





**Brighton & Hove
City Council**

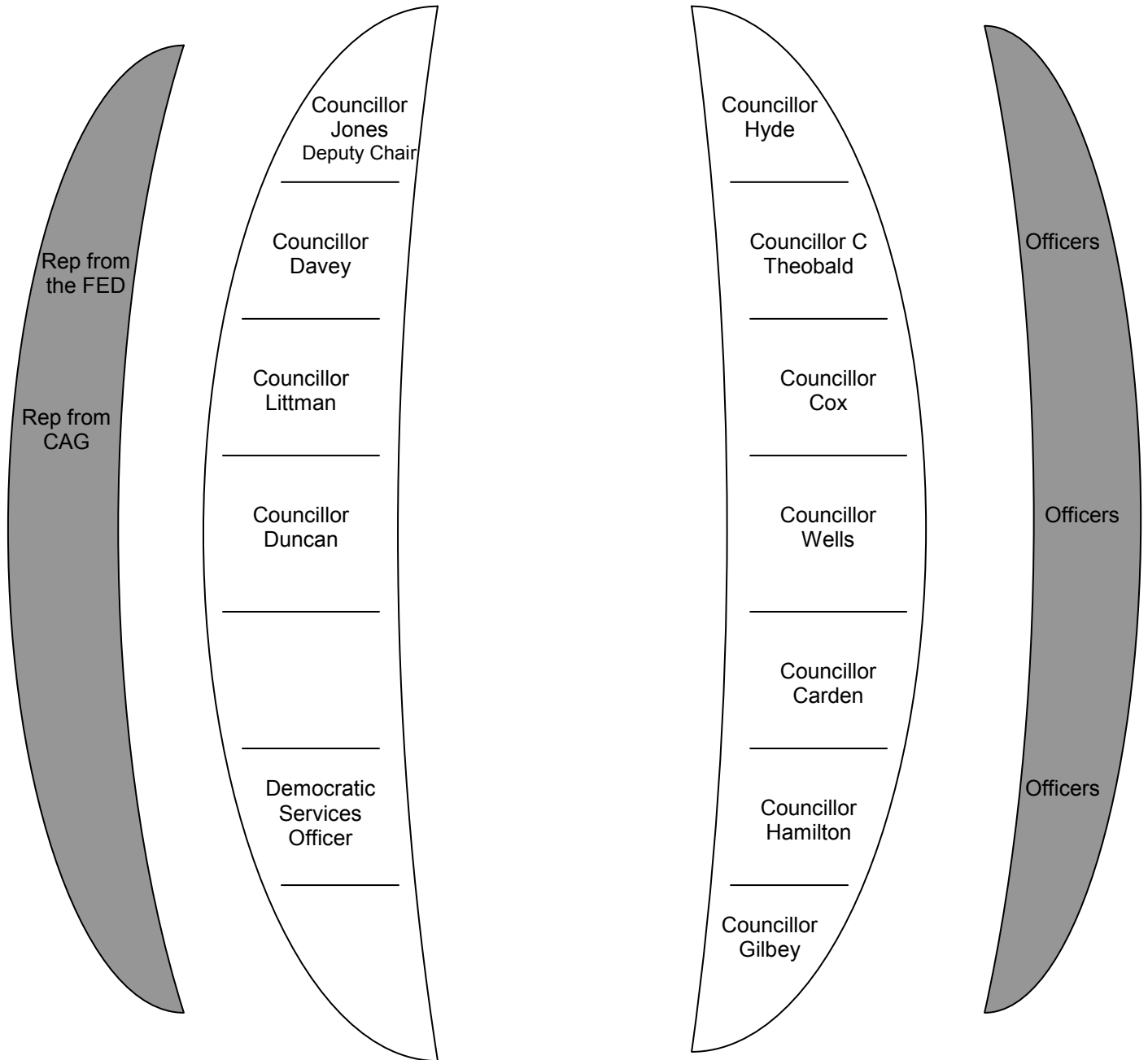
Planning Committee

Title:	Planning Committee
Date:	12 March 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>

	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	<p>FIRE / EMERGENCY EVACUATION PROCEDURE</p> <p>If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:</p> <ul style="list-style-type: none"> • You should proceed calmly; do not run and do not use the lifts; • Do not stop to collect personal belongings; • Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and • Do not re-enter the building until told that it is safe to do so.

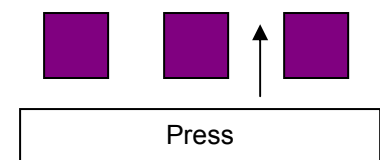
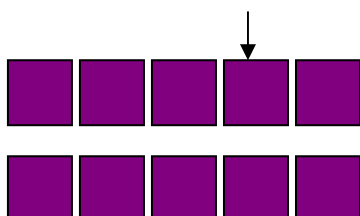
Democratic Services: Planning Committee

Senior Solicitor	Councillor Mac Cafferty Chair	Head of Development Control	Presenting Officer
------------------	----------------------------------	-----------------------------	--------------------



Public Speaker	Public Speaker
----------------	----------------

Public Seating



AGENDA

160. 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

161. MINUTES OF THE PREVIOUS MEETING

1 - 16

Minutes of the meeting held on 19 February 2014 (copy attached).

162. CHAIR'S COMMUNICATIONS

163. PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 5 March 2014.

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

165. 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. BH2013/04263 - Aldi, 7 Carlton Terrace, Portslade - Removal or Variation of Condition 17 - 28

Application for variation of condition 12 of application BH2011/02857 (Application for variation of conditions 11 & 12 of application BH2010/01684) (original permission BH2006/00834)) to amend the hours of free parking at Portslade Shopping Centre from two hours to one and a half hours.

RECOMMENDATION – GRANT

Ward Affected: South Portslade

MINOR APPLICATIONS

B. BH2013/03782 - Land to Rear of 67-81 Princes Road, Brighton - Full Planning Permission 29 - 48

Construction of 6no two and three storey, 2no bedroom terraced houses with pitched roofs & solar panels. Provision of private and communal gardens, waste & refuse facilities & cycle store. Erection of a street level lift gate house.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: St Peter's & North Laine

C. BH2013/03528 - 54 New Church Road, Hove - Full Planning Permission 49 - 58

PLANNING COMMITTEE

Alterations to boundary wall, formation of terrace with canopies and additional play structures.

RECOMMENDATION – GRANT

Ward Affected: Westbourne

D. BH2013/03658 - 17 Dean Court Road, Rottingdean, Brighton - Householder Planning Consent 59 - 66

Demolition of existing detached garage to rear and erection of detached double garage to side elevation incorporating revised driveway and installation of timber entrance gate. (Amended plans).

RECOMMENDATION – REFUSE

Ward Affected: Rottingdean Coastal

E. BH2013/03968 - St Andrews Day and Resource Centre, St Andrews Road, Brighton - Full Planning Permission 67 - 88

Demolition of existing single storey building and garages and erection of 4no three bedroom houses and 3no two bedroom houses with associated car parking.

RECOMMENDATION – GRANT

Ward Affected: Preston Park

F. BH2014/00073 - 73 Balsdean Road, Brighton - Householder Planning Consent 89 - 96

Erection of single storey infill extension to front with pitched roof.

RECOMMENDATION – REFUSE

Ward Affected: Woodingdean

166. 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

167. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 97 - 98

(copy attached).

168. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 99 - 232

PLANNING COMMITTEE

(copy attached)

169. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE **233 - 236**

(copy attached).

170. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES **237 - 238**

(copy attached).

171. APPEAL DECISIONS **239 - 296**

(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.

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

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

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

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

PLANNING COMMITTEE

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, 4 March 2014

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 19 FEBRUARY 2014****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

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

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

Officers in attendance: Jeanette Walsh (Head of Development Control); Guy Everest (Senior Planning Officer); Pete Tolson (Principal Transport Officer); Steven Shaw (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Ross Keatley (Acting Democratic Services Manager).

PART ONE**149. PROCEDURAL BUSINESS****149a Declarations of substitutes**

149.1 There were no substitutes.

149b Declarations of interests

149.2 There were no declarations of interest in matters listed on the agenda.

149c Exclusion of the press and public

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

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

149d Use of mobile phones and tablets

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

150. MINUTES OF THE PREVIOUS MEETING

150.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 29 January 2014 as a correct record.

151. CHAIR'S COMMUNICATIONS

151.1 There were no Chair's Communications.

152. PUBLIC QUESTIONS

152.2 The Chair stated that he had received notification of one public question and invited Ms Valerie Paynter to put her question to the Committee.

152.3 Ms Paynter asked:

"What percentage of the costs of processing planning applications is covered by charges levied and what percentage calls on council tax or other revenue streams?"

152.4 The Chair responded that the costs were complex, and not simply about expenditure through the Development Control Section. A full and thorough response was currently being drafted and it would be sent to Ms Paynter in due course.

152.5 The Chair invited Ms Paynter to ask a supplementary question, and she asked for a comment on the size of the fee in relation to the total cost of determining a planning application.

152.6 The Chair responded that there were a number of different costs involved in a planning application, and the fee did not cover the full cost of determining an application.

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

153.1 There no requests for site visits in relation to matters listed on the agenda.

154. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

Major Applications

A. BH2013/03391 - Royal York Buildings 41-42 Old Steine, Brighton - Full Planning - Change of use from hotel (C1) to youth hostel (Sui Generis).

(1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans and elevational drawings. The application related to the Royal York Buildings on the Old Steine, and it was noted that

there was an additional condition in relation to the use of the building. The building had permitted use as a hotel, but was not in operation, and permission was sought for change of use to become a youth hostel. The application sought no changes or alterations to the internal layout of the listed building, but it was noted these matters formed part of a separate application currently under consideration. The building was located in the core hotel area, and the applicant had submitted marketing information which, despite some gaps, evidenced that the premises had been advertised as a hotel. It was considered the continued use of the building would help to preserve the character of the listed building. The application was minded to grant subject to a S106 agreement and the conditions in the report.

Questions for Officers

- (2) In response to Councillor C. Theobald it was noted that the provider would be targeting the business at both individuals and families and be able to accommodate both.
- (3) Following a question from Councillor Davey the Committee discussed the use of S106 monies in relation to improvements at the adjacent Pool Valley Coach Park; in particular to include the provision of toilet facilities at this site. Both the Head of Development Control and the Senior Solicitor noted that any S106 monies had to be used to mitigate the activities in relation to the change of use of the building. Following on from a comment made by Councillor Carden it was noted that there was an existing permission for Pool Valley; this provision could be considered together with the S106 agreement, and the Committee agreed to delegate the final agreement of these matters to the Head of Development in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- (4) Councillor C. Theobald went on to state that she felt the level of S106 contribution was low given the size of the application, and noted that a previous permission at the site several years ago had included S106 monies in relation to Pool Valley. The Senior Planning Officer explained that this money had been spent on an area of pavement and uplighters; it was envisaged the paved area would allow for a ticket office on the highway.
- (5) In response to Councillor Duncan it was noted that the condition sought to provide 26 cycle spaces at the site. Following a further question it was explained that the additional condition sought to protect the use for tourism rather than other types of more permanent accommodation.
- (6) Councillor Jones noted that the operator provided budget accommodation for all ages and would need the 26 spaces linked to the type of customers they might expect. Officers clarified that during the life of the application the Local Planning Authority had sought to negotiate this higher number due to the increased provision of local cycle facilities.
- (7) Councillor Mac Cafferty asked about the highway on the northern side of the application, and the Principal Transport Planner explained that this would be a potential area to use the S106 funds as there was data in relation to the number of accidents around the location.

- (8) Councillor Mac Cafferty asked about Condition 4) in relation to sustainability, and the Senior Planning Officer clarified that the last sentence should read “The measures shall be fully implemented prior to use as a youth hostel and thereafter retained as such”.

Debate and Decision Making Process

- (9) Councillor Wells stated that nearby Marlborough House had been empty for many years before being bought back into use, and this application sought to secure the future use of the building, and would allow it to continue contributing to the local economy.
- (10) Councillor C. Theobald stated that she had reservations in relation to the marketing data, and noted concerns in relation to the historic nature of the building. She added that the youth hostel at Patcham Place had been left in a poor state after it was vacated.
- (11) Councillor Cox noted that the operator had an excellent global reputation, and this type of tourist accommodation would contribute positively to the city.
- (12) Councillor Duncan agreed with the comments from Councillor Cox and added that the youth hostel would allow access to cheaper accommodation for people visiting to undertake the South Downs Walk. He stated he would support the Officer recommendation.
- (13) Councillor Jones echoed these positive comments and noted that the operator normally provided a range of accommodation within its sites, and he would support the Officer recommendation.
- (14) Councillor Littman noted that the building had changed use several times during its existence, and this was an appropriate application which he would support.
- (15) Councillor Hyde noted she would be supporting the Officer recommendation, but queried if there was anything that could be done in relation to enforcement of the maintenance. In response the Head of Development Control noted that the building was listed and there was active enforcement in the city.
- (16) Councillor Mac Cafferty noted that he agreed with the other positive comments made by the Committee Members, and stated that he would support the Officer recommendation.
- (17) A vote was taken and the Officer recommendation that permission be minded to grant was approved on a vote of 11 in support with 1 abstention.

154.1 **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, and the amended Condition 4 (as above) and the additional Condition set out below:

- i. The building shall only be used for tourism purposes in the manner of a youth hostel and for no other purpose.

Reason: To ensure that a flexible range of accommodation is available within the core area to meet the current needs and demands of all visitors, and to comply with policy SR15 of the Brighton & Hove Local Plan, and policy CP6 of the Brighton & Hove Submission City Plan (Part One).

Minor Applications

- B. BH2013/03524 - 2 Barn Rise, Brighton - Full Planning** - Demolition of existing bungalow and erection of two storey five bedroom dwelling with garage incorporating installation of solar panels, revised access and driveway, boundary wall and associated works.
- (1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans, elevational drawings and matters on the late list. The application site related to a detached bungalow that formed part of a group of four properties with open space at the front. The proposed new house would have a hipped roof and gabled sections. The proposed scale and form was considered acceptable, and it was felt that the loss of symmetry to the existing group of four properties would not cause harm. Landscaping was proposed on the site to mitigate the loss of the trees, and the level of separation from the neighbouring property was considered acceptable. It was noted the house would reach code level 3 for sustainability and there would no off street parking. For the reasons outlined in the report the application was recommended for approval.

Public Speaker(s) and Questions

- (2) Mr Ian Wright spoke in opposition to the application and stated that his home formed one of the four houses in the group, and the bungalow formed part of a symmetrical row of properties onto the open space in front which had a 'village green feeling to it.' The replacement of the bungalow would change the character which was worth preserving. It was noted that a previous application for a new property had been refused for reasons relating to the bulk and siting and loss of the character of the four properties. Mr Wright considered that the changes made since the refusal of the previous application had not been so significant as to grant the application, and he referenced small changes to the height and the footprint. In summary Mr Wright reiterated the current symmetrical layout and noted the number of local people that objected to the scheme.
- (3) In response to Councillor Gilbey it was confirmed by Mr Wright that one of the properties in the group of four had a substantial dormer window.
- (4) Ms Kathryn Mansi spoke in support of the application in her capacity as the agent; she stated that following the refusal of the first scheme changes had been made to the scale and the orientation, and it was noted many of the objections in relation to this application had been about matters that only related to the previously refused application. The removal of the large trees would be replaced with three fruit trees, and there were no objections from technical consultees. In relation to the existing dormer

on the neighbouring house it was noted that this overlooked the plot significantly, and the proposed house did not have any issues with overlooking. In relation to the symmetry there was a very limited point at which this could be appreciated; the view was also obscured by a tree and had been altered by the dormer and the addition of a garage. Careful consideration had been given to the materials in consultation with the Local Planning Authority, and the property would be energy efficient.

- (5) Councillor Davey asked about the reasons for refusal in relation to the symmetry, and in response Ms Mansi stated that this had been addressed through the re-siting of the property, and the property now read as part of Eldridge Avenue with similar building heights.
- (6) In relation to sustainability in response to Councillor Mac Cafferty it was explained by Ms Mansi that whilst the property would be energy efficient increasing this level would create higher development costs.

Questions for Officers

- (7) In response to Councillor C. Theobald comparisons were provided between the proposed scheme and the previously refused one. It was also noted that the reduction in height was significant as it allowed the height of the property to read with Elridge Avenue rather than Barn Rise, and it would be difficult to argue that the proposed property was not in keeping with those on Elridge Avenue.
- (8) In response to Councillor Cox the Senior Planning Officer stated that it was likely the large dormer had been constructed under permitted development rights.
- (9) Councillor Hyde asked about the loss of the symmetry and the Senior Planning Officer explained that it was felt this had already been undermined with the addition of the dormer, and the area was predominantly two-storey houses and was not protected as part of a conservation area.
- (10) In response to Councillor Gilbey it was explained that the dormer would look onto a blank wall of the proposed house; there was a condition to prevent future occupiers adding windows to this aspect.

Debate and Decision Making Process

- (11) Councillor Duncan noted he was in support of the scheme, but he would have preferred a higher level of sustainability. He went on to add that in general he was in support of this type of development to protect the urban fringe in the city through more efficient use of existing sites.
- (12) Councillor Hyde stated that she liked the appearance and design of the building, but she felt it was bulky and had concerns about the close proximity of the dormer windows. She added that the loss of symmetry was not mitigated by the gains at the site and for these reasons she would not support the Officer recommendation.
- (13) Councillor C. Theobald noted that it was still important to have a supply of bungalows in the city's housing stock. She felt that the scale was not too different from the

previously refused scheme and had concerns about the loss of symmetry and the outlook for the dormer of the neighbouring property. She stated her preference would have been for a less bulky design.

(14) Councillor Littman stated that the symmetry had been lost, and he felt it would be wrong to refuse permission for a two storey building given that the properties on either side were two-storey.

(15) A vote was taken and the Officer recommendation to grant planning permission was approved on a vote of 10 in support with 2 against.

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

C. BH2013/03886 - 16 Waldegrave Road, Brighton - Householder Planning Consent -
Erection of a single storey rear infill extension.

(1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans and elevational drawings. The application site related to a two storey semi-detached building with a staggered footprint. Permission was sought for a single storey rear infill extension, and it was noted that the property sat at a greater height than the neighbouring house due to the change in ground levels. The application was recommended for refusal for the reasons set out in the report.

Public Speaker(s)

(2) Ms Carol Grant spoke in support of the application in her capacity as the agent; she stated that the main concerns in the report related to the design and the impact on the conservation area and neighbouring property. She referenced SPD12 and stated that often where this policy had been challenged at appeal the inspector had been ruling in favour of applicants. The glazed bi-folding doors sought to adhere with policy by creating a modern lightweight approach that allowed the original form of the house to remain legible. It was considered that the form was in compliance, and to refuse would be contrary to policy. The extension would have a neutral impact on the conservation area as it could not be seen from the street. In relation to the difference in ground level it was explained that if the fence were reinstated the only part visible to the neighbouring property would be the high level glazing, creating a different, but not oppressive, outlook.

