





**Brighton & Hove
City Council**

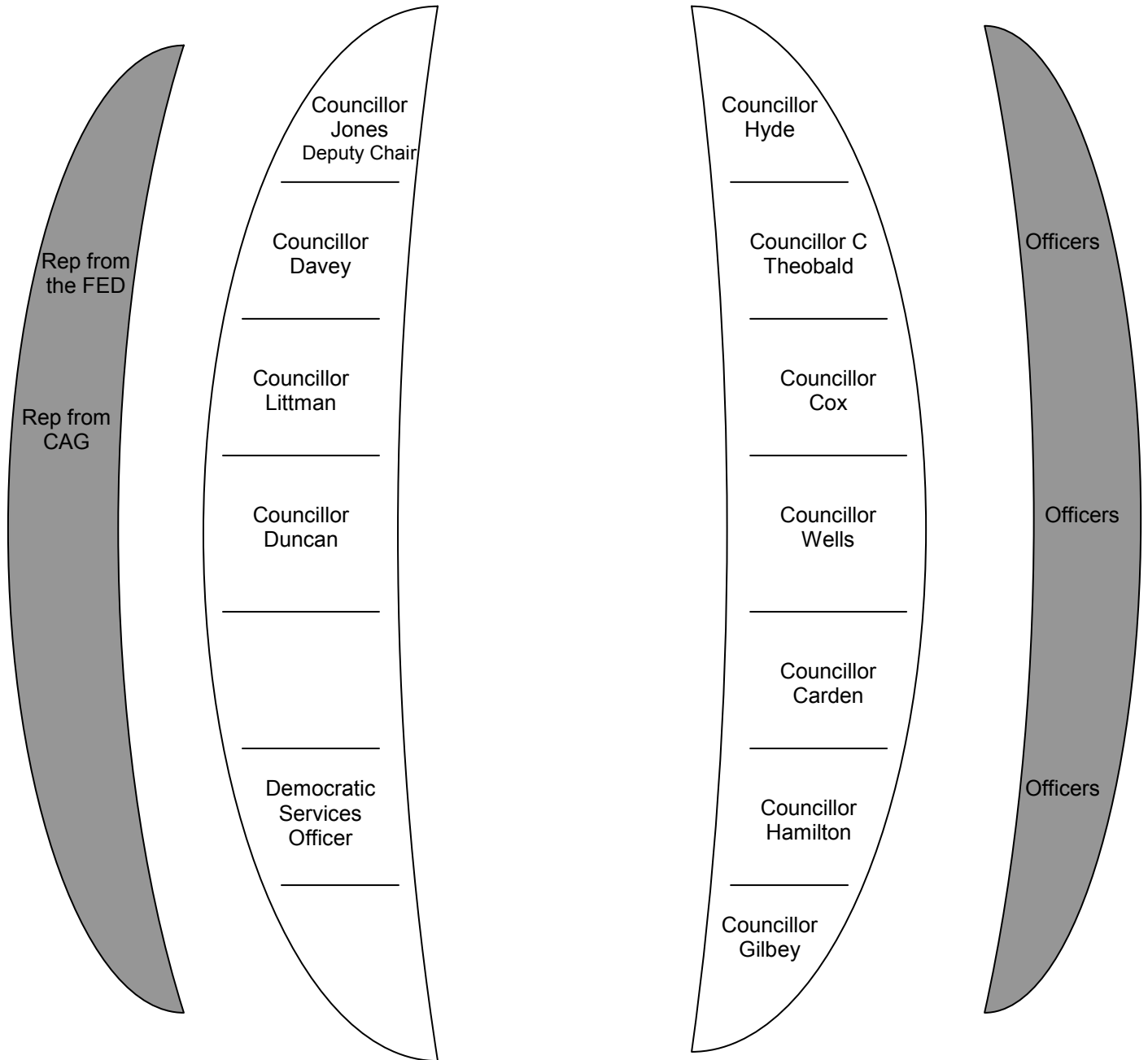
Planning Committee

Title:	Planning Committee
Date:	29 January 2014
Time:	2.00pm
Venue	Council Chamber, Hove Town Hall
Members:	<p>Councillors: Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Duncan, Gilbey, Hamilton, Littman, C Theobald and Wells</p> <p>Co-opted Members: Jim Gowans (Conservation Advisory Group) and Chris Kift (The FED Centre for Independent Living)</p>
Contact:	<p>Ross Keatley Acting Democratic Services Manager 01273 291064 ross.keatley@brighton-hove.gov.uk</p>

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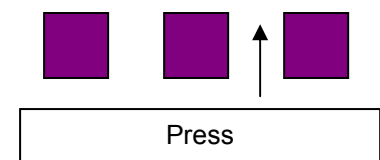
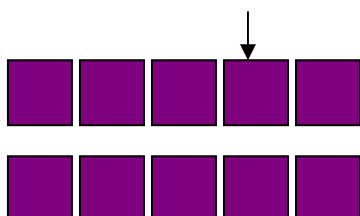
Democratic Services: Planning Committee

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



AGENDA

136. PROCEDURAL BUSINESS

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

(b) Declarations of Interest or Lobbying

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

In each case, you need to declare

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

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

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

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

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

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

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

PLANNING COMMITTEE

137. MINUTES OF THE PREVIOUS MEETING

1 - 44

Minutes of the meeting held on 12 December 2013 and the meeting held on 8 January 2014 (copy attached).

138. CHAIR'S COMMUNICATIONS

139. PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on ?? ?? 2012.

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

141. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

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

MAJOR APPLICATIONS

A. BH2013/03816 - BHASVIC 205 Dyke Road, Hove - Full Planning

45 - 66

Construction of a new 3no storey teaching block located on the existing upper car park between College House and the main building on Dyke Road, provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras and creation of a new landscaped area.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Hove Park

MINOR APPLICATIONS

B. BH2013/03492 - Top Floor Flat, 18 Clifton Street, Brighton - Householder Planning Consent

67 - 74

Replacement of existing timber single glazed windows with UPVC double glazed windows (Retrospective).

RECOMMENDATION – REFUSE

Ward Affected: St Peter's & North Laine

PLANNING COMMITTEE

- C. BH2013/03774 - Portslade Town Hall, Victoria Road, Portslade - Council Development 75 - 84**

Alterations including ramped access to East, West and South elevations, two storey extension enclosing new staircase to South elevation, change of use of first floor living accommodation to open-plan office.

RECOMMENDATION – GRANT

Ward Affected: South Portslade

- D. BH2013/03702 - 17 Hill Drive, Hove - Full Planning 85 - 96**

Erection of 4no bedroom house with garage to replace existing bungalow.

RECOMMENDATION – REFUSE

Ward Affected: Hove Park

- E. BH2013/03477 - 15 Eaton Place, Brighton - Listed Building Consent 97 - 106**

External alterations including installation of metal staircase with glass balustrading and metal handrail, replacement of timber casement window with door at first floor level to the rear.

RECOMMENDATION – REFUSE

Ward Affected: East Brighton

- F. BH2013/03478 - 15 Eaton Place, Brighton - Householder Planning Consent 107 - 116**

Installation of metal staircase with glass balustrading and metal handrail, replacement of timber casement window with door at first floor level to the rear.

RECOMMENDATION – REFUSE

Ward Affected: East Brighton

142. 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

- 143. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 117 - 118**

(copy attached).

PLANNING COMMITTEE

144. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 119 - 248

(copy attached)

145. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 249 - 252

(copy attached).

146. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 253 - 254

(copy attached).

147. APPEAL DECISIONS 255 - 330

(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>

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.

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PLANNING COMMITTEE

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, 21 January 2014

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****10.30am 11 DECEMBER 2013****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

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

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

Officers in attendance: Head Walsh (Head of Development Control); Kathryn Boggiano (Senior Planning Officer); Steven Lewis (Senior Planning Officer); Adrian Smith (Senior Planning Officer); Liz Arnold (Senior Planning Officer); Rob Fraser (Head of Planning Strategy); Nicola Hurley (Area Planning Manager); Steven Shaw (Principal Transport Officer); Annie Sparks (Environmental Protection Officer); Hilary Woodward (Senior Solicitor) and Ross Keatley (Acting Democratic Services Manager).

PART ONE**112. PROCEDURAL BUSINESS****112a Declarations of substitutes**

112.1 Councillor Simson was present in substitution for Councillor Cox; Councillor Shanks was present in substitution for Councillor Davey and Councillor Randall was present in substitution for Councillor Littman.

112b Declarations of interests

112.2 Councillors Shanks referenced application BH2013/03280 – Dorothy Stringer School, Loder Road, Brighton and noted that this application was located in her ward, and she had been lobbied on the issue due to her role as Chair of Children & Young People’s Committee; however, she had not publically expressed a view on the matter, and was satisfied that she was of a neutral mind in relation to the application.

112.3 Councillor Jones referenced application BH2013/03280 – Dorothy Stringer School, Loder Road, Brighton and highlighted that he was a personal friend of one of the

objectors; however, he confirmed that he remained of neutral mind in relation to the application.

- 112.4 Councillor Mac Cafferty referenced application BH2013/03280 – Dorothy Stringer School, Loder Road, Brighton and highlighted that he was a personal friend of one of the objectors; however, he confirmed that he remained of neutral mind in relation to the application.
- 112.5 Councillor Simson referenced application BH2013/02492 – Land at rear of 107, 109 & 111 Cowley Drive, Woodingdean, Brighton, and explained that she had objected to previous schemes on the site, but had made no comment in relation to this scheme.

112c Exclusion of the press and public

- 112.6 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.
- 112.7 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

112d Use of mobile phones and tablets

- 112.8 The Chair requested Members ensure that their mobile phones were switched off, and where Members were using tablets to access agenda papers electronically ensure that these were switched to ‘airplane mode’.

113. MINUTES OF THE PREVIOUS MEETING

- 113.1 The Acting Democratic Services Manager, Ross Keatley, noted that in relation to Item 105F – 30 Aymer Road, Hove the wrong text had been included in the body of the minute in the hardcopies of the agenda circulated to the Committee. This had been rectified in the version of the agenda published online, and the corrected minutes had been circulated to the Committee prior to the meeting.
- 113.2 **RESOLVED** – That, with the above amendment, the Chair be authorised to sign the minutes of the meeting held on 20 November 2013 as a correct record.

114. CHAIR'S COMMUNICATIONS

- 114.1 Due to the length of the agenda it was expected that applications A – C on the agenda would be heard before the scheduled lunch break at 13.30 and applications D – M would be heard when the Committee reconvened after lunch. It was also noted that application N had been deferred from the agenda.

115. PUBLIC QUESTIONS

115.1 There were none.

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

116.1 There were none.

117. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**Major Applications**

- A. BH2013/01600 - City College, Pelham Street, Brighton - Hybrid Application-Part Full/Part Outline application some matters reserved** - Hybrid planning application comprising: Phase 1: Full planning application for erection of an 8 storey (ground plus 7) College building of 12,056 sqm and ancillary accommodation (use class D1), with associated access, infrastructure and, public realm improvements and landscaping. Phase 2a: Full planning application for demolition of Pelham Tower and erection of a 10 (ground plus 9) storey building of 12,647 sqm to provide 442 student residential units and ancillary accommodation (sui generis use class), with associated access, infrastructure, public realm improvements and landscaping. Phase 2b: Outline planning consent for the demolition of York, Trafalgar and Cheapside Buildings, and the erection of up to 125 residential units (use class C3) (access, layout and scale).
- 1) The Senior Planning Officer, Kathryn Boggiano, introduced the application and gave a presentation by reference to plans, photographs, elevational drawings and artists impressions of the scheme; attention was drawn to matters on the Late List and additional representations received. It was noted that since the publication of the agenda an additional 22 standard letters of objection had been received, and an objection had been withdrawn from a local resident. The application site was located in the North Laine Conservation Area, and the site also adjoined the Valley Gardens Conservation Area. There were two nearby listed churches St. Bartholomew's and St. Peter's. The Trafalgar Building which was due to be demolished had some historic value, but the building had been altered, and the Gloucester building would be retained. The Committee were also provided details of an approved scheme that had received permission in 2008 subject to the completion of a s106 agreement, but this had not been implemented as the funding from the Learning and Skills Council had been lost when the organisation was dissolved; the local planning authority had formally disposed of the application in 2011. The 2008 approval had been for a mixed residential and commercial scheme, and at that time the college had envisaged a two campus approach in which 10,000 sqm of learning space would be provided at the Pelham Street campus.
 - 2) The hybrid application sought permission for a three phased development with full permission for first two phases consisting of the new college building and 442 student residential units, and outline permission for up to 125 residential units east of Pelham Street. The application also included significant public realm improvements, and new access under the archway at York Place. It was highlighted that the residential aspect of the scheme was outline and only matters in relation to the siting, scale and height were being considered: not the external details or the landscaping. There was a decant

strategy for the whole site which would allow it to remain operational throughout the build. There was no external funding for the scheme, and the student and residential accommodation acted as enablers. The planning application had an accompanying EIA. In relation to representations 155 letters of objection had been received; as well as letters from two of the local Ward Councillors – West and Deane. There had been no objection from technical consultees, but both the Conservation Advisory Group (CAG) and the North Laine Resident's Association (NLRA) had objected; whilst the application had received support from the Business Forum.

- 3) The lowest point of the scheme would be on the Pelham Street frontage where the scheme would be 8 storeys, but this would appear as 7 from Whitecross Street due to the difference in the levels. The front of the college would be glazed with a screen of louvers and cladding; the plant on the roof of the building would be recessed and screened, and it was noted the roof line of the proposed scheme would be lower than the approved height of the college in the 2008 scheme. In front of the new college building would be a new public square and a row of trees would be planted on the southern boundary. There had been some concerns in relation to noise from the new square, and it had been agreed through condition that the alleyway adjacent to Whitecross Street would be locked in the evenings, and the area would be monitored through security provided by the college. It was noted that the current college had 30,000 square metres of floor space; 10,000 of this was circulation space, and the remaining 20,000 was considered inefficient for modern teaching. There was 12,000 square metres of space provided at the new college and with space at the Wilson Avenue campus the total space would be approximately 20,000 square metres; however, this would be 6,000 less than the approved 2008 scheme. This loss of teaching space was weighed against the long term aspirations of the college and the significant public benefits of a new 'fit for purpose' college building.
- 4) In relation to the student residential accommodation it was explained that the main entrance would be from Pelham Street with active street frontages, and the first floor and above would form a 'U' shape. The lowest section of the building was at the corner of Pelham Street and Cheapside, and the tallest section would be ten storeys, but read as nine from the street level. On all elevations the building would be broken up into vertical sections, and long sections of glazing would help to achieve visual horizontality; recessed bedrooms would also be a feature to create greater depth. The policy basis (CP21) in the submitted City Plan had identified 300 student accommodation units on the site, but there was no objection in principle to a figure in excess of 300. Sussex University had also confirmed that they wished to rent the accommodation and manage it through a third party management company. Any student living at the site would enter into a contractual management agreement in relation to their behaviour, and Officers were of the view that the provision of student accommodation was in line with policy. It was noted that concern had been expressed in relation to student behaviour in surrounding streets, but it was not possible for the application to condition against this, nor could the applicant be responsible for such behaviour; however, it had been agreed that the management company would attend the Local Action Team meetings.
- 5) In relation to the residential accommodation it was noted that there would be 30 disabled parking spaces, but future occupiers would not be eligible for on-street parking permits. The building would be similar in height to the Cheapside building, and

only 0.8 metres higher than the proposed building in the same location in the 2008 application. Some of the key views were highlighted to the Committee, and it was noted that there would be an improved view of the Grade I listed St. Bartholomew's from Pelham Street and the street would be widened. From Sydney Street the proposed building would be 16 metres lower than the current Pelham Tower, but would be perceived to be higher closer to it as it covered a wider area. From Grand Parade the views were improved, and from New England Street the mass was moved with a reduction in the height. In relation to daylight impacts there was an increased impact on some properties on Whitecross Street and Trafalgar Street where some fell below recommended levels, but it was acknowledged that the daylight levels were already poor on these aspects due to the city centre location, and it was considered acceptable given the wider benefits of the scheme.

- 6) An assessment had been undertaken of the construction impact; work would take place over a four year period and concurrently on the student and residential aspects of the scheme. The working hours would be 0800 to 1800 hours Monday to Friday; until 1300 hours on Saturday and no work on Sundays and bank holidays. The assessment had identified noise thresholds and there would be a need for mitigation; as well as a formal Construction and Environmental Management Plan and an agreement with Environmental Health for the different phases of construction activities, and it was considered that these two agreements were the best way to secure mitigation measures. The sustainability and viability matters were set out in the report, and it was highlighted that the student and residential aspects of the scheme were enablers, and the viability assessment had been assessed as well as the £300k affordable housing contribution – both of which were considered acceptable. There was also the provision for a claw back scheme to provide further affordable housing offsite. It was highlighted that the scheme offered substantial public benefits; improved public realm, and was recommended to be minded to grant subject to conditions and the agreement of S106 agreement.

Public Speakers and Questions

- 7) Mr Peter Crowhurst spoke in his capacity as the Chair of the North Laine Residents Association and stated that the application would have a huge negative impact; contravened planning policy and should be rejected by the Committee. Policy highlighted 300 student residential units on the site, and there was not sufficient evidence of the mitigation measures for the increased number of students. There were already noise problems in the local area and this application would increase these issues. The scale, mass and height of the proposed development was inappropriate as the housing in the wider North Laine area was low rise; painted white and on narrow streets; the application also impaired views from the conservation area, and the scale should reflect the character of the area. The effectiveness of the construction plan was questioned, and it was argued there was no need for the new college as the existing one was doing very well. The Committee were asked to refuse the application as people would leave the area if the application were approved.
- 8) Mr Clint Powell, a local resident, also addressed the Committee with Mr Crowhurst and added there were similar concerns that had been expressed with the 2008 application in relation to the Section 61 Agreement signed with Environmental Health, and it was felt this could not be fully relied upon to protect the amenity of local residents.

Residents were not opposed to the college selling off land, but felt the construction phase would make their homes unliveable, and the construction plan was only confirmed for the first phase of the build.

- 9) Councillor Deane addressed the Committee in her capacity as the Local Ward Councillor. She stated that whilst Officers had recommended that the scheme be minded to grant she was asking the Committee to refuse. The objections were not aimed at the college itself, but the application was not financially viable as the college could only go forward with the scheme by including both residential and student aspects on the site. The level of student accommodation was in contradiction to policy, and it was considered that Officers should have pushed the applicant further on the level of affordable housing; as the figure was only half that which could normally be required. The plans offered little in the way of biodiversity and there would damage to the neighbourhood and the quality of life for residents. Concern was expressed that the major development could quickly become unfit for purpose in a few years due to the reduction in teaching space at the new site. It was highlighted that the college had done well in its last OFSTED report, and this was more of a 'vanity' project that had the potentially to compromise the City Plan at the outset. Attention was drawn to the letters of objection and that most were from people living in the local area for many years.
- 10) Mr Peter Hoffman, the Chair of Governors at the College, spoke in support of the scheme and explained the scheme would transform the future of further education in the city for the next 40 years, and could have provision for 10,000 students a year, and many of these students would go on to live and work in the local area. The application would be a key component for regeneration in the city, and in particular this would impact on the London Road area. It would provide £80 million of investment and create 140 new construction jobs. The developers had worked to communicate with residents through the life of the application, and this has resulted in a number of alterations and refinements. In closing it was added that the proposals before the Committee would secure the investment for the future of City College.
- 11) In response to Councillor Randall it was confirmed by Mr Hoffman that there would be approximately 12,000 square metres of teaching space at the Pelham Street campus, and approximately 8,000 at the Wilson Avenue campus.
- 12) In response to Council Shanks it was explained by Mr Hoffman that much of the current space at the college was non-teaching space, and the application would provide the opportunity to grow and expand. Councillor Hyde continued this line of questioning and asked how this new application would actually be of real benefit; Mr Hoffman explained that with buildings such as the Trafalgar and Cheapside buildings the space was very outdated and difficult to operate, and there were quite long travel times between parts of the college – this all made timetabling more difficult. The new building would have less space overall, but be much more suitable to the modern and future learning techniques that would be required.
- 13) Mr Hoffman explained, in response to Councillor Wells, that over 140 local construction jobs would be created, and the contractor was committed to providing this through their contract.

- 14) In response to Councillor Carol Theobald it was explained that there would be arrangements in place to stagger the arrival and departure of students at the beginning and end of term at the student accommodation to ease traffic congestion. It was also envisaged that the accommodation would largely be let to post-graduate students who would be more likely to arrive by public transport.
- 15) It was confirmed for Councillor Gilbey that the college would largely be providing further education in the vast majority of cases for local residents to the city.
- 16) In response to Councillor Randall it was confirmed that it was the intention to use the student accommodation during the summer for language schools, and this would be managed in the same way as during the term time.

Questions for Officers

- 17) Councillor Carol Theobald asked about the loss of parking on the site, and Officers explained that there were currently 118 surface level parking spaces for staff, and the application did not propose to provide an parking for staff as the location was highly sustainable close to rail and bus services – there would be six disabled parking spaces retained on Pelham Street. Councillor Carol Theobald went on to ask about public art and historic street signs, and it was explained that the contribution was split across the different phases of the development; the final form of the public art would be agreed in consultation with local Ward Councillors; historic street names had not been conditioned, but this could be explored further with the applicant.
- 18) Councillor Jones asked for clarification in relation to material considerations and construction impacts. The Senior Solicitor, Hilary Woodward, explained that when a planning application was accompanied by an Environmental Impact Assessment there was a two stage process. First of all the construction impacts would be considered in the context of the Environmental Impact Assessment and the relevant Regulations governing this. If the EIA was considered acceptable the next stage was then to determine the planning application. In determining the planning application under the Town and Country Planning Act construction impacts were not material planning considerations, but this was not to say that the LPA could not seek to mitigate construction impacts as the recommendation in relation to this application sought to do.
- 19) Councillor Jones went on to ask about matters raised by objectors to the scheme that the proposal was contrary to policy and potentially open to legal challenge. In response the Senior Solicitor explained that there was clear set procedure in relation to environmental impact assessment; the assessment was a matter of judgement for Officers and it was necessary to look at the likely significant effects on the environment. The Case Officer considered that the Environmental Statement had taken on board all of the necessary information, and had considered this as part of the application and made a recommendation that the Committee be minded to grant the application. The Case Officer added that the Environmental Statement established certain thresholds for noise and clearly outlined that mitigation measures would need to be taken. Councillor Hyde also added that the Planning Authority would be able to undertake enforcement action if the applicant did not comply with the conditions. The Environmental Protection Officer, Annie Sparks, added further information in relation to the environmental impact stating there would be an agreement in the s106 agreement

– under the Control of Pollution Act – to mitigate the impact. The Council had also been able to successfully enforce conditions on other sites in the city at the Magistrates Court.

- 20) In response to Councillor Hyde the pallet of materials was confirmed, and it was noted that the projection on the college was just less than 1 metre.
- 21) Councillor Hamilton returned to the issue of staff parking, and asked about staff having to move between the two college sites in the city. In response the Case Officer explained that the facilities would be split to provide a minimum need to travel between the two sites; where there would be travel a shuttle bus service would be provided as part of the wider travel plan for the site.
- 22) In response to Councillor Shanks the Case Officer confirmed that the views submitted by the applicant were accurate and had been verified; whereas those provided by the objectors were not verified.
- 23) Councillor Randall asked for more information on why the college could not be provided on the Pelham Street site and the student accommodation at the Wilson Avenue site. In response the Case Officer explained that the Wilson Avenue site had not been identified for student accommodation; furthermore the site was less suitable for that type of accommodation. The Head of Planning Strategy, Rob Fraser, added that policy CP21 of the emerging City Plan, set the criteria and stated that student accommodation should be on suitable transport corridors with easy access.
- 24) Councillor Gilbey asked about the daylight impact compared with the previous 2008 application. The Case Officer explained that the Committee has visited a flat on Trafalgar Street during the wider site visit, and the kitchen, Members observed, would not fail guidelines – only a smaller secondary window. It was further noted that the building line of the 2008 application would have actually been closer to the building in question and there would be screening planted as part of the application.
- 25) Before the Committee went into debate the Case Officer also added that: the Wilson Avenue site was constrained, in relation to use due to its location; the use of local labour would be a minimum of 20%; there would be a service lay-by to drop off at the student accommodation on Pelham Street and students would have allocated 10-15 minute slots.

Debate and Decision Making Process

- 26) Councillor Simson explained that she accepted the need for a modern college space; however, she expressed concern in relation to the reduction in the level of affordable housing, but less worried about the short-term impacts from the construction. She went on to add that the loss of staff parking was of further concern, and the loss of light to nearby properties – she would be taking all of these matters into account when voting, and added that her initial impression was of a very large scheme that would provide less teaching space.
- 27) Councillor Wells expressed concern in relation to the permanent loss of the parking on the site, and felt there was a missed opportunity for underground parking as the whole

area was already very difficult for parking. He went on to add that the application was incongruous, and the density levels on the site would be far too high and the whole scheme would be better brought forward on the Wilson Avenue site where it would be possible to address issues such as the ground contamination and the Pelham Street site could be returned to use as housing. Councillor Wells concluded that he would not support the Officer recommendation.

- 28) Councillor Carol Theobald stated that the design of the 2008 application had been good, but this design still had merit and would be better than the existing Pelham Tower on the site which had become very antiquated. She went on to express her disappointment that the Trafalgar Building would be demolished, and felt there was a lost opportunity by not having the college restaurant on the top floor of the development to take advantage of the views. Concern also expressed at the loss of the parking at the site and car parking could have been negotiated as part of the application; however, overall the scheme would be a great asset for the city. In conclusion Councillor Carol Theobald stated she was torn in relation to the application.
- 29) Mr Gowans explained that the Conservation Advisory Group (CAG) was recommending that the Committee refuse the application; it was felt the application sought to hide the different height elements it was introducing. The design was not appropriate in relation to the adjoining conservation areas and the nearby two listed buildings.
- 30) Councillor Randall stated that he had had a lot of contact with the college in the last few years and was very familiar with the Wilson Avenue site, but he stated he was not happy with the scheme. He referenced comments made by the objectors that the scheme would be of detriment to the North Laine area and he felt that more consideration should be given to refurbishment of the existing facilities. Concern was expressed that the scheme sought to 'cram' more accommodation into the centre of the city, and in particular one of the five wards in the city that was already identified as having high levels of students, and reference was made to Former Co-op building being converted into student accommodation which was also in the same ward. There was real concern that properties in the North Laine area could increasingly turn over to student houses which would permanently change the nature of the area. There was objection from the student unions in relation to taking the bus to reach the university campuses, but it was felt this should be a real option and the Wilson Avenue site needed further consideration for student accommodation.
- 31) Councillor Shanks noted that the parking facilities in Trafalgar Street car park were underused, and whilst the scheme may not have been ideal it was noted that the previous 2008 application had been brought forward under the belief that it would be government funded. As the college were now funding the scheme themselves there was a necessity to provide more housing to make this viable. The issue with student accommodation was the lack of purpose built accommodation, and Councillor Shanks summarised that on balance she would support the Officer recommendation.
- 32) Councillor Duncan stated that the decision was difficult, and felt that the application had become more focused on housing rather than the educational aspects. He stated that he was generally in favour of this type of development; in particular the affordable housing provided at the site; however, he expressed concern in relation to the

environmental standards of the application and that the Trafalgar Building should be retained as a heritage asset. In summary he stated that the collage development was necessary, but this should be provided without the enabling aspects of the scheme.

- 33) Councillor Hyde stated the difficult nature of the decision before the Committee, and she agreed with a great deal of what had already been said by other Members on the Committee. She stated that she had listened to the concerns from the objectors and in particular the loss of the Trafalgar Building – which was one of the first secondary schools building in Brighton. She went on to express concern that aspects of the scheme might be in contradiction to policy and made particular reference to the scale and height; the relationship to the surrounding buildings and the conservation areas; however, she also noted the balance of the argument in relation to the improved facilities for the city. In summary Councillor Hyde drew attention to her concerns in relation to the loss of space and the enabling development.
- 34) Councillor Carden expressed his support for the scheme, and noted his concern that often this type of large development was turned down at Committee. He noted the accessibility of the site in terms of sustainable transport.
- 35) Councillor Jones noted the difficulty of the decision, and stated his view that the previous scheme was better, but he understood the necessity for the enabling aspects of the scheme. He added that there was a need for a new college building, but was very troubled in relation to the loss of the Trafalgar Building and the potential impact on the North Laine area; however, on balance he felt he would vote in support of the Officer recommendation.
- 36) Councillor Hamilton expressed his concern that the applicant was trying to meet too many aspects and conditions from the Planning Authority, and all this made it increasingly difficult to achieve a workable scheme; this was also made increasingly difficult through the lack of public funding. He expressed concern in relation to the loss of the car parking spaces at the site and stated that some people would still access the site by car; whilst he had come with an open mind he did not feel able to support the Officer recommendation.
- 37) Councillor Mac Cafferty stated his view that the facilities were needed as the existing building was no longer practical or fit for purpose; he felt that overall the benefits of the scheme outweighed the matters raised by the objectors.
- 38) In response to some of the matters raised in relation to parking the Case Officer highlighted that there were nearby public car parks at Trafalgar Street and London Road with 275 and 528 spaces respectively. The location was considered one of the most sustainable in the city. It was noted that there could be more demand on parking as regeneration schemes came forward in the London Road area, but it was felt the local area could still accommodate those staff who would use local parking facilities. It was also confirmed that the information which accompanied the application stated that the parking was currently only used for staff.
- 39) A vote was taken on the Officer recommendation that the Committee be minded to grant the application and the vote was tied with 6 in support and 6 against; the Officer recommendation was then agreed on the Chair's casting vote.

117.1 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **MINDED TO GRANT** planning permission subject to conditions and a s106 agreement.

B. BH2013/03280 - Dorothy Stringer School, Loder Road, Brighton - Full Planning - Installation of an artificial turf pitch with associated fencing and floodlighting incorporating alteration to internal access and landscaping works.

- 1) The Senior Planning Officer, Jason Hawkes introduced the application and gave a presentation by reference to plans, photographs and elevational drawings; attention was also drawn to matters on the Late List and additional representations of support from Councillor Pissaridou and 'Brighton & Hove Friends of the Earth'. The application sought permission for the installation of an artificial turf pitch, and it was noted that Dorothy Stringer School was part of the wider Varndean campus with an additional secondary and primary school on the site. It was noted that the application site was in close proximity to neighbouring residential properties, and there were other existing playing fields on the site. It was noted that the proposed site of the pitch sloped upwards from west to east, and the application proposed the removal of two elm trees – both of which were the subject of a TPO and part of the national elm collection. The scheme also involved the alignment of the access to the school from Loder Road, and would involve some excavation works. The pitch would mainly be used for football training and coaching, and other community uses. The pitch would be fully enclosed by fencing and this would increase in height above the goals; it was proposed that this would be an oak and steel mesh type fence. To mitigate the loss of the elm trees on the site the applicant was proposing a series of new butterfly havens and the planting of 30 new elm trees along the rear access to the school.
- 2) The application was recommended for refusal on two grounds; firstly in relation to the detrimental impact on neighbours caused from increased noise disturbance and light pollution. Whilst noise and light assessments had been submitted, and it was acknowledged there was an existing level of noise Officers could not be confident that the increased level of noise would be properly managed. Further information was required in relation to the glare from the floodlights; the applicant had submitted proposed hours for use, but Officers were of the view that these were insufficient to address their concerns; nor mitigate to potential increased noise. The second reason for refusal related to the loss of the two mature elm trees; both were described as 'magnificent' specimens with at least 40 years of life left; they were also both the subject of TPOs; part of the national elm collection and free from disease. The significant biodiversity measures proposed, and existing, on the site were acknowledged, but it was considered that these measures did not outweigh the loss of the two existing elm trees on the site. For the reasons outlined in the report the application was recommended for refusal.

Public Speakers and Questions

- 3) Mr David MacDonald and Mr Tom Druitt spoke in support of the application in their capacity as local residents; Mr MacDonald stated that he had lived in Loder Road for 15 years, and added that some of the trees which were proposed to be destroyed had

been planted at the same time as others were lost when the sports hall was built. It was noted that Varndean School would also have a new artificial pitch that would be of a much lower impact, and the proposed level of noise would be twice as high as the existing levels at the school and the light impact failed to take account of sky glow or glare. Mr Druitt explained that he had been involved in a recent campaign to protect an elm tree in the Seven Dials area of the city; he reiterated that the trees were healthy; the subject of TPOs and part of the national collection. Reference was made to local policy protecting such trees and the habitats they created. Mr Druitt also felt that the removal of the trees would set a bad example to children, and the felling of them would contribute to the loss of public space. The Committee were asked to refuse the application.

- 4) Councillor Ann Norman spoke in opposition to the application in her capacity as the Local Ward Councillor; she stated that she was representing many of her residents in the Withdean Ward who had concerns both about the loss of the trees and the increased disturbance from the pitch. It was also added that the installation of the pitch would add to the number of car journeys in the area and the use of walking and sustainable transport could not be enforced. It was noted that those groups who had opposed the scheme had not been able to enter into dialogue with the school and, whilst the school was considered a good neighbour, the application was considered inappropriate at that point in time. Reference was also made to the lack of information in relation to light pollution, and the Committee were asked to refuse the application.
- 5) Mr Richard Bradford spoke in support of the application in his capacity as the Headteacher at Dorothy Stringer School; he stated that the school was fully aware of the reasons that the application was recommended for refusal, but was of the view that the benefits of the scheme outweighed these. The application sought to clearly meet an identified public health need and tackle childhood obesity; the facility would also provide an all weather sports facility for the city which due to lack of space in the city needed to be at schools. The area was currently a waterlogged field that was not suitable for use in conjunction with sports. The funding for the project was being sought externally, and the facility would be used intensely mostly for children in the local community. Comparisons were also made with the hockey pitch at Blatchington Mill School, and it was noted that the light spillage would be much lower as the gardens were further away. It was considered that the planting of the new trees would have an impact as 50 new trees would be added to the national collection.
- 6) In response to questions from Councillor Gilbey it was explained by Mr Bradford that the school currently had a grass pitch for football, but this could not be used all year round, and the lighting levels from the new pitch would not be above those stated in the report. It was also necessary to have a pitch of this size and specification to add to the existing sports offer at the school.
- 7) Councillor Carol Theobald asked Mr Bradford if the pitch could be installed without the removal of the elm trees, and in response it was explained that the trees would have to be removed to accommodate the fully size of the pitch which the funding agreement sought.
- 8) Councillor Duncan asked for more information in relation to biodiversity losses and gains at the site; Mr Bradford explained that the school had introduced 28 new species

of butterfly and 100 new species of plants through its biodiversity measures, and the school had also retained the chalk on the site to increase biodiversity. The school was committed to this type of biodiversity and the scheme would add an additional 50 semi-mature trees.

- 9) Mr Bradford confirmed for Councillor Jones that the rationale for the location of the pitch was that the site was currently unusable and below the main grass pitch.
- 10) In response to Councillor Shanks it was confirmed by Mr Bradford that he was unaware of any new pitch at Varndean School, but there was already an Astroturf pitch at that school; it was also noted that the school had held a week long public consultation to discuss the application. The Case Officer also confirmed that the pitch at Varndean was smaller and was not served by permanent flood lights.

Questions for Officers

- 11) It was confirmed for Councillor Shanks that the primary use of the open space was as a school campus, but there was some public access in the evening and at weekends.
- 12) In response to Councillor Wells the distance between the buildings and the proposed pitch was confirmed.

Debate and Decision Making Process

- 13) Councillor Wells stated that he felt the pitch could be accommodated on the site without the need to remove the elm trees; his most serious concerns were in relation to light pollution and the loss of the two elm trees – he also added that on the site visit he had observed a number of other wildlife features around the trees that would be lost. He felt that the gains of the additional trees would still be at the loss of the two existing ones on the site, and this could not be justified. Councillor Wells stated he would be voting in support of the Officer recommendation.
- 14) Councillor Hyde noted the benefits to public health that the scheme would provide, but she felt the loss of the trees was not acceptable. Her biggest concern related to the amenity of local residents, and the pitch would add a whole new sphere of use at the schools in evenings, weekends and out of term time that would change the situation for local residents. The fencing would also change the use of the fields and the outlook. In summary Councillor Hyde that the benefits of the scheme did not outweigh the losses.
- 15) Councillor Carol Theobald noted her own views that school fields should not be used for walking dogs, and she went on to say that the light pollution would be very bad and she objected to the loss of the elm trees; she would be voting in support of the Officer recommendation.
- 16) Councillor Duncan stated that he felt the Officer recommendation was correct and agreed that the trees should be protected.
- 17) Councillor Shanks stated that the decision was difficult, but she disagreed with Councillor Ann Norman's view that all residents were against the scheme. She added that the school was the most popular in the city and it needed proper sports facilities,

and it was necessary for schools to apply for external funding to achieve this. Councillor Shanks went on to add that it was her view that the benefits of the scheme outweighed the loss of the two elm trees and the advantages for young people in the city; she stated she would not support the Officer recommendation.

- 18) Councillor Gilbey stated that the scheme would have been acceptable if it had not proposed the loss of the two elms trees, but given the application before her she felt it appropriate to support the Officer recommendation.
- 19) Councillor Randall noted that the city had 17,000 elm trees and noted the school's good reputation and green credentials; on balance he felt that the advantages of the scheme outweighed the losses and he would not support the Officer recommendation.
- 20) Councillor Mac Cafferty noted that he had less concern in relation to the lighting on the site, but he was compelled by arguments in relation to the example this would set for young people, and accordingly he would support the Officer recommendation.
- 21) A vote was taken and the recommendation to refuse the application was agreed on a vote of 10 to 2.

117.2 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **REFUSE** planning permission for the reasons set out below:

Reasons for Refusal

- i. The proposed development would result in the loss of two healthy and mature Elm trees which form part of the National Elm Collection and are covered by a tree preservation order. The trees make an important contribution to the visual amenity of the area. The loss of the trees would be materially harmful to the character and appearance of the area and to the objectives of the National Elm Collection. The proposal is therefore contrary to policies QD1, QD2 and QD16 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD06: Trees & Development Sites.
- ii. Insufficient information has been submitted to demonstrate that the impact of the use of the pitch and the proposed floodlighting will not have a negative impact on the neighbouring amenity, by reason of light pollution and noise disturbance. The proposal is therefore contrary to policies QD27 and SU9 of the Brighton & Hove Local Plan.

Informatives

- i. 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.

C. BH2013/01254 - 18 Wellington Road, Brighton - Full Planning - Demolition of existing building and construction of two separate 3 storey high blocks comprising 31

one, two and three bedroom flats together with associated car parking, cycle parking amenity space and bin storage.

- 1) The Senior Planning Officer, Liz Arnold, introduced the application and gave a presentation by reference to photographs, plans and elevational drawings; reference was also made the matters on the Late List. The application site related to the eastern side of Wellington Road, and sought demolition for the existing building and construction of two separate blocks; the site currently comprised two large Victorian villas. There was vehicular access at from Wellington Road, and it was noted the surrounding area was a mixture of contemporary and period styles. In 2012 the Committee had granted an extension to limit for full planning for a part build and part conversion scheme. In respect of the current application both of the new blocks would be three storeys in height and provide 6 off-street parking spaces and cycle spaces. The site had been vacant for some time, but despite this the loss of the community facility would need to be justified in line with policy, and the applicant had failed to sufficiently do this as part of the application. It was noted that given the mix of styles in the road the scale of the new buildings was considered appropriate; however, it was considered that aspects of the roof form were contrived and poor design. It was added that 47% of the accommodation would be affordable, but some of the mitigation measures to prevent overlooking would lead to a poor standards of accommodation for future occupiers. It was also felt that the loss of the open space had not been justified, and the proposed spaces would not be usable. For the reasons set out in the report the application was recommended for refusal.

Public Speakers and Questions

- 2) Mr Paul Burgess spoke in support of the application in his capacity as the agent for the scheme; he stated that the recent examination of the City Plan had shown a shortfall in the number of proposed new homes and the Council would have to look at providing this shortfall on urban fringe sites. With this in mind it was noted that sites such as this could be key to breaching this gap, and it was also noted there were 11 other community facilities in close proximity to the site, and there was already permission in place to build across the width of the site.
- 3) In response to Councillor Shanks it was explained by Mr Burgess that the existing building did not lend itself to conversion in a very easy manner, and the proposed development would be in a similar style.
- 4) At this point the Senior Solicitor clarified matters in relation to the prior approval for demolition on the site, and explained that the property was not in a conservation area, and therefore did not need conservation area consent for demolition; however, before any demolition an application had to be made for prior approval for the method of demolition. Such an application had been granted permission in 2011 and at the present time the building could be demolished without any further consent.

Questions for Officers

- 5) In was confirmed for Councillor Carol Theobald that the loss of the community facility was still a valid reason for refusal despite the building being empty for over 10 years.

- 6) It was confirmed for Councillor Shanks that the previous approval at Committee had included an element of community facility.

Debate and Decision Making Process

- 7) Councillor Duncan noted that the issues raised by the applicant were not material to the consideration before the Committee; furthermore he was not of the view that this would justify the development. He highlighted his concerns in relation to accessibility and lifetime homes and stated he would support the Officer recommendation.
- 8) Councillor Hyde noted that permission was already in place to retain the existing building, and when the Committee had granted to time limit extension Members had supported the retention of the original building as an important feature in the local area. Non-designated heritage assets such as this should be valued and for this reason she would support the Officer recommendation.
- 9) Councillor Shanks noted her concerns that the building could still be knocked down regardless of the decision of the Committee. The Head of Development Control noted that the building was not protected and in terms of the demolition the Council were only able to consider the method of demolition; however, it was noted that the building was a candidate for the local list. The Council also remained open to talks with the applicant in relation to the future of the site.
- 10) Mr Gowans noted that the CAG had welcomed the application subject to details such as the dormers.
- 11) Councillor Gilbey noted she was concerned that open space would be lost, and as such she would support the Officer recommendation.
- 12) A vote was taken and the Officer recommendation to refuse the application was agreed on a vote of 8 to 3.

- 117.3 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **REFUSE** planning permission for the reasons set out below:

Reasons for Refusal:

- i. The applicant has failed to justify the loss of the community facility, which in the absence of sufficient evidence to demonstrate the contrary, is considered to have the potential to make a vital contribution to the wellbeing of the local community and quality of life of the neighbourhood. The proposal is therefore considered in conflict with Policy HO20 of the Brighton & Hove Local Plan.
- ii. The proposed development by virtue of the design and size of the proposed central dormer window on Block A, the siting of the front outer dormer windows on Block A, the poorly-articulated main entrances, the protrusion of the lift shaft above the roof of Block A and its siting and the provision of large areas of untraditional flat roof form would result in a development which would be of detriment to the visual amenities of

the Wellington Road street scene and the wider area. As such the proposal is contrary to policies QD1, QD2, QD4 and QD5 of the Brighton & Hove Local Plan.

- iii. The applicant has failed to justify the loss of the existing open space, which in the absence of sufficient evidence to the contrary is considered to have the potential to make a contribution to the well-being of the community. In addition insufficient information has been provided to demonstrate that an adequate level and quality of usable communal amenity space and usable private amenity space would be provided to meet the needs of and provide adequate living conditions for future occupiers. As such the proposal is contrary to policies HO5 and QD20 of the Brighton & Hove Local Plan and policy CP16 of the Brighton & Hove City Plan Part One.
- iv. The applicant has failed to demonstrate that a proportion of the proposed residential units would be built to a wheelchair accessible standard. The development is therefore contrary to policy HO13 of the Brighton & Hove Local Plan.
- v. Obscured glazing would be provided to the lower half of east facing bedroom windows which would prevent outlook from habitable rooms. In addition the applicant has failed to demonstrate that adequate outlook would be achievable from bedrooms within the roofspace of the blocks. As such the proposal would provide a poor standard of accommodation harmful to the amenity of future occupiers. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.
- vi. The applicant has failed to demonstrate that sufficient protection would be afforded to the existing nature conservation features on the site and that suitable enhancement and compensatory measures would be provided. The development is therefore contrary to policies QD17 and QD18 of the Brighton & Hove Local Plan and SPD11 Nature Conservation and Development.

Informatives

- i. 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.
- ii. The applicant is encouraged to commence discussions with the Local Planning Authority in order to identify whether there are alternatives to demolition which would preserve the building.

Note: Councillor Randall was not present during the consideration and vote on the application.

- D. BH2013/00710 - 13 - 22 North Street, 12D Meeting House Lane and 11-14 Brighton Place, Brighton - Full Planning** - Creation of new shopping lane extending from Meeting House Lane to Brighton Place. Demolition of existing ground floor stores and first floor structures at rear of North Street shops. Adaptation and extension of existing shops on North Street to create 8 shop units to north side of new lane, reconfiguration of North Street shops. Construction of 7 new 2 storey flats over shops around a

courtyard. Construction of 6 new shops to south side of new lane with 2 floors of offices over. Adaptation of 12D Meeting House Lane to provide additional shop front onto lane. Blocking up of openings in end wall of Puget's Cottage following demolition of adjoining structures (Amended description).

- (1) The Senior Planning Officer, Steven Lewis, gave a presentation by reference to plans, photographs and elevational drawings in respect of applications: BH2013/00710 - 13 - 22 North Street, 12D Meeting House Lane and 11-14 Brighton Place, Brighton for full planning; BH2013/00711 - 13 - 22 North Street, 12D Meeting House Lane and 11-14 Brighton Place, for - conservation area consent and BH2013/03589 - Puget's Cottage, Rear of 15 North Street, Brighton for listed building consent – attention was also drawn to matters on the Late List. The proposed new 'Lane' would run along the rear of North Street and connect Meeting House Lane through to Brighton Place; most of the buildings along north street formed part of Hannington's Department Store which closed in 2002. It was noted how the application connected with those already determined at Brighton Square; currently Puget's Cottage was concealed within the site. The site formed the service access to the shop on North Street and largely comprised a 'jumble' of buildings – there was also a substation to be demolished. The scheme had previously proposed a link from the new lane to North Street; however, this aspect of the scheme had been removed following the listing of Puget's Cottage by English Heritage. The new lane would consist of a mixture of cafés and shops at ground floor with residential units above, and the buildings had been designed to take on the changing vernacular of the Old Town Conservation Area, and utilised a mix of materials. It was highlighted where the development ended with the demolition of an extension to the rear of Puget's Cottage and the construction of a flint wall, and it was added there would be no changes to North Street.
- (2) The main considerations related to the design and the impact on the Old Town Conservation Area; the current condition of the site was considered to have a harmful impact and the redevelopment would be an improvement which would compliment the existing variety in the Old Town area. The proposed uses were acceptable and the location was highly sustainable. There had been some alterations to the scheme to improve light, and further conditions were sought in relation to the operation and noise. The residential accommodation would be of a good standard, and there would be outside amenity space. In relation to the listed building consent for Puget's Cottage this application related to the recently listed building located to the rear of North Street; the cottage dated from the 17th Century, and the application sought to reinstate the gable and demolish the more modern additions to the rear. The application for full planning was recommended to be minded to grant and the conservation area consent and listed building consents were recommended for approval.

Questions for Officers

- (3) In response to Councillor Hyde the building of more modern design in the scheme was highlighted, and it was noted that this building sought to tie in the different elements of the wider scheme.
- (4) Councillor Carol Theobald asked about rubbish and recycling, and it was explained there was communal bin and recycling storage area on the first floor, and all of these matters were fully managed through the conditions in the report. Following a further

query the Committee unanimously agreed to add an informative to include a blue plaque to commemorate the location of the original Hannington's Department Store.

Debate and Decision Making Process

- (5) Councillor Shanks welcomed the scheme and noted that the location was currently quite unsafe.
 - (6) Councillor Hyde also welcomed the scheme, and noted that she had not realised the extent of space there had been on the site.
 - (7) Councillor Randall welcomed the works to open up and reinstate Puget's cottage.
 - (8) Mr Gowans noted that the CAG were pleased that the developers had responded to the recent listing of Puget's Cottage, and asked that proper attention be given to the design of the new buildings.
 - (9) Councillor Mac Cafferty raised the important of materials and pallet, and it was agreed that this condition would be discharged by the Head of Development Control in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
 - (10) Councillor Carol Theobald welcomed the new development, and stated she would look forward to visiting it.
 - (11) Three separate votes were taken on each application under consideration. (The outcome of each vote is listed under the appropriate minute item).
 - (12) A vote was in relation to BH2013/00710 - 13 - 22 North Street, 12D Meeting House Lane and 11-14 Brighton Place, Brighton for full planning and the Officer recommendation that the application be minded to grant was agreed by unanimously.
- 117.7 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in paragraph 11 and resolved to be **MINDED TO GRANT** planning permission subject to conditions and the agreement of a s106 agreement with details of materials to be approved by the Head of Development Control in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- E. BH2013/00711 - 13 - 22 North Street, 12D Meeting House Lane and 11-14 Brighton Place, Brighton - Conservation Area Consent** - Demolition of existing building at 11 Brighton Place and demolition of existing stores and first floor structures to rear of North Street shops.
- (1) The main presentation and consideration of this application is listed under minute item 117 (D).
 - (2) A vote was taken on the Officer recommendation that the Committee be minded to the application and this was unanimously agreed.

- 117.6 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in paragraph 11 and resolved to be **MINDED TO GRANT** conservation area consent.
- F. BH2013/00712 - 7-10, 13-16, 26-28 and 33-36 Brighton Square, Brighton - Full Planning** - Removal of existing roof structures to 7no. two storey maisonettes within Brighton Square and creation of additional floors to each dwelling to create 7no three storey town houses. Formation of new entrance stair and lift and escape stair access connecting basement to first floor level. Remodelling works to residential façade, installation of new shop fronts to existing retail A1 and A3 units at ground floor level and remodelling and renovation works to square.
- (1) The main presentation and consideration of this application is listed under minute item 117 (G).
- (2) A vote was taken on the Officer recommendation that the Committee be minded to grant the application and this was unanimously agreed.
- 117.6 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **MINDED TO GRANT** planning permission subject to conditions and the agreement of a s106 agreement.
- G. BH2013/00715 - 17-19, 21-23 and 37-40 Brighton Square, Brighton - Full Planning** - Demolition of existing buildings at 21, 22 and 23 Brighton Square and demolition of existing two storey apartments at 37, 38, 39 and 40 Brighton Square. Conversion of existing A1 and A3 units to create new A3 units at ground floor level to East of Brighton Square with new car park access. Construction of a 26no room boutique hotel above new A3 units with entrance at ground floor level and bedroom accommodation to 3no floors above. Erection of new 4no storey building on site of 22 Brighton Square providing A1 retail at ground floor level and 3no flats above. Reconfiguration works to lane connecting Brighton Place to Brighton Square and other associated works.
- (1) The Area Planning Manager, Nicola Hurley, gave an overview of the wider scheme that would encompass a further set of applications – had been developed by one architect with two different landowners; the master plan across the whole scheme was not formally adopted, but had been used to inform the scheme with support from the Council's Heritage Team. The objectives of the master plan were: the alterations to Brighton Square; the new 'lane' (Hannington Lane) and the listed building consent for works to Puget's Cottage.
- (2) The Case Officer, Steven Lewis, gave a presentation in respect of applications: BH2013/00715 - 17-19, 21-23 and 37-40 Brighton Square, Brighton for full planning; BH2013/00712 - 7-10, 13-16, 26-28 and 33-36 Brighton Square, Brighton for full planning and BH2013/00716 - 17-19, 21-23 and 37-40 Brighton Square, Brighton for conservation area consent. Attention was drawn to matters on the Late List. The group of applications sought consent for alterations to Brighton Square to create a new commercial premises and restaurants; new residential accommodation and a new hotel; the application site was location close to the Lanes and was part of the Old Town Conservation Area. Brighton Square was a late 1960s commercial and residential

development; the portal building to the south of the square was proposed to be demolished. The hotel would have a ground floor reception and 26 guest bedrooms across the other floors, and inset balconies on the floors above ground level. There would also be photovoltaic panels on the roof. The main issues for consideration related to the design and the impact on the conservation area, and it was added that the heads of terms required both aspects of the scheme – the hotel and the alterations to Brighton Square – to be built together. It was considered that the design and the materials were acceptable for use in this location. The hotel would be a town centre location, and based on information provided by the applicant, it was considered that the size was appropriate and would help to broaden the accommodation offer in the city – each unit would be of adequate size, outlook and floor space.

- (3) In relation to the changes to the town houses in Brighton Square the south side of the square would remain unchanged to continue to act as a source of light into the square. The shop fronts at ground floor level would be replaced to create a greater sense of continuity, and the existing maisonettes above would be changed into three storey town houses. There would be a new lift installed for better access to the first floor, and the accommodation would be arranged across three storeys with the living space and roof terrace on the top floor – the overall standard of accommodation would be improved. The main issues at Brighton Square related to design and the impact on the character and appearance of the conservation area; there should also be continuity to ensure the hotel development and the alterations would add positively to the conservation area. Some improvements had been made to the scheme to address daylight issues, but consideration was given to the historic nature of the wider area, and such greater flexibility was afforded to daylight levels. The two applications for full planning permission were recommended to be minded to grant subject to the completion of a S106 agreement, and the application for conservation area consent was recommended for approval.

Questions for Officers

- (4) In response to Councillor Duncan it was explained that there would be a net loss of one residential unit across the scheme.
- (5) In response to Councillor Randall it was confirmed that all of the residential units in Brighton Square were under the same ownership, and any issues that related to private landlord matters were not material to the application. It was also confirmed for Councillor Jones that all of the units were in the private rental sector rather than owner occupied.
- (6) It was confirmed for Councillor Shanks that all of the current commercial units would be retained; as well as the introduction of the new hotel.
- (7) In response to Councillor Gilbey it was explained that there did not appear to be any 'live in' accommodation units for staff at the proposed hotel.
- (8) It was confirmed for Councillor Carol Theobald that there was a condition that requested details of the street naming and plates, and discussions were already taking place in relation to these.

- (9) It was confirmed, in response to Councillor Gilbey, that the historic dolphin statue would be relocated within the scheme.

Debate and Decision Making Process

- (10) Councillor Carol Theobald stated that the scheme looked exciting, and despite the loss of the portal building, the overall scheme was very promising.
- (11) Councillor Hyde added that the scheme was very well thought out, and she would support the Officer recommendations on all three applications.
- (12) Councillor Duncan described the whole Lanes area as the 'jewel in the crown' in this part of the city, and welcomed the applications.
- (13) Councillor Jones noted that the arches in the portal building had been linked to design features on the University of Sussex Falmer campus, but noted that he was not opposed to the demolition of the portal building; the scheme was 'great' and he would support the Officer recommendations.
- (14) Councillor Hyde noted, as this point, that it would be very important to get the right pallet as this would be an important asset to the future of the city. The Committee agreed that the discharge of the condition in relation to the materials pallet would be agreed by the Head of Development Control in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- (15) Three separate votes were taken on each application under consideration. (The outcome of each vote is listed under the appropriate minute item).
- (16) A vote was in relation to BH2013/00715 - 17-19, 21-23 and 37-40 Brighton Square, Brighton for full planning and the Officer recommendation that the application be minded to grant was agreed by unanimously.

117.7 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **MINDED TO GRANT** planning permission subject to conditions and a s106 agreement.

H. BH2013/00716 - 17-19 ,21-23 and 37-40 Brighton Square, Brighton - Conservation Area Consent - Demolition of existing buildings at 21, 22, 23, 37, 38, 39 and 40 Brighton Square.

- (1) The main presentation and consideration of this application is listed under minute item 117 (G).
- (2) A vote was taken on the Officer recommendation that the Committee grant the application and this was unanimously agreed.

117.6 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to **GRANT** conservation area consent.

