDEAN

BH2013/01377

Land Adjacent to 42 Rosebery Avenue Brighton

Outline application with all matters reserved for the erection of a detached

Report from: 27/06/13 to: 17/07/13

residential dwelling.

Applicant: Mr Graham Card

Officer: Chris Swain 292178

Refused on 17/07/13 DELEGATED

1) UNI

1. The proposal would represent development of a new dwelling outside the defined built up area boundary, within designated countryside, on a site which has not been allocated for housing and for which no exception to policy has been demonstrated. The proposal is therefore contrary to policies NC6, NC7 and NC8 of the Brighton & Hove Local Plan.

2) UNI2

The proposed siting of a dwelling within open countryside and abutting the boundary with the South Downs National Park, in contrast to the established pattern of development results in the loss of the soft vegetative buffer and the infilling of the visual gap between the urban fringe and the South Downs National Park, eroding the character, and harming the setting of the National Park. The proposal would be unduly prominent and would detract from views into, and out of the National Park, failing to conserve or enhance the visual landscape quality and character, whilst having a significant adverse impact upon the countryside/downland, contrary to policies NC5, NC6, NC7 and NC8 of the Brighton & Hove Local Plan.

3) UNI3

The application has not established the presence or otherwise of protected species at the site and has failed to demonstrate that the proposal would not be liable to cause demonstrable harm to such protected species and their habitats. The proposal is therefore contrary to Policy QD18 of the Brighton & Hove Local Plan

BH2013/01482

68 Crescent Drive South Brighton

Erection of front and rear extensions, loft conversion incorporating raising of ridge height, hip to gable roof extension, installation of rear balcony and rooflights.

Applicant: Miss Lucy Clifton-Sprigg

Officer: Andrew Huntley 292321

Approved on 04/07/13 XXXX

1) UNI

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

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

2) UNI

No development shall take place until samples of all materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

3) UNI

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

Plan Type	Reference	Version	Date Received
Existing Floor Plan, Elevations and	1312012/01		21/05/2013

Sections. Location and Block Plans.			
Proposed Ground/First Floor Plans and Elevations.	1312012/02		21/05/2013
Proposed Sections AA & BB and Street scene Elevation.	1312012/03		21/05/2013

*Reason: For the avoidance of doubt and in the interests of proper planning.
15/03/2013*

BH2013/01484

Elmhurst Warren Road Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2008/02303

Applicant: Bupa

Officer: Anthony Foster 294495

Approved on 04/07/13 DELEGATED

BH2013/01614

47 Selhurst Road Brighton

Application for Approval of Details Reserved by condition 8 of application BH2010/00165.

Applicant: Mr Conrad Levy

Officer: Anthony Foster 294495

Approved on 16/07/13 DELEGATED

BH2013/01864

37 Downsway Brighton

Non Material Amendment to BH2012/03993 to reduce the length of the extension by approx 1.4m. Omit the wall between the study and studio. Use the room as a study/lounge.

Applicant: Dr Joanna Swann

Officer: Anthony Foster 294495

Approved on 03/07/13 DELEGATED

BRUNSWICK AND ADELAIDE

BH2013/01333

11A Second Avenue Hove

Alterations to layout and replacement of 3no windows to West elevation.

Applicant: Richard Kennington

Officer: Helen Hobbs 293335

Approved on 02/07/13 DELEGATED

1) BH01.05

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

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

2) UNI

Notwithstanding the submitted drawings, the meeting rails, masonry cills and subcills of the proposed replacement windows hereby permitted shall match exactly those of the existing ground floor kitchen sash window on the west elevation of the building.

Reason:

To ensure the satisfactory preservation of this listed building and the character and appearance of the surrounding conservation area and to comply with policies HE1 & HE6 of the Brighton & Hove Local Plan.

3) UNI

No works shall take place until full details of the proposed partition to be installed in front of the garage doors, including 1:20 section, showing how the new partition would adjoin the ceiling or wall has 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.

4) UNI

No development shall take place until a sample of the facing brickwork to be used in the construction of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved facing brick.

Reason: To ensure the satisfactory preservation of this listed building and the character and appearance of the surrounding conservation area and to comply with policies HE1 & HE6 of the Brighton & Hove Local Plan.

BH2013/01525

Basement Flat 12 Lansdowne Street Hove

Replacement of existing single glazed timber patio doors with double glazed timber patio doors to the rear of the property (Retrospective).

Applicant: James Danvers

Officer: Mark Thomas 292336

Approved on 01/07/13 DELEGATED

BH2013/01538

5A Brunswick Terrace Hove

Installation of enlarged sliding sash window to courtyard.

Applicant: Mr Chapman

Officer: Helen Hobbs 293335

Approved on 10/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan	ADC564/LP		15th May 2013
Block plan	ADC564/BP		15th May 2013
As existing	ADC564/01		15th May 2013
Detail plans	ADC564/03	A	26th June 2013
As proposed	ADC564/02	A	26th June 2013

BH2013/01539

5A Brunswick Terrace Hove

Internal alterations to layout of flat and installation of enlarged sliding sash window to courtyard.