Questions for Officers

(3) In response to Councillor Wells the difference in ground level and the proposed distance to the boundary was confirmed.

(4) In response to Councillor Davey the Senior Planning Officer explained that the impact on the conservation area related to the changes to the form of the building which this type of extension would erode. In relation to the fence it was noted that this could still create a harmful impact.

- (5) Councillor Jones asked about an approval on the same street for a similar type of extension; in response it was explained that the circumstances were different as this property had a neighbouring extension and there was no impact on amenity as the extension was built up to the boundary.
- (6) It was also noted, in response to Councillor Mac Cafferty, that where this type of scheme had been allowed at appeal the issues often related to design, not amenity, and many had been before the adoption of the SPD.

Debate and Decision Making Process

- (7) Councillor Duncan stated that he would not support the Officer recommendation, and felt the support from the neighbours was a compelling argument.
- (8) Councillor Hyde stated that the site visit had been very useful, and demonstrated the visual impact. The main issue related to the impact on neighbouring amenity, and there was a significant difference in ground levels. The proposal was very close to the boundary wall and would have a significant impact on the neighbouring property. She highlighted that the other example on the street represented an entirely different situation, and it was important to judge each application on its own merits.
- (9) Councillor Gilbey agreed with this comment and reiterated that the extension would be overbearing for the neighbour.
- (10) Councillor Mac Cafferty also concurred with these comments, and highlighted the difference in height; stating that he would support the Officer recommendation.
- (11) A vote was taken and the Officer recommendation to refuse was carried on a vote of 8 in support; with 2 against and 2 abstentions.

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

Reasons for Refusal:

- i. The proposed rear infill extension would wrap around the original rear wall of the outrigger forming an inappropriate addition which would be to the detriment of the character and appearance of the rear elevation and original plan form of the existing property. Furthermore the design would cause material harm to the surrounding Preston Park Conservation Area. The proposal would therefore be contrary to policies HE6, QD2 and QD14 of the Brighton & Hove Local Plan.
- ii. The proposed rear infill extension, by virtue of its depth in close proximity to the site boundary as well as its height, would result in an un-neighbourly form of development that would have an overbearing impact on the residents of the neighbouring property at no. 14 Waldegrave Road to the detriment of residential amenity. The scheme is therefore contrary to policies QD14 and QD27.

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.
- D. BH2013/03841 - Goldstone Retail Park, Newtown Road, Hove - Removal or Variation of Condition** - Application for variation and removal of conditions of application BH2013/02445 (Erection of single storey restaurant (A3) with external seating area and alterations to car park). Variation of condition 6 to allow deliveries and the collection of goods/refuse from the site between 08:00 - 18:00 Mondays to Saturdays and not at all on Sundays and Bank Holidays. Variation of condition 7 to read: All hard landscaping and means of enclosure shall be completed prior to occupation of the development. Variation of condition 12 to read: Within three months of a start on site, a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved an overall BREEAM rating of 'Good' shall be submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable. Variation of condition 17 to read: Within three months of the first occupation of the development hereby approved, a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the development built has achieved an overall BREEAM rating of 'Good' shall be submitted to, and approved in writing by, the Local Planning Authority.
- (1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans, elevational drawings and matters on the late list. The application sought permission for the variation of conditions in relation to the delivery hours, landscaping and sustainability. The delivery hours would be increase on Saturdays to give similar hours to those of the other retail units in the retail park. The condition in relation to landscaping would still ensure it was acceptable, and the sustainability code would be reduced from 'very good' to 'good'. For the reasons set out in the report the application was recommended for approval.

Questions for Officers Debate and Decision Making Process

- (2) It was confirmed for Councillor Duncan that the previous approval had been a delegated decision to Officers. It was also clarified that at the point of the previous application the reduced hours had been applied for; the landscaping condition made the provision more precise and the change in the level of sustainability was to address the changed circumstances of the applicant.
- (3) Councillor Mac Cafferty referenced concerns raised by neighbours in relation to increased hours of delivery and odours coming from the site, and asked what the local planning authority could do in relation to applications for increases to operational hours. In response the Head of Development Control explained that the local planning authority had a duty to consider applications for variations of conditions, and the applicant would need to evidence the proposed changes. It was also noted that the application was regularising the arrangements around the rest of the site.

- (4) A vote was taken and the Officer recommendation to approve planning permission was carried on a vote of 8 in support; 2 against and 2 abstentions.
- 154.4 **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 **GRANT** planning permission subject to conditions.
- E. BH2013/03247 - 11 Montpelier Villas, Brighton - Full Planning** - Demolition of annex adjoining existing maisonette and basement flat and reconstruction of annex to form a third residential unit on the site, along with associated works.
- (1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans and elevational drawings in respect of application BH2013/03247 for full planning permission and BH2013/03248 for listed building consent. He stated that the local amenity society had supported the application, and the site related to a two-storey semi-detached villa; the property was listed and in a conservation area. Permission was sought for the demolition of the rear extension and the reconstruction of the annex. The key changes were the creation of a new basement and the height of the extension. The proposal was considered appropriate, and would provide an acceptable standard of accommodation with off-street parking. The building would abut the shared boundary, but it was considered there would no greater harm to neighbouring amenity than with the existing arrangement. The building would meet code level 3 for sustainability, and was recommended for approval for the reasons set out in the report.

Public Speaker(s) and Questions

- (2) Ms Tazel Bahcehli spoke in opposition to the application in her capacity at the agent acting on behalf on one of the neighbours. She explained she represented the neighbour who shared the boundary wall, and highlighted that the application was for reconstruction rather than a conversion, and if granted there was concern in relation to the protection of the neighbour during the construction period. There was no evidence that the tree in the neighbour's garden would not be harmed, and the tree currently protected the amenity for the neighbour; as well as policy seeking to protect trees. The amount of amenity space had been considered inappropriate in a previous application, and it was felt other previous reasons for refusal had been overlooked. The new building would also have three households instead of one, and there would be harmful impact on the conservation area. The extension was considered 'clumsy' and contravened the local plan; nor did it protect living conditions for future occupiers.
- (3) Ms Bahcheli confirmed for Councillor Hyde that the previous reasons for refusal related to the poor standard of the accommodation and the amenity space at the front of the property.
- (4) Ms Bahcheli confirmed for Councillor C. Theobald that the tree on the neighbour plot was on the boundary and was not the subject of a tree preservation order.

Questions for Officers and Decision Making Process

- (5) In response to Councillors Carden and Duncan the Head of Development Control explained that conditions in relation to the hours of construction would not normally be attached to an application of this size as this type of activity was covered by separate legislation through environmental health.
- (6) Councillor Duncan also asked if conditions could be added in relation to the tree, and it was confirmed that this had not been considered necessary as no potential harmful impact on trees had been indentified.
- (7) Councillor Duncan stated he would like to support the application, but wanted to feel comfortable that it would not cause harm to the neighbours; in response the Head of Development Control confirmed whilst some other authorities had specific SPDs in relation to this it was felt locally that there were enough controls through other legislation.
- (8) Councillor C. Theobald noted that trees had been protected in the past on some smaller schemes, and in response the Senior Planning Officer highlighted that it was not considered necessary to protect as no harm had been identified by the arbourist.
- (9) A vote was taken and the Officer recommendation to grant planning permission was unanimously granted.

154.5 **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 following expiry of the neighbour notification period and subject to conditions.

F. BH2013/03248 - 11 Montpelier Villas, Brighton - Listed Building Consent - Demolition of annex adjoining existing maisonette and basement flat and reconstruction of annex to form a third residential unit on the site, along with associated works.

- (1) The application was presented and considered with Item (E).
- (2) A vote was taken and the Officer recommendation to grant listed building consent was unanimously granted.

154.6 **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** listed building consent following expiry of the neighbour notification period and subject to conditions.

G. BH2013/03987 - Gladstone Court, Hartington Road, Brighton - Full Planning - Erection of three storey side extension to form 6no one bedroom flats and 3no two bedroom flats.

- (1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans and elevational drawings. The

application site related to a block of pursue built flats with a three-storey frontage that increased to four-storeys at the rear due to the change in land levels. The application sought consent for a three-storey side extension for six 1 bedroom flats and three 2 bedroom flats. It was considered that the proposed scale and design would have harmful impact on the neighbouring and surrounding area. Whilst there was no objection to the unit size it was considered that the angled windows created inadequate lighting and outlook for residents. It was also considered that the gardens of the neighbouring properties would suffer a loss of privacy and the proximity of the extension would be overbearing. For the reasons outlined in the report the application was recommended for refusal.

Public Speaker(s) and Questions

- (2) Mr Paul Burgess spoke in support of the application in his capacity as the agent; he stated that the city was being forced to look at urban fringe sites to meet the housing allocation, and as such there was a need to look more closely of existing sites within the city. The extension would be set back and only marginally visible from the street, and built with matching materials. The three storey extension was modest when compared with the development of the wider site at Enterprise Point, and had been designed to avoid overlooking. It was also noted that there were evergreen trees on the neighbour plots which would further help to protect amenity. He also highlighted that the applicant would be happy to discuss financial contributions if the Committee were minded to grant the application. There were already potential rooms in the building that could be used for cycle storage for all the properties in the building.
- (3) Mr Burgess explained in response to Councillor Davey that the extension would be built against the external wall which currently had windows for the corridors; in the plans these would be internalised.

Questions for Officers

- (4) In response to Councillor C. Theobald it was explained that the new extension would be approximately 3.2 metres from the rear of the properties on Shanklin Road.
- (5) It was confirmed for Councillor Gilbey that the proposed materials would match those of the existing building.

Debate and Decision Making Process

- (6) Councillor Duncan noted that he agreed with the applicant's comments in relation to looking at higher density on existing sites in the city; however, he felt the reasons for refusal in relation to the impact on amenity and the poor standard of accommodation were compelling. For these reasons he would be voting in support of the Officer recommendation.
- (7) Councillor C. Theobald stated that she agreed with these comments, and that she did not feel the development would not be fair on the existing residents; she also cited the close proximity to Shanklin Road and the loss of light and amenity.

- (8) Councillor Jones noted that the Mr Burgess had made a good argument; however, he agreed with the recommendation of the Officers and felt the scheme would overdevelop the site.
- (9) Councillor Davey noted he was sympathetic to the argument in relation to the necessity for increased density; however, he felt that the application was too much at this location.
- (10) Councillor Wells stated he would support the Officer recommendation as he felt the proposal was too much for the site and too high.
- (11) Councillor Hyde noted that she agreed with all the comments made in the debate, but noted that she felt the retention of the car park was a positive feature.
- (12) A vote was taken and the Officer recommendation to refuse planning permission was unanimously carried.

154.7 **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 **REFUSE** planning permission for the reasons set out below:

Reasons for Refusal:

- i. The proposed extension by reason of its bulk, scale, massing and design and detailing, would result in unsympathetic and overly dominant addition that would relate poorly to and detract from the appearance and character of the existing property, and the surround area. The proposals are thereby contrary to policies QD2, and QD14 of the Brighton & Hove Local Plan.
- ii. The proposed extension would result in an unacceptable impact upon the amenity of the occupiers in terms of increased building bulk, and increased sense of enclosure, and perceived and actual overlooking as such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.
- iii. The proposed development would provide an unsatisfactory residential environment for the future occupiers of the proposed dwellings by virtue of poor level of outlook, contrary to policy QD27 of the Brighton & Hove Local Plan.
- iv. 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.

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.

- H. **BH2013/04047 - 243 Hartington Road, Brighton - Removal or variation of condition** - Application for variation of condition 2 of application BH2012/00173 (Demolition of existing workshop and erection of a new 3no bed two storey dwelling house incorporating accommodation at lower ground floor and roof space and outbuilding to rear to be used as ancillary office) to allow for minor material amendments.

154.8 This application was deferred.

Information Items

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

155.1 There were no further applications requested to be the subject of site visits.

- 156. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS**

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

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

157.1 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.]

- 158. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

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

159. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

160. APPEAL DECISIONS

160.1 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 4.00pm

Signed

Chair

Dated this

day of

ITEM A

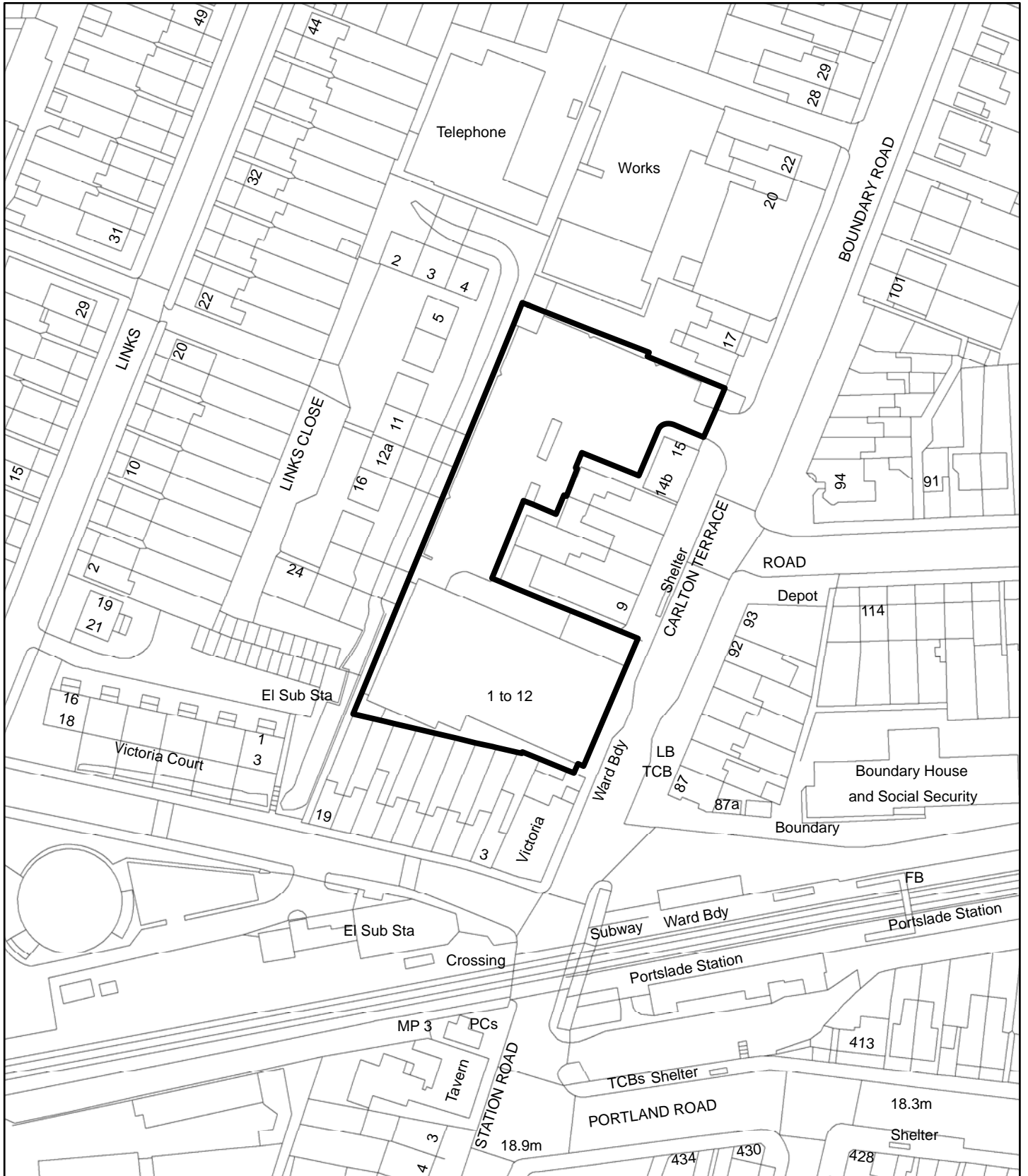
Aldi, 7 Carlton Terrace, Portslade

BH2013/04263

Removal or variation of condition

12 MARCH 2014

BH2013/04263 Aldi, 7 Carlton Terrace, Portslade



Scale: 1:1,250

<u>No:</u>	BH2013/04263	<u>Ward:</u>	SOUTH PORTSLADE
<u>App Type:</u>	Removal or Variation of Condition		
<u>Address:</u>	Aldi Stores Ltd 7 Carlton Terrace Portslade		
<u>Proposal:</u>	Application for variation of condition 12 of application BH2011/02857 (Application for variation of conditions 11 & 12 of application BH2010/01684) (original permission BH2006/00834) to amend the hours of free parking at Portslade Shopping Centre from two hours to one and a half hours.		
<u>Officer:</u>	Steven Lewis, tel: 290480	<u>Valid Date:</u>	16 December 2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	17 March 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Planning Potential Ltd, Magdalen House, 148 Tooley Street, London		
<u>Applicant:</u>	Aldi Stores Limited, c/o Planning Potential Ltd, Magdalen House, 148 Tooley Street, London		

1 RECOMMENDATION

- 1.1 **GRANT** planning permission, subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to the Aldi store located at Carlton Terrace in Portslade. The development consists of 2 buildings. A large detached building comprising a retail store on the ground floor and 12 residential units above and a smaller detached three storey building comprising a ground floor shop and 2 flats.
- 2.2 Specifically, the application relates to the car park serving the development which has a total of 74 spaces. At present the unallocated parking spaces allow a maximum of two hours free parking. Five spaces are reserved for the use of residents of the flats; two of the resident's allocation are disabled spaces.

3 RELEVANT HISTORY

- BH2013/02049** - Application for variation of condition 12 of BH2011/02857 for a reduction in the free parking allowance to read: The first one and a half hours of parking shall be free of charge for visitors of the Portslade Shopping Centre. – **Refused** 03/09/2013
- BH2013/02050** - Application for variation of condition 1 of BH2011/02857 to vary the hours of operation of the store to read: The store shall not be open for trading to the public except between the hours of 0800 and 2100 on Monday to Saturday and 1000 to 1600 on Sundays and Bank Holidays. Staff

may be within the premises between the hours of 0700 and 2200 hours on Mondays to Saturdays and 0930 and 1730 on Sundays and Bank Holidays. –

Refused 27/09/2013

BH2011/02857 - Application for variation of conditions 11 & 12 of application BH2010/01684. Variation of condition 11 to provide 2 car parking spaces for residential use and variation of condition 12 to provide 2 hours of free car parking to all visitors of the Portslade shopping centre. – Split decision 07/12/2011. Condition 11 refused and Condition 12 approved.

BH2010/01684: Application for variation and removal of conditions to application BH2006/00834 to vary condition 5 to allow an extended delivery period at the store, vary wording of condition 4 to allow the premises to trade to the public between 8.00 and 20.00 hours and for ancillary activities to take place outside of these hours when the store is closed to the public, vary condition 16 to reduce free car parking to all visitors of the Portslade Shopping Centre from 3 hours to 1 hour, removal of condition 15 in order not to provide 5 resident parking spaces. Split Decision to allow Variation of Condition 4, Refuse variation of 5, 15 & 16 - 30/12/2010. Appeal to Vary Condition 5 *Allowed* - 07/06/2011.