- I. **BH2013/03589 - Puget's Cottage, Rear of 15 North Street, Brighton - Listed Building Consent** - Listed building consent for alterations incorporating reinstatement of South facing gable wall and blocking up of first floor doorway (Puget's Cottage).
- (1) The main presentation and consideration of this application is listed under minute item 117 (D).
- (2) A vote was taken on the Officer recommendation that the Committee grant the application and this was unanimously agreed.
- 117.9 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to **GRANT** listed building consent.
- J. **BH2013/02152 - Brooke Mead, Albion Street, Brighton - Council Development** - Demolition of existing buildings and erection of a part 6no storey and part 5no storey building providing 45 Extra Care residential units, with associated communal spaces, landscaping works, cycle and scooter parking and community facilities.
- (1) The Case Officer, Adrian Smith, introduced the application and gave a presentation by reference to photographs, plans and elevational drawings; attention was also drawn to matters on the Late List. The application was a Council development for a part five and six storey building of extra care units which would be 100% affordable housing. The site was located in the Albion Hill Estate and set on rising land with the Valley Gardens Conservation Area located to the south. The site would include a community winter garden and photovoltaic panels on the roof. All trees on the site would be removed as part of the application, and there would be new landscaping to mitigate this loss through condition. The key issues related to the principle of the development; the design and the impact on the setting of the Valley Gardens Conservation Area. There was an established need for housing for vulnerable people in the city over the next few years, and the units would be let on an affordable basis – this use was considered to carry material weight in consideration of the application. The proposed building was considered a tall building due to its height, but was not considered harmful to a significant degree. The nearest buildings were located to the north of the site on Church way, and the daylight impact was discussed in the report and it was not considered excessive or unduly harmful, and subject to conditions the overlooking was considered acceptable. There would be no onsite parking included in the scheme, and there would be contributions towards sustainable transport – as well open spaces for the wider Albion Hill Estate. The application was recommended to be minded to grant for the reasons set out in the report and subject to completion of a S106 agreement.

Questions for Officers

- (2) The Committee discussed the issue of parking for carers working with residents on the site, and it was noted that the site had been assessed as being highly sustainable location and there was parking in the surrounding area. It was also noted that this had been discussed with the applicant prior to submission, and there would be a loading bay as had been identified, and provision for blue badges users. Following on from this Members expressed their views that it was important to have some parking for carers

on or nearby the site especially given that some of the residents could be disabled. Following this the Head of Development Control highlighted that the City Council was the applicant, and the owner of the land on the wider Albion Hill Estate; with this in mind it would be possible to attached a condition to secure a parking space in the vicinity; which could be for dedicated use for staff working with residents at the development; the Committee agreed with this approach.

- (3) In response to Councillor Simson's queries in relation to the number of single units it was noted that the scheme had come forward in close consultation with Officers in Adult Social Care, and the development was a reflection of need and the number of beds. In was also confirmed that the units were fully compliant with lifetime homes standards.
- (4) In response to Councillor Carol Theobald it was noted that the applicant had undertaken preliminary consultation.

Debate and Decision Making Process

- (5) Councillor Wells said he was pleased to see the site come forward for development as it had been vacant for so many years.
- (6) A vote was taken and the Officer recommendation that the application be minded to grant was agreed on a vote of 9 in favour with 1 abstention.
- (7) **Note:** Councillors Duncan and Randall were not present during the consideration and vote on this application.

117.10 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **MINDED TO GRANT** planning permission subject to conditions and a s106 agreement.

Note: Councillors Duncan and Randall were not present during the consideration and vote on this application.

Minor Applications

- K. BH2013/03146 - Waitrose Ltd, 130-134a Western Road, Brighton - Full Planning -** Removal of trolley bay and creation of 2no trolley shelters and creation of 2no cycle racks within rear car park.
- (1) The Area Planning Manager, Nicola Hurley, introduced the application and provided an update since the application had been deferred at Committee on 20 November 2013. It was noted that there had previously been a statement of good practice in relation to matters arising from the delivery bay; this had since expired, but would not have been relevant to the application before the Committee. With this in mind the recommendation was unchanged that the Committee grant the application subject to the conditions in the report.

Questions for Officers Debate and Decision Making Process

- (2) Councillor Hyde noted that residents had asked if the trolley bay could be closer to the building, but in response it was noted the Committee had to determine the application before them.
- (3) A vote was taken and the Officer recommendation to grant the application was approved on a vote of 7 in favour with 3 against.

117.11 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reason for the recommendation set out in section 11 and resolved to **GRANT** planning permission subject to conditions.

Note: Councillors Hamilton and Randall were not present during the consideration and vote on the application.

L. BH2013/02231 - 125 Upper Lewes Road, Brighton - Full Planning - Change of use from small House in Multiple Occupation (C4) to large House in Multiple Occupation (sui generis) and erection of first floor rear extension to create additional bedroom.

- (1) The Committee decided to forego a presentation and moved straight to the vote.
- (2) A vote was taken on the Officer recommendation that the Committee grant the application and this was agreed on with 10 in favour and 1 abstention.

117.12 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reason for the recommendation set out in paragraph 11 and resolved to **GRANT** planning permission subject to conditions.

Note: Councillor Randall was not present during the consideration and vote on this application.

M. BH2013/02492 - Land at rear of 107, 109 & 111 Cowley Drive, Woodingdean, Brighton - Full Planning - Erection of two storey, 2no. bedroom detached chalet bungalow with access from Pinfold Close.

- (1) The Area Planning Manager, Nicola Hurley, introduced the application and gave a presentation by reference to photographs, plans and elevations drawings. The site was formed from back gardens and slopped to the north; it was currently fenced off and overgrown. An application on the site had been refused in 2011, and dismissed at appeal for a 2 bedroom property of contemporary design; the reasons for refusal related to the design; the footprint and the impact. Permission was sought for the creation of a two bed chalet bungalow. The main considerations related to the principle of the development; the subdivisions of the plot and sustainable transport. The scale and plot coverage was comparable to the previous scheme, but the Inspector had noted that both of these aspects were acceptable – this decision carried significant weight. In terms of design the chalet style was considered appropriate, and the relationship to the neighbouring properties was acceptable. The application was recommended for approval subject to the reasons set out in the report.

Questions for Officers Debate and Decision Making Process

- (2) In response to Councillor Duncan it was explained that the observations made by the ecologist; could be applied to the application if the Committee saw fit to do so.
- (3) In response to Councillor Simson it was explained that the roof form was the same – in terms of the side profiles – as with the previous application, and this was considered acceptable in terms of the amenity.
- (4) A vote was taken and the Officer recommendation that the application be granted was approved on a vote of 8 in favour with 3 against.

117.13 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reason for the recommendation set out in section 11 and resolved to **GRANT** planning permission subject to conditions.

Note: Councillor Randall was not present during the consideration and vote on this application.

- N. BH2013/03162 - Flat 3, 5 Preston Park Avenue, Brighton - Full Planning -**
Conversion of first and second floor maisonette to form 2no self-contained flats incorporating rooflights to front and rear elevation and flat roof.

117.14 This application was deferred from the agenda.

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

118.1 There were none.

Information Items

119. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

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

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

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

121. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

122. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

123. APPEAL DECISIONS

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

The meeting concluded at 5.00pm

Signed

Chair

Dated this

day of

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 8 JANUARY 2014****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Duncan, Hamilton, Littman, A Norman, Pissaridou and Wells

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

Officers in attendance: Jeanette Walsh (Head of Development Control); Mick Anson (Major Projects Officer); Nicola Hurley (Area Planning Manager); Steven Shaw (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Ross Keatley (Acting Democratic Services Manager).

PART ONE**124. PROCEDURAL BUSINESS****124a Declarations of substitutes**

124.1 Councillor A. Norman was present in substitution for Councillor C. Theobald, and Councillor Pissaridou was present in substitution for Councillor Gilbey.

124b Declarations of interests

124.2 Councillors: Jones, Littman, Davey, Duncan and Hyde and Mac Cafferty referenced application BH2013/03162 (C) – Flat 3, 5 Preston Park Avenue, Brighton and each declared that they knew the objectors personally; however, they had not discussed the application; remained of a neutral mind and would remain present during the consideration and vote on the application.

124.3 Councillor Wells referenced application (G) BH2013/03491 – Top Floor Flat, 18 Clifton Street, Brighton and noted he had been sent information in relation to the application by the applicant; however, He added that one of the images in the information was of a property in the ownership of Brighton Seaside Homes of which he was a Board Member; however, he remained of a neutral mind and would remain present during the consideration and vote on the application.

124.4 Councillor Hyde referred to application (D) BH2013/03569, 11 Welesmere Road, Rottingdean stating that she would leave the meeting during consideration of this item and take no part in the discussion or voting thereon.

124.5 The clerk to Committee, Ross Keatley (Acting Democratic Services Manager) referenced application (E) BH2013/00937 – 1 Sillwood Terrace, Brighton and noted the building was the address of his landlord and they had objected to the application; however, he had not discussed to application with them.

124c Exclusion of the press and public

124.5 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.

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

124d Use of mobile phones and tablets

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

125. MINUTES OF THE PREVIOUS MEETING

125.1 The draft minutes had not been completed in time for inclusion on the agenda, and it was agreed these would be considered at the following meeting of the Committee.

126. CHAIR'S COMMUNICATIONS

126.1 There were none.

127. PUBLIC QUESTIONS

127.1 There were none.

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

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

Application:	Requested by:
BH2013/03492 – Top Floor Flat, 18 Clifton Street, Brighton	Councillor Hyde

129. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

- A. BH2013/01575 - Enterprise Point & 16-18 Melbourne Street, Brighton - Outline application some matters reserved** - Outline application for the demolition of 16-18 Melbourne Street and the construction of a new 5 storey building comprising 15 no. residential units (including 3 no. affordable). Demolition of the South wing of Enterprise Point, provision of an additional storey on the remaining block and 7 storey extension to the West (front) elevation to provide 1030 sq m of upgraded Class B1 offices on the lower ground and ground floors together with 58 no. residential units. Construction of a new 4 storey building in the South East corner of the site comprising 70 sq m. of community space on part ground floor and 15 no. affordable residential units. (Amended description, plans and documents).(Appearance and landscaping to be reserved matters).
- (1) The Major Projects Officer, Mick Anson, introduced the application and gave a presentation by reference to photographs, plans and elevational drawings. The application sought outline permission for the redevelopment and conversion of the existing buildings to create 88 residential units and 1030 sqm of B1 commercial space; in relation to the outline application the Committee were being asked to determine the building heights; layout; floor plans; access and parking. The site fronted Melbourne Street which led onto Lewes Road; currently there were two access points, and the northern boundary of the site adjoined the Crematorium where there was a large 'belt' of trees. There was a nearby converted industrial premises that was now flats, and to the west there was the playground for St. Martin's School. The site currently had vacant leisure space, and around the wider site there were 80 parking spaces. It was highlighted that the site rose quite steeply and there was a difference in ground levels between the front and rear. To the west of the site was Viaduct Lofts which was currently two metres higher than the highest roof line of Enterprise Point. The proposals sought to extend the building at the current frontage to provide B1 offices, and there would be parking at the lower ground floor for 24 residential spaces – including 8 disabled spaces; the existing parking to the north would be retained for use in association with the commercial space on the site. In total there would be 29 commercial parking spaces and 24 residential spaces with 155 cycle spaces.
- (2) The scheme proposed the replacement of the existing south-wing to provide 4 storeys of accommodation with 15 affordable housing units – all with private gardens to the rear; there would also be a community garden on the site. In order to construct the new block it would be necessary to excavate between two and three metres; the new south block would also be brought forward 5 metres, but instead be 5.6 metres away from the boundary. Using the floor plans it was highlighted that the new block would be separated from the existing building, and it was noted that the new block included some cutbacks to retain the 45 degree angle of the windows. The new south block would also have a green roof. The appearance and façade of the building was a reserved matter, but it was noted the flats would have balconies. The policy issues were considered in the report, and whilst it was acknowledged there was a loss of B1 floor space the applicant had provided viability information to support this loss; both this and the 20% reduced level of affordable housing had been agreed by the District Valuer. The design and scale of the application was considered acceptable in this location and would help to improve the appearance of the area. The full list of

contributions as part of the S106 agreement were set out in the report, and the Committee were recommended to be minded to grant the application for the reasons set out in the report.

Questions for Officers

- (3) Councillor Davey asked for more information in relation to the contributions for sustainable transport, and it was explained that the occupiers of the flats would have two years free membership of the Car Club and vouchers for the purchase of bicycles with the view to encourage residents to use such schemes and types of transport.
- (4) Councillor Hyde asked about the proposed level of contributions for recreation, and the Case Officer explained that that the proposed contributions were in accordance with policy, and the applicant had agreed to these levels – the amount represented the demand that would be created by an additional 88 units in the area.
- (5) Councillor Pissaridou asked about the loss of the employment space on the site, and the amount that was currently in use. The Case Officer confirmed that there was currently a 40% occupancy rate, but this was broken down across the fully vacant leisure use, and the B1 space currently employed 128 staff. The scheme proposed space for approximately 100 staff, and it was noted that of the 128 current staff the majority of these worked for a call centre that took up a relatively small amount of space.
- (6) Councillor Duncan asked about the level of affordable homes and in response the Case Officer explained the calculation of the District Valuer was based on the value of the building itself; the construction and demolition costs and the sale values of flats in this location. Based on these figures it was considered that a level of 20% affordable acceptable; the recommendation was proposing a consent for two years to reflect that the level of affordable housing reflected the current situation.
- (7) In response to Councillor Pissaridou it was explained that there was not currently a controlled parking zone in the area, and there was capacity for additional vehicles on the local network. The potential for overspill had been considered, and it was felt this had been mitigated through the travel plan – the site was also located on a sustainable travel corridor.
- (8) Councillor Jones asked about some of the ecology comments in the report, and the Case Officer explained that these were covered through the conditions, but the Committee could add more explicit conditions if they were minded to do so.
- (9) Councillor Mac Cafferty asked about the redundancy of the existing leisure and commercial space, and it was explained that the applicant had submitted marketing information in relation to the upper floors in D2 leisure use which had been vacant for over 10 years; the vacant office space had also been marketed, and it was noted that as the space was currently occupied there would not be an expectation that this be marketed.

Debate and Decision Making Process

- (10) Councillor Wells stated that the currently building was less than satisfactory and the application would help to enhance the area. He approved of the provision of new balconies, but felt that more could have been done to achieve a high level of affordable housing on the site; however, overall he would support the Officer recommendation.
- (11) Councillor Davey noted that the scheme was very positive and would help to contribute to the rapidly improving Lewes Road area together with the recent transport measures. He hoped this would improve the numbers in some of the schools in the area and provide a population of more permanent residents; for these reason he would support the Officer recommendation.
- (12) Councillor Hyde added that there was currently a lot of wasted space on the site which the application made good use of; she would support the Officer recommendation.
- (13) Councillor A. Norman noted that she liked the appearance of the scheme, and Officers confirmed that the construction impact on the neighbouring school would be managed through the Construction & Environmental Management Plan.
- (14) Councillor Hamilton noted his concern that applicant's were asked to balance many factors when submitted schemes in particular the S106 contributions, and this created a squeeze on the level of affordable housing.
- (15) The Head of Development Control, Jeanette Walsh, highlighted that the purpose of the S106 agreement was to mitigate the impact of the development locally, and policy recognised that this needed to be balanced against securing levels of affordable homes.
- (16) Before the vote was taken Councillor Hyde requested that the materials' pallet be agreed by the Head of Development Control in consultation with the Chair, Deputy Chair and Opposition Spokespersons, and this was unanimously agreed by the Committee. A vote was taken and the Officer recommendation that the application be minded to grant was unanimously agreed.
- 129.1 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **MINDED TO GRANT** planning permission subject to conditions and a s106 agreement.
- B. BH2013/03205 - Park House, Old Shoreham Road, Hove - Removal or variation of condition** - Application for variation of condition 3 of BH2012/00114 (Demolition of former residential language school and erection of 5 storey block of 71 flats) which states that no cables, wires, aerials, pipework, meter boxes or flues shall be fixed to any elevation facing a highway be amended to allow boiler flues and rain water pipes to be fixed to the elevations facing a highway.
- 130.1 This application was deferred from the agenda by officers in order to alert the applicant to discrepancies between the approved drawings and the submitted amendments.

C. BH2013/03162 - Flat 3, 5 Preston Park Avenue, Brighton - Full Planning -
Conversion of first and second floor maisonette to form 2no self-contained flats incorporating rooflights to front and rear elevation and flat roof.

- (1) The Area Planning Manager introduced the report and gave a presentation by reference to photographs, plans and elevational drawings. The application site related to a two storey building on the eastern side of Preston Park Avenue that was currently divided into flats; information was also provided on the current arrangements for refuse storage and it was noted that the application was in the Preston Park Conservation Area. A similar application had been refused in August 2012 for the conversion of the first and second floor maisonette into two flats for reasons relating to the refuse storage. The application as submitted had sought to address the reasons for refusal by relocating the bin storage closer to the main building; however, it had later been established that the proposed site of the cycle storage was not in the ownership of the property, and a condition was recommended as part of the application that cycle parking be secured as part of the scheme. The main issues related to the impact on the conservation area; the standards of accommodation; sustainability and transport issues. The scheme was considered to be compliant with policy as the sub-division would allow for the retention of one larger family sized unit. The issues in relation to the previous application had been the position of the bin and cycle storage, and the application sought to rectify this through the creation on an area of hardstanding with space for 4 refuse bins, and it was noted that the inspector's decision in relation to the appeal of the refused application had focused on the location materials. The application was recommended for approval for the reasons set out in the report.

Public Speakers & Questions

- (2) Mr Jon Morris spoke in objection to the application in his capacity as a local resident; he stated that the previous application had been refused in relation to the inappropriate location of the bin store, and he added that residents had been made aware of the changes in relation to the proposed site of the cycle stands. Mr Morris queried the need for an additional refuse bin on the site, and noted that the application proposed no additional bedrooms despite the subdivision of the existing unit. He went on to add that the addition of the cycle stands could make the site a greater target for crime, and explained that the area was already a 'hotspot' for bicycle related crimes.
- (3) In response to Councillor Davey it was confirmed by Mr Morris that he lived in the basement flat of the building; the existing bins were used by all the flats in the property, and the proposed siting would lead to the removal of mature planting in the garden.

Questions for Officers

- (4) In response to Councillor Duncan it was confirmed that there would be an increased intensity of use if the application were granted and this would warrant the inclusion of an additional refuse bin; it was also added that consideration of the number of bins was not material to the application, but only the provision of the hardstanding for the bins.
- (5) In response to Councillor Davey it was confirmed that the location of the cycle stands would be dealt with through the appropriate condition, and any issues in relation to land ownership would be a private matter.

Debate and Decision Making Process

- (6) Councillor Davey noted that he could understand the concerns of the local residents, but he felt that the view of the Inspector had been made clear in relation to the hardstanding; with this in mind he stated he would vote in support of the Officer recommendation.
- (7) A vote was taken and the Officer recommendation permission be granted was agreed on a vote of 11 in support with 1 against.
- 129.3 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in paragraph 11 and resolved to **GRANT** planning permission subject to conditions.

D. BH2013/03569 - 11 Welesmere Road, Rottingdean, Brighton - Householder Planning Consent - Demolition of existing conservatory and erection of two storey rear extension incorporating roof extensions and installation of rooflights to front elevation.

- (1) The Committee agreed that they did not require a presentation and moved straight to the vote in relation to this application.
- (2) A vote was taken and the Officer recommendation the grant planning permission was unanimously agreed.

- 129.4 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in paragraph 11 and resolved to **GRANT** planning permission subject to conditions.

Note: Councillor Hyde was not present during the consideration and vote in relation to this application.

E. BH2013/00937 - 1 Sillwood Terrace, Brighton - Full Planning - Formation of mansard roof to accommodate one 2no bedroom flat with roof terrace.

- (1) The Area Planning Manager introduced the application and gave a presentation by reference to photographs, plans and elevational drawings. The building was located on the southern side of Western Road and had a commercial unit on the ground floor with flats above; there were also Grade II listed buildings to the south of the application site. In 2005 permission was granted for the development of a mansard roof to form a 1 bedroom unit; this permission had not been implemented and since lapsed. The main considerations related to the impact of the character and appearance on the conservation area; the impact on amenity and transport considerations. The building was an end of terrace with attractive bays at the Western Road frontage that made a positive contribution to the street scene; the proposal would be set back and not visible from Western Road and was not considered harmful to the Regency Square Conservation Area. The key policy considerations had also not changed since the previous permission, and there would be no harm to amenity or create a loss of

outlook. For the reasons outlined in the report the application was recommended for approval.

Public Speakers and Questions

- (2) Mr Andrew Shippey spoke in opposition to the application in his capacity as local resident; he stated that the current roof form was flat and any changes to this building could set precedence for others in the terrace. He noted that the proposed construction area would be directly above his own flat and raised concerns in relation to the impact on his day to day life; the potential danger and damp ingress. Mr Shippey questioned whether there would be sufficient access to the new flat from the existing hallway and stairwell, and he noted the objections from the Heritage Team and the Conservation Advisory Group (CAG).

Questions for Officers, Debate and Decision Making Process

- (3) In response to a query from Mr Gowans of CAG it was explained by the Area Planning Manager that the supplementary planning guidance had not changed since the approval of the 2005 scheme, and the local planning authority had to give this decision significant weight when making the recommendation.
- (4) It was confirmed to Councillor Wells that the arrangements during construction for neighbours would not be of material consideration to the application.
- (5) It was confirmed for Councillor Pissaridou that the proposed material of the mansard roof would be slate.
- (6) In response to Councillor Hamilton it was confirmed that the roofline of the row of terraces was currently uniform, and the proposal did not differ from the 2005 permission,
- (7) Mr Gowans noted that CAG had recommended that the application be refused due to the visibility of the development and the prominence in the Western Road street scene; he went on to reference the SPD 12 in relation to mansard roofs and the comments from the Heritage Officer.
- (8) Councillor Davey noted his view that the only reason to support the application was because of the 2005 permission; otherwise he was of the view the application was not acceptable. Councillor Pissaridou echoed these comments, and added that she would not support the Officer recommendation.
- (9) Councillor Duncan stated that he could not support the Officer recommendation, but noted that if refused the application might be successful if appealed.
- (10) The Senior Solicitor explained that the Committee was not legally bound by the 2005 permission, but to depart from this the Committee would need good planning reasons, and it was highlighted there was no policy difference between this application and the 2005 permission. Generally speaking, when the Inspector looked at decisions at appeal significant weight was placed on previously decisions. The Head of Development Control added that the local planning authority had looked very carefully

at the application and placed weight on the 2005 consent, notwithstanding that it was time expired, they had recommended approval.

- (11) Councillor Littman noted the position in relation to policy, and the advice given by Officers, but highlighted that it was still within the remit of the Committee to refuse the application if they were so minded.
- (12) It was confirmed for Councillor Duncan that the 2005 permission had been a delegated decision.
- (13) A vote was taken and the Officer recommendation to grant planning permission was not carried on a vote of 4 against and 8 abstentions. Councillor Mac Cafferty proposed reasons for the refusal and these were seconded by Councillor Duncan; a short adjournment was then held to allow Councillor Cafferty, Councillor Duncan, the Head of Development Control, the Senior Solicitor and the Area Planning Manager to draft the reasons for refusal in full. These reasons were then read to the Committee, and it was agreed that they reflected what had been put forward by Members. A recorded vote was then taken with the proposed reasons for refusal and Councillors: Mac Cafferty, Carden, Pissaridou, Hamilton and Duncan voted that permission be refused; Councillors: Jones, Hyde, Cox, Davey, Littman, A. Norman and Wells abstained from the vote.

129.5 **RESOLVED** – That the Committee considered the Officer recommendation to grant permission, but resolves to **REFUSE** planning permission for the reason set out below:

- i. By reason of the scale, form, shape, height and depth of the proposed development it fails to respect the existing roofscape of the terrace of which the host property forms part and therefore neither preserves nor enhances the character of the Regency Square Conservation Area. Moreover, because it interrupts the roofscape the proposed development is likely to be harmful to longer views of the terrace from street level within the Conservation Area. The proposed development is therefore contrary to policy HE6 of the Brighton & Hove Local Plan 2005 and SPD09: Architectural Features.

F. BH2013/02905 - 20a Cromwell Road, Hove - Full Planning - Conversion of outbuilding to form one bedroom dwelling (Retrospective).

- (1) The Area Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The application site was located on the northern side of Cromwell Road in a conservation area and was a five storey building including the basement and the roof accommodation. The site had previously been in use as a language school, and recently converted into five flats. Planning permission was sought for the conversion of the single storey outbuilding; which currently had use as an ancillary studio. The main considerations related to the principle of the change of use; the impact on amenity; parking and transport. Officers were of the view that the single elevation would provide sufficient screening – a fence had been proposed but this was removed from the scheme after concerns raised by the Heritage Officer. The use had been envisaged as intermittent in its current usage, and the application would create a much greater level of activity. For the reasons set out in the report the application was recommended for refusal.

Public Speakers and Questions

- (2) Mr David Collins spoke in support of the application in his capacity as the applicant. He stated that the building was currently being used as a 1 bedroom dwelling. He stated that during the life of the application the matter of distance had not been raised by the Case Officer, and went on to highlight that the distance between the building and the parent building was comparable across the city, and many properties were much closer back to back. Mr Collins added that the report made assumptions in relation to the use of the gardens and went on to outline the personal circumstances for the application.

Questions for Officers

- (3) In response to Councillor Pissaridou the term 'ancillary' was defined as it related to the application.
- (4) In response to Councillor Jones it was confirmed that when a use was claimed to be ancillary Officers would confirm this position with the Council Tax department.
- (5) It was confirmed to Councillor Hamilton that the windows at the rear of the parent building directly overlooked the outbuilding.
- (6) In response to Councillor Cox it was clarified that when Officers considered ancillary buildings they looked carefully at the matters of fact and degree; with respect to the activities taking place in the building and the extent to which there was a relationship with the main residential property.
- (7) It was confirmed to Councillor Davey that if the application were refused and the outbuilding continued to be occupied then the local planning authority would have to investigate the activities taking place.
- (8) A vote was taken and the Officer recommendation to refuse planning permission was agreed on a vote of 8 to 3 with 1 abstention.

129.6 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **REFUSE** planning permission for the reason set out below:

- i. The creation of a unit of self-contained residential accommodation would result in an intensification of use which would result in significantly increased levels of overlooking and loss of privacy to residents of no. 20 Cromwell Road, as well as overlooking from no. 20 Cromwell Road and its garden towards the building in question. Further, the creation of a permanent living unit would introduce a much greater level of activity, with resultant comings and goings through the rear garden at times when the area might be expected not to be in use. The proposed development would represent a poor standard of living accommodation for occupiers of the garden building, and would result in a loss of amenity for occupiers of no. 20 Cromwell Road and, to a lesser extent, towards neighbouring properties. As such, the proposed development would be contrary to policy QD27 of the Brighton & Hove Local Plan.

- G. BH2013/03492 - Top Floor Flat, 18 Clifton Street, Brighton) - Householder Planning Consent** - Replacement of existing timber single glazed windows with UPVC double glazed windows (Retrospective).

129.7 This application was deferred to allow a site visit to take place.

- H. BH2013/03680 - 19 Queens Park Terrace, Brighton - Householder Planning Permission** - Formation of rear dormer.

- (1) The Area Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The application site related to a two storey terrace within the Queen's Park Conservation Area that backed onto the Grade II listed primary school. A similar scheme had been refused on the site in December 2012, and the appeal had been dismissed by the Inspector; this application now sought a smaller rear dormer. The main considerations related to the impact of the dormer on the host building, and the wider impact on the Conservation Area and nearby listed building. It was considered that the proposed dormer would still have significant impact; be visible from the rear and did not comply with policy as it failed to relate to the fenestration at the rear. It was noted that there were a number of existing dormers in the immediate area, but many of these did not have any planning history and the Inspector had not attached any weight to these in consideration of the December 2012 application. The dormer was considered unsuitable and overly dominant and the application was recommended for refusal for the reasons set out in the report.

Public Speakers and Questions

- (2) Ms Luisa de Paula spoke in support of the application in her capacity as the applicant. She stated that she understood and agreed with the policy of the local planning authority to maintain the character of the conservation area, and this application had sought to address the previous refusal by proposing a smaller dormer that would still make the attic room practical and usable. There were a number of other dormers in close proximity to the property and many of these had been built after the designation of the conservation area, and those to the left of the property, which had been granted permission in 2007, were considered much more visible. The family had spent time and money restoring the house and it now made a greater contribution to the conservation area, and without the dormer the attic room would be compromised. The scheme would help to improve the long term family home, and there was support from neighbours and the nearby school.

Questions for Officers

- (3) The distance from the roof space to St. Luke's Terrace was clarified for Councillor Hyde.
- (4) In response to Councillor Davey the Area Planning Manager explained that the local planning authority would normally seek dormer extensions that were modest in size and aligned with the existing fenestration as set out in the SPD. It was also confirmed that the policy applied across the city.

- (5) In response to Councillor Pissaridou it was explained that several of the nearby dormers did not have any planning history, and the Case Officer had placed significant weight on the decision of the Inspector.

Debate and Decision Making Process

- (6) Councillor Hyde noted that she understood the recommendation, and had taken into account the decision of the Inspector, but she felt that due to distance involved the policy was of less relevance in relation to this application. If the dormer was aligned with the existing windows then the space would be compromised; with all this in mind she stated she would not support the Officer recommendation.
- (7) Councillor Wells noted that the property could not be seen from Queen’s Park Terrace, and smaller dormers would make the rooms unusable; the windows were also at the back of the building and not overlooked. With this in mind he would not support the Officer recommendation.
- (8) Councillor Littman stated that he fully understood the Officer recommendation, but felt he was not able to support it making reference to the support of the local school and the neighbours.
- (9) Councillor Duncan stated his view that a refusal would be unreasonable, and as such he would not support the Officer recommendation.
- (10) Councillor Pissaridou stated she could not support the Officer recommendation, but she could understand the reason for the recommendation.
- (11) A vote was taken and the Officer recommendation to refuse planning permission was not carried on a vote of 10 against with 2 abstentions. Councillor Hyde proposed reasons for the approval and these were seconded by Councillor Duncan. These reasons were then read to the Committee, and it was agreed that they reflected what had been put forward by Members. A recorded vote was then taken with the proposed reasons for approval and Councillors: Jones, Hyde, Carden, Cox, Pissaridou, Hamilton, Littman, A. Norman, Duncan and Wells voted that permission be granted; Councillors: Mac Cafferty and Davey abstained from the vote.

129.8 **RESOLVED** – That the Committee considered the Officer recommendation to refuse planning permission, but resolves to **GRANT** planning permission for the reason set out below, and subject to such conditions as shall be approved by the Head of Development Control:

- i. The proposed development, due to its design, size and siting, would not result in harm to the host building or to the Queen's Park Conservation Area.
- I. BH2013/03496 - 187 Dyke Road, Hove - Full Planning** - Erection of two storey extension to replace existing single storey extension and terrace.
- (1) The Area Planning Manager introduced the application and gave a presentation by reference to photographs plans and elevational drawings. The application sought a two

storey rear extension, and the application was largely the same as a previously refused scheme; aside from a small reduction to the proposed depth of the extension. The extension would occupy a significant space in the rear garden. The main considerations related to the design and appearance; the impact on amenity and highways matters. The application proposed a significant addition to the bulk and massing; did not integrate well with the parent building; was box like and the roof did not conform with the existing eaves line. Due to the scale of the proposal there would also be an impact on neighbouring amenity, and the application was recommended for refusal for the reasons set out in the report.

Public Speakers and Questions

- (2) Mr Luke Carter spoke in support of the application in his capacity as the agent acting on behalf of the applicant. He stated that the application sought to provide additional office space for the business that had operated at the site for 14 years. The extension would allow for an additional 30 staff, as well as letting the business expand further. Reference was made to the need for employment space in the Draft City Plan which was in sustainable locations. It was considered the scheme addressed the reasons for refusal and the only remaining issue was visual impact, but the views from the street were oblique. If the application were refused then the business would need to relocate and the existing building redeveloped as a residential development; it had been difficult to find an alternative space and the likelihood was the business would have to move outside of the city. In closing it was added that business wanted to stay in its existing location as the majority of the staff were local residents.
- (3) In response to Councillor Davey the applicant confirmed that views of the proposed extension from the street.

Questions for Officers

- (4) It was confirmed for Councillor Pissaridou that the neighbouring property had windows to the rear that would be affected by the proposals. The scheme also proposed no additional parking above the existing 4 spaces.
- (5) In response to Councillor Duncan it was confirmed that if the Committee were minded to grant the application they could attached conditions in relation to a travel plan.
- (6) It was confirmed for Councillor Hyde that the applicant had not entered into any pre-application discussion with the local planning authority. It was also confirmed by the Head of Development Control that there was no objection in principle to an extension of the building, and Officers were open to discussing alternative schemes.
- (7) Councillor Mac Cafferty stated that the Committee supported the wish of the business to stay in the current location, but needed to ensure that the scheme to extend the building was appropriate.
- (8) Councillor Davey echoed this comment and added that he felt the bulk was too much, but he was sympathetic to the position of the applicant; with this in mind he would support the Officer recommendation.

- (9) Councillor Jones stated he was surprised that there had not been more discussion with Officers, and he felt the application would overdevelop the site. On balance he felt that an alternative application could seek a compromise position.
- (10) Councillor Wells noted that although the scheme was bulky the impact was minimal from the street, and the scheme only impacted one other property. He was concerned with the business leaving the area and the loss of employment, and for these reasons he would not support the Officer recommendation.
- (11) A vote was taken and the Officer recommendation to refuse planning permission was agreed on a vote of 8 to 3 with 1 abstention.

129.9 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **REFUSE** planning permission for the reason set out below:

Reasons for Refusal:

- i. The extension by reason of its scale, massing, bulk, site coverage, materials and detailing is considered poorly designed, and 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
- ii. The extension by reason of its siting, scale and massing would have an unduly harmful and dominating impact upon the amenities of adjacent occupiers resulting in a loss of outlook, increased sense of enclosure, overshadowing and an overbearing impact. This is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

Informatives:

- i. 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.

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

130.1 There were none.

131. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

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

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

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

133. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

134. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

135. APPEAL DECISIONS

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

The meeting concluded at 5.20pm

Signed

Chair

Dated this

day of

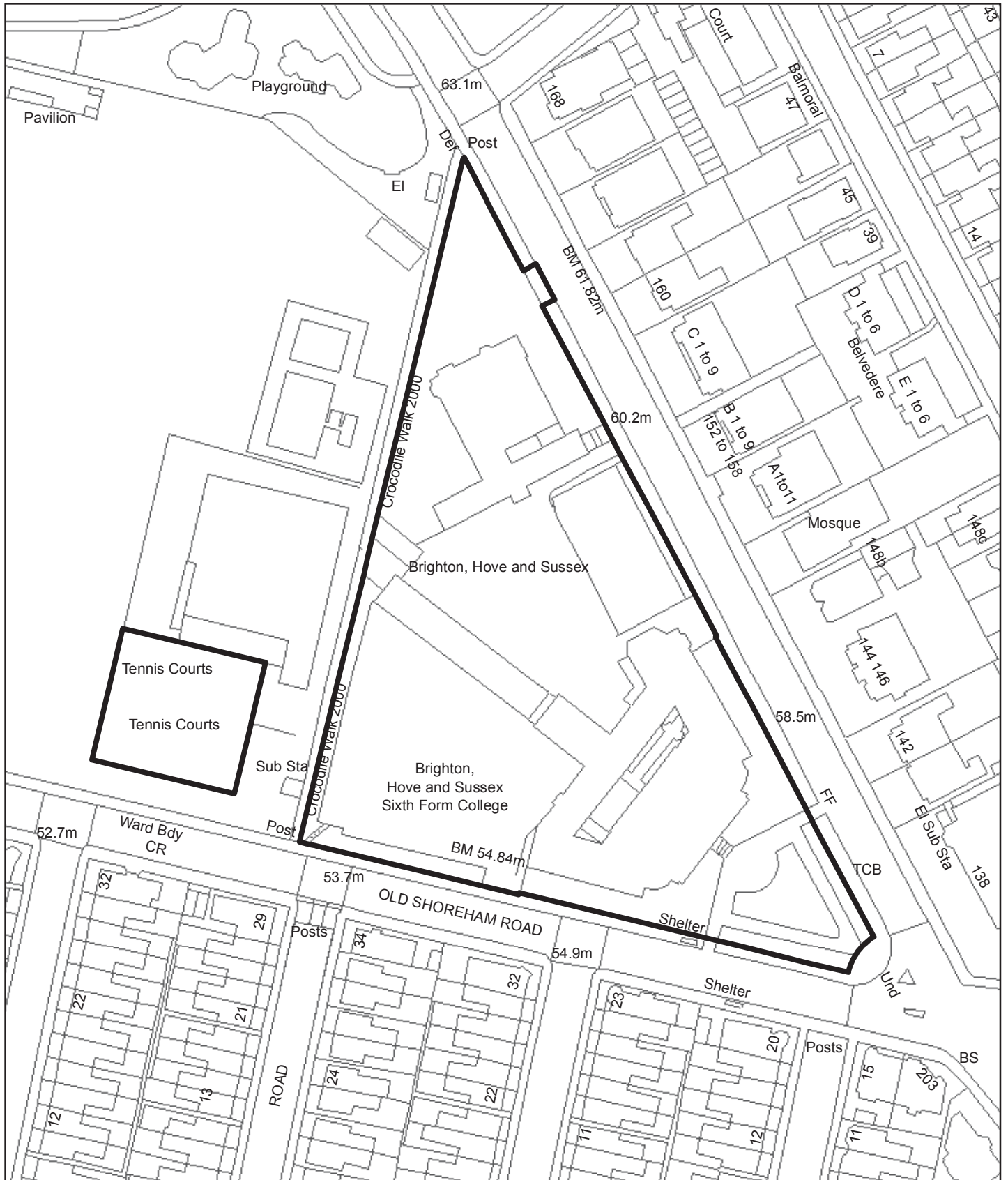
ITEM A

BHASVIC, 205 Dyke Road, Hove

BH2013/03816
Full planning

29 JANUARY 2014

BH2013/03816 BHASVIC, 205 Dyke Road, Hove.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/03816	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	BHASVIC 205 Dyke Road Hove		
<u>Proposal:</u>	Construction of a new 3no storey teaching block located on the existing upper car park between College House and the main building on Dyke Road, provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras and creation of a new landscaped area.		
<u>Officer:</u>	Clare Simpson Tel 292454	<u>Valid Date:</u>	25 November 2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	24 February 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	HNW Architects, 11 West Pallant , Chichester, West Sussex P019 1TB		
<u>Applicant:</u>	BHASVIC, Ms Jutta Knapp, BHASVIC, 205 Dyke Road , Hove BN3 6EG		

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 is **MINDED TO GRANT** planning permission subject to the completion of a Section 106 agreement and subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to Brighton & Hove and Sussex Sixth Form College (BHASVIC) which is located at the junction on Dyke Road and Old Shoreham Road. BHASVIC is a locally listed building. The main building is located on a prominent corner, with an imposing symmetrical facade, surmounted by a tall cupola. It has particular architectural merit and forms a local landmark in the area.
- 2.2 There is slight fall in land levels from north to south and ground levels fall away from Dyke Road in to the site.
- 2.3 The existing student numbers for the site are 2089. The College will have an additional 288 students attending in the next academic year.

3 RELEVANT HISTORY

BH2013/02082 Construction of a new 3no storey teaching block located on the existing upper car park between College House and the main building on

PLANNING COMMITTEE LIST- 29 JANUARY 2014

Dyke Road, provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras and creation of a new landscaped area. Refused 31/10/2013 for the following reasons:

- *The proposed development is obtrusive in view of its prominence in the street scene. It is out of character with the area in terms of design, materials, colour and palette and does not take account of local characteristics. Furthermore it does not respect the locally listed buildings on the site. The proposed development is therefore contrary to policies QD1, QD2 and QD4 of the Brighton & Hove Local Plan 2005.*

BH2013/01430 Demolition of existing lobbies and erection of new part-covered lobbies (Part-Retrospective). Approved 01/07/2013

BH2012/02063 Replacement of existing windows to the main building with UPVC and aluminium windows. Approved 24/08/2012

BH2012/01118 Erection of temporary single storey modular classroom and steel container for a period of five years. Approved 12/06/2012

BH2011/03469 External refurbishment of Student Common Room including installation of access ramp. Erection of canopies to College House, the main building, student services building and the canteen area. Approved 08/02/2012

BH2010/01096 Erection of new temporary two storey classroom building for 5 years replacing existing single storey building and retention of existing temporary single storey classroom for a further 4 to 5 years. Approved 02/07/2010

BH2008/01457 Installation of a two storey Portakabin Ultima building to be used as classroom facilities for a hire period of 5 years Approved 21/08/2008. (Consent expired)

BH2008/01275 Proposed single storey extensions to north and west elevations of existing sports centre including extension to tennis court to form netball courts. Approved 22/08/2008

BH2008/01113 Proposed redevelopment of educational facilities comprising one 4-storey, one 3-storey and one 3 and 1-storey blocks and associated works. Approved 29/01/2009

BH2007/00925 Outline application for erection of educational facilities comprising one 3 storey, one 4 storey and one 3 and 1 storey blocks and associated works. Approved 23/01/2008

4 THE APPLICATION

- 4.1 Planning permission is sought for the construction of a new 3 storey teaching block located on the existing upper car park between College House and the

main building, fronting Dyke Road. The building would provide a new student social learning space, kitchen facilities, WCs and learning resource centre on the ground floor with 12 teaching rooms located above. Associated works include the provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras. One particular focus appears to be the creation of main external social space in the heart of the campus at the rear of the new block and creation of a new landscaped area in the proposed courtyard.

- 4.2 The proposal would result in additional gross internal floor space of 2027m².
- 4.3 The building would be located on the upper car park of the school. This would result in the loss of 29 car parking spaces. The principle of the development and the positioning of the new block were the subject of pre-application discussions with the Local Planning Authority.
- 4.4 The application follows an application for a similar scale building refused in October 2013 for design reasons (see planning history). In response, this application proposes a revised pallet of materials and a set back of 2 metres to line through with the building line of the main building façade along Dyke Road. The plant roof screening has been reduced in size.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: One (1)** letter of representation have been received from **Flat 4B Belvedere** objecting to the application for the following reasons:
 - The materials and the building line are a considerable improvement but the building is still of no particular merit
 - The building remains too high and does not respond to the councillors concerns,
 - The building should have a pitched roof,
 - The services should not face the road
 - The Transport Assessment does not mention weekend or evening traffic,
 - A condition should be imposed to ensure the CCTV does not affect the privacy of neighbouring properties.
- 5.2 **County Archaeologist: Comment**
The application lies within an Archaeological Notification Area, the site has been subject to archaeological evaluation which has shown it to have low Archaeological potential and remains are unlikely to be affected by these proposals. No further recommendations needed in this instance.
- 5.3 **UK Power Networks: No objection**
- 5.4 **Environment Agency: No objection**
- 5.5 **Southern Gas Networks: No objection**

5.6 **East Sussex Fire and Rescue:** Comment made on previous application The plans do not appear to indicate the water supply and provisions of hydrants.

5.7 **Conversation Advisory Group** No objection on Conservation grounds. The Group regret that the design of the proposed buildings is bland.

Internal:

5.8 **Ecology:** Comment

The proposed development is unlikely to have any significant impacts on biodiversity and can be supported from an ecological perspective. The site offers opportunities for biodiversity enhancements that will help the Council address its duties and responsibilities under the Natural Environment and Rural and Communities Act 2006 and NPPF.

5.9 **Economic Development:** Comment made on previous application

Overall support for the application and request a contribution to the local employment scheme of 20% local employment during the construction phase and an employment and training strategy in accordance with the interim guidance document.

5.10 **Planning Policy:** No Comment

5.11 **Planning Projects:** Comment made on previous application

To make sure the requirements of Policy QD6 are met at implementation stage, it is recommended that an 'artistic component' schedule be included in the section 106 agreement. It is suggested that the public art element for this application is to the value of £7,100.

5.12 **Heritage:** Comment:

The proposal is for an additional building along the Dyke Road elevation. It is located in what is currently a car park, between the main block and College House. This follows a refused scheme for similar last year.

5.13 The principle of a building in this location is acceptable, as it has the potential to provide greater definition to the boundary, strengthen the building line and enhance the street scene.

5.14 The proposed building is set on the building line of the main building, which appropriately reinforces the building line on this section of Dyke Road.

5.15 The height of the proposed building matches the ridge height of the main block, with an additional level of plant and roof paraphernalia located above this. This will compete with the dominance of the main block. The proposed building should ideally match the eaves height of the main block, with no part of the building in its totality higher than the ridge height of the main block. It is however acknowledged that Dyke Road slopes upwards to the northwest. The proposed building is set further up the hill than the principal building. The height of these buildings would therefore step up the road. The building line being in line rather than forward of the other building also helps mitigate for the height of the proposal.

- 5.16 A modern design is considered acceptable in this location. A palette of red and earthy tones unites all the buildings on site currently, creating a strong sense of place. The proposed building respects this palette and integrates the building with the site. The choice of materials will however be particularly important. It is noted that the road elevation will be obscured at ground floor, which is appropriate. An elevation drawing showing the design of the ground floor should nevertheless be submitted.
- 5.17 There are a number of proposed service items located at roof level, including the plant room, pv and thermal solar panels, lantern lights, the lift overrun, hydraulic hatch. It is important that this paraphernalia does not add unnecessary clutter to the building when viewed from the road, as this will detract from the design and add unwanted emphasis to its height. It is accepted that the plant room needs to be located on the road side of the building, in order to allow for the efficiency of the solar panels and the building. Details of the appearance of the lift overrun and hydraulic hatch should be provided, or clarification that they will not be visible in the street scene. The solar panels also should not be visible in the street scene. The railings should be removed from the scheme.
- 5.18 The proposed landscaping generally provides a good level of vegetative coverage to the site and its boundaries in particular. The use of a bespoke railing design is also appropriate.
- 5.19 Additional Comments
The additional drawings addresses the concerns regarding the roof railings and some of the services at roof level
- 5.20 **Arboriculture Team:** Comment: Two trees will need to be removed in the interests of sound arboriculture management and four will need to be removed to facilitate the development. The Arboricultural Section has no objection to the proposals in this application subject to suitable conditions being attached to any planning consent granted.
- 5.21 **Sustainability:** Comment on previous application
Policy SU2 states that planning permission will be granted for proposals which demonstrate a high standard of efficiency in the use of energy, water and materials.
- 5.22 Under supplementary planning document SPD08 major new development built on previously developed land is expected to achieve BREEAM 'excellent' and 60% in energy and water sections. The applicant has submitted a BREEAM Education Pre-assessment report that indicates a targeted score of 'Excellent' overall with 78% in energy and 62% in the water section. This meets the overall standard expected via SPD08 and exceeds the energy performance standard.
- 5.23 The application reflects a robust response to all aspects of policy SU2 and SPD08. The documents demonstrate that sustainability has been well integrated into the design process delivering a highly energy efficient building

that has incorporated advanced thermal fabric performance, passive solar design, efficient servicing and a considerable solar array incorporating both solar thermal and photovoltaic renewable technologies.

- 5.24 **Environmental Health** No objection subject to conditions to deal with noise and potential land contamination.

6 MATERIAL CONSIDERATIONS

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials

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SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD4	Design – strategic impact
QD5	Design – Street Frontages
QD6	Public Art
QD7	Crime Prevention through Environmental Design
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
QD28	Planning Obligations
HE10	Buildings of local interest
HO19	Provision of new community facilities

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

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

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
SO21	Strategic Objective to assist in the planning of higher and further education establishments

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the principle of the development, whether the proposal is appropriate in terms of design and the impact on the wider street views, residential amenity, sustainability, archaeological considerations and transport / highway considerations.

Planning Policy:

8.2 Policy HO19 of the Brighton & Hove Local Plan states that planning permission will be granted for community facilities where it can be demonstrated that certain criteria can be met. The criteria include ensuring the design and use of the facility is accessible to all members of the community, no unacceptable impact on residential amenity and addressing transport highway concerns.

8.3 BHASVIC currently has 2089 students attending the college and struggles to accommodate this number in the existing buildings. The student numbers are expanding next year by an additional 288. The college requires more space and better facilities to accommodate this increase. The proposed building would provide for this need and the scheme is considered to be in accordance

with the above policy. It provides a community facility and, as outlined below, is appropriate in respect of its impact on the amenity of adjacent properties and transport / highway concerns.

- 8.4 The scheme is also in accordance with Strategic Objective SO21 of the Brighton & Hove Submission City Plan Part One. The objective is to provide to assist in the long term planning of higher and further education establishments and ensure that they play a full part in the city's economic, social and environmental development. Given the above, the principle of providing a new building to meet the current and future educational needs of the school is welcomed and accords with policy HO19 and strategic objective SO21.

Design and impact on the character and appearance of the surrounding area:

- 8.5 Brighton & Hove Local Plan policies QD1 and QD2 require new development to be of a high standard of design that would make a positive contribution to the surrounding area and that emphasises and enhances the positive characteristics of the local neighbourhood. Policy QD4 requires the setting of well-known landmark buildings to be respected. Policy QD5 seeks to ensure new development presents an interesting and attractive frontage.
- 8.6 The architects have explained in there supporting information that the design rationale is to make a modern statement on Dyke Road whilst respecting the existing buildings on site. Although it is the whole site which is on the Local List, the prominent building, with the most architectural merit is the main school building which is the focal point on the southeast corner of the site at the junction between Dyke Road and Old Shoreham Road.
- 8.7 In terms of its design, the approach is for a modern new building which utilises a red-brown brick, bronze copper cladding, and translucent and opaque panels. The building would be three-storeys in height. The highest part of the building would be approximately 11 metres in height. Plant on top of the flat roof would be contained behind screening of an additional 2 metres in height. This screening would be set back 2 metres from the front elevation of the building.
- 8.8 The height of the building is comparable to the ridge height of BHASVIC Main Building and sits mid-way between the eaves and ridge height of College House. It should be noted that the plant screening would be set 2 metres back from the front elevation of the building.
- 8.9 The new building would be located on the established building line of the Main College Building. At the front of building, a separation distance of 10.5 metres would separate the new block from existing college building, this distance decreases to 3.5 metres further back in to the site. The separation distance to College House would be 5.5 metres. This ensures that the proposed new block would be viewed as a separate entity. However a palette of red and earthy tones is proposed and this would unite all the buildings on site currently, creating a strong sense of place. This is considered to make the

proposed building comfortable in its setting. In addition, land levels slope down from Dyke Road in to the College site. A brick and copper sample have been submitted during the course of the application; the acceptability of these samples are currently being assessed and further samples of the glazing and rain screen cladding would need to be approved prior to development commencing.

- 8.10 The Heritage Officer has not raised an objection to the proposal. Whilst the height of the building would rise above the eaves height of the side return of the Main Building, the Heritage Officer acknowledges that the building heights step up to north of the site. The building line is approximately 2 metres back from the previous scheme and is now in-line rather than forward of the Main Building building. It is acknowledged that this helps mitigate for the height of the proposal.
- 8.11 As requested, the drawings have been amended to reduce the clutter proposed on the roof. Furthermore the design team have submitted an additional drawing with the application to demonstrate that views of the roof plant would be limited from public vantage points. Importantly green landscaping and boundary treatment have been considered within the scheme which will provide some continuity with the existing boundary treatment along Dyke Road.
- 8.12 The internal spaces of the new building focus activity to the rear of the new building, creating an active student court yard area. The service areas are therefore located towards the Dyke Road elevation. The design team have shown the level change through the site from Dyke Road to the front elevation of the building. This demonstrates that much of the ground floor of the building would not be prominent when viewed from the adjacent pavement. In addition drawing no. P282 indicates raised brick planters would be located behind the front boundary fencing providing additional screening and softening of the appearance of the ground floor of the building.
- 8.13 It is noted that the BHASVIC currently relies on a number of temporary classrooms on site which are not considered to respond positively to the setting of the existing buildings on site. These classrooms have temporary consents, and although the college have not linked the removal of some of these buildings to the new extension, it is considered that there is a significant need for permanent student accommodation on site and this application offers the potential in the future to tidy up the campus as a whole.
- 8.14 The application contains three CCTV cameras, shown on drawing no.P109 A These are located towards the front of the site to provide surveillance in areas which otherwise see little activity. These are considered to be acceptable installations from a design perspective.
- 8.15 Overall the design of the scheme has merit and is considered to be a considerable improvement on the previous application for the site. The change in building line and materials reduce the prominence of the new building. The extension would be well-sited and the approach for a modern design

considered acceptable. The materials would be sympathetic to the materials of the existing buildings on-site. The proposed new building will make a significant statement to the Dyke Road frontage, but it is considered that the visual impact of the main building would not be diminished and that design of the classroom block is acceptable

Landscaping:

- 8.16 The site has a blanket Tree Preservation Order which covers all trees on the site. The application does contain plans showing the removal of two trees on the site for sound arboriculture management reasons. The Common Elder identified to be felled is considered in poor condition and a poor quality tree and the Elm is considered in an advance state of decline. Four additional trees which are no considered to be of arboriculture merit will also be lost. The Arboriculture Team have reviewed the application and raise no objections to this loss. Conditions have been identified to protect the trees through construction.
- 8.17 A landscaping plan has been submitted with the application which details treatment of the Student Courtyard Area at the rear of the new building which will contain some landscape planting. There is an overriding need for improved accessibility in this space.
- 8.18 A hedge is proposed to run along the Dyke Road pavement which is consistent with the front boundary treatment of the adjoining blocks. The front of the building would create a cohesive front boundary treatment for this section of Dyke Road. Fixed planting is proposed behind this hedge.
- 8.19 Detailed landscaping plans have been submitted for the courtyard area to the rear of the new block and to the new servicing area to the north of College House which are considered acceptable in principle.

Impact on Amenity:

- 8.20 Policy QD27 states that planning permission for any development 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.
- 8.21 The proposed building would be located on the existing car parking area fronting Dyke Road. This space is currently undeveloped. The formation of a three storey building on this site will inevitably have a degree of impact on the residential properties opposite. The properties most affected are those directly facing the site which include the Alquds Mosque and residential flats in Belvedere 152-158 Dyke Road. The separation distance between the front elevation of the new building and the front elevation of the residential flats would be in excess of 25 metres. Such separation distances are considered to be comfortable and will prevent any significant impact on loss of light and loss of privacy. As the land is currently undeveloped, residents would lose their open aspect over the college site, but given the separation distances are sufficient to prevent this building being overbearing, the impact is considered acceptable. Similarly with the issue of loss of light, some additional shadowing

from the new building is anticipated but no significant loss of light to neighbouring properties.

- 8.22 An objection from a neighbour opposite the site has raised concerns over the proposed CCTV cameras and potential for intrusion and loss of privacy from these installations. Drawing P109 shows the location of 3 CCTV cameras towards the front of the site. These cameras are located in areas where natural surveillance is lacking and additional surveillance is considered to be required. None of the cameras are angled directly towards the properties opposite. Notwithstanding this, there is sufficient distance between the cameras and neighbouring residential properties to prevent a feeling of intrusion and loss of privacy is not considered to be an issue in this instance.
- 8.23 In regard to noise and disturbance a standard condition will be imposed to ensure the plant and machinery does not affect neighbouring properties. Overall it is considered that the works will not harm the residential amenity of neighbouring properties.

Sustainable Transport:

- 8.24 Brighton & Hove Local Plan policy TR1 requires new development to address the related travel demand, and policy TR7 requires that new development does not compromise highway safety.
- 8.25 The applicant has submitted a Transport Statement to support the expansion of the school. The statement outlines that the site is located near to bus stops and rail stations which provide links to the surrounding areas. The travel survey in the statement indicates that most students travel by non-car modes.
- 8.26 The proposed development would involve building on the upper car parking area. Two of the existing vehicular access point would be removed and only pedestrian and cycle access would be retained to this area.
- 8.27 The applicant is proposing to reduce standard car parking spaces by 29. The Highway Authority deems this reduction in estimated car parking acceptable due to the site being in a sustainable location within walking distance of bus stops and close to main railway stations and the site being within a controlled parking zone that should limit overspill. The development would also be in accordance with the City Council's maximum Car Parking Standards (SPG04). Furthermore 7 new car parking spaces would be provided in the lower car park to partly offset the removal of spaces in the upper car park.
- 8.28 To comply with the Brighton & Hove Local Plan 2005 policies TR1 and QD28 and the Council Interim Guidance on Developer Contributions the Transport Manager has also commented that the applicant should make a financial contribution of £90,300 to help finance off-site highway improvement schemes. The requested contributions are to help finance pedestrian and cycle facility improvements along the Dyke Road corridor.
- 8.29 The Transport Team have commented on the need for a Construction and Environmental Management Plan which will ensure no adverse impact on

neighbouring occupiers through the construction period. This can be secured through a section 106 agreement.

Sustainability:

- 8.30 The application has been accompanied by BREAAAM pre-assessment which shows the design of the building equates to a BREEAM 'Excellent' rating. This is welcomed and in accordance with the sustainability thresholds suggested in the Supplementary Planning Document on Sustainable Building Design (SPD08).
- 8.31 Renewable Energy provision is accommodated through 125m² photovoltaic array; and a solar thermal array of 12m² both to be accommodated on the roof of the new building. Furthermore a passive design has been submitted which incorporates passive ventilation, natural lighting and solar shading.
- 8.32 The Sustainability Team have confirmed that the development would meet local and national policy. When commenting on the previous application, further areas of environmental performance enhancement were identified including rainwater harvesting, and a food composting provision. Although this is recommended, given that the development can be shown to meet the required BREEAM 'Excellent' rating it is not considered justifiable to insist on these additional measures in this instance.