Applicant: Mr Chapman

Officer: Helen Hobbs 293335

Approved on 10/07/13 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.

BH2013/01555

111 Western Road Brighton

Application for variation of condition 5 of application 95/0386/FP (Change of use of ground floor and basement from bank (A2 use) to restaurant (A3 use)) to state that the premises shall not be open or in use except between the hours of 0700 and 00.00 hours on any day.

Applicant: Mr Craig Ritchie

Officer: Guy Everest 293334

Approved on 04/07/13 DELEGATED

1) UNI

The premises shall not be open or in use except between the hours of 07:00 and 24:00 on any day.

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan, Basement Level Plan and Ground Floor Level Plan	BSMTGRND		15/05/2013

CENTRAL HOVE

BH2013/00986

Flat 3 1 Kings Gardens Hove

Internal alterations including refurbishment works to bathrooms, kitchen, utility room and study. External alterations including amendments to drainage and repairs to windows to west elevation.

Applicant: Mr Paul Sandler

Officer: Mark Thomas 292336

Approved on 15/07/13 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.

BH2013/01341**26 Fourth Avenue Hove**

Creation of glazed enclosure to front porch.

Applicant: Mr Edward Telesford

Officer: Christopher Wright 292097

Refused on 28/06/13 DELEGATED

1) UNI

The proposed development would, by reason of the window designs, loss of timber bracing elements and full enclosure of the timber porch structure, detract from the character of the recipient property and would be incongruous with the otherwise matching appearance of the neighbouring property, 24 Fourth Avenue, as the two houses are designed as a pair. The fenestration detailing is not considered appropriate to the design of the recipient dwelling. As such the proposal would be detrimental to visual amenity and would detract from the character and appearance of the conservation area, contrary to the requirements of policies QD14 and HE6 of the Brighton & Hove Local Plan 2005.

BH2013/01344**17 Third Avenue Hove**

Erection of side garden fence over existing wall.

Applicant: Ms Christine Henson

Officer: Christopher Wright 292097

Approved on 17/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed elevation at 1:20 scale of the design of the timber trellis hereby permitted. The development shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: To enhance the appearance of the development in the interests of the visual and residential amenities of the area and to comply with policies HE6 and QD27 of the Brighton & Hove Local Plan 2005.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			22 May 2013
Block Plan			29 April 2013
Existing and Proposed Elevations			29 April 2013

BH2013/01438**15 & 15A Victoria Terrace Hove**

Part change of use of basement and ground floors at No15 from retail (A1) to cafe (A3/A5) with the installation of a new shop front. Demolition of No15 A and erection of 1no two bedroom dwelling with pitched roof, dormer and rooflights.

Applicant: Mssrs Steve Gregory & Taylor

Officer: Christopher Wright 292097

Report from: 27/06/13 to: 17/07/13

Refused on 11/07/13 DELEGATED

1) UNI

The proposed development would, by reason of the design, form, detailing and composition of the front elevation, including the in-set balcony in the front roof slope and the number of rooflights proposed, represent an incongruous and discordant development which would be out of character with the prevailing townscape and the historic roofscape, to the detriment of visual amenity and the appearance of the Cliftonville Conservation Area. As such the proposal is contrary to policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan 2005.

2) UNI2

A noise assessment has not been submitted with the application and as such an assessment of the potential noise impact of the proposed café extraction system on the nearest noise sensitive premises, in this case a first floor flat, cannot be determined. In this regard the proposal is contrary to the objectives of policies SU10 and QD27 of the Local Plan.

3) UNI3

The proposed development would, by reason of the siting, scale, bulk and massing of the new dwelling in relation to property in Victoria Terrace, result in an unacceptable increased sense of enclosure and an overbearing impact on adjoining residents, to the detriment of neighbour amenity, and contrary to policy QD27 of the Brighton & Hove Local Plan 2005.

4) UNI4

The private amenity space to the rear of the proposed new dwelling would, by reason of the orientation and overhang of the proposed rear projection of the new dwelling, be dark and poorly lit and is not considered to be useable or appropriate to the scale and nature of the proposed development, contrary to policies HO5 and QD27 of the Brighton & Hove Local Plan 2005.

BH2013/01517

15 & 15A Victoria Terrace Hove

Demolition of 15A Victoria Terrace.

Applicant: Steve Gregory & Steve Taylor

Officer: Christopher Wright 292097

Refused on 11/07/13 DELEGATED

1) UNI

The proposals for the re-development of the site are not considered acceptable in terms of visual and amenity impact and as such, demolition of the existing buildings would leave an unsightly gap in the Cliftonville Conservation Area that would be detrimental to its appearance and character. As such the proposal is contrary to the requirements of policy HE8 of the Brighton & Hove Local Plan 2005.