BH2006/00834: Mixed use development comprising food retail unit & separate shop unit, 14 residential units with associated parking. (Revision of BH2004/00571/FP). Approved 31/05/2006.

BH2004/00571/FP: Mixed use development comprising food retail unit and separate shop unit with 5, 2-bedroom flats and 9, 1-bedroom flats at first floor level, associated parking and highway works (existing buildings to be demolished). Approved 20/05/2004.

4 THE APPLICATION

4.1 Planning permission is sought for the application for variation of condition 12 of BH2011/02857 for a reduction in the free parking allowance to read: The first one and a half hours of parking shall be free of charge for visitors of the Portslade Shopping Centre.

4.2 In effect the proposal would reduce the amount of free parking by an additional 30 minutes, when compared to that allowed in the previous application (BH2011/02857) where it was reduced from three to two hours.

5 PUBLICITY & CONSULTATIONS

External:

5.1 **Neighbours:**

Five (5) letters received from **4, 12, 13 Gladys Road & 2 x unaddressed** objecting to the proposal on the following grounds:

- The surround area already suffers from parking difficulties and the proposal would increase displaced parking from the Shopping Centre.
- A residents parking zone may be supported in the area to stop displaced parking from shoppers and commuters
- The reduced time will not give shoppers ample time to combine trips to

visit the Portslade Shopping Area

- The proposal would only serve to increase parking revenue
- The company used to manage the car park do not seemingly do so in line with best practice and breach equality act
- The car park is not managed in-line with a management plan agreed with the council and attendants have been replaced with ANPR cameras which do not provide reasonable adjustment to the disabled, those with young children or blue badge users.

Internal:

Transport:

- 5.2 The applicants have resubmitted the August 2011 surveys which supported application BH2013/02049 together with additional analysis of these surveys designed to address and overcome the problems reported in that application.
- 5.3 The additional work demonstrates satisfactorily that the surveys represent typical conditions although they were carried out in August, by reference to Automatic Number Plate Recognition information from April 2013, which indicates similar levels of occupancy and duration to those estimated from the 2011 work. It is also demonstrated that the car park operates close to capacity for much of the day and that implementation of the 2 hour limit on parking durations, which post-dated the 2011 surveys, has not resolved the capacity issue.
- 5.4 The new material clarifies that observed rather than estimated durations were used. It remains unclear that the survey work has demonstrated that suppressed demand for the car park exists. However this is considered likely to be the case given that Aldi have taken a commercial decision to pursue this application. To summarise, the additional work successfully demonstrates that the surveys used are appropriate evidence.
- 5.5 It remains the case that a small number of people who are using the Aldi car park for long visits to Portslade but not shopping in Aldi itself would be disadvantaged if this application is granted. The condition was required to ensure this wider community benefit given that the number of spaces agreed was above the SPG4 maximum and there is shortage of parking in the district centre.
- 5.6 The numbers involved are difficult to estimate but an opinion made by the Highway Authority based on the applicant's survey work suggests that at most 25 people per day would be affected. However, the valid point is made in the current submission that by reducing the permitted maximum duration of parking this application would cause an increase in the effective parking capacity of the Aldi car park and the Portslade district centre as a whole. This would reduce the problem which originally contributed to the need for the condition. The opinion derived as above suggests that the number of people making these extra trips may be in the order of 150, i.e. substantially more than those not shopping at Aldi whose shopping trips would be shortened.

- 5.7 Although the Council's policy as a whole implies that an increase in the use of sustainable modes would be a more appropriate response to the capacity issue at the Aldi car park, this application has to be judged in the light of the specific policy reasons for this condition. On balance it is considered in the light of the new submission that approval of this application will not cause substantial problems and this is now recommended.

Planning Policy:

- 5.8 Whilst it is regretful that the time to park in the car park is reduced, the overall aim of the original condition remains and still allows visitors to the District Centre to park here if they so wish, albeit for a shorter amount of time. Therefore it is considered that the application complies with policy SR5 of the Adopted Local Plan.
- 5.9 Comments are guided by those given by the Highway Authority who have assessed the additional information submitted since Aldi's last planning application.
- 5.10 The original condition was put into place to encourage linked shopping trips to other shops in the Boundary Road / Station Road District Centre to enhance its role as a District Centre.
- 5.11 Transport comments state that they are satisfied that the surveys submitted represent typical conditions and that are generally satisfied by the evidence submitted.
- 5.12 Whilst it is regretful that the time to park in the car park is reduced, the overall aim of the original condition remains and still allows visitors to the District Centre to park here if they so wish, albeit for a shorter amount of time. Therefore it is considered that the application complies with policy SR5 of the Adopted Local Plan.

6 MATERIAL CONSIDERATIONS

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

The development plan is:

- 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.

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

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

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.

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
TR2	Public Transport accessibility and parking
TR7	Safe development
TR18	Parking for people with a mobility related disability
TR19	Parking standards
QD27	Protection of Amenity
SR5	Town and district shopping centres

Supplementary Planning Guidance:

SPGBH4	Parking Standards
--------	-------------------

Brighton & Hove City Plan Part One (submission document)

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

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the requested variations of conditions upon the vitality and viability of the Boundary Road/Station Road District Shopping Centre and the adequacy of the parking facilities for the residential occupiers of the development

Condition 12 Visitor Parking:

- 8.2 The current condition states:
“The first two hours of parking shall be free of charge for visitors of the Portslade shopping centre. Reason: To ensure parking provision is made

available to shoppers not using the main store as there is an identified shortage of shopper's parking spaces within Portslade District Shopping Centre, to comply with policy SR5 and TR17 of the Brighton & Hove Local Plan".

- 8.3 The Local Planning Authority supports the aims of promoting sustainable economic growth and the vitality and viability of Town and District centres as required by local policies and national guidance. To this aim, more parking was permitted at the store than the maximum local standard to allow joint trips to both the store and other stores and businesses in the District Shopping Centre. Furthermore, there was also an accepted shortage of parking elsewhere in the District Centre and these additional spaces went some way to resolving this issue.
- 8.4 The proposal seeks to amend the condition to reduce the length of visitor parking from two hours to one and a half hours. This follows approval in December 2011 for the reduction in hours from three to two hours. This reduction in an hour was allowed on the basis that the reduction in hours would not harm the viability and vitality of the District Centre, would increase capacity while striking an acceptable balance and supporting the function of the District Shopping Centre. It is noted that ticketing machines have been installed within the car park, with a requirement to display a ticket in vehicles to allow the two hours of free parking. Furthermore, the signs have been amended to reflect the current parking regime and supplemented with a large banner displaying the current hours of parking. Accordingly the new parking regime as approved in December 2011 has commenced.
- 8.5 An application to reduce the length of visitor parking from 2hrs to 1hr 30mins was refused under reference BH2013/02049 on the basis that the survey information provided failed to demonstrate that the reduction of parking hours would not hinder visitors wishing to access the wider district centre and support the wider viability and vitality of the Boundary Road/Station Road shopping centre.
- 8.6 The applicants have resubmitted the August 2011 surveys which supported application BH2013/02049 together with additional analysis of these surveys designed to address and overcome the problems reported in that application.
- 8.7 The additional work demonstrates that the surveys represent typical conditions, although the original survey was conducted in August, and reference to Automatic Number Plate Recognition information was from April 2013. The new information indicates similar levels of occupancy and duration to those estimated from the 2011 work and it is also demonstrated that the car park operates close to capacity for much of the day and that implementation of the 2 hour limit on parking durations has not resolved the capacity issue.
- 8.8 The new material clarifies that observed rather than estimated durations were used, whilst it remains unclear that the survey work has demonstrated that

suppressed demand for the car park exists, this is considered likely to be the case given that applicant has taken a commercial decision to pursue the changes. As such the Highway Authority advise that the additional information and survey work successfully demonstrates that the surveys have used appropriate evidence.

- 8.9 It would remain that a small number of people, estimated by officers at approximately 25 people; who are using the Aldi car park for long visits to Portslade but not shopping in Aldi itself, could be disadvantaged if reduction in parking hours is granted.
- 8.10 The condition was required to ensure this wider community benefit given that the number of spaces agreed was above the adopted parking standard maximum and there is shortage of parking in the district centre. However, by reducing the permitted maximum duration of parking this application would cause an increase in the effective parking capacity of the Aldi car park and the District Centre as a whole. Such a benefit could reduce the problem which originally contributed to the need for the condition. The Highway Authority estimate that the number of people making these extra trips may be in the order of 150, and therefore substantially more than those not shopping at Aldi whose shopping trips would be shortened.
- 8.11 Whilst it is regrettable that the time to park in the car park is reduced, the overall aim of the original condition remains and still allows visitors to the District Centre to park here if they so wish, albeit for a shorter amount of time. However, as a consequence it could provide capacity for a significant increase in the number of people being able to use the car park for combined but shorter trips to the District Centre. Therefore it is considered that the application complies with policy SR5 of the Adopted Local Plan.

Other issues:

- 8.12 Comments from members of the public have been afforded weight as a material consideration where appropriate.
- 8.13 Some issues raised including comments on practices of the management company and those issues not related to the car park cannot be afforded weight as a material consideration in this case.

9 CONCLUSION

- 9.1 The variation of condition 12 of BH2011/02857, to shorten the period of free parking from two hours to one hour 30 minutes would not unduly harm the viability and vitality of the Boundary Road/Station Road District Shopping Centre. The changes would provide some additional parking capacity for the store and the new parking arrangements would continue to support the function of the District Shopping Centre by providing parking that can be used in combined shopping trips.

10 EQUALITIES

10.1 None identified.

11 CONDITIONS / INFORMATIVES

1. The store shall not be open for trading to the public except between the hours of 08.00 and 20.00 hours on Monday to Saturday, and 10.00 to 16.00 on Sundays and Bank holidays. Staff may be within the premises between the hours of 07.00 and 21.30 hours on Monday to Saturday, and 09.30 to 17.30 on Sundays and Bank Holidays.
Reason: To allow satisfactory operation of the store and to protect the residential amenities of the occupiers of the flats above the store and to comply with policy QD27 of the Brighton & Hove Local Plan.
2. The compactor machine shall only be operated during the actual store trading hours to the public and at no other times.
Reason: To protect the residential amenities of the occupiers of the flats above the store and to comply with policy QD27 of the Brighton & Hove Local Plan.
3. No HGV movements nor any loading or unloading of vehicles associated with the retail uses hereby permitted shall take place between the hours of 20.30 and 07.30 Monday to Saturday. Deliveries on Sundays/Bank Holidays shall be limited to one main delivery and a milk delivery only between the hours of 09.30 and 17.30, with no deliveries outside these hours.
Reason: To allow satisfactory operation of the store and to protect the residential amenities of the occupiers of the flats above the store and to comply with policy QD27 of the Brighton & Hove Local Plan.
4. The approved and implemented refuse and recycling 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 policies SU2 and QD27 of the Brighton & Hove Local Plan.
5. The existing wall along the western boundary of the site shall be increased in height to a minimum of 2.4m within 3 months of the date of this approval. The wall shall be maintained as such to the satisfaction of the Local Planning Authority.
Reason: To effectively screen the development from adjacent residential properties and to reduce the effect of noise and disturbance from the development in the interests of amenity and to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.
6. The windows on the ground floor of the east elevation of the main store fronting Carlton Terrace shall be clear glazed only, and shall be kept free of internal or external advertisements unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure these is an interesting and attractive frontage at street level, to comply with policy QD10 of the Brighton & Hove Local Plan.
7. Any planting from the approved and implemented landscaping scheme

which dies, becomes seriously damaged or diseased within a period of 5 years from being set out, shall be replaced in the next planning season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

8. The approved and implemented cycle parking facilities shall be retained for such use at all times.

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

9. The approved Travel Plan shall be implemented to the satisfaction of the Local Planning Authority at all times.

Reason: To promote sustainable travel choices for employees of the main store to reduce reliance on the private car, to comply with policies TR1, TR2 and TR14 of the Brighton & Hove Local Plan.

10. The first floor kitchen and living/dining room windows on the southern elevation serving Flat 1 above the main store, and the first floor glazing to the entrance to the flats on the southern elevation, shall not be glazed otherwise than with obscure glass and either fixed shut or top hung and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of adjacent properties in Victoria Road, to comply with policy QD27 of the Brighton & Hove Local Plan.

11. The 5 resident parking bays indicated on the approved plans in association with application BH2006/01684 shall not be used other than for occupiers of the residential units. The residents' car parking spaces shall be clearly signed/labelled as such, and details of signage shall be submitted to and approved in writing to the Local Planning Authority within one month of the date of this permission, unless otherwise agreed in writing. The agreed scheme shall be implemented to the satisfaction of the Local Planning Authority and thereafter retained.

Reason: To ensure adequate car parking provision to serve residential occupiers of the development, to comply with policies QD1, TR1, TR4, TR18 and TR19 of the Brighton & Hove Local Plan.

12. The first one hour and 30 minutes of parking shall be free of charge for visitors of the Boundary Road/Station Road District Shopping Centre.

Reason: To ensure parking provision is made available to shoppers not using the main store as there is an identified shortage of shopper's parking spaces within the Portslade District Shopping Centre, in the interests of enhancing the vitality and viability of the Centre, to comply with policies SR6 and TR2 of the Brighton & Hove Local Plan.

13. The access gates shall be locked outside of opening hours of the main store except for purposes of loading/unloading and access by residents of the flats.

Reason: In the interests of visual amenity and to ensure adequate security for the site, to comply with policy QD7 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 Brighton & Hove Local 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 variation of condition 12 of BH2011/02857, to shorten the period of free parking from two hours to one hour 30 minutes would not unduly harm the viability and vitality of the Boundary Road/Station Road District Shopping Centre. The changes would provide some additional parking capacity for the store and the new parking arrangements would continue to support the function of the District Shopping Centre by providing parking that can be used in combined shopping trips.

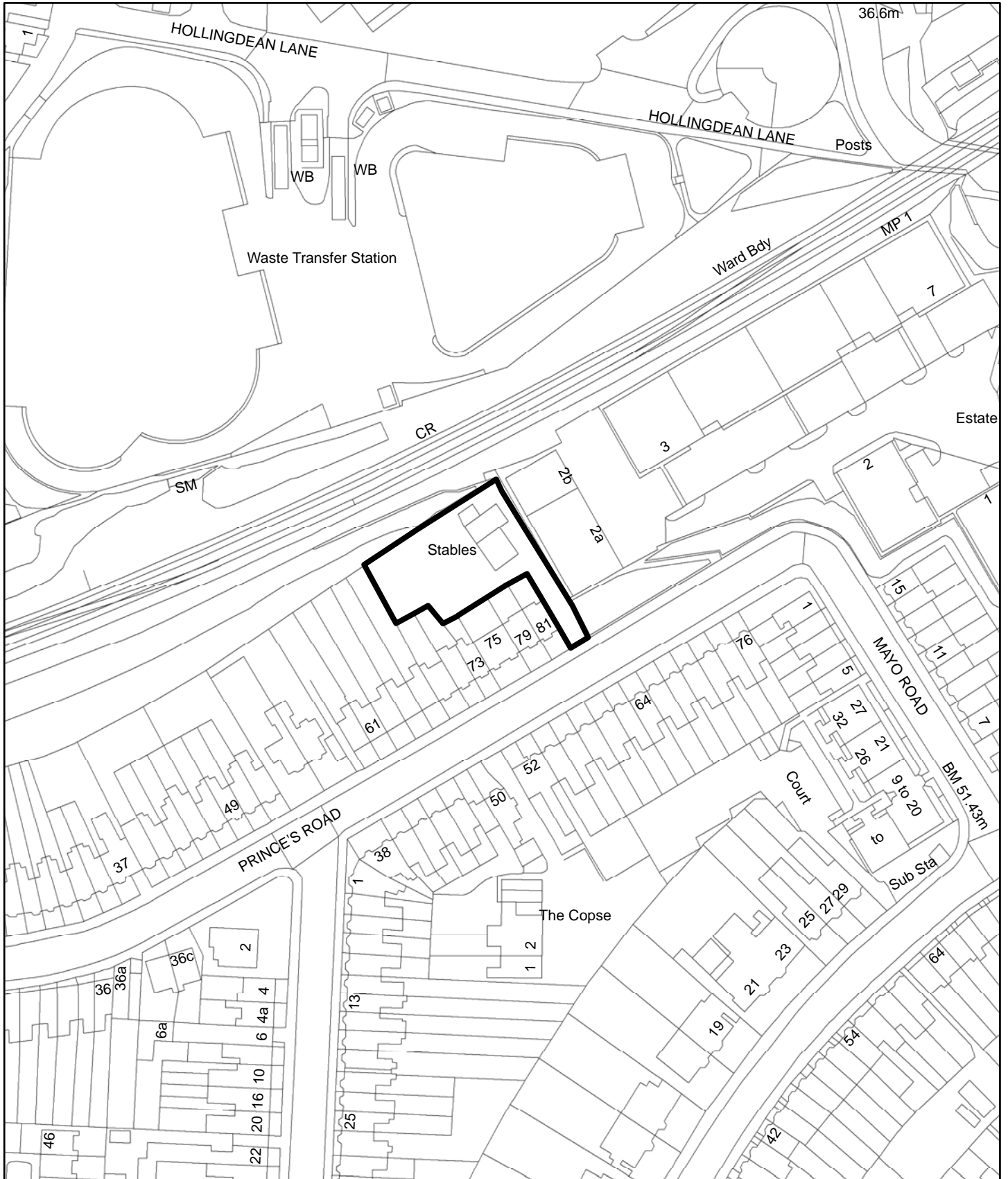
ITEM B

Land to rear of 67-81 Princes Road, Brighton

BH2013/03782
Full planning

12 MARCH 2014

BH2013/03782 Land to rear of 67-81 Princes Road, Brighton



Scale: 1:1,250

<u>No:</u>	BH2013/03782	<u>Ward:</u>	ST. PETER'S & NORTH LAINE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land to Rear of 67-81 Princes Road Brighton		
<u>Proposal:</u>	Construction of 6no two and three storey, 2no bedroom terraced houses with pitched roofs & solar panels. Provision of private and communal gardens, waste & refuse facilities & cycle store. Erection of a street level lift gate house.		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	06 November 2013
<u>Con Area:</u>	Round Hill	<u>Expiry Date:</u>	01 January 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Morgan Carn Partnership, Blakers House, 79 Stanford Avenue, Brighton BN1 6FA		
<u>Applicant:</u>	Carelet Ltd, C/O Morgan Carn Partnership, Blakers House, 79 Stanford Avenue, Brighton BN1 6FA		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to a Deed of Variation to the S106 agreement dated 8th July 2013 and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises a rectangular plot of land to the rear of Nos. 67-81 Princes Road, Brighton, within the Round Hill Conservation Area. Nos. 67-81 Princes Road form a row of terraced houses set on the side of a hill that rises from east to west. To the rear/north of the terrace is a further significant drop in land of approximately 1 - 2 storeys on which the site is located. Beyond is a further drop in land occupied by the Brighton to Lewes railway line and Hollingdean Waste Transfer site. To the east of the site is the Centenary Industrial Estate, also at a lower level. To the west the rear garden to 65 Princes Road forms the western boundary to the site.
- 2.2 Access to the site is currently gained either through the rear garden of no.67 Princes Road or through land at the side of no.81, which has a very steep access down into the site.
- 2.3 There is a Tree Preservation Order on a Horse Chestnut tree located just inside the site on the land adjacent to no.81 Princes Road.
- 2.4 The site is located within a Controlled Parking Zone (Zone J).