Ecology/Nature Conservation:

- 8.33 The applicant has submitted Ecology Report for the site. The new building would be located on the existing car park; an area of low ecological value. The East Sussex County Council Ecologist has commented that the proposed development is within an area of low ecological value and, given the nature, scale and location of the proposed development, there are unlikely to be any significant impacts on any designated sites or protected species.
- 8.34 The Ecologist has commented that to avoid disturbance to birds, any removal of shrubs or trees that could provide nesting habitats should be carried out outside the breeding season. An informative is to be added to the decision notice informing the applicant of this requirement.

Other Considerations:

- 8.35 BHASVIC is located on potentially Contaminated Land. Previous contaminated land reports for the site have already identified that remedial measures are required in order that the development can be undertaken safely to protect the future occupants of the building. The Environmental Health Officer has suggested conditions to ensure this matter is given due attention before the development is commence.

9 CONCLUSION

- 9.1 The application has been assessed against relevant policies. It would not cause demonstrable harm to the amenities of neighbouring properties and will preserve local significance of BHASVIC's main building. The character and appearance of the school and the surrounding area is not considered to be

harmed. The scheme involves the enhancement of educational facilities on the site and would provide much need additional facilities. The development would perform very well in terms of sustainability, and the impact on highway safety and demand for travel in the area is acceptable.

10 EQUALITIES

10.1 The proposal provides adequate access for people with disabilities and would have to comply with Part M of the Building Regulations.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- An employment strategy to secure up to 20% local labour during construction of the project.
- Contribution of £90,300 to help finance off-site highway improvement schemes such as pedestrian and cycle infrastructure improvements on along the Dyke Road corridor
- A Construction and Environmental Management Plan

11.2 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Existing Site Plan	P100	B	11 th November 2013
Proposed Site Plan	P101	D	11 th November 2013
Proposed Site Plan	P104	M	11 th November 2013
Proposed Block Plan	P107	C	11 th November 2013
Location Plan	P108	B	11 th November 2013
CCTV location Site Plan	P109	A	11 th November 2013
Existing Basement Floor Plan	P200	A	11 th November 2013
Existing Ground Floor Plans	P201	B	11 th November 2013
Existing First Floor Plan	P202	B	11 th November 2013

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Existing Second Floor Plans	P203	A	11 th November 2013
Proposed Infill Block Ground Floor	P258	N	11 th November 2013
Proposed Infill Block First Floor	P259	K	11 th November 2013
Proposed Infill Block Second Floor	P260	I	11 th November 2013
Proposed Infill Block Roof plan	P261	I	9 th January 2014
Proposed link Building Ground Floor	P262	D	11 th November 2013
Proposed Infill-Block section AA-BB	P263	C	11 th November 2013
Proposed elevations	P265	I	9 th January 2014
Existing elevations	P266	A	11 th November 2013
Contextual Elevations	P267	D	11 th November 2013
Existing Link building Ground Floor	P278		11 th November 2013
Proposed elevations –Sculptural Boundary Treatment	P279	A	11 th November 2013
Proposed elevations showing Ground Floor Elevation	P282		9 th January 2014
Proposed Elevations Showing Roof mounted services	P283		9 th January 2014
Landscape Masterplan 1 of 2	1500-1001		11 th November 2013
Landscape Masterplan 2 of 2	1500-1002		11 th November 2013

- 3) The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.
- 4) 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 L_{A90} background noise level. Rating Level and existing background noise

levels to be determined as per the guidance provided in BS 4142:1997. In addition, there should be no significant low frequency tones present.

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

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

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

- 6) The development shall be carried out in strict accordance with Arboriculture Development Statement submitted by CBA Trees and received on the 5th December 2013. This shall specially include the measures outlined in the Arboriculture/Construction Method Statement. All tree protection measures outlined in this report shall be put in place prior to development commencing and shall be retained in place throughout the construction period. **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.

11.3 Pre-Commencement Conditions

- 7) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:
- i) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.
 - ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (a) above that any remediation scheme required and approved under the provisions of (i) (a) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation).

Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress; and
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i) (a).

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.

- 8) No development shall take place until samples of the materials (including brick, copper cladding glazing and rainscreen panels) 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 development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' of relevant BREEAM assessment for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

- 10) 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.

11.4 Pre-Occupation Conditions:

- 11) Prior to the occupation of the development the applicant shall reinstate the redundant vehicle crossovers on Dyke Road as detailed above back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

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

- 12) 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

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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.

- 13) The new/extended crossover and access shall be constructed prior to the first occupation of the development hereby permitted and in accordance with a specification that has been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

- 14) The non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

- 15) Within 3 months of occupation of the new building hereby approved, the college or developer shall submit to the Local Planning Authority for approval in writing, a detailed Travel Plan (a document that sets out a package of measures and commitments tailored to the needs of the development, which is aimed at promoting safe, active and sustainable travel choices by its users (pupils, parents/carers, staff, visitors, residents & suppliers).

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

11.5 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:

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- (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 application has been assessed against relevant policies. It would not cause demonstrable harm to the amenities of neighbouring properties and will preserve local significance of BHASVIC's main building. The character and appearance of the school and the surrounding area is not considered to be harmed. The scheme involves the enhancement of educational facilities on the site and would provide much need additional facilities. The development would perform very well in terms of sustainability, and the impact on highway safety and demand for travel in the area is acceptable.
- 3) The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites (www.breeam.org). Details about BREEAM can also be found in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
- 4) The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).
- 5) The applicant is advised that new legislation on Site Waste Management Plans (SWMP) was introduced on 6 April 2008 in the form of Site Waste Management Plans Regulations 2008. As a result, it is now a legal requirement for all construction projects in England over £300,000 (3+ housing units (new build), 11+ housing units (conversion) or over 200sq m non-residential floor space (new build)) to have a SWMP, with a more detailed plan required for projects over £500,000. Further details can be found on the following websites:
www.netregs.gov.uk/netregs/businesses/construction/62359.aspx and
www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html.
- 6) The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.
- 7) The Travel Plan shall include such measures and commitments as are considered necessary to mitigate the expected travel impacts of the

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development and should include as a minimum the following initiatives and commitments:

- a. Measures to promote and enable increased use of active and sustainable transport modes, including walking, cycling, public transport use, car sharing and Park & Stride, as alternatives to individual motor vehicle use;
- b. Identification of a nominated member of staff to act as School Travel Plan Co-ordinator to become the individual contact for the council's School Travel Team relating to the School Travel Plan; to convene a School Travel Plan (STP) Working Group.
- c. Use of the BHCC STP guidance documents to produce and annually review the STP.
- d. Production of a SMART action and monitoring plan, which shall include a commitment to undertake annual staff, parent/carer and pupil travel surveys to enable the STP to be reviewed and to update the SMART actions to address any issues identified;
- e. A commitment to take part in the annual 'Hands Up' Mode of Travel Survey co-ordinated by the council's School Travel Team.
- f. Identification of mode-use targets focussed on reductions in the level of individual motor vehicle use by staff and parent/carers.
- g. A commitment to reduce carbon emissions associated with nursery and school travel.
- h. Initiatives to increase awareness of and improve road safety and personal security.
- i. Evidence of dialogue and consultation with neighbouring residents and businesses.

Submission of an annual STP review document, following the annual travel surveys, to the Council's School Travel Team to demonstrate progress towards the identified targets.

- 8) The planning permission granted includes a vehicle crossover which requires alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required to be constructed under licence from the Highways Operations Manager. The applicant must contact the Network Co-ordination Team (01273 293 366) prior to any works commencing on the public highway.

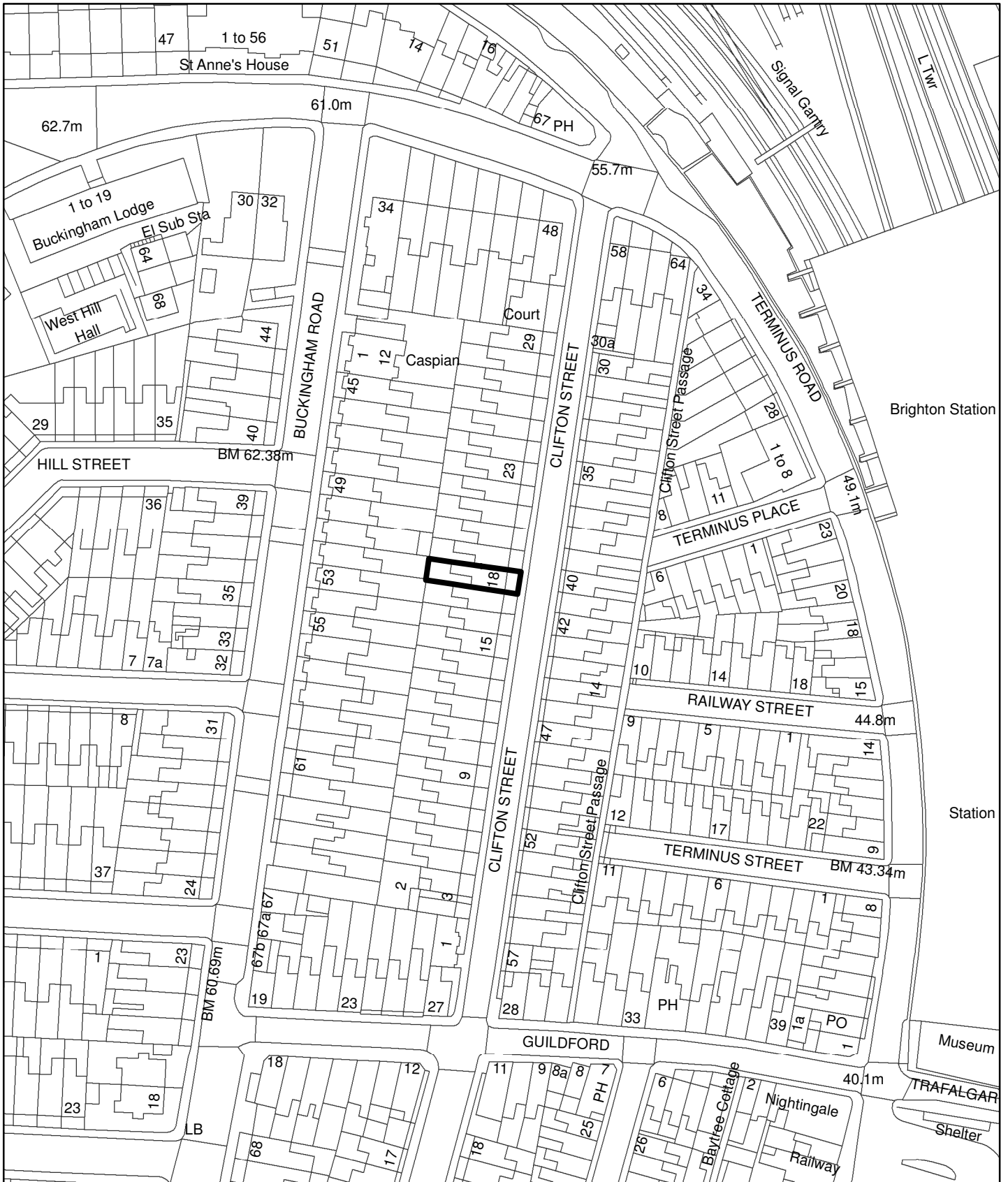
ITEM B

Top Floor Flat, 18 Clifton Street, Brighton

BH2013/03492
Householder planning consent

29 JANUARY 2014

BH2013/03492 Top Floor Flat, 18 Clifton Street, Brighton.



Scale: 1:1,250

<u>No:</u>	BH2013/03492	<u>Ward:</u>	ST. PETER'S & NORTH LAINE	
<u>App Type:</u>	Householder Planning Consent			
<u>Address:</u>	Top Floor Flat 18 Clifton Street Brighton			
<u>Proposal:</u>	Replacement of existing timber single glazed windows with UPVC double glazed windows (Retrospective).			
<u>Officer:</u>	Robin Hodgetts	<u>Valid Date:</u>	24 October 2013	
	Tel 292366			
<u>Con Area:</u>	West Hill CA and Article 4	<u>Expiry Date:</u>	19	December 2013
<u>Listed Building Grade:</u>	N/A			
<u>Agent:</u>	Weald Designs, Ranelagh, St Johns Road, Crowborough TN6 1RT			
<u>Applicant:</u>	Randolph Morse, 16 Cleve Terrace, Lewes BN7 1JJ			

This application was deferred from the 8th January 2014 committee meeting in order that a site visit can be carried out.

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 three storey, terraced property that is sub-divided into three flats. It lies on the west side of Clifton Street and lies within the West Hill conservation Area and is subject to an Article 4 direction.
- 2.2 The street is characterised by a consistent design of terraced properties; three storeys to the west side and two storeys to the east. There is a mix of timber and upvc fenestration with upvc windows present at Nos. 7, 13, 14, 15, 19, 41, 47 and the ground floor of 18.

3 RELEVANT HISTORY

None

4 THE APPLICATION

- 4.1 Planning permission is sought retrospectively for the replacement of existing timber, single glazed windows with upvc, double glazed windows to the front elevation of the top floor flat.
- 4.2 The applicant has submitted a petition of 40 signatures in support of his planning application. In addition, the applicant prepared a supporting document that was circulated by the applicant to members at committee. The applicant

has drawn attention to a number of windows in the vicinity, one of which includes 40 Dyke Road. The matter has been passed to the Planning Investigations and Enforcement team.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Four (4)** letters of representation have been received from the occupiers of **12 Clifton Street, 25 Clifton Street, 29 Clifton Street** and **33 Clifton Street** objecting to the application for the following reasons:

- The design, materials and appearance of the proposed windows and their effect on the Conservation Area.

5.3 **Twelve (12)** letters of representation have been received from the occupiers of **5 Clifton Street, 9 Clifton Street, 14 Clifton Street, Ground Floor Flat, 18 Clifton Street, Top Floor Flat, 19 Clifton Street, 20 Clifton Street, 39 Clifton Street, 41 Clifton Street, 49 Clifton Street,** and **1A Powis Grove** supporting the application for the following reasons:

- The design, materials and appearance of the proposed windows and their improvement to the thermal properties of the flat.

5.4 **Halls Estate Agents, 27 New Road** have written in support of the application.

Internal

5.5 None received

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

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

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

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

QD14	Extensions and alterations
QD27	Protection of Amenity
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD09	Architectural Features
SPD12	Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the appearance of the windows on the host building, street scene and the wider West Hill Conservation Area.

Design and Visual Impact

- 8.2 The building as existing forms part of an historic terrace and contributes positively to the Conservation Area. It has in the whole retained its original form and detailing although it is noted that upvc sash windows are present at ground floor level. There is no planning history for these window alterations. There are also other properties in the vicinity where UPVC replacements have been installed, namely Nos. 7, 13, 14, 15, 19, 41 & 47, (there is no planning history for these unauthorised and harmful alterations). Furthermore these are exceptions and a predominance of timber windows on the street remains and the use of such windows forms a key historical feature and characteristic of the area as a whole.
- 8.3 The application site is at second floor level and visible from the street. Policy HE6 of the Brighton & Hove Local Plan is clear in its expectation that original features such as timber windows that contribute positively to the area’s character and appearance should be protected. SPD09 provides additional detail, stating that *‘Original or historic windows should be retained unless beyond economic repair. New and replacement windows must closely match the originals in their style,*

method of opening, proportions and external details. On street elevations the original material must also be matched'. With regard UPVC replacements, it states that within conservation areas 'they [aluminium or UPVC replacement windows] are unlikely to be permitted on an elevation of a historic building visible from the street or public open space'. SPD12 also states in its section on development within Conservation Areas and Buildings of Local Interest that "Plastic or aluminium windows will not be acceptable on elevations visible from the street where the original windows were designed to be timber."

- 8.4 The introduction of upvc frames would clearly have a negative impact upon the character of the host building, street scene and wider West Hill Conservation Area contrary to policy HE6 and SPD's 09 & 12.

9 CONCLUSION

- 9.1 For the reasons detailed above, the proposed replacement windows represent a harmful alteration to the historic character and appearance of the building, terrace and wider Conservation Area and the loss of an original design feature. As such, the proposal fails to accord with policies QD14 and HE6 of the Brighton & Hove Local Plan and SPD09 and SPD12.

10 EQUALITIES

- 10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The UPVC windows, by virtue of their form and material finish incorporating the loss of original timber sash windows, represent a harmful alteration to the character and appearance of the building, terrace and wider Conservation Area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and the guidance in SPD09 & SPD12.

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			14/10/13
Proposed elevation	011013/03		14/10/13
Proposed window detail	011013/04		14/10/13

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Existing window detail	011013/05		29/11/13
Existing section	011013/06		29/11/13

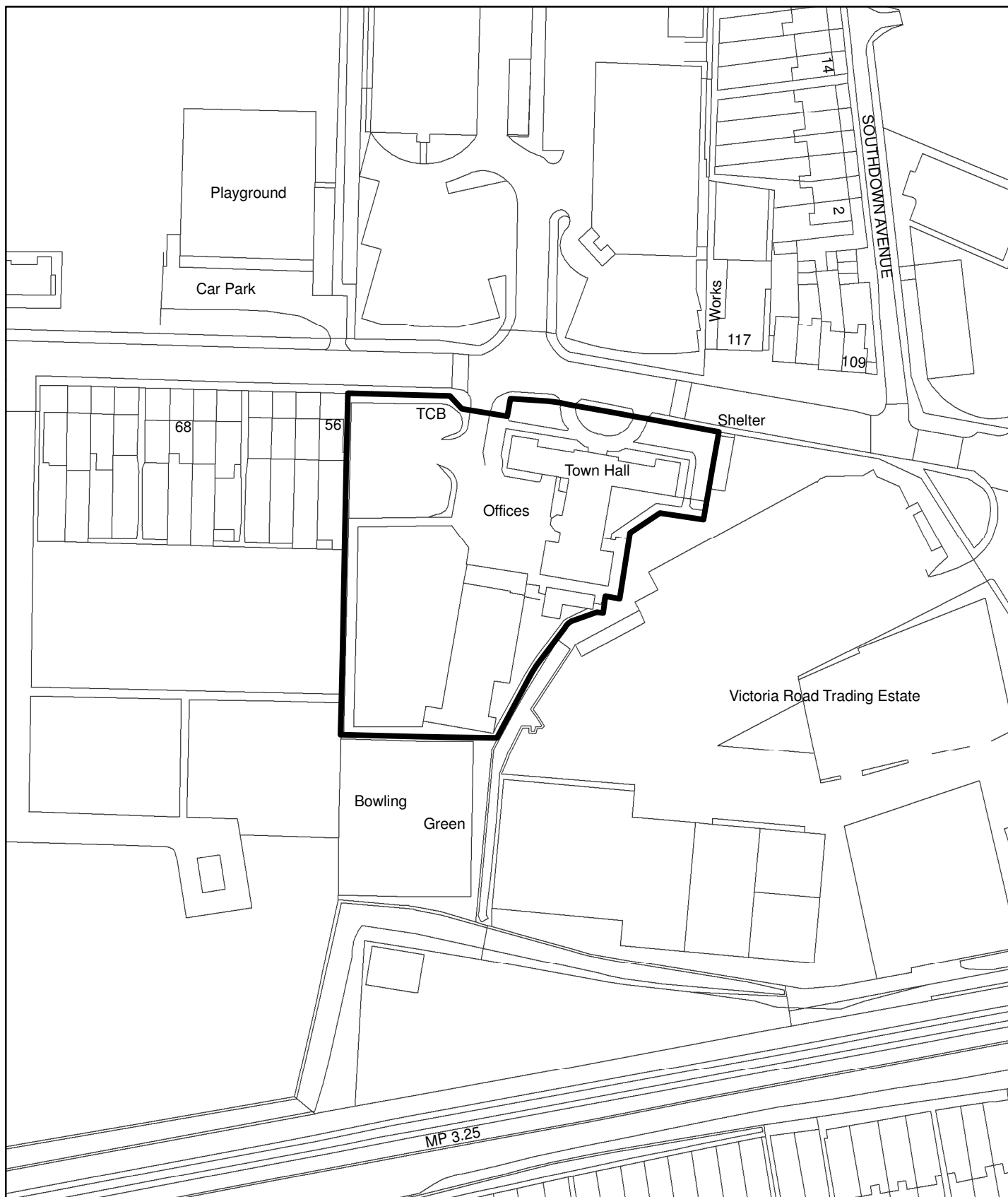
ITEM C

**Portslade Town Hall, Victoria Road,
Portslade**

**BH2013/03774
Council development**

29 JANUARY 2014

BH2013/03774 Portslade Town Hall, Victoria Road, Portslade.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/03774	<u>Ward:</u>	SOUTH PORTSLADE
<u>App Type:</u>	Council Development (Full Planning)		
<u>Address:</u>	Portslade Town Hall Victoria Road Portslade		
<u>Proposal:</u>	Alterations including ramped access to East, West and South elevations, two storey extension enclosing new staircase to South elevation, change of use of first floor living accommodation to open-plan office.		
<u>Officer:</u>	Wayne Nee Tel 292132	<u>Valid Date:</u>	11 November 2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	06 January 2014
<u>Listed Building Grade:</u>			
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Brighton & Hove City Council, Nigel McCutcheon, Kings House Grand Avenue, Hove BN3 2LS		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to Portslade Town Hall, a large detached T-shaped building located on the south side of Victoria Road, Portslade. The building fronts onto the street with a car park on the west side of the site. To the south there is another detached building known as Victoria Road Housing Office.

3 RELEVANT HISTORY

BH2012/01347 Installation of new set of external steps on the West elevation for accessing the community kitchen. (Part-retrospective) – approved 22/06/2012

BH2012/00325 Alterations including ramped access to East and West elevations, two storey extension enclosing new staircase to South elevation, change of use of first floor living accommodation to open-plan office and new dropped kerb and access gate - approved 13/04/2012

4 THE APPLICATION

- 4.1 Planning permission is sought for alterations including:
- Ramped access to east, west and south elevations;
 - Two storey extension for a new staircase to South elevation;

- Replace existing door with new window on west elevation;
- Change of use of first floor living accommodation to open-plan office;
- New Housing Office facilities on ground floor.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Fourteen (14)** letters of representation have been received from **36 The Ridgway, 14 The Fairway, 49 The Meadway (x2), 30 Mackie Avenue, 6 The Brow, 63 Wilmington Way, 20 Farm Hill Way, 48 Ingleside Crescent & 252 Brighton Road Lancing, 1 The Herons & Orchard Lodge The Avenue Shoreham by Sea, Bracken Cottage Storrington, 3 Allendale Avenue Worthing, and an unknown address** objecting to the application for the following reasons:

- Committee rooms will not be available to residents;
- Loss of facilities will effect the community;
- The Council has not consulted users of Portslade Town Hall about the changes;
- Internal works do not comply with Building Regulations;
- The external staircase would detract from the appearance of the building;
- Loss of car parking will cause disturbance.

5.2 Sussex Police

Whilst there are no objections to the design and layout of the development, adequate lighting should be made available at the ramp locations. In addition, consideration should be given to ensure that the proposed office has adequate locks fitted commensurate to its risk assessment.

5.3 Brighton & Hove Archaeological Society

The proposed development lies close to the sites of a Roman and an Anglo-Saxon cemetery. It is possible that even small incursions may reveal significant finds. The Brighton & Hove Archaeological Society would suggest that the County Archaeologist is consulted.

5.4 County Archaeologist

Although this application is situated within an Archaeological Notification Area, it is not considered that any archaeological remains are likely to be affected by these proposals. For this reason there are no further recommendations to make in this instance.

Internal:

5.5 Environmental Health:

The site is located near to Victoria Recreation Ground Landfill site and is very close to the location of an old gravel pit which may have been filled in with waste/made ground to level it. Finally, it is also near to other potentially contaminated land sites due to their past uses as Engineering companies and Polish Manufacturers. However, because the plans for the Town Hall only include an extension containing a staircase, access ramps and some internal changes, and no major alterations are proposed, it is recommended that a contaminated land discovery strategy is applied to this application.

5.6 Sustainable Transport

Recommended approval as the Highway Authority has no objections to this application.

Changes to application BH2012/000325 are:

1. Staircase extension is reduced in height by 500mm;
2. Entrance door to staircase extension is moved to west elevation;
3. An existing external door on the west elevation is proposed to be reinstated as a window.

These are not considered to have a significant impact above that already permitted as per the previous application (BH2012/00325).

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

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

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

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

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1 Development and the demand for travel

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TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
SU11	Polluted land and buildings
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
HO8	Retaining housing
HO20	Retention of community facilities
EM4	New business and industrial uses on unidentified sites

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the loss of the unit of residential accommodation, the design and appearance of the extension and ramps proposed, their impact on local residential amenity, and the acceptability in terms of transport.

Background:

- 8.2 A previous application (BH2012/00325) – for alterations including ramped access to East and West elevations, two storey extension enclosing new staircase to South elevation, change of use of first floor living accommodation to open-plan office and new dropped kerb and access gate – was approved in April 2012.
- 8.3 A subsequent application (BH2012/01347) for the installation of a new set of external steps on the west elevation for accessing the community kitchen was also approved.
- 8.4 In this revised application of application BH2012/00325, the extension has been reduced in height by 0.5m, and the proposed entrance door to the extension has been repositioned to the west elevation. Also now proposed are further internal alterations, and replacing an external door on the west elevation with a window.

Change of Use:

- 8.5 Policy HO8 seeks to resist the net loss of residential units within the city unless in exceptional circumstances where, amongst others, separate access to the

accommodation is impracticable. In this instance, the residential unit is located at first floor level within the Council building, and is only accessible via the communal spaces within the building itself. It forms a caretakers flat associated with the operation of the Town Hall, and is not an independent residential unit. In this regard it is not considered appropriate to seek to retain this unit of residential accommodation as it clearly fails to provide an independent unit by virtue of its historical use, its position wholly within a commercial premises, and its lack of independent access. An exception to HO8 can therefore be reasonably made.

- 8.6 The proposal seeks to change the use of the residential unit to office accommodation. This office accommodation would be effectively self-contained by virtue of being independently accessible from the proposed staircase. Policy EM4 permits such new business uses where, amongst others, there is no loss of residential accommodation, the site is accessible by public transport, and there would be no harm to neighbouring residential amenity. In this instance, the site is in a sustainable location close to bus and train routes, and a suitable distance from residential property. As stated, the loss of the caretaker's flat is not considered to conflict with policy HO8 and therefore does not result in the loss of residential accommodation. For these reasons the proposed self-contained office unit is considered an appropriate form of sustainable development that would not harm the function of the existing Town Hall or other nearby properties.
- 8.7 This revised application also involves replacing ground floor committee rooms with a Housing Office with a public reception point. The other committee rooms would be retained (although they are renamed on the proposed plan), as would the main hall. The applicant has stated that Portslade Town Hall is being refurbished to become a neighbourhood and community hub providing both local services and community facilities.
- 8.8 Policy HO20 states that planning permission will not be granted for proposals that involve the loss of community facilities. In this case, although there are some internal alterations to enable new facilities, overall the building is still providing numerous rooms for community use. It is therefore considered that there is no loss of community facilities in this instance and therefore policy HO20 does not apply here.

Design and Appearance:

- 8.9 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings 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.

In considering whether to grant planning permission for extensions to 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.

- 8.10 The proposed works are largely to the rear of the building and away from the view from the street. The proposed two storey extension would be located on the rear elevation of the main building, with detailing (including windows, brickwork and parapet roofline) to match that of the existing building. The scale and position of the extension is sympathetic to the building and would not harm its overall appearance. The reduction in height of the extension is welcome.
- 8.11 Similarly, the new access ramps would be located either side of the rear projection to the building, and are modestly scaled and finished such that they would not harm the appearance of the building. The proposed west elevation window would line up with the existing ones on this part of the building, and would be an acceptable alteration.
- 8.12 For these reasons the proposal is considered to accord with policy QD14 of the Brighton & Hove Local Plan.

Impact on Amenity:

- 8.13 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.
- 8.14 The proposed works would not impact on amenities of the surrounding properties which are all in commercial use. The Environmental Health officer has recommended a condition to secure against potential land contamination.

Sustainable Transport:

- 8.15 The site is located close to public transport routes and is serviced by a large car park to the west side. The Transport Team consider that the changes to the previous application would not have a significant impact above that already permitted in the previous application.
- 8.16 An objection has been made regarding the loss of car parking spaces; however this does not form part of the proposal.

Other Matters:

- 8.17 An objection has been received referring to Building Regulations: however this is not considered to form part of the assessment of the planning application.
- 8.18 Although this application site is situated within an Archaeological Notification Area, the County Archaeologist has commented on the application and advised that the proposal would not affect any archaeological remains that may be on site.

9 CONCLUSION

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- 9.1 The proposed development would not result in the loss of viable residential accommodation and would provide a good standard of new office accommodation in a sustainable location. The proposed external works would compliment the appearance of the building without harm to residential amenity. The proposal accords with development plan policies.

10 EQUALITIES

- 10.1 The new ramps would improve disabled access into the building.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

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

Plan Type	Reference	Version	Date Received
Block plan	002		05 November 2013
Existing plans	003		05 November 2013
Proposed plans	004		05 November 2013
Existing elevations	005		05 November 2013
Proposed elevations	006		05 November 2013
Existing landscape plan	007		05 November 2013
Proposed landscape plan	008		05 November 2013
Site plan	001		05 November 2013

- 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) 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

PLANNING COMMITTEE LIST- 29 JANUARY 2014

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.

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.

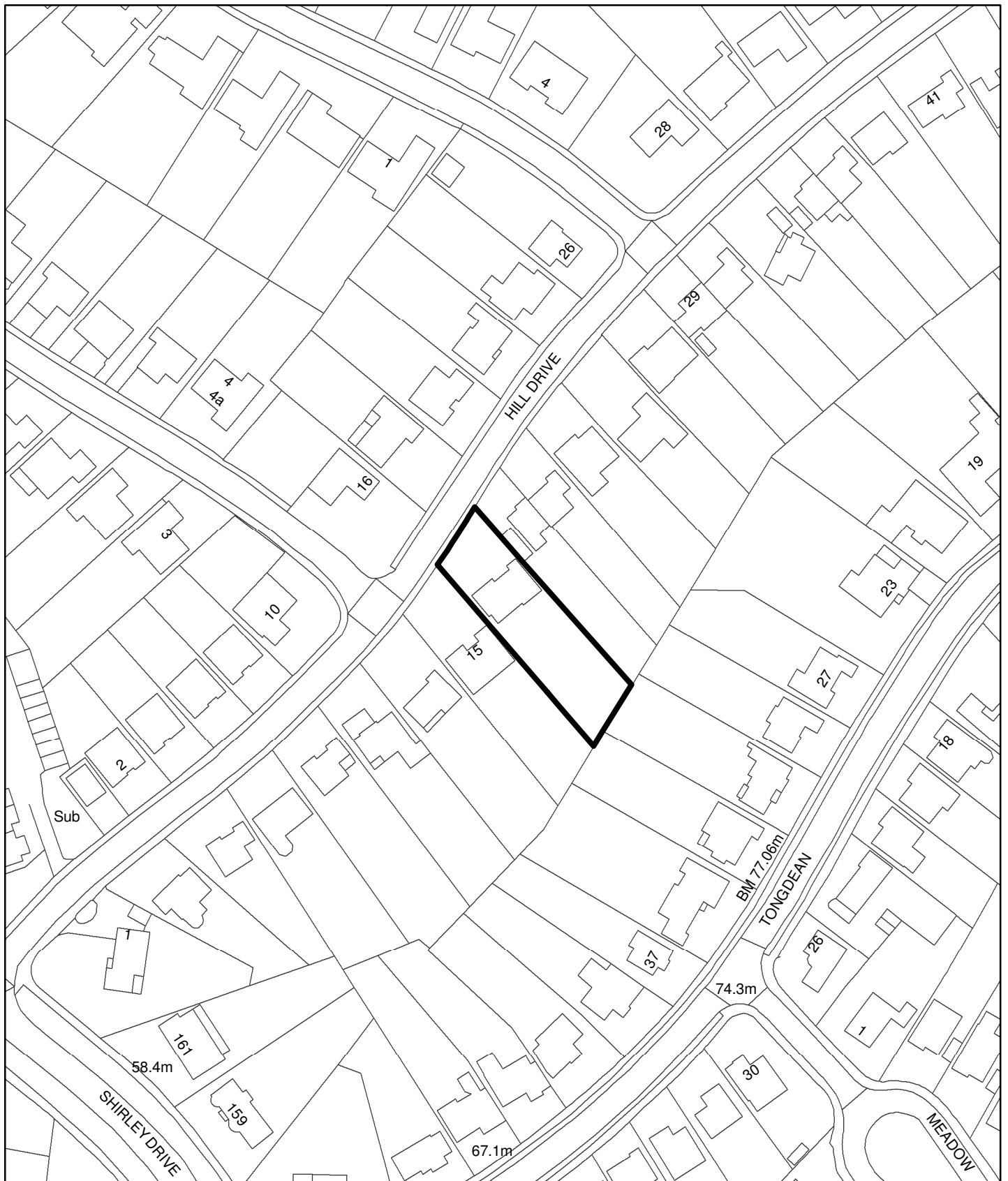
2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The proposed development would not result in the loss of viable residential accommodation and would provide a good standard of new office accommodation in a sustainable location. The proposed external works would compliment the appearance of the building without harm to residential amenity. The proposal accords with development plan policies.

ITEM D

17 Hill Drive, Hove

BH2013/03702
Full planning

29 JANUARY 2014



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/03702	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	17 Hill Drive Hove		
<u>Proposal:</u>	Erection of 4no bedroom house with garage to replace existing bungalow.		
<u>Officer:</u>	Clare Simpson Tel 292454	<u>Valid Date:</u>	04 November 2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	30 December 2013
<u>Listed Building Grade:</u> N/A			
<u>Agent:</u>	Alan Phillips Architects, 31 Montefiore Road, Hove BN3 1RD		
<u>Applicant:</u>	Jonathan Paxton, 17 Hill Drive, Hove BN3 1QD		

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 considerably 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

BH2013/00370 Demolition of existing dwelling and erection of a new 3 bed house. Refused 15/08/2013 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, and is contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.*

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

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 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 two-storey building with lower ground floor entrance and garage accommodation.
- 4.2 This application follows recently refused applications for the redevelopment of the site. The applicant has employed a new architect team and the current proposal represents a new design approach, compared to the two previous submissions. The house would be flat roofed and have a combination of Staffordshire blue brick and a white render arch to the garage and storage area at lower ground floor level, and 2 storeys above containing the main residential accommodation formed of a white rendered facade to the north and to the south a Prodema rainscreen cladding system

5 PUBLICITY & CONSULTATIONS

**External
Neighbours:**

- 5.1 **Seven (7)** letters of representation have been received from **15, 19, 20, 23, Hill Drive, 31 Tongdean Road, 83 Wayland Avenue, 18 Hangleton Lane**, objecting to the application for the following reasons:
- The development is not in-keeping with its surroundings,
 - The size of the dwelling is excessive,
 - The arch and blue bricks dominate the street elevation,
 - The development will cause overlooking,
 - It extends too far to the rear of the site and would have an unacceptable visual impact from nearby back gardens,
 - The extension to the rear is too bulky, too high and dominant,
 - It would result in loss of light to neighbours,
 - The house is also used for business use which would result in increased noise and disturbance in the residential area,
 - There is a shortage of bungalows in the area.
- 5.2 **Ten (10)** letters of representation have been received from **9, 15, The Beeches, 9, 16, Tongdean Road, 69 Hove Park Road, 16 Hill Drive, 47 Woodruff Avenue, 59 Queen Victoria Avenue, 4 The Deanway, 1 Woodland Drive**, supporting the application for the following reasons:
- the design is modern, interesting and should be welcomed,
 - the existing house is in need of improvement and lets the area down,
 - it will be an improvement to the overall area.

Internal:

- 5.3 **Councillor Jayne Bennett and Councillor Vanessa Brown** object to the application – email attached.
- 5.4 **Sustainable Transport:** No Objection
- 5.5 **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.
- 5.6 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.

6 MATERIAL CONSIDERATIONS

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
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.
- 8.2 The National Planning Policy Framework, published in March 2012 provides national guidance on determining planning applications. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. The NPPF requires good design which should contribute positively to making places better for people.

Character and Appearance

- 8.3 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. The existing bungalow is relatively modest in size and there is no objection to the principle of demolishing the existing accommodation and the principle of redeveloping the site with a larger dwelling.
- 8.4 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. Many of the redeveloped properties make a modern and sometimes contrasting addition to the street scene although which have a degree of reference to existing properties in the vicinity.
- 8.5 It is proposed that the new building would be largely constructed on a similar front building line to that of the existing bungalow which is considered to be the right approach for the site and would overcome the concerns with the last applications over the building line. This would also maintain the staggered building line and a degree of openness to the front curtilage of the property. The property would be accessed at lower ground floor level with garage accommodation occupying the width of the site.
- 8.6 This lower ground floor level would extend further forward from the principle elevation but would not breach the building line and would leave sufficient space from the back of the highway. The design proposes this to be a flat roof structure constructed with blue brick features a rendered arc. These materials would be viewed as alien to the street and add prominence to this part of the design.

- 8.7 One of the defining features of the design of the new house is the proposed flat roof. This is in stark contrast to the pitched roofs which dominate the street. Furthermore, given that the application site is on sloping land, the pitched roofs of the existing properties in the street provide a degree of rhythm in the longer views up and down the hill. Although in absolute terms, the height of the new dwelling does draw reference from the ridge heights of the neighbouring properties, these properties have conventional pitched roof forms which limit the bulk and form of the properties at roof level. The proposed roof form and use of materials would not reflect any characteristics of the existing properties in this part of Hill Drive. Furthermore the design of the house relies on provision of large fenestration on the top floor level which gives the top storey of accommodation prominence over the floors below, which again is discordant to the character of the area.
- 8.8 The west elevation of the new building would be viewed prominently in views looking up Hill Drive given that no.15 Hill Drive is set back on the building line. This is a flank elevation without any visual relief or set-backs and with large windows proposed for this elevation and this would appear quite dominant in the context of local built form.
- 8.9 It is considered that the development by reason of its design form and scale in relation to adjoining properties and the wider surrounding area would create a dominant and visually intrusive development 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:

- 8.10 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.
- 8.11 The application site is to the north-east of 15 Hill Drive and as such there are no concerns regarding loss of light to this property. 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.
- 8.12 The design of the west elevation relies on outlook over the front curtilage of no.15 Hill Drive. This is not uncommon for the area when the plot layouts rely on staggered building lines, and although the side windows of the proposed new house would be larger than the size of conventional windows seen in this residential area, it is not considered that the development would cause a significant loss of privacy to 15 Hill Drive.
- 8.13 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.

8.14 In order to minimise instances of overlooking to no.19 Hill Drive the proposal incorporates high-level translucent glazing along this elevation. For this reason it is not considered that the development would result in a loss of privacy to the occupiers of this adjoining property. The main concern with this application in regards to the impact comes from the rearward projection of the house relative to this neighbouring property. The proposal would see the flank wall of the new property rise vertically for two storeys close to the boundary. This wall would project a further 6 metres into the rear garden compared to the existing bungalow. This elevation would be overbearing and visually intrusive when viewed from the neighbouring property.

8.15 The development by virtue of the bulk, form and projecting significantly to the rear curtilage of the property would be visually intrusive and cause an increased sense of enclosure for occupiers of no.19 Hill Drive and is contrary to policy QD27 of the Brighton & Hove Local Plan

8.16 Sustainable Transport:

The development would incorporate garage accommodation at the lower ground floor level to car parking. There would also be ample space on site for cycle parking. The Sustainable Transport Team has no concerns regarding the application in terms of highway safety or highway capacity

Other considerations:

8.17 Representations have been received from neighbouring occupiers regarding commercial activity on the site. The site visit did not reveal any significant business activity arising from the development and the property was being used as a residential house.

8.18 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, in the event planning permission was granted.

8.19 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, in the event planning permission was granted.

8.20 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 design 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 design character and appearance of the existing built environment. Furthermore the rear projection of proposed property relative to 19 Hill Drive is excessive and would result in an unduly dominant building which would be visually intrusive and overbearing on the occupiers of this property

10 EQUALITIES

10.1 There is the opportunity for the development to meet Lifetime Homes Standards in accordance with policy HO13 of the Brighton & Hove Local Plan

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The development by reason of its design, scale 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 character and appearance of the existing built environment, and is contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

2. The development by virtue of the bulk and form projecting significantly to the rear curtilage of the property would be visually intrusive and cause an increased sense of enclosure for occupiers of no.19 Hill Drive and is 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
Site Location Plan	HD01		30 th October 2013
Block Plan	HD.02	b	1 st November 2013
Proposed Block Plan	HD.02		1 st November 2013
Existing Plans	HD.04		30 th October 2013
Existing Sections	HD.05		30 th October 2013

PLANNING COMMITTEE LIST- 29 JANUARY 2014

Existing Street Elevations	HD.06		30 th October 2013
Existing Elevations	HD.07		30 th October 2013
Existing Rear Elevations	HD.08		30 th October 2013
Site Plan Proposed	HD.09		30 th October 2013
Proposed Garage /entrance Level	HD.10		30 th October 2013
Proposed Ground Floor Plan	HD.11		30 th October 2013
Proposed First Floor Plan	HD.12		30 th October 2013
Proposed Roof Plan	HD.13	a	25 th November 2013
Proposed Elevations (side)	HD.14		25 th November 2013
Proposed Rear Elevation	HD.15		30 th October 2013
Proposed Street Facing elevation	HD.16		30 th October 2013

From: Vanessa Brown
Sent: 24 November 2013 15:55
To: Clare Simpson
Subject: BH2013/03702

Dear Ms Simpson

Ref: BH2013/03702 17 Hill Drive Hove

As the Ward Councillors we are writing to strongly object to this planning application. It is an overdevelopment of the site.

The flat roof is completely out of character with the other houses in the road which all have traditional tiled pitched roofs. The flat roof is virtually as high as the pitched roof further up the hill at No. 19 making it look very dominant and bulky. It would have a very detrimental effect on the street scene.

This application extends much further into the back garden than the existing house and the houses on either side, and as it is so high it will affect the amount of light and sun on the back patio and rooms of No. 19. It will also give the residents a feeling of enclosure.

If this application should be recommended to be passed we would like it to go before the planning committee and we would like the opportunity to speak at the committee meeting.

Yours sincerely

Vanessa Brown

Jayne Bennett

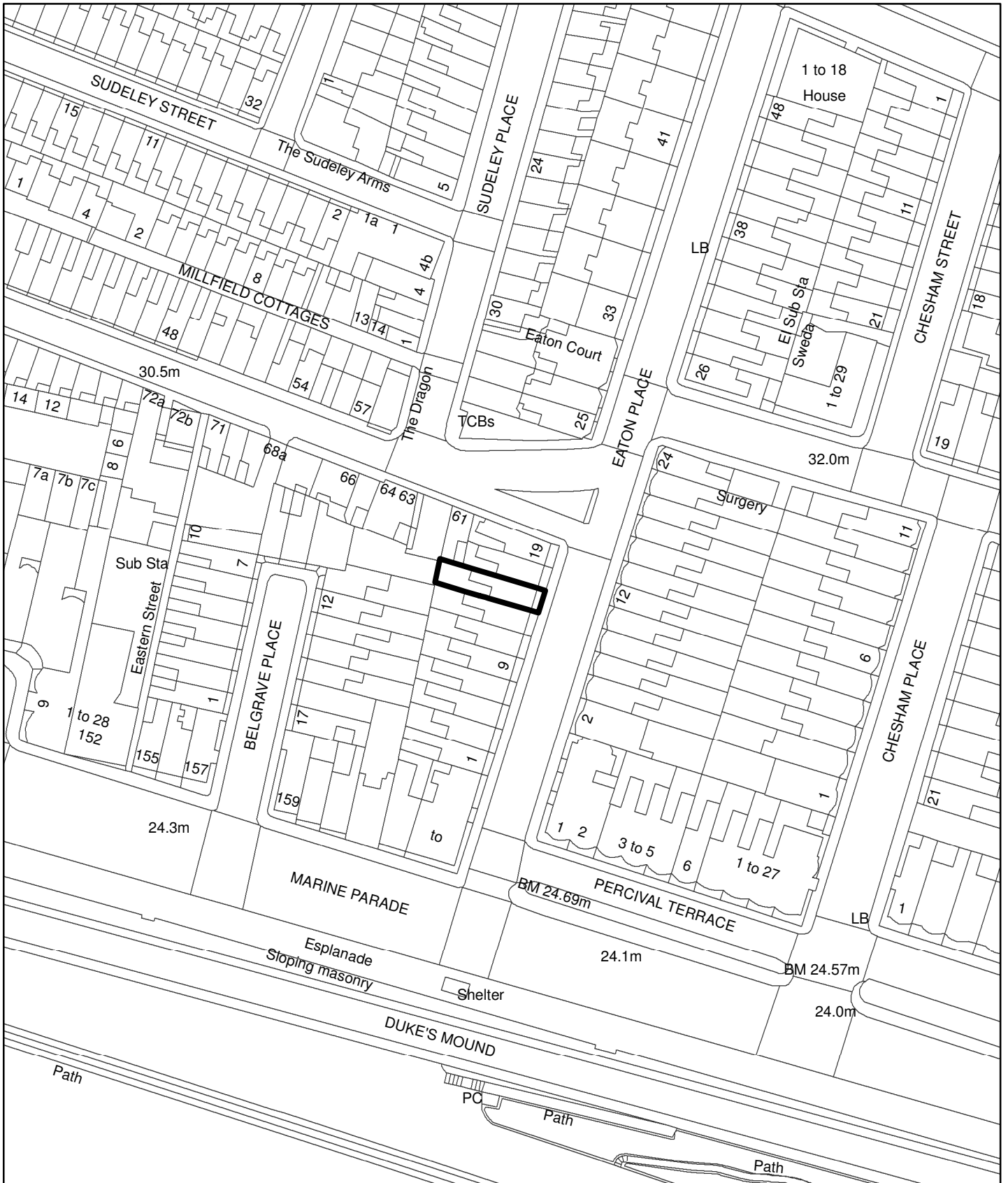
ITEM E

15 Eaton Place, Brighton

BH2013/03477
Listed building consent

29 JANUARY 2014

BH2013/03477 15 Eaton Place, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/03477	<u>Ward:</u>	EAST BRIGHTON
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	15 Eaton Place Brighton		
<u>Proposal:</u>	External alterations including installation of metal staircase with glass balustrading and metal handrail, replacement of timber casement window with door at first floor level to the rear.		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	11 October 2013
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	06 December 2013
<u>Listed Building Grade:</u>	II		
<u>Agent:</u>	LCE Architects, 164-165 Western Road, Brighton BN1 2BB		
<u>Applicant:</u>	Michael Lipton, 15 Eaton Place, Brighton BN2 1EH		

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 site is a four storey, terraced building, on the western side of Eaton Place, between St George's Road to the north and Marine Parade to the south. It is divided into an upper maisonette and a lower flat (15A Eaton Place), each with two floors. The lower flat has an access door to the rear garden on the basement floor and the ground floor, while the upper maisonette does not have any access to the garden. The property is Grade II Listed and sited within the East Cliff Conservation Area, in a mainly residential area of four storey terrace houses.

3 RELEVANT HISTORY

BH2013/03478 - Installation of metal staircase with glass balustrading and metal handrail, replacement of timber casement window with door at first floor level to the rear (Planning Permission). Currently under consideration.

BH2012/03924 - Installation of cast iron access stairs and French doors to first floor rear elevation. Refused 27 June 2013.

BH2012/03923 - Installation of cast iron access stairs and French doors to first floor rear elevation. Refused 27 June 2013.

BH2011/03770 Reconfiguration of rear steps to garden. (Part retrospective). Approved 23 February 2012.

BH2011/03508 Reconfiguration of rear steps to garden. (Part retrospective). Approved 23 February 2012.

BH2011/01610 Installation of new cast iron access stairs and timber French doors to rear elevation. Refused 14. September 2011.

BH2011/01609 Installation of new cast iron access stairs and timber French doors to rear elevation. Refused 14. September 2011.

BH2008/0392 Basement extension and internal alterations to lower maisonette. Refused 1 April 2008.

BH2008/00394 Basement extension and internal alterations to lower maisonette. Refused 1 April 2008.

BH2008/03545 Basement extension and internal alterations to lower maisonette. Approved 27 January 2009.

BH2008/03546 Basement extension and internal alterations to lower maisonette. Approved 27 January 2009.

70.1853. Convert existing house into two separate residential units. Granted 13.10.1970.

4 THE APPLICATION

- 4.1 Listed Building Consent is sought for the installation of a metal staircase with glass balustrading and metal handrail and replacement of timber casement window with door at first floor level to the rear.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** None received.

- 5.2 **Councillor Gill Mitchell** supports the application. Email attached.

Internal:

- 5.3 **Heritage:** Objects to the application.

This application follows previous proposals for stairs in a different position which were considered unacceptable for various design reasons as well as in principle.

- 5.4 *Relevant appeal decisions in respect of refusals of similar proposals are:*

BH2011/00304, 5 Sudeley Place, First Floor Balcony, (glass balustrading, no stairs). Not Listed, in Conservation Area. Refused for design reasons, loss of original window and loss of amenity. Appeal Dismissed.

- 5.5 *BH2009//01258, Flat 3, 7 Adelaide Crescent, First Floor Balcony (metal railings, no stairs). Grade II* Listed, in Conservation Area. Refused for design reasons. Appeal Dismissed.*

- 5.6 *BH2008/02764, 23 Tennis Road, First Floor Balcony (metal railings, spiral stairs). Not Listed, Not in Conservation Area. Refused for amenity reasons. Appeal Dismissed.*

- 5.7 The current proposal has resolved problems in relation to the principle of removing original fabric by positioning the access at a non-original opening, however the addition of an uncharacteristic feature on the rear of this property is still a significant concern; the staircase, whatever the detail, will dominate the side elevation and will also be detrimental to the rear elevation due to its projection in front of the large ground floor sliding sash.

- 5.8 It is therefore still considered not to meet the requirements of the National Planning Policy Framework to 'enhance or better reveal the significance of the heritage asset', or the guidance for PPS 5 to 'make a positive contribution to the appearance, character, quality or local distinctiveness of the historic environment' or policy HE1 in the Local Plan.
- 5.9 The design of the proposed door is not considered appropriate as the large area of glass has a very modern character.
- 5.10 Mitigations and Conditions
It is considered that further amendments to the design would not be sufficient to overcome the problems with the proposal in principle.

6 MATERIAL CONSIDERATIONS

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

HE1 Listed Building Consent

Supplementary Planning Guidance:

SPGBH11 Listed Building Interiors

SPGBH13 Listed Building – General Advice

Supplementary Planning Documents:

SPD09 Architectural Features

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The considerations in the determination of this application relate to the impact upon the architectural appearance and character of the Listed Building.

Design and Appearance

- 8.2 Policy HE1 states that proposals involving the alterations, extension, or change of use of a listed building will only be permitted where:
- a) the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and
 - b) the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.
- 8.3 Two previous applications for an external staircase to the rear of the listed building to provide access to the rear garden have been refused on the grounds that the structure was inappropriate in design terms and would harm the appearance and character of the Listed Building and the wider Listed terrace.
- 8.4 The applicant has attempted to address the reason for refusal by proposing an external staircase to the side of the property rather than the rear. An opening would be created at first floor level, with a door inserted in the place of the existing non-original window and a staircase extending down along the side of the building terminating at the existing raised decked area adjacent to the existing side door at ground floor level. The steps would be 0.8m in width and would be finished in painted metal with a glazed balustrade. The proposed door would be glazed with a timber frame.
- 8.5 Whilst the relocation of the steps to the side elevation rather than the rear would ensure that the rear elevation was preserved and limit the

loss of original fabric the proposal would still have an adverse impact upon the appearance and character of the Listed Building and the wider Listed terrace and as such is contrary to policy HE1 of the local plan.

- 8.6 The staircase would dominate the side elevation of the building, obscuring the original sash window at ground floor level and resulting in a cluttered appearance to the rear of the building. The incongruous design and detailing would fail to respect the traditional appearance and character of the Listed Building. The fully glazed door and the glazed balustrading would both be alien features to the rear of the listed building and further detract visually from the architectural and historical character an appearance of the listed building.
- 8.7 The proposed works are not considered to result in any significant detrimental impact to the interior of the Listed Building and are acceptable in this regard.
- 8.8 The Heritage Team objects to the principle of the proposal and state that there are no alterations that could mitigate for the inappropriate nature of the proposed works.
- 8.9 It is noted that there is a balcony and access steps down to the garden at the adjoining property, No. 13 Eaton Place and also a number of fire escapes to neighbouring properties within the locality. There is no recent planning history for these structures, which are considered to detract from the appearance and character of the listed buildings and do not set a precedent for further inappropriate development at the application property. A recent application has been approved for the removal of the fire escape at No.11 Eaton Place and this is considered to result in an enhancement to the Listed terrace and is welcomed by the Local Planning Authority.
- 8.10 To conclude, the proposal is considered to constitute an incongruous and uncharacteristic element to the rear, resulting in a detrimental impact to the character and appearance to the listed building and the wider listed terrace.

9 CONCLUSION

- 9.1 The proposal, by reason of design, scale and detailing would constitute an incongruous and uncharacteristic element to the rear, resulting in a detrimental impact to the character and appearance to the Listed Building and the wider Listed terrace.

10 EQUALITIES

- 10.1 None.

11 REASON FOR REFUSAL / INFORMATIVES

- 11.1 Reasons for Refusal:

PLANNING COMMITTEE LIST- 29 JANUARY 2014

1. The proposal, by reason of design, scale and detailing would constitute an incongruous and uncharacteristic element to the rear, resulting in a detrimental impact to the character and appearance to the listed building and the wider listed terrace. The proposal is contrary to policy HE1 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 plan	013859/001		11 October 2013
Existing floor plans	013859/010		11 October 2013
Existing elevation / section	013859/011		11 October 2013
Proposed floor plans	013859/020		11 October 2013

From: Gill Mitchell
Sent: 28 October 2013 10:57
To: Chris Swain
Subject: RE: Planning application Nos BH2013/03477 and BH2013/03478

Hi Chris,

My reasons for supporting the application are as follows,

The proposal to build a small balcony with outside staircase is invisible from the front of the building and from any road. It makes no significant structural change or alteration to the existing fabric of the building and is minimally intrusive being contained in the enclosed 'well' of back gardens.

Similar rear garden access staircases have been approved in Eaton Place and in the nearby Belgrave Place so that neighbours are able to access their back gardens. The applicants are simply asking that they can be allowed to do the same.

I believe that while it is important to protect historic buildings, there has to be a balance with a householder's right to access and enjoy their back garden.

Many thanks,

Cllr Gill Mitchell

From: Gill Mitchell
Sent: 24 October 2013 23:36
To: Chris Swain
Subject: Planning application Nos BH2013/03477 and BH2013/03478

Dear Chris,

This is just to let you know that I am fully supporting the above applications relating to number 15, Eaton Place, Brighton. In the event that there is an officer recommendation to refuse the applications I am requesting that they go before the relevant meeting of the planning committee for decision.