GOLDSMID

BH2013/00572

42 Wilbury Villas Hove

Display of 1no externally illuminated post sign, 1no non-illuminated fence panel sign and 1no externally illuminated oval sign on North elevation (Retrospective)

Applicant: Each Peach Childcare

Officer: Guy Everest 293334

Refused on 04/07/13 DELEGATED

1) UNI

The advertisements, by reason of their size and siting on a prominent building in a predominantly residential location, appear incongruous and intrusive features which are detrimental to the visual amenity of the site and wider surrounding

area. The impact is exacerbated by the illumination of two of the signs. The advertisements have therefore harmed the visual amenities of the area and are also contrary to policy QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document 07, Advertisements.

BH2013/00997

4 Cowdray Court 49 Cromwell Road Hove

Replacement of 3no existing timber framed windows with new UPVC windows. (Retrospective).

Applicant: Ms Laura Hutchinson

Officer: Mark Thomas 292336

Approved on 15/07/13 DELEGATED

BH2013/01417

Flat 7 Granville Court 2-4 Denmark Villas Hove

Installation of replacement aluminium windows.

Applicant: Miss L Clowes

Officer: Adrian Smith 290478

Approved on 01/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan and block plan			07/05/2013
Floor plans and elevations			07/05/2013
Window specification	1001-ASSY	A	13/05/2013

BH2013/01429

187 Dyke Road Hove

Demolition of existing ground floor rear extensions and terrace and erection of two storey rear extension, relocation and enlargement of dormer to front and replacement of boundary wall with railings and gates.

Applicant: RT Williams

Officer: Steven Lewis 290480

Refused on 04/07/13 DELEGATED

1) UNI

The extension by reason of its scale, massing, bulk, site coverage, materials and detailing is considered poorly designed, an overdevelopment of the site and would have a seriously harmful impact upon the character and appearance of the building to be extended and the visual amenity of the area. This is contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

2) UNI2

The extension by reason of its siting and scale, massing would have an unduly harmful and domineering impact upon the amenities of adjacent occupiers resulting in a loss of outlook, light causing overshadowing and an overbearing presence. This is contrary to Policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed front boundary wall and railings, due to their excessive height and appearance, would be 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.

4) UNI4

The proposed parking layout fails to ensure a safe means of access to and from the site and does not provide adequate manoeuvring space on-site and increases the likelihood that vehicles would have to reverse out onto the highway, contrary to policy TR7 of the Brighton & Hove Local Plan.

BH2013/01477

Flat 17 Bell Mead 124 Holland Road Hove

Insertion of 1no rooflight to south roof slope.

Applicant: Mr Michael & Mrs Pauline Trigg

Officer: Mark Thomas 292336

Refused on 17/07/13 DELEGATED

1) UNI

The proposed rooflight by virtue of its positioning would relate poorly to the fenestration on the elevation below, disrupting the buildings rhythm. As such, it is considered that the proposal would have an unacceptably harmful impact on the character and appearance of the recipient property, contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance BH1 (SPGBH1): roof extensions and alterations.

BH2013/01576

42 Wilbury Villas Hove

Erection of a 1.8m high close boarded fence with trellis around perimeter of property (Retrospective)

Applicant: Each Peach Childcare

Officer: Guy Everest 293334

Refused on 04/07/13 DELEGATED

1) UNI

The fence, by reason of its siting, height and design, fails to emphasise and enhance the positive qualities of the local neighbourhood and has harmed the prevailing character and appearance of the area. The development is therefore contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

BH2013/01790

23 Ferndale Road Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by part

3.5m and part 4.52m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Mr Brian Jackson

Officer: Jonathan Puplett 292525

Prior approval not required on 11/07/13 DELEGATED

HANGLETON & KNOLL

BH2013/01456

31 Northease Drive Hove

Erection of single storey rear extension to replace existing rear porch.

Applicant: Mr Ian Marshall

Officer: Robert McNicol 292322

Approved on 05/07/13 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			20 May 2013
Existing elevations			20 May 2013
Existing plans			20 May 2013
Proposed plans and elevations and block plan	JW/13/015		9 May 2013

BH2013/01480

121 Poplar Avenue Hove

Erection of single storey extension to garage and conversion of garage to garden studio.

Applicant: Mrs E Baxter

Officer: Christopher Wright 292097

Refused on 05/07/13 DELEGATED

1) UNI

The proposed development would, by reason of the design, form and siting, relate poorly to the design and appearance of the recipient dwelling to the detriment of visual amenity and the character of the existing property, contrary to the requirements of policy QD14 of the Brighton & Hove Local Plan 2005.

BH2013/01560

3 Lark Hill Hove

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable end roof extension, side window and rear dormer.

Applicant: Mr & Mrs Harding

Officer: Helen Hobbs 293335

Approved on 11/07/13 DELEGATED

BH2013/01787

18 Sunninghill Avenue Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.6m, and for which the height of the eaves would be 2.52m.

Applicant: Mr & Mrs Roger Sayers

Officer: Chris Swain 292178

Prior approval not required on 11/07/13 DELEGATED

NORTH PORTSLADE

BH2013/01436

420 Mile Oak Road Portslade

Erection of a single storey rear extension with associated external alterations.