3 RELEVANT HISTORY

BH2013/00139- Construction of 6no. three storey, 2no bedroom terraced houses with pitched roofs & solar panels. Provision of private and communal gardens, waste & refuse facilities & cycle store with associated on street car parking. Erection of a street level lift gate house. Approved 14/08/2013 subject to a S106 Agreement to secure a £9,000 sustainable transport contribution.

BH2010/00083- Construction of 6 no. three-storey, two bedroom terraced houses with pitched roofs and solar panels. Provision of private and communal gardens, waste and refuse facilities, and erection of a street level lift gate-house with cycle store. Refused 09/07/2010 for the following reasons:

1. *The proposed development does not provide for the travel demands it creates, contrary to policy TR1 of the Brighton & Hove Local Plan.*
2. *The proposal, by reason of it having six dwellings on site, would result in a cramped standard of accommodation for future residents, contrary to policies QD27 and HO4 of the Brighton & Hove Local Plan.*
3. *The proposed development, by reason of its close proximity to the Hollingdean Waste Facility, would lead to unacceptable noise exposure to residents of the scheme, both inside and outside their dwellings, contrary to policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

Appeal Dismissed 26/10/2010. The Inspector did not uphold reasons for refusal nos. 2 and 3, only refusal reason no. 1.

BH2009/00847- Construction of 4 no. two-storey, two bedroom terraced houses with pitched roofs, solar panels and rooflights. Provision of private and communal gardens, waste and refuse facilities, and erection of a street level lift gate-house with cycle store. Approved 22/07/2009.

BH2007/04444- Erection of 8 new two and three storey houses at the rear and a single storey lift house onto Princes Road. Provision of private and communal gardens, refuse storage, cycle storage and one car parking space. Appeal against non-determination dismissed.

BH2006/03214- Erection of 9 three storey terrace houses at the rear and a single storey lift house onto Princes Road. Provision of private and communal gardens, refuse storage, cycle storage and one parking space. Refused 11/12/2006.

BH2005/02279- Erection of a 4/5 storey block of 21 flats at the rear (with 9 affordable units) and a gatehouse with two storeys onto Princes Road and 3 basement levels. Provision of communal gardens, refuse store, cycle storage and one car parking space. Refused on 03/02/2006.

BH2004/03605/FP- Erection of 30 flats in development comprising part five/part six storey building to rear of nos. 67-81 Princes Road and two storey building (with three basement floors) adjacent to 81 Princes Road. Provision of communal gardens, refuse store, cycle storage and one car club parking space. Refused 24/02/2005. Appeal Dismissed.

65.2110- O/A Erection of 24 garages. Refused.

53/703- O/A 22 lock-up garages. No decision.

50/958- Proposed use of land as poultry farm and erection of hen house. Approved.

50/958- Proposed Nissen Hut to keep hens. Refused.

4 THE APPLICATION

4.1 The application is a resubmission of the most recent scheme approved under application reference BH2013/00139. It again seeks planning permission for the erection of six three storey, two bedroom terraced dwellings, but with alterations. These alterations include:

- Increasing the land levels and height of the approved building by between 0.9m and 1.5m
- Removing the approved lower ground floor level to the westernmost house, enlarging its footprint, and adding two new windows to the western flank wall
- Minor alterations to the footprint of the five easternmost houses
- Elevational alterations to the front/south elevation of the terrace
- Fenestration changes to the rear/north elevation to include French doors at ground floor level
- Revised position of access footway.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Seventeen (17)** letters of representation have been received from **20, 21, 36b, 43, 55, 58, 62, 69 & 73 Princes Road; 56, 62 & 66 Richmond Road; 47 Roundhill Crescent; 63 Florence Road; 8 & 17 D'Aubigny Road; and 51 Upper Lewes Road, objecting** to the application for the following reasons:

- The submission contains misleading information and inaccuracies. No parking has been allowed in the CPZ for the development as claimed, it was previously approved as being car-free. The additional height is stated as being 1.2m but instead varies on each new dwelling up to 1.46m. The development would be visible from public streets contrary to the applicants claim as it would be visible from Davey Drive to the north. The dereliction of the land is due to the applicant's neglect, not residents
- The need for the developers to change the height of the terrace to reduce excavation costs is indicative of the site being unsuitable for such a development
- The proposal constitutes garden grabbing of the worst kind
- Overdevelopment of the site in an already overpopulated area
- Increased bulk
- Overlooking, loss of privacy and quality of outlook. These issues should be assessed for each individual house
- Loss of views
- The proposal is out of scale with the surrounding area and the increase in size will exacerbate this

PLANNING COMMITTEE LIST- 12 MARCH 2014

- There are few green spaces in this conservation area and the development would preserve little of this green site
- Amenity harm for prospective residents from the seven days a week operation of the nearby waste transfer station, including noise, odour, light pollution and longer term health risks. The waste transfer station was granted longer operational hours for up to 15 hours a day 363 days a year on 7 August 2013
- Noise from passing trains
- The additional height would compromise views into and out of the conservation area
- Harm to the TPO tree adjacent to the site
- The applicants are ignoring local concerns over the impact of the development
- The development is inappropriate for its location
- The development does not have onsite parking and would disproportionately consume parking in the CPZ
- The land remains a haven for wildlife and the need for this natural barrier is absolute
- The applicants should respect their existing permission
- Reduction in property prices
- The site is contaminated, contrary to the application forms
- The site is Greenfield land and should therefore meet level 5 of the Code for Sustainable Homes
- The permitted scheme already treats the applicants generously
- Insufficient detail on the enlarged lift shaft and gate house as this may reduce refuse and recycling facilities behind
- No detail is provided on the changes to house F
- The development is unsuitable for disabled persons
- The solar panels are ugly

5.2 **Network Rail:** No comment.

Internal

5.3 **Access:** Comment. Due to the difficulty of gaining level access to this site it was accepted on previous applications that around half of the houses (5 out of 9 and then subsequently 2 out of 4) would be wheelchair accessible and the remainder would be accessed via easy going stairs. It seems reasonable to follow that principle with this application where 3 of the 6 proposed houses have sloping access.

5.4 **Environmental Health:** No objection.

The noise report dated 19 February 2014 concludes that in order to mitigate noise disturbance from sources such as the railway line alongside the site and the waste facility to the north of the site, the installation of a specific brand of thermal double glazing for the whole development is required to ensure compliance with BS 8233. It is recommended that these measures be secured by planning condition.

- 5.5 Potential land contamination at the site has been identified. Planning conditions are recommended to secure further investigation of this matter and appropriate mitigation measures.
- 5.6 Due to the proximity of neighbouring occupiers and the limited site access, it is recommended that a Construction Environmental Management Plan be secured by s106 legal agreement.
- 5.7 **Arboriculture: No objection**
No objection subject to all remaining trees to be retained within the site being protected to BS 5837 (2012). The Horse Chestnut tree at the entrance to the site is protected by Tree Preservation Order and should be protected as per the Arboricultural Report .
- 5.8 **Heritage: No objection**
The proposed houses would still remain satisfactorily subservient in height to the Princes Road properties.
- 5.9 **Sustainable Transport: No objection**
No objection subject to a contribution of £9,000 towards sustainable transport infrastructure in the vicinity of the site is required.
- 5.10 **Ecology: Comment.**
The submitted scheme does not include adequate nature conservation enhancement measures to address the requirements of policy QD17 and the guidance set out in SPD11. It is recommended that further details of nature conservation enhancement measures and their implementation be secured by planning condition.

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
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU5	Surface water and foul sewage disposal infrastructure
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – full and effective use of sites
QD4	Design – strategic impact
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD20	Urban open space
QD27	Protection of amenity
QD28	Planning obligations
HO3	Dwelling types and densities
HO4	Dwelling densities
HO5	Provision of private amenity space
HO6	Provision of outdoor recreation space
HO7	Car free housing
HO13	Accessible housing and lifetime homes
HE6	Proposals in Conservation Areas

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD06 Trees & Development Sites

SPD08 Sustainable Building Design

SPD11 Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The principle of 6 two-bedroom dwellings in a terrace to the rear of 67-81 Princes Road has been established by way of the appeal decision relating to application BH2010/00083 and the subsequent permission granted under BH2013/00139. This application retains the same number of units in a terrace of broadly the same footprint as approved, but with the build height increased by between 0.9m and 1.5m. Further alterations to the footprint of the westernmost house are proposed along with minor elevation and fenestration alterations. Access to the development via a gatehouse arrangement alongside 81 Princes Road remains as approved, whilst the general layout and landscaping arrangements remain as previous. Matters relating to transport impacts, sustainability, ecology and trees also remain as previously approved.
- 8.2 Since planning permission was granted under BH2013/000139, there have been no physical changes to the site or surrounds which would materially affect the consideration of this application. However, in the intervening period the Materials Recovery Facility and Waste Transfer Station to the north of the site has been granted permission to extend its operating hours under planning application BH2013/02219. Operations at the Materials Recovery Facility and Waste Transfer Station were previously restricted to 07.00-19.00 Monday to Friday and 07.30-16.00 on Saturdays following a Bank Holiday, with communal bin operations at the Waste Transfer Station permitted from 06.00 to 22.00 Monday-Saturday. No operations were permitted on Sundays or Bank Holidays. Since the granting of permission for the terrace of six houses under BH2013/00139, all operations at the Materials Recovery Facility and Waste Transfer Station hours have been extended to 07.00 to 22.00 daily.
- 8.3 On this basis the main considerations relating to the determination of this application concern the impact of the additional height and revised front elevations (including revisions to house F) on the appearance of the development and amenities of adjacent occupiers, its impact on views into and out of the Round Hill Conservation Area, and the impact of the extended operating hours at the nearby Materials Recovery Facility and Waste Transfer Station on the amenities of future occupiers.

Design and Appearance:

- 8.4 The main alterations are to the height of the development and to the footprint of the westernmost house (house F), and to the appearance of the front (south) elevation, incorporating less timber cladding and more render.
- 8.5 The plans detail that the threshold to each dwelling is to be raised by between 0.9m and 1.5m from the levels approved under BH2013/00139. These levels are calculated relative to AOD, and are assessed against existing AOD survey levels across the site. The applicants are seeking to alter the land levels to reduce the degree of excavation required to implement the approved development. This alteration would raise the level of each dwelling with the ridge lines rising between 0.9m and 1.5m, at an average of 1.28m. The general design of the terrace would remain as approved, being two storeys in height (plus basement) with a pitched roofline stepping in line with the topography of the site. The proposed terrace would remain subservient in scale to 67-81 Princes Road and would not have a substantially different or more harmful impact on the appearance or setting of the Round Hill Conservation Area beyond that previously granted. Minor alterations are proposed to the front elevation and to the layout and footprint of the westernmost house (house F), however again these would not substantially alter the appearance of the terrace or its setting within the Round Hill Conservation Area. For these reasons the proposed development remains compliant with policies QD1, QD2, QD3, QD4 and HE6 of the Brighton & Hove Local Plan.

Impact on Amenity:

- 8.6 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.
- 8.7 The main concern is the impact of the raised building on the amenities of 67-81 Princes Road. These properties are located approximately 18m to the south of the proposed terrace. As stated, the terrace would be increased in height by between 0.9m and 1.5m, with the greatest rise being to unit 3 which would rise by 1.5m. The applicant has provided a drawing comparing the height of the current proposal with the height of that previously approved under BH2013/00139 and that of a taller scheme for 8 houses determined on appeal under application BH2007/04444. Whilst the Inspector dismissed the 2007 appeal, the appeal was not dismissed on the grounds of loss of amenity, which the Inspector considered acceptable. In particular the Inspector concluded that the height of the 2007 scheme would have '*no material impact on outlook*', whilst the reduced height of the scheme from a previous proposal, '*reduced the perceived impact sufficiently to minimise any overlooking or perception of overlooking from below*'. The Inspector concluded that '*the impact on existing households, in terms of living conditions, would be acceptable. The requirements of saved Local Plan Policy QD27 would be satisfied*' (para 18).
- 8.8 It should be noted that the 2007 scheme is not directly comparable to the current scheme, in that the terrace was 3.1m wider, had a considerably more varied roofline, and 8 units as opposed to 6. However, the position of the

building in the site was broadly comparable to the current scheme, at a separation of 20m from 67-81 Princes Road. The comparative drawing shows the current scheme to be variously between 1.2 and 1.7m lower than the 2007 scheme, the only exception being to a 6m wide central section and 5m wide western section where the 2007 scheme was variously 0.8m and 2m below that currently proposed. It is also noted from the 2007 plans that the upper level windows across the terrace were both larger and in a higher position than currently proposed, and also included balconies facing towards 67-81 Princes Road. As such, the 2007 scheme had a considerably greater impact on outlook and privacy than the current proposal, with the Inspector concluding this impact to be acceptable. Accordingly, although a scheme of differing design, there are no substantive grounds to conclude that the amenity impact of the raised building currently proposed would have a significantly harmful impact on neighbouring amenity beyond that which has previously been considered acceptable at appeal. For this reason the proposal is considered to remain in accordance with policy QD27 of the Brighton & Hove Local Plan.

- 8.9 The Environmental Health Team have recommended that a Construction Environmental Management Plan (CEMP) be secured by a S106 legal agreement. It is acknowledged that the application site is of an awkward nature; sloping with one small steep access and in close proximity to neighbouring residential properties. Construction Environmental Management Plans are however usually sought in relation to major/large scale schemes, which the application proposal is not considered to represent. Furthermore, the Council did not raise the requirement for such a plan under any previous application relating to the site. Overall it is considered that it would not be reasonable to require a CEMP by legal agreement. Any construction works which take place on the site in the future would be subject to separate legislation relating to the carrying out of such works and noise disturbance.

Standard of Accommodation:

- 8.10 The general layout and standard of accommodation remains as per the extant permission, with the reduced size of house F being of similar size and layout to the other houses in the terrace. Since the granting of permission in August 2013 the hours of operation of the nearby Materials Recovery Facility and Waste Transfer Station have increased to 0700 to 2200 daily. The proximity of the Materials Recovery Facility and Waste Transfer Station (approximately 40m to the north) is such that noise could have a potentially significant impact on the peaceful enjoyment of future residents.
- 8.11 A Noise Assessment has been submitted covering potential disturbance from both the Materials Recovery Facility and Waste Transfer Station, and the adjacent railway line in between. The report includes an assessment of the potential impact of the extended opening hours for the Materials Recovery Facility and Waste Transfer Station and concludes that the impact would be insignificant. The extended operating hours of the Materials Recovery Facility and Waste Transfer Station would increase average daytime noise levels by 1db, but would not increase average night time levels. The mitigation measures included in the report would be sufficient to ensure that internal and external noise levels fall comfortably below the maximum advised by the World Health

Organisation and BS8233, with average internal levels at approximately 20db (WHO threshold 40db) and average external noise levels at 50db (WHO threshold 55db). The mitigation measures detailed in the report include whole house ventilation systems and Sound Reduction Windows, with those facing the adjacent railway line to achieve an acoustic performance of at least 33Rw. These measures are secured by condition as previous and sufficient to ensure that the amenities of future occupiers would be protected in accordance with policies SU10 and QD27 of the Brighton & Hove Local Plan.

Other Considerations:

- 8.12 Matters relating to sustainability and transport remain as per the current permission. The site provides no onsite parking given the limited access and steep gradient through the site therefore a condition is attached to secure a car-free development in accordance with policy HO7. Although the applicants have stated that on-street parking will be provided for residents, no justification for an exception to policy HO7 has been put forward. The site is within a CPZ with good links to public transport routes therefore, as previously justified under application BH2013/00139, it is considered appropriate to ensure that the development remains car-free. Acceptable details of secure covered bicycle parking have now been provided, along with a revised lift arrangement capable of holding a standard sized bicycle. The previous conditions to secure such measures are now not necessary and have been removed.
- 8.13 In terms of sustainability, it has been established via the extant permission that the development should seek to meet level 4 of the Code for Sustainable Homes in this instance. Appropriate conditions are recommended to secure this level. In terms of contaminated land, again a full contaminated land investigation and remediation programme where necessary is required by condition prior to works commencing. All other conditions secured under the extant permission are retained and updated where necessary to reflect the new set of plans and alterations therein.

9 CONCLUSION

- 9.1 The proposal would provide the City with six dwellings each with private amenity space. The scheme is of an acceptable design which would not harm the character or appearance of the conservation area and includes ecological and landscape enhancements. The development will not cause demonstrable harm to the residential amenity of neighbouring dwellings and with the imposition of conditions to control the scheme in detail, accords with the Development Plan.

10 EQUALITIES

- 10.1 The dwellings are not fully Lifetime Homes Standard compliant, with three being accessible only via ambulant stairs.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Deed of Variation

- To the S106 Agreement dated 8th July 2013 to refer to this application.

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
Location Plan and Block Plan	1391-P-101-P1		06/11/2013
Existing Elevations and Sections	1391-P-102-P1		06/11/2013
Proposed Gatehouse Elevations	1391-P-103-P2		24/01/2014
Proposed Lower Ground Floor Plan	1391-P-104-P2		19/02/2014
Proposed Ground Floor Plan	1391-P-105-P2		19/02/2014
Proposed First Floor Plan	1391-P-106-P1		06/11/2013
Proposed Roof Plan	1391-P-107-P1		06/11/2013
Proposed Elevations	1391-P-108-P1		06/11/2013
Proposed Sections	1391-P-109-P1		06/11/2013
Proposed Elevations and Sections	1391-P-110-P1		06/11/2013
Proposed Elevations	1391-P-111-P3		19/02/2014
South east elevation	1391-P-113-P2		19/02/2014

- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.
Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish

PLANNING COMMITTEE LIST- 12 MARCH 2014

to control any future development to comply with policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

- 4) No development shall take place until measures to protect all trees which are to be retained within the site have been erected in accordance with BS 5837 (2012). The protection measures shall be retained in situ until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such protection measures.
Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.
- 5) The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.
- 6) Three of the new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter. The remaining three dwellings shall, other than the access route to the dwellings which includes ambulant stairs, be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
- 9) The iron gate within the front wall shown on the approved plans shall be painted black prior to the occupation of the development hereby permitted and shall be retained as such.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

11.3 Pre-Commencement Conditions:

- 7) 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 policies HO7 and TR1 of the Brighton & Hove Local Plan.
- 8) No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
- 10) No works shall take place until full details of the doors and windows within the 'gatehouse' extension shown on the approved drawings have been submitted to and approved in writing by the Local Planning Authority. The

PLANNING COMMITTEE LIST- 12 MARCH 2014

door, windows and surrounds shall be painted softwood and retained as such thereafter and the development shall be carried out in accordance with the approved details.