Many thanks,

Councillor Gill Mitchell

ITEM F

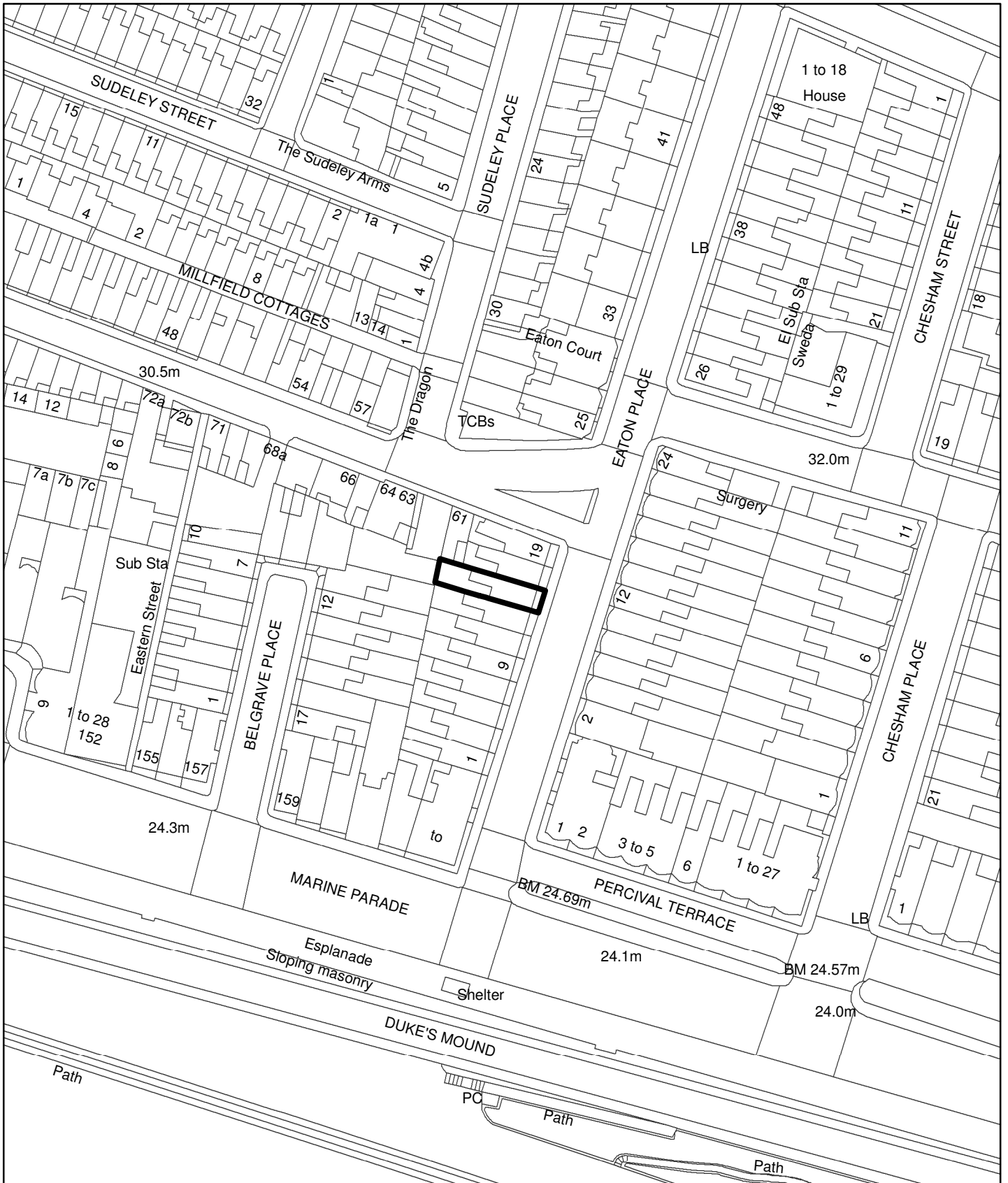
15 Eaton Place, Brighton

BH2013/03478

Householder planning consent

29 JANUARY 2014

BH2013/03478 15 Eaton Place, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/03478	<u>Ward:</u>	EAST BRIGHTON
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	15 Eaton Place Brighton		
<u>Proposal:</u>	Installation of metal staircase with glass balustrading and metal handrail, replacement of timber casement window with door at first floor level to the rear.		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	17 October 2013
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	12 December 2013
<u>Listed Building Grade:</u>	II		
<u>Agent:</u>	LCE Architects, 164-165 Western Road, Brighton BN1 2BB		
<u>Applicant:</u>	Michael Lipton, 15 Eaton Place, Brighton BN2 1EH		

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 site is a four storey, terraced building, on the western side of Eaton Place, between St George's Road to the north and Marine Parade to the south. It is divided into an upper maisonette and a lower flat (15A Eaton Place), each with two floors. The lower flat has an access door to the rear garden on the basement floor and the ground floor, while the upper maisonette does not have any access to the garden. The property is Grade II Listed and sited within the East Cliff Conservation Area, in a mainly residential area of four storey terrace houses.

3 RELEVANT HISTORY

BH2013/03477 - Installation of metal staircase with glass balustrading and metal handrail, replacement of timber casement window with door at first floor level to the rear (Listed Building Consent). Currently under consideration.

BH2012/03924 - Installation of cast iron access stairs and French doors to first floor rear elevation. Refused 27 June 2013.

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BH2011/03770 Reconfiguration of rear steps to garden. (Part retrospective). Approved 23 February 2012.

BH2011/03508 Reconfiguration of rear steps to garden. (Part retrospective). Approved 23 February 2012.

BH2011/01610 Installation of new cast iron access stairs and timber French doors to rear elevation. Refused 14. September 2011.

BH2011/01609 Installation of new cast iron access stairs and timber French doors to rear elevation. Refused 14. September 2011.

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BH2008/03546 Basement extension and internal alterations to lower maisonette. Approved 27 January 2009.

70.1853. Convert existing house into two separate residential units. Granted 13.10.1970.

4 THE APPLICATION

- 4.1 Planning permission is sought for the installation of a metal staircase with glass balustrading and metal handrail and replacement of timber casement window with door at first floor level to the rear.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** None received.

- 5.2 **Councillor Gill Mitchell** supports the application. Email attached.

Internal:

- 5.3 **Heritage:** Objects to the application.

This application follows previous proposals for stairs in a different position which were considered unacceptable for various design reasons as well as in principle.

Relevant appeal decisions in respect of refusals of similar proposals are:

- 5.4 *BH2011/00304, 5 Sudeley Place, First Floor Balcony, (glass balustrading, no stairs). Not Listed, in Conservation Area. Refused for design reasons, loss of original window and loss of amenity. Appeal Dismissed.*
- 5.5 *BH2009//01258, Flat 3, 7 Adelaide Crescent, First Floor Balcony (metal railings, no stairs). Grade II* Listed, in Conservation Area. Refused for design reasons. Appeal Dismissed.*
- 5.6 *BH2008/02764, 23 Tennis Road, First Floor Balcony (metal railings, spiral stairs). Not Listed, Not in Conservation Area. Refused for amenity reasons. Appeal Dismissed.*
- 5.7 The current proposal has resolved problems in relation to the principle of removing original fabric by positioning the access at a non-original opening, however the addition of an uncharacteristic feature on the rear of this property is still a significant concern; the staircase, whatever the detail, will dominate the side elevation and will also be detrimental to the

rear elevation due to its projection in front of the large ground floor sliding sash.

- 5.8 It is therefore still considered not to meet the requirements of the National Planning Policy Framework to 'enhance or better reveal the significance of the heritage asset', or the guidance for PPS 5 to 'make a positive contribution to the appearance, character, quality or local distinctiveness of the historic environment' or policy HE1 in the Local Plan.
- 5.9 The design of the proposed door is not considered appropriate as the large area of glass has a very modern character.

Mitigations and Conditions

- 5.10 It is considered that further amendments to the design would not be sufficient to overcome the problems with the proposal in principle.

6 MATERIAL CONSIDERATIONS

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

QD14	Extensions and alterations
QD27	Protection of Amenity
HE1	Listed Building Consent
HE4	Reinstatement of original features on Listed Buildings
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH11	Listed Building Interiors
SPGBH13	Listed Building – General Advice

Supplementary Planning Documents:

SPD9	Architectural Features
SPD12	Design Guide for Extensions and Alterations

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 proposal upon the Listed Building and the wider Conservation Area and the impact on residential amenity.

Design and Appearance

- 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:
- is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - 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
 - 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 HE1 states that proposals involving the alterations, extension, or change of use of a listed building will only be permitted where:
- a) the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and
 - b) the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.
- 8.5 Policy HE6 advises that proposals within a conservation area should preserve or enhance the character or appearance of the area. They should show 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. They should also show the use of building materials and finishes which are sympathetic to the area, with no harmful impact on the townscape and roofscape of the conservation area.
- 8.6 Two previous applications for an external staircase to the rear of the property to provide access to the rear garden have been refused on the grounds that the structure was inappropriate in design terms and would harm the appearance and character of the Listed Building and the wider Conservation Area and that the proposal would result in overlooking to neighbouring properties.
- 8.7 The applicant has attempted to address these reasons for refusal by proposing an external staircase to the side of the property rather than the rear. An opening would be created at first floor level, with a door inserted in the place of the existing non-original window and a staircase extending down along the side of the building terminating at the existing raised decked area adjacent to the existing side door at ground floor level. The steps would be 0.8m in width and would be finished in painted metal with a glazed balustrade. The proposed door would be glazed with a timber frame.
- 8.8 Whilst the relocation of the steps to the side elevation rather than the rear would ensure that the rear elevation was preserved and limit the loss of original fabric the proposal would still have an adverse impact upon the appearance and character of the Listed Building and the wider Conservation Area and as such is contrary to policies HE1 and HE6 of the local plan.
- 8.9 The staircase would dominate the side elevation of the building, obscuring the original sash window at ground floor level and resulting in a cluttered appearance to the rear of the building. The incongruous design and detailing would fail to respect the traditional appearance and character of the Listed Building. The fully glazed door and the glazed balustrading would both be alien features to the rear of the Listed

Building and further detract visually from the architectural and historical character an appearance of the Listed Building.

- 8.10 The Heritage Team objects to the principle of the proposal and state that there are no alterations that could mitigate for the inappropriate nature of the proposed works.
- 8.11 It is noted that there is a balcony and access steps down to the garden at the adjoining property, No. 13 Eaton Place and also a number of fire escapes to neighbouring properties within the locality. There is no recent planning history for these structures, which are considered to detract from the appearance and character of the Listed Buildings and do not set a precedent for further inappropriate development at the application property. A recent application has been approved for the removal of the fire escape at No.11 Eaton Place and this is considered to result in an enhancement to the Listed terrace and is welcomed by the Local Planning Authority.
- 8.12 To conclude, the proposal is considered to constitute an incongruous and uncharacteristic element to the rear, resulting in a detrimental impact to the character and appearance to the Listed Building and the wider East Cliff Conservation Area.

Impact on Amenity:

- 8.13 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.
- 8.14 The proposal is considered to detract from the residential amenity currently enjoyed by the occupiers of the lower flat, 15A Eaton Place. The proposed access steps would extend for over half the width of the rear lounge window at ground floor level resulting in an unneighbourly impact to this property. The proposal would result in an overbearing and overly dominant impact to 15A. Outlook would also be significantly restricted from the rear ground floor window and as such would have an enclosing impact upon the rear of this property. Light would be restricted to both the ground and basement floor windows although this is not considered to be to an unacceptable degree.
- 8.15 The siting of the staircase to the side elevation of the building would ensure views to neighbouring properties would be adequately screened by the existing built form of the locality and it is not considered that there would be any significant loss of privacy to neighbouring properties and their respective gardens.

9 CONCLUSION

- 9.1 The proposal, by reason of design, scale and detailing would constitute an incongruous and uncharacteristic element to the rear, resulting in a

detrimental impact to the character and appearance to the listed building and the wider East Cliff Conservation Area.

- 9.2 The proposal, by reason of its siting, design and scale would result in an unacceptably overbearing impact, a sense of enclosure and a loss of outlook to the rear of the ground and basement floor flat, 15A Eaton Place.

10 EQUALITIES

- 10.1 None.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposal, by reason of design, scale and detailing would constitute an incongruous and uncharacteristic element to the rear, resulting in a detrimental impact to the character and appearance to the listed building and the wider East Cliff Conservation Area. The proposal is contrary to policies, QD14, HE1, and HE6 of the Brighton & Hove Local Plan.
2. The proposal, by reason of its siting, design and scale would result in an unacceptably overbearing impact, a sense of enclosure and a loss of outlook to the rear of the ground and basement floor flat, 15A Eaton Place. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD012).

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 plan	013859/001		11 October 2013
Existing floor plans	013859/010		11 October 2013
Existing elevation / section	013859/011		11 October 2013
Proposed floor plans	013859/020		11 October 2013
Proposed elevation / section	013859/021		11 October 2013

From: Gill Mitchell
Sent: 28 October 2013 10:57
To: Chris Swain
Subject: RE: Planning application Nos BH2013/03477 and BH2013/03478

Hi Chris,

My reasons for supporting the application are as follows,

The proposal to build a small balcony with outside staircase is invisible from the front of the building and from any road. It makes no significant structural change or alteration to the existing fabric of the building and is minimally intrusive being contained in the enclosed 'well' of back gardens.

Similar rear garden access staircases have been approved in Eaton Place and in the nearby Belgrave Place so that neighbours are able to access their back gardens. The applicants are simply asking that they can be allowed to do the same.

I believe that while it is important to protect historic buildings, there has to be a balance with a householder's right to access and enjoy their back garden.

Many thanks,

Cllr Gill Mitchell

From: Gill Mitchell
Sent: 24 October 2013 23:36
To: Chris Swain
Subject: Planning application Nos BH2013/03477 and BH2013/03478

Dear Chris,

This is just to let you know that I am fully supporting the above applications relating to number 15, Eaton Place, Brighton. In the event that there is an officer recommendation to refuse the applications I am requesting that they go before the relevant meeting of the planning committee for decision.

Many thanks,

Councillor Gill Mitchell

PLANNING COMMITTEE	Agenda Item 143 Brighton & Hove City Council
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Information on Pre-application Presentations and Requests

Upcoming presentations – Dates TBC

Anston House, Preston Road, Brighton – site redevelopment

City College, Wilson Avenue, Brighton – additional accommodation

Date	Address	Ward	Proposal
29 th October 13	Hippodrome, Middle Street, Brighton	Regency	Refurbishment and Extension
17 th Sept 13	One Digital, Hollingdean Road, Brighton	Hollingdean and Stanmer	Student accommodation development
27 th Aug 13	The BOAT, Dyke Road Park, Brighton	Hove Park	Outdoor theatre
16 th July 13	Circus Street, Brighton	Queen's Park	Pre-application proposed re- development

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

PLANS LIST 29 January 2014**BRIGHTON & HOVE CITY COUNCIL LIST OF APPLICATIONS DETERMINED
BY THE HEAD OF PLANNING & PUBLIC PROTECTION FOR EXECUTIVE
DIRECTOR ENVIRONMENT, DEVELOPMENT & HOUSING UNDER
DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS
COMMITTEE DECISION****PATCHAM****BH2013/03243****13 Greenfield Crescent Brighton**

Erection of single storey rear extension.

Applicant: Mrs Suzanna Cassidy

Officer: Robin Hodgetts 292366

Refused on 03/01/14 DELEGATED

1) UNI

The proposed extension by reason of its design, siting and scale represents an unduly bulky and dominant addition which would create an overextended and unsightly appearance to the building, and would appear overbearing and cause overshadowing to the abutting garden of 15 Greenfield Crescent. The proposal would therefore be detrimental to neighbouring amenity and the character and appearance of the existing building and wider surrounding area. The proposal is thereby contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design guide for extensions and alterations.

BH2013/03334**16 Mayfield Crescent Brighton**

Erection of a single storey rear extension.

Applicant: Adam Hughes

Officer: Chris Swain 292178

Approved on 18/12/13 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
Location plan and block plan	CH 477/001	A	30/09/2013
Existing floor plans	CH 477/002		30/09/2013
Existing elevations	CH 477/003		30/09/2013
Proposed floor plans	CH 477/004	B	30/09/2013
Proposed elevations	CH 477/005	B	30/09/2013

BH2013/03534

18 Highview Way Brighton

Demolition of existing concrete shed and erection of single storey side extension.

Applicant: Dionne Martlew

Officer: Robin Hodgetts 292366

Refused on 03/01/14 DELEGATED

1) UNI

The proposed extension by reason of its design, scale, footprint, form, siting and eaves height would relate poorly to the original property, leading to the dwelling appearing overextended and eroding the original form, resulting in the development having an adverse visual impact on the appearance and character of the existing property and wider street scene. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design guide for extensions and alterations.

BH2013/03546

Patcham House School 7 Old London Road Brighton

Removal of existing timber hut and erection of storage container.

Applicant: Steven Clare

Officer: Robert McNicol 292198

Approved on 12/12/13 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 commence until a scheme for the soundproofing of the structure has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	001		17 October 2013
Existing block plan	002		17 October 2013
Proposed block plan	003		17 October 2013
Existing plans	004		17 October 2013

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Existing elevations	005		17 October 2013
Proposed plans	006		17 October 2013
Proposed elevations	007		17 October 2013
Proposed container details	008		17 October 2013

BH2013/03618

27 Beechwood Close Brighton

Erection of single storey side extension, enlargement of garage and widening of driveway.

Applicant: Mr Paul Fisher

Officer: Wayne Nee 292132

Approved on 19/12/13 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
Existing ground floor	01		23 October 2013
Proposed ground floor	02		23 October 2013
Existing roof plan	04		23 October 2013
Proposed roof plan	05		23 October 2013
Existing elevations	06		23 October 2013
Proposed elevations	07		23 October 2013
Location plan	08		23 October 2013
Proposed section	09		23 October 2013

BH2013/03824

163 Ladies Mile Road Brighton

Erection of single storey rear extension incorporating raised terrace to rear.

Applicant: Ann Staley

Officer: Anthony Foster 294495

Approved on 31/12/13 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 ground floor kitchen window in the west elevation 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.

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
Block Plan Site Plan			06/11/2013
Survey of Existing			06/11/2013
Proposed Rear Extension			06/11/2013

BH2013/03870

9 Kenmure Avenue Brighton

Erection of single storey side extension.

Applicant: Mrs Patricia Janes

Officer: Andrew Huntley 292321

Approved on 03/01/14 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Layout	512/02		13.11.2013
Proposed Extension	512/03		13.11.2013

BH2013/03912

1 Sunnydale Avenue Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 7.785m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Bill Windsor

Report from: 12/12/2013 to: 08/01/2014

Officer: Wayne Nee 292132
Prior approval not required on 16/12/13 DELEGATED

BH2013/03913

28 Beechwood Avenue Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, for which the maximum height would be 3.5m, and for which the height of the eaves would be 3m.

Applicant: Mr Emlyn Roberts

Officer: Chris Swain 292178

Prior approval not required on 18/12/13 DELEGATED

PRESTON PARK

BH2013/02759

90 Preston Drove Brighton

Installation of new shop front and new independent access to maisonette with new steps to front.

Applicant: Mr T Garnham

Officer: Andrew Huntley 292321

Approved on 30/12/13 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 full details of the shopfront windows and doors including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	OI606945		06.11.2013
Existing Plans and Elevations	2315/01		09.08.2013
Proposed Plans and Elevations	2315/02		09.08.2013

BH2013/02944

67 Waldegrave Road Brighton

Alterations to front boundary wall to facilitate the creation of non paved driveway.

Applicant: Mrs Carmela Freeman

Officer: Wayne Nee 292132

Refused on 12/12/13 DELEGATED

1) UNI

The proposed creation of a driveway in the front garden of the property would be very prominent and harmful to the setting of the house and the coherence of the

street scene. The proposal would result in the loss of part of the front boundary wall, a feature which is typical of the area. The unsympathetic alterations would be to the detriment of the existing property and the street scene and would cause harm to this part of the Preston Park Conservation Area. As such the proposed development is contrary to policies QD2, QD14 and HE6 of the Brighton & Hove Local Plan, as well as SPD09: Architectural Features.

BH2013/03185

65 Florence Road Brighton

Creation of 2no rear dormers, 1no rooflight to front and other associated alterations.

Applicant: Georgia Apsion

Officer: Chris Swain 292178

Approved on 13/12/13 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

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

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

3) UNI

The 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.

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 and roof plans, site location and block plan	0280.EXG.001		17 September 2013
Existing sections and elevations	0280.EXG.002		17 September 2013
Proposed floor and roof plans	0280.PL.001	A	9 October 2013
Proposed sections and elevations	0280.PL.002	A	9 October 2013

BH2013/03196

17 Preston Road Brighton

Installation of new windows and doors to rear of building at first floor level. Installation of balustrade around flat roof area, removal of polycarbonate roof above flat roof area. (Part retrospective).

Applicant: Mr Kamber Koluman

Officer: Robert McNicol 292198

Refused on 03/01/14 DELEGATED

1) UNI

The balustrade dominates the rear of the property and is an unsympathetic addition to the building. These works have had a detrimental impact on the

appearance of the recipient property and are therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

2) UNI2

The works have created a roof terrace area which would be accessible from both the office and flat on the first floor of the building. The roof terrace would be likely to create noise disturbance and overlooking leading to loss of privacy for the residents of the first floor flat at 15 Preston Road and would create significantly increased opportunities for overlooking to neighbouring properties and gardens in the vicinity. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/03217

17 Preston Road Brighton

Installation of new windows and doors to rear of building at first floor level. Installation of balustrade around flat roof area, erection of polycarbonate roof above flat roof area. (Retrospective).

Applicant: Mr Kamber Koluman

Officer: Robert McNicol 292198

Refused on 03/01/14 DELEGATED

1) UNI

The balustrade and polycarbonate roof dominate the rear of the property and are an unsympathetic addition to the building. These works have had a detrimental impact on the appearance of the recipient property and are therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

2) UNI2

The works have created a roof terrace area which would be accessible from both the office and flat on the first floor of the building. The roof terrace would be likely to create noise disturbance and overlooking leading to loss of privacy for the residents of the first floor flat at 15 Preston Road and would create significantly increased opportunities for overlooking to neighbouring properties and gardens in the vicinity. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/03609

1 Lancaster Road Brighton

Application for Approval of Details Reserved by Condition 5 of BH2012/00585.

Applicant: Adam Bailey

Officer: Chris Swain 292178

Approved on 17/12/13 DELEGATED

BH2013/03683

140A Springfield Road Brighton

Replacement of timber single glazed sash windows with UPVC double glazed sash windows and replacement of timber door with composite door.

Applicant: Mr Graham Miles

Officer: Anthony Foster 294495

Refused on 30/12/13 DELEGATED

1) UNI

The replacement uPVC windows, by reason of their material and detailing would form a visually inappropriate alteration to the building, detracting from the existing character of the property and would adversely affect the character and appearance of the Springfield Road street scene and the wider Preston Park Conservation Area and as such is contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2013/03707

165 Waldegrave Road Brighton

Insertion of conservation style rooflight to front roofslope.

Applicant: Rob Bourn

Officer: Robin Hodgetts 292366

Refused on 30/12/13 DELEGATED

1) UNI

The proposed rooflight by reason of its scale and positioning would poorly contrast with lower levels of the building and would fail to preserve or enhance the character or appearance of the existing building or wider Preston Park Conservation Area. The proposal is thereby contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2013/03776

8 Osborne Road Brighton

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

Applicant: Mrs L Hopkins

Officer: Andrew Huntley 292321

Approved on 12/12/13 DELEGATED

BH2013/03830

124 Waldegrave Road Brighton

Erection of single storey rear extension.

Applicant: Ms Amy Anson

Officer: Adrian Smith 290478

Refused on 07/01/14 DELEGATED

1) UNI

The proposed extension, by virtue of its scale and massing relative to the existing boundary, would have a significantly enclosing and overbearing impact on the rear window to 126 Waldegrave Road, to the detriment of their amenity and contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03970

4 Hamilton 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 4.47m, for which the maximum height would be 2.8m, and for which the height of the eaves would be 2.7m.

Applicant: Mr Nick Roughly

Officer: Wayne Nee 292132

Prior approval not required on 18/12/13 DELEGATED

BH2013/04195

25 Dover 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 5m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Mr Chris Mentiply

Officer: Robert McNicol 292198

Prior approval not required on 06/01/14 DELEGATED

REGENCY

BH2013/02724

8 Montpelier Terrace Brighton

Application for Approval of Details Reserved by condition 5 of application BH2011/01699.

Applicant: Phillip Clegg

Officer: Jason Hawkes 292153

Approved on 12/12/13 DELEGATED

BH2013/02741

22 Spring Street Brighton

Change of use from hairdressers (A1) to offices (B1) and installation of French doors to rear elevation (Retrospective).

Applicant: BN1Creative Ltd

Officer: Christopher Wright 292097

Approved on 03/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan and Ground Floor Plan	335/1		2 Sep 2013
Existing and proposed ground floor plans	392-1	A	2 Sep 2013
Existing Rear Elevation and Long Section AA	392-2	A	2 Sep 2013
Proposed rear elevation and long Section AA	392-3	A	2 Sep 2013
Photographs of Pre-Existing Rear Window and Door			27 Sep 2013

BH2013/03135

13C Powis Road Brighton

Replacement of existing timber windows with UPVC windows to rear elevation.

Applicant: Dr Michael Hyde

Officer: Guy Everest 293334

Approved on 06/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

The hereby approved southernmost windows at first floor level to the rear elevation shall be obscure glazed and shall thereafter be permanently retained as

Report from: 12/12/2013 to: 08/01/2014

such.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			19/09/2013
First Floor Plan (Flat C)			11/09/2013
Product Survey Sheet - Specifications			11/09/2013
Product Survey Sheet (rear elevation)			11/09/2013

BH2013/03146

Waitrose Ltd 130-134a Western Road Brighton

Removal of trolley bay and creation of 2no trolley shelters and creation of 2no cycle racks within rear car park.

Applicant: Waitrose Ltd

Officer: Steven Lewis 290480

Approved on 16/12/13 COMMITTEE

1) UNI

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

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

2) UNI

Prior to the commencement of development on site an arboricultural method statement setting out any necessary tree works to facilitate the development including pruning works and/or root projection shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved method 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.

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 Map	13-024-AZ-(P)-003		19/09/2013
Site Block Plan	13-024-AZ-(P)-004		13/09/2013
Proposed Trolley Store	13-024-AG-(P)-100		13/09/2013
Proposed Car Park Layout	13-024-AZ-(P)-001		13/09/2013
Existing Car Park Layout	13-024-YZ-(P)-001		13/09/2013

Covered Trolley Point	NTP-2000	A	13/09/2013
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BH2013/03404

86 Western Road Brighton

Internal alterations to layout including creation of a mezzanine level to facilitate change of use from bank (A2) to cafe or restaurant (A3) with installation of extract duct to existing chimney stack.

Applicant: Coastal Properties

Officer: Clare Simpson 292454

Approved on 12/12/13 DELEGATED

1) UNI

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

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

2) UNI

No works shall take place until details at a scale of 1:20 detailing the method of fixing of the proposed mezzanine to the walls of the building have been submitted to and approved in writing by the Local Planning Authority. The construction shall be carried out in accordance with the approved detail and retained thereafter.

Reason: To ensure the structural integrity of the Listed Building and the protection of the original features in accordance with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

No works shall take place until details at a scale of 1:20 of the existing ceiling and the proposed ceiling finish / reinstatement have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure the structural integrity of the Listed Building and the protection of the original features in accordance with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

No development shall commence until a scheme for waste storage and management arising from the use hereby permitted has been submitted to and approved by the Local Planning Authority in writing. The waste management and storage shall thereafter be implemented and maintained in accordance with the approved details.

Reason: In the interest of general amenity of the area and in to protect the historic character of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

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

Reason: To protect the historic features of the listed building in accordance with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

For the avoidance of doubt the new walls shall be scribed around all existing features of the building including any skirting boards, dado rails, picture rails and cornices, and the existing features shall not be cut into or damaged.

Reason: To protect the historic features of the listed building in accordance with policy HE1 of the Brighton & Hove Local Plan.

7) UNI

Unless otherwise agreed in writing, the proposed kitchen extraction flue shall not emerge above the historic chimney and chimney pot.

Reason: To protect the historic features of the listed building in accordance with policy HE1 of the Brighton & Hove Local Plan.

8) UNI

Prior to occupation of the building the decorative rooflight shall be repaired to exactly match the existing and retained as such thereafter.

Reason: To protect the historic features of the listed building in accordance with policy HE1 of the Brighton & Hove Local Plan.

BH2013/03435

Flat 2 21 Hampton Place Brighton

Replacement of existing single glazed timber windows and door with double glazed timber windows and doors to rear elevation.

Applicant: Miss Karen Jamieson

Officer: Sonia Gillam 292265

Refused on 07/01/14 DELEGATED

1) UNI

The proposed door, by reason of its design, would be an inappropriate addition which would detrimentally impact on the architectural and historic character and appearance of the listed building and the conservation area and is therefore contrary to policies QD14, HE1 & HE6 of the Brighton & Hove Local Plan and to the Council's Supplementary Planning Documents SPD09 Architectural Features and SPD12 Design Guide for Extensions and Alterations

BH2013/03445

67 Preston Street Brighton

Conversion of offices (B1) to form 2no one bedroom flats on lower ground and third floors and small House in Multiple Occupation (C4) on ground, first and second floors incorporating window restoration, new front door, ventilation pipes on roof and associated works.

Applicant: Regency Property Partnership

Officer: Andrew Huntley 292321

Refused on 27/12/13 DELEGATED

1) UNI

The development would result in the loss of office accommodation which has not been demonstrated as genuinely redundant. There is no evidence to demonstrate that the change of use is the only practicable way of preserving the Grade II Listed Building. The proposal would therefore result in the unjustified loss of office accommodation in the City and is contrary to policy EM5 of the Brighton & Hove Local Plan.

2) UNI2

The development, by reason of the configuration and inadequate internal room sizes, would create a cramped and unsatisfactory standard of residential accommodation. Furthermore, at lower ground floor level the development would provide inadequate outlook and natural light for future occupiers of these units. In addition, the proposal has failed to demonstrate that the intense use of the site and incompatible stacking would not lead to noise disturbance and impact on the amenity of future occupiers. The proposal would create a poor standard of accommodation, would fail to meet the needs of future occupiers and is thereby contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed entrance door and railings, by reason of their design and detailing, would have an adverse effect on the character and appearance of the Grade II Listed Building and the wider Regency Square Conservation Area. The proposal

is thereby contrary to policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan.

BH2013/03446

67 Preston Street Brighton

Internal alterations associated with conversion of building to form 2no one bedroom flats on lower ground and third floors and small house in multiple occupation on ground, first and second floors.

Applicant: Regency Property Partnership

Officer: Andrew Huntley 292321

Refused on 20/12/13 DELEGATED

1) UNI

The submitted plans fail to indicate existing historical features within the Listed Building and the extent, location and detailing of features to be reinstated or what and how any repair works would be carried out as no restorative plans or details have been provided. Therefore, the proposal is not considered to preserve, enhance and better reveal the historic and aesthetic significance of the listed building. These details are fundamental to the proposals, and in their absence the proposal is contrary to policies HE1 and HE4 of the Brighton & Hove Local Plan.

2) UNI2

The proposed entrance door and railings, by reason of their design and detailing, would have an adverse effect on the character and appearance of the Grade II Listed Building. The proposal is thereby contrary to policy HE1 of the Brighton & Hove Local Plan.

3) UNI3

The insertion of kitchens to all rooms within the southern building would be harmful to the historical character and importance of the Grade II Listed Building. The proposed residential units would carve-up and clutter the rooms with the introduction of kitchen units, bathroom / shower rooms and the required service risers. The historic plan-form of a building is one of its most important characteristics and this feature should be preserved. The proposal is thereby contrary to policy HE1 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 11, Listed Building Interiors.

BH2013/03551

Unit MSU 1 Churchill Square Brighton

Installation of new plant / air conditioning units to new plant deck on roof.
Erection of new access enclosure to roof.

Applicant: Arcadia Group Ltd

Officer: Sonia Gillam 292265

Approved on 02/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			17/10/2013

Block plan			17/10/2013
Existing roof plan	1124_P_601		17/10/2013
Existing roof plant section and elevation	1124_P_602		17/10/2013
Proposed roof plan	1124_P_611	A	06/11/2013
Proposed roof plant section and elevation	1124_P_612	A	06/11/2013
Proposed staircase 3 & roof enclosure details	A802	B	06/11/2013

BH2013/03615

55 Western Road Brighton

Display of internally-illuminated fascia and projecting signs. (Retrospective).

Applicant: Flight Centre UK Ltd

Officer: Robin Hodgetts 292366

Refused on 20/12/13 DELEGATED

1) UNI

The advertisements by reason of their colour, size and illumination would appear incongruous and unduly prominent in the street scene and cause harm to the character and appearance of this part of the Regency Square conservation area, contrary to policies HE9 and QD12 of the Brighton & Hove Local Plan 2005 and SPD07 (Advertisements).

BH2013/03617

37 Western Road and 39 Clarence Square Brighton

Conversion of ancillary retail storage area (A1) at lower ground floor level to form 1no studio flat with associated alterations including excavation to form new staircase with new piers and railings to courtyard surround.

Applicant: Hoskins Ltd

Officer: Jason Hawkes 292153

Approved on 23/12/13 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 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.

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

The front lightwell shall be completed in accordance with approved drawing no. 0316-PA-012 Rev C prior to the first occupation of the hereby approved lower ground floor studio unit.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of

accommodation for future occupants, and to comply with policy QD27 of the Brighton & Hove Local Plan.

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 commenced until further details of the relocated ground floor cycle parking facilities hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

7) UNI

No development shall commence until further details of the proposed boundary treatment to Clarence Square, including a 1:20 elevation and colour scheme, have been submitted to and approved by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and be maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

8) 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
Existing Floor, Location and Block Plans	0316-PA-001	A	23rd October 2013
Existing Section and Elevations	0316-PA-002	A	23rd October 2013
Proposed Lower Ground, Ground Floor Plan and Section AA	0316-PA-012	C	28th October 2013
Proposed North and South Elevations	0316-PA-013	B	28th October 2013

9) UNI

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with policy SU2 of the Brighton & Hove Local Plan

BH2013/03620

59 West Street Brighton

Display of externally illuminated fascia signs and internally illuminated projecting sign, fascia sign and menu boxes.

Applicant: Stonegate Pubs

Officer: Robin Hodgetts 292366

Approved on 20/12/13 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.

BH2013/03646

Montpelier Inn 7-8 Montpelier Place Brighton

Installation of black and white tiles to forecourt. (Retrospective).

Applicant: Eden Pubs Ltd

Officer: Helen Hobbs 293335

Approved on 18/12/13 DELEGATED

1) UNI

Within 3 months of the date of this decision the outer row of tiles shall be removed and replaced with border tiles as indicated on the detail submitted 5th December 2013.

Reason: To ensure the satisfactory appearance to the development and to comply with policies HE1 and HE6 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			23rd October 2013
External forecourt plan	10/13/P/01		23rd October 2013
Border tile detail			5th December 2013

BH2013/03647

Montpelier Inn 7-8 Montpelier Place Brighton

Installation of black and white tiles to forecourt. (Retrospective).

Applicant: Eden Pubs Ltd

Officer: Helen Hobbs 293335

Approved on 18/12/13 DELEGATED

1) UNI

Within 3 months of the date of this decision the outer row of tiles shall be removed and replaced with border tiles as indicated on the detail submitted 5th December 2013.

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

BH2013/03652

3 Nile Street Brighton

Internal alterations to facilitate creation of a hairdressing salon including alterations to layout and installation of suspended ceiling to ground and first floor.

Applicant: Mr A Duffy

Officer: Robin Hodgetts 292366

Approved on 23/12/13 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 cables/wires/downpipes etc - Listed Buildings

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

3) UNI

Approval limited to drawings - Listed Buildings

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.

4) UNI

Historic/architectural features to be retained - Listed Buildings

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.

BH2013/03664

19 Clifton Terrace Brighton

Erection of two storey rear extension at lower ground and ground floor levels with associated external alterations including demolition of conservatory and alterations to fenestration. Internal alterations to layout of house.

Applicant: Mr & Mrs Walter

Officer: Jason Hawkes 292153

Approved on 20/12/13 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 a method statement for the proposed dismantling and reinstatement of the external stone steps and the brick flooring to the lower rear courtyard has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include a condition report for the items and details of the damp proofing and insulation proposed for the floor and walls. The works shall be carried out in strict accordance with the approved method statement.

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

3) UNI

No 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 French doors hereby approved shall be painted timber doors without trickle

vents and with architraves, glazing bar dimensions and mouldings and frame mouldings to match exactly those of the original doors and with a masonry step. The doors shall be set back from the outer face of the building and recessed into the reveals to the same depth as the original doors.

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

5) UNI

Notwithstanding the submitted drawings no works shall take place until details of the following items have been submitted to and approved in writing by the Local Planning Authority:

i) The rooflight.

ii) The lead roof detail including parapet.

The details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections, where mouldings are used. The works shall be implemented in strict accordance with the agreed details.

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

6) UNI

All new and replacement rainwater goods, soil and other waste pipes 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 HE6 of the Brighton & Hove Local Plan.

7) UNI

No works shall take place until the detailed design of all new fireplaces (including surrounds, hearth and insert details) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the size, material, finish and colour of the fireplaces. The works shall be carried out and completed fully in accordance with the approved details and retained as such thereafter.

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

8) UNI

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

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

BH2013/03665

19 Clifton Terrace Brighton

Erection of two storey rear extension at lower ground and ground floor levels with associated external alterations including demolition of conservatory and alterations to fenestration.

Applicant: Mr & Mrs Walter

Officer: Jason Hawkes 292153

Approved on 20/12/13 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 works shall take place until a method statement for the proposed dismantling and reinstatement of the external stone steps and the brick flooring to the lower rear courtyard has been submitted to and approved in writing by the Local Planning Authority. The statement shall include a condition report for the items and details of the damp proofing and insulation proposed for the floor and walls. The works shall be carried out in strict accordance with the approved method statement.

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

3) UNI

No 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 policies HE1 and HE6 of the Brighton & Hove Local Plan.

4) UNI

The French doors hereby approved shall be painted timber doors without trickle vents and with architraves, glazing bar dimensions and mouldings and frame mouldings to match exactly those of the original doors and with a masonry step. The doors shall be set back from the outer face of the building and recessed into the reveals to the same depth as the original doors.

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

5) UNI

Notwithstanding the submitted drawings no works shall take place until details of the following items have been submitted to and approved in writing by the Local Planning Authority:

- (i) The rooflight.
- (ii) The lead roof detail including parapet.

The details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections, where mouldings are used. The works shall be implemented in strict accordance with the agreed details.

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

6) UNI

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

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

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, Site and Roof Plans	PL-001		28th October 2013
Existing Raised Ground Floor Plan and Long Section	PL-002		28th October 2013
Existing Roof Plan and Long	PL-003		28th October 2013

Section BB			
Existing plans and Elevations	PL-004		28th October 2013
Proposed Raised Ground Floor plan and Long Section AA	PL-005	A	14th November 2013
Proposed Roof Plan and Long Section BB	PL-006		28th October 2013
Proposed Plans and Elevations	PL-007	A	14th November 2013
Proposed Rear Extension: Part Plans @1:20	PL-008	A	14th November 2013
Proposed Rear Extension @1:20	PL-009	A	14th November 2013
Proposed Front and Rear Elevations @1:20	PL-010		28th October 2013
Dormer Window W4 @1:20	PL-011		28th October 2013

8) UNI

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

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

BH2013/03677

10 East Street Brighton

Alterations to existing shopfront including relocation of entrance doors.

Applicant: C & H Weston

Officer: Jason Hawkes 292153

Approved on 23/12/13 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 & Block Plan	221800-01		28th October 2013
Existing Plan & Elevations	221800-02		28th October 2013
Proposed Plan & Elevation	221800-03	A	12th December 2013

BH2013/03698**7 Cranbourne Street Brighton**

Removal of ATM cash machine and change of use of part of ground floor from retail (A1) to retail (A1) and Bureau de Change (A2)

Applicant: Mr Miakail Ramzi

Officer: Liz Arnold 291709

Approved on 31/12/13 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 A2 Use Class hereby permitted shall be restricted to the area annotated as a Bureau De Change, as shown in plan number 13.10.07/3, unless otherwise agreed in writing by the Local Planning Authority. Reason: To protect the vitality and viability of the Cranbourne Street shopping frontage, in accordance with policy SR4 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			30th October 2013
Survey - Floor plans as Existing	13.10.07/2	Rev. A	16th December 2013
Proposed Floor Plan Arrangement for Bureau de Change	13.10.07/3		30th October 2013

BH2013/03728**49 Sillwood Street Brighton**

Certificate of lawfulness for existing alterations to rear incorporating demolition of extension and installation of glazing at basement level and new first floor window.

Applicant: Miss Charlie Dwight

Officer: Liz Arnold 291709

Approved on 18/12/13 DELEGATED

BH2013/03730**21 Bedford Square Brighton**

Conversion of existing ground and lower ground floor office (B1) to 2no one bedroom flats. Alterations to front including new bay windows, lower ground floor entrance, railings and wall.

Applicant: Robbie Anderson

Officer: Jason Hawkes 292153

Refused on 31/12/13 DELEGATED

1) UNI

No evidence of marketing has been submitted to indicate that the existing offices have been assessed and are genuinely redundant. Additionally, the proposal has not demonstrated that the scheme is the only practicable way of preserving the listed building. The applicant has therefore failed to demonstrate that the loss of the offices is appropriate and the scheme is thereby contrary to policy EM6 of the Brighton & Hove Local Plan.

2) UNI2

The scheme results in the loss of internal basement stairs, which are seen as an important historic feature for the building. Additionally, the proposal lacks sufficient detail to ensure that the external and internal alterations are appropriate for this prominent listed building within Bedford Square and Regency Square Conservation Area. The scheme therefore detracts from the character and appearance of the listed building and conservation area and is contrary to policies HE1 and HE6 of the Brighton & Hove Local Plan.

3) UNI3

The proposed basement unit by reason of its depth, layout and restricted outlook within the front lightwell would create a poor standard of accommodation for future occupants due to inadequate natural light and outlook. The proposal is thereby to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03791

Crown Cottage 4-5 Bishops Walk Crown Street Brighton

Erection of a single storey rear extension with associated external alterations.

Applicant: A Gravenor

Officer: Liz Arnold 291709

Approved on 02/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plan	13454-Loc		6th November 2013
Proposed Floor Plans, Section and Elevations	13454-01	Rev. A	6th November 2013

BH2013/03868

6 Stone Street 6A Stone Street & 13A Castle Street Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 6no residential units.

Applicant: FCHI Ltd

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 08/01/14 DELEGATED

ST. PETER'S & NORTH LAINE

BH2013/02231

125 Upper Lewes Road Brighton

Change of use from small House in Multiple Occupation (C4) to large House in Multiple Occupation (sui generis) and erection of first floor rear extension to create additional bedroom.

Applicant: Mr Y Rana

Officer: Sue Dubberley 293817

Approved on 13/12/13 COMMITTEE

1) UNI

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Block plan	01/1303564		01/07/13
Site plan	02/1303564		01/07/13
Existing floor plans	03/1303564		01/07/13
Existing floor plans	04/1303564		01/07/13
Existing section	05/1303564		01/07/13
Existing elevation	06/1303564		01/07/13
Existing elevation	07/1303564		01/07/13
Proposed floor plans	13/1303564		01/07/13
Proposed first floor plans	14/1303564		01/07/13
Proposed section	15/1303564		01/07/13
Proposed rear elevation	16/1303564		01/07/13
Proposed side elevation - east	17/1303564		01/07/13
Proposed side elevation - west	17/1303564		25/10/13

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

The upper ground floor side window to Bedroom 7 in the east elevation of the development 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.

5) 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.

6) UNI

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

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

BH2013/02405

Shaftesbury Yard (90A & 90B) Shaftesbury Road Brighton

Conversion of 2no. two storey office buildings to 4 no. two storey dwellings.

Applicant: Mr John Fernley

Officer: Sue Dubberley 293817

Refused on 16/12/13 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. The applicant has failed to demonstrate that the site has been marketed locally at a price that reflects their condition and commercial value. It has therefore not been demonstrated that the premises are genuinely redundant.

2) UNI2

The application fails to demonstrate that the development would receive adequate natural light and ventilation to the open plan ground floors of each unit which contain the kitchen/living and dining areas. The only source of natural light is from the narrow windows on the garage style doors. While it is noted that these doors can be fully opened this would not to be practicable particularly in bad weather. In addition it is considered that the units would have a poor outlook onto the row of garages that would remain on the site. The proposed development would not provide a suitable standard of accommodation, which would be to the detriment of the amenity of future occupiers and would be contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

It is considered that the planted area shown on the proposed first floor balconies, to prevent access to the balconies by occupiers, would not be sufficient to restrict access to the balconies. The balconies are capable of being used by occupiers which would give rise to noise and disturbance and an increased sense of overlooking above that which already exists. The development would be contrary to policy QD27 of the Brighton & Hove Local Plan.

4) UNI4

The design is not considered acceptable in urban design terms and it is considered that a more contextual approach is required. The redevelopment of only the north and south sections of the site with the garages remaining in situ between the proposed houses is not considered to be an appropriate urban

design solution to the site. The development would be contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

BH2013/02672

45-46 Trafalgar Street Brighton

Subdivision of 2no existing first and second floor flats to create 4no studio flats and conversion of existing basement recording studio (B1) to 1no one bedroom flat. Replacement of existing outbuilding with cycle area and installation of rear access door. (Part retrospective).

Applicant: SA Partnership Keppel Orry & Tangling Ltd

Officer: Wayne Nee 292132

Refused on 03/01/14 DELEGATED

1) UNI

The proposed first and second floor residential units, due to the poor layout and the cramped form, would result in an overdevelopment of the upper floors of the building. Furthermore, the proposed basement studio flat suffers from insufficient natural light and ventilation, as well as limited outlook from windows. This is to the detriment of current and future occupiers' living standards. The proposed development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan which seeks to protect the amenity of future occupiers.

2) UNI2

The proposal would be contrary to policy EM5 of the Brighton & Hove Local Plan which seeks to restrict the loss of small business 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 for a period of twelve months or more. Insufficient information has been submitted with the application to demonstrate that the use of the basement floor for business purposes (class use B1) is no longer viable and to demonstrate that the use is genuinely redundant.

BH2013/03068

Pavilion Shop 4-5 Pavilion Buildings Brighton

Display of non-illuminated fascia sign and non-illuminated hanging sign.

Applicant: Peyton and Byrne

Officer: Emily Stanbridge 292359

Approved on 13/12/13 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.

BH2013/03286

55 Princes Road Brighton

External alterations to house including removal of existing pitched roof single storey extension and removal of flat roof two storey extension to rear. Erection of single storey flat roof rear extension. Enlargement of existing extension and porch to side incorporating installation of roof to porch. Installation of rooflight to rear roofslope, revised fenestration and associated works.

Applicant: Ted & Jane Power

Officer: Chris Swain 292178

Refused on 13/12/13 DELEGATED

1) UNI

The single storey, flat roofed rear addition, by reason of design, siting, depth and scale would result in an excessively bulky and visually harmful addition. The resultant property would have an over extended appearance, to the detriment of the character of the building and the wider conservation area. Furthermore, 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. The proposal is contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2013/03310

(Former Co-op Department Store) 94-103 London Road and 6-11 & 12 Baker Street Brighton

Application for variation of condition 2 of application BH2012/02675 (Partial demolition of former Co-Operative building allowing for the retention of the

existing façade. Erection of a new building ranging from 3 to 6 storeys providing 351 units of student accommodation (sui generis) and 3no retail units (A1) at ground floor level) to allow for a minor material amendment comprising the following: Change to Energy Strategy and omission of air source heat pumps and photovoltaics and addition of a Combined Heat and Power Plant and electric heating. Removal of condition 24 which required details of the photovoltaics to be submitted.

Applicant: Watkin Jones Group

Officer: Kathryn Boggiano 292138

Approved after Section 106 signed on 08/01/14 DELEGATED

1) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no work shall take place above the ground floor slab level of any part of the development hereby approved, until details of the proposed glazing and ventilation method to be installed to the bedrooms identified in the submitted report, 'WYG Environmental: Former Co-op Building, London Road, Brighton, Proposed Mixed Retail and Student Residential Development, November 2012, A069178-3, revision 3 08/11/12', which shall achieve a BS8233 'Good' standard, have been submitted to and approved in writing by the Local Planning Authority. The approved glazing and ventilation method shall then be installed to the bedrooms as per the aforementioned reports recommendations.

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

2) UNI

No work shall take place on the construction of the external envelope of the building hereby approved, until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

3) UNI

No work shall take place on the construction of the external envelope of the building hereby approved until details of the junction between the retained façade and the new build at each end, including the formation of the short returns of the retained stone façade, 1:10 scale, have been submitted to and approved in writing by the Local Planning Authority. The development shall then 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 HE10 of the Brighton & Hove Local Plan.

4) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the privacy screening as shown on drawing number PL_003 revision J received on 27 November 2013 and EL_007 revision B received 14 November 2012, shall be erected prior to first occupation of the student accommodation hereby approved. The screen shall then be retained as such at all times.

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

5) UNI

The development hereby permitted shall not be occupied until the cycle parking facilities shown on drawing number PL_001 revision M received 20 December 2013 and located outside the student foyer 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.

6) UNI

The residential element of the development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

7) UNI

Unless otherwise agreed in writing with the Local Planning Authority, none of the residential development hereby approved shall be first occupied until a Multi Residential BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built has achieved a Multi Residential BREEAM rating of 60% in energy and 60% in water sections of relevant Multi Residential BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

8) UNI

The Baker Street A1/student management and marketing unit hereby permitted shall not be open to customers except between the hours of 07:00 and 22:00 on Mondays to Saturdays and 9:00 and 19:00 on Sundays and Bank/Public Holidays.

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

9) UNI

Prior to the Baker Street ground floor unit being brought into A1 use, details of an alternative location for a student accommodation management office shall be submitted to and approved in writing by the Local Planning Authority. The student management office shall be brought into use in accordance with the approved details, prior to commencement of the Baker Street A1 use, and shall be retained as such thereafter.

Reason: To ensure that appropriate facilities exist for the management of the student accommodation office and to comply with policies QD27 of the Brighton & Hove Local Plan and policy CP21 of the Brighton & Hove Submission City Plan.

10) UNI

No work shall take place above the ground floor slab level of any part of the development hereby approved, until a sample of the proposed retained façade replacement window frame, for both the attic level and the central portico, which contain the framing bars where necessary and the bird mesh installed within the frame sample, 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: To ensure a satisfactory appearance to the development and to comply with policy QD1 and HE10 of the Brighton & Hove Local Plan.

11) UNI

No work shall take place above the ground floor slab of any of the development hereby approved until details of the finish of the dry risers 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: To ensure a satisfactory appearance to the development and to comply with policy QD1 and HE10 of the Brighton & Hove Local Plan.

12) UNI

The CHP and flue shall be fully installed in accordance with the details shown on plan referenced EL_001 Rev J submitted on 17 December 2013 and plans referenced EL_002 G, EL_003 G, EL_004 F prior to first occupation of the student accommodation hereby approved. The CHP shall only use gas fuel as a power source and prior to first occupation of the student accommodation building details of the colour of the flue shall be submitted to and approved in writing by the Local Planning Authority and the scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

Reason: To ensure the CHP does not adversely affect local air quality and to ensure that it has a satisfactory appearance and to comply with policies QD1 and SU9 of the Brighton & Hove Local Plan.

13) UNI

Prior to first occupation of the ground floor retail units hereby approved, information regarding the Energy Strategy and Air Source Heat Pumps to be installed to serve the ground floor retail units shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

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

14) UNI

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

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

Plan Type	Reference	Version	Date Received
London Road and Baker Street Elevations	EL_001	J	17 December 2013
London Terrace Elevations	EL_002	G	27 November 2013
Kingsbury Road Elevations and London Terrace back	EL_003	G	27 November 2013
Wing Elevations	EL_004		27 November 2013
Existing Elevations	EL_005		30 August 2012
Existing Elevations	EL_006	A	10 September 2012
North Courtyard Section	EL_007	B	14 November 2012

15) UNI

Plan Type	Reference	Version	Date Received
Fire Escape Door Detail	EL_009	A	8 November 2012
Elevation Details_1 proposed	EL_010		15 November 2012
Elevation Details_2 proposed	EL_011		15 November 2012
Elevation Details_3 proposed	EL_012		15 November 2012
Elevation Details_4 proposed	EL_013		15 November 2012
Fire Strategy Plan Ground Floor	FS_001	A	8 November 2012
Fire Strategy Plan First Floor	FS_002	A	28 November 2012

Fire Strategy Sections	FS_003	A	8 November 2012
Ground Floor Plan_A1	PL_001	M	20 December 2013
Upper Ground Floor Plan Proposed	PL_002	E	27 November 2013

16) UNI

Plan Type	Reference	Version	Date Received
Second Floor Plan Proposed	PL_004	G	27 November 2013
Third Floor Plan Proposed	PL_005	F	27 November 2013
Fourth Floor Plan Proposed	PL_006	G	27 November 2013
Fifth Floor Plan Proposed	PL_007	F	27 November 2013
Roof Plan Proposed	PL_008	E	27 November 2013
Basement Plan Proposed	PL_009	H	27 November 2013
Site Location Plan Proposed	10_002	A	26 September 2013
Student Entrance and Management Office Plan	PL_012	B	14 November 2012

17) UNI

Plan Type	Reference	Version	Date Received
Existing Basement Plan	PL_013		30 August 2012
Existing Ground Floor Plan	PL_014		30 August 2012
Existing First Floor Plan	PL_015		30 August 2012
Existing Second Floor Plan	PL_016		30 August 2012
Existing Third Floor Plan	PL_017		30 August 2012
Existing Fourth Floor Plan	PL_018		30 August 2012
Proximity of Proposed Building to London Terrace	PL_019	A	18 September 2012
Block Plan	PL_027		10 September 2012
Block Plan - Existing	PL_028		10 September 2012
Typical 5 Bed Flat Cluster	PL_029		2 November 2012
Typical Studio Layouts	PL_030		2 November 2012
Typical Small Studio Layouts	PL_031		2 November 2012

18) UNI

Plan Type	Reference	Version	Date Received
Public Realm Improvements	PL_032	A	16 November 2012
Site Sections Sheet 1	SE_001	B	8 November 2012
Site Sections Sheet 2	SE_002	B	8 November 2012
Site Section Locations	SE_003	A	8 November 2012
Retained Facade Details	SE_004	B	4 June 2013
Façade retention assumed sequence of works	WEL_407_SK 20P1		12 October 2012
Site Sections Sheet 3	SE_005	B	22 November 2012
3D Views 1	SK_005		15 November 2012
3D Views 2	SK_006		15 November 2012

Report from: 12/12/2013 to: 08/01/2014

3D Views 4	SK_008		15 November 2012
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19) UNI

Plan Type	Reference	Version	Date Received
3D Views 5	SK_009		15 November 2012
3D Views 014	SK_014		15 November 2012
3D Views 010	SK_020		15 November 2012
Ground floor landscape proposals	03	D	30 August 2012
First floor landscape proposals	04	E	30 August 2012
Ground floor planting proposals	05	A	30 August 2012
First floor planting proposals	06	B	30 August 2012
Proposed delivery lay-by	2370-TR-23	B	2 November 2012
Proposed delivery lay-by	2370SK-21	H	26 October 2012
CGI Sheet-1	RE_001		30 August 2012
CGI Sheet - 2	RE_002		30 August 2012
CGI Sheet - 3	RE_003		30 August 2012
CGI Sheet - 4	RE_004	A	14 September 2012

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

20) UNI

Unless otherwise agreed in writing, demolition of the building and retention of the façade shall be carried out in strict accordance with the 'Westlakes Consulting Design Consultants Demolition & Façade Retention Strategy - ref: 407_Struct_001, issue 01' and drawing no. WEL_407_SK20_P1 'Façade Retention - Assumed Sequence of Works'.

Reason: To ensure the satisfactory preservation of the facade and to comply with policies QD1 and HE10 of the Brighton & Hove Local Plan.

21) UNI

The windows within the east elevation of the north rear wing at first, second and third storey levels, which serve the communal kitchens/living rooms shall not be glazed otherwise than with obscured glass and fixed shut and thereafter permanently retained as such.

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

22) UNI

The windows within the east elevation at first storey level serving the 'Student Common Room' as shown on drawing numbers EL_002 revision G, PL_003 revision J received on 27 November 2013 and PL_012 revision B received 14 November 2012 shall be fixed shut and thereafter permanently retained as such.

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

23) UNI

The angled windows servicing the bedrooms on the north elevation of the Baker Street frontage block, on the upper ground, first, second and third storey floor level shall be glazed with obscure glazing and screens erected on the exterior of the window as shown on the floor plans - drawing number PL_002 revision E, PL_003 revision J, PL_004 revision G and PL_005 revision F and EL_004 revision F received 27 November 2013, this element of the glazing should also be

fixed shut and thereafter permanently retained as such and shall only be opened for cleaning and maintenance purposes. For clarity, this restriction does not relate to the glazing on the shorter aspect of the angled window which face west.