Applicant: Mr Stuart Wraige

Officer: Robert McNicol 292322

Refused on 03/07/13 DELEGATED

1) UNI

By virtue of its eaves height, the proposed flat roof extension would appear disjointed and be an unsympathetic addition to the recipient property. The proposal would therefore have a detrimental impact on the appearance of the recipient property and the surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan.

BH2013/01705

27 Heathfield Crescent Portslade

Erection of single storey rear extension and formation of raised patio, incorporating installation of privacy screen.

Applicant: Georgia Towner

Officer: Helen Hobbs 293335

Approved on 15/07/13 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 high level window positioned on the south-facing elevation of the extension hereby permitted shall be obscure glazed and fixed shut/non-opening and thereafter permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing floor plan	PA-001-01		23rd May 2013
Proposed floor plan	PA-001-02	A	23rd May 2013
Existing east (rear) elevation	PA-001-03		23rd May 2013
Proposed east (rear) elevation	PA-001-04	A	23rd May 2013
Existing south (side) elevation	PA-001-05		23rd May 2013
Proposed south (side) elevation	PA-001-06	A	23rd May 2013
Existing north elevation	PA-001-07		23rd May 2013
Proposed north elevation	PA-001-08	A	23rd May 2013

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Existing roof plan	PA-001-09		23rd May 2013
Proposed roof plan	PA-001-10	A	23rd May 2013
Block plan			23rd May 2013
Site plan			23rd May 2013

BH2013/01849

89 Mile Oak Road Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.8m, for which the maximum height would be 3.15m, and for which the height of the eaves would be 2.9m.

Applicant: Mr R Evans

Officer: Chris Swain 292178

Prior approval not required on 12/07/13 DELEGATED

BH2013/02162

365A Mile Oak Road Portslade

Certificate of lawfulness for proposed single storey rear extension at ground floor level, hip to gable end roof extension with side dormer and rooflights.

Applicant: Miss Primrose Joy

Officer: Steven Lewis 290480

Approved on 12/07/13 DELEGATED

SOUTH PORTSLADE

BH2013/01231

113-115 Trafalgar Road Portslade

Outline application for the demolition of existing bungalows and erection of 5no three bedroom houses.

Applicant: Mr H Cooper

Officer: Guy Everest 293334

Refused on 04/07/13 DELEGATED

1) UNI

The local planning authority considers that the site is not capable of accommodating 5no. three-bedroom dwellinghouses without having a detrimental impact on the prevailing character and appearance of the street scene. The proposed provision of 5no. dwellings on this site of restricted size would not reflect the urban grain of the area or the surrounding context and would represent overdevelopment, therefore failing to emphasise and enhance the positive qualities of the local neighbourhood. The proposal is thereby contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

BH2013/01329

Portslade Hand Car Wash Camden Street Portslade

Application for Continued Use of premises as car wash and valet service.

Applicant: Portslade Hand Car Wash

Officer: Jason Hawkes 292153

Approved on 28/06/13 DELEGATED

1) UNI

The use of the premises as a hand car and valet service hereby permitted shall cease by the 30th June 2015 and the use shall revert back to a B2 (general industrial) use.

Reason: To retain the long term use of the premises for long term employment purposes in accordance with policy EM6 of the Brighton & Hove Local Plan.

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			7th May 2013
Supporting Statement			25th April 2013

3) UNI

All vehicles that are washed shall be cleaned using jet washes only.

Reason: To conserve the amount of water used to wash cars in accordance with policy SU2, SU4 and SU5 of the Brighton & Hove Local Plan.

4) UNI

There shall be no vehicular movements nor any loading or unloading of vehicles on the site except between the hours of 7am and 7pm daily.

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

5) UNI

The premises shall not be open or in use except between the hours of 8am and 7pm on Monday to Sunday and Bank Holidays.

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

BH2013/01407

Rear of 15-19 Norway Street Portslade

Conversion of existing commercial units (B1/B8) into 3no one bedroom cottages with associated landscaping and car parking.

Applicant: Spear Developments Ltd

Officer: Jason Hawkes 292153

Refused on 04/07/13 DELEGATED

1) UNI

Policies EM3 and EM6 of the Brighton & Hove Local Plan seeks to retain employment uses and allows the release of such sites for other uses providing the sites are genuinely redundant. The proposed application contradicts the information submitted in respect of application BH2012/03940, which sought to retain the application site for employment uses and advised that it could be retained as a viable commercial unit. Additionally, the marketing report submitted relates to the whole site, which focuses on the two main buildings, and not to the retained building as a stand alone unit. It is therefore considered that there is insufficient marketing evidence to demonstrate that this unit can be considered genuinely redundant. The scheme is therefore contrary to policies EM3 and EM6 of the Brighton & Hove Local Plan 2005.

2) UNI2

Having regard to the lack of space and outlook for the bedroom areas for the proposed houses, the scheme is judged to provide an inappropriate and poor standard of accommodation that would provide inadequate living conditions for future occupiers. The scheme is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed parking area results in the loss of the rear gardens recently approved for the new houses at 19 & 19A Norway Street. With the additional

parking spaces in place, the gardens would be smaller and would not be appropriate as outside amenity areas for a family sized dwelling. The scheme is therefore deemed contrary to policies HO5 and QD27 of the Brighton & Hove Local Plan.