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

- 11) No development shall take place until protection measures for the TPO Horse Chestnut tree at the entrance to the site set out in the tree report received on 06 November 2013 have been fully implemented. Once the measures are in place the Local Planning Authority shall be informed in writing no less than 14 days prior to development commencing on site. The development shall then be carried out in strict accordance with these protection measures.

Reason: To ensure adequate protection of the trees in accordance with QD16 of the Brighton & Hove Local Plan SPD06 Trees and Development sites.

- 12) No development shall take place until full details of the ambulant stairs including railings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details and 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 ensure a satisfactory appearance to the development and to comply with policies HO13 and QD1 of the Brighton & Hove Local Plan.

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

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

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

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

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

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

(b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 as a

PLANNING COMMITTEE LIST- 12 MARCH 2014

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.

- 18) (i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:
- (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice;
and, unless otherwise agreed in writing by the Local Planning Authority,
 - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001;
and, unless otherwise agreed in writing by the Local Planning Authority,
 - (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.
- (ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:
- a) as built drawings of the implemented scheme;
 - b) photographs of the remediation works in progress; and
 - c) certificates demonstrating that imported and/or material left in situ is free from contamination.

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

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

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

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

11.4 Pre-Occupation Conditions:

- 20) 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.

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

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

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

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

- 23) 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.

- 24) The development hereby permitted shall not be occupied until the noise mitigation measures set out in the 'Planning Noise Assessment' received on 19 February 2014, specifically the installation of an appropriate whole house ventilation system to each dwelling, and the installation of 'Velfac 200' Sound Reduction Windows to all window openings and in regard to

PLANNING COMMITTEE LIST- 12 MARCH 2014

those facing the railway line, the installation of windows which will achieve an acoustic performance of at least 33 Rw. These measures shall be fully operation prior to first occupation of the dwellings hereby approved and shall be retained as such thereafter.

Reason: To safeguard the amenity of the occupiers of the development and to comply with policies QD27, SU9 and SU10 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:
 - (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 proposal would provide the City with six dwellings each with private amenity space. The scheme is of an acceptable design which would not harm the character or appearance of the Round Hill Conservation Area and includes ecological and landscape enhancements. The development will not cause demonstrable harm to the residential amenity of neighbouring dwellings and with the imposition of conditions to control the scheme in detail, accords with the Development Plan.
3. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.
4. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).
5. The applicant is advised that the scheme required to be submitted by Condition 7 should include the registered address of the completed development; an invitation to the Council as Highway Authority (copied to

PLANNING COMMITTEE LIST- 12 MARCH 2014

the Council's Parking Team) to amend the Traffic Regulation Order; and details of arrangements to notify potential purchasers, purchasers and occupiers that the development is car-free.

6. Prior to any works commencing on site, the applicant is advised to contact Network Rail to inform them of intention to commence works no less than 6 weeks prior to the date of works commencing on site. Any scaffolding which may be constructed within 10m of the railway boundary fence must be erected in such a manner that at no time any poles shall over-sail the railway and protective netting around the scaffolding must be installed.
7. The applicant is advised to contact the Council's Arboriculturalist prior to development commencing on site once the protection measures for the Chestnut tree at the entrance to the site as set out in the tree report submitted with the application have been put in place.

ITEM C

54 New Church Road, Hove

BH2013/03528
Full planning

12 MARCH 2014

BH2013/03528 54 New Church Road, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/03528	<u>Ward:</u>	WESTBOURNE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	54 New Church Road Hove		
<u>Proposal:</u>	Alterations to boundary wall, formation of terrace with canopy and additional play structures. (Retrospective)		
<u>Officer:</u>	Clare Simpson Tel 292454	<u>Valid Date:</u>	21 October 2013
<u>Con Area:</u>	Sackville Gardens	<u>Expiry Date:</u>	16 December 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis & Co Planning, 2 Port Hall Road, Brighton BN1 5PD		
<u>Applicant:</u>	Brightsaurus Nursery, Mr R Kerler, 54 New Church Road, Hove BN3 4FL		

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 Brightsaurus children's day nursery on the South of New Church Road on the corner with Sackville Gardens. The property lies within the Sackville Gardens Conservation Area. The area is characterised by a mix of uses, including residential houses and flats and other childcare and education providers.
- 2.2 The building was previously used by the South Downs Health NHS Trust and known as the 'White House' which had a D1 Healthcare use. It is understood that Brightsaurus Nursery has been operating since September 2013

3 RELEVANT HISTORY

- BH2001/02165/FP** Improvements to existing main entrance ramp – approved 12/12/2001
- BH1997/01721/FP** Conversion of property to five flats, with enlargement of existing rear dormer – approved 10/12/1997

4 THE APPLICATION

- 4.1 Planning permission is sought for the alterations to boundary wall, including the blocking up of an existing vehicle access, formation of terrace with canopy on the side elevation of the building, fronting Sackville Gardens and additional play structures and storage structure in the front, rear and side gardens. The application is retrospective.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Six (6)** letters of representation have been received from **4B Carlisle Road, 10, 28, 37, Walsingham Road, Flat 5, 50 New Church Road, Flat 27, 43 New Church Road** objecting the application for the following reasons:

- Alterations made to the boundary wall are not in-keeping with the area,
- The brickwork is a different colour and height to the original wall,
- Additional car parking has been displaced on the road,
- The play structures are highly visible and create an eye sore,
- The garage has been changed from an office/ children's indoor space without an application for change of use,
- Concern over the amount of consultation on the planning application,

5.2 **Twenty Three (23)** letters of representation have been received from **98 Windermere Crescent Worthing, flat 2 Robina Lodge 4 Station Road, 23 Nutley Drive Worthing, 41 Sussex Street, 7 Pelham Rise Peacehaven, 16 Drummond Road Goring-by-Sea, 1 Primrose Close Littlehampton, flat 323-325 Mile Oak Road, 28 Poynings Drive, 7 Church Court Neville Avenue, 27 Mansfield Road, 1 Coombe Lea, 215 Hangleton Road, 99 Woodland Drive, flat 6 28 First Avenue, flat 8 70 Wilbury Road, 147 Valley Drive, 21 Shirley Drive, 69 Langdale Road, 8 Pembroke Avenue, 8 Arundel House The Drive, 25 Tamworth Road, 27 Rutland Road** supporting the application for the following reasons:

- The building was empty and derelict and used by squatters,
- The building has been renovated and improves the look of the road,
- Play equipment offers an opportunity to support children's physical development,
- The garden provides a sensory experience and opportunity to grow and learn about food,
- The garden is secure and provides a safe environment to play,
- Play structures are barely visible above the wall,
- This is a child friendly area with playground and nursery nearby,
- Good quality structures have been used,

5.3 **Seventy-Five (75)** signatories have been received on a petition of support for the application stating that the building is a warm and safe environment for childcare and the garden is vital to the children's development. In addition the works to the property as a whole are considered to be in-keeping.

Internal

5.4 **Environmental Health: No Objection**

The addition of play structures could result in increased noise from children playing outside. This can be loud, is hard to control and has the potential to impact on neighbouring residential premises. Therefore, in accordance with OFSTED guidelines, City Early Years Childcare (CEYC) recommend a free flow policy, i.e. children choosing whether they play indoors or out. I would

recommend that a management plan be submitted detailing how noise from the children playing in the outdoor area will be controlled.

The applicant has requested the operating hours to be 8:00am to 6:00pm. I suggest that these are conditioned and that outdoor play is restricted to 9:00am and 5:00pm.

5.5 Sustainable Transport No objection

The Highway Authority would not wish to restrict grant of consent of this Planning Application. The Highway Authority would recommend the inclusion of conditions to secure cycle parking, a travel plan, and removal of the redundant highway crossovers.

5.6 Heritage No objection

Public benefit of the proposals offset potential harm of the timber structures. The existing wall is prominent and distracts the eye from reading the structures. Wall repairs have been carefully considered and detailing is appropriate.

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

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

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

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

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR8	Pedestrian routes
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise Nuisance
SU13	Minimisation and re-use of construction industry waste
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HE6	Development within or affecting the setting of Conservation Areas
HO26	Day nurseries and childcare facilities

Supplementary Planning Guidance:

SPGBH4 Parking Standards

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 visual impact on the external works including the impact on the wider Sackville Gardens Conservation Area, the nature of the childcare provision being provided, and any impact on the residential amenity of neighbouring properties or impact on the local highway network.

Planning Policy

8.2 Policy HO26 of the Brighton & Hove Local Plan states that a fundamental requirement for new day nurseries and childcare provision is the provision of adequate external amenity space for play.

8.3 Given the layout of the plot, the only opportunity to develop meaningful play space for this nursery is to the front and side of the building rather than to the rear of the site which is the more common approach. There is no objection to the principle of this approach providing that all other aspects of the development can be considered acceptable. This is discussed below.

Design and impact on Sackville Gardens Conservation Area

8.4 The application itemises the play equipment around the site. These are timber structures and appear to be good quality. In terms of the play structures, those items which are most prominent are towards the front of the site, specifically the security hut close to the western boundary of the site and summer house (item

2 of the submitted plans) close to the front boundary wall. Both of these structures are readily visible from public vantage points but the visual impact of these structures is partially reduced by the presence of existing trees and hedgerows towards the front of the site.

- 8.5 The garden is also divided by a 1.8m fence separating the garden from the driveway. This gives the front curtilage of the property a fairly developed appearance but it is necessary to ensure that the garden space remains safe and that there is separation between the access and the play space
- 8.6 To the side of the building a canopy and external terrace has been constructed. This is visible obliquely from New Church Road and is visible from Sackville Gardens. The canopy is a timber structure with a relatively lightweight frame and plastic roof and it is not considered overly dominant. Space to the side boundary is maintained.
- 8.7 The front boundary wall has been partially in-filled. Yellow stock brick has been used which is currently viewed as a visual contrast to the existing wall. This will however weather down to match the existing finishes. The detailing of the new wall sections is considered acceptable with coping and inset detailing which would match the remaining front boundary wall.
- 8.8 The objections received from some of the neighbouring occupiers have been noted, however it is not considered that the works are harmful to the historic character and appearance of the Conservation Area. The retained boundary vegetation and trees and the use of synthetic grass for the playing surfaces ensures that the front curtilage of the building retains a 'green' appearance.

Impact on Amenity:

- 8.9 The use of the property as a nursery is not part of the considerations for this application. However nursery and childcare activities, particularly outside and in locations where there is adjoining residential development can create issues of noise and disturbance. It is noted no complaints have been received as part of this application. Furthermore the Environmental Health Team have commented on the application and not raised an objection. It is understood that the nursery has been operating with opening hours of 08.00 to 18.00.
- 8.10 Given that the use of the outdoor space is currently unregulated and given the potential for noise and disturbance, the Environmental Health Team have suggested that a condition requiring a management plan for the garden area and that outdoor play sessions should be restricted to the hours of 09.00 and 17.00 Monday and Friday. It is considered appropriate to secure these hours by way of a planning condition.
- 8.11 Whilst the play structures are likely to encourage more external play, the equipment themselves are not considered to present opportunities for overlooking or loss privacy. The site generally has relatively high boundary treatment and the equipment is low rise. The new security hut, summer house and storage containers are higher structures but are not un-common in garden locations and not considered visually intrusive.

8.12 The terrace on the side elevation of the property provides a raised platform and gives potential for views in to the residential property to the rear of the site. This two-storey building serves as an NHS support site. The fence along this rear boundary is 2.4 metres height preventing any views into the side windows of this property.

Sustainable Transport

8.13 Representations from neighbouring occupiers have expressed concern over the alterations to the front garden and access arrangements which remove the ability for off-street car parking for the site

8.14 The Sustainable Transport Team acknowledged that the site is within a sustainable location with good bus services and in walking distance to Aldrington Railway Station and therefore no objection is raised to the removal of the existing crossovers. The displacement of car parking on to the highway would not be so significant to warrant refusal of the application.

8.15 A request has been made by the Transport Team to secure cycle parking and a travel plan for the nursery. This has been considered, but given that the use of the premises does not form part of the application, and this application relates only to external alterations, it is considered such a request goes beyond the scope of the application. Circular 11/95 states that planning conditions are only be imposed where they are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise, and reasonable in all other respects. It is not considered a condition for cycle parking or a travel plan can be demonstrated as reasonably related to the scale of works which are being applied for in this application. Given that the development results in the existing crossovers being redundant, it is relevant and reasonable to seek the removal of these features. This should be secure by condition and the applicant will be given 6 months to complete these works.

Other Considerations

8.16 Representations have been received regarding the change of use of the existing garage structure on site. However there is no evidence to suggest the garage was ever a separate planning unit to the rest of the property and therefore, like the rest of the property, it would have also benefitted D1 use class. The use of this space as part of the children's nursery is not therefore considered to be a breach of planning control.

9 CONCLUSION

9.1 The works are considered to be acceptable in terms of design and appearance and would not harm the Sackville Gardens Conservation Area. The works are not considered to harm the residential amenity of neighbouring properties and subject to compliance with the suggested conditions the development would have no adverse impact on the highway.

10 EQUALITIES

None identified.

11 CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

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

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

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

Plan Type	Reference	Version	Date Received
Proposed site plan and location plan	1324-01		16 th October 2013
Proposed site plan, location plan and photographs,	1324-02		16 th October 2013

- 3) Outdoor play sessions in connection with the day nursery use hereby permitted shall be restricted to within the hours of 09.00 to 17.00 Monday to Friday with no use permitted on Saturdays, Sundays or Bank Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies HO26, SU10 and QD27 of the Brighton & Hove Local Plan.

- 4) Within three months of the date of this permission a written management plan for the outdoor play area shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall detail how all outside areas are to be managed, including details of staff supervision, layout of area showing types of play areas (e.g. quiet, wet, sand areas, planting, etc). The agreed scheme shall be implemented in full and thereafter retained.

Reason: To ensure the effective management of the outdoor space and safeguard the amenities of the locality and to comply with policies QD27 and HO26 of the Brighton & Hove Local Plan.

- 5) Within six months of the date of this decision the two redundant vehicle crossovers on New Church Road shall be reinstated back to a footway by raising the existing kerb and footway in accordance with a specification that has been approved in writing by the Local Planning Authority.

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

PLANNING COMMITTEE LIST- 12 MARCH 2014

2. The applicant is advised that the proposed highways works should be carried out in accordance with the Council's current standards and specifications and under licence from the Network Co-ordination team. The applicant should contact the Network Co-ordination Team (01273 293366).
3. 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 works are considered to be acceptable in terms of design and appearance and would not harm the Sackville Gardens Conservation Area. The works are not considered to harm the residential amenity of neighbouring properties and subject to compliance with the suggested conditions the development would have no adverse impact on the highway.

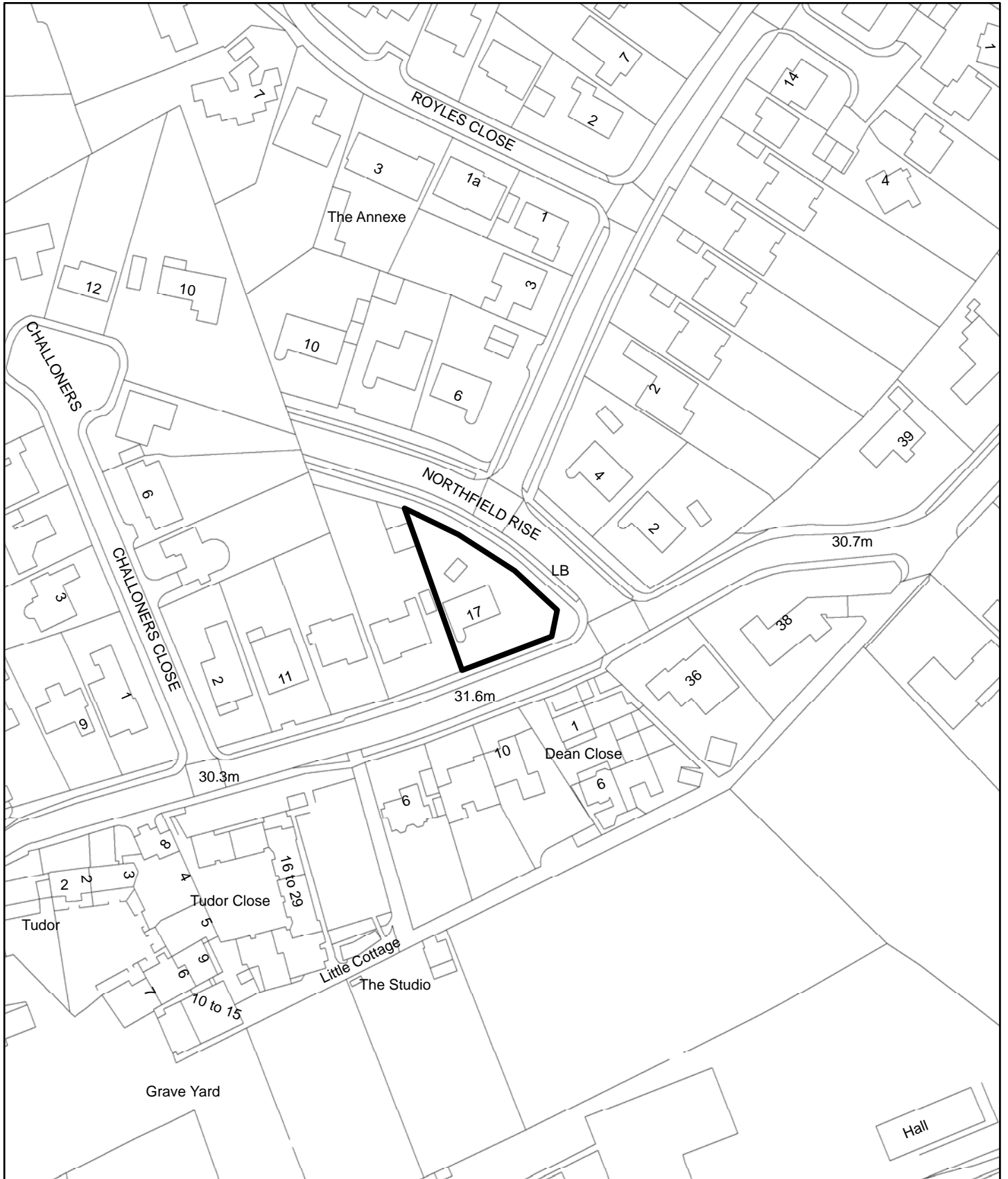
ITEM D

17 Dean Court Road, Rottingdean, Brighton

BH2013/03658
Householder planning consent

12 MARCH 2014

BH2013/03658 17 Dean Court Road, Rottingdean, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/03658	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	17 Dean Court Road Rottingdean Brighton		
<u>Proposal:</u>	Demolition of existing detached garage to rear and erection of detached double garage to side elevation incorporating revised driveway and installation of timber entrance gate.		
<u>Officer:</u>	Robin Hodgetts Tel 292366	<u>Valid Date:</u>	28 October 2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	23 December 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Claire Haigh Associates Ltd, 9 Kenton Road, Hove BN3 4PG		
<u>Applicant:</u>	Mrs Christina Harrison-Flynn, 17 Dean Court Road, Rottingdean BN2 7DH		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a detached two storey property on the corner of Dean Court Road and Northfield Rise. Although the primary frontage of the property lies on Dean Court Road the existing garage to the rear is accessed from Northfield Rise.