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

24) UNI

The angled windows servicing the ground and upper ground floor level bedrooms opposite London Terrace shall be glazed with obscure glazing and screens erected on the exterior of the window as shown on the floor plans - drawing number PL_001 revision M received on 20 December 2013, PL_002 revision E, EL_002 revision G received on 27 November 2013, and this element of the glazing should also be fixed shut and thereafter permanently retained as such. The angled bay window to communal kitchen/living rooms associated with these bedrooms should also be obscure glazed as shown on the aforementioned drawings, fixed shut and thereafter permanently retained as such and shall only be opened for cleaning and maintenance purposes. For clarity, this restriction does not relate to the glazing on the shorter aspect of the angled window.

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

25) UNI

The London Road retail units hereby permitted shall not be open to customers except between the hours of 07:00 and 22:00 on Mondays to Saturdays and 10:00 and 16:00 on Sundays and Bank/Public Holidays.

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

26) UNI

No deliveries to or from the retail development and student management and marketing unit hereby approved, shall occur except between the hours of 07.00 and 21.00 Monday to Saturday, and between 10.00 and 16.00 Sundays, Bank or Public Holidays. All deliveries to the larger retail units which front onto London Road shall be made from the loading bay on London Road and not to the rear of the development.

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

27) UNI

No servicing for collection of refuse/recycling at the site shall occur except between the hours of 08:00 and 19:00 on Mondays to Saturdays not at all on Sundays or Bank/Public Holidays.

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

28) 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 occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

29) 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.

30) 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.

31) UNI

Access to flat roof areas across the development hereby approved, other than those areas which are expressly defined as amenity space as shown on drawing number PL_003 revision J received 27 November 2013 and labelled 'North and South Garden' and 'North and South Courtyard', shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a roof garden, terrace, patio or similar amenity area.

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

32) UNI

The development shall be carried out in accordance with the details contained the Nesting Bird Mitigation and Enhancement Strategy which was submitted and approved as part of application BH2013/00787.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policy QD17 and QD18 of the Brighton & Hove Local Plan.

33) UNI

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

a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM Retail Shell and Core and a Design Stage Assessment Report showing that the retail development will achieve a BREEAM rating of 60% in energy and 60% in water sections of relevant BREEAM assessment within overall 'Excellent' for the development have been submitted to the Local Planning Authority; and

b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 60% in energy and 60% in water sections of relevant BREEAM assessment within overall 'Excellent' for the retail development has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

34) UNI

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

a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve a Multi Residential BREEAM rating of 60% in energy and 60% in water sections of relevant BREEAM assessment within overall 'Excellent' for the development have been submitted to the Local Planning Authority; and

b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a Multi Residential BREEAM rating of 60% in energy and 60% in water sections of relevant BREEAM assessment within overall 'Excellent' for the development has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

35) UNI

The provision of foul and surface water drainage shall be implemented in accordance with the details shown on WL_407-061 Rev P1 and WL_407_060 Rev P1 which were submitted and approved as part of application BH2013/00787.

Reason: To prevent the increased risk of flooding and to prevent the pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policy SU3 of the Brighton & Hove City Plan.

36) UNI

The development shall be carried out in accordance with the details shown on Tree Constraints Plan referenced 1400 11 Rev B which was submitted and approved as part of application BH2013/00787. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

37) UNI

(i) The development shall be carried out in accordance with the details contained within the Phase 1 Desk Top Study and a Phase 2 Site Investigation Report along with associated appendices and supporting information which were submitted as part of application BH2013/01410.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) above that any remediation scheme required and approved under the provisions of (i) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress; and

c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i)

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.

38) UNI

The bird boxes shall be installed in accordance with the details contained within the Nesting Bird Mitigation and Enhancement Strategy which was submitted and approved as part of application BH2013/00787. The scheme shall be retained as such thereafter.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policies QD17 and QD18 of the Brighton & Hove Local Plan.

39) UNI

No work shall take place above the ground floor slab level of any part of the development hereby approved, until details of the construction of the green roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement and the seed mix. The scheme shall then be carried out in accordance with the approved details.

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.

40) UNI

No work shall take place above the ground floor slab level of any part of the development hereby approved, until details of the proposed green walling have been submitted to and approved in writing by the Local Planning Authority. These details shall include timescale for implementation and maintenance programme and irrigation system, substrate to be used and plant species. The scheme shall then be carried out in accordance with the approved details.

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.

41) UNI

No work shall take place above the ground floor slab level of any part of the development hereby approved, until details of the spring loaded or similar mechanism for the Josta cycle parking facilities and proposed signage with instructs for use (to be erected in the cycle parking store) to provide a total of 134 spaces in the basement as shown on drawing number PL_009 revision H received on 27 November 2013, and shown on PL-009 revision F received on 20 May 2013 and approved as part of Non Material Amendment BH2013/01602, 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.

42) UNI

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

Reason: To enhance the appearance of the development in the interest of the

visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

43) UNI

The retail units and student management and marketing office hereby approved shall not be occupied unless or until a scheme for the storage of refuse and recycling for the retail units and student management and marketing office 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.

44) UNI

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

45) UNI

No work shall take place above the ground floor slab level of any part of the development hereby approved, until drawings illustrating the landscape features, including fencing, screening, the steps, walls and seating areas across the development, at a scale of 1:20 or greater, have been submitted to and approved in writing by the Local Planning Authority. The development shall then 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 QD15 of the Brighton & Hove Local Plan.

46) UNI

No work shall take place on the construction of the external envelope of the building hereby approved unless and until 1:20 scale elevations and sections of the detailed shop front and doors design and the design of the three external fire doors within the shop fronts, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD5 and QD10 of the Brighton & Hove Local Plan.

47) UNI

No work shall take place on the construction of the external envelope of the building hereby approved, until full details of the proposed replacement window frames within the retained façade including any opening mechanism, sections and the profiles of the glazing bars at 1:20 scale, along with a window sample, 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: To ensure a satisfactory appearance to the development and to comply with policy QD1 and HE10 of the Brighton & Hove Local Plan.

48) UNI

No work shall take place on the construction of the external envelope of the building hereby approved, until a scheme for the soundproofing of the floors and walls between plant rooms and the student accommodation and between the commercial units and the student accommodation, as recommended by submitted report, 'WYG Environmental: Former Co-op Building, London Road,

Brighton, Proposed Mixed Retail and Student Residential Development, November 2012, A069178-3, revision 3 08/11/12', has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

BH2013/03604

1 Buckingham Place Brighton

Change of use from restaurant (A3) to offices (B1).

Applicant: Ribot Ltd

Officer: Anthony Foster 294495

Approved on 18/12/13 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 commence until details of disabled car parking provision for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

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
Site as Existing	A.001		22/10/2013
Site as Proposed	D.001		22/10/2013

5) UNI

The use hereby permitted shall not be operational except between the hours of 07:00 and 23:00 on Mondays to Sundays, including Bank or Public Holidays.

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

BH2013/03612**15 Pelham Square Brighton**

Erection of garden room in rear garden.

Applicant: Mr Andrew Walker**Officer:** Chris Swain 292178**Approved on 18/12/13 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

All timber surfaces of the hereby approved development shall be left to weather naturally and shall be retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			23 October 2013
Block plan			23 October 2013
Proposed elevations and plan	GOS 2020		16 December 2013

BH2013/03631**58-62 Lewes Road Brighton**

Application for variation of condition 8 of BH2008/02268 (Construction of mixed use development comprising 2 ground floor retail units and 7 first and second floor residential apartments) that unless otherwise agreed in writing by the Local Planning Authority, neither of the non-residential units hereby approved shall be occupied until a Building Research Establishment issued Fit Out Only Post Construction Review Certificate, confirming a BREEAM rating of 'Very Good' has been achieved, is submitted for each unit respectively, and approved in writing by the Local Planning Authority.

Applicant: Wm Morrison Supermarkets PLC**Officer:** Andrew Huntley 292321**Approved on 23/12/13 DELEGATED****1) UNI**

The constructed refuse and recycling storage facilities shall 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.

2) UNI

1. Not used.

3) UNI

The constructed cycle parking facilities shall be retained for use by the occupants of, and visitors to, the development at all times.

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

4) UNI

Report from: 12/12/2013 to: 08/01/2014

The use hereby permitted shall not be open to customers except between the hours of 0700 and 2300. Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan

5) UNI

The implemented recommendations of the acoustic report submitted on the 17.05.2010 and included within application BH2010/01404 shall be retained at all times.

Reason: To ensure that the amenities of the occupiers of the residential units are not unduly impacted upon and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

6) UNI

The ventilation scheme incorporating the 'ABS 350 Windcatcher System' passive ventilation system as shown on drawing no. 8829/1-A and the Ubbink system submitted on 03.07.09 as included within application BH2011/02062 shall be retained at all times.

Reason: To ensure the occupants of the units do not suffer from adverse air quality and to comply with policies SU9 and QD27 of the Brighton & Hove Local Plan.

7) UNI

Access to the part of the flat roof not forming part of the communal terrace at first floor level shall be for maintenance or emergency purposes only and this part of 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 to comply with policy QD27 of the Brighton & Hove Local Plan.

8) UNI

The northern commercial unit hereby approved shall not be occupied until a Building Research Establishment issued Fit Out Only Post Construction Review Certificate, confirming a BREEAM rating of 'Very Good' has been achieved, is submitted 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.

9) UNI

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

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

Plan Type	Reference	Version	Date Received
Proposed Floor Plans (except first and second floor plans)	30	C	27.02.2009
Proposed Elevations and Sections	31	C	27.02.2009
Additional Elevations and Floor Plans	8829/1	A	03.07.2009
Site Location and Block Plan	D/01		19.12.2013

10) UNI

1. Not used.

11) UNI

1. Not used.

12) UNI

1. Not used.

13) UNI

1. Not used.

14) UNI

1. Not used.

15) UNI

1. Not used.

16) UNI

1. Not used.

17) UNI

1. Not used.

18) UNI

The southern commercial unit hereby approved shall not be occupied until a Building Research Establishment issued Fit Out Only Post Construction Review Certificate, confirming a BREEAM rating of 'Very Good' has been achieved, is submitted 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.

BH2013/03642

HSBC 152-153 North Street Brighton

Internal alterations to facilitate installation of 2no cash paying in machines to replace existing. (Retrospective).

Applicant: HSBC CRE

Officer: Robin Hodgetts 292366

Approved on 20/12/13 DELEGATED

BH2013/03653

84-86 London Road Brighton

Display of externally-illuminated fascia signs to front and side elevations.

Applicant: Loungers Ltd

Officer: Robin Hodgetts 292366

Approved on 24/12/13 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.

BH2013/03704

19 Bath Street Brighton

Demolition of existing building and erection of 4no bedroom residential dwelling with garage.

Applicant: Jonathan Le Roy

Officer: Adrian Smith 290478

Refused on 24/12/13 DELEGATED

1) UNI

The proposed development, by virtue of its massing and visual bulk both to the rear and at front roof level; the loss of the gap between the building and the adjacent red brick terrace; and the detailing of the façade including the large garage door; represents an excessively prominent and imposing form of development that would dominate and upset the composition of the street frontage, thereby failing to respond to the positive characteristics of the street and wider West Hill Conservation Area, contrary to policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development, by virtue of its height, depth and massing, would have an excessively overbearing and enclosing impact on the amenities of 19a Bath Street, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03734

Garage at Rear of 51 Buckingham Place Brighton

Application for removal of condition 3 (iii) of application BH2011/00730 appeal reference APP/Q1445/A/11/2155953 (Demolition and erection of new two storey dwelling) which requires details of solar panels and states that they shall be flush with the roof slates.

Applicant: Acronym A & D

Officer: Sue Dubberley 293817

Approved on 30/12/13 DELEGATED

1) UNI

The development hereby permitted shall be commenced on or before 1st November 2014.

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Location & Block Plan	270/P20		14/03/2011
Existing Floor Plans	270/P21		14/03/2011
Existing Ground Floor Plan	270/P22		14/03/2011
Existing First Floor & Roof Plan	270/P23		14/03/2011
Existing Sections	270/P24		14/03/2011
Existing South & East Elevations	270/P25		14/03/2011
Existing West Elevation	270/P26		14/03/2011
Existing North Elevation	270/P27		14/03/2011
Proposed Ground Floor Plan	270/P28		14/03/2011
Proposed First Floor Plan	270/P29		14/03/2011
Roof plan	270/P30	A	06/11/2013
Elevations (east and south)	270/P32	A	06/11/2013
Elevations (west)	270/P33	A	06/11/2013
Proposed North Elevation	270/P34		14/03/2011

3) UNI

(i) The development shall be carried out in accordance with the recessed entrance, its paving and door threshold, details approved under BH2013/01220 on 6th August 2013.

(ii) The development shall be carried out in accordance with the rooflight details approved under BH2012/02079 on 11th March 2013.

(iii) Not used.

(iv) The development shall be carried out in accordance with the elevations and sections of the dwelling approved under BH2012/02079 on 11th March 2013.

(v) The development shall be carried out in accordance with the external joinery details approved under BH2013/01220 on 6th August 2013.

(vi) The development shall be carried out in accordance with the materials approved under BH2013/01220 on 6th August 2013.

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

4) UNI

The walls shall be smooth rendered in a cement/lime/sand render mix down to ground level and shall be lined out with ashlar joint lines to match the original building and shall not have bell mouth drips above the damp proof course or above the window, door and archway openings and the render work shall not use metal or plastic expansion joints, corner or edge render beads and shall be painted in a smooth masonry paint in a colour to be approved by the local planning authority in accordance with condition 3 above.

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

5) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwelling hereby permitted shall be carried out without first obtaining planning permission 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.

6) UNI

All roof ventilation and extract outlets shall use flush, concealed slate/tile vents, to match the roof covering, and concealed ridge and eaves ventilators.

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

7) UNI

The dwelling hereby permitted shall not be occupied until the refuse and recycling storage facilities, and cycle parking facilities, have been provided in accordance with the details shown on the approved plans and made available for use. These facilities shall thereafter be retained for their intended purpose 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.

8) UNI

The development shall achieve Level 3 of the Code for Sustainable Homes, and the dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

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

9) UNI

The dwelling shall be constructed to Lifetime Homes standards prior to its first occupation, and retained as such thereafter.

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

10) UNI

No cables, wires, aerials, pipework, meter boxes or flues shall be fixed to the frontage elevation (facing Howard Place) of the dwelling hereby permitted.

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

BH2013/03735

7A Wakefield Road Brighton

Replacement of existing single glazed timber framed windows and doors with UPVC double glazed windows and doors to the front and rear elevations.

Applicant: Dr Elisabeth Brama

Officer: Robin Hodgetts 292366

Refused on 30/12/13 DELEGATED

1) UNI

The replacement window to the front elevation, by virtue of its material and opening method, represents a harmful alteration that would fail to preserve the

character or appearance of the building or wider Round Hill Conservation Area. The proposal is thereby contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Documents 9, Architectural Features, and 12, Design Guide for Extensions and Alterations.

BH2013/03879

23 New Road Brighton

Internal alterations to convert existing rear office into toilets. (Part Retrospective).

Applicant: Amodoma Capital Ltd

Officer: Chris Swain 292178

Approved on 08/01/14 DELEGATED

1) 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.

2) UNI

The overboarding to the door to the proposed WC shall be removed and the door made good prior to the WC first being brought into use. Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The new 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.

WITHDEAN

BH2013/02552

144 Valley Drive Brighton

Proposed loft conversion including rear gable and front roof light.

Applicant: Mr & Mrs Mitchener

Officer: Steven Lewis 290480

Approved on 27/12/13 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
Existing & proposed floor plans & elevations	Drawing 1		03/12/2013
Existing & proposed floor plans & elevations	Drawing 2		26/07/2013

BH2013/03079

13 Clermont Terrace Brighton

Erection of single storey rear extension at lower ground floor level incorporating roof lantern and glazed conservatory addition to rear elevation at ground level.

Applicant: John Harley

Officer: Christopher Wright 292097

Approved on 12/12/13 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			12 Sep 2013
Existing Floor Plans & Sections	10.09.02		19 Sep 2013
Proposed Floor Plans & Sections	10.09.02/2	C	9 Sep 2013
Site Block Plan	10.09.02/3		12 Sep 2013
Proposed Elevations	13.07.01/5		9 Sep 2013

BH2013/03153

Varndean College Surrenden Road Brighton

Erection of single storey extension to existing gymnasium.

Applicant: Varndean College

Officer: Steven Lewis 290480

Approved on 20/12/13 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 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.

Report from: 12/12/2013 to: 08/01/2014

3) UNI

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

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 and Block Plan	107-12-01		13/01/2013
Existing Elevations	107-12-02		13/09/2013
Proposed Floor Plan	107-13-05	A	06/12/2013
Proposed Roof Plan	107-12-04		13/09/2013
Proposed Elevations	245-13-30	A	06/12/2013
Existing Floor Plan	107-12-06		13/09/2013
Proposed Master Planning Layout	077-12-03		13/09/2013

BH2013/03280

Dorothy Stringer School Loder Road Brighton

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

Applicant: Mr Ros Stephen

Officer: Jason Hawkes 292153

Refused on 16/12/13 COMMITTEE

1) UNI

The proposed development would result in the loss of two healthy and mature Elm trees which form part of the National Elm Collection and are covered by a tree preservation order. The trees make an important contribution to the visual amenity of the area. The loss of the trees would be materially harmful to the character and appearance of the area and to the objectives of the National Elm Collection. The proposal is therefore contrary to policies QD1, QD2 and QD16 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD06: Trees & Development Sites.

2) UNI2

Insufficient information has been submitted to demonstrate that the impact of the use of the pitch and the proposed floodlighting will not have a negative impact on the neighbouring amenity, by reason of light pollution and noise disturbance. The proposal is therefore contrary to policies QD27 and SU9 of the Brighton & Hove Local Plan.

BH2013/03321

93 Redhill Drive Brighton

Demolition of existing conservatory and erection of single storey extensions to the side and rear. Extensions and alterations to the roof including installation of 5no rooflights. Alterations to fenestration and other associated works.

Report from: 12/12/2013 to: 08/01/2014

Applicant: Mr MaCrae
Officer: Helen Hobbs 293335
Approved on 07/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing plan and elevations	1319-01		30th September 2013
Proposed plans and elevations	1319-02	B	30th September 2013

BH2013/03389

6 Loyal Parade Brighton

Change of use from retail (A1) to retail (A1) and medical/health services (D1).

Applicant: Allison Jeffery
Officer: Andrew Huntley 292321
Approved on 03/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

The mixed A1/D1 (skin treatment) use hereby permitted shall be carried on only by Allison Jeffery and by no other business. Upon the cessation of occupation by the business Allison Jeffery, the use hereby permitted shall cease.

Reason: The application proposal has not provided evidence that the premise is not viable and capable of providing convenience shopping (Use Class A1) for the local vicinity and to comply with Policy SR7 of the Brighton & Hove Local Plan.

3) UNI

The retail area shown on approved plan 1326-01 received on the 04.10.2013 shall be retained for retail purposes at all times.

Reason: The proposal is only acceptable due to the retention of a small retail element and to comply with Policy SR7 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
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			Received
Existing and Proposed Plans	1326-01		04.10.2013

BH2013/03497

8 Robertson Road Brighton

Erection of part single storey and part two storey extension to the rear.

Applicant: Mr N Baldgiev

Officer: Liz Arnold 291709

Refused on 06/01/14 DELEGATED

1) UNI

The proposal, by virtue of the staggered design between basement and ground floor extensions, would represent an incongruous development to the rear of the dwelling, of detriment to the visual amenities of the parent property, the related terrace and the wider area. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12.

2) UNI2

The proposed extensions, by virtue of their positioning in respect of the site boundaries, their design, projection and scale would have a significant impact upon the amenities of the neighbouring properties with regards to overbearing visual impact, loss of outlook, loss of light/sunlight and an increased sense of enclosure. As such the proposal would detrimentally impact on the residential amenity of this adjacent property and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/03503

9 Croft Road Brighton

Erection of first floor extension over existing detached garage.

Applicant: Gary Lester

Officer: Christopher Wright 292097

Approved on 12/12/13 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 extension to the detached garage hereby permitted shall be used only for purposes incidental to the enjoyment of the original dwellinghouse as such and for no other purpose.

Reason: In order to ensure the use of the extended garage remains ancillary to the main dwellinghouse and in the interests of safeguarding the amenities of the area and to comply with policy 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 Drawings, Site Location and Block Plan	L-100		14 Oct 2013
Proposed Drawings	L-200		14 Oct 2013

BH2013/03513

49 Withdean Road Brighton

Demolition of existing single storey garage and erection of two storey building comprising of garage and guest room to the front. Erection of single storey rear extension.

Applicant: Ronnie Smith

Officer: Jason Hawkes 292153

Refused on 17/12/13 DELEGATED

1) UNI

The two-storey detached building, by reason of its design, scale and siting, would stand out as an inappropriate and unduly prominent addition to the site and wider surrounding area. The detached building would therefore form an unsympathetic and overly dominant addition to the detriment of the character and appearance of the site and wider surrounding area. The proposal is thereby contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2013/03603

97 Loder Road Brighton

Certificate of Lawfulness for proposed loft conversion incorporating rear dormer and front rooflight.

Applicant: Mr O Mehmet

Officer: Robert McNicol 292198

Approved on 16/12/13 DELEGATED

BH2013/03650

39 Glen Rise Brighton

Erection of single storey outbuilding to rear garden (Part Retrospective).

Applicant: Mr Paul Bertorelli

Officer: Robin Hodgetts 292366

Approved on 24/12/13 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			24/10/13
Elevations	02		24/10/13
Floor plan	03		30/10/13

BH2013/03727

180 Surrenden Road Brighton

Certificate of Lawfulness for proposed loft conversion incorporating hip to barn end roof extensions, front rooflights and rear dormer.

Report from: 12/12/2013 to: 08/01/2014

Applicant: Mr Max Williams
Officer: Jason Hawkes 292153

Refused on 27/12/13 DELEGATED

1) UNI

The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic metres. The proposal is therefore contrary to Schedule 2, Part 1, Class B.1 (c) of the Town & Country Planning (General Permitted Development) Order 1995, as amended.

BH2013/03744

18 Fairlie Gardens Brighton

Certificate of Lawfulness for proposed single storey side extension.

Applicant: Mr & Mrs Clifford
Officer: Robin Hodgetts 292366

Refused on 31/12/13 DELEGATED

1) UNI

The development is not permitted under Schedule 2, Part 1, Class (A) of the Town and Country Planning (General Permitted Development) Order 1995, as amended, because the height of the eaves of the proposed development would exceed the height of the eaves of the existing dwellinghouse.

2) UNI2

The development is not permitted under Schedule 2, Part 1, Class (A) of the Town and Country Planning (General Permitted Development) Order 1995, as amended, because the proposed extension would front a highway and form a side elevation of the dwellinghouse.

BH2013/03825

18 The Beeches 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 3.6m, and for which the height of the eaves would be 2.85m.

Applicant: Mr Terry Sadler
Officer: Emily Stanbridge 292359

Prior approval not required on 13/12/13 DELEGATED

BH2013/03878

9 Friar Crescent Brighton

Erection of a single storey rear extension with a raised terrace and associated alterations.

Applicant: Jonathan Ford
Officer: Robert McNicol 292198

Approved on 02/01/14 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan, block plan	CH577/001		14 November 2013
Existing plans	CH577/002		14 November 2013
Existing elevations	CH577/003		14 November 2013
Proposed plans	CH577/004		14 November 2013
Proposed elevations	CH577/005		14 November 2013

BH2013/03880

9 Friar Crescent Brighton

Certificate of lawfulness for proposed rooflights to front and rear roof slopes.

Applicant: Jonathan Ford

Officer: Robert McNicol 292198

Approved on 02/01/14 DELEGATED

EAST BRIGHTON

BH2013/03189

155 Eastern Road Brighton

Erection of a single storey side extension and a new window to first floor side elevation.

Applicant: P Forrest

Officer: Chris Swain 292178

Approved on 20/12/13 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
Existing plans	A.001		17 September 2013
Existing plans and elevations	A.002		17 September 2013
Proposed plans	D.001		17 September 2013
Proposed plans and elevations	D.002		17 September 2013

BH2013/03190**15 Twineham Close Brighton**

Certificate of lawfulness for proposed single storey extensions to side and rear.

Applicant: Brighton & Hove City Council**Officer:** Wayne Nee 292132**Approved on 20/12/13 DELEGATED****BH2013/03468****First Floor Flat 23 College Gardens Brighton**

Replacement of existing timber bay window to front elevation with double glazed timber sliding sash windows.

Applicant: Fairhomes Gibraltar**Officer:** Chris Swain 292178**Approved on 12/12/13 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 and block plan			10 October 2013
Existing and proposed windows replacement	1082/01	B	10 October 2013
Proposed large scale window details	1082/02		10 October 2013
Proposed large scale window details	1082/03		10 October 2013

BH2013/03511**St Marys Hall Eastern Road Brighton**

Internal alterations to ground and first floor rooms by installation of partitions. (Retrospective).

Applicant: Brighton & Sussex University Hospitals NHS Trust**Officer:** Mick Anson 292354**Approved on 13/12/13 DELEGATED****BH2013/03622****66 Rugby Place Brighton**

Conversion of basement floor into self-contained flat, erection of single storey rear extension at basement level, erection of two storey rear extension at ground and first floor level. Loft conversion incorporating creation of dormer at rear and installation of 3no rooflights to front.

Applicant: Focus Structural**Officer:** Wayne Nee 292132**Refused on 24/12/13 DELEGATED****1) UNI**

The proposed two storey ground and first floor rear extension, by virtue of its form, bulk and design, and in conjunction with the proposed lower ground floor extension and roof extension, would form inappropriate additions which would

result in the overextended appearance of the property. The proposal would therefore be detrimental to the character and appearance of the existing building, and the visual amenities of the surrounding area, which is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guide for Extension and Alterations.

2) UNI2

The proposed rear dormer, by reason of its size, bulk and design, is considered to form an unacceptable alteration to the rear roof slope. This would detract from the character and appearance of the existing property. As such, the proposal is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guide for Extension and Alterations.

3) UNI3

The proposed roof lights, by reason of their excessive number, would dominate the front roof slope and would form an unacceptable addition to the property that would be visually intrusive to the wider street scene. As such, the proposal is contrary to policy QD2 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guide for Extension and Alterations.

BH2013/03818

Flat 4 191 Eastern Road Brighton

Erection of single storey rear extension to second floor level. Creation of dormer and rooflight to the rear and 2no rooflights to the front.

Applicant: Mike Stimpson Properties

Officer: Adrian Smith 290478

Refused on 02/01/14 DELEGATED

1) UNI

The proposed rear extension, by virtue of its design, scale and appearance rising above the roof of the rear outrigger, would be a highly visible addition that would add significant and harmful bulk to the rear of the building and exacerbate the harm afforded by the existing extension at 189 Eastern Road, thereby further detracting from the appearance of the building contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.

2) UNI2

The proposed front rooflights, by virtue of their number and misalignment, would add excessive clutter to the front roof of the building to the detriment of the appearance of the terrace and street scene, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.

HANOVER & ELM GROVE

BH2013/01254

18 Wellington Road Brighton

Demolition of existing building and construction of two separate 3 storey high blocks comprising 31 one, two and three bedroom flats together with associated car parking, cycle parking amenity space and bin storage.

Applicant: The Baron Homes Corporation

Officer: Liz Arnold 291709

Refused on 13/12/13 COMMITTEE

1) UNI

The applicant has failed to justify the loss of the community facility, which in the absence of sufficient evidence to demonstrate the contrary, is considered to have the potential to make a vital contribution to the well-being of the local community and quality of life of the neighbourhood. The proposal is therefore considered in conflict with Policy HO20 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development by virtue of the design and size of the proposed rear central dormer window on Block A, the siting of the front outer dormer windows on Block A, the poorly-articulated main entrances, the protrusion of the lift shaft above the roof of Block A and its siting and the provision of large areas of untraditional flat roof form would result in a development which would be of detriment to the visual amenities of the Wellington Road street scene and the wider area. As such the proposal is contrary to policies QD1, QD2, and QD5 of the Brighton & Hove Local Plan.

3) UNI3

The applicant has failed to justify the loss of the existing open space, which in the absence of sufficient evidence to the contrary is considered to have the potential to make a contribution to the well-being of the community. In addition insufficient information has been provided to demonstrate that an adequate level and quality of usable communal amenity space and usable private amenity space would be provided to meet the needs of and provide adequate living conditions for future occupiers. As such the proposal is contrary to policies HO5 and QD20 of the Brighton & Hove Local Plan and policy CP16 of the Brighton & Hove City Plan Part One.

4) UNI4

The applicant has failed to demonstrate that a proportion of the proposed residential units would be built to a wheelchair accessible standard. The development is therefore contrary to policy HO13 of the Brighton & Hove Local Plan.

5) UNI5

Obscured glazing would be provided to the lower half of east facing bedroom windows which would prevent outlook from habitable rooms. In addition the applicant has failed to demonstrate that adequate outlook would be achievable from bedrooms within the roofspace of the blocks. As such the proposal would provide a poor standard of accommodation harmful to the amenity of future occupiers. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

6) UNI6

The applicant has failed to demonstrate that sufficient protection would be afforded to the existing nature conservation features on the site and that suitable enhancement and compensatory measures would be provided. The development is therefore contrary to policies QD17 and QD18 of the Brighton & Hove Local Plan and SPD11 Nature Conservation and Development.

BH2013/03295

39 Hartington Terrace Brighton

Roof alterations including raising of the ridge height, dormer to rear, incorporating Juliette balcony and rooflights to front elevation.

Applicant: Notlezah Enterprises

Officer: Chris Swain 292178

Refused on 13/12/13 DELEGATED

1) UNI

The proposal, by reason of its size, height, proportions and design would result in a bulky and overly dominant alteration that would detract from the appearance and character of the building, harming the visual amenity of the street scene and the wider surrounding area, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2013/03373

20 Franklin Street Brighton

Demolition of existing conservatory and erection of single storey rear extension.

Applicant: Mark Layton

Officer: Chris Swain 292178

Refused on 17/12/13 DELEGATED

1) UNI

The submitted details do not satisfactorily demonstrate that the proposal would not result in a detrimental sense of enclosure or an unacceptably overbearing impact to the adjoining property, No.18 Franklin Street. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD012).

BH2013/03663

73 Down Terrace Brighton

Erection of single storey rear extension and insertion of window to front elevation at first floor level.

Applicant: Mr S Adler

Officer: Robin Hodgetts 292366

Approved on 24/12/13 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 details of the construction of the green roofs 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 roofs shall then 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.

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 elevation of the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and block plans	sol 01	A	28/10/13
Existing and proposed elevations	sol 02	E	19/12/13
Existing and proposed plans	sol 03	B	19/12/13

5) UNI

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

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

HOLLINGDEAN & STANMER

BH2013/02849

Watts Building University of Brighton Lewes Road Brighton

Erection of temporary classrooms to South West of Watts Building until 01 February 2016.

Applicant: University of Brighton

Officer: Wayne Nee 292132

Approved on 20/12/13 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 commence until details of a 2 metre wide temporary delineated pedestrian walkway for staff, students and visitors to access the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The walkway shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for the duration of the development.

Reason: To ensure that satisfactory walking facilities for pedestrians are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR7 & TR8 of the Brighton & Hove Local Plan.

3) UNI

The temporary classroom hereby approved shall be permanently removed on or before 01 February 2016 and the car parking spaces restored to their former condition immediately prior to the development authorised by this permission.

Reason: The structure hereby approved is not considered suitable as a permanent form of development and to comply with policies QD1 and QD2 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
Portakabin technical details	Product sheet 1		19 August 2013
Location plan	01		19 August 2013
Block plan	02		19 August 2013
Existing and proposed east elevation	03		23 August 2013
Existing and proposed north elevation	04		23 August 2013

Existing and proposed west elevation	05		23 August 2013
Existing and proposed south elevation	06		23 August 2013
Proposed floor plan	07		19 August 2013
Car park block plan	01		18 October 2013
Layout plan	HD/9304/01	A	18 October 2013

5) UNI

The permission hereby granted shall be for a temporary period only, expiring on or before 01 February 2016.

Reason: The structure hereby approved is not considered suitable as a permanent form of development and to comply with policies QD1 and QD2 of the Brighton & Hove Local Plan.

BH2013/03401

6 Talbot Crescent Brighton

Change of use from dwelling house (C3) to either dwelling (C3) or small house in multiple occupation (C4).

Applicant: Mr Ben Bailey

Officer: Adrian Smith 290478

Approved on 12/12/13 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 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
Site plan			17/10/2013
Block plan			07/10/2013
Existing floor plans and	01		07/10/2013

Report from: 12/12/2013 to: 08/01/2014

elevations			
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5) UNI

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

BH2013/03409

2 Dudley Road Brighton

Demolition of rear garage and erection of 2no three bedroom semi-detached houses facing Dudley Road and 2no three bedroom semi-detached houses at the rear, with associated parking and landscaping. (Part retrospective).

Applicant: Griston Lahaise Cross LLP

Officer: Sue Dubberley 293817

Approved on 18/12/13 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 or other alteration of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A, B, C and 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 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

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.

4) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles

belonging to the occupants of and visitors to the development hereby approved.

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

5) UNI

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

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

6) UNI

The first floor kitchen window in the west elevation of the house shown as plot 2 hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

7) UNI

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

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

8) UNI

No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority of:

(a) A plan showing the location of, and allocating a reference number to, each existing tree, shrub and hedgerow on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees, shrubs and hedgerows are to be retained and the crown spread of each retained tree.

(b) Details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply.

(c) Details of any proposed topping or lopping of any retained tree or any tree on land adjacent to the site.

(d) Details of any proposed alterations in existing ground levels, and the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site, or within a distance from any retained tree or any tree on land adjacent to the site, equivalent to half the height of that tree.

(e) Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of the development. In this condition "retained tree" means an existing tree that is to be retained in accordance with the plan referred to in paragraph (a) above. The scheme shall be implemented in strict accordance with the agreed details.

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.

9) UNI

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and

made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

10) UNI

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) UNI

No development shall take place until detailed drawings showing the levels of the site and proposed development related to the levels of adjoining land and highways to OS Datum have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details.

Reason: In order to ensure the accuracy of the development and to comply with policy QD1 and QD27 of the Brighton & Hove Local Plan.

12) UNI

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

(a) 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 new dwellings will achieve Code level 4 have been submitted to the Local Planning Authority; and

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

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

13) UNI

The new crossover and access shall be constructed prior to the first occupation of the development hereby permitted and in accordance with a specification that has been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

14) 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.

15) 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 the

dwellings 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 Supplementary Planning Document SPD08 Sustainable Building Design.

16) UNI

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

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

Plan Type	Reference	Version	Date Received
Block and site plans	TA753/01	A	21/10/13
Existing site survey	TA753/02		07/10/13
Existing site plan	TA753/03		07/10/13
Existing ground floor plan	TA753/04		07/10/13
Existing first floor plan	TA753/05		07/10/13
Existing elevation	TA753/06		07/10/13
Existing rear elevation	TA753/07		07/10/13
Existing elevation	TA753/08		07/10/13
Existing rear elevation	TA753/09		07/10/13
Existing side elevation	TA753/10		07/10/13
Proposed site plan	TA753/20	A	07/10/13
Proposed elevation	TA753/21	A	07/10/13
Proposed side and rear elevations	TA753/22	A	07/10/13
Proposed ground floor plans plots 1 and 2	TA753/30	A	07/10/13
Proposed first floor plan plots 1 and 2	TA753/31	A	07/10/13
Proposed second floor plan	TA753/32	A	07/10/13
Proposed elevation	TA753/33	A	07/10/13
Proposed side and rear elevations	TA753/34	A	07/10/13
Proposed section EE	TA753/35	A	07/10/13
Proposed ground floor plans plots 3 and 4	TA753/36		07/10/13
Proposed first floor plan plots 3 and 4	TA753/37		07/10/13
Proposed elevation plots 3 and 4 (front and east side)	TA753/38		07/10/13
Proposed elevation plots 3 and 4 (front and west side)	TA753/39		07/10/13
Proposed sections	TA753/40		07/10/13
Proposed sections	TA753/41	A	07/10/13

MOULSECOOMB & BEVENDEAN

BH2013/02340

Land to the Rear of 10 Auckland Drive Brighton

Application for Approval of Details Reserved by Conditions 3, 4, 5, 6, 7 and 8 of application BH2011/00711 (Appeal ref APP/Q1445/A/12/2172903).

Applicant: Mr Van Rensburg

Officer: Andrew Huntley 292321
Approved on 17/12/13 DELEGATED

BH2013/03285

23 Canfield Road Brighton

Demolition of existing garage and erection of single storey side extension.

Applicant: Stuart White & Joanna Woods

Officer: Chris Swain 292178

Approved on 31/12/13 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
Existing plans, sections and elevations	1094/01		25 September 2013
Proposed plans, sections and elevations			13 November 2013

BH2013/03611

126 Newick Road Brighton

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

Applicant: Mr Ronald Ford

Officer: Anthony Foster 294495

Refused on 23/12/13 DELEGATED

1) UNI

The proposed change of use from dwellinghouse (Class C3) to small house in multiple occupation (Class C4) would fail to support a mixed and balanced community and could result in the area becoming imbalanced by the level of similar such uses, to the detriment of local amenity. The proposal is therefore contrary to policy CP21 of the Brighton & Hove City Plan Part One (submission document) and to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03636

20 Ashurst Road Brighton

Change of use from small house in multiple occupation (C4) to 7 bed house in multiple occupation (Sui Generis) incorporating alterations to fenestration. (Part retrospective)

Applicant: Oliver Dorman

Officer: Wayne Nee 292132

Approved on 19/12/13 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 plan			24 October 2013
Block plan			24 October 2013
Existing and proposed	1119/01	A	11 December 2013

2) 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.

3) UNI

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

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

4) UNI

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.

BH2013/03715

37 Coombe Terrace Brighton

Change of use from retail shop (A1) to 1no one bedroom flat (C3) at ground floor level and erection of single storey rear extension.

Applicant: Peter Towner

Officer: Anthony Foster 294495

Approved on 03/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

No development shall take place until details of the ventilation strategy for the building has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the

approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of future occupants of the development, ensure the efficient use of resources and to comply with policies SU2, SU10 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

5) UNI

No development shall take place until a scheme for the soundproofing of the residential units has been submitted to and approved in writing by the Local Planning Authority. The measures shall include details of glazing specifications and alternative means of ventilation. The development shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of future occupants of the development and to comply with policies SU10 and 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
Front Elevations, existing and proposed	PT/1310/001		30/10/2013
Rear Elevations, existing and proposed	PT/1310/002		30/10/2013
Floor Plans, existing and proposed	PT/1310/003		30/10/2013
Side sections, existing and proposed	PT/1310/004		30/10/2013
Location Plan and Block Plan	PT/1310/005		30/10/2013

7) UNI

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.

QUEEN'S PARK

BH2013/02584

Saunders Glassworks Sussex Place Brighton

Application for Approval of Details Reserved by Conditions 3, 4, 6, 7, 9, 12, 14 and 15 of application BH20120/03791.

Applicant: Mr Sirus Taghan

Officer: Anthony Foster 294495

Split Decision on 03/01/14 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 3, 4, 6, 7, 9, 12, and 14 subject to full compliance with the submitted details. The details pursuant to condition 15 are NOT APPROVED for the reason(s) set out in section 10.

1. Insufficient information in relation to existing land contamination has been submitted in order for the details pursuant to condition 15 of the consent to be approved.

BH2013/02730

6-7 Old Steine Brighton

Internal alterations to layout of building, external vents and installation of downlights, signage and repainting of door and surround to entrances of 6 & 7 Old Steine, Brighton.

Applicant: Brighton Language College

Officer: Andrew Huntley 292321

Approved on 03/01/14 DELEGATED

1) BH01.05

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

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

2) UNI

No works shall take place until full details of the new partition within the ground floor front room of number 6 Old Steine have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and retained as such thereafter.

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

3) UNI

No works shall take place until full details of the downlights have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and retained as such thereafter.

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

4) UNI

No works shall take place until full details of the new window and its reveal and cill including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The windows shall be single glazed painted timber with concealed trickle vents. The works shall be carried out and completed fully in accordance with the approved details and retained as such thereafter.

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

5) UNI

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

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

BH2013/03244

240 Queens Park Road Brighton

Change of use from bookmakers shop (A2) to single dwelling (C3), replacement of existing shop front with bay window and associated alterations.

Applicant: Alan & Larry Pearce

Officer: Adrian Smith 290478

Approved on 31/12/13 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 residential house hereby permitted shall not be occupied until the external works to the front of the building, including the removal of the shopfront and re-instatement of the front boundary wall and piers as detailed on drawing no. P02 received on 23 September 2013, have been fully implemented.

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 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.

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 and block plan	P00		23/09/2013
Existing and proposed floor plans	P01		23/09/2013
Existing and proposed front elevations	P02		23/09/2013
Existing and proposed rear and side elevations	P03		11/11/2013

5) UNI

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building. All brick and stone detailing shall match exactly that at first floor level above.

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.

BH2013/03529

St Annes Court Burlington Street Brighton

Installation of security gate to the front entrance of the car park.

Applicant: St Anne's Court (Burlington) Ltd

Officer: Emily Stanbridge 292359

Approved on 19/12/13 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 railings shown on the approved plans shall be painted black within a month of being installed and shall be retained as such.

Reason: In the interests of the character and appearance of the development and the visual amenities of the area and to comply with policy QD1 of the Brighton & Hove Local Plan.

3) UNI

The 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
Schedule of photographs			16.10.2013
Site Location Plan	Mb/04/ st anne's court		16.10.2013
Existing and proposed front entrance	Mb/06/ st anne's court		16.10.2013
Gate details	Mb/07 st anne's court		16.10.2013

BH2013/03586

1-3 Richmond Place Brighton

Erection of single storey two bedroom dwelling in rear courtyard.

Applicant: Baron Homes Corporation Ltd

Officer: Adrian Smith 290478

Refused on 18/12/13 DELEGATED

1) UNI

The proposed development, by virtue of its scale, form, overall design and position, constitutes piecemeal development that would result in physical structures consuming the majority of the outside space rear of 1-3 Richmond Place and sub-dividing the site. The proposal therefore represents an incongruous overdevelopment of the site that would harm its appearance and layout and the wider Valley Gardens Conservation Area, contrary to policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed dwelling, by virtue of its limited floor area, would result in a cramped and substandard form of accommodation for future occupiers. The poor standard is further compounded by the buildings close proximity to the rear of 1-3 Richmond Place which would further restrict the limited outlook and largely overlook the property. The development is therefore contrary to

policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed dwelling, by virtue of its close proximity to the existing residential properties and windows within 1-3 Richmond Place, would result in overlooking, loss of privacy and loss of outlook, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03587

14 Tower Road Brighton

Conversion of existing garage into habitable living space, erection of single storey rear extension, replacement of roof tiles and other associated alterations.

Applicant: Nicky Lewis

Officer: Adrian Smith 290478

Refused on 19/12/13 DELEGATED

1) UNI

The proposed bin and cycle store, by virtue of its scale, material appearance and location within the front garden of the site, would be a visually dominant structure that would disrupt the appearance of the building, the open nature of the street, and harm the general appearance of the conservation area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2013/03779

53 St James Street Brighton

Change of use of basement from ancillary office and storage for launderette (sui generis) to office/design studio (B1), with alterations to basement entrance.

Applicant: Mr William Wells

Officer: Adrian Smith 290478

Approved on 31/12/13 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 not be occupied until the sustainability measures detailed within the Design and Access statement received on the 06 November 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.

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
Site plan, block plan, existing and proposed floor plans	200002		06/11/2013
Existing and proposed north elevations	210000		06/11/2013

ROTTINGDEAN COASTAL

BH2013/02650

Land south of Bazehill House Bazehill Road Brighton

Erection of 5no bedroom detached dwelling (Use Class C3).

Applicant: G Reed

Officer: Jonathan Puplett 292525

Approved on 12/12/13 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 west facing first floor side window hereby approved shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter shall be permanently retained as such.

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

3) UNI

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

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

4) 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.

5) UNI

The garage and driveway alongside the approved dwelling 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 approved dwelling. The existing garage and driveway sited opposite the approved dwelling on the northern side of the road shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the existing dwelling (Bazehill House).

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

6) UNI

Report from: 12/12/2013 to: 08/01/2014

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

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.

8) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 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.

9) UNI

The development hereby permitted shall not be commenced until full details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

10) UNI

No 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.

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, 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.

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 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.

13) 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.

14) UNI

No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the standards described in Annex 6 of SPD 11 and shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

15) 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			02/08/2013
PROPOSED FLOOR PLANS	9675-2		02/08/2013
PROPOSED SITE LAYOUT, FLOORPLANS AND ELEVATIONS	9675-1	B	08/11/2013
EXISTING SITE LAYOUT AND GARAGE	9675-10		27/09/2013

BH2013/03141

41 Arundel Road Brighton

Change of use from office (B1) to residential (C3) with associated alterations.

Report from: 12/12/2013 to: 08/01/2014

Applicant: Lymecrown Limited

Officer: Wayne Nee 292132

Approved on 30/12/13 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 approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) 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			12 September 2013
Existing floor plan	41AR/E/01		12 September 2013
Proposed floor plan	41AR/01		12 September 2013
Commercial redundancy report dated September 2013			12 September 2013

BH2013/03198

15 Roedean Crescent Brighton

Erection of single storey side extension and lower ground floor front extension with terrace above.

Applicant: William Christopherson

Officer: Chris Swain 292178

Approved on 31/12/13 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
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Report from: 12/12/2013 to: 08/01/2014

			Received
Site location plan	101		17 September 2013
Site block plan	102		17 September 2013
Existing plans and elevations	103		17 September 2013
Existing elevations	104		17 September 2013
Proposed plans and elevations	105		17 September 2013
Proposed plans and elevations	106		17 September 2013
Proposed 3D images	107		17 September 2013

BH2013/03228

4 Northgate Close Rottingdean Brighton

Erection of first floor front extension over garage and installation of dormer and rooflight to front elevation.

Applicant: Mr Grant Broadley

Officer: Wayne Nee 292132

Approved on 19/12/13 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
Existing	617/02		19 September 2013
Proposed	617/01		19 September 2013

BH2013/03245

39 Stanmer Avenue Saltdean Brighton

Erection of a single storey rear extension.

Applicant: Mr Antony Fox

Officer: Chris Swain 292178

Approved on 03/01/14 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of

Report from: 12/12/2013 to: 08/01/2014

three years from the date of this permission.

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

2) 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 plan and location plan			12 November 2013
Existing plans and elevations			23 September 2013
Proposed plans and elevations			12 November 2013

BH2013/03298

96 Longhill Road Brighton

External alterations to front elevation including excavation works to facilitate revised driveway, new retaining wall, enlargement of existing terrace with store below, installation of glass balustrading and associated works.

Applicant: Mr Richard White

Officer: Chris Swain 292178

Approved on 18/12/13 DELEGATED

1) BH01.01AA

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

2) UNI

The external patio area hereby approved shall not be brought into use until the fencing on the shared boundary with No.98 Longhill Road indicated on the approved drawing 3459.SK.01A has been installed in its entirety. This 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.

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 plan and elevations	3459.EXG.01		26 September 2013
Proposed plans and elevations	3459.SK.01	A	26 September 2013

BH2013/03532

4 Founthill Road Brighton

Conversion of existing integral garage into habitable living space and erection of detached double garage to front.

Applicant: Jeff Blundell

Officer: Wayne Nee 292132

Refused on 18/12/13 DELEGATED

1) UNI

The proposed detached garage, by virtue of its width, height, and excessive bulk would over dominate the existing property and would be unduly prominent within the street scene. The proposal would be detrimental to the character and appearance of the existing property and the wider area; this is contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

BH2013/03553

52 Greenways Brighton

Erection of a single storey rear extension with associated external alterations.

Applicant: Mr & Mrs Ainsworth

Officer: Chris Swain 292178

Refused on 13/12/13 DELEGATED

1) UNI

The proposed addition, by reason of design, siting, depth and scale would result in an overly dominant and visually harmful addition that would unbalance the pair of semi detached properties to the detriment of the character of the building, the pair of semi detached properties and the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD012)

BH2013/03592

19 Rodmell Avenue Brighton

Erection of single storey side extension, front porch and associated alterations.

Applicant: Mr John Owers

Officer: Wayne Nee 292132

Approved on 23/12/13 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			28 October 2013
Proposed ground floor plan			23 December 2013
Existing and proposed	2228/13/01	C	23 December 2013

BH2013/03640

77 Tumulus Road Brighton

Remodelling of existing bungalow including raising of roof height, roof extension, creation of 3no dormers, installation of rooflights and revised fenestration.

Applicant: Mr & Mrs R Chick

Officer: Robin Hodgetts 292366

Refused on 13/12/13 DELEGATED

1) UNI

The proposal by reason of its overall design and fenestration including the varying rooflights and dormer design would result in a development which would appear inappropriate and out of character with the host building and the surrounding area. It would have an adverse visual impact on the appearance and existing character of the property and wider street scene. The proposal is therefore contrary to policies QD2, QD14 and SPD12.

2) UNI2

Notwithstanding the inaccuracies in the plans, the proposed development would cause loss of light, outlook and an increased sense of enclosure to the neighbouring property at No.75 Tumulus Road causing an unacceptable degree of harm to the amenity of the neighbouring property and is considered contrary to policies QD14 and QD27 of the Local Plan.

BH2013/03651

114 High Street Rottingdean Brighton

Certificate of lawfulness for proposed change of use from 2no self contained flats to 1no residential dwelling.

Applicant: Michael Parkhouse

Officer: Robert McNicol 292198

Approved on 16/12/13 DELEGATED

BH2013/03668

Pineglade Bazehill Road Brighton

Demolition of existing garage and erection of single storey building incorporating garage, store and workspace and associated works.

Applicant: Mr Richard Byrne

Officer: Andrew Huntley 292321

Refused on 24/12/13 DELEGATED

1) UNI

The proposal is considered unacceptable in design terms by virtue of its excessive scale and footprint. The proposed garage and store/workspace represents an overly prominent modern ancillary building, positioned in a sensitive historic location which would detract from the established setting of the Rottingdean Conservation Area. The proposal is therefore contrary to policies QD2 and HE6 of the Brighton & Hove Local Plan 2005.

BH2013/03675

154 Lustrells Vale Saltdean Brighton

Removal of existing chimney and installation of infill dormer to side elevation.

Applicant: Mr Mike Searle

Officer: Chris Swain 292178

Refused on 19/12/13 DELEGATED

1) UNI

The proposal, by reason of its size, proportions, design and excessive cladding would result in a bulky and unsympathetic alteration that would detract from the appearance and character of the building and would harm the visual amenity of the street scene and the wider surrounding area, contrary to policies QD1, QD2

and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2013/03697

28 Gorham Avenue Rottingdean Brighton

Erection of single storey rear extension, single storey side extension and replacement of flat roof with pitched roof to south elevation.

Applicant: Mr Steve Oliver

Officer: Andrew Huntley 292321

Approved on 24/12/13 DELEGATED

1) BH03.03

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

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

2) UNI

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	ELD/13/1181/0 1		31.10.2013
Proposed Plans and Elevations	ELD/13/1181/0 2	B	31.10.2013
Block Plan	ELD/13/1181/0 3		31.10.2013
Site Plan	ELD/13/1181/0 4		31.10.2013

BH2013/03738

7 Waterfront Brighton Marina Brighton

Display of replacement pole mounted sign and windbreakers.

Applicant: Gondola Group Ltd

Officer: Sonia Gillam 292265

Approved on 23/12/13 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.

BH2013/03751

12A Roedean Way Brighton

Erection of part-two part-single storey rear extension, roof extension with front and rear dormers, formation of garage at lower ground floor, revised entrance and ground floor terrace, first floor balcony to front, alterations to fenestration and associated works (Part retrospective).

Applicant: Mr & Mrs Deol

Officer: Andrew Huntley 292321

Approved on 08/01/14 DELEGATED

1) UNI

Within 3 months of the date of this permission, 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.

2) UNI

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

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

Plan Type	Reference	Version	Date Received
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Existing Lower & Ground Floor Plans	TA 180/02		13.11.2013
Existing First Floor & Roof Plans	TA 180/03		13.11.2013
Existing Sections	TA 180/04		13.11.2013
Existing Sections	TA 180/05		13.11.2013
Existing Elevations	TA 180/06		13.11.2013
Existing Elevations	TA 180/07		13.11.2013
Proposed Lower & Ground Floor Plans	ADC 265/12		04.11.2013
Proposed First & Second Floor Plans	ADC 265/13		04.11.2013
Proposed Front & Side Elevations	ADC 265/14		04.11.2013
Proposed Rear & Side Elevations	ADC 265/15		04.11.2013
Location & Block Plans	ADC 265/LP		13.11.2013

BH2013/03760

37 Ainsworth Avenue Ovingdean Brighton

Erection of two storey rear extension.

Applicant: Ms Linda Eklind

Officer: Andrew Huntley 292321

Approved on 24/12/13 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 first floor window in the eastern elevation of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	A.001		05.11.2013
Proposed Plans and Elevations	D.001		05.11.2013

BH2013/03801

30 Grand Crescent Rottingdean Brighton

Erection of 2no dormers to West elevation and South facing hip to gable end.
Erection of rear garden room with glazed atrium roof.

Applicant: Mr W Fenton

Officer: Wayne Nee 292132

Refused on 08/01/14 DELEGATED

1) UNI

The proposed rear gable roof extension with modern balcony addition would be readily visible from The Park street scene and would result in an inappropriate and incongruous roof form which would harm the appearance of the existing property, and would also appear at odds with the character of the surrounding area. Furthermore, the proposed roof dormers would be overly dominant and bulky addition to the side roofslope which would lead to an imbalance of the property, detracting from the appearance of the dwelling and the street scene. The proposal would therefore be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan, as well as SPD12: Design Guide for Extensions and Alterations.

2) UNI2

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

BH2013/03820

15 Founthill Avenue Saltdean Brighton

Erection of part one part two storey side extension. Creation of new vehicle crossover and access with associated boundary wall alterations.

Applicant: Mr & Mrs Parker

Officer: Anthony Foster 294495

Refused on 06/01/14 DELEGATED

1) UNI

The proposed extension would be harmful to the character and appearance of the host property and the wider area, by reason of its size, depth, width, roof form and design, and by virtue of breaking the defined building lines which forms part of the character of the area and street scene. Therefore, the proposal is contrary to Policy QD14 of the Local Plan and SPD 12 Design Guide for Extensions and Alterations.

BH2013/03875

11 Longhill Road Brighton

Erection of first floor extension and replacement of porch to front, single storey side extension, revised fenestration to rear, cladding, widening of car parking and associated works.

Applicant: Mrs Val MacDonald

Officer: Anthony Foster 294495

Approved on 08/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

No development shall take place until samples of the materials (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.

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			13/11/2013
Block Plan as Existing	2013-13/1		13/11/2013
Ground Floor Plan as Existing	2013-13/2		13/11/2013
First Floor Plan as Existing	2013-13/3		13/11/2013
Elevations as Existing	2013-13/4		13/11/2013
Elevations as Existing	2013-13/5		13/11/2013
Block Plan as Proposed	2013-13/9		13/11/2013
Ground Floor Plan as Proposed	2013-13/10		13/11/2013
First Floor Plan as Proposed	2013/13/11		13/11/2013
Alterations & Additions to detached house elevations as Proposed	2013-13/12		13/11/2013
Alterations & Additions to detached house elevations as Proposed	2013- 13/13		13/11/2013

BH2013/04207

32 Eley Drive Rottingdean 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 2.41m.

Applicant: Mr Gary Rowden

Officer: Robert McNicol 292198

Prior approval not required on 06/01/14 DELEGATED

WOODINGDEAN

BH2013/02492

Land at Rear of 107 109 & 111 Cowley Drive Brighton

Erection of two storey, 2no. bedroom detached chalet bungalow with access from Pinfold Close.

Applicant: Mrs Christine Cross

Officer: Chris Swain 292178

Approved on 06/01/14 COMMITTEE

1) UNI

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

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

Report from: 12/12/2013 to: 08/01/2014

2) UNI

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

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

3) UNI

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

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

5) UNI

The first floor window in the south elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

6) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 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.

7) UNI

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the

external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

8) 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.

9) UNI

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

10) UNI

No development shall take place until a scheme to translocate all protected reptiles as identified with the submitted Reptile Survey Report received on 16 October 2013 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify a 10 square metre area situated to the north eastern corner of the site, which will be clearly marked out on a site plan and detail all the longer term maintenance measures and all the necessary works that have been identified within sections 4.9 to 4.28 (inclusive) of the Reptile Survey Report. All works shall be carried out strictly in accordance with the approved scheme and the identified site shall be maintained as set out within the scheme thereafter.