BH2013/01488

Benfield Primary School 255 Old Shoreham Road Portslade

Replacement of existing cement fibre pitched roof with metal pitched roof.

Applicant: Brighton & Hove City Council

Officer: Robert McNicol 292322

Approved on 08/07/13 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 and material sample listed below.

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

Plan Type	Reference	Version	Date Received
Site location, block and floor plans	J058 300		21 May 2013
Existing north and south elevations	J058 301		13 May 2013
Proposed north and south elevations	J058 302		13 May 2013
Existing and proposed roof plans	J058 303		21 May 2013
Roof section diagram - eaves detail	195 E		13 May 2013
Roof section diagram - ridge detail	192 A S		13 May 2013
Roof section diagram - roof panel detail	191 B		13 May 2013
Product data sheet	KS1000RW Trapezoidal EcoSafe Insulated Roof Panel		13 May 2013
Metal composite panel roof cladding sample KS1000RW Trapezoidal EcoSafe Insulated Roof Panel		4 July 2013	

BH2013/01536

Land Adjacent to 214 Old Shoreham Road Portslade

Alterations to boundary wall fronting Foredown Drive and creation of permeable car parking area for 3 cars.

Applicant: Scaffold It (UK) Ltd

Officer: Guy Everest 293334

Refused on 05/07/13 DELEGATED

1) UNI

The development would result in the loss of open space and, in the absence of information to indicate otherwise, visually important trees. The resulting visual impact would harm the character and appearance of the site and wider surrounding area, and would fail to emphasise or enhance the positive qualities of the local neighbourhood. The proposal is thereby contrary to policies QD1, QD2, QD16 and QD20 of the Brighton & Hove Local Plan, and the provisions of Supplementary Planning Document 6, trees and development sites.

2) UNI2

The development would increase levels of off-street parking, encourage additional car journeys and would not support or encourage greater use of walking, cycling and bus travel. The proposal is thereby contrary to Policy TR1 of the Brighton & Hove Local Plan which seeks to maximise the use of public transport, walking and cycling.

BH2013/01557

15-19 rear of 15-19 and 15A Norway Street Portslade

Application for Approval of Details Reserved by conditions 3, 9, 10, 11, 12, 14(i) and 16 of application BH2012/03940.

Applicant: Spear Development Ltd

Officer: Jason Hawkes 292153

Approved on 28/06/13 DELEGATED

HOVE PARK

BH2013/01166

8 Hill Drive Hove

Erection of two storey rear extension and loft conversion incorporating raising of ridge height, rear dormers and front rooflights and associated alterations.

Applicant: Mr Ghar Cheung

Officer: Mark Thomas 292336

Refused on 15/07/13 DELEGATED

1) UNI

The proposed two storey extension, by virtue of its excessive bulk and scale, and the utilisation of an inappropriate roof form would have an unacceptably harmful impact on the character and appearance of the recipient property. The proposed rear dormers, by virtue of their positioning, and the roofslope coverage in combination with the roof over the two storey extension, would result in a visually cluttered and overdeveloped roofslope and rear elevation. For the reasons outlined, the proposed development would be contrary to policy QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Guidance BH1 (SPGBH1): roof extensions and alterations.

2) UNI2

The proposed extension, by virtue of its bulk, scale, height, positioning and proximity to the shared boundary, would have an unacceptable overbearing impact on the occupiers of no. 6 Hill Drive, with resultant overshadowing, loss of outlook and increased sense of enclosure. As such, the proposed development would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/01299

The British Engineerium The Drove Hove

Application for Approval of Details Reserved by Condition 5 of application BH2011/00229.

Applicant: The British Engineerium

Officer: Guy Everest 293334

Approved on 03/07/13 DELEGATED

Report from: 27/06/13 to: 17/07/13

BH2013/01311

4 Stanford Close Hove

Demolition of existing dwelling and erection of new dwelling.

Applicant: Mr Simon Taylor

Officer: Helen Hobbs 293335

Approved on 27/06/13 DELEGATED

1) BH01.01

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

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

2) UNI

No extension, enlargement, alteration of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A, B, C, and D) of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with planning policies QD1 and QD2 of the Brighton & Hove Local Plan.

5) UNI

No residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves Code level 3 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

6) UNI

No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting

and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

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

7) UNI

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

8) UNI

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

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

9) UNI

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

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

10) 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.

11) 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.