3 RELEVANT HISTORY

BH2012/02591 - Demolition of detached garage to rear and erection of single storey side extension and double garage with roof terrace at first floor level. – Refused 15/10/2012

BH2011/03311 - Demolition of detached garage to rear and erection of single storey side extension comprising of conservatory and double garage. – Refused 28/12/2011

BH2005/00223/FP - Two storey rear extension and additional dormer windows to front elevation. Replacement detached garage with utility building. – Withdrawn 09/03/2005

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing, single car garage at the rear and the erection of a new, detached double garage to the side of the dwelling on the land forming the corner of Dean Court Road and Northfield Rise.

- 4.2 The proposed garage would have a width of 5.5m, a depth of 6m and be 2.5m high with a flat roof. It would be positioned to the east of the main dwelling and constructed some 2.25m forward of the building line. It would include two opaque windows in the south elevation and be accessed to the north from the driveway that is accessed from Northfield Rise. To facilitate this, the driveway would be modified and a new permeable hard standing laid from the entrance to the proposed garage.
- 4.3 At the existing entrance to the driveway two pillars and a hardwood, electronic sliding gate are proposed. The pillars would be 2.4m high (including decoration on top) and be positioned either side of the existing entrance. The proposed sliding gate would be 1.8m high and be constructed of Iroko hardwood.
- 4.4 The application is a resubmission of refused application BH2012/02591.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Ten (10)** letters of representation have been received from **9, 10, 15, 41, 48 (x2) Dean Court Road, 4, 6, 10 Northfield Rise and 3 Gorham Avenue** supporting the application for the following reasons: Improved off street parking, quality of design and improvement of the property and street scene.

Internal:

- 5.2 **Highway Authority:** Support the application.
- 5.3 Recommended approval as the Highway Authority has no objections to this application.
- 5.4 The applicant is proposing to demolish the existing garage and build a new garage in a new location and provide an enlarged permeable driveway. The overall level of car parking is deemed acceptable and considered to be not of a level which would cause a detrimental impact that would warrant a refusal. The applicant also provides space within the garage for cycle parking; this should be secured via condition. The applicant intends to retain the existing vehicular access from Northfield Rise but implement a sliding electronic gate. Given the nature of the site and the low vehicle and pedestrian flows in the surrounding area the Highway Authority has no objections to the provision of the proposed gate.
- 5.5 **Arboriculture:** Support the application.
- 5.6 Should this application be granted consent, Pampass grass and other shrubs of insignificant arboricultural value will be lost. The Arboricultural Section does not object to this.
- 5.7 There is a fine Euonymous hedge around the boundary of the property where it adjoins the road. This creates a fine screen for the property. The Arboricultural Section would recommend protecting this during the course of the development,

however, this is advisory only and should not be made the subject of a condition attached to any consent granted.

5.8 Overall, the Arboricultural Section has no objection to the proposals in this application.

5.9 **Rottingdean Parish Council:** No comments 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:

QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of Amenity
TR7	Safe development
TR19	Parking standards

Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact that the proposal would have on the character of the existing property, street scene and wider area and the amenity of neighbouring residents.
- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - d) uses materials sympathetic to the parent building.
- 8.3 In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.
- 8.4 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

Design & visual amenity

- 8.5 The proposed garage is considered to relate poorly to the site due to its design, scale and positioning. It would sit in a highly prominent position within the street scene, being especially visible from Dean Court Road, although it would be partially shielded from view from Northfield Rise by the boundary screening.
- 8.6 *“SPD12 – Design Guide for Extensions and Alterations”* states that:
- 8.7 *“All outbuildings, including garages, bin stores and cycle stores, should be set behind the building line of the building to avoid obscuring views of the property or intruding into the wider street scene.”*
- 8.8 There is an existing conservatory to the front elevation of the property that the proposed garage would sit in-line with but this is likely not an original feature

and so does not form part of the established front building line of the section of Dean Court Road. The proposed garage would sit 2.25m forward of the original building line and so be contrary to the advice above from the SPD, resulting in an overly dominant and intrusive addition to the street scene.

- 8.9 It is acknowledged that the eastern boundary is formed of a substantial mature hedgerow which provides good screening in some views of the garage from the west. However, the permanent retention of the hedging could not be adequately secured as part of any application and could therefore be removed at any time exposing the structure in this highly prominent location.
- 8.10 By reason of its excessive scale, siting and prominence within the street scene it would have an unacceptably significant impact upon the street scene and relate poorly to the existing property, resulting in a development that would form an overly dominant and incongruous element within the street scene and detract from the appearance and character of the property, street scene and the surrounding area contrary to policy QD14 of the Local Plan and SPD12.
- 8.11 The proposed new entrance to the driveway, off Northfield Rise, consisting of two pillars either side of a sliding, wooden gate is considered acceptable and would have no significant impact upon the street scene being as it is no higher than the existing boundary screening.

Impact Upon Neighbouring Properties

- 8.12 Due to the proposed location, the boundary screening and the distance from the nearest residential property, the proposed garage and gates are not considered to cause any significant harm to the amenity of the surrounding properties.

9 CONCLUSION

- 9.1 The proposed garage by reason of its scale and siting would relate poorly to the existing property, whilst appearing overly prominent in the street scene having an adverse effect on the character of the host property, street scene and wider area and is contrary to policy QD14 and of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

10 EQUALITIES

- 10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposed garage, by reason of its scale, siting and prominence within the street scene would relate poorly to the existing property and wider area, resulting in an excessively bulky addition that would form an overly dominant and incongruous element within the street scene and detract from the appearance and character of the property, street scene and the wider area contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

PLANNING COMMITTEE LIST- 12 MARCH 2014

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
Location and block plans	001	B	25/10/13
Existing plans	002		25/10/13
Existing plans, elevations and sections	003		25/10/13
Existing elevations	004		25/10/13
Proposed plans	005	B	25/10/13
Proposed plans, elevations and sections	006	C	29/01/14
Proposed elevations	007	C	29/01/14

ITEM E

**St Andrews Day and Resource Centre, St
Andrews Road, Brighton**

**BH2013/03968
Full planning and demolition in a
Conservation Area**

12 MARCH 2014



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/03968	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Full Planning and Demolition in a Conservation Area		
<u>Address:</u>	St Andrews Day and Resource Centre St Andrews Road Brighton		
<u>Proposal:</u>	Demolition of existing single storey building and garages and erection of 4no three bedroom houses and 3no two bedroom houses with associated car parking.		
<u>Officer:</u>	Wayne Nee Tel 292132	<u>Valid Date:</u>	21 November 2013
<u>Con Area:</u>	Preston Park	<u>Expiry Date:</u>	16 January 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, 2 Port Hall Road , Brighton BN1 5PD		
<u>Applicant:</u>	Mr Chris Weatherstone, C/O Lewis and Co Planning, 2 Port Hall Road, Brighton BN1 5PD		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a narrow strip of land situated on the northern side of St Andrews Road. The site contains a single storey detached building fronting St Andrews Road. The building is a prefabricated structure with a pitched roof with a gable end fronting the street. This elevation provides a blank frontage facing the street. The site also consists of two rows of single storey garages that appear to have been vacant for sometime. The only access to the site is via an access road entered from St Andrews Road.
- 2.2 The site is set in a predominantly residential area and lies amongst two storey terraced properties on Grantham Road, Edburton Avenue and Southdown Avenue. The terraced properties characterise the area, with predominantly white rendered walls or red brickwork, and canted bay windows with distinctive detailing. The site is located within the Preston Park Conservation Area.

3 RELEVANT HISTORY

- BH2013/02965** Demolition of single storey building and rear garages and erection of 4 no. three bedroom houses and 3 no. two bedroom houses with associated car and cycle parking and landscaping – refused 12/11/2013
- BH2013/02966 (CAC)** Demolition of single storey building and rear garages – refused 12/11/2013
- BH2012/02832 (CAC)** Demolition of single storey building and rear garages – refused 30/11/2012

BH2012/02831 Demolition of single storey building and rear garages and erection of 4no three bedroom houses and 3no two bedroom houses with associated car and cycle parking and landscaping – refused 30/11/2012; appeal dismissed 16/07/13

96/0980/FP Change of use from light industrial to day base for adults with learning difficulties – approved 14/01/1997

95/0185/FP Erection of single storey demountable building at rear to form additional office accommodation – approved 25/04/1995

89/2304/F Alterations to existing building including new windows on south and west elevations and infilling of windows on north elevation – granted 20/02/90 (Appeal allowed 26/02/91)

BN84/19F & 84/20LBC/CA Demolition of five garages and erection of Terrapin building to provide extra office accommodation – granted 06/03/84

BN78/1866 Use of premises for storage of small hardware for aircraft engineering and general manufacturing trades with ancillary offices (use of garages at rear to remain) Amendment to conditions imposed on permission BN77/2051 – granted 12/09/78

BN77/2282 Proposed alterations to existing storage and office premises – granted 13/12/77

BN77/2051 Use for storage/offices (Regularisation) – granted 13/12/77

4 THE APPLICATION

4.1 Planning permission is sought for the demolition of the existing single storey building and garages and erection of 4 no. three bedroom houses and 3 no. two bedroom houses with associated car parking.

4.2 The details of the proposal are as follows:

- The 4 no. three bedroom houses would cover approximately 176m², the 3 no. two bedroom houses covering 125 m². The rest of the site would largely form of private amenity space, parking spaces and access roads.
- Siting: The 4 no. three bedroom houses would form two pairs with parking spaces to the south of the rear gardens. The row of 3 no. two bedroom houses would be at the southern end of the site.
- Fenestration: The dwellings would have zinc clad projecting bay windows on the front, rear and side elevations. Many of the first floor windows would have Juliet balconies.
- Materials: Painted render walls, zinc cladding on the bay windows with powder coated metal windows, slate roofs.
- Amenity Space: Each dwelling would have a rear patio and garden for private amenity space.
- Car Parking: 7no. car parking spaces proposed.
- Cycle Storage: Cycle storage within each rear patio.
- Refuse storage: Refuse and recycling points on the side elevation of Unit 2.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Twenty five (25)** letters of representation have been received from **nos. 44, 46, 50, 52, 62, 70, 72 & 86 Southdown Avenue, nos. 5, 7, 9**

(x2), 11 (x2), 13, 15, 19, 21, 23, 25, 27, 29, 31 & 49 Edburton Avenue, nos. 31 & 33a Grantham Road, and Flat A 133 Kings Cross Road (written in relation to 31 Edburton Avenue) objecting to the application for the following reasons:

- Cramming in residential use, overdevelopment;
- Loss of existing community use;
- Buildings not in keeping with conservation area;
- Poor layout of houses;
- Poor quality housing for future occupiers;
- Reduction in height and excavation does not significantly change the impact of the proposal;
- Taller walls than existing garages which would be overbearing;
- Overlooking towards properties on Edburton Avenue causing loss of privacy;
- Overshadowing and loss of light of neighbouring rear gardens;
- Party wall concerns, excavation would affect neighbouring properties;
- Would cause severe pressure on parking;
- Drawings are misleading, concerns that surveying is not accurate;
- Little difference in comparison to previous schemes;
- Noise disruption from building works and future residents;
- No details of safe demolition.

5.2 Environment Agency

No comment

Internal

Access:

- 5.3 The D&A Statement claims Lifetime Homes compliance; however there are a number of aspects of the scheme which do not comply with lifetime homes standards:
- 5.4 Even if it is not possible to provide level access from the public footway, the site would appear to be large enough to at least enable some attempt to be made to provide level or gently sloping access from the car parking to the entrances to the new units.
- 5.5 The approach to all entrances (front and back) should be level or gently sloping. Entrances should have a level landing and level threshold (15mm max upstand)
- 5.6 There should be at least 300mm clearance between the leading edge of the entrance doors and the adjacent wall. (plans still seem to show about 200mm)
- 5.7 The minimum width of compartment to achieve the space required for an accessible entrance level WC is 1.4m. Those shown in Units 5 – 7 still appear to be around 1.3m wide.
- 5.8 The bathrooms should be able to accommodate a 1.5m diameter turning circle if the bath is removed. All the bathrooms shown fail to meet that requirement.

- 5.9 There should be an accessible bathroom on the same level as a main bedroom in each new house. The first floor shower room in Units 1 – 4 do not meet this requirement.

Transport:

- 5.10 Recommended approval as the Highway Authority has no objections to this application. The Highway Authority comments from previous applications BH2012/02831 & BH2013/02965 still stand. The Highway Authority recommends the inclusion of conditions.

Trip Generation & S106

- 5.11 The level of trip generation associated with the proposed development is deemed acceptable and similar to the existing land uses and in this instance the Highway Authority would not request a S106 contribution towards sustainable transport improvements.

Car Parking

- 5.12 The applicant is proposing 7 car parking spaces on-site, 1 per residential unit. For this development of 7 houses the maximum car parking standard is 7 spaces for residents and 4 spaces for visitors. Therefore the proposed level of parking is in line with the maximum car parking standards. Additionally, from recent site visits it appears that the garages are not currently in regular use as the main gate is locked with a large chain. In light of this the Highway Authority are of the view that this proposal would not cause significant overspill car parking adding to on-street car parking pressure.

Cycle Parking

- 5.13 The applicant states that they intend to provide 1 cycle parking space per unit. These are to be stored in the rear garden of each property. This is deemed acceptable for properties 1, 3 and 5. This is because there is a passageway to the side of each development which allows users to wheel their bike easily to the cycle parking. Cycle parking for properties 4, 6 and 7 mean that the user has to carry their bike through their property to access the cycle parking. This would not be deemed convenient to use. There are alternative locations and means of altering the access to cycle parking to ensure that it is policy compliant. Therefore the Highway Authority would recommend that the suggested amendments are made and that the standard condition is put on any permission granted.

Pedestrian Access & Highway Layout

- 5.14 The proposed footway is also blocked off as recycling collection points (B on drawing number TA540/11) are placed here. An alternative location for the recycling should be found. The applicant has confirmed that they are not offering the road for adoption. The Highway Authority recommends that an alternative approach is adopted which would be deemed acceptable, subject to the submission of relevant further details. The applicant could adopt a shared surface approach, so that all road users have equal access within the site. The Highway Authority is confident that there is adequate space within the existing extent of the road to provide an acceptable shared space design. Therefore they would recommend that this is conditioned.

Vehicular Access

- 5.15 As detailed on the proposed site layout plan, a new crossover at the location of the existing vehicular access from St Andrews Road is deemed acceptable. The Highway Authority would look for the redundant vehicle crossover to the front of the property to be reinstated back to footway via the inclusion of the suggested Grampian condition

Heritage:

- 5.16 Previous applications for residential development at the application site have been refused and considered at appeal. Whilst the appeal was dismissed, this was on the grounds of the impact on neighbouring amenity and no concerns were raised with regards to the principle of the development or the design and layout of the houses.
- 5.17 The Heritage Team previously raised concerns regarding the proposed asymmetrical roof design and this has now been amended to show pitches with gables which are symmetrical. Furthermore, the existing boundary walls will be preserved in situ. For the aforementioned reasons, the amendments to the design are welcomed and conditions are recommended.

Environmental Health:

- 5.18 The proposed development is on land that was once a warehouse. There are also several garages which have been on site since approximately 1954. Such uses could have resulted in localised land contamination. Therefore, as the end use of this development is for residential accommodation with gardens, a full contaminated land condition is recommended for this plan.

6 MATERIAL CONSIDERATIONS

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

- TR1 Development and the demand for travel
- TR7 Safe development
- TR14 Cycle access and parking
- TR19 Parking standards
- SU2 Efficiency of development in the use of energy, water and materials
- SU13 Minimisation and re-use of construction industry waste
- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites
- QD5 Design – street frontages
- QD15 Landscape design
- 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
- HO20 Retention of community facilities
- HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

- SPGBH4 Parking Standards

Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD08 Sustainable Building Design
- SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations relating to the determination of this application are the principle of the proposed development, the proposed design and scale and its impact on the Conservation Area, the impact on residential amenity for future

occupiers and existing neighbouring properties. Consideration is also given to traffic implications and matters relating to sustainability.

Background

- 8.2 The site has been subject to two previous planning applications for similar development to the current application; BH2012/02831 and BH2013/02965. Each application proposed for the demolition of a single storey building and rear garages, and erection of 4no three bedroom houses and 3no two bedroom houses with associated car and cycle parking and landscaping and each application was subsequently refused planning permission. BH2012/02831 was refused for reasons relating to the loss of community facilities, overdevelopment of the site, the effect on the character and appearance of Preston Park Conservation Area, the impact on the living conditions of future occupiers of the development, and the impact on the living conditions on neighbouring residents. An appeal (APP/Q1445/A/13/2191882) was subsequently dismissed on grounds of impacts on neighbouring amenity in relation to the proposed terrace of three units within the southern portion of the site.
- 8.3 The Inspector noted that the existing boundaries adjacent to the proposed terrace of three units within the southern portion of the site were to be replaced with lower boundary treatment of approximately 1.5m in height, down from approximately 3m as existing (measured from within the site). He concluded that if the boundary, which forms the established outlook from these dwellings, which is formed of the rear of the existing garages, were to be retained then the impact on the adjacent properties in Southdown Avenue would have a, '*...limited effect on outlook.*' In relation to the proposals impact on the neighbouring properties which Edburton Avenue, which are on high ground, he noted that although the height differences are less severe, the combination of the reduction in height of the boundary wall, combined with their proximity and height would result in the dwellings appearing unacceptably dominant and intrusive when seen.
- 8.4 A subsequent application was submitted (BH2013/02965) and the ridge height of the dwellings was reduced as the dwellings would be set further down into the ground with excavation, and asymmetric roof was altered to a standard pitch. The height of the boundary walls was also been altered. These amendments were however insufficient to address issues in relation to impacts on neighbouring amenity adjacent to the terrace of three and was refused for the following reason.
- *The proposed dwellings, by reason of the combination of eaves height and proximity to the site boundary, would represent a cramped and overbearing development to the detriment of the amenities of the occupiers of neighbouring properties on Edburton Avenue. The proposal would therefore be contrary to policy QD27 of the Brighton & Hove Local Plan.*

Principle of Development

- 8.5 The existing buildings on the site are of little architectural value and consequently the loss of the buildings would not be of detriment to the Conservation Area. The Heritage Officer has previously stated that the demolition of the existing buildings would have a positive impact on the Conservation Area.