Reason: To ensure that the development complies with policies QD17 and QD18 of the Brighton & Hove Local Plan.

11) UNI

No development shall commence until full details of the existing and proposed land levels of the proposed development in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.

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

12) UNI

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

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

13) UNI

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

14) UNI

Notwithstanding the submitted drawing 2410.1/30 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.

15) UNI

The extended crossover and access shall be constructed prior to the first occupation of the development hereby permitted.

Reason: In the interests of highway safety and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

16) 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 August 2013
Proposed location plan, block plan and elevations	2410.1/30		23 July 2013

BH2013/03082

The Toby Inn 104 Cowley Drive Brighton

Extension and alterations to existing building to facilitate change of use from Public House (A4) to Public House (A4) and Hotel (C1).

Applicant: Land Logic Limited

Officer: Anthony Foster 294495

Refused on 08/01/14 DELEGATED

1) UNI

The application site is outside of the Core Hotel Area and no evidence has been submitted to demonstrate that there are no sequentially preferable sites that could accommodate the development and as such the proposal is contrary to Policy SR14 of the Brighton & Hove Local Plan and policy CP6 of the emerging Brighton & Hove City Plan Part One (submission document).

2) UNI2

The proposed roof extension by reason of its bulk, scale, massing and design would result in unsympathetic and overly dominant addition that would relate poorly to and detract from the appearance and character of the existing property, the surround area and street scene. The proposals are thereby contrary to policies QD2, QD3 and QD14 of the Brighton & Hove Local Plan.

3) UNI3

The proposal fails to meet the travel demands that it creates or help to maximise the use of sustainable transport. The Local Planning Authority would expect the

scheme to make an appropriate contribution towards local sustainable transport infrastructure. In the absence of an agreement in this respect, the scheme is contrary to policies TR1, TR7, TR19, and QD28 of the Brighton & Hove Local Plan and Supplementary Planning Guidance 04 Parking Standards.

BH2013/03613

Land Adjacent 49A Channel View Road Brighton

Application for Approval of Details Reserved by conditions 5, 6, 7, 8, 12, 13 and 15 of application BH2013/01103.

Applicant: Mr & Mrs Schan

Officer: Anthony Foster 294495

Split Decision on 17/12/13 DELEGATED

1) UNI

The details pursuant to conditions 8, 13 and 15 subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 5, 6, and 7 are NOT APPROVED for the reason(s) set out in section 10. The proposed roofing material is considered unacceptable in relation to the surrounding properties and the design of the proposed dwelling, and insufficient information has been provided in relation to the proposed windows, as such the details pursuant to condition 5 of the consent cannot be approved.

2) UNI2

Insufficient information in relation to the required Design Stage/Interim Code for Sustainable Homes Certificate has been submitted in order for the details pursuant to condition 6 of the consent to be approved.

3) UNI3

Insufficient information in relation to the required Final/Post Construction Code Certificate has been submitted in order for the details pursuant to condition 7 of the consent to be approved.

BH2013/03670

78-84 Warren Road Brighton

Application for approval of details reserved by conditions 6 and 7 of application BH2013/00502.

Applicant: Downsview Developments Ltd

Officer: Anthony Foster 294495

Approved on 19/12/13 DELEGATED

BH2013/03834

86 Crescent Drive South Brighton

Erection of single storey side extension and single storey rear conservatory.

Applicant: Mr Alex Ney

Officer: Anthony Foster 294495

Refused on 07/01/14 DELEGATED

1) UNI

The proposed extension would extend beyond the rear wall of the existing property and wrap round the corner appearing overly dominant appearance, relating poorly to the main dwelling and detracting from the original plan of the building. The footprint of the extension would result in the property having an overextended appearance, detracting from the character and appearance of the original dwelling, contrary to policy QD14 of the Brighton & Hove Local Plan, and to guidance within Supplementary Planning Document (SPD12): Design Guide for Extensions and Alterations.

BRUNSWICK AND ADELAIDE

BH2013/01319

31&33 Selborne Road Hove

Certificate of lawfulness for proposed conversion of 13 bedsitting rooms and 1no one bed flat into 10no self contained flats.

Applicant: Thirty Three Holland Park Ltd

Officer: Guy Everest 293334

Approved on 17/12/13 DELEGATED

BH2013/02670

91 Lansdowne Place Hove

Installation of asphalt covering to balcony and repair works to front elevation.

Applicant: Ms Charlie Hobbs

Officer: Liz Arnold 291709

Refused on 18/12/13 DELEGATED

1) UNI

The detailing of the installation of asphalt covering to the balcony, including the resulting angle fillets, metal sleeves and collars, would be of detriment to the architectural setting and significance of the Grade II Listed Building. As such the proposal would be contrary to policy HE1 of the Brighton & Hove Local Plan and SPGBH13: Listed Buildings - General Advice.

BH2013/02926

11A Second Avenue Hove

Application for approval of details reserved by condition 3 of application BH2013/01332.

Applicant: Mr Kennington

Officer: Helen Hobbs 293335

Approved on 30/12/13 DELEGATED

BH2013/02936

11A Second Avenue Hove

Application for approval of details reserved by conditions 2 and 4 of application BH2013/01333

Applicant: Mr Kennington

Officer: Helen Hobbs 293335

Approved on 31/12/13 DELEGATED

BH2013/03328

First Floor Flat 5 St Johns Road Hove

Replacement of existing windows and rooflight with double glazed timber casement windows and rooflight with the associated installation of 3no new rooflights.

Applicant: Mr Will Merrett

Officer: Andrew Huntley 292321

Approved on 19/12/13 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(s) hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			10.10.2013
Block Plan			10.10.2013
Existing Plans			10.10.2013
Existing Elevations			10.10.2013
Existing & Proposed Entrance Plan			10.10.2013
Proposed Elevations			10.10.2013
Proposed Plan			10.10.2013
Proposed Roof Plan			10.10.2013
Proposed Sections			10.10.2013
Window Detail			10.10.2013
Proposed Glazing Detail			10.10.2013
Proposed Drainage			10.10.2013
Existing Photos			10.10.2013

BH2013/03340

Flat 6A Crescent Court 28-29 Adelaide Crescent Hove

Internal alterations to layout of flat.

Applicant: Raphael Hirsch

Officer: Helen Hobbs 293335

Approved on 19/12/13 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, such as any alterations to the drainage or ventilation. 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.

BH2013/03376

Flat 2 10 Adelaide Crescent Hove

Application for Approval of Details Reserved by Condition 2 of application BH2012/01965.

Applicant: Kevin Gothelf

Officer: Robert McNicol 292198

Approved on 06/01/14 DELEGATED

BH2013/03384

Flat 5 36 Adelaide Crescent Hove

Replacement of existing windows with timber casement windows to front elevation. Internal alterations to layout of flat.

Applicant: Sema and Mehmet Ugur

Officer: Helen Hobbs 293335

Approved on 12/12/13 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

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

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

3) UNI

No works shall take place until details of required fire protection upgrades and sound insulation measures have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

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

4) UNI

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

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

5) UNI

Notwithstanding previously submitted drawings, no works shall take place until the detailed design including materials and finishes of the following items is submitted to and approved in writing by the Local Planning Authority:

1. All new internal doors (including door furniture)
2. New extract detail

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections, where mouldings are used. The works shall thereafter be implemented strictly in accordance with the agreed details.

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

BH2013/03625

Basement Flat 11 Salisbury Road Hove

Erection of single storey garden building in rear garden.

Applicant: Mrs Sarah James

Officer: Robin Hodgetts 292366

Approved on 31/12/13 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 samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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
Floor plan	(0-)01		23/10/13
Proposed elevations	(0-)02		23/10/13
Location and block plans	(0-)04		28/10/13

BH2013/03656

30 Western Road Hove

Certificate of Lawfulness for proposed change of use from offices (B1) to 4 residential units (C3).

Applicant: Mr Stylianou

Officer: Christopher Wright 292097

Approved on 24/12/13 DELEGATED

BH2013/03666

103 Lansdowne Place Hove

Installation of new doors and architraves, electric meters and fuse boxes with boiler and extract fans to rear elevation. (Part retrospective)

Applicant: Mrs Christina Chan

Officer: Emily Stanbridge 292359

Refused on 19/12/13 DELEGATED

1) UNI

The proposed internal and external alterations to this property form unsympathetic additions to the property which detract from its character and appearance. The proposed internal doors have not been traditionally constructed and are not in keeping with the character of the building. In addition the installation of the boiler vents and flues to the rear elevation of the property are not of an appropriate design and do not relate to the appearance of this rear elevation. Furthermore the electrical metre boxes situated above the entrance doors to each unit show little sensitivity to the appearance of this listed building and their prominent location detracts from the interior of this property. The application is therefore contrary to Policy HE1 within the Brighton & Hove Local Plan.

BH2013/03710

44 & 46 Brunswick Place Hove

Installation of asphalt covering over existing balcony floor.

Applicant: Messrs Ellmans and Pepperfox Ltd

Officer: Robin Hodgetts 292366

Refused on 20/12/13 DELEGATED

1) UNI

By reason of the materials, scale and design the proposed re-surfacing of the balconies would cause harm to the architectural and historic character of the Grade II listed building, wider terrace and Brunswick Town conservation area contrary to policies HE1, HE3 and HE6 of the Brighton & Hove Local Plan and SPD09.

BH2013/03711

44 & 46 Brunswick Place Hove

Installation of asphalt covering over existing balcony floor.

Applicant: Messrs Ellmans and Pepperfox Ltd

Officer: Robin Hodgetts 292366

Refused on 20/12/13 DELEGATED

1) UNI

By reason of the materials, scale and design the proposed re-surfacing of the balconies would cause harm to the architectural and historic character of the Grade II listed building contrary to policy HE1 of the Brighton & Hove Local Plan and SPD09.

BH2013/03732

83A Western Road Hove

Prior approval for change of use from offices (B1) to residential (C3) on the first and second floors to form 6no self contained flats.

Applicant: Rentmoor Ltd

Officer: Christopher Wright 292097

Prior Approval is required and is refused on 23/12/13 DELEGATED

1) UNI

In accordance with the provisions of paragraphs N (3) and N (7) of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and is refused because it has not been demonstrated that the proposal would not result in a material increase or a material change in the character of traffic in the vicinity of the site. As such the proposal is contrary to policies TR1, TR7, TR14 and TR19 of the Brighton & Hove Local Plan 2005.

2) UNI2

In accordance with the provisions of paragraph N (8)(c) of Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and hereby refused because it has not been demonstrated that the site will not be contaminated land. As such the proposal is contrary to policy SU11 of the Brighton & Hove Local Plan 2005.

3) UNI3

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Location and Block Plans	RFA/208/OS		6 Nov 2013
Ground Floor (Existing)	RFA/208/001		31 Oct 2013
First Floor (Existing)	RFA/208/002		31 Oct 2013
Second Floor (Existing)	RFA/208/003		31 Oct 2013
Third Floor (Existing)	RFA/208/004		31 Oct 2013
First Floor (Proposed)	RFA/208/005		31 Oct 2013
Second Floor (Proposed)	RFA/208/006		31 Oct 2013

BH2013/03780**Ground Floor Flat 28 Selborne Road Hove**

Replacement of existing rear external staircase to garden.

Applicant: Mrs Thelma Leslie-Smith**Officer:** Robert McNicol 292198**Approved on 03/01/14 DELEGATED****1) BH01.01**

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

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

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

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

Plan Type	Reference	Version	Date Received
Existing elevations	RFA 12/274/01		11 November 2013
Proposed plans and elevations	RFA 12/274/02	A	5 November 2013
Existing and proposed plans	RFA 12/274/03	A	5 November 2013
Proposed elevations	RFA 12/274/04	A	5 November 2013
Site location and block plans	RFA 12/274/04		5 November 2013

BH2013/03865**Flat 3 7 Brunswick Square Hove**

Application for Approval of Details Reserved by Conditions 5 and 6 of application BH2013/01038.

Applicant: Mike Whyte**Officer:** Adrian Smith 290478**Approved on 06/01/14 DELEGATED****BH2013/03990****Flat 3 7 Brunswick Square Hove**

Application for Approval of Details Reserved by Conditions 4, 5, 6, and 7 of application BH2013/01037.

Applicant: Mike Whyte**Officer:** Adrian Smith 290478**Approved on 06/01/14 DELEGATED****CENTRAL HOVE****BH2013/03268****4 Courtenay Gate Courtenay Terrace Hove**

Replacement of existing timber windows with UPVC windows and associated external alterations.

Applicant: Julia Nixon**Officer:** Emily Stanbridge 292359**Approved on 24/12/13 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.

Report from: 12/12/2013 to: 08/01/2014

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			06.11.2013
Site photographs			06.11.2013
Storm Brochure pages			06.11.2013
Existing Plan			23.09.2013
Elevation Drawing			03.12.2013
Proposed windows			23.09.2013

BH2013/03274

Flat 2 6 Grand Avenue Hove

Internal alterations to layout of flat.

Applicant: Sir William Housego-Woolgar

Officer: Guy Everest 293334

Approved on 18/12/13 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 details of ventilation ducts and vents / grilles have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

3) UNI

Any fireproofing to doors shall be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type.

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

4) UNI

No works shall take place until 1:1 scale joinery profiles of the proposed internal doors have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

BH2013/03410

Medina House 9 Kings Esplanade Hove

Demolition of existing building and erection of an 8 storey block containing 8no. two, three and four bedroom self contained flats with basement car port.

Applicant: Globe Homes

Officer: Anthony Foster 294495

Refused on 03/01/14 DELEGATED

1) UNI

The development would appear excessively out of scale and create a visually overbearing relationship with adjoining development to the north on Sussex Road and Victoria Cottages. This relationship would fail to preserve or enhance the character or appearance of the Cliftonville Conservation Area. The proposal is thereby contrary to policies QD1, QD2, QD4, and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development by reason of its height and scale would lead to a significant overbearing effect and increased sense of enclosure to neighbouring properties to the detriment of their living conditions. The proposal is therefore contrary to policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

3) UNI3

The existing building makes a positive contribution to the character and appearance of the Cliftonville Conservation Area. It has not been demonstrated that the building is beyond economic repair (through no fault of the owner / applicant) and that there are no viable alternative uses for the building. Furthermore in the absence of an approved planning application for the redevelopment of the site demolition of the existing building would be premature and result in the creation of a gap site that would fail to preserve or enhance the character or appearance of the Cliftonville Conservation Area. The proposal is therefore contrary to policies HE8 and HE10 of the Brighton & Hove Local Plan and the Medina House Planning Brief September 2013.

4) UNI4

The applicant has failed to present a scheme which in design and streetscape terms justifies the principle of the loss of the existing building, which is a non-designated heritage asset of special significance to the local community due to its architectural and historic interest. The proposed replacement building does not make a positive contribution to the character and local distinctiveness of the historic environment which fails to adequately assess the significance of the existing building, contrary to policies HE8 and HE10 of the Brighton & Hove Local Plan, and the Medina House Planning Brief September 2013.

BH2013/03440

64 Church Road Hove

Conversion of lower ground floor to form self-contained flat incorporating enlargement of existing doorway to rear.

Applicant: Mrs Lucie Harding

Officer: Clare Simpson 292454

Refused on 13/12/13 DELEGATED

1) UNI

The proposed conversion of part of the basement to a residential unit would, by reason of the site level and the limited number and position of windows and openings in relation to the floor plan, provide inadequate natural light and very poor outlook and privacy for future occupiers. As such the development would not provide for a satisfactory standard of living accommodation and would be harmful to the amenity of future occupiers of the flat. The development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03649

Cornelius House 178-180 Church Road Hove

Display of non-illuminated fascia sign to front elevation.

Applicant: Beeley & Co Solicitors

Officer: Robin Hodgetts 292366

Refused on 24/12/13 DELEGATED

1) UNI

Insufficient information has been submitted to fully assess the impact of the proposed signage. From the information provided, the proposed signage would appear incongruous in this setting, creating a cluttered appearance when read in conjunction with the existing signage on the building significantly detracting from the character and appearance of the recipient property and the wider conservation area, contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan 2005.

BH2013/03654

Audley House Hove Street Hove

Prior approval for change of use from offices (B1) to residential (C3) at ground and first floor levels to form 4no self contained flats.

Applicant: Alexander James Contracts Ltd

Officer: Christopher Wright 292097

Prior Approval is required and is refused on 20/12/13 DELEGATED

1) UNI

In accordance with the provisions of paragraph N (8)(c) of Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and hereby refused because it has not been demonstrated that the site will not be contaminated land. As such the proposal is contrary to policy SU11 of the Brighton & Hove Local Plan 2005.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Phase 1 Contamination Assessment Report			25 Oct 2013
As Existing Floor Plans & Location Map	EX.001P1		25 Oct 2013
As Existing Elevations & Finishes Schedule	EX.002P1		25 Oct 2013
Proposed Floor Plans	PL.001P4		25 Oct 2013
Proposed Elevations	PL.002P1		25 Oct 2013

BH2013/03655

Regent House Hove Street Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 9no self contained flats.

Applicant: Alexander James Contracts Ltd

Officer: Christopher Wright 292097

Prior Approval is required and is refused on 20/12/13 DELEGATED

1) UNI

In accordance with the provisions of paragraph N (8)(c) of Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and hereby refused because it has not been demonstrated that the site will not be contaminated land. As such the proposal is contrary to policy SU11 of the Brighton & Hove Local Plan 2005.

2) UNI2

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Phase 1 Contamination Assessment Report			25 Oct 2013
As Existing Basement & Ground Floor Plans	EX.010P2		6 Nov 2013
As Existing First Floor Plans & Location Map	EX.011P2		6 Nov 2013
As Existing Second Floor Plan & Roof Plan	EX.012P2		6 Nov 2013
As Existing West, South & North Elevations	EX.013P3		6 Nov 2013
As Existing East & South Elevations	EX.014P2		6 Nov 2013
Proposed Basement & Ground Floor Plans	PL.010P3		6 Nov 2013
Proposed First Floor Plan	PL.012P3		6 Nov 2013
Proposed Second Floor Plan	PL.013P3		6 Nov 2013

BH2013/03859

146 Church Road Hove

Application for approval of details reserved by condition 3 of application BH2013/00566.

Applicant: Mr F Qassar

Officer: Helen Hobbs 293335

Refused on 06/01/14 DELEGATED

BH2013/03867

83 Church Road Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 2no studio flats.

Applicant: Mr F Asghari

Officer: Christopher Wright 292097

Prior Approval is required and is refused on 07/01/14 DELEGATED

1) UNI

In accordance with the provisions of paragraphs N (3) and N (7) of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and is refused because it has not been demonstrated that the proposal would not result in a material increase or a material change in the character of traffic in the vicinity of the site. As such the proposal is contrary to policies TR1, TR7, TR14 and TR19 of the Brighton & Hove Local Plan 2005.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Site location plan	302/01P1		12 Nov 2013
Existing plan	300/01BR1		12 Nov 2013
Alterations to layout	300/06BR2		12 Nov 2013

GOLDSMID**BH2013/02306****6A Hove Park Villas Hove**

Installation of new access ramp and steps to replace existing access ramp and external alterations to building, including alterations to concrete landing area and wall on the north elevation.

Applicant: Blatchington Court Trust

Officer: Helen Hobbs 293335

Approved on 27/12/13 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
Site plan	H1910.P03		8th July 2013
Block plan	H1910.P04		2nd August 2013
Existing and proposed elevations	H1910.P02	A	2nd August 2013
Proposed ground floor layout	H1910.P01	A	2nd August 2013

BH2013/03509**57 Davigdor Road Hove**

Change of use from single dwelling (C3) to 1no one bedroom flat and 1no two bedroom flat.

Applicant: A Akram

Officer: Christopher Wright 292097

Approved on 24/12/13 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 not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

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

3) UNI

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

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

4) UNI

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
As Existing Plans	A.001		15 Oct 2013
As Proposed Plans and Elevations	D.001		15 Oct 2013

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.

BH2013/03522

133 Westbourne Street & 75 Montgomery Street Hove

Application for approval of details reserved by conditions 7 and 13(ii) of Application BH2009/01360.

Applicant: C&C 790 Ltd

Officer: Clare Simpson 292454

Split Decision on 18/12/13 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 13 (ii) and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 7 are NOT APPROVED

2) UNI2

Condition 7 requires the submission of a BRE Final Code Certificate to demonstrate the development would meet Code for Sustainable Homes Level 3. No information has been submitted to discharge this condition.

BH2013/03536

Top Flat 42 Shirley Street Hove

Formation of rear dormer and insertion of front rooflight.

Applicant: Karen Wells

Officer: Robin Hodgetts 292366

Refused on 17/12/13 DELEGATED

1) UNI

1. The rear dormer by reason of its design and excessive size, with large areas of tile hung cladding, would represent an unsightly and bulky addition to the existing building that would dominate the rear roof slope, causing significant harm to the character and appearance of the property and wider surrounding area.

The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, design guide for extensions and alterations.

2) UNI2

The front rooflight would be poorly positioned in relation to the fenestration below, causing significant harm to the character and appearance of the recipient property and the wider street scene. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, design guide for extensions and alterations.

BH2013/03540

Flat 31 Eaton Hall 15 Eaton Gardens Hove

Replacement of existing windows and balcony door with UPVC.

Applicant: Moss Kimmelman

Officer: Emily Stanbridge 292359

Approved on 12/12/13 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 Map			28.10.2013
Photographs			14.10.2013
Quotation			14.10.2013
Brochure			28.10.2013

BH2013/03692

Land Rear of 37 & 38 Cromwell Road Hove

Erection of 1no three bedroom house including basement level.

Applicant: Mrs Maureen Wheeler

Officer: Helen Hobbs 293335

Approved on 23/12/13 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 or provision within the curtilage of the of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future

development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) 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.

4) 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.

5) UNI

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

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.

6) UNI

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

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

7) 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.

8) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential

development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 5 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.

9) 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.

10) 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.

11) UNI

No development shall take place until details of the retaining boundary wall structure, including cross sections, depth of footings, retained height, thickness of wall construction and construction materials, 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 the stability of the adjacent pavement and to comply with policy TR7 of the Brighton & Hove Local Plan.

12) UNI

Notwithstanding the submitted plans no development shall take place until details of Lifetime Homes standards to be incorporated in the design have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

13) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall not be occupied until a Final / Post Construction Code Certificate issued by an accreditation body confirming that 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.

14) UNI

The development hereby approved shall not be occupied until photovoltaic panels, as outlined on approved drawing nos. AD100 & AD101, have been installed on the roof of the approved building. The panels shall be maintained and permanently retained in place thereafter.

Reason: To secure micro-generation technologies for the site and to comply with policy SU2 of the Brighton & Hove Local Plan and the Supplementary Planning Document on Sustainable Building Design SPD08

15) 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 floor plans and sections	AD100		29th October 2013
Proposed elevations	AD101		29th October 2013

BH2013/03737

105A Livingstone Road Hove

Erection of single storey rear extension (Part Retrospective).

Applicant: Mr Ashley Dalton

Officer: Robin Hodgetts 292366

Approved on 23/12/13 DELEGATED

1) BH03.03

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

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

2) UNI

Flat roofed extensions

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

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings 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	RFA 13/285/0S		31/10/13
Existing and proposed plans and elevations	RFA 13/285/01		31/10/13

BH2013/03807

Flat 22 Richmond Court 28 Osmond Road Hove

Replacement of 3no windows to third floor rear flat with double glazed UPVC units.

Applicant: Ms Serena Mitchell

Report from: 12/12/2013 to: 08/01/2014

Officer: Helen Hobbs 293335

Approved on 24/12/13 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			6th November 2013
Proposed window details			6th November 2013

BH2013/03817

Flat 5, 58 The Drive Hove

Internal alterations to layout of flat.

Applicant: Lansdown Finance Ltd

Officer: Sonia Gillam 292265

Approved on 02/01/14 DELEGATED

BH2013/04020

17 Wilbury Villas Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, for which the maximum height would be 3.9m, and for which the height of the eaves would be 2.5m.

Applicant: Mr Adrian Marlowe

Officer: Emily Stanbridge 292359

Prior Approval is required and is refused on 27/12/13 DELEGATED

1) UNI

The plans submitted within this application do not reflect the measurements stated within the application form. The plans show that the proposed total development, with the inclusion of the log store, extends beyond the rear wall of the host property by more than 6m.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Location and block plans	RFA 13/265/0S		25.11.2013
Existing ground floor plan and elevations	RFA 13/265/01		25.11.2013
Proposed ground floor plan and elevations	RFA 13/265/02	A	25.11.2013

HANGLETON & KNOLL

BH2013/03554

253 Old Shoreham Road Hove

Erection of single storey rear extension.

Applicant: Fourteen Investments Ltd

Officer: Emily Stanbridge 292359

Refused on 20/12/13 DELEGATED

1) UNI

The proposed rear extension by virtue of its scale and design represents an inappropriate addition to the building. The extension which appear unduly dominant and result in an over extended appearance to the building, with the expanse of flat roof relating poorly to the main building. The extension would be visible from Holmes Avenue and, given the poor relationship of the proposed extension to the existing building, would harm the character of the street scene. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2013/04022

4 Northfield Rise Hove

Prior approval for the erection of a single storey rear conservatory, which would extend beyond the rear wall of the original house by 7.2m, for which the maximum height would be 3.45m, and for which the height of the eaves would be 2.2m.

Applicant: Stephen William Haffenden

Officer: Helen Hobbs 293335

Prior approval not required on 27/12/13 DELEGATED

NORTH PORTSLADE

BH2013/03648

Downland Court Stonery Road Brighton

Replacement UPVC windows to communal stairs including aluminium powdered smoke vents.

Applicant: Brighton & Hove City Council

Officer: Jason Hawkes 292153

Approved on 07/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Replacement Windows Existing Elevations	13051-001	A	30th October 2013
Replacement Windows Proposed Elevations	13051-002	A	30th October 2013
Vertical / Horizontal General	GA/070		31st October 2013

Arrangement			
Narrow Frame General Arrangement	GA/608		31st October 2013

SOUTH PORTSLADE

BH2013/02930

4 Wellington Road Portslade

Self containment of existing bedsit to form 1no studio flat with insertion of a new window to rear elevation.

Applicant: Colin Mckay

Officer: Steven Lewis 290480

Approved on 03/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Block Plan			27/08/2013
Site Plan	Mck08/13/1		27/08/2013
Proposed Elevations and Floor Plans	Mck08/13/1		27/08/2013
Existing Elevations and Floor Plans	Mck08/13/1		27/08/2013

3) UNI

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

BH2013/03326

15-19 Norway Street Portslade

Application for Approval of Details Reserved by condition 14ii of application BH2012/03940.

Applicant: Spear Development

Officer: Jason Hawkes 292153

Approved on 16/12/13 DELEGATED

BH2013/03610

47 Fairfield Gardens Portslade

Loft conversion incorporating hip to gable roof extension, rear dormer and

Report from: 12/12/2013 to: 08/01/2014

rooflight to front. Erection of single storey rear extension. (Part retrospective)

Applicant: Mr & Mrs Noyes

Officer: Helen Hobbs 293335

Refused on 17/12/13 DELEGATED

1) UNI

The proposed rear dormer, by virtue of its excessive size and design, would be detrimental to the character and appearance of the property. This is contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document Design Guide for Extension and Alterations (SPD12).

2) UNI2

The proposed hip to gable extension would unbalance the pair of semi detached properties and would be out of keeping within the street scene. The proposal is therefore contrary to policies QD1, QD2, and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document Design Guide for Extension and Alterations (SPD12).

BH2013/03808

56A Trafalgar Road Portslade

Alterations to existing 2 bed dwelling to form 1 bed dwelling. Demolition of existing storage and creation of 1no single storey dwelling to rear.

Applicant: Downside Development (Btn) Ltd

Officer: Clare Simpson 292454

Refused on 24/12/13 DELEGATED

1) UNI

The existing lower ground floor unit is unsuitable for conversion into smaller units of accommodation by virtue of an original floor area of less than 115 sq metres and having only three bedrooms as originally built. The resulting conversion would result in the loss of a unit of residential accommodation suitable for family occupation and would fail to provide a suitable unit of accommodation for family occupation. The scheme is thereby contrary to policy HO9 of the Brighton & Hove Local Plan.

2) UNI2

The development, by virtue of its cramped form and layout, would provide poor levels of outlook and light for the future occupiers of 56B Trafalgar Road and result in mutual overlooking between the gardens of 56A and 56B. The proposal is thereby contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03840

Vale House Vale Road Portslade

Prior approval for change of use of offices (B1) to residential (C3) to form 42 units.

Applicant: CLTX Ltd

Officer: Christopher Wright 292097

Prior Approval is required and is refused on 07/01/14 DELEGATED

1) UNI

In accordance with the provisions of paragraphs N (3) and N (7) of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and is refused because the proposal would result in a material change in the character of traffic in the vicinity of the site. As such the proposal is contrary to policies TR1, TR14 and TR19 of the Brighton & Hove Local Plan 2005.

2) UNI2

In accordance with the provisions of paragraph N (8)(c) of Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development)

Order 1995, as amended, prior approval for the change of use from office to residential is required and hereby refused because it has not been demonstrated that the site will not be contaminated land. As such the proposal is contrary to policy SU11 of the Brighton & Hove Local Plan 2005.

3) UNI3

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Existing Ground Floor & Site Plan	985.09 - 001		11 Nov 2013
Proposed Ground Floor & Site Plan	985.09 - 101		11 Nov 2013
Existing First Floor Plan	985.09 – 002		11 Nov 2013
Existing Second & Plant Floor Plan	985.09 – 003		11 Nov 2013
Proposed First Floor Plan	985.09 - 102		11 Nov 2013
Proposed Second & Plant Floor Plan	985.09 – 103		11 Nov 2013
Ground Condition Report	13966/GCR		19 Dec 2013
Flood Risk Assessment			11 Nov 2013
Transport Statement			11 Nov 2013
Phase One Environmental Assessment			11 Nov 2013

BH2013/03891

5 Vale Road Portslade

Certificate of Lawfulness for proposed erection of rear dormer and front rooflight.

Applicant: Mrs Jackie Snow

Officer: Emily Stanbridge 292359

Approved on 19/12/13 DELEGATED

BH2013/04273

1 Trafalgar Road Portslade

Application for Approval of Details Reserved by Condition 12 of Application BH2011/03316.

Applicant: A M Construction (Southern) Ltd

Officer: Adrian Smith 290478

Approved on 06/01/14 DELEGATED

HOVE PARK

BH2013/02175

Land at City Park Orchard Road Hove

Application for Approval of Details Reserved by conditions 10, 11a, 12, 13, 15, 16, 17, 18, 19 and 20 of application BH2012/03577.

Applicant: BCM

Officer: Jason Hawkes 292153

Split Decision on 16/12/13 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 10, 11 (a), 12, 13, 15, 16, 17, 18, 19 and 20 of application BH2012/03577 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 11 (b) are NOT APPROVED.

Report from: 12/12/2013 to: 08/01/2014

Without the submission of BRE issued Interim Code for Sustainable Homes Certificates demonstrating that the development will achieve Code level 3 for all residential units, the requirements of condition 11(b) cannot be discharged.

BH2013/03066

37 Shirley Drive Hove

Erection of two storey front and side extension, single storey rear extension and associated roof alterations.

Applicant: James Grant

Officer: Jason Hawkes 292153

Approved on 02/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

No development 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 to be retained. 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 QD14 and QD16 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			6th September 2013
Block Plan			6th September 2013
Site Plan	13002/10.001	E	30th December 2013
Ground Floor Plan as Existing	13002/11.001		6th September 2013
First Floor Plan as Existing	13002/11.002		6th September 2013
Roof Plan as Existing	13002/11.003		6th September 2013
Ground Floor Plan as	13002/11.004	J	30th December

Proposed			2013	
First Floor Plan as Proposed	13002/11.005	J	30th 2013	December
Roof Plan as Proposed	13002/11.006	H	30th 2013	December
Front Elevation as Existing	13002/13.001		6th 2013	September
Front Elevation as Proposed	13002/13.002	J	30th 2013	December
Rear Elevation as Proposed	13002/13.003	D	30th 2013	December
Side Elevation as Proposed	13002/13.004	C	6th 2013	September
Rear Elevation as Existing	13002/13.005		6th 2013	September
Side Elevation as Existing	13002/13.006		6th 2013	September
Side Elevation as Existing	13002/13.007		6th 2013	September
Side Elevation as Proposed	13002/13.008	A	6th 2013	September

BH2013/03282

168 Old Shoreham Road Hove

Part change of use of ground floor from offices (B1) to residential (C3) with the erection of a single storey rear extension with associated external alterations to create 1no. two bedroom flat.

Applicant: Dr Harjinder Heer

Officer: Andrew Huntley 292321

Refused on 18/12/13 DELEGATED

1) UNI

The development would result in the loss of a small office unit (Use Class B1) contrary to policies EM5 and EM6 of the Brighton & Hove Local Plan which seeks to retain small industrial, business and warehouse premises (Use Classes B1, B2 and B8) for employment purposes.

2) UNI2

The rear extension by reason of its size, height and bulk would appear overly dominant and would fail to respect the character and proportions of the existing building, adjoining properties and the wider surrounding area. In addition, the extension is of a poor 'wrap around' design and would be poorly related to the existing dwelling, eroding the original plan form of the property. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan and the provisions of Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

3) UNI3

The proposed extension would rise 3.35m above ground level and extend the full width of the plot of land. As a result, due to its length, height and siting, the proposed extension would have an overbearing impact on 170 Old Shoreham Road, and would represent an un-neighbourly form of development. In addition, the extension would cause a loss of sunlight/daylight to the rear garden areas of 170 and 166 Old Shoreham Road (morning and afternoon respectively) due to the resultant overshadowing caused by the height and depth of the extension. Therefore, it would cause a loss of amenity, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and the provisions of Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

Report from: 12/12/2013 to: 08/01/2014

4) UNI4

The proposed residential unit is judged to provide an inappropriate and poor standard of accommodation as the proposed bedrooms would be substantially enclosed, would likely receive inadequate natural light and have a poor outlook. Therefore, the proposal fails to provide an acceptable residential environment for future occupiers and is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03369

69 Hill Brow Hove

Erection of front and rear extensions at first floor level.

Applicant: Martin Senior

Officer: Liz Arnold 291709

Approved on 03/01/14 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			16th October 2013
Block Plan			16th October 2013
Site Plan As Existing	S1		2nd October 2013
Lower Ground Floor Plan As Existing	S2		2nd October 2013
Ground Floor Plan As Existing	S3		2nd October 2013
First Floor Plan As Existing	S4		2nd October 2013
Roof Plan As Existing	S5		2nd October 2013
Front Elevation As Existing	S6		2nd October 2013
Side Elevation As Existing	S7		2nd October 2013
Rear Elevation As Existing	S8		2nd October 2013
Side Elevation As Existing	S9		2nd October 2013
Site Plan As Proposed	P1		2nd October 2013
Lower Ground Floor Plan As Proposed	P2		2nd October 2013
Ground Floor Plan As Proposed	P3		2nd October 2013
First Floor Plan As Proposed	P4		2nd October 2013
Roof Plan As Proposed	P5		2nd October 2013
Front Elevation As Proposed	P6		2nd October 2013
Side Elevation As Proposed	P7		2nd October 2013

Rear Elevation As Proposed	P8		2nd October 2013
Side Elevation As Proposed	P9		2nd October 2013

BH2013/03457

287 Dyke Road Hove

Erection of single storey detached building in rear garden.

Applicant: Care Management Group

Officer: Steven Lewis 290480

Approved on 12/12/13 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 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.

3) UNI

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

Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 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			10/10/2013
Block Plan	13/075/02		17/10/2013
Proposed Plans and Elevation	13/075/01	A	21/10/2013

BH2013/03488

17 Meadow Close Hove

Demolition of garage and erection of two storey side extension. Erection of single storey rear extension linking main house to external dayroom. (Part Retrospective)

Applicant: Mr Roger Noel

Officer: Emily Stanbridge 292359

Refused on 16/12/13 DELEGATED

1) UNI

The proposed two storey side extension forms an inappropriate addition to the property which would result in an awkward relationship to the neighbouring

property (Les Reveurs). Furthermore the extension would infill the existing space between the dwellings forming an overly dominant addition to the property which would create a cramped appearance in relation to the neighbouring bungalow. Therefore the proposed side extension would cause harm to the character of the street scene, contrary to policy QD14 within the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design guide for extensions and alterations.

2) UNI2

The proposed two storey side extension, given the close proximity to the neighbouring property, would result in increased bulk to the boundary causing an overbearing impact and sense of enclosure to the occupiers of Les Reveurs. Furthermore the proposed side extension would cause reduced levels of light to the existing roof light on the neighbouring property. Therefore the proposed side extension is contrary to policy QD27 within the Brighton & Hove Local Plan.

BH2013/03562

159 Nevill Road Hove

Creation of new crossover and hard standing with alterations to front boundary wall.

Applicant: Mr Christopher Hider

Officer: Emily Stanbridge 292359

Refused on 24/12/13 DELEGATED

1) UNI

The loss of the Acer street tree to facilitate the proposed widening of the crossover would cause harm to the character and appearance of the street scene. The proposal is therefore unacceptable and contrary to policy QD16 within the Brighton & Hove Local Plan and SPD06: Trees and Development Sites.

BH2013/03570

4 Stanford Close Hove

Demolition of rear conservatory and part of garage and erection of a new conservatory and extension to rear. Roof alterations including rear roof extension, rear dormer and rooflights to side roof slopes.

Applicant: Mr Simon Taylor

Officer: Helen Hobbs 293335

Approved on 23/12/13 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 lower cill level of the roof lights hereby permitted shall not be lower than 1.7m above finished floor level, unless otherwise agreed in writing by the Local Planning Authority.

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

3) UNI

No development shall commence until a landscape plan has been submitted to and approved by the Local Planning Authority in writing. The landscape plan shall be implemented as approved and thereafter retained.

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

4) UNI

The proposed northernmost kitchen window in the side elevation facing west shall

not be glazed otherwise than with obscured glass and fixed shut and thereafter permanently retained as such, unless otherwise agreed with the local planning authority.

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

5) UNI

The development hereby 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	111005/SO		18th October 2013
Survey as existing	S1		23rd October 2013
Proposed alterations	AC/4SC/10	C	24th October 2013

6) UNI

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

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

BH2013/03581

43 Dyke Road Avenue Hove

Demolition of existing garages, conservatory and lean-to extensions and erection of two storey side extension, single storey side extension, detached garage in front garden and conservatory to rear, roof alterations with other associated external alterations.

Applicant: Mr & Mrs Harris

Officer: Clare Simpson 292454

Approved on 13/12/13 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

Plan Type	Reference	Version	Date Received
Proposed First Floor Plan	D03		18th October 2013
Proposed Second Floor Plan	D04		18th October 2013
Proposed Roof Plan	D05		18th October 2013
Proposed East Elevation	D06		18th October 2013
Proposed West Elevation	D07		18th October 2013
Proposed South Elevation	D08	A	30th October 2013
Proposed North Elevation	D09		18th October 2013
Proposed East Elevation (Street)	D10		18th October 2013
Proposed Garage Plans and Elevations	D11	A	30th October 2013

3) UNI

No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the programme of archaeological work has been completed in accordance with the approved Written Scheme of Archaeological Investigation

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

4) UNI

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

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

5) UNI

No development or other operations shall commence on site until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, 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 protection scheme.

Reason: to protect the character of the areas to comply with policies QD16 and HE6 of the Brighton & Hove Local Plan.

6) 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	Y070-A01		18th October 2013
Block Plan	A02		18th October 2013
Existing ground floor plan	A03		18th October 2013
Existing First floor Plan	A04		18th October 2013
Existing Second Floor Plan	A05		18th October 2013
Existing Roof Plan	A06		18th October 2013
Existing East Elevation	A07		18th October 2013
Existing West Elevation	A08		18th October 2013
Existing North Elevation	A09		18th October 2013
Existing South Elevation	A10		18th October 2013
Proposed Site Plan	D01		18th October 2013
Proposed Ground Floor Plan	D02		18th October 2013

7) 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.

BH2013/03619

19 Onslow Road Hove

Application for Approval of Details Reserved by conditions 9 and 11 of application BH2013/01811.

Applicant: Adele Lias

Officer: Jason Hawkes 292153

Split Decision on 31/12/13 DELEGATED

1) UNI

APPROVE the details pursuant to condition 11 and subject to full compliance with the submitted details.

1) UNI

Insufficient information has been submitted to discharge the details required by condition 9 of application BH2013/01811 in accordance with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD8 Sustainable Building Design.

BH2013/03623

35 Shirley Drive Hove

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr & Mrs Peter Chadwick

Officer: Helen Hobbs 293335

Approved on 16/12/13 DELEGATED

1) UNI

The development is permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2013/03667

10 Barrowfield Drive Hove

Alterations to the existing side extension. Erection of porch to front/side elevation. Alterations to existing garage to provide office, bicycle and bin store and re-tiling of garage roof. Alterations to drive way, creation of decked area in front garden to the side, alterations to fenestration and other associated works.

Applicant: Mr Ben Fielder

Officer: Robin Hodgetts 292366

Approved on 23/12/13 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) BH06.01

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

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

4) 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.

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing ground and first floor plans	131B10/01		28/10/13
Existing site plan	131B10/02		28/10/13
Existing block plan and street elevation	131B10/03		28/10/13
Existing elevations	131B10/04		28/10/13
Proposed floor plans	131B10/05		09/12/13
Proposed site plan	131B10/06		09/12/13
Proposed block plan and street elevation	131B10/07		09/12/13
Proposed elevations	131B10/08		09/12/13
Proposed garage alterations	131B10/13		28/10/13

BH2013/03686

33 Sandringham Drive Hove

Erection of single storey rear extension and repositioning of existing raised deck.

Applicant: Steve Lynn

Officer: Jason Hawkes 292153

Approved on 23/12/13 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

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
Proposed Extension	599/01	A	29th October 2013
Existing Layout	599/02		29th October 2013

BH2013/03725

Unit 1 Goldstone Retail Park Newtown Road Hove

Installation of 13no air conditioning units, associated ducting and 2m high galvanised steel palisade fence to rear elevation.

Applicant: TJX Europe

Officer: Robin Hodgetts 292366

Refused on 31/12/13 DELEGATED

1) UNI

The proposal, in the absence of information to indicate otherwise, would result in noise and disturbance for occupants of adjoining residential properties on Goldstone Lane, to the detriment to their residential amenity. The applicant has failed to provide information detailing necessary mitigation measures which would satisfactorily address the noise and disturbance which would result from the proposal. The proposal is thereby contrary to policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed ventilation ducting, by reason of its height and siting on a prominent elevation, represents an unduly intrusive and dominant addition to the building that would cause significant harm to the visual amenity of the street scene and wider area. The ducting is thereby contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

BH2013/03726

24 Elrington Road Hove

Demolition of existing house and erection of two storey house with associated landscaping.

Applicant: Dr R Inwood

Officer: Sonia Gillam 292265

Refused on 31/12/13 DELEGATED

1) UNI

The proposed dwelling, by virtue of its siting, design, height and bulk, would result in a form of development which would fail to emphasise and enhance the positive qualities and characteristics of the area, and would appear out of scale, bulky and overly dominant in relation to its neighbours, and relate poorly to the rest of the street. The proposed development is thereby contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

2) UNI2

The proposed dwelling, by virtue of its siting, design, height and bulk, would have an overbearing and unduly prominent and unneighbourly relationship with the property to the north, no. 26, resulting in a loss of light and outlook for occupants of this property. The proposed development is thereby contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03756

121 Shirley Drive Hove

Erection of raised timber decking to rear elevation with steel and glass balustrade and steps to garden level. Alterations to existing front dormer.

Applicant: Mr Paul Jefferson

Officer: Robin Hodgetts 292366

Refused on 30/12/13 DELEGATED

1) UNI

The proposed raised timber decking, by reason of its size and elevated height, represents an un-neighbourly and overbearing addition which would result in increased overlooking and loss of privacy for occupants of adjoining properties, to the detriment of their residential amenity. The proposal is thereby contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/03757

4 Barrowfield Close Hove

Certificate of lawfulness for proposed loft conversion with side dormer and rooflights, two storey rear extension, single storey extensions to both sides, front porch extension and erection of 2no single storey outbuildings to rear.

Applicant: Mr & Mrs Platt

Officer: Liz Arnold 291709

Split Decision on 27/12/13 DELEGATED

1) UNI

GRANT a lawful development certificate for the proposed porch extension (Extension B) for the following reason:

1. The proposed porch extension (Extension B) is permitted under Schedule 2, Part 1, Classes D of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

1) UNI

REFUSE a lawful development certificate for side extensions (Extensions A and C), a rear dormer extension (Extension D), a two storey rear extension (Extension E) and two outbuildings (Extensions F and G) for the following reasons;

2) UNI2

The development is not permitted under Schedule 2, Part 1, Class A, of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as Extension C would extend beyond a wall which fronts a highway and forms a principle elevation of the original dwellinghouse.

3) UNI3

The development is not permitted under Schedule 2, Part 1, Class B, of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as the cubic content of the resulting roof space of Extensions A, D and E would exceed the cubic content of the original roof space by more than 50m³.

4) UNI4

The development is not permitted under Schedule 2, Part 1, Class E, of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as Outbuildings F and G would be located within 2m of the boundary of the curtilage of the dwellinghouse and would have a height in excess of 2.5m.

BH2013/03809

8 Lloyd Road Hove

Erection of 1no two storey dwelling to rear of existing house with associated landscaping and car parking.

Applicant: Mr Lance Merrifield

Officer: Steven Lewis 290480

Refused on 03/01/14 DELEGATED

1) UNI

The subdivision of the existing garden to form additional building plot is considered to be in distinct contrast to the existing layout of the area. A house in this location would be in stark contrast to undeveloped neighbouring gardens and

detrimental to the open garden character of the area. Furthermore the design of the proposed house would be overly dominant and incongruous in this location and would fail to provide adequate amenity space. The development would therefore be contrary to Brighton & Hove Local Plan policies QD1, QD2, QD3 and HO5 of the Brighton & Hove Local Plan.

2) UNI2

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 overlooking, loss of privacy and sense of enclosure to the occupiers of 10 Lloyd Road and 1 Lloyd Close, contrary to policies QD1, QD2, QD3, and QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed dwelling by reason of its siting, scale, massing, detailing and materials is considered poorly designed and would have a harmful impact upon the character and appearance of the area. The development would therefore be contrary to Brighton & Hove Local Plan policies QD1, QD2, QD3, of the Brighton & Hove Local Plan.

BH2013/03893

76 Amherst Crescent Hove

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

Applicant: Mr & Mrs Wakeham

Officer: Robin Hodgetts 292366

Approved on 06/01/14 DELEGATED

1) UNI

The development is permitted under Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2013/03921

49 Benett Drive Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 7.1m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.4m.

Applicant: Mr Ali Razak

Officer: Helen Hobbs 293335

Prior approval not required on 18/12/13 DELEGATED

BH2013/03989

Marche House Woodland Drive Hove

Application for approval of details reserved by condition 7 of application BH2013/02839.

Applicant: Threadneedle Entertainment Ltd

Officer: Steven Lewis 290480

Approved on 03/01/14 DELEGATED

WESTBOURNE

BH2013/02748

8a Carlisle Road Hove

Alterations to existing rear extension incorporating reduction in footprint and roof height. Installation of decking. (Part Retrospective)

Applicant: B Williams
Officer: Jason Hawkes 292153
Approved on 12/12/13 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
As Existing Ground Floor Plan	154CR8/01		12th August 2013
As Existing Roof Plan	154CR8/02		12th August 2013
As Existing Side Elevations	154CR8/03		12th August 2013
Proposed Ground Floor Plan	154CR8/04		21st November 2013
Proposed Roof Plan	154CR8/05		21st November 2013
Proposed Side Elevations	154CR8/06		21st November 2013
As Existing and Proposed Rear Elevation, Block Plan and Location Plan	154CR8/07		21st November 2013

BH2013/02924

7-11 Sackville Gardens Hove

Demolition of existing rear conservatory and erection of 2no single storey rear extensions.

Applicant: Mr J Lytle
Officer: Christopher Wright 292097

Refused on 31/12/13 DELEGATED

1) UNI

The proposed extensions would, by reason of their scale, bulk, massing, form and design, detract from the character and appearance of the recipient building and be incongruous within the historic site context, to the detriment of visual amenity and the character and appearance of the wider Sackville Gardens Conservation Area. As such the proposal is contrary to the requirements of policies QD14, HE6 and HO11 of the Brighton & Hove Local Plan.

2) UNI2

Due to the height, scale, bulk and close proximity of the extensions to the rear boundary, the development would have an overbearing impact and result in an increased sense of enclosure for neighbouring residents that would be detrimental to residential amenity. As such the proposal conflicts with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/03539

14 Princes Crescent Hove

Erection of single storey rear extension. (Part Retrospective)

Applicant: Mr & Mrs Bailey
Officer: Liz Arnold 291709

Approved on 13/12/13 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

Report from: 12/12/2013 to: 08/01/2014

unimplemented permissions.

2) UNI

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

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

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	ADC600/LP		17th October 2013
Block Plan	ADC600/BP		17th October 2013
Existing Plans	ADC600/01		17th October 2013
Existing Elevations	ADC600/02		17th October 2013
Proposed Ground Floor Plan	ADC600/03	Rev. C	17th October 2013
Proposed First Floor Plan	ADC600/04	Rev. A	17th October 2013
Proposed Rear and Side Elevations	ADC600/05	Rev. B	17th October 2013
Proposed Side Elevation and Sections	ADC600/06		17th October 2013

BH2013/03572

82A Westbourne Street Hove

Application for approval of details reserved by condition 3 of application BH2013/02176.

Applicant: Barrie Golds

Officer: Robin Hodgetts 292366

Approved on 23/12/13 DELEGATED

BH2013/03720

59 Coleridge Street Hove

Prior approval for change of use of offices (B1) to residential (C3) to form 1no flat on the ground floor and 2no flats on the first floor.

Applicant: Dowsett Mayhew Planning Partnership

Officer: Christopher Wright 292097

Prior approval not required on 24/12/13 DELEGATED

BH2013/03733

Flat 24 Coastal Place 55 New Church Road Hove

Application for approval of details reserved by condition 3 of application BH2011/01150.

Applicant: Mrs Margaret Plachy

Officer: Jason Hawkes 292153

Approved on 24/12/13 DELEGATED

BH2013/03750

6 Portland Road Hove

Conversion of single dwelling to form 1no one bedroom, 1no two bedroom and 1no 3 bedroom self contained flats with associated alterations and additions to fenestration.

Applicant: Lindene GB Promotions

Officer: Liz Arnold 291709

Approved on 02/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

No residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'very good' as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

3) UNI

None of the residential units hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'very good' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

4) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall not be occupied until the cycle parking facilities and associated cycle wheel ramp, as 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.

6) UNI

The new dwelling(s) hereby permitted shall be constructed to all reasonable Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

of the Brighton & Hove Local Plan.

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
Site Plan			4th November 2013
Location Plan			4th November 2013
Proposed Floor Plans	13452-01	Rev. D	19th December 2013
Existing Floor Plans	13452-02		4th November 2013
Existing and Proposed Elevations	13452-03	Rev. A	4th November 2013

8) 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.

BH2013/03864

14 Raphael Road Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.2m, for which the maximum height would be 3.85m, and for which the height of the eaves would be 2.8m.

Applicant: Jude Latto

Officer: Helen Hobbs 293335

Prior approval not required on 13/12/13 DELEGATED

WISH

BH2013/03379

First Floor Flat 4 Seaford Road Hove

Installation of rooflights to front and rear elevations.

Applicant: Mr John Pescod

Officer: Helen Hobbs 293335

Approved on 19/12/13 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
Proposed loft conversion	AS/01		2nd October 2013

BH2013/03523

93 St Leonards Road Hove

Conversion of existing 2no self contained flats and chiropody surgery into 3no self contained flats.

Applicant: Tony Camps-Linney

Officer: Helen Hobbs 293335

Refused on 23/12/13 DELEGATED

1) UNI

Policy HO9 of the Brighton & Hove Local Plan states that planning permission will be granted for the conversion of dwellings into smaller units of self-contained accommodation when the original floor area of the unit is greater than 115 square metres or the unit has more than 3 bedrooms as originally built. The policy also states at least one unit of accommodation provided should be suitable for family accommodation and have a minimum of two bedrooms. The floor area of the existing first floor flat is less than 115 square metres and the unit does not have more than 3 bedrooms as originally built. Furthermore, the proposed conversion would result in the formation of two studio units neither of which would be suitable for family accommodation. The scheme is therefore contrary to the above policy.

2) UNI2

The proposed change of use at ground floor level would result in a loss of a Chiropody Surgery (Class D1) which has not been demonstrated as being genuinely redundant for this or other types of community facilities. The proposal is thereby contrary to policy HO20 of the Brighton & Hove Local Plan.

BH2013/03550

Westbourne Motors 268-272 Portland Road Hove

Installation of new shopfront including relocation and replacement of existing manual entrance doors with single automated sliding entrance door.

Applicant: Mr Gary Taylor

Officer: Liz Arnold 291709

Approved on 02/01/14 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			17th October 2013
Existing Shop Front Layouts	CP-PORT-001-01	Rev. A	28th October 2013
Proposed Shop Front Layouts	C-PORT-001-02	Rev. A	28th October 2013

BH2013/03571**18 Park Avenue Hove**

Remodelling of existing house including removal of existing garage to side and conservatory to rear, erection of two storey side and single storey rear extension, installation of 5 no. rooflights and other associated alterations.

Applicant: Ian Holland

Officer: Liz Arnold 291709

Approved on 16/12/13 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	389/PA1		17th October 2013
Existing Floor Plans	389/PA2		17th October 2013
Existing Elevations	389/PA3		17th October 2013
Existing Elevations	389/PA4		17th October 2013
Proposed Floor Plans	389/PA5	A	5th December 2013
Proposed Elevations	389/PA6	A	5th December 2013
Proposed Elevations	389/PA7	A	5th December 2013

BH2013/03681**Glebe Villas Community Hall 10 Glebe Villas Hove**

Display of non illuminated notice board.

Applicant: Mrs V J Cronin

Officer: Andrew Huntley 292321

Approved on 02/01/14 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

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.

4) 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.

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

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.

BH2013/03699

First Floor Flat 48 Braemore Road Hove

Installation of dormer to side and rooflights to front and rear.

Applicant: Mr Nathan Camilleri

Officer: Emily Stanbridge 292359

Refused on 16/12/13 DELEGATED

1) UNI

The proposed side dormer would, by reason of its design, appearance, siting, scale and bulk, significantly alter the form of the original roof and unbalance the symmetry between the roof form of the two semi-detached buildings, giving the development a dominant appearance that would detract from the character of the recipient building and the appearance of the wider street scene. In addition the roof lights to the front elevation by reason of size and number form an inappropriate addition to the property which creates a cluttered appearance to the roof slope. As such the proposal is contrary to policy QD14 within the Brighton & Hove Local Plan and SPD12: Design guide for extensions and alterations.

BH2013/03746

Ground Floor Flat 47 Worcester Villas Hove

Erection of single storey rear extension.

Applicant: Jenine Milburn

Officer: Robin Hodgetts 292366

Approved on 07/01/14 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and block plan	A.01	A	04/11/13
Existing plans	A.02	A	04/11/13
Existing elevations	A.03	A	04/11/13
Existing sections	A.04	A	04/11/13
Proposed plans	D.01	A	04/11/13
Proposed elevations	D.02	A	04/11/13
Proposed sections	D.03	A	04/11/13

BH2013/03812

Ground Floor Flat 2 Mainstone Road Hove

Erection of single storey rear extension.

Applicant: Mr David Wade

Officer: Sonia Gillam 292265

Refused on 07/01/14 DELEGATED

1) UNI

The proposed development, by virtue of its design, size, form and massing would form a bulky and unsympathetic feature which would result in an overextended appearance to the property and fail to 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 visual amenities enjoyed by neighbouring properties and is contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document SPD12.

2) UNI2

The proposed development, by virtue of its height, level of projection and siting directly adjacent to the boundary with the neighbouring property, no. 4 Mainstone Road, would result in an unneighbourly form of development, which would appear overbearing and result in a material loss of outlook, heightened sense of enclosure and, in the absence of evidence to the contrary, loss of light to this dwelling. As such, the proposal would adversely impact on the residential amenity of the occupiers of this property contrary to policies QD14 and QD27 of the

Report from: 12/12/2013 to: 08/01/2014

BH2013/03943

18 Mansfield Road Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.65m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 2.8m.