12) UNI

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

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

Plan Type	Reference	Version	Date Received
Survey as existing	S1		2nd May 2013
Survey as existing	S10		23rd April 2013
Plan and elevation of front garden	S11		25th April 2013
Ground floor plan	P1	C	21st June 2013

First floor plan	P2	C	21st June 2013
Second floor plan	P3	B	25th April 2013
Roof plan	P4	B	25th April 2013
Basement plan	P5		25th April 2013
South elevation	P6	C	21st June 2013
North elevation	P7		25th April 2013
West elevation	P8	C	21st June 2013
East elevation	P9	B	21st June 2013
Contextual elevations	P10	C	24th June 2013
Plan and elevations of front garden	P11		25th April 2013

13) UNI

The residential unit hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

BH2013/01406

16 Tongdean Road Hove

Erection of double garage to the front.

Applicant: Mr K Ives

Officer: Jason Hawkes 292153

Approved on 05/07/13 DELEGATED

1) UNI

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plans	TR01		3rd May 2013
Block Plan	TR02		3rd May 2013
Existing Ground Floor Plans	TR03		3rd May 2013
Proposed Ground Floor Plans	TR04		3rd May 2013
Proposed Ground Floor Plans at Garage Floor Level	TR05		3rd May 2013
Existing and Proposed Street Facing Elevations	TR06		3rd May 2013
Proposed Sections AA & BB	TR07		3rd May 2013
Proposed Section AA	TR08		3rd May 2013
Proposed Sections BB	TR09		3rd May 2013

3) UNI

No development shall commence until full details of existing land levels in the

vicinity of the site of the garage building hereby permitted and the proposed finished floor level of the garage and spot levels along the associated driveway and surrounding land have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the agreed levels details.

Reason: To safeguard visual amenity and the amenities of the occupiers of nearby properties to comply with policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

4) UNI

No development shall take place until a written Waste Minimisation Statement, in accordance with Supplementary Planning Document 03: Construction and Demolition Waste, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

5) UNI

No development shall take place until details of the construction of the green roof have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roof shall be constructed in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

BH2013/01430

BHASVIC 205 Dyke Road Hove

Demolition of existing lobbies and erection of new part-covered lobbies (Part-Retrospective).

Applicant: Mr Nick Borland

Officer: Steven Lewis 290480

Approved on 01/07/13 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	164-13-01	A	20/06/2013
Existing Floor Plan	164-13-02	A	13/05/2013
Lobby Plans and Sections	164-13-03	A	13/05/2013
Existing and Proposed	164-13-04	A	13/05/2013

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.

BH2013/01459

2 Chalfont Drive Hove

Erection of single storey rear extension, alterations to garage roof and associated landscaping.

Applicant: Mr Luke Howlett

Officer: Adrian Smith 290478

Refused on 01/07/13 DELEGATED

1) UNI

The proposed rear extension, by virtue of its large footprint and lack of direct relationship with the original building, would appear an excessively scaled and disproportionate addition to the site, contrary to policy QD14 of the Brighton & Hove Local Plan.

2) UNI2

The proposed rear extension, by virtue of its excessive depth along the side boundary to the site, would result in a loss of outlook to the occupiers of No.4 Chalfont Drive representing an unneighbourly development, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/01464

34 Nevill Avenue Hove

Certificate of lawfulness for proposed removal of existing conservatory and lean-to and erection of single storey rear extension.

Applicant: Mrs Sarah Easter

Officer: Helen Hobbs 293335

Approved on 08/07/13 DELEGATED

BH2013/01486

25 Lullington Avenue Hove

Certificate of lawfulness for proposed loft extension incorporating dormer to rear.

Applicant: Mr & Mrs S Rowden

Officer: Mark Thomas 292336

Approved on 15/07/13 DELEGATED

BH2013/01559

4 Sandringham Close Hove

Erection of single storey rear extension incorporating alterations to patio to the rear.

Applicant: Mr Sharifi

Officer: Robert McNicol 292322

Approved on 05/07/13 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a

roof garden, terrace, patio or similar amenity area.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing plans and elevations	1163/1519		16 May 2013
Proposed plans and elevations, block plan and site location plan	1163/1710		16 May 2013

BH2013/01583

63 Goldstone Crescent Hove

Erection of single storey detached outbuilding to the rear.

Applicant: Mr & Mrs Allen

Officer: Helen Hobbs 293335

Approved on 16/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Design Layout plan	/	/	28th May 2013
Site plan	/	/	21st May 2013
Block plan	/	/	21st May 2013

BH2013/01595

3 Woodland Close Hove

Erection of single storey rear extension and side porch.

Applicant: Mr A Goodridge

Officer: Mark Thomas 292336

Approved on 17/07/13 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the

approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan	-	-	20 May 2013
Block plan	-	-	20 May 2013
Existing and proposed plans and elevations	13/840/01	-	20 May 2013

WESTBOURNE

BH2013/01375

Flat B 31 Langdale Road Hove

Replacement of existing UPVC window with UPVC patio doors.

Applicant: Ms H Holford

Officer: Robert McNicol 292322

Approved on 27/06/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			1 May 2013
Proposed door specifications			1 May 2013
Annotated photographs			1 May 2013
Existing window and proposed door elevation indicative drawings			13 May 2013

BH2013/01478

Flat 1 36 Pembroke Crescent Hove

Erection of single storey rear extension and infilling of side window.