- 8.6 The site is situated within the built up area and within Preston Park Conservation Area. The current use of the site is a day-care centre (Class Use D1), although it now lies vacant. The site also consists of two rows of single storey garages that appear to have been vacant for a considerable amount of time and are in a poor state of repair. According to the applicant the garages have in the past been used as private storage separate from the D1 use.
- 8.7 Policy HO20 indicates that planning permission would not normally be given for development that would result in the loss of community facilities. Exceptions may apply if a) the community use is incorporated or replaced in a new development, b) it is relocated to a more accessible location, c) nearby facilities are to be improved and d) it can be demonstrated that the site is not needed not only for its existing use but for other types of community use.
- 8.8 The applicant has stated that the use of the building ceased over 3 years ago. There is no indication that any of the exceptions in HO20 apply in this case. In the appeal, the Inspector stated that given that no specific need for community facilities in the area had been highlighted, and taking into account the length of time that the site has been unused, it was considered that there was no justification for seeking to retain the site for community purposes.
- 8.9 Given this material consideration, it is considered that the loss of the existing use and the principle of the change of use to C3 residential development is acceptable in this instance.
- 8.10 The principle of the type and scale of development proposed must be considered having regard to policies HO4, QD1, QD2 and QD3 of the Brighton & Hove Local Plan. It is considered that the principle of acceptability of the proposed use in this case relates to the density and scale of development proposed. The Inspector did not raise concerns regarding the density of the development and considered the layout and size of the proposed gardens to be acceptable; given this it is considered that there is sufficient justification to take an alternative view in relation to the scale of development proposed.

Visual Impact

- 8.11 Policies QD1 and QD2 of the Brighton & Hove Local Plan seek to ensure all new development demonstrates a high standard of design and makes a positive contribution to the visual quality of the environment; with policy QD3 seeking to make efficient and effective use of sites, subject to the intensity of development being appropriate to the locality and/or the prevailing townscape. HE6 relates to development within or affecting the setting of Conservation Areas.
- 8.12 Much of the site is not visible from public view as it is surrounded by terraced properties to the east, south and west. The north of the site fronts St Andrews Road and so the most prominent parts of the site are the existing day care centre building and the boundary gate that leads into the site.
- 8.13 The existing buildings on the site are of little architectural value and consequently the loss of the buildings would not be of detriment to the

Conservation Area. However the proposed buildings would have to be of an appropriate design that would preserve or enhance the character of the surrounding area.

- 8.14 The proposed dwellings would not share the defining characteristics of the property frontages of the surrounding area. The existing dwellings on neighbouring streets predominantly consist of two-storey terraced dwellings with early 20th Century cantered bay windows, and red brick or rendered exteriors. However the section of St Andrews Road containing the appeal site has more of a low-key appearance and consists of lower lying buildings and garage courts; it consequently has less in common with the surrounding frontages.
- 8.15 The dwellings would have projecting bays at the front and rear, and projecting front porches. The two pairs of dwellings would also have first floor bays on the side elevations, but these would have zinc cladding in contrast to the render on the main part of the dwellings. The dwellings would have symmetrical pitched roofs instead of the previously proposed asymmetrical roofs.
- 8.16 The size and scale of the dwellings would appear subservient to the more traditional houses surrounding the site. In the appeal the Inspector stated: *'I consider that the bay windows and porches are a simple modern reworking of the features found on the surrounding houses and overall I consider that the design approach is acceptable.'* Although the proposed design would contrast somewhat with these neighbouring properties, the simple design, rendered walls and the now improved appearance of the roofs would be an appropriate modern design that would be in context with this non-traditional part of the street.
- 8.17 Overall the proposal is considered to represent a suitable standard of design and would preserve the character and appearance of the conservation area in accordance with policies QD1, QD2 and HE6.

Standard of Accommodation

- 8.18 The proposed development is relatively high density however the units would provide outlook from north and south facing windows. The layout of each unit is considered to be acceptable with respect to natural light and ventilation and each is considered to be of an adequate scale for this form of development.
- 8.19 The surrounding area has a character of terraced properties with long narrow rear gardens for private amenity space. The proposed development makes provision for each unit to have a limited size of private amenity space with relatively small rear gardens. Given the character of this form of development the provision is considered to be acceptable in this instance and it is not considered that refusal of the application could be sustained on this ground alone. The scheme is therefore considered to adequately accord to policies HO5 and QD2 in this respect.
- 8.20 Local Plan policy HO13 states that proposals for conversions and changes of use to provide residential accommodation will be expected to demonstrate that

wherever it is practicable, Lifetimes Homes criteria have been incorporated into the design.

- 8.21 On assessment of the floor plans the development appears to fail some of the Lifetime Homes standards; however a condition is recommended requiring details to be submitted to ensure the scheme to fully accords. The external changes can also be requested by condition.
- 8.22 The proposal scheme makes adequate provision for both cycle parking and refuse/recycling storage; however the Transport Team have requested that they are relocated. Given that there are suitable alternative locations at the rear of the dwellings, a condition requesting further information would be appropriate in this instance.
- 8.23 The proposed access drive would run aside the extent of the west flank walls of Units 2 and 4. The access drive would be used by residents of all seven dwellings and so there would be some noise and disturbance in close proximity to dwelling windows. In the appeal the Inspector stated: *'This is not an unusual arrangement within housing developments of this size and I consider that taking account of the small number of dwellings the activity associated with the access would not result in material nuisance or loss of amenity to the occupiers of the dwellings.'*
- 8.24 The proposal would therefore accord with policy QD27 in respect of future occupiers.

Impact on Amenity

- 8.25 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. The current application has been amended with the aim of addressing the only reason for refusal which relates to the impact on neighbouring amenity in relation to the proposed terrace of three units. The ridge height of Units 3, 4, 5, 6 and 7 have been reduced by 0.5m when compared to the previous application and 1.2m when compared with the appeal scheme. In addition the roof profiles of Units 3 and 5 are now set further away from the boundaries of properties on Edburton Avenue.
- 8.26 The new dwellings would be in close proximity to the boundaries of many adjoining sites. The dwellings, as well as the surrounding amenity spaces and driveways, would intensify the use of the site in a narrow plot surrounded by neighbouring properties and associated amenity spaces. The land level of the site and the surrounding area falls steeply from east to west, meaning the first floor rear windows of terraced properties to the east on Edburton Avenue overlook the site with greater effect than the properties on Southdown Avenue to the west. In the appeal, the Inspector noted inaccuracies of the neighbouring garden levels on the cross section drawings; these have since been amended.

- 8.27 The layout of the site includes two pairs of dwellings with a row of three dwellings at the south end of the site. The row of three dwellings would be sited closer to both east and west boundaries than the rows of two dwellings. All three rows of dwellings would be visible from various neighbouring windows and gardens.
- 8.28 The proposed end dwelling of this row to the west (Unit 7 on the plans) would be 1m away from the rear boundary of neighbouring properties on Southdown Avenue. Only Unit 7 would be prominently visible from these neighbouring properties. The proposed eaves height would be 0.5m lower than the previous proposal, and the maximum height has been reduced by approximately 1.2m when compared with the appeal scheme (BH2012/02831). The existing walls of the garages (at an approximate height of 3.5m) act as a boundary wall for these gardens. The Inspector considered that if the wall is retained at the present height then the proposal would have a limited effect on the outlook at the rear of the Southdown Avenue houses. The application now indicates a wall of the same height as the garages on this boundary; given the Inspector's decision it is considered that the relationship between the proposed dwellings and the rear gardens of properties on Southdown Avenue would be satisfactory.
- 8.29 The dwellings proposed closest to the site boundaries would all be prominent from neighbouring gardens to an extent. However there is a greater distance between the rear of the properties which front onto Southdown Avenue and the two proposed pairs of dwellings due to the proposed access drive. The proposed dwellings to the south of the site would have a back to back arrangement with properties on Grantham Road, with a minimum separation distance of 18m which is considered acceptable to avoid having a harmful impact on amenity.
- 8.30 The neighbouring properties on Edburton Avenue are on higher land than the application site. The garden levels of these properties mean that the boundary walls and garages do not provide as much of a height block on this side. The section drawings indicate that the boundary walls would be retained. The drawings now show a boundary wall of 1.8m adjacent to Units 3 and 5 which is just below the height of the proposed eaves heights of the proposed dwellings. It is considered that further details relating to the retention of the walls can be conditioned to ensure the existing boundaries are adequately retained and adequate screening is provided.
- 8.31 In the appeal decision relating to BH2012/02831, the Inspector concluded that: *Whilst the relative height of the proposed dwellings as compared with the adjacent gardens would not be as great as at Plot 7 a combination of the height and proximity of the buildings, together with the lower boundary wall would result in the dwellings appearing unacceptably dominant and intrusive when seen from the gardens of the nearest Edburton Avenue houses.*
- 8.32 Following refusal of the most recent application BH2013/02965, the proposed ridge heights of Units 3-4 and 5-7 have been reduced by 0.5m, the eaves height of Unit 7 has now been reduced by 0.5m, and the roof of Unit 4 would be set 0.5m further away from the boundary. The maximum height has been reduced

by up to 1.5m when compared with the appeal scheme (BH2012/02831). Taking these amendments into account along with the retention of the boundary wall heights, it is considered that the proposal would overcome the Inspectors concerns, and so the relationship between the proposed dwellings and the properties which front onto Edburton Avenue would be satisfactory.

- 8.33 In terms of overlooking, the proposed side bathroom windows of units 1-4 and ground floor side windows can be conditioned to be obscure glazed. The front and rear facing windows and the small side windows on the bays would have oblique views towards neighbouring rear gardens, however these views would not be so significant as to warrant refusal of the application on this basis.
- 8.34 Issues relating to party walls have been raised but are not material planning considerations in the determination of the application.

Sustainable Transport

- 8.35 Brighton & Hove Local Plan policy TR1 requires all new development to provide for the travel demand it creates, whilst policy TR14 requires that new development must provide covered cycle parking facilities for residents. As stated above, given that there are suitable locations at the rear of the dwellings, a condition requesting further information of the cycle storage would be appropriate in this instance.
- 8.36 Sustainable Transport have been consulted on this application and do not consider that there are exceptional circumstances which might include significant implications for highway safety as a result of the loss of the existing garages and there appears to be no significant circumstances in the surrounding area that would be exacerbated by this proposal. The proposed parking spaces are considered acceptable.
- 8.37 The existing vehicle crossover would be made redundant and so it has been suggested by the Transport Team for the footway and curb to be reinstated. This can be secured via a condition.

Sustainability

- 8.38 Policy SU2 of the Brighton & Hove Local Plan, including SDP08 'Sustainable Building Design', requires new development to demonstrate a high level of efficiency in the use of water, energy and materials.
- 8.39 Proposals for new build residential development of this size on previously developed land should include a completed sustainability checklist, should achieve Level 3 of the Code for Sustainable Homes, and should meet all Lifetimes Homes Standards. The completed sustainability checklist details that the proposal would meet Code Level 3 to include solar PV equipment. Subject to conditioning to ensure code level 3, it is considered that the proposal is in line with the requirements of SPD08.

Contaminated land

- 8.40 The proposed development is on land that was once a warehouse. There are also several garages which have been on site since approximately 1954. Such

uses could have resulted in localised land contamination. Therefore, as the end use of this development is for residential accommodation with gardens, a full contaminated land condition is recommended for this plan.

9 CONCLUSION

- 9.1 The proposed development would make a more efficient and effective use of this site. The proposed development can be adequately accommodated on site without detriment to existing or future occupiers. Subject to conditions to control the development in detail there would be no adverse impact upon the character or appearance the wider street scene and surrounding Preston Park Conservation Area. There would be no significant harm to neighbouring amenity. The proposal accords with Development Plan policies.

10 EQUALITIES

- 10.1 The proposed dwelling would comply with policy HO13: lifetime homes standards subject to a planning condition.

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
Site plan	TA540/01	A	21 November 2013
Existing site survey	TA540/02	C	19 February 2014
Existing sections	TA540/03	D	19 February 2014
Existing elevations 2	TA540/04	D	19 February 2014
Proposed block plan	TA540/10	C	21 November 2013
Proposed site layout	TA540/11	D	19 February 2014
Typical plans Units 1,2,3,4	TA540/12	C	21 November 2013
Typical plans Units 5,6,7	TA540/13	B	21 November 2013
Proposed elevations 1	TA540/14	C	21 November 2013
Proposed elevations 2	TA540/15	D	19 February

PLANNING COMMITTEE LIST- 12 MARCH 2014

			2014
Proposed elevations 3	TA540/16	D	08 January 2014
Proposed street elevation	TA540/17	C	21 November 2013
Site sections 1	TA540/18	C	21 November 2013
Proposed sections 2	TA540/19	C	21 November 2013
Site sections 3	TA540/20	C	21 November 2013
Existing section EE	TA540/05		19 February 2014
Proposed site section EE	TA540/21		19 February 2014
Levels survey	7215		19 February 2014
Levels survey	7215-ELEVS		19 February 2014

- 3) The side elevation bay windows servicing the bathrooms and WCs of all units hereby permitted shall be obscure glazed and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 4) 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) The vehicle parking areas shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.
Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.
- 6) Notwithstanding the details on the approved plans, the development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

PLANNING COMMITTEE LIST- 12 MARCH 2014

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) Prior to the occupation of the development the applicant shall reinstate the redundant sections of the existing vehicle crossover in St Andrews Road to the front of the property 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.

- 8) No development shall take place until detailed drawings, including levels, sections and constructional details of the access road within the site to include 'rumble strips', junction treatment, signage, surface water drainage, outfall disposal and street lighting to be provided have been submitted to and approved in writing by the Local Planning Authority. The works shall be designed to as near adoptable standards as is possible and be implemented in accordance with the details approved prior to the first occupation of the development and retained as such thereafter.

Reason: In the interests of highway safety and for the benefit of the public and to comply with policy TR7 of the Brighton & Hove Local Plan.

- 9) (i) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:

(a) A desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice;

(Please note that a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below. However, this will be confirmed in writing);

and unless otherwise agreed in writing by the local planning authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the local planning authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

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

PLANNING COMMITTEE LIST- 12 MARCH 2014

the provisions of condition (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise:

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

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

- 10) Notwithstanding the approved drawings, no development shall commence until details have been submitted and approved in writing by the Local Planning Authority to demonstrate the new dwellings hereby permitted will be constructed to Lifetime Homes standards. The development shall be carried out in accordance with the approved details prior to first occupation and shall be retained as such thereafter.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
- 11) 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.
- 12) Notwithstanding the details on the approved plans, 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.
- 13) No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
- 14) 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

PLANNING COMMITTEE LIST- 12 MARCH 2014

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.

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

(a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
(b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

- 16) Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been submitted to, and approved in writing by, the Local Planning Authority.

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

- 17) No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(s) 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.

- 18) A method statement setting out how the existing boundary walls are to be protected, maintained, repaired and stabilised during and after demolition

PLANNING COMMITTEE LIST- 12 MARCH 2014

and construction works, shall be submitted to and approved by the Local Planning Authority before works commence. The demolition and construction works shall be carried out and completed full in accordance with the approved method statement.

Reason: To ensure satisfactory protection of the existing boundary walls which are considered to be an important feature within the conservation area, in accordance with policy HE6 of the Brighton & Hove Local Plan.

- 19) No development shall commence until details of the treatment to all boundaries to the site including details of any retained walling 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 details prior to first occupation of the development and retained thereafter.
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.
- 20) 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.
- 21) 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.

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:

PLANNING COMMITTEE LIST- 12 MARCH 2014

- (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The proposed development would make a more efficient and effective use of this site. The proposed development can be adequately accommodated on site without detriment to existing or future occupiers. Subject to conditions to control the development in detail there would be no adverse impact upon the character or appearance the wider street scene and surrounding Preston Park Conservation Area. There would be no significant harm to neighbouring amenity. The proposal accords with Development Plan policies.
- 3) In relation to Condition 9, the phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy formed under the Environmental Protection Act 1990. The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. The local planning authority has determined the application on the basis of the information made available to it. It is strongly recommended that in submitting details in accordance with the above/below conditions that the applicant has reference to CLR 11, Model Procedures for the management of land contamination. This is available online as a pdf document on both the DEFRA website (www.defra.gov.uk) and the Environment Agency (www.environmentagency.gov.uk) website.
 - 4) The applicant is advised that the proposed highways works should be carried out in accordance with the Council's current standards and specifications and under licence from the Network Co-ordination team. The applicant should contact the Network Co-ordination Team (01273 293366).
 - 5) The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
 - 6) The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).
 - 7) The applicant is advised that the proposed location of the refuse/recycling stores would block the footway and the cycle parking is considered inconvenient to access for a number of units. The details are considered

PLANNING COMMITTEE LIST- 12 MARCH 2014

unacceptable by the Highway Authority and alternative locations should be considered in relation to conditions 6 and 12.

ITEM F

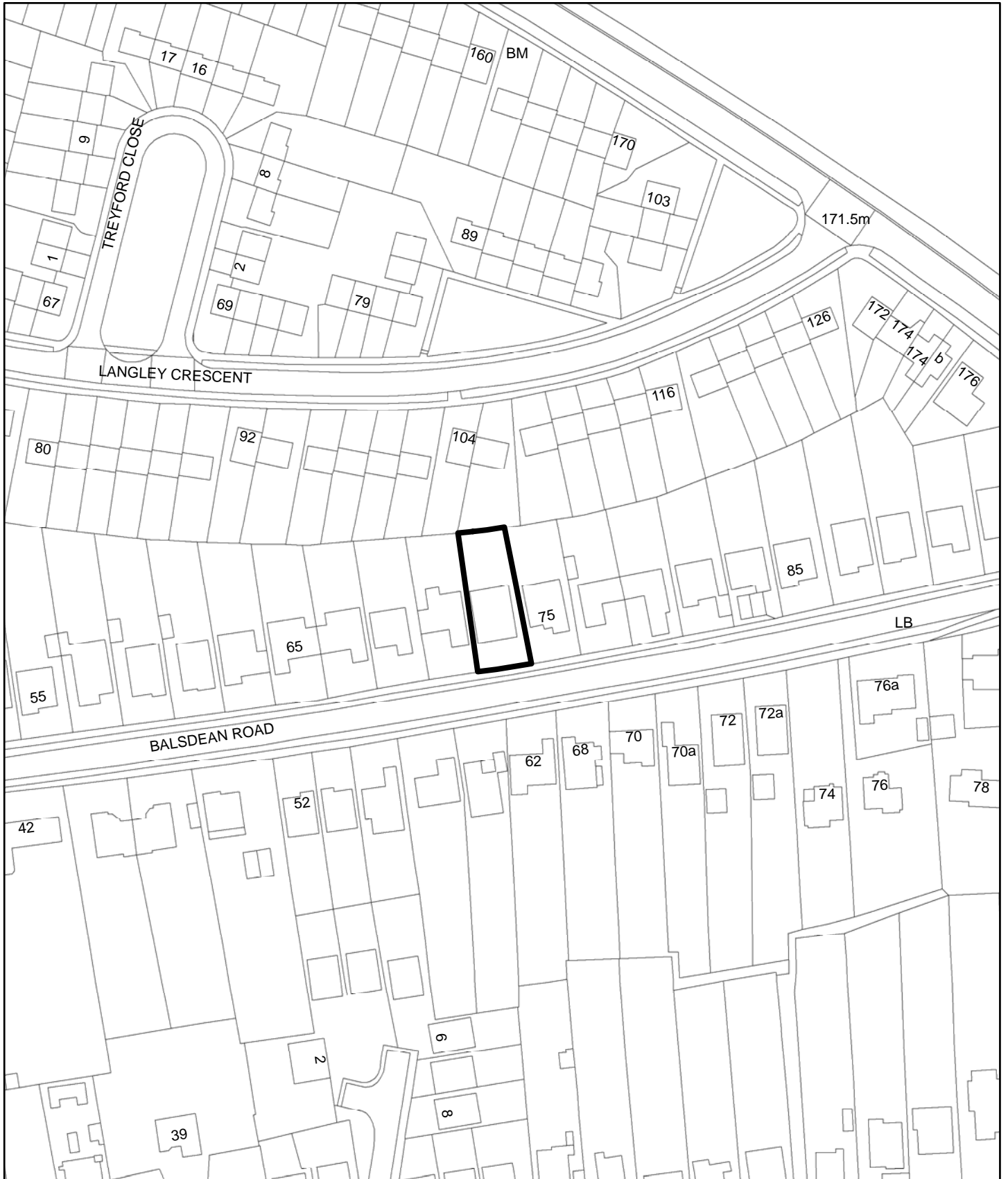
73 Balsdean Road, Brighton

BH2014/00073

Householder planning consent

12 MARCH 2014

BH2014/00073 73 Balsdean Road, Brighton



Scale: 1:1,250

<u>No:</u>	BH2014/00073	<u>Ward:</u>	WOODINGDEAN
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	73 Balsdean Road Brighton		
<u>Proposal:</u>	Erection of single storey infill extension to front with pitched roof.		
<u>Officer:</u>	Andrew Huntley Tel 292321	<u>Valid Date:</u>	20 January 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	17 March 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	BPM, 31 Boundary Road, Hove BN3 4EL		
<u>Applicant:</u>	Richard Smith, 73 Balsdean Road , Brighton BN2 6PG		

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 Balsdean Road is a linear residential street which gradually rises up across an elevated hillside. The dwellings on the northern side of the carriageway are situated at a higher level than the road and those to the south set down below it. In common with a number of surrounding dwellings No. 73 is a bungalow but has a basement garage and driveway which is cut into the hillside. The property has a balcony area above which has brickwork balustrade. The front elevation has a large amount of tile hanging and areas of brickwork.