Applicant: Michael Shalabi

Officer: Helen Hobbs 293335

Prior approval not required on 18/12/13 DELEGATED

BH2013/04051

6 Braemore Road Hove

Certificate of lawfulness for existing loft conversion incorporating hip to gable roof extension, front roof lights, rear dormers and alterations to fenestration on side elevation.

Applicant: Paul James Consulting

Officer: Andrew Huntley 292321

Approved on 13/12/13 DELEGATED

Withdrawn Applications

PLANS LIST 29 January 2013**PRESTON PARK**

Application No: BH2013/04370
13 Florence Road, Brighton

Lime tree adjacent rear of house - reduce crown to previous reduction height approx. 6ft off top and re-shape as before, remove epicormic growth at base.

Applicant: Mr N Thompson
Approved on 03 Jan 2014

REGENCY

Application No: BH2013/04277
Waitrose Car Park, 130 Western Road, Brighton

Fig (T10 on plan) - reduce back from the parking area by 1-2m. Reduce overhanging grape vine back to the boundary wall.

Applicant: Mr G O'Flanagan
Approved on 03 Jan 2014

Application No: BH2013/04366
2 Temple Gardens, Brighton

Fell one Cypress. Tree is clearly visible from Temple Gardens and is part of the amenity of the street scene; however, this is such a dominant tree in a small front garden that it would be unreasonable to expect the applicant to retain it. Pruning options for this evergreen species are very limited.

Applicant: Mr J Powell
Approved on 03 Jan 2014

ST. PETER'S & NORTH LAINE

Application No: BH2013/04131
113 Roundhill Crescent, Brighton

Fell one Sycamore. (Although tree has public visibility and is a valuable screen to the Sainsbury's building, its location is not sustainable due to the structural damage to an adjoining wall. Tree also has serious structural faults that make it of poor quality.)

Applicant: Ms Helen Jones
Approved on 23 Dec 2013

WITHDEAN

Application No: BH2013/04279
54 Surrenden Road, Brighton

Fell one Eucalyptus. (Whilst this tree does have some public visibility, it is not sufficient to justify a TPO.)

Applicant: Mr A Wright
Approved on 23 Dec 2013

QUEEN'S PARK

Application No: BH2013/04313
13 West Drive, Brighton

2no Ash - lift canopies by up to 4m.

Applicant: Alexander Harrison
Approved on 23 Dec 2013

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

BH2013/03117

56 London Road Brighton

Application for variation of condition 1 of application BH2011/02890 to permit the premises to be in use between the hours of 08.00 and 04.00 daily with counter sales to cease at 01.00.

APPEAL LODGED

12/12/2013

Planning Committee

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

BH2013/03180

26 Lustrells Crescent Saltdean Brighton

Creation of dormer to rear.

APPEAL LODGED

12/12/2013

Delegated

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

BH2013/02254

Top Floor Flat 5 Buckingham Road Brighton

Loft conversion incorporating extension within roof void and rooflights to West and North elevations and flat roof area.

APPEAL LODGED

19/12/2013

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PRESTON PARK**

BH2013/01836

Land at rear 32 Stanford Avenue Brighton

Demolition of existing garage and erection of a two storey 1no bedroom house.

APPEAL LODGED

18/12/2013

Planning Committee

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

ROTTINGDEAN COASTAL
BH2013/02177
132 Longhill Road Brighton
Demolition of existing bungalow and erection of new four bedroom chalet bungalow.
APPEAL LODGED
23/12/2013
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

ST. PETER'S & NORTH LAINE
BH2013/02838
Richmond House Richmond Road Brighton
Demolition of existing 2no storey building and construction of part three storey part five storey building providing 138 rooms of student accommodation, with associated ancillary space, 76 cycle spaces, removal of existing trees, landscaping and other associated works.
APPEAL LODGED
03/01/2014
Planning Committee

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION
APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

HANOVER & ELM GROVE
BH2013/02911
4 Ryde Road Brighton
Erection of single storey rear extension.
APPEAL LODGED
06/01/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

HOVE PARK
BH2013/03039
8 Hill Drive Hove
Erection of two storey rear extension and loft conversion incorporating raising of ridge height, front and rear rooflights and associated alterations.
APPEAL LODGED
07/01/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

SOUTH PORTSLADE
BH2013/03081
5 Benfield Way Portslade
Erection of two storey rear extension replacing

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

existing conservatory and pitched roof front porch replacing existing porch.
APPEAL LODGED
07/01/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

GOLDSMID
BH2013/03133
2 Highdown Road Hove
Certificate of lawfulness for proposed roof extension with mansard roof and other associated alterations.

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
08/01/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

EAST BRIGHTON
BH2013/01874
37 Upper Abbey Road Brighton
Certificate of lawfulness for proposed loft conversion incorporating 2 no. rooflights to the front, dormer to the rear and other associated works.

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
07/01/2014
Delegated

WARD
APPEALAPPNUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

QUEEN'S PARK
BH2013/02728
56 Queens Park Rise Brighton
Erection of single storey rear extension to replace existing conservatory.

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
07/01/2014
Delegated

WARD
APPEALAPPNUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

ROTTINGDEAN COASTAL
BH2013/02597
2 Heathfield Avenue Brighton
Erection of single storey side extension and single storey rear extension (Part Retrospective).

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
08/01/2014
Delegated

**Brighton & Hove
City Council****INFORMATION ON HEARINGS / PUBLIC INQUIRIES****29th January 2014**

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: 8th January 2014

Location: Hove Town Hall

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: 8th January 2014

Location: Hove Town Hall

1 De Montford Road, Brighton

Planning application no: BH2013/00853

Description: Change of use from former chapel (D1) to house in multiple occupation (sui generis). (Retrospective).

Decision: Delegated

Type of appeal: Informal Hearing

Date: 11th March 2014

Location: Hove Town Hall

1 De Montford Road, Brighton

Planning application no: BH2013/02539

Description: Certificate of Lawfulness for existing use as a residential dwelling.

Decision: Delegated

Type of appeal: Informal Hearing

Date: 11th March 2014

Location: Hove Town Hall

Flat 5a, 6 Palmeira Square, Hove BN3 2JA

Planning application no: BH2012/01706

Description: Creation of 1no one bed studio flat. (Retrospective)

Decision: Delegated

Type of appeal: Public Inquiry

Date: 24th June 2014

Location: Brighton Town Hall



**Brighton & Hove
City Council**

Flat 5a, 6 Palmeira Square, Hove BN3 2JA

Planning application no: BH2012/01707

Description: Internal alterations to create 1no one bed studio flat. (Retrospective)

Decision: Delegated

Type of appeal: Public Inquiry

Date: 24th June 2014

Location: Brighton Town Hall

20-22 Market Street and 9 East Arcade, Brighton

Planning application no: BH2013/01279

Description: Change of use from retail (A1) to restaurant (A3) incorporating installation of ventilation system.

Decision: Delegated

Type of appeal: Informal Hearing

Date: TBC

Location: TBC

21 Rowan Avenue, Hove BN3 7JF

Description: Change of use to Dog Kennels.

Decision: Enforcement

Type of appeal: Informal Hearing

Date: TBC

Location: TBC

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Application BH2013/02304 – Appeal against refusal for single storey side extension. **APPEAL DISMISSED** (delegated decision)

I – 44 HILL BROW, HOVE – HOVE PARK 287

Application BH2013/02979 – Appeal against refusal for pitched roof first floor extension to form an additional bedroom with en-suite, new en-suite and extension to an existing bedroom. Existing roof to be re-covered with slates. **APPEAL DISMISSED** (delegated decision)

J – 3 RUDYARD ROAD, WOODINGDEAN, BRIGHTON - WOODINGDEAN 291

Application BH2013/00315 – Appeal against refusal for demolition of existing bungalow and erection of 2 No three bedroom semi detached town houses and 2 No two bedroom detached chalet bungalows with associated car parking, landscaping and ancillary buildings. **APPEAL DISMISSED** (delegated decision)

K – 26A ST. MARTIN'S PLACE, BRIGHTON – HANOVER & ELM GROVE 297

Application BH2012/02631 – Appeal against refusal for mixed use development at 26a St Martins Place, comprising office accommodation at ground floor and 5 residential flats above. **APPEAL ALLOWED (Committee decision 30/01/13)**

L – 89 HOVE PARK ROAD, HOVE – HOVE PARK 305

Application BH2013/01805 – Appeal against refusal for erection of a tree house in rear garden (retrospective). **APPEAL DISMISSED** (delegated decision)

M – 41A PORT HALL ROAD, BRIGHTON – PRESTON PARK 307

Application BH2013/01198 – Appeal against refusal Create roof terrace on existing flat roof (Retrospective application for works already completed – amendment to existing approved application BH2012/01392). **APPEAL DISMISSED** (delegated decision)

N – 4 ELRINGTON ROAD, HOVE – HOVE PARK 311

Application BH2013/00803 – Appeal against refusal for Renewal of planning permission BH2007/03959 for the erection of 1 new detached 3 bedroom house at 4 Elrington Road, Hove, BN3 6LG. **APPEAL ALLOWED & COSTS REFUSED** (delegated decision)

O – BLOCKBUSTER VIDEO EXPRESS, 48 BLATCHINGTON ROAD, HOVE – CENTRAL HOVE 317

Application BH2013/01192 – Appeal against refusal for Proposed change of use, conversion and extension to vacant first floor premises to form 2 x 1 bedroom units at 48. **APPEAL DISMISSED** (delegated decision)

P – 30 AYMER ROAD, HOVE – WESTBOURNE 321

Application BH2013/03023 – Appeal against refusal for new boundary fence. **APPEAL DISMISSED (Committee decision 20/11/13)**

Q – CHAPEL ROYAL VAULTS, NORTH STREET, BRIGHTON – ST. PETER’S & NORTH LAINE 325

Application BH2012/03647 – Appeal against refusal for change of use to restaurant/café (use Class A3) with entrance alterations and associated internal works. **APPEAL DISMISSED** (delegated decision)



Appeal Decision

Site visit made on 27 November 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: 5 December 2013

Appeal Ref: APP/Q1445/D/13/2207681

50 Waldegrave Road, Brighton, BN1 6GE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Ronald Gray against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02084 was refused by notice dated 21 August 2013.
 - The development proposed is a single new storey side and rear extension and conversion of existing loft space including new conservation rooflight to the front street elevation and rear dormer.
-

Decision

1. The appeal is allowed and planning permission is granted for a single-storey side and rear extension and conversion of existing loft space including new conservation rooflight to the front street elevation and rear dormer at 50 Waldegrave Road, Brighton BN1 6GE, in accordance with application Ref: BN2013/02084, dated 23 June 2013, subject to the following conditions:
 - 1) The development hereby permitted shall not be carried out other than in complete accordance with the following approved plans: Drawing Nos: L-001, L-002, L-003 and L-004.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) Access to the flat roof over the extension hereby permitted shall be for maintenance or emergency purposes only and the flat roof shall not be used as roof garden, terrace, patio or similar amenity area.

Preliminary matters

2. On my site visit I saw that works to construct the extension had largely been completed. However, my role in this matter is to determine the application on the basis of the plans submitted to, and determined by, the Council.

Main issue

3. The main issue is the effect of the extension on the character and appearance of the host property. As the house lies within the Preston Park Conservation Area I also have a statutory duty to consider whether or not the development would preserve or enhance the character or appearance of that Area.

Reasons

4. Waldegrave Road is a straight street characterised by two-storey, semi-detached dwellings that were originally constructed to an identical design. The houses have uniform features, are evenly set back from the road and are regularly spaced. This gives a strong sense of identity and rhythm to the street scene. The properties also have repeated features to the rear with paired, two-storey outriggers with pitched roofs. Their upper sections are highly visible above the low stone walls that separate the rear gardens.
5. The proposal is for a single storey rear extension that wraps around the outrigger and projects 2.6m into the rear garden. It would appear that what has been constructed partly replaces a rear conservatory that was previously attached to the outrigger. Whilst this is shown on the drawings, no other evidence was provided with the appeal to enable me to make an assessment of its effect on the site. However, although it appeared to occupy almost the full width of the outrigger, it would have been a lightweight structure primarily constructed of glass. It therefore enabled the original plan of the house to be retained. By contrast the current scheme involved removing the flank and rear walls of the outrigger in order to permit the creation of a large room at the back of the house. To the side is a mono-pitched roof that includes three rooflights and to the rear the extension has a flat roof.
6. My attention has been drawn to two appeal decisions, which are material to my consideration of the appeal proposal. Firstly, in July 2011, a large extension was granted permission on appeal at No 52, the immediately adjoining property, Ref: APP/Q1445/D/11/2151879. It would appear that in this case there was a pre-existing flat roof side extension and a rear conservatory that were replaced by the proposal. Nevertheless, at that time the Council raised no objection to the effects of the proposal on the character and appearance of the host property or the Conservation Area. The main issue was the effect of the development on the living conditions of adjoining occupiers. The Inspector found there would be no material harm to the amenity of neighbours and therefore allowed the appeal.
7. Secondly, in April 2013, another colleague considered a proposal for a similar extension at No 58, Ref: APP/Q1445/D/13/2193437. He noted that the proposal would be seen from the adjoining residential curtilages and buildings. However, having regard to its scale, design and position, which was concealed from the wider street scene, he concluded that it would not materially impact on the character or appearance of the Conservation Area. In his view, additions to other nearby dwellings had been made without causing detriment to the Area. He therefore allowed the appeal.
8. However, since these decisions were taken the Council has adopted a new Supplementary Planning Document: *Design Guide for Extensions and Alterations* (SPD12). This is a matter to which I attach significant weight and it sets out the Council's specific approach to rear extensions that affect houses with outriggers. SPD12 advises that infill extensions should not normally extend beyond the rear wall of the outrigger or wrap around the rear elevation. The objectives of this advice are to preserve the original plan of the building and to prevent harm to the amenity of the adjacent residents. SPD12 also advises that extensions should not dominate or detract from the original building or the character of an area. They should play a 'supporting role' that respects the design, scale and proportions of the host building.

9. In this case a gap has been retained between the extension and the adjoining property, No 52, due to the fact that these houses are semi-detached rather than terraced. The Council has not objected to the scheme in respect of its effects on the adjoining occupiers and I concur with this assessment. In this respect the scheme complies with the advice of SPD12 and the only conflict therefore relates to the loss of the original plan of the house.
10. No 50 has a paired outrigger with No 48. The symmetry of this has been lost as a result of the scheme. However, as the extension is low profile, this is only apparent from the immediately surrounding gardens. The uniformity of the roofs and first floor elements of the outriggers, which can be seen looking along rear elevations from the garden of No 50, has been retained. Furthermore, the projection of the extension into the rear garden is set in from the shared boundary with No 48 and is no deeper than that which has already been constructed at No 52. In this particular context, and given that this adjoining property is on higher ground, the overall scheme does not dominate the host property. In my view the scheme therefore complies with the guiding principle of SPD12 of appearing to be subordinate, notwithstanding the loss of the original form of the outrigger at ground floor level.
11. As the property lies within a conservation area, special attention has to be given to the effect of any alterations on historic assets. Government policy in respect of the historic environment is set out in the National Planning Policy Framework. Paragraph 126 advises that heritage assets should be recognised as an irreplaceable resource that local authorities should conserve in a manner appropriate to their significance. Any harm, which is less than substantial, must be weighed against the public benefit of the proposal.
12. Although the rear of No 50 is not visible from any public viewpoints, the Victorian outrigger is a distinctive feature of this and other properties in the immediate vicinity. The cumulative loss of the original form of the dwellings could be considered to be harmful to the heritage assets within the conservation area.
13. The extension includes an awkward combination of a mono-pitched roof to the side of the house and a flat roof on the rear projection. However, although this does not fully respect the form and detail of the host property, its proximity to the flat roof of the extension at No 52, and its position on lower ground, reduce the potential for harm to the appearance of the host property and the wider conservation area. In coming to this view I have had regard to the fact that the rear-projecting element of the extension is low profile and views of it are confined to those from the gardens of the immediately surrounding houses.
14. I am mindful of the Council's aims set out in SPD12 to retain the form of the original dwellings. However, in this particular case, and given the immediately surrounding context, I am not persuaded that the effect of the extension would amount to material harm to the appearance of the host property. The development would also be neutral in relation to the preservation or enhancement of the Preston Park Conservation Area. I also note that the Council did not object to the development because of its effects on that Area.
15. The Council assessed the front facing rooflight and the rear dormer window to be appropriately designed and detailed. I see no reason to come to a different view.

16. I therefore conclude that the scheme would not be harmful to the character and appearance of the host property and that the Preston Park Conservation Area would be preserved. It would comply with saved Policy QD14 of the Brighton & Hove Local Plan, which requires alterations and extensions to respect their setting. It would also satisfy the Framework's requirement to conserve heritage assets in a manner appropriate to their significance. I therefore consider that the appeal should succeed.
17. It is not necessary to impose the statutory time limit as the development has already begun. However, I have imposed a condition specifying the plans for the avoidance of doubt and in the interests of proper planning. A condition requiring matching materials is required in the interests of the appearance of the development. In the event that the appeal was allowed the Council has also requested a condition preventing the use of the flat roof as an amenity area. I agree that this is necessary to protect the privacy of the adjoining occupiers.

Conclusion

18. For the reasons set out above, 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 25 November 2013

by Michael Boniface MSc MRTPI

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

Decision date: 10 December 2013

Appeal Ref: APP/Q1445/A/13/2204026

11 Westbourne Gardens, Hove, East Sussex, BN3 5PL

- 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 R Levy against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01859, dated 7 June 2013, was refused by notice dated 2 August 2013.
 - The development proposed is construction of vehicle crossover, formation of hard standing and dropped kerb.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the streetscene.

Reasons

3. Westbourne Gardens is a pleasant Victorian tree-lined street comprising a mix of terraced and semi-detached buildings of high quality, traditional appearance. Dwellings are set back from the highway boundary behind small front gardens which are predominantly enclosed by low level walls with piers. This provides a strongly defined highway boundary and a sense of uniformity in the streetscene. The appeal property is one of a pair of semi-detached properties that is now in use as two flats. Nonetheless, it maintains its traditional appearance and fits well within the street, which predominantly comprises single dwellinghouses.
4. The proposed development would involve removal of the front boundary wall including the central pier to allow for the formation of a vehicular access and parking area. The walls and piers are a key feature of the area which emphasise its traditional Victorian character. Removal of these features would disrupt the continuous boundary treatment in the vicinity of the site, eroding the sense of enclosure created and the integrity of the traditional street pattern.
5. This would also lead to the removal of planting within the site frontage and its replacement with block paving, albeit that much of the site is hard paved already. Notwithstanding the appellant's view that replacement planting could be achieved within the site, the impact of these alterations would be to

introduce a distinctly modern hard surface in stark contrast to the traditional form of the property frontages which is largely in tact on the remainder of the street. This would be to the detriment of the character and appearance of the area.

6. I acknowledge that there are some examples of parking having been created on the frontages in the area but many of them also retain front garden areas, along with the boundary walls and piers. There are very few directly comparable examples nearby and those which are similar are seen as an exception to the general form and appearance of the area, rather than a positive contribution to its character. The Council suggest that these are likely to have been constructed under permitted development rights. This has not been challenged by the appellant and whilst I acknowledge his view that the Council has not taken steps to prevent the exercise of such rights, I have determined the appeal on its own merits.
7. The appellant argues that alteration of the boundary walls could be undertaken as permitted development and that this effectively represents a fallback position. However, this would not overcome other concerns in regards to the creation of a parking area and the appearance of block paving. Furthermore, I am not persuaded that the boundary wall and piers would be removed were it not necessary to facilitate the proposed parking.
8. I note that the development would improve the quality of life of the elderly residents but this does not outweigh the harm that I have identified.
9. I conclude that the development would harm the character and appearance of the street in conflict with Policy QD2 and QD14 of the Brighton and Hove Local Plan (2005) which seek respectively, to emphasise and enhance the positive qualities of the local neighbourhood and to ensure development is well designed with regards to the character of the area. These policies are closely aligned with the aims and objectives of the National Planning Policy Framework which seeks, amongst other things, to secure high quality design that maintains local distinctiveness.
10. In light of the above, and having considered all other matters, including the scope for imposing conditions, the appeal is dismissed.

Michael Boniface

INSPECTOR

Appeal Decisions

Site visit made on 25 November 2013

by Michael Boniface MSc MRTPI

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

Decision date: 12 December 2013

Appeal Ref: APP/Q1445/A/13/2202389

122 Valley Drive, Brighton, BN1 5FF

- 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 & Mrs Peter Fitzpatrick against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01109, dated 5 April 2013, was refused by notice dated 7 June 2013.
 - The development proposed is erection of two storey rear extension and loft conversion incorporating half-hip roof extension and front and side rooflights, new hard standing and associated alterations.
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Appeal Ref: APP/Q1445/A/13/2202392

124 Valley Drive, Brighton, BN1 5FF

- 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 Chris Adderley against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01111, dated 5 April 2013, was refused by notice dated 28 June 2013.
 - The development proposed is erection of two storey rear extension and loft conversion incorporating half-hip roof extension and front and side rooflights and associated alterations.
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Procedural Matters

1. The appeals relate to a pair of semi-detached dwellings where parallel applications were made for similar and adjoining extensions which could not be built independently of one another. I have determined the appeals on that basis.
2. The applications involve an alternative development to previous proposals considered at appeal (APP/Q1445/A/12/2183713 and 2183714) earlier this year. I have had regard to the site history in reaching my decision.

Decision

3. The appeals are dismissed.

Main Issues

4. The main issues are the effect on the character and appearance of the appeal properties and the surrounding area; and the effect on the living conditions of

neighbouring occupants, with particular regards to outlook, overbearing impact and loss of daylight.

Reasons

Effect on the character and appearance of the appeal properties and surroundings

5. Valley Drive is a suburban residential street comprising a mix of detached and semi-detached two storey dwellings which tend to be set back behind front gardens with regular spacing between. Buildings follow the curved alignment of the road and are also stepped in level to account for the local topography which rises in a roughly north westerly direction. The rear gardens of the appeal properties also steeply slope upwards from the back of the houses.
6. The development involves a substantial ground floor extension that would infill the gap between the existing detached garages, stretching back into the garden as far as the rear elevation of the garages, albeit that this includes a projecting canopy. Although glimpsing views of the single storey additions may be possible between the houses from the public realm, their position, being cut into the rising ground levels, mean that they would not be prominent and would largely be concealed by the existing garage buildings, despite the extensions being slightly taller. The proposed sedum roof would also assist in assimilating the additions into the rear gardens.
7. The proposed two storey extensions have been reduced in depth since the previous appeal and now involve a more conventional pitched roof design. The curvature and topography of the road means that the proposed extensions would still be visible from some angles but the design now proposed would significantly reduce the size, height and mass of the additions that would be visible in the streetscene. The extensions are set in from the side elevations of the existing buildings, maintaining the same eaves height, while the pitched roofs would slope in from the boundaries, remaining largely out of sight.
8. The detailed design of the extensions and some of the materials proposed are in contrast to the appeal properties, presenting a much more contemporary appearance. The overall scale and massing of the additions are, however, sympathetic to the original buildings and would not dominate their original form. Given that the additions would no longer be prominent from the public realm, more scope exists for a contrasting style of development and the appearance of the extension would not detract from the buildings overall character and appearance, or that of the wider streetscene. This is particularly so, given the variety of house types and sizes in the vicinity of the site.
9. I conclude that the development would not harm the character and appearance of the appeal properties or the surrounding area. In this regard, I find no conflict with Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan (LP) (2005) which together, seek to secure high quality design that contributes to the character of the area and is appropriate in the context of the existing building and its neighbours.

Effect on the living conditions of neighbouring occupants, with particular regards to outlook, overbearing impact and loss of daylight

10. The proposed development would be located in close proximity to the neighbouring dwellings, separated only by the shared driveways between. A number of windows are contained within the side elevations of the

neighbouring properties, including large glazed areas serving the kitchen and dining room of No.120. Although the appeal properties are visible from these windows at present, the occupants enjoy a relatively open aspect across the driveways and above the boundary fence to the open space behind, allowing view of the sky. The proposed extensions would be constructed opposite these windows, significantly enclosing their outlook, resulting in a prominent and imposing structure. The scale of the extensions would be substantial in this context and the flank wall of the two storey extension, which would in fact be closer than in the previous appeal, would result in an overbearing impact. This would be compounded by the significant mass of the proposed roof, the higher ground levels within the site relative to the neighbour, and the additional mass of the single storey extensions beyond. I acknowledge that other windows in the rear elevation of the building serve this room but these are smaller and would not mitigate the adverse impacts on outlook I have identified.

11. The appellants' have made reference to guidance on outlook published by Haringey Council but this is not relevant to proposals in Brighton, nor does it persuade me that the proposed development would be any less harmful. I am also referred to an appeal decision (APP/Q1445/D/13/2193540) within the Brighton and Hove area where no harm was found with regards to outlook but I have not been given sufficient information to draw any direct comparisons with the appeals now before me. I have considered the appeal proposals on their own merits.
12. The proposed extensions would also be closer to No.126 but the window arrangement is somewhat different on this property, with the majority of the main living areas being served by windows set off the boundary with the driveway or facing the rear garden. The extension would be prominent on outlook, but given the separation and relationship between the two, would not be overbearing or imposing to occupants in a manner that would materially impact their living conditions.
13. The application is accompanied by a Daylight and Sunlight Report which seeks to assess impacts in these regards upon neighbouring properties with reference to the Building Research Establishment Guide on Sunlight and Daylight (2011). This document is the same as that considered as part of the previous appeals and involves an assessment based upon the previously proposed development, rather than the development now proposed and subject of these appeals. The previous Inspector found that the development would result in a lower vertical sky component and reduced amounts of light at both the kitchen and dining room windows of No.120 and the side kitchen window of No.126 creating an unneighbourly form of development, despite the existence of other windows. Whilst I acknowledge that the development now proposed is smaller in mass in some respects, the ridge of the roof would be higher than the previous proposal and the flank walls of the two storey extension are closer to the neighbouring windows. Therefore, I consider that the development would still be likely to result in significant loss of daylight and I am not persuaded by the appellants' argument that the building now proposed would have less impact.
14. I conclude that the development would harm the living conditions of neighbouring occupants through an overbearing impact on outlook and loss of light to No.120 and through a loss of light to No.126. It would be an unneighbourly form of development contrary to the aims and objectives of

Policies QD14 and QD27 of the LP, both of which seek to protect neighbouring living conditions.

Other matters

15. I note the appellants' view that the neighbouring occupants have been able to extend their properties and that they should be afforded the same opportunity. However, the extensions are not comparable to one another and I must consider the appeal on the basis of the current site circumstances, including impacts on the neighbours' property as a whole. I have also had regard to comments that previous alterations have not be subject to the appropriate consents but I am not aware of the full circumstances surrounding these claims and this is not a matter for consideration as part of these appeals.
16. It has been argued that a substantial extension could be completed under permitted development rights and that this represents a fallback position material to the appeal proposals. Whilst appreciating that a fallback position may exist and is a relevant consideration, there is insufficient information before me to convince me that a scheme as suggested by the appellants' would go ahead. I say that given that the fallback position put forward would not provide the level of accommodation being sought under this appeal. I have therefore given the matter limited weight.
17. I acknowledge the potential environmental gains and local economic benefits that the development would bring but these do not outweigh the harm that I have found with regards to the main issues.

Conclusion

18. Whilst I have found that the development would not harm the character and appearance of the appeal properties or the surrounding area, it would harm the neighbours living conditions in conflict with Policies QD14 and QD27 of the LP.
19. In light of the above, and having considered all other matters, the appeal is dismissed.

Michael Boniface

INSPECTOR



Appeal Decision

Site visit made on 3 December 2013

by Elizabeth Lawrence BTP MRTPI

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

Decision date: 16 December 2013

Appeal Ref: APP/Q1445/A/13/2201732

48 West Street, Brighton, East Sussex, BN1 2RA.

- 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 Essyt Sharanizadeh against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00418 dated 10 February 2013, was refused by notice dated 20 June 2013.
 - The development proposed is Regularisation of smoking shelter at 1st Floor rear.
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Preliminary matter

1. As stated in the Appellant's grounds of appeal and as confirmed at the Appeal site visit the proposal relates to the new roof over part of the existing rear roof terrace and does not relate to the use of the roof terrace, or the adjacent older roof area. For this reason and in the interests of precision I propose to change the description of the proposed development to "Retention of the central and northern sections of the roof over the open roof area."

Decision

2. The appeal is allowed and planning permission is granted for Retention of the central and northern sections of the roof over the existing open roof area at 48 West Street, Brighton, East Sussex, BN1 2RA, in accordance with the terms of the application, Ref BH2013/00418 dated 10 February 2013.

Main Issue

3. The first main issue is the effect of the proposal on the character and appearance of the host property and the Heritage Asset, Old Town Conservation Area (CA). The second main issue is the effect of the scheme on the living conditions of nearby residents with particular regard to noise and associated disturbance.

Reasons

Character and appearance

4. The Old Town Conservation Area is located in the commercial centre of Brighton and includes the adjacent stretch of coastline. A significant proportion of the older buildings in the CA date from the late 18th and early 19th centuries
-

and are arranged in diverse terraces of between two and five stories in height. The buildings have a mixture of pitched and flat roofs and are interspersed by modern terraced buildings similarly with a variety of roof forms.

5. The Appeal site is located within West Street which is dominated by retail and leisure uses and through traffic. The Appeal building is on the east side of the street and comprises a three storey Stucco faced terraced building. The first two floors are used for a restaurant and the flat roof at the rear of the building is used in conjunction with this restaurant use.
6. As stated in the National Planning Policy Framework (NPPF) great weight should be given to the conservation of heritage assets when considering any proposals which could affect them.
7. The proposed flat felt roof, which has already been constructed, is elevated above an older roof which was constructed some years ago, over part of the rear rooftop terrace. The proposed roof sits on timber supports and its sides are partially clad and partially open.
8. The proposed roof structure is lightweight and utilitarian in appearance and is totally screened from the street scene or any public views from the conservation area. The roof is surrounded by a mixture of flat and pitched roofs of the surrounding buildings and is visually contained by the upper floors and roofs of the buildings to the north, east and west. As such it has a negligible impact on the roofscape as a whole and can only be seen from a restricted number of upper floor windows.
9. For these reasons the proposal would have a very minor impact on the significance of the CA and the character and appearance of the host property. It is however clear from the site visit that the roof terrace is well used and contributes to the vitality and viability of the business and the commercial area as a whole. These public benefits outweigh the negligible harm caused by the proposed roof.
10. I conclude on this main issue that the proposal preserves the overall character and appearance of the CA and the host building. Although the structure is not of a high standard of design, it is nonetheless functional and discrete and complies with the objectives of policies QD1 and HE6 of the Brighton & Hove Local Plan. Together they seek to preserve the character or appearance of conservation areas and ensure that developments do not have a harmful impact on the townscape, including roofscapes. The roof similarly complies with the NPPF.

Living conditions

11. The Appeal site is located in a busy central area where there is a considerable amount of evening and night time entertainment. The site is close to a number of bars, restaurants, an entertainment centre and car parks and the Appeal premises are themselves licensed to operate until 5am.
12. The roof terrace would continue to be used irrespective of whether or not the proposed roof remained. The roof likely helps contain the noise generated by the use of the terrace, however this has to be weighed against the fact that without the roof the terrace would be less likely to be used during adverse

- weather conditions. At the same time the absence of a full roof could result in less people wishing to use it.
13. There appear to be few residential units in the locality and the Council's Environmental Health Officer has confirmed that they had received just two complaints concerning noise generated by the use of the premises, the last of which was in 2009. These complaints related to the playing of music and not people using the smoking shelter and no nuisance was ever established.
 14. Having regard to all of these factors the retention of part of the roof over the terrace would be unlikely to materially harm the living conditions of any local residents due to noise and associated disturbance. Also, if any part of the premises were to generate an excessive level of noise or disturbance the Council could deal with the matter under other legislation.
 15. The Council has suggested the imposition of a condition which would restrict the use of the terrace to between the hours of 10.00 and 00.00 daily. However, the terrace has been used without such conditions since 2006 and is directly associated with the use of the whole premises, which are subject to licensing legislation. In addition, as stated above, the Council is able to deal with any noise nuisance under other legislation. For these reasons I consider that such a condition would be unnecessary. The Council has not suggested the imposition of any other conditions and I similarly do not consider that any are necessary.
 16. I conclude on this main issue that the proposal would not have a materially adverse impact on the living conditions of any local residents due to noise and associated disturbance. It therefore complies with policies SU10 and QD27 of the Local Plan, which seek to protect the living conditions of residents.

Conclusion

17. Having regard to the conclusions on the main issue and having regard to all other matters raised the Appeal is allowed.

Elizabeth Lawrence

INSPECTOR

Appeal Decision

Site visit made on 14 October 2013

by Thomas Shields DipURP MA MRTPI

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

Decision date: 17 December 2013

Appeal Ref: APP/Q1445/A/13/2200989

3 Wellington Road, Brighton, BN2 3AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Lucinda Yazdian-Tehrani against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00936, dated 14 March 2013, was refused by notice dated 11 June 2013.
 - The development proposed is: Change of use from dwelling house (Use Class C3) to a use falling within Class C3 (dwelling house) or Class C4 (house in multiple occupation). Replacement of all ground and first floor windows. Also replacement of ground floor entrance porch windows and doors.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposal on the mix and balance of the community
 - the effect of the proposal on the living conditions of occupiers of 3b Wellington Road with particular regard to noise
 - the effect of the replacement windows and doors on the character and appearance of the host building

Preliminary Matters

3. 3 Wellington Road is a semi-detached property which has been divided such that the basement is owned and occupied separately as a flat (3b Wellington Road). For clarity, the appeal relates to the proposed use of the ground and first floors only.
4. Notwithstanding the wording of the description of development, the main issues relate to the material change of use to a Class C4 house in multiple occupation (HMO). Matters concerning whether the proposal requires planning permission are not relevant to this appeal, which I am required to determine solely on its merits.

Reasons

The effect of the proposal on the mix and balance of the community

5. No 3 is located at the junction of Wellington Road and Elm Grove within the Hanover and Elm Grove Ward area of the city. There are a range of shops, facilities and services nearby and the appellant confirms that the proposal is intended to provide accommodation for students attending the principal campuses of the city's universities, which are easily accessible by bus from this location. The submitted plans show re-configuration of the internal layout to provide 6 bedrooms and shared facilities including a living/dining room, kitchenette, and shower/toilet facilities.
6. Policy QD27 of the Brighton and Hove Local Plan (2005) (LP) requires development to avoid material nuisance and loss of amenity. Draft Policy CP21 of the Brighton and Hove City Plan Part One (2012) (submission document) (CP) seeks to support mixed and balanced communities, and to ensure that a range of housing needs continue to be accommodated throughout the city. In pursuit of these objectives draft Policy CP21 states that applications for the change of use to a Class C4 use will not be permitted where more than 10% of residences within a radius of 50 metres of the application site are already in use as Class C4, mixed C3/C4 or other types of HMO in a sui generis use.
7. The Council argues that within a 50 metre radius of the appeal site the percentage of residential properties in HMO use is currently 11.1%, and that this would rise to 13% if the proposal were allowed, in conflict with the 10% policy threshold. The Council is concerned that the proposal would fail to support a mixed and balanced community in an area imbalanced by such HMO uses, and considers that draft Policy CP21 should be given significant weight. However, the CP has yet to be formally adopted by the Council and the appellant refers to an objection to policy CP21. In these circumstances I attribute little weight to policy CP21 in reaching my decision.
8. I acknowledge that individual similar proposals could have cumulative effects in terms of supporting a mixed and balanced community, but I have not seen any evidence that would clearly indicate that this particular proposal would have significant implications for the community at a stage before Policy CP21 can be given substantial weight.
9. At the time of my visit I saw no evidence of harm to local amenity resulting from the presence of HMOs in the area, and there is no quantitative or qualitative analysis from the Council with regard to their concerns in respect of harm to local amenity arising from this type of use, nor were there any objections from the Highway Authority, Environmental Health or the Police. Third party representations from the occupiers of No 3b refer to large numbers of letting signs in the area, that parking will be challenging, and that household waste in the area is not properly stored. I acknowledge that these are factors which can affect the general amenity of an area, but this single representation falls far below the level of evidence that would be necessary for me to be able to conclude that the proposal would harm local amenity.
10. I therefore conclude that the proposal would not result in a material nuisance or loss of amenity and would accord with LP Policy QD27. Also, although the proposal would exceed the 10% threshold criteria, I conclude on the evidence

that there would be no demonstrable harm to the mix and balance of the community, and hence there would be no material conflict with the aims and objectives of emerging Policy CP21.

Living conditions

11. The Council's main concern relates to potential noise disturbance to the occupiers of No 3b from a more intensive use of the upper floors. The occupiers of No 3b state that they have already experienced noise disturbance, particularly from an internal staircase which is directly above a bedroom in their flat which I was able to see during my site visit. I consider that if the appeal were allowed it would be necessary to ensure that adequate noise insulation measures were in place between the whole of the ground floor and No 3b before use as a HMO commenced.
12. Notwithstanding the Council's concerns with regard to the viability and practicability of securing a scheme for noise insulation, I am satisfied that a planning condition could be imposed which required a noise assessment and a detailed scheme for noise insulation to be submitted to and approved in writing by the Council before any other works commenced, and that the approved scheme could be required to be implemented in full prior to first occupation as a HMO. Such a condition would ensure that the potential for noise disturbance would be adequately controlled, and would be in accordance with the provisions and advice in Circular 11/95: "The Use of Conditions in Planning Permissions".
13. I therefore conclude that no significant harm would result from the proposal with regard to noise disturbance to the occupiers of No 3b. As such, it would accord with emerging Policy CP21 and LP Policies SU10 and QD27.

Character and appearance of the host building

14. The appeal property is an imposing traditional dwelling with large timber sliding sash windows set back behind deep reveals. The proposed windows to the rear elevation would not result in significant harm to the character and appearance of the property given that they would not be readily visible from the public realm.
15. However, the proposed replacement windows and door to the front and flank elevations of the property are very prominent from public viewpoints, and would significantly detract from the character and appearance of the host property due to their inclusion of a more modern casement design, method of opening, uPVC construction material, and dimensions. The combination of these features would result in a form of development that would be incongruous to the traditional character and appearance of the building. As such, it would conflict with the provisions of the National Planning Policy Framework which requires good quality design for all developments. I acknowledge that the adjoining property has modern replacement windows, but that does not outweigh the harm to which I refer above.
16. Consequently, I find the proposal would harm the character and appearance of the host building and would conflict with the aims and objectives of LP Policy QD14, which seeks to ensure that alterations are well designed in relation to the host property and the surrounding area, and make use of materials which are sympathetic to the parent building.

Other matters

17. I appreciate the appellant's arguments that the site would be sustainably located in respect of access to public transport and other local facilities, that LP Policy H014, subject to criteria, resists the loss of HMOs, and that a temporary permission could be granted for the use (although not the windows and door). However, these considerations do not outweigh the harm to the character and appearance of the building which I have identified above.

Conclusion

18. For all the above reasons, I conclude that the harm to the character and appearance of the building, resulting from the proposed replacement windows and door, outweighs the favourable conclusions in respect of the other two main issues. Consequently, I conclude overall that the appeal should be dismissed.

Thomas Shields

INSPECTOR



Appeal Decision

Site visit made on 27 November 2013

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 18 December 2013

Appeal Ref: APP/Q1445/A/13/2202974
75 George Street, Hove, BN3 3YE

- 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 Aidas Jonika against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00375, dated 7 February 2013, was refused by notice dated 8 April 2013.
 - The development proposed is described as 'retrospective application to remove existing and fit a new shopfront'.
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Preliminary matters

1. The drawings submitted to the Council and refused permission indicated the installation of a shutter box behind the new fascia sign. One reason for refusing planning permission given by the Council was that no details had been provided the appearance of any external shutters that may be proposed. The appellant has made it clear in his appeal submission that the intention was not to install a shutter. They have submitted an amended drawing (CN559-601 Rev A) at the appeal stage which is annotated to state that is no installation of a shutter as part of the proposed development.
2. I agree I can accept this amended drawing at the appeal stage. It does not seek to modify the proposed development or add any new element of works; it merely confirms that something is not to take place. In addition, the description of the development as contained on the application form does not refer to the installation of a shutter and, with the development having been undertaken, the application form further states that the work is complete; that indicates further that the works to the building do not include a shutter. I therefore consider there is no prejudice to the interests of any party through the acceptance of this drawing. The fact that the Council have not objected to the submission of the drawing supports my view on this matter.
3. The works the subject of this appeal have been undertaken and completed. In light of the above comments I have therefore determined this appeal on the basis of seeking planning permission for the retention of the installation of a replacement shop front.

Decision

4. The appeal is allowed and planning permission granted for the installation of a replacement shop front at 75 George Street, Hove, BN3 3YE, in accordance with the terms of the application, BH2013/00375, dated 7 February 2013, subject to the development being carried out in accordance with the following

approved plans: Location plan, CN559-101 Rev A, CN559-102 Rev A, CN559-600 & CN559-601 Rev A.

Main issue

5. The main issue in this appeal is the effect of the development on the character and appearance of the surrounding area.

Reasons

6. The shop front that has been installed is recessed, to provide a covered sitting out area. This creates an open appearance to the shop front that differs from others on George Street. However, this difference is not intrusive to the area. I saw at my site visit that there is a wide variety of shop fronts. These include many modern shop fronts, some of which have large set-back recessed areas that, although not the full width, nonetheless create a pattern of void areas along the road. There are more traditional shop fronts too, but with the diversity of frontages, it is clear to me there is no consistency in appearance along the road.
7. Furthermore, the appeal property itself is a modern building, whose use of materials, design and scale differs from the adjoining buildings and others along the road. The shop front relates appropriately to this building, with the recessed element of the development not leading to any sense of imbalance or intrusion.
8. I accept that the shop front does not follow detailed design guidance set out in the Council's Shop Front Design Supplementary Planning Document (SPD) 2005. However, the SPD makes it clear that contemporary designs will be accepted provided they have regard to the wider context. For the reasons given above I consider the design acceptable in the context of the building and the street.
9. It is therefore concluded on the main issue that the shop front is not harmful to the character and appearance of the surrounding area, and so would be consistent with the general objectives of that seek a high standard of design in all new development that respects the surrounding area, including with shop fronts, as set out in Policies QD1 and QD10 of the Brighton & Hove Local Plan 2006. There would also be no conflict with the thrust of the SPD.
10. For the reasons given, and having regard to all other matters raised, the appeal is allowed. The Council have not suggested any conditions in the event of the appeal being allowed. Since the shop front has been installed I consider the only necessary condition to be one specifying the approved drawings in order that the development shall be carried out in accordance with the approved drawings, including the use of the materials as shown. This is also for the avoidance of doubt and in the interests of proper planning.

C J Leigh

INSPECTOR

Appeal Decision

Site visit made on 16 December 2013

by Louise Phillips MA (Cantab), MSc, MRTPI

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

Decision date: 19 December 2013

Appeal Ref: APP/Q1445/D/13/2207736

30 Brangwyn Way, Brighton BN1 8XA

- 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 & Mrs Ohara against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01825, dated 6 April 2013, was refused by notice dated 24 September 2013.
 - The development proposed is described as "first floor extension to side of existing".
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the existing dwelling and surrounding area; and on the living conditions of the neighbouring occupiers at number 29 Brangwyn Way.

Reasons

Character and Appearance

3. Brangwyn Way is prominently situated in an elevated position parallel to the A23 Patcham Bypass. It is composed of attractive detached houses of a similar style and it has a cohesive appearance overall. Whilst some houses have been altered and extended, the majority have a gabled front projection to one side and a hipped roof and single storey garage to the other. This pattern of development provides a certain rhythm in the street scene and contributes to generous spacing between the buildings at first floor level which adds to the distinctive character of the road.
4. The appeal property is located at the northern end of Brangwyn Way. It retains the characteristic front gable projection but it has been extended previously at first floor level and above the garage so that it has a gable end elevation close to the northern boundary rather than a hipped roof. However, because the adjacent property to the north is set on a bend and in a large plot, it is viewed somewhat separately from others in Brangwyn Way and the distance to the appeal property remains substantial.
5. The appeal property also has a single storey extension to the south side adjacent to the boundary with number 29 Brangwyn Way. Whilst number 29

has a single storey garage adjacent to this boundary, it has a hipped roof to the main part of the house and thus at present, there is also a spacious relationship between these two properties at first floor level as is characteristic of the road.

6. The proposed development would add a first floor extension above the existing single storey extension to the south side of the appeal property. It would be set in from the front and rear elevations of the existing extension (and main house) and the roof would have a lowered ridge height and minimal overhangs. The roof would appear to be hipped in each elevation but it would have a flat top. I understand that the dimensions of the extension have been reduced to seek to address the Council's reasons for refusing a previous scheme and that it is proposed to construct and finish it with high quality materials which would match those used on the host dwelling.
7. However, taken together with the previous extension to the north side, the present proposal would further detract from the characteristic appearance of the building by lengthening the façade and adding an incongruous roof form beyond the projecting gable. Whilst the scale of the extension relative to the host property might be acceptable if it were viewed in isolation, when viewed in the context of the wider street scene, the enlarged building would appear overly-large on the plot and would disrupt the characteristic rhythm of the buildings.
8. Furthermore, while the space between the appeal property and number 29 would remain relatively open given the hipped roof form of the latter property, I am sympathetic to the Council's suggestion that the existing spacious relationship would be harmed were the neighbouring property to be similarly extended. In this respect, I have taken account of the photographs provided by the appellant which highlight the proximity of single storey and two storey extensions to other properties in the vicinity to their boundaries.
9. I note that third parties have suggested that the photographs were taken in Brangwyn Avenue rather than in Brangwyn Way, but I observed that they do in fact show properties in both roads. Nonetheless, I do not consider that the presence of these other extensions has either eroded the distinctive character of the road to the extent that it is no longer important, or that they justify the harm that would be caused by the current proposal.
10. For the reasons above, I conclude that the proposed development would be harmful to the character and appearance of the existing dwelling and the surrounding area. It would therefore be contrary to Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan 2005, which, amongst other things, require development to make a positive contribution to the visual quality of the environment and to take account of local characteristics including the space around buildings.

Living Conditions

11. The proposed extension would face the northern side elevation of number 29 Brangwyn Way, which includes a bedroom window and landing window. The enlarged appeal property would be closer to these windows and therefore the existing outlook from them would change to some extent. However, the relationship would not be so close as to be overbearing or to significantly reduce the amount of daylight available to the rooms. Similarly, because the

extension would be to the north of the windows, its effect on direct sunlight would be minimal for the majority of the day.

12. I recognise that the effects of the extension would be enhanced a little because the appeal property is sited on slightly higher ground, but I do not consider that they would be significantly detrimental to the living conditions of the neighbouring occupiers. As such, I do not consider that the proposal would conflict with Policy QD27 of the Brighton and Hove Local Plan 2005, which seeks to prevent loss of amenity for adjacent residents. However, this does not outweigh by findings in relation to character and appearance.

Other Matters

13. In reaching my decision, I have taken account of other concerns raised by third parties, including drainage and the detail of previous work carried out to the appeal property, but they do not add to my reasons for dismissing the appeal.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR



Appeal Decision

Site visit made on 16 December 2013

by Louise Phillips MA (Cantab), MSc, MRTPI

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

Decision date: 19 December 2013

Appeal Ref: APP/Q1445/D/13/2208862

41 Westfield Avenue North, Saltdean, Brighton BN2 8HS

- 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 Dean Edwards against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02304, dated 5 July 2013, was refused by notice dated 16 October 2013.
 - The development proposed is a single storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area; and on the living conditions of the neighbouring occupiers at number 39 Westfield Avenue North in terms of outlook and light.

Reasons

Character and Appearance

3. The stretch of Westfield Avenue North in which the appeal property is located is composed of small bungalows of a similar style. The bungalows are set below the level of the road and many of the front elevations are obscured from view behind boundary planting. Thus the roofs of the bungalows are the prominent features in the street scene. They have an asymmetrical appearance, being fully hipped to the sides with a projecting hip or gable to the front. The regular design of the roofscape and the gaps between the roofs contribute to the uniform and spacious character of the road.
4. An application for a side and rear extension to the appeal property was refused by the Council and dismissed on appeal in 2012. The Council's report on the present proposal makes reference to the previous Inspector's decision and while I have considered the current appeal on its merits, I have given the decision significant weight insofar as it is relevant.
5. The development now proposed would extend the appeal property to the north-west side beyond the projecting gable so that the roof of the enlarged property would be almost symmetrical. This would be out of keeping with, and disrupt, the asymmetrical appearance of the existing roofscape to the detriment of its

uniform character. I recognise that a number of other properties in the vicinity already have side extensions, and while not all are sympathetically designed, the majority preserve the characteristic roof form of the main dwelling whereas the proposed development would not.

6. The appeal property benefits from a wider plot than some of the other dwellings in the vicinity and so the remaining space between the roof of the proposed extension and the roof of number 39 to the north-west would not be particularly narrow. However, the roof would be substantially larger than that of the neighbouring bungalow and it would appear bulky by comparison. This would give rise to an uncharacteristically cramped relationship which would detract from the spacious character of the street scene. Whilst I recognise that it is proposed to use reclaimed tiles to ensure that the new section of roof matches the existing section, I do not consider that this would overcome the harm I have identified.
7. I therefore conclude that the proposed development would be harmful to the character and appearance of the area and that it would be contrary to Policy QD14 of the Brighton and Hove Local Plan 2005 which, amongst other things, requires extensions to be well designed and sited in relation to the property to be extended, to adjoining properties and to the surrounding area.

Living Conditions

8. The appeal property backs onto the rear garden of a property in Coombe Vale. Because the appeal property is sited at a significantly higher level, it is possible to look into the garden and onto the rear facing windows of this property from the back of the existing bungalow and its raised decking area. Given that the proposed extension would be no closer to the property in Coombe Vale than the existing rear elevation of the appeal property, the Council has stated that it would not have a significant impact on the living conditions of these occupiers. I also consider that the extension would not give rise to a significant increase in overlooking or be harmful in terms of outlook.
9. However, concerns have been raised about the effect of the proposed extension on the occupiers of number 39 Westfield Avenue North. This property has a narrow lean-to conservatory on the boundary with the appeal site which is stated by the occupiers to be a significant source of light for the rear bedroom, kitchen and bathroom. Each of these rooms also has a window in the rear elevation facing onto the garden. The proposed extension would be in close proximity to the conservatory and because the appeal property is sited on slightly higher ground than number 39, it would give rise to an increased sense of enclosure and some loss of daylight within it.
10. However, having visited the property, I observed that the conservatory itself is used for storage rather than as living accommodation and that the door into the adjacent kitchen provides the only means for light to pass from it into the rest of the house. The door is glazed at the top, but when it is closed, the amount of light entering the kitchen from the conservatory would be diminished and the rear facing windows would provide the main source of light for the bedroom and bathroom, which are further away.
11. For these reasons, I do not consider that the effect of the proposed extension on the outlook from the conservatory, or on the amount of light entering the rear of the bungalow, would be so significant as to warrant the dismissal of the

appeal. Furthermore, because the extension would be set back from the rear elevation of number 39, I do not consider that it would appear overbearing when viewed from the rear garden. Whilst the neighbours have also raised concerns about overlooking that could potentially occur if additional windows were added at a later date, such a problem could be managed, if necessary, by the imposition of a suitable planning condition.

12. The proposed development would not, therefore, cause significant harm to the living conditions of the occupiers and the aim of Policies QD14 and QD27 of the Brighton and Hove Local Plan 2005 to protect the amenities of neighbouring occupiers would be respected. However, this does not outweigh my conclusions in relation to the effect of the proposal on the character and appearance of the area.

Other Matters

13. In reaching my decision, I have taken account of the fact that the proposed development would benefit the appellant in terms of enhancing the accommodation available for his family. I also recognise that it may be possible to construct a smaller extension in a similar location without the need to obtain planning permission. However, these other matters do not outweigh my findings in relation to the first main issue of the appeal.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR



Appeal Decision

Site visit made on 17 December 2013

by **Philip Willmer BSc Dip Arch RIBA**

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

Decision date: 24 December 2013

Appeal Ref: APP/Q1445/D/13/2208663
44 Hill Brow, Hove, East Sussex, BN3 6QH.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Sue Chapple against the decision of Brighton and Hove City Council.
 - The application Ref BH2013/02979, dated 28 August 2013, was refused by notice dated 24 October 2013.
 - The development proposed is described as proposed pitched roof first floor extension to form an additional bedroom with en-suite, new en-suite and extension to an existing bedroom. Existing roof to be re-covered with slates.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider that the main issue in this case is the effect of the proposed first floor extension on the character and appearance of the host property and the surrounding area by virtue of its scale and projection.

Reasons

3. Although a large three storey detached house the property the subject of this appeal, 44 Hill Brow, appears as just two storeys high when viewed directly from the street. It is sited on a steeply sloping site and set down below street level. In addition to the site sloping east to west, it also reflects the fall of the road north to south such that the neighbouring dwellings either side are set on individual plateaus to reflect this change in level.
 4. In addition to a single storey double garage that projects about 5.6 metres or so in front of the main façade of the house, in a similar arrangement to neighbouring properties, number 44 also has a single storey addition at the front to the dining room. The dwelling immediately to the north, although set on higher ground, when viewed from the street is of a similar scale to number 44, while that to the south appears to be just single storey.
 5. Hill Brow curves quite noticeably in front of the buildings to the north of the appeal site. As the houses on this side of the street tend also to be set back a
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similar distance from the road, a building line has been established that reflects the curve of the road.

6. While retaining the existing footprint, the appellant proposes an extension at first floor level built to the front of the dwelling. This would project out over the existing single storey garage and dining room projections. The additional accommodation would be achieved by forming two new gables to the street façade, the larger of which would span across the full width of the existing property, while the narrower gable would extend about 2.5 metres in front of the larger one.
7. The proposed full width gable would line through with the existing front elevation of the dining room. Due to the relative position of one property to another, the face of the full width gable would be set back behind the first floor street façade of the house to the north. Having regard, therefore, to the curved building line at this point, I am not persuaded that this part of the proposal would impact on it. However, the smaller gable, while not extending the footprint of the building forward of its current position, would fall just in front of the projected building line of the properties when drawn at first floor level. However, as the curve of the road is starting to flatten out at this point, and as the property to the south is only single storey, I do not consider that this small incursion in front of the building line, when taken at first floor level, would in itself cause material harm to considerations of consistency and continuity as feared by the Council.
8. To my mind the front elevation would in itself appear as a pleasing and well mannered elevation. However, in order to achieve this, the flank elevations of the property and the new roof would be extended forward. When seen in profile and despite the slight variation in the new and existing ridge lines and what would in terms of an increase in floor area be a small addition, the extensions would in reality result in a significant visual enlargement of the dwelling. The dwelling as extended would be prominent and open to view from the street, particularly from the south due to the reduced massing of number 42. The plethora of windows proposed to this façade, and the uncomfortable relationship of the extensions with the small section of the garage roof to be retained, would further serve to draw the eye to what would appear a visually discordant element of the design.
9. To some extent the introduction of the smaller gable, due to its lower ridge line, would as illustrated tend to break up the overall mass of the addition when viewed from some directions. However, on balance and while having regard to the scale of number 42 and the possibility of this changing over time, I consider that the proposed extensions, when taken together, would appear as incongruous and excessively dominant additions due to their three dimensional form, excessive scale and prominence in the street scene. To my mind they would therefore cause significant harm to the form of the architectural integrity of the original building and the positive characteristics of the street scene. Consequently, the proposal would not accord with the objectives of Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan 2005 as they relate to, amongst other things, the quality of design and the enhancement of the positive qualities of the area.

Conclusions

10. For the reasons given above and having regard to all other matters raised, including the eclectic mix of styles and sizes of neighbouring and nearby dwellings, the number of other examples of recently restyled properties in the area, the desirability of updating and modernising the property and the choice of materials, I conclude that the appeal should be dismissed.

Philip Willmer

INSPECTOR



Appeal Decision

Site visit made on 11 November 2013

by Susan A F Simpson LLB Solicitor (N-P)

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

Decision date: 31 December 2013

Appeal Ref: APP/Q1445/A/13/2201610

3 Rudyard Road, Woodingdean, Brighton, BN2 6UB

- 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 Jason Raynsford against the decision of the Brighton & Hove City Council.
 - The application Ref BH2013/00315, dated 31 January 2013 was refused by a notice dated 8 April 2013.
 - The development proposed is the demolition of existing bungalow and erection of 2 No three bedroom semi detached town houses and 2 No two bedroom detached chalet bungalows with associated car parking, landscaping and ancillary buildings.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The Council has amended the original description of the development in its decision notice to that set out above and the appellant used this amended description when completing his appeal form. I also have adopted the same wording as I consider it more accurately reflects the development that is being proposed.