Applicant: Mrs Emma Banks

Officer: Helen Hobbs 293335

Approved on 10/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing & Proposed ground floor plans	RFA12/214/01	B	9th May 2013

Elevations	RFA12/214/02	C	09th July 2013
Site plan	RFA12/214/OS		15th May 2013

3) UNI

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

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

BH2013/01518

45 Braemore Road Hove

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable end roof extension, front rooflights and rear dormer with Juliet balcony.

Applicant: Mrs Helen Holt

Officer: Robert McNicol 292322

Approved on 09/07/13 DELEGATED

WISH

BH2013/01216

285 Portland Road Hove

Formation of hardstanding incorporating formation of front boundary wall. (Part retrospective)

Applicant: Mrs Skinner

Officer: Mark Thomas 292336

Approved on 15/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Pre-existing plan	1480/1695	-	12 April 2013
Existing plan and elevations	1480/1696	-	12 April 2013
Proposed plan and elevations with site location and block plan.	1480/1697A	-	12 April 2013

BH2013/01378

36 Rothbury Road Hove

Certificate of Lawfulness for proposed loft conversion incorporating hip to barn end roof extension, front rooflights and rear dormer.

Applicant: Mrs A Ellis

Officer: Mark Thomas 292336

Approved on 11/07/13 DELEGATED

BH2013/01435

14 Amesbury Crescent Hove

Erection of single storey conservatory extension to rear.

Applicant: Dr V Lyfar-Cisse

Officer: Robert McNicol 292322

Approved on 01/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location and block plans	12432-Loc	A	25 June 2013
Existing floor plan and elevations	1343201		8 May 2013
Proposed floor plan and elevations	1343202	B	7 June 2013

BH2013/01454

149 Portland Road Hove

Conversion of part ground, first and second floor from bank to 3no self contained residential units with associated alterations including erection of single storey rear extension to the first floor.

Applicant: S Ajmi

Officer: Steven Lewis 290480

Refused on 03/07/13 DELEGATED

1) UNI

The proposed accommodation by reason of its layout, size, access to amenity space and its failure to demonstrate all reasonable steps have been taken to implement Lifetime Homes Standards is considered unsuitable and would not provide a satisfactory standard of living accommodation for its occupiers. This is contrary to policies HO5, HO13 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The extension by reason of its scale and excessive depth in addition to the existing first floor projection, would appear overly extended to the host building, representing an overdevelopment of the site and would have a harmful impact on the character and appearance of the application site and out of keeping with neighbouring properties. The proposal is considered contrary to policy QD14 of the Brighton & Hove Local Plan.

3) UNI3

The extension by reason of its excessive depth, scale and positioning extending beyond the existing first floor projection would result in increased building bulk and would have an unduly harmful and domineering impact upon the amenities of future occupiers resulting in a loss of outlook and an overbearing presence. This is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/01588

Hove Lagoon Kingsway Hove

Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2012/04041.

Applicant: Lagoon Watersports Ltd

Officer: Steven Lewis 290480

Approved on 15/07/13 DELEGATED

BH2013/01606**58 Mansfield Road Hove**

Formation of pitched roof over existing flat roof to North elevation.

Applicant: Mrs Eden Baksh

Officer: Jason Hawkes 292153

Approved on 15/07/13 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	1022/01		20th May 2013
Site Plan	1022/02		20th May 2013
Existing Elevations & Existing Roof Plan	1022/03		20th May 2013
Proposed Elevations & Proposed Roof Plan	1022/04		20th May 2013

Withdrawn Applications**BH2013/01556****37 St Heliers Avenue Hove**

Erection of single storey rear extension and loft conversion incorporating hip to gable roof extension and rear dormer.

Applicant: Mr R Corbett

Officer: Steven Lewis 290480

WITHDRAWN ON 01/07/13

PLANS LIST 7 August 2013

PATCHAM

Application No: BH2013/02276
45 Brangwyn Drive

Fell 3no Dogwood (T1, T4, T5)

Applicant: Mr Stephen Yeo
Approved on 12 Jul 2013

Application No: BH2013/02277
45 Brangwyn Drive

1no Dogwood (T2) and 1no Hawthorn (T3) - remove deadwood. Trim back group of mixed species of trees on boundary (G1) to the boundary.

Applicant: Mr Stephen Yeo
Approved on 12 Jul 2013

PRESTON PARK

Application No: BH2013/02194
10 Florence Road

Fell 1no Elder (T1) - tree has no public amenity

Applicant: Mr Steve Kennedy
Approved on 05 Jul 2013

ST. PETER'S & NORTH LAINE

Application No: BH2013/02429
27a Upper Lewes Road

Fell 1no Sycamore (T2) to ground level and poison stump. The sycamore has no long term potential and is suppressing the better quality walnut.

Applicant: Cian Cronin
Approved on 19 Jul 2013

Application No: BH2013/02432

27a Upper Lewes Road

1no Walnut (T1) reduce crown all over by approximately 1.5m and crown lift to 2.5m.

Applicant: Cian Cronin
Approved on 19 Jul 2013

WITHDEAN

Application No: BH2013/02067
Leahurst Court Leahurst Court Road

Lane to rear of the property: 1no Ash (opp back gate) to remove 2 long lateral branches, 1no Elm and 1no Ash (to north of above) to cut back very low branches. Elm and Sycamore (to north of above) to cut back to the far boundary of the lane very low long lateral branches. 1no Elm to cut back to the edge of the lane. Leahurst Court: 1no Willow (T24) cut back 1 low branch and remove 3 dead branches. 2no Elm (T25, T26) cut back branches to the hedge line. 1no Rowan (T28) cut down to fork. 1no Cherry (T51) tidy broken branches, lift crown, reduce spread over path and 20% crown thin. 1no Thuya (T52) cut suckers at the back to ground level and remove back branches up to 15 ft. 1no Cherry (T53) remove low fat branch over carpark, raise crown and shorten other branches over carpark. 1no Cherry (T54) sever ivy, remove 3 branches at the back and 1 fork growing towards the flats. 1no Thuya (T55) tidy first 8ft flats side only. 1no Lawson Cypress (T57) cut back from flats' side first 9ft by approx 3ft. 1no Birch (T56) remove epicormics up to first branches and remove 2 smaller branches dipping at the front. 1no Crab Apple (T59) cut back branches 3ft from building. 1no Rowan (T60) remove fatter branch growing towards building at 8ft and shorten 2 branches growing towards flats. 1no Rowan (T61) remove 3 lower branches on building side. 1no Rowan (T62) remove dead stem. 1no Birch (T71) remove lower branches over carpark.

Applicant: Mr Clive Perry
Approved on 05 Jul 2013

Application No: BH2013/02187
Laine Close, Brighton

Fell one Copper Beech (T18). Tree is in serious and irreversible decline making it structurally unsafe. Replace with Liriodendron tulipifera - Tulip tree, Corylus colurna - Turkish Hazel or any species of Elm

Applicant: James Cox
Approved on 04 Jul 2013

EAST BRIGHTON

Application No: BH2013/02221
6 Chesham Street

1no Fig (T1) - reduce height by 3ft and reshape crown to neaten

Applicant: Mr Nyall Thompson
Approved on 12 Jul 2013

HANOVER & ELM GROVE

Application No: BH2013/02267
The Lodge Brighton & Preston Cemetery Hartington Road

1no Elm (T1) - reduce branches overhanging the rear garden of no 141 Hartington Road by 2.5m. ADVISORY NOTE: Due to Dutch Elm disease (DED) would prefer this work to be carried out in Autumn.

Applicant: Janet Bonwick
Approved on 12 Jul 2013

QUEEN'S PARK

Application No: BH2013/02171
39 Egremont Place

1no Sycamore (T1) - reduce the tree by 50%.

Applicant: Mr Henry Mason
Approved on 18 Jul 2013

Application No: BH2013/02393
58A Queen's Park Terrace, Brighton

Sycamore on rear boundary - 30% crown thin, crown lift, partial crown reduction.

Applicant: Miss H Olle
Approved on 19 Jul 2013

ROTTINGDEAN COASTAL

Application No: BH2013/02278
4 Northgate Close

1no Holm Oak (T1) - reduce decayed stem to upright growth at 15ft, light reduction (1m or less), thin and lift. 1no Holm Oak (T2) - remove decayed stem, thin and lift. 1no Sycamore in rear garden (T3) - thin/formative prune

Applicant: Mr J Hatch
Approved on 19 Jul 2013

Application No: BH2013/02280
13 Lindfield Close, Saltdean, Brighton

1no Elm - remove smaller, leaning, diseased bough.

Applicant: Alex Jasper
Approved on 19 Jul 2013

BRUNSWICK AND ADELAIDE

Application No: BH2013/02092
10 Salisbury Road Hove

5no Beech (T1-T5) and 1no Eucalyptus (T6) - 30% reduction

Applicant: Talking Elm Tree Surgery
Approved on 05 Jul 2013

Application No: BH2013/02375
12 & 14 Wilbury Road, Hove

Sycamore in garden of No 12 - reduce overhang to No 14; Sycamore in garden of No 14 - reduce by 2-3m; Bay in garden of No 14 - reduce.

Applicant: Mr J Hatch
Approved on 19 Jul 2013

CENTRAL HOVE

Application No: BH2013/02186

13a Wilbury Road, Hove

Yew tree in rear garden - crown reduce by approximately 1.5 metres all round, cutting to appropriate growth points (start height = 8m, end height = 6.5m); crown thin by approximately 20%; maximum branch diameter to be removed of 40mm; remove all dead, diseased and rubbing branches; sever ivy at base.

Applicant: Geoff Place

Approved on 05 Jul 2013

GOLDSMID

Application No: BH2013/02222

26 Goldstone Villas

1no Oak (T1) - crown lift to 5 metres on garden of no 26 only and cut back crown from telephone cables for 3ft clearance.

Applicant: Mr Nyall Thompson

Approved on 12 Jul 2013