Main Issues

3. The main issues in the appeal are:-
 - the effect of the development upon the character and appearance of the area and the street scene along Rudyard Road;
 - the effect of the development upon living conditions of occupiers at 1 Rudyard Road and 27c The Ridgway with specific reference to privacy and noise and disturbance;
 - whether the development would provide acceptable living conditions for future occupiers of the townhouses with specific reference to privacy.

Local and national planning policies

4. The Council's reasons for refusal refer to saved policies QD1, QD2, QD3 and QD27 of the adopted Brighton & Hove Local Plan 2005 (the Local Plan) and
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emerging policy CP12 of the Brighton & Hove Proposed Submission City Plan Part One (the City Plan). The City Plan is in its early stages towards formal adoption and, as it may be subject to amendment, I have attributed it limited weight. My attention has been drawn to the age of the Local Plan but the relevant policies therein are broadly consistent with policies contained in the National Planning Policy Framework (the Framework) and, in the absence of any firm evidence to establish otherwise, I find there is no reason to determine the appeal other than in accordance with these policies whilst also having regard to any material considerations.

5. I also note the appellant's detailed reference to various core planning principles and policy contained in the Framework and, these together with other relevant sections of the Framework, will be taken into account when considering the development proposal before me.

Reasons

Character and appearance of the area and the street scene

6. The appeal site comprises the curtilage of a detached, dilapidated bungalow and parts of the rear gardens of 31 and 33 The Ridgway. Its forms part of a residential area located within the settlement of Woodingdean. This neighbourhood is described in the Brighton & Hove Urban Characterisation Study as an area of "predominantly bungalows and two storey houses with mixed building styles on a variety of plot sizes and lacking unifying features".
7. Mixed and varied forms of development are to be found in the wider area but, in the immediate locality, a particular building style and regular plot sizes do tend to prevail along the individual roads. Nearby, the development along The Ridgway includes predominately bungalows of varying designs and these extend for a short length around the corner into Rudyard Road. There is then a clear distinction between these low profile dwellings and the regular rows of modestly sized two storey terraced properties which, thereafter, extend along Rudyard Road and Rudyard Close.
8. The blocks of terraced properties are set back from, and, some, are at right angles to, and set below, the road. This layout, together with the generous expanses of highway verges, provides an open and spacious feel to this part of Rudyard Road. As the appeal site is located between these two forms of housing, I agree with the appellant that, it has a transitional role in terms of the street scene. It is with the aforesaid in mind, and the character and appearance of the immediate area that I have described, that I consider the development falls to be assessed.
9. The townhouses would be set into the ground by a full storey in order to achieve a lower ridge height than No 3 and its neighbours to either side. However, this would not disguise the appearance of this part of the development as a pair of three storey dwellings that would be significantly greater in terms of their mass and bulk than, and fail to connect visually with, the low profile bungalows at the entrance to Rudyard Road and the modest scale of the adjoining two storey terraced housing.
10. I note that the townhouses would be similar in width to, and reflect the building line of, the present dwelling on the site. Nevertheless, a significant width of the

site would be occupied with a building of considerably greater size and bulk which, together with the formation of an access road to its side, and the cutting of the development into the ground would, collectively, have the effect of appearing as though this aspect of the proposal had been squeezed into the plot. The overall result would be an incongruous, cramped and unsympathetic form of development that would dominate the plot and the street scene and fail to respect the spatial and local characteristics of the area.

11. I note that the design of the proposed bungalows is intended to reflect the "chalet" style appearance of the rear elevations of the townhouses. The appellant considers that their proportions and symmetry would be typical of neighbouring development and acceptable when appreciated in a three dimensional form. Nevertheless, the proposal would feature roof depths which would be noticeably greater than neighbouring properties and those that would be constructed in the adjoining townhouses and would appear out of proportion and incongruous for this reason. Further, the design and placement of the windows would exacerbate this harm because of their scale, lack of uniformity and their failure to visually integrate satisfactorily with the remainder of the building.
12. Due to their location towards the rear portion of the site, public views of this part of the development would be limited but, despite the difference in ground levels, they would be seen from a number of the existing and proposed properties bordering the site. Overall, I find that the development would fail to achieve the high standard of design that is required for this transitional site and, so, would not make a positive contribution to the visual quality of the environment.
13. Whilst I appreciate that the development is intended to make efficient and effective use of this site for housing purposes, I conclude that this would only be at the expense of causing significant harm to the character and appearance of the area and the street scene along Rudyard Road, contrary to policies QD1, QD2, QD3 of the Local Plan and CP12 of the City Plan. It would also be contrary to policy in the Framework which states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Living conditions for existing and future occupiers

14. The proposed access would be located along the side boundary with 1 Rudyard Road. Even though the vehicular movements associated with 2 No two bedroom bungalows may not be excessive, they would pass very close to the full length of No 1's garden and cause a level of noise that would disturb and significantly diminish the enjoyment of this small garden by its occupants. I consider that the noise and disturbance associated with the use of the access would materially harm the living conditions of occupants of No 1.
15. However, I note that the appellant has offered to erect acoustic fencing along the western boundary of the site in order to mitigate the amount of vehicular noise. I have considered this offer in the context of the advice contained in Circular 11/95 *Use of conditions in planning permissions* which states that, if used properly, conditions can enhance a development and enable many development proposals to proceed where it would otherwise have been

necessary to refuse planning permission. I consider that an appropriate type of acoustic fencing would be capable of ameliorating the noise associated with the vehicular movements of the development to an acceptable level. The use of such a condition would, therefore, overcome this objection to the development.

16. In reaching this conclusion I have taken into account that the owner of the property has not objected to the development but such a lack of objection would not justify a proposal that would be in conflict with Development Plan policies. Reference has been made to other accesses in the locality including that which extends between 27 and 29 The Ridgway but this access appeared to be wider and the associated vehicular movements, therefore, would be unlikely to be quite as intrusive as in the current case
17. The proposed bungalows would be situated on the north western and north eastern portions of the site where the land slopes upwards towards their neighbour (27c The Ridgway) to the rear. Both first floor bedrooms would be served by windows in the flank elevations of these dwellings. The appellant argues that the windows would not serve habitable rooms but they would serve regularly used rooms and, therefore, would be important in terms of their function as the only form of outlook for their occupants.
18. The first floor bedroom views in a southerly direction from the bungalows would be across to the rear elevations and gardens of No 1 and the townhouses. The appellant states that the separation distance between buildings would be about 18 m in the case of the north western bungalow and No 1 but it would be less between the north eastern bungalow and the townhouses. Even so, whilst these distances would be sufficient to maintain a reasonable level of privacy within the dwellings, my concern relates to distance that would be achieved to the rear boundaries of the small gardens serving No 1 and the townhouses. These distances would be significantly shorter and insufficient to prevent a material loss of privacy to the existing and future occupants of these gardens.
19. Further, the second floor window in the flank elevation of the western townhouse would face towards the side of No 1 and appear to provide almost direct views across to the garden where the additional overlooking at close quarters would further diminish the level of privacy which its occupants can reasonably expect to enjoy. The appellant states that the degree of overlooking associated with this window would be no greater than the lawful situation that has been established in respect of a similar positioned window in the existing bungalow. However, it was confirmed on my visit that the comparable window depicted on the plan attached to the Certificate of Lawful Development is obscure glazed. On the basis of the evidence before me, I do not find the use of this window in the existing and proposed developments to be directly comparable in terms of the privacy issue in this appeal.
20. I note the reference to the development that has taken place at 3 The Ridgway and West View Close and accept that some overlooking of garden areas is to be expected in urban situations but, whereas, this is normally of an oblique kind, in this case, there would be the potential for direct overlooking of a nature which would render the existing and proposed gardens very limited in terms of privacy and amenity value. For these reasons, I conclude that the development would result in material harm to the living conditions of the

occupiers of 1 Rudyard Road and the proposed townhouses with regard to overlooking.

21. No 27c benefits from windows that face down towards the appeal site. Given the difference in the ground levels, views from the first floor bedroom windows of the new bungalows would more than likely be limited to the first floor level of those at No 27c. As the intervening distance would be about 14 m and views across to this neighbouring property are, and would have been available from, the existing and former use of this part of the appeal site as garden areas for 31 and 33 the Ridgway, I do not consider that the development would result in a further material reduction in the level of privacy currently enjoyed by occupants of 27c The Ridgway.
22. However, my conclusions in respect of the development's effect upon the living conditions of residents at No 1 and No 27c with respect to noise and disturbance and levels of privacy do not overcome the serious intrusion of privacy that would occur to existing occupiers of No 1 and the future occupiers of the townhouses. Thus, I find the development to be contrary to policy QD27 of the Local Plan and one of the core principles set out in the Framework which requires planning always to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Other matters

23. I have taken into account all other matters that have been raised. The proposal would provide 4 new homes and a mix of housing in a sustainable location. It would be of a sustainable design and would meet the Lifetime Homes Standards and Level 5 of the Code for Sustainable Homes. However these positive benefits of the proposal are not of sufficient substance to outweigh the harm that I have identified and the Development Plan conflict in this case.
24. I also have had regard to the long planning history associated with the site, the extensive pre-application discussions with the planning department prior to the submission of the proposal and the Local Development Order and Compulsory Purchase Order that have been made in respect of 3 Rudyard Road. My attention has been drawn to the frontage form of development at 47a and 49a Downs Valley Road, which, I saw, is some distance from the site and within an area containing a more varied form of housing than that which prevails in the vicinity of the appeal premises.

Conclusion

25. Having considered all the matters that have been raised, I find none alter my conclusion that, for the reasons given above, the appeal must fail.

S A F Simpson

INSPECTOR

Appeal Decision

Site visit made on 27 November 2013

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 2 January 2014

Appeal Ref: APP/Q1445/A/13/2202907
26a St Martin's Place, Brighton, BN2 3LE

- 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 Mark Buckle against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/02631, dated 21 August 2012, was refused by notice dated 5 February 2013.
 - The development proposed is described as mixed use development at 26a St Martins Place, comprising office accommodation at ground floor and 5 residential flats above'.
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Preliminary matters

1. A planning obligation has been submitted relating to the provision of infrastructure contributions arising from the proposed development.
2. I consider the Council's description of the proposed development as contained on their decision notice more accurate than the appellant's so I have determined the appeal on that basis, namely the erection of a four storey building to replace existing garage comprising of office accommodation on ground floor, 2 no. one bedroom flats and 3 no. two bedroom flats on upper floors incorporating terraces, bicycle parking and associated works.

Decision

3. The appeal is allowed and planning permission granted for the erection of a four storey building to replace existing garage comprising of office accommodation on ground floor, 2 no. one bedroom flats and 3 no. two bedroom flats on upper floors incorporating terraces, bicycle parking and associated works at 26a St Martin's Place, Brighton, BN2 3LE, in accordance with the terms of the application, Ref BH2012/02631, dated 21 August 2012,, subject to the conditions set out in the attached schedule.

Main issues

4. The main issues in this appeal are the effect of the development on, firstly, the character and appearance of the surrounding area and, secondly, the living conditions of adjoining occupiers.

Reasons

Character and appearance

5. The appeal site contains a single storey industrial building. This is somewhat of an anomaly in this predominately residential area and stands at the end of a

tall terrace of residential properties; there are three storey houses on both sides of St Martin's Place. There are also tall properties to the north west, facing Lewes Road, though set at a lower level due to a change in ground levels. To the south of the appeal site are large blocks of flats within an estate setting, whose scale and height dominate the wider area.

6. The proposed development is a considerably greater scale of building than currently exists on the site, and would rise slightly above the height of the adjoining terrace. However, the design and scale of the building clearly takes cues from the surrounding area, with the eaves height, floor heights and window cill levels of the terrace continued in the proposed building. The proposed development would turn the corner of St Martin's Place, to create a well-articulated building, with the top floor set-back from the floors beneath and so creating an appearance of reduced massing at upper floors. The design is clearly contemporary in the fenestration detailing, though there is the use of traditional materials in the elevations.
7. The building would extend to the boundaries of the site, including to the rear south west and south east boundaries. This increased massing of building on the site would not appear out of character to the area, which is largely dominated in views by the substantial flats that adjoin the site. The row of the St Martin's Place housing is also a large terrace of buildings, with large visual presence in the area, and the scale of the building would be appropriate when seen in this context.
8. The design, scale and form of the proposed building would therefore be an innovative interpretation of a high density residential infill development situated within an existing area of terraced housing. It would be a successful contemporary approach to extending the terrace and turning the corner on this prominent site, effectively resolving the relationship between the terraces along St Martin's Place and Lewes Road, and the tall flats to the south. For this reason, it would represent an enhancement to the area.
9. The National Planning Policy Framework states that the Government attaches great importance to the design of the built environment, and that development should respond to local character and history, reflecting the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The submitted drawings in this appeal sit comfortably within that approach; an approach with which the relevant saved policies of the Brighton & Hove Local Plan 2005 are broadly consistent, namely Policies QD1 and QD2 whose general thrust is to require all new development to make a positive contribution to the area and enhance the local neighbourhood.
10. On the first issue it is therefore concluded the proposed development would not be harmful to the character and appearance of the surrounding area.

Living conditions

11. The proposed development shows windows facing towards the Lewes Road properties, and I viewed the appeal site from 180A Lewes Road. The distance between the rear of the Lewes Road properties and the closest elevation of the proposed flats is around 19m. Although visible from the existing housing, this distance is sufficient to ensure that the impression of the building would not be unduly overbearing to rooms or the gardens, with an acceptable degree of open and spacious area between the Lewes Road properties and the new

- building. For these reasons I further consider that, on the basis of the information presented to me, there would not be any material effect on levels of light to the Lewes Road properties.
12. The proposed flats show windows in the north west elevation. Those on the first and second floors serve bathrooms or are very slim, secondary windows to a living room. Those on the upper floor serve a bathroom and a bedroom. I consider the incidence of use of these windows would be low, and they evidently are not primary outlooks to the flats. Furthermore, they are broadly in line with the large array of windows that currently exist along the adjoining St Martin's Place terrace of housing. Thus, there would not be any material increase in overlooking to the adjoining houses along Lewes Road or St Martin's Place.
 13. The proposed development projects to the rear, which would result in the new building being visible from the gardens to the adjoining St Martin's Place properties. I viewed the appeal site from 24 St Martin's Place. There is clear articulation in the design of the building to provide a step-back in building mass at upper floors to the rear of the building: the first and second floors recede from the adjoining gardens, with the third floor set back again. This would ensure no unreasonable overbearing impact upon the gardens to the adjoining properties, nor loss of outlook. On the basis of what I have read and seen, I further consider no material effect upon levels of daylight or sunlight would occur to adjoining occupiers. The positioning of windows would mean no loss of privacy to those gardens, whilst the submitted drawings show that an external terrace is to have a privacy screen to prevent views to the gardens.
 14. The proposed development shows external terraces and balconies facing south west and south east, towards the car parks and flats of the existing flats to the south. There is sufficient distance to those flats to ensure no unreasonable degree of overlooking would occur, nor any harm to outlook.
 15. On the second issue it is therefore concluded that the proposed development would not be harmful to the living conditions of adjoining occupiers. Thus, it would be consistent with the core planning principle of the Framework that requires planning to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other considerations

16. I note comments from third parties relating to parking provision and access. The submission to the local planning authority contained evidence to demonstrate the likely car parking demand for the development and the existing capacity for car parking in the surrounding area. The scheme shows the provision of cycle parking spaces (whose details are proposed to be secured by condition) and a contribution to sustainable transport improvements, as well as additional mitigation measures. Based on this, the Council's Traffic Engineer concluded adequate provision was made for the parking and highway requirements arising from the proposed development. Based on all I have read and seen, I concur that the mitigation measures are adequate and that there is capacity in the area for accommodating any need for parking. The opinion of the Traffic Engineer supports my view that there would not be any harm to highway safety or the free flow of traffic.

17. The Council have raised no objection to the removal of the existing commercial use on the site, with the proposed development showing new office space on the ground floor. On the basis of the evidence presented to me on this matter, I agree this replacement is a suitable alternative commercial space.
18. The appellant has submitted a Unilateral Undertaking relating to the provision of contributions towards sustainable transport measures arising from the proposed new dwellings, in line with locally adopted planning policy. From the evidence submitted on this I am satisfied that this would ensure adequate mitigation against the effect of the proposed development on local infrastructure and are necessary and directly applicable, whilst also being fairly and reasonably related in scale and kind. Accordingly, the appropriate legislative and regulatory tests have been satisfied.

Conclusions and conditions

19. For the reasons given, and having regard to all other matters raised, the appeal is allowed. The Council's Report to Planning Committee suggested a number of conditions be attached to any grant of planning permission. I agree that conditions are necessary requiring the submission of details for the materials to be used, and for the green wall, in the interests of securing a satisfactory appearance to the development. Conditions are necessary to show details of the cycle store, and for the retention of this facility and for the refuse store facilities, to ensure adequate provision.
20. The Council have suggested a number of conditions relating to ensuring the new dwellings are built to Lifetime Homes standards, and to the submission of information for Code for Sustainable Homes for the dwellings and BREEAM information for the commercial space, as well as for the implementation of such measures. I agree these are necessary to comply with policies relating to sustainable building design. Due to the current and past uses of the land, a condition relating to potentially contaminated land investigations is necessary.
21. The conditions specifying the reinstatement of the footway and the provision of a Travel Plan are reasonable and necessary in the interests of highway safety and to manage the transportation effects arising from the proposed development. Finally, a condition is necessary to specify the approved drawings in order that the development shall be carried out in accordance with the approved drawings, for the avoidance of doubt and in the interests of proper planning.

C J Leigh

INSPECTOR

Appeal decision APP/Q1445/A/13/2202907: Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.
- 3) 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.
- 4) 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.
- 5) 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.
- 6) Unless otherwise agreed in writing by the Local Planning Authority, no non-residential development shall commence until:
 - a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development have been submitted to the Local Planning Authority; and
 - b) BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.
- 7) 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.

- 8) (i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:
- (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,
 - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,
 - (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.
- (ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:
- a) As built drawings of the implemented scheme;
 - b) Photographs of the remediation works in progress; and
 - c) Certificates demonstrating that imported and/or material left in situ is free from contamination.
- Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i) (c).
- 9) No development shall commence until details of the proposed green walling, timetable for implementation and maintenance programme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details.
- 10) 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.
- 11) None of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall

'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.

- 12) Prior to the occupation of the development the applicant shall reinstate the redundant vehicle crossover in front of the development back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.
- 13) Prior to first occupation of the development a Travel Plan (a document setting out a package of measures tailored to the needs of the site and aimed at promoting sustainable travel choices and reduce reliance on the car) for the development shall be submitted to the Local Planning Authority. The Travel Plan shall be approved in writing prior to first occupation of the development and shall be implemented as approved thereafter. The Travel Plan shall include a process of annual monitoring and reports to quantify if the specified targets are being met, and the council shall be able to require proportionate and reasonable additional measures for the promotion of sustainable modes if it is show that monitoring targets are not being met.
- 14) The development hereby permitted shall be carried out in accordance with the following approved plans: 11785/PA/001RevB, 11785/PA/002, 11785/PA/003RevA, 11785/PA/010RevA, 11785/PA/020RevA, 11785/PA/021RevB, 11785/PA/022 & 11785/PA/023.

Appeal Decision

Site visit made on 30 December 2013

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 3 January 2014

Appeal Ref: APP/Q1445/D/13/2208306

89 Hove Park Road, Hove BN3 6LN

- 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 Miss Kate Birss against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01805, dated 30 May 2013, was refused by the Council by notice dated 23 August 2013.
 - The development proposed is erection of a tree house in rear garden (retrospective).
-

Decision

1. I dismiss the appeal.

Reasons

2. The main issue in this appeal is the effect of the structure on the living conditions of neighbouring residential occupiers with particular regard to outlook and privacy. Policies QD14 and QD27 of the Brighton & Hove Local Plan seek extensions and alterations that would not result in significant loss of privacy or outlook to neighbouring properties, and would not cause material nuisance and loss of amenity to adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
3. The application is retrospective and the structure was in place at the time of the site inspection. The appellant refers in the Grounds of Appeal to possible changes to the window arrangements, and to the addition of vegetation to cover the structure in views from the rear of properties on Goldstone Crescent. The Council's Arboriculturalist comments that such shielding may be a solution but that the structure would need to be moved forward, away from the fence.
4. However, the nature of the application for consideration at this appeal is clear, as shown by the structure on the site and most of the drawings, being a structure closely backing onto the boundary with 35 Goldstone Crescent. It is not the role of the appeal process to redesign proposals, or otherwise suggest ways in which development could be made acceptable. Changes of the type suggested should form a distinct and fully detailed new application, giving the Local Planning Authority opportunity to consider the proposals and to seek comments afresh from those affected, such as neighbours.
5. Due to the fall in land levels, the high fence on the boundary to number 35 is already at or about first floor level of that neighbouring dwelling, the rear wall of which is placed close to the boundary here, having more of its garden to the

south side. The appeal structure, being on two levels, projects above the top of this fence, so that it appears as an incongruous feature in views from both ground and first floor windows, harming the outlook. In addition, there would be a feeling of being overlooked that would not be there with the fence alone. These adverse effects are felt by the occupiers of number 35, and they have written to the Council at the time of the application, and in representation to this appeal. The neighbours at 37 have also written, but although they would be able to see the structure in oblique views, it is not in such a direct relationship as to be harmful in planning terms.

6. In conclusion, the location and size of the structure causes unacceptable harm to the living conditions of the occupiers of 35 Goldstone Crescent such that the aims of Policies QD14 and QD27 are compromised through the effect on their outlook and privacy. Whilst there may well be satisfactory solutions to the siting of this essentially mobile structure, which could allow its continued enjoyment by the children of the appeal property as sought by the appellant, the present siting in this retrospective appeal is unacceptable for the harm it causes and hence, for the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR

Appeal Decision

Site visit made on 12 November 2013

by Chris Preston BA (Hons) BPI MRTPI

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

Decision date: 7 January 2014

Appeal Ref: APP/Q1445/A/13/2202046

41a Port Hall Road, Brighton BN1 5PD

- 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 Laurence Hill against the decision of Brighton & Hove City Council.
 - The application Ref BH/2013/01198, dated 10 April 2013, was refused by notice dated 14 June 2013.
 - The development proposed is: Create roof terrace on existing flat roof (Retrospective application for works already completed – amendment to existing approved application BH/2012/01392).
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the living conditions of neighbouring residents, with regard to privacy, and the effect on the character and appearance of No 41a Port Hall Road and the surrounding area.

Reasons

Living Conditions

3. The planning application was submitted retrospectively and the development has already been completed in line with the details shown on the plans submitted with the application, including the erection of timber fencing surrounding the terrace and the enlargement of the second floor window to provide access.
4. Number 41a Port Hall Road is a three bedroom maisonette which occupies the first and second floor of an end terraced property. Access into the property is via an entrance door in the gable end which opens onto Port Hall Street. The ground floor of the building contains a single flat – No 41 Port Hall Road. The surrounding area is entirely residential in character, with a notable consistency in the appearance of dwellings and the grid pattern on which the streets are laid out. As a consequence of this pattern, the rear gardens are enclosed and not readily visible from the street.
5. Clear views from the terrace are available into first and second floor windows within the rear elevation of the neighbouring dwelling at 43 Port Hall Road, particularly when stood towards the end of the terrace looking back at the rear

of the building. At the time of my visit, it appeared that the second floor room was utilised as a home office, with a bedroom at first floor level. In any event, both of these rooms form part of the habitable living space in the dwelling within which a reasonable level of privacy could be expected.

6. Due to its close proximity to these windows, and the limited height of the timber screen along the eastern boundary, I consider that the use of the terrace will result in a significant loss of privacy for neighbouring residents at No 43. Although a degree of overlooking is common within densely populated streets, the terrace sits less than 10 metres from the rear habitable room windows at first and second floor level and the level of overlooking, at such close proximity, is greater than could reasonably be expected, even taking account of the context of the site.
7. I note that a letter of support for the planning application was submitted by the residents of No 43. However, occupancy of the dwelling may change in the future and there is no certainty that any future residents of the dwelling would share these views. In determining this appeal, I must consider the proposal on its merits and, as set out above, the proximity of the terrace to rear facing first and second floor windows, allied to the height of the fence, enables clear views into the neighbouring dwelling, reducing privacy to a level below that which residents may reasonably expect to enjoy.
8. Although views are possible into ground floor windows to the rear of No 43, the angle of view is relatively steep and the timber railings provide some screening when looking down at this angle. Two side facing windows are located at first floor level within the extension to the rear of No 43. One is obscured and the other is narrow in proportion, restricting any views from the roof terrace. Consequently, I am satisfied that privacy in rooms served by these windows has not been unduly affected by the development.
9. Given the arrangement of buildings within the block, the level of privacy within the rear gardens of Nos 41 and 43 Port Hall Road is already limited as a result of overlooking from adjacent windows. In this context, I do not consider that overlooking from the terrace at No 41a would substantially reduce levels of privacy. In addition, the angle of view from the terrace into these gardens is steep and largely restricted by the timber fencing surrounding the perimeter of the terrace. Consequently, I am satisfied that the level of privacy within neighbouring gardens has not been severely impaired.
10. Nonetheless, this does not outweigh my concerns relating to overlooking into rear facing windows at first and second floor level which has an unacceptably harmful effect on the living conditions of residents at No 43. In view of this I consider that the proposal is contrary to Policies QD14 and QD27 of the Brighton and Hove Local Plan (2005), which seek to protect residential amenity.
11. I have considered whether the loss of privacy could be mitigated through the use of a condition to secure a taller screen fence along the boundary between the two properties. However, I note that such a condition has not been suggested by either party. The erection of a screen would amount to an act of development and, in the absence of any specific details, I cannot be certain that any solution would not have a negative impact upon the street scene or the outlook from neighbouring dwellings. Given the proximity to No 43, I consider that the residents of that dwelling ought to be consulted on any

amended means of enclosure. Taking these factors into account, I do not consider that it would be reasonable for me to impose a condition in this case.

Character and Appearance

12. The surrounding area is characterised by attractive, generously proportioned, terraced properties, predominantly faced with painted render. I noted that a number of dwellings within the surrounding area have two storey out riggers at the rear, this feature being particularly common in the end terraced units so that the side wall of the rear extension directly abuts the back edge of the pavement. The appeal site is an example of this pattern.
13. The roof terrace sits on top of the two storey flat roofed extension to the rear of the property. As a result of its location, the timber screen is visible from public vantage points at Port Hall Street and the junction with Port Hall Road. I noted that similar terraces have been created on flat roofed rear extensions to the rear of No 39 Port Hall Road and No 36 Exeter Street, which are in close proximity to the site and visible from the street. The terrace to No 39 is enclosed by metal railings and timber screening of a similar appearance to that used at the appeal site is evident at No 36 Exeter Street.
14. Whilst the Council state that they have no record of planning permission being granted for the terrace at No 39, I note that they consider the development to be immune from enforcement action as a result of its age. Therefore, in the context of the roof terraces in the surrounding area and the variety of fencing styles used, the timber screen does not look unusual or incongruous.
15. In any event, the screen is not unduly dominant as a result of its height above street level and the horizontal rails relate well to the form of the flat roofed rear extension – in effect, the it reads as a relatively small addition to the existing structure, extending in line with the existing parapet wall. The increase in height is not excessive in proportion to the scale of the rear extension and the fence panels sit comfortably below the eaves of the main building.
16. In view of the above, I consider that the design of the timber panelling surrounding the terrace does not cause any harm to the character and appearance of the building or the surrounding area and that the proposal complies with the design objectives of Policy QD14 of the Brighton and Hove Local Plan (2005) in this respect.

Other Matters

17. The appellant and the Council have referred to an extant planning permission for the creation of a roof terrace (Council reference: BH/2012/01392). Detailed plans of this scheme have not been submitted in relation to this appeal, which does not enable any detailed comparison between the two proposals. Nonetheless, it is clear from the description of the development that the proposals in that case were substantially different to the development before me, particularly in relation to the design and location of the screen panels. Therefore, I have considered this appeal on the merits of the development, as proposed, and the presence of the extant consent has not had any specific bearing on my decision in this matter.
18. I also note that the proposal provides a usable outdoor space for the occupants of No 41a, enhancing the practical enjoyment of the property. However, I do

not consider that these benefits are sufficient to outweigh the significant loss of privacy for neighbouring residents at No 43.

Conclusions

19. As set out above, I conclude that the proposal would not have a significantly detrimental effect on the character and appearance of the surrounding area and that levels of privacy within neighbouring gardens would not be substantially effected. However, these matters do not outweigh my concerns relating to the loss of privacy and harmful impact on living conditions as a result of overlooking into first and second floor windows to the rear of No 43 Port Hall Road.
20. In view of the above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Chris Preston

INSPECTOR

Appeal Decision

Site visit made on 12 November 2013

by Chris Preston BA (Hons) BPI MRTPI

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

Decision date: 7 January 2014

Appeal Ref: APP/Q1445/A/13/2200269

4 Elrington Road, Hove, East Sussex BN3 6LG

- 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 Dayan against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00803, dated 08 March 2013, was refused by notice dated 13 May 2013.
 - The development proposed is described on the application form as: Renewal of planning permission BH2007/03959 for the erection of 1 new detached 3 bedroom house at 4 Elrington Road, Hove, BN3 6LG.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a three bedroom detached house at 4 Elrington Road, Hove, East Sussex BN3 6LG in accordance with the terms of the application, Ref BH2013/00803, dated 08 March 2013, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: TA 636/01, TA 636/02, TA 636/03 (rev C), TA 636/04 (rev F), TA 636/05 (rev J), TA 636/06 (rev H), TA 636/07 (rev B), TA 636/08 (rev N), TA 636/09 (rev G), TA 636/10 (rev J), and TA 636/11 (rev H).
 - 3) No development shall take place until samples 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. Development shall be carried out in accordance with the approved details.

Application for costs

2. An application for costs was made by Mr David Dayan against Brighton and Hove City Council. This application is the subject of a separate Decision.

Procedural Matter

3. The description of development on the application form refers to 'renewal of planning permission BH2007/03959'. I note that the 2007 permission was not implemented and has therefore expired. In any event, renewal of planning permission is not an act of development in itself and I consider that a more

accurate description of the development proposed is the erection of a three bedroom detached house. Therefore, I have described the development as such within my decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

5. The appeal site is an undeveloped plot of land within a residential area, situated in between Nos 2 and 6 Elrington Road, a short distance from the junction with Hove Park Road which is to the south. Both roads are characterised by sizeable detached and semi-detached dwellings set back from the roadside in established front gardens. In combination with the mature street trees, the gardens give the area a verdant and attractive quality.
6. The tendency for dwellings to be set back from the edge of the pavement creates a sense of spaciousness within the surrounding area. However, I noted at the time of my visit that the space in between dwellings, particularly in the area surrounding the junction between the two roads is limited, with narrow driveways or passageways providing access to rear gardens.
7. In terms of architectural style, the prevailing pattern is of early 20th century housing with examples of modern infill development, including the dwelling opposite at 1a Elrington Road and the property currently under construction at 34 Hove Park Road. The Council raise no objection in principle to a new dwelling of modern design and, given the surrounding context, I see no reason to disagree with this view.
8. In terms of overall height the proposed dwelling would be marginally higher than the ridgeline of No 2 but set below that of No 6. The flat roofed form of the building and the projecting two storey bays would contrast with the sloping roof form and low eaves level of the chalet bungalow at No 2. However, the overall height would not be disproportionate to this neighbouring dwelling and the two storey bay to the front would be set well below the adjacent ridgeline.
9. In addition, the second floor element would be set back behind the front elevation, providing a staggered building line that would break up the mass of the front façade and reduce the apparent bulk of the building when viewed from street level. The result would be a gradual step up in height between the three dwellings, reflecting the shallow incline of Elrington Road as it rises to the north. Consequently, the height of the dwelling would be well related to its immediate neighbours and the scale of properties within the wider area.
10. The building would be set in from the boundaries to the side, allowing access to the rear and providing separation from neighbouring dwellings. In this respect, the gap between the dwelling and the adjacent properties at Nos 2 and 6 would not be inconsistent with the general pattern of the surrounding area (as described above) and, as a result, I am satisfied that the proposal would not appear cramped in relation to the width of the plot.
11. The front of the dwelling would be set back into the site, aligned with the building line established by Nos 2 and 6. Thus, the depth of the front garden would be consistent with the prevailing pattern and would maintain the open

and spacious character of the area. Although the dwelling would have a relatively elongated floor plan, its depth would not be dissimilar to the dwelling at No 6 and the main bulk and mass of the structure would be set back behind the building line and not prominent from public vantage points.

12. Furthermore, the depth of the plot is substantial and the proposal would provide garden areas to the front and rear, the scale of which would be more than adequate to serve the needs of a dwelling of the size proposed. In this sense, the footprint and scale of the dwelling is not disproportionate to the size of the site.
13. In view of the above, I consider that the proposal is a well designed scheme that would reflect the scale, siting and massing of the adjacent dwellings and the pattern of development within the surrounding area. Therefore, I conclude that the dwelling would not cause harm to the character and appearance of the surrounding area and that it would comply with the aims of saved Policies QD1 and QD2 of the Brighton and Hove Local Plan (2005) which seek, amongst other things, to ensure that developments are well designed, taking account of the height, scale and bulk of surrounding buildings. The proposal would also conform to the requirement for good design, as set out within section 7 of the National Planning Policy Framework.

Other Matters

14. Comments were submitted from the owner of 6 Elrington Road in relation to the planning application with regard to loss of light and the potential for the development to affect future plans to develop his property. Given the layout and scale of the development proposed and its relationship with No 6, I am satisfied that it would not lead to any significant loss of sunlight to habitable rooms or the garden area and that satisfactory living conditions would be maintained for existing and future residents.
15. No proposals for any development at number 6 are before me and any planning application, or appeal, must be considered on its own merits. Therefore, this is not a matter which would justify withholding the grant of planning permission in this case.

Conditions

16. In the absence of a statement from the Council or any specific details relating to conditions, I have considered the imposition of conditions with regard to advice contained within Circular 11/95 *The Use of Conditions in Planning Permissions*. In addition to the statutory condition relating to the commencement of work, I have added a condition requiring that development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. Materials are specified within the application form but I have not been provided with details of the external finish or appearance of these materials. Therefore, a condition is necessary to ensure that samples of these materials are submitted to and agreed by the Council to ensure that the external appearance of the development is satisfactory.
17. In their response to the planning application the Local Highway Authority requested a condition to ensure that the driveway was kept free from obstruction and available for car parking. No evidence has been provided of

any parking issues within the area or to demonstrate that the driveway would not be used for its intended purpose. Therefore, I am not satisfied that this condition is necessary. Similarly, the proposed garage would have adequate space for the secure storage of bicycles and a specific condition relation to cycle stands is therefore unnecessary.

Conclusion

18. For the reasons set out above, and having regard to all other matters raised, I consider that the appeal should be allowed.

Chris Preston

INSPECTOR

Costs Decision

Site visit made on 12 November 2013

by Chris Preston BA (Hons) BPI MRTPI

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

Decision date: 7 January 2014

Costs application in relation to Appeal Ref: APP/Q1445/A/13/2200269 4 Elrington Road, Hove, East Sussex BN3 6LG

- 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 Mr David Dayan for a full award of costs against Brighton & Hove City Council.
 - The appeal was against the refusal of an application for planning permission for the renewal of planning permission BH2007/03959 for the erection of 1 new detached 3 bedroom house at 4 Elrington Road, Hove, BN3 6LG.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. Circular 03/2009, *Costs Awards in Appeals and Other Planning Proceedings* (the Circular) 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 expense in the appeal process.
3. Paragraph B29 of the Circular sets out a number of circumstances which may lead to an award of costs against a planning authority. The two instances referred to by the appellant relate to situations where planning authorities do not determine cases in a like manner or where there is a failure to grant further planning permission for an extant or recently expired consent when circumstances have not materially changed.
4. In this case, the Brighton and Hove Local Plan was adopted in 2005. Within its reason for refusal, the Council referred to Policies QD1 and QD2 of the Local Plan. These policies have been 'saved' following a direction by the Secretary of State and, consequently, the relevant local planning policies had not altered in the period between the approval of the 2007 application and the Council's determination of the appeal scheme.
5. Equally, I note that no significant developments have taken place in the immediate vicinity of the site and, on the evidence before me, the context for the proposed development has not materially altered since the 2007 application was approved. Therefore, in line with advice in the Circular, circumstances would indicate that a like application to the 2007 scheme would be approved.

6. The overall height and footprint of the two schemes are similar and the gap between the side of the dwelling and the side of No 2 would be the same. However, the composition and form of the front of the dwelling proposed in the appeal scheme is noticeably different. The 2007 scheme contained a single storey projection to the front incorporating the entrances to the house and the integral garage. This single storey element was situated adjacent to the boundary with No 2. The main bulk of the dwelling was set behind this.
7. In contrast, the appeal scheme proposes two-storey projecting bays situated either side of a central entrance door. This alteration would have a material impact on the scale and appearance of the proposal in comparison to the 2007 scheme, noticeably increasing the bulk of the building adjacent to the boundary with No 2. In this respect, the two schemes are materially different.
8. Therefore, I do not consider that the circumstances referred to in paragraph B29 of the Circular, are directly applicable in this case. The schemes are materially different and consequently, there should be no assumption that they would be determined in a like manner. Although my conclusions on the merits of the proposal were different to those of the Council the decision involved a balanced judgement on matters of design and, in my view, it was not unreasonable for the Council to reach a different view.
9. With reference to judgements regarding character and appearance, paragraph B18 of the Circular sets out that a cost award will be unlikely if realistic and specific evidence is provided about the impact of development. In this case, although no supporting statement was submitted by the Council in relation to the appeal, I am satisfied that the officer report provided a reasoned justification for their decision with reference to the scale and form of the dwelling and its relationship with No 2 Elrington Road.
10. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Circular, has not been demonstrated and, as such, an award of costs is not justified.

Chris Preston

INSPECTOR

Appeal Decision

Site visit made on 21 November 2013

by Timothy C King BA(Hons) MRTPI

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

Decision date: 9 January 2014

Appeal Ref: APP/Q1445/A/13/2203470

Blockbuster Video Express, 48 Blatchington Road, Hove, East Sussex, BN3 3YH

- 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 Weatherstone Properties Group against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01192, dated 25 March 2013, was refused by notice dated 24 June 2013.
 - The development proposed is '*Proposed change of use, conversion and extension to vacant first floor premises to form 2 x 1 bedroom units at 48 Blatchington Road, Hove, East Sussex, BN3 3YH.*'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the appeal process the Supplementary Planning Guidance Note, SPGBH1, referred to by the Council, in its second reason for refusal, was superseded by Supplementary Planning Document, SPD12: 'Design guidance for extensions and alterations'. I have determined the appeal on this basis.
3. The proposal involves several different elements. The Council has only objected to the scheme as regards the standard of conversion in the creation of the first floor rear flat and also the formation of an area of flat roof at first floor level. It has accepted the principle of the property's change of use, the creation of a self-contained maisonette unit, and also the erection of a second floor dormer roof extension to the rear.

Main Issues

4. The main issues in this appeal are:
 - 1) whether the proposed development would provide for a satisfactory standard of living conditions for the future occupiers of the rear first floor flat, with particular regard to it receiving sufficient natural light and also its outlook; and
 - 2) the effect of the proposal on the character and appearance of the area.
-

Reasons

Living conditions

5. The property, in Hove Town Centre, was previously used as a retail unit with first floor accommodation. It is currently vacant and undergoing refurbishment works. The building is of significant depth and, in addition to its original roof form, has a mono-pitched roof to the rear covering an extensive two storey addition. Besides the proposed maisonette to the front of the building, involving the utilisation of the original building's roofspace for habitable purposes, a one bed flat would be created to the rear of the building. Its main living space and bathroom would accommodate the roofspace in the building's rear section, although its bedroom would be set in the main part of the building below the top floor of the maisonette. There would be a side corridor link between the flat's two sections and, whilst the bedroom would be lit from a proposed window in its rear wall, the flat's combined lounge/kitchen/diner would be served only by a low level window in the sloping roof plane. The bathroom would benefit from a rooflight.
6. The rear roof slope has a shallow pitch and the rear end of the flat would have head height limitations. Whilst it would have a southern aspect and, in my opinion, would provide the flat with adequate natural light, the window's angle would significantly inhibit the flat's rear outlook. Future occupiers would not be afforded a degree of outlook that one could reasonably expect from a first floor self-contained flat with a normal vertical window arrangement. The appellant accepts this but also considers that the outlook provided by the flat would be satisfactory. I disagree with this assertion.
7. Although the bedroom window would face south it would look straight out onto the rear wall of the flat's main section. This is an awkward arrangement and further suggests that the flat's creation, largely within the space below a sloping roof, would not, in this instance, allow for a suitable conversion with a satisfactory standard of accommodation provided within.
8. On the first main issue, whilst I consider that the proposed flat would receive an adequate amount of natural light, I conclude that the outlook provided would be particularly poor and the proposal would not provide for a suitable standard of living conditions for its future occupiers, contrary to the objectives of Policy QD27 of the Brighton & Hove Local Plan (BHLP).

Character and appearance

9. The building's front and rear sections are currently linked by an area of flat roof. However, the proposed physical alterations which involve the formation of a small flat-roofed extension, would provide the link between the flat's two sections and a section of horizontal ceiling in the flat's main part. The Council has raised concerns about its design and that it would be visible from neighbouring properties. The flat roof and general alterations would be visible from windows to the rear of No 46, but I do not consider that the extension's physical appearance, especially if finished with appropriate materials, would be particularly unsightly or harmful in its contextual setting.
10. On the second main issue I therefore conclude that the proposal would not cause harm to the character and appearance of the area, and the objectives

of BHLP Policies QD1 and QD14 and also those of SPD12 would not be compromised.

Other matters

11. The appellant refers to the National Planning Policy Framework (the Framework) and the presumption in favour of sustainable development. I agree that this is a sustainable location but the presumption is not at the expense of complying with the requirements of other policies and, in this instance, I have identified a development plan objection.
12. I note also the references to the Council being unable to demonstrate a five year housing land supply. In this respect the BHLP is not up to date. However, I consider that BHLP 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. I have identified that the proposal would give rise to such adverse effects which would outweigh the benefits of creating an additional housing unit, including those to the local economy that might be generated therefrom.
13. The appellant indicates that the proposal's design is in response to advice previously received from the Council which brought about the withdrawal of a previous application. However, no evidence has been provided of such and I afford this little weight.

Conclusion

14. Although I do not consider that the proposal would adversely affect the character and appearance of the area the harm that I have found which would result on the first main issue outweighs this and is compelling. For the above reasons, and with regard to all matters raised, I conclude that the appeal should be dismissed.

Timothy C King

INSPECTOR



Appeal Decision

Site visit made on 6 January 2014

by D Lamont BSc(Hons) MBA MRTPI MCMi

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

Decision date: 9 January 2014

Appeal Ref: APP/Q1445/D/13/2210013

30 Aymer Road, Hove, BN3 4GA.

- 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 Hoyer against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/03023 was refused by notice dated 22 November 2013.
 - The development is proposed erection of new boundary fence (part retrospective – fence height to be reduced from current height to 1.36 metres).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development has been completed to a height above that for which planning permission is sought and I deal with the appeal on that basis.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host property and the conservation area.

Reasons

4. The Pembroke & Princes Conservation Area has a sylvian 'garden suburb' character and appearance. Substantial red brick housing from the end of the 19th century and early 20th century predominates. These are generally set behind low red brick front boundary walls and higher columns which contribute to the character and appearance of the conservation area.
5. There are local examples of black painted metal railings above the dwarf walls and between their columns. Their design, materials, finishes and largely maintained views through them, are consistent with the character and appearance of the conservation area. Low white painted timber fencing has been introduced above the Aymer Road dwarf wall adjacent to the appeal site. Its semi-transparency, design, materials and finish reflect the extensive use of white painted exterior timber on the host property and more widely, which contributes to the charm of the conservation area.
6. The appeal site occupies a prominent corner position on Aymer Road and Princes Avenue, where the low red brick boundary walls with higher columns

- predominate. These streets are the subject of an Article 4 Direction which has removed permitted development rights for alterations to gates, fences or walls.
7. The relative consistency of the red brick dwarf walls and columns, particularly along the streets onto which the development faces, provides a generally uniform rhythm and original conservation area evidence of such patterns, materials and detailing appropriate to the host property. This provides a reference and context for the application of the Council's 'Design Guide for Extensions and Alterations' and 'Architectural Features' Supplementary Planning Documents (SPDs).
 8. The development has removed concrete blocks and timber fencing which extended above the low boundary wall. I recognise that the former enclosure may not have made a positive contribution to the character and appearance of the building or conservation area. However, from the evidence before me, the blocks' impact was somewhat mitigated by the transparency of the former gate, a degree of transparency through the block-work and the hedging behind it and above. The former fence reflected other local examples of lighter, narrower, vertical timber boundary treatment, in keeping with a traditional residential area. Its prominence was also mitigated by the hedge above it.
 9. The development has introduced large, wide, deep timbers which extend horizontally. The timbers have a bulk, solidity, scale and horizontal orientation which are out of keeping with the rhythm, pattern, design, materials and detailing of the existing boundary treatment along Aymer Road and Princes Avenue and the wider conservation area. The result is an incongruous structure which is alien to the traditional suburban boundary enclosures which prevail locally. It is also out of keeping with the wider local examples of lighter, narrower, vertical boundary fencing and walls which contribute to the traditional residential suburban charm of the wider conservation area. This causes substantial harm to the character and appearance of the host property and the conservation area, as a whole.
 10. The harm is exacerbated by the heavy, bulky character of the development within the context of the host property's scale and low height relative to surrounding properties. Further harm arises from the bulk, weight, orientation and finish within the context of the design, orientation and white-painted timber supports of the host building's veranda. Although the appellant has raised the issue of the length of the host building's frontage onto Princes Avenue in support of the development, the length of the site's boundary enclosure exacerbates the identified harm. The 'cut-outs' and 'slots' in the timbers and the large mounting bolt-heads present a more industrial and contemporary appearance of reclaimed timber and fixings. These details cause further harm to the traditional residential character and appearance of the host property and the conservation area.
 11. For these reasons, I conclude that the development, by virtue of the large size of the timbers, heavy and bulky appearance and horizontal emphasis, causes substantial harm to the character and appearance of the host property and the conservation area, as a whole. The provisions of the Brighton and Hove Local Plan 2005 (Local Plan) saved Policy QD14 relate to extensions and alterations to existing buildings, rather than freestanding boundary enclosures. The development is contrary to Local Plan Policy HE6 which states that proposals should preserve or enhance the character or appearance of a conservation area; and those likely to have an adverse impact will not be permitted.

12. The development is contrary to the SPDs which require boundary enclosures to relate to the character of the street and surrounding area and encourage such structures in conservation areas to reinstate evidence of original features. It is also contrary to the 'Architectural Features' SPD statement that alterations to boundary walls will only be acceptable where original patterns, materials and detailing are appropriate to the property.
13. I have had regard to the representations of support in respect of the former hedge, local examples of higher enclosures and the proposed reduced fence height. However, these do not relate to the planning considerations which are the subject of the appeal. I have also considered the development with reference to the wall contained by Princes Crescent. However, it is read as a substantial independent entity and within the context of the buildings and curtilage it serves. These circumstances are not reflective of the traditional red-brick housing and enclosure context of the appeal site and the character and appearance of the conservation area, as a whole. Although the appellant has suggested a condition could require an alternative colour/hue to be applied to the structure, this would not address the harm I have identified.
14. For these reasons and having had regard to all other matters raised, I conclude that the development causes substantial harm to the character and appearance of the host property and the conservation area, as a whole; contrary to Local Plan Policy HE6 and the Council's 'Design Guide for Extensions and Alterations' and 'Architectural Features' SPDs; and I dismiss the appeal.

D Lamont

INSPECTOR



Appeal Decision

Site visit made on 17 December 2013

by **Philip Willmer BSc Dip Arch RIBA**

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

Decision date: 9 January 2014

Appeal Ref: APP/Q1445/A/13/2196557

Chapel Royal Vaults, North Street, Brighton, East Sussex, BN1 1EA.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jo and Mr Marcus Thompson against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/03647, dated 8 January 2013, was refused by notice dated 4 March 2013.
 - The development proposed is change of use to restaurant/café (use Class A3) with entrance alterations and associated internal works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Although not clear from the application form, it was confirmed at the site visit that the application was made in the joint names of Mrs Jo and Mr Marcus Thompson. I have amended the bullet point above accordingly.
3. The Chapel Royal Vaults are listed grade II* and located in the Valley Garden Conservation Area. I understand that an application for listed building consent for the works was submitted along with the application for planning permission now the subject of this appeal. However, the Council in conjunction with the Diocese of Chichester agreed that the vaults are the subject of Ecclesiastical Exemption and the application for listed building consent was therefore not registered. Nevertheless, in accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I shall, along with my duties under section 72 of the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Main Issue

4. I consider the main issue to be the effect of the proposed development on the special architectural and historic interest of Chapel Royal Vaults listed grade II*, the setting of the listed building and the character or appearance of the Valley Garden Conservation Area.
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Reasons

5. The property the subject of this appeal comprises the vaults of the Chapel Royal. I understand from the evidence that the proprietary chapel, now an Anglican Church, was first built between 1793 and 1795 but extensively rebuilt, together with the construction of the tower, between 1876 and 1896. The building, which comprises two principal elevations, is located on the corner of North Street and Prince's Place.
6. The property is listed grade II* and located in the Valley Garden Conservation Area. I understand that the vaults, which are not referred to in the list description of the building, have a separate freehold dating back to 1896 and have over time been put to a variety of non ecclesiastical uses, principally storage.
7. In my view, the special architectural and historic interest of the building relates to the history of the development of the Church and its vaults, the history of the separation of the vaults from the freehold of the Church and their subsequent use, the building's architectural design and detailing, and the general space around the Church which forms an important aspect of its setting.
8. The vaults are entered via a low arched entrance from Prince's Place. They have a part brick paved/concrete floor, brick/beach pebble perimeter walls and an open vaulted brick ceiling, being the expressed structure of the ground floor of the Church above. The overall space is divided into five principal bays by masonry walls. A mix of cast iron and timber columns support the vaulting over the larger central space. There is existing shelving to the perimeter walls. Although, some may well be original, particularly along the east and north walls, others, by reason of the use of block work and soft wood slats, are clearly a more modern intervention. A later small office and toilet have also been built in the entrance bay from the street.
9. From the Council's evidence I understand that, subject to the imposition of conditions in relation to operating the restaurant and hours of opening, it does not have an objection in principle to the proposed change of use to a restaurant/café (A3 Use Class). However, as identified by the Council, in this case the proposed change of use could not be achieved without significant alterations to both the interior and exterior of the building. I shall therefore now consider these matters in turn to assess their impact on both the listed building and the conservation area.
10. The Council states in its evidence that the existing access to the vaults is impractical and is an impediment to their re-use. It goes on to say that it considers the proposed access is the only feasible option for providing an acceptable entrance. Having regard to what I have seen and read as well as the desirability of bringing the vaults back into use, particularly if they would then be open to the public, I find no reason to reach a contrary view.
11. The excavation of the well in to which the external steps and lift would be installed would expose the outside face of the external wall of the building at this point. Although there is no firm evidence as to the construction and facing of the external walls below ground level, the Council is of the view that it is likely to be rough pebble flintwork. Based on my experience, I would accept that whatever the construction of the wall it is unlikely, as it would have been

designed to be buried, to have been constructed in quality face brickwork to match the envelope of the main building. The appellants propose applying a tile/brick slip over the existing structure to match the existing facework. Although the appellants have identified a matching brick, no detail of what is proposed, or how the tiles/slips or bricks would be applied having regard to the need, amongst other things, to address the surrounding surfaces, both jambs to the entrance door opening and the junction with the interior facework, has been provided.

12. To my mind, this element of the proposal is of considerable significance due to the prominence of the new entrance in the street scene. Taking this into account, along with the building's listed status and its location in the conservation area, I do not consider that this matter could be adequately addressed by condition. Accordingly, without a fully detailed proposal for any necessary works to face the wall to be exposed, I consider that the proposal as designed may cause harm to the special architectural and historic interest of the building and its setting as well as the character and appearance of the conservation area.
13. In order, amongst other things, to provide adequate headroom for the proposed use it is intended to excavate the floor by about 0.945 metres. After undertaking the necessary works, including damp proofing, a new floor some 0.450 metres lower than the existing would be formed. To avoid the perimeter walls being undermined by these works, rather than underpinning, a deep exposed structural plinth would be built around the internal perimeter of the external walls.
14. As a consequence of the construction of the plinth, I believe that the removal of the existing shelving system including the brick support would be necessary. This would result in a significant loss of historic fabric and the introduction of a highly visible new structural element. The appellants have not explained why a plinth detail is proposed as an alternative to traditional underpinning or other potentially less harmful solutions that may well be available. In my experience, for instance, traditional underpinning could be carried out in short staggered sections and therefore in all probability might well be achieved while retaining the historic shelving complete. Accordingly, I consider that the method of underpinning proposed would be harmful to the listed building, resulting in the loss of historic fabric and impacting on the architectural integrity of the interior of the vaults.
15. As a result of lowering the floor, the base of the existing timber and cast iron columns would need to be supported on new raised plinths. The use of short brick piers as shown would, to my mind, be a legitimate method which would also have the benefit of clearly indicating that the floor had been lowered as part of the change of the building to its new use. Accordingly, in respect of the structural columns, I consider that the lowering of the floor could be achieved without harm to either the historic fabric or the special interest of the building.
16. I do not necessarily consider that the internal excavation necessary to lower the floor would, per se, cause harm to the listed building. However, I do believe that the design as proposed would result in the loss of historic fabric and would thereby cause harm to the special architectural and historic interest of Chapel Royal Vaults.

17. It is intended to install a new ventilation system throughout the vaults. Subsequent to the determination of the planning application, a schematic proposal for the system has been provided upon which the Council has taken the opportunity to comment. The scheme design proposes exposed metal ducting fixed to the soffit of the vaulted floor.
18. The local planning authority has expressed the opinion 'that the quasi industrial appearance of the pipe-work of the ventilation system would not be appropriate for an ecclesiastical building' and, therefore, would imply that the proposed use is not 'consistent with the conservation' of the historic building. However, to my mind, having regard to the vaults and the church being separate freeholds, the previous history of non-ecclesiastical uses of the vaults, the opportunity afforded by the proposal to open the vaults to the public and the fact that as well as the ducting appearing as a contrasting feature it would maintain views of the existing structure behind, I consider that it would not in principle be harmful to the special architectural or historic interest of the building.
19. I note that the application drawings show each of the two windows located to either side of the new entrance door being reinstated. However, although details of any necessary grills have not been provided, the mechanical ventilation design drawing suggests that the air intake and extracts would be sited in place of the two windows. The introduction of ventilation grills in place of the windows may well, in my view, subject to their detailed design, appear as unwelcome additions in these locations that would serve to cause further harm to the appearance of the listed building, its setting and thereby the character or appearance of the conservation area.

Overall conclusion

20. Providing an acceptable engineering solution could be found, then I believe the floor could be lowered without resulting in harm to the building's significance. Further, in my judgement, the use of exposed metal ventilation ducting would not in itself cause harm to the listed building.
21. However, I consider that due to the uncertainty as to the re-facing of the existing external wall of the building when exposed by the formation of the new entrance, the proposed installation of intake and extract ducts in place of the windows to Prince's Place, the loss of historic fabric and the introduction of a new plinth as a result of lowering the floor, the proposed development would cause significant harm to the special architectural and historic interest and setting of the building and would fail to serve to preserve or enhance the character or appearance of the conservation area.
22. The National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of designated heritage assets, which include conservation areas and listed buildings. It draws a distinction between substantial harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits, including securing the optimum viable use.
23. The change of use of the vaults to a restaurant/café would clearly provide some economic benefit and afford the public, albeit limited to customers, access to the vaults. Given the harm that has been identified I conclude that the public benefits would not outweigh this harm, or the conflict with the Framework and

saved Policy HE1 of the Brighton and Hove Local Plan as they relate to the duties imposed by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to the preservation of the fabric and the setting of listed buildings, and the preservation or enhancement of the character or appearance of conservation areas.

Conclusions

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

Philip Willmer

INSPECTOR