3 RELEVANT HISTORY

BH2013/02480: Erection of single storey infill extension to front with pitched roof. Refused 17/09/2013. Appeal Dismissed 21/11/2013.

BH2013/00640: Erection of extension to the front of the property. Refused 29/04/2013.

79/2853: Alterations and extensions to form dining room, new frontage and rooms in roof space. Approved 04/12/79.

61/862: Erection of bungalow with garage under. Approved 27/06/61.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a single storey infill extension to the front with a pitched roof.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours:** Twelve (12) letters of representation have been received from **23, 50, 56, 60, 62 (x2), 68, 70a, 71, 75 and 80 Balsdean Road** and **no address given** supporting the application for the following reasons:

- Would not be detrimental to the street scene.
- No detrimental effects on other properties.
- Will have a big difference to living space, especially the kitchen.

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

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

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

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

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

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

Supplementary Planning Guidance:

SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in this application are whether the proposal is acceptable in terms of its design and appearance in relation to the recipient building and surrounding area, having regard to the two previous refusals and appeal dismissal and whether the proposal is appropriate in terms of its impact on the amenity of nearby neighbouring properties.

Background

- 8.2 There have been two previous planning applications for a front extension on this site. Both applications were subsequently refused. The first planning application (BH2013/00640) for the erection of an extension to the front of the property was refused for the following reason:
- 8.3 *The proposed front extension by virtue of its form would disrupt the visual pattern of the immediate properties on the street. The creation of a single full width gable end would appear as an overly dominant and inappropriate addition. The proposal would harm the appearance of the street scene, and would therefore be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.*
- 8.4 In the subsequent resubmission (BH2013/02480), the extensions' roof ridge had been dropped in order to remove the design of the full width gable end. This application was also refused for the following reason:
- 8.5 *The proposed front extension by virtue of its form would disrupt the visual pattern of the immediate properties on the street. The creation of a single full width building frontage with varying eaves heights would appear as an overly dominant and inappropriate addition. The proposal would harm the appearance of the street scene, and would therefore be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.*
- 8.6 This second application went to appeal and was dismissed. The Inspector noted in his decision that while the individual appearance of the dwellings along the street is varied, the building form is relatively consistent, particularly on the northern side of the street. Almost without exception, the dwellings within the immediate area are set out on an L-shaped floorplan, with a front gable projecting beyond the main body of the house.
- 8.7 In the Inspector's reasoning for the dismissal, he stated that the proposed development would relate poorly to this established pattern by removing the L-shaped floorplan and creating a comparatively wide and unbroken façade across the frontage of the dwelling. This would substantially erode the feeling of space between the dwelling and the neighbouring property at no. 71.

- 8.8 The Inspector stated that although the physical gap between the buildings would be unaltered, the proposal would remove the staggered effect created by the projecting bay. The projecting bays are a critical element in the design of the street, creating a varied building line. In contrast, the proposal would result in a solid mass of walling across the site frontage significantly eroding the feeling of space between the two dwellings. As a consequence, the resultant dwelling would have a negative effect upon the established rhythm of the street, appearing as a dominant and incongruous feature.

Design and Appearance

- 8.9 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - d) uses materials sympathetic to the parent building.
- 8.10 While it has been acknowledged by the Local Planning Authority and the Appeal Inspector that the individual appearance of the dwellings along the street is varied, the building form is relatively consistent, particularly on the northern side of the street. Almost without exception, the dwellings within the immediate area are set out on an L-shaped floorplan, with a front gable projecting beyond the main body of the house. The projecting bays are a critical element in the design of the street, creating a varied building line and also breaks up the bulk of the buildings.
- 8.11 In an attempt to overcome the dismissed appeal, this revised design has attempted to reduce the harm of the front gable appearance on the last application by stepping the extension back approximately 400mm from the front of the building, thereby creating a small set back.
- 8.12 While it is considered that this helps in breaking up the front elevation from the previously refused application, the proposed extension would still infill the majority of the existing terrace and so the property would only have a minimal staggered front elevation at first floor level. This addition would result in the property having a more dominant appearance and would remove the bulk of the visual break of the form of the property that the existing elevation provides eroding the feeling of space between no. 71. The resultant appearance of the front elevation would be significantly prominent in a way that would erode this relief and disrupt the character to the street that this provides.
- 8.13 It is noted there are a variety of frontage designs in the street, however the resultant dwelling would have a negative effect upon the established rhythm of the street, appearing as a dominant and incongruous feature.

- 8.14 The proposal would therefore be detrimental to the street scene, contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

Impact on Amenity

- 8.15 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.
- 8.16 The neighbouring property most likely to be affected by the proposal is the neighbouring property immediately to the west (no. 71 Balsdean Road). The proposed extension would add bulk to the south-west corner of the property close to the side elevation of this neighbouring property. There is a side window at no. 71 Balsdean Road that would obliquely face the extension. However this window already faces the application property, and the distance between the window and extension alleviates any significant cause of enclosure to the window.
- 8.17 No side windows are proposed and the extension would result in the removal of the existing balcony and so overlooking towards no. 71 Balsdean Road would be reduced. The proposed front elevation window would have similar views to existing windows.

9 CONCLUSION

- 9.1 The resultant appearance of the front elevation would be significantly prominent in a way that would erode this relief and feeling of space between the property and no. 71 Balsdean Road and disrupting the important characteristic of the street that this provides, thereby having a negative effect upon the established rhythm of the street, and appearing as a dominant and incongruous feature. The proposal would harm the appearance of the street scene, and would therefore be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

10 EQUALITIES

- 10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposed front extension by virtue of its form would disrupt the visual pattern of the immediate properties on the street. The resultant appearance of the front elevation would be significantly prominent in a way that would erode this relief and feeling of space between the property and no. 71 Balsdean Road and disrupting the important characteristic of the street that this provides, thereby having a negative effect upon the established rhythm of the street, and appearing as a dominant and

PLANNING COMMITTEE LIST- 12 MARCH 2014

incongruous feature. The proposal would harm the appearance of the street scene, and would therefore be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

Plan Type	Reference	Version	Date Received
Location and Block Plan			10.01.2014
Existing Plans, Sections Elevations	01		10.01.2014
Proposed Plans, Sections Elevations	02	C	10.01.2014

PLANNING COMMITTEE	Agenda Item 167 Brighton & Hove City Council
---------------------------	--

Information on Pre-application Presentations and Requests

Upcoming presentations – Dates TBC

Anston House, Preston Road, Brighton – site redevelopment

Date	Address	Ward	Proposal
11 th March 14	Hove Park Depot, The Droveaway, Hove	Hove Park	Demolition of existing buildings and construction of a new two storey primary school building with brise soleil solar shading, solar panels and windcatchers with associated external hard and soft landscaping
18 th February 14	City College, Wilson Avenue, Brighton	East Brighton	Additional accommodation
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 12 March 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****BH2013/03074****7 Midhurst Rise Brighton**

Demolition of existing garage and erection of semi-detached two storey two bedroom house. Widening of existing vehicular access and provision of two cycle stores.

Applicant: N Holmes

Officer: Andrew Huntley 292321

Refused on 13/02/14 DELEGATED

1) UNI

The resultant building by reason of its design and siting, would create an uncharacteristic terrace, which would adversely impact on the character and appearance of the existing building, the pair of semi-detached properties, and the open character of the area. This harm is exacerbated given its prominent corner location which would be visible from long range views from the north of the site. As such, the dwelling fails to enhance the positive qualities of the key neighbourhood principles of the area and does not respect the building forms, spacing characteristics or the open character of the area. Consequently the proposal would be contrary to policies QD1, QD2, QD3 and HO5 of the Brighton & Hove Local Plan.

BH2013/03811**Land Adjacent 78 Overhill Drive Brighton**

Application for approval of details reserved by conditions 9, 10, 11, 12, 13, and 14 of application BH2011/02385.

Applicant: Ms Papanicolaou

Officer: Anthony Foster 294495

Split Decision on 03/02/14 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 9, 10b, 11, and 14 subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 10a, 12 and 13 are NOT APPROVED for the reason(s) set out in section 10.

2) UNI2

Insufficient information in relation to the required Design Stage/Interim Code for Sustainable Homes Report has been submitted in order for the details pursuant to condition 10a of the consent to be approved.

3) UNI3

Insufficient information in relation to the proposed green wall has been submitted

Report from: 30/01/2014 to: 19/02/2014

in order for the details pursuant to condition 13 of the consent to be approved.

4) UNI4

Insufficient information in relation to the required Final/Post Construction Code Certificate has been submitted in order for the details pursuant to condition 13 of the consent to be approved.

BH2013/04014

Mill House Overhill Drive Brighton

Application for variation of condition 2 of application BH2010/03233 (Erection of single detached bungalow) to read: No extension, enlargement, alteration or provision within the cartilage of the dwelling house as provided for within Schedule 2, Part 1, Classes A, B, D & 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.

Applicant: Mr Alan Maysey

Officer: Anthony Foster 294495

Approved on 31/01/14 DELEGATED

1) UNI

No extension, enlargement, alteration or provision within the cartilage of the dwelling house as provided for within Schedule 2, Part 1, Classes A, B, D & 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.

2) UNI

The development hereby permitted shall be carried out in accordance with the approved scheme for the storage of refuse and recycling as shown on Proposed site layout (dwg no. 2.08) received 01 October 2012 and approved on 14 June 2013 under application reference BH2012/03136. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

3) UNI

The new dwelling shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

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

4) 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 Certificate by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use

of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

5) 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.

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
Topographical Survey & Location Plan	1.01		12/10/2010
Proposed Block and Site Plan	2.01		12/10/2010
Proposed Plans & Elevations	2.02		12/10/2010
Existing and Proposed Site Sections & Existing and Proposed Site Plans	2.03	A	07/01/2011
Drainage and Services Layout	2.04	A	07/01/2011
Proposed Soft Landscaping and Fencing layout	2.05	A	07/01/2011
Proposed Block and Site Plan	2.01		06/12/2013
Site Layout as Proposed	3.13		06/12/2013

7) UNI

The development shall be carried out in accordance with the proposed road[s], surface water drainage, outfall disposal and crossover details as shown on General Arrangement (dwg no. 101) and Constructional Details dwg no. 501) received 01 October 2012 and approved on 14 June 2013 under application reference BH2012/03136. The works shall be carried out in strict accordance with the approved details prior to occupation of the dwelling hereby approved.

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

8) UNI

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

Reason: To ensure the safety of persons and vehicles entering and leaving the

access and proceeding along the highway to comply with policies TR7 and TR19 of the Brighton & Hove Local Plan.

9) UNI

Landscaping of the site shall be undertaken in accordance with the details as shown on the Landscaping Proposal received 01 October 2012 and approved on 14 June 2013 under application reference BH2012/03136.

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

10) UNI

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

11) UNI

The scheme of measures to improve ecological biodiversity on the site shall be undertaken in accordance with the details as shown in the R W Green Limited Arboricultural, Horticultural & Ecological Management Report received 5 June 2013 and approved on 23 September 2013 under application reference BH2013/01819.

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.

12) UNI

The development hereby permitted shall be carried out in accordance with the approved details of cycle parking as shown on Proposed site layout (dwg no. 2.08) received 01 October 2012 and approved on 14 June 2013 under application reference BH2012/03136. The development shall not be occupied until have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

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

BH2013/04076

ASDA 1 Crowhurst Road Brighton

Display of internally illuminated ATM sign, non illuminated vinyl graphics to atrium, manifestation dots to entrance lobby and trolley shelter and non illuminated information and directional signs.

Applicant: ASDA Store Ltd

Officer: Andrew Huntley 292321

Approved on 04/02/14 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

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) UNI

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

5) UNI

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) UNI

No advertisement shall be sited or displayed so as to -

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) UNI

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

BH2013/04101

6 Wilmington Parade Brighton

Installation of window to side elevation.

Applicant: Jack & Maggies Limited

Officer: Emily Stanbridge 292359

Approved on 03/02/14 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			09.12.2013
Block Plan			09.12.2013
Side elevation existing and proposed			03.12.2013
Frame specification			03.12.2013
Brochure			09.12.2013
Cill Cross section	08		23.01.2014

BH2013/04119

Asda Superstore 1 Crowhurst Road Brighton

Installation of 7no refrigeration plant units to roof.

Applicant: Asda Store Ltd

Officer: Andrew Huntley 292321

Refused on 04/02/14 DELEGATED

1) UNI

Without any scientific or professional acoustic report available, there is insufficient information on which to make an informed judgement in regard to noise levels of the proposed new refrigeration units. As such, the application has failed to demonstrate that the proposed new refrigeration units would not be harmful to neighbouring amenity and is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/04261

3 Braeside Avenue Brighton

Erection of single storey front extension, roof alterations including dormers to front and rear, rear rooflights and associated works.

Applicant: Mr Paul Yeates

Officer: Sue Dubberley 293817

Approved on 10/02/14 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
-----------	-----------	---------	------

Report from: 30/01/2014 to: 19/02/2014

			Received
Proposed extension	575/01	A	16 Dec 2013
Existing layout	575/02		16 Dec 2013
Street layout	575/03	A	16 Dec 2013

PRESTON PARK

BH2013/02954

59B Beaconsfield Villas Brighton

Replacement double glazed timber sash windows to front elevation.

Applicant: Alison Henry Trust

Officer: Wayne Nee 292132

Approved on 13/02/14 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 dimensions of the glazing bars and mouldings of the new windows hereby permitted shall match exactly those of the existing building.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed Window dimensions	n/a		10 February 2014
Window joinery	n/a		25 September 2013
Window details	n/a		25 September 2013
Photos	n/a		25 September 2013
Site plan	n/a		25 September 2013
Block plan	n/a		25 September 2013
Existing ground floor plan	MOO27/03		28 August 2013

BH2013/03463

48 Rugby Road Brighton

Installation of 2no windows to first floor west elevation.

Applicant: Professor Paul Tofts

Officer: Adrian Smith 290478

Approved on 12/02/14 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 windows hereby approved shall be set a minimum 1.7m above internal floor level and be painted timber and fixed shut, and thereafter retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development, to safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14, HE6 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 plan			10/10/2013
Existing floor plan			27/11/2013
Existing elevation			10/10/2013
Proposed floor plan			27/11/2013
Proposed elevation			27/11/2013
Proposed section			27/11/2013
Proposed detail			27/11/2013

BH2013/03855

21 Edburton Avenue Brighton

Erection of single storey side extension.

Applicant: Geoff Heath

Officer: Adrian Smith 290478

Approved on 03/02/14 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

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

Report from: 30/01/2014 to: 19/02/2014

Plan Type	Reference	Version	Date Received
Site plan, block plan, existing and proposed plans and elevations	PBP0031/01		13/11/2013

BH2013/03937

Ten And A Half Preston Park Avenue Brighton

Demolition of existing house and garage and erection of 1no detached four bedroom house (C3) with associated parking & landscaping.

Applicant: Peter Franks

Officer: Liz Arnold 291709

Approved on 31/01/14 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 & Block Plans	TA 711/01		18th November 2013
Existing Site Survey Plan	TA 711/02	Rev. B	18th November 2013
Existing Site Plan	TA 711/03		18th November 2013
Existing Plans	TA 711/04		18th November 2013
Existing Elevations	TA 711/05	Rev. A	10th January 2014
Existing Elevations	TA 711/06	Rev. A	10th January 2014
Existing Section AA	TA 711/07	Rev. A	10th January 2014
Proposed Block Plan	TA 711/10	Rev. D	10th January 2014
Proposed Site Plan	TA 711/11	Rev. J	10th January 2014
Proposed Ground Floor Plan	TA 711/12	Rev. G	18th November 2013
Proposed Floor Plans	TA 711/13	Rev. E	18th November 2013
Proposed Front Elevation	TA 711/14	Rev. F	18th November 2013
Proposed Section AA	TA 711/15	Rev. D	18th November 2013
Proposed South Elevation	TA 711/16	Rev. D	18th November 2013
Proposed North Elevation	TA 711/17	Rev. E	18th November 2013
Proposed East Elevation	TA 711/18	Rev. D	18th November 2013

Proposed Context Elevation	TA 711/19	Rev. F	18th 2013	November
----------------------------	-----------	--------	--------------	----------

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

4) 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.

5) UNI

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

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

6) 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.

7) 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.

8) UNI

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

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

9) UNI

The development hereby permitted shall be undertaken in accordance with the Waste Minimisation Statement received on the 18th November 2013.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

10) UNI

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

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 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 QD1, QD2 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 plan detailing the positions, height, design, materials and type of the proposed southern and western boundary treatments. The boundary treatment shall be provided in accordance with the approved details before the building is occupied and retained thereafter.

Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD1, QD15, HE6 and QD27 of the Brighton & Hove Local Plan.

13) 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.

14) 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 for [eg crossover, pilings] has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification/Method Statement.

Reason: To ensure the adequate protection of the protected trees which are to be

retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

15) 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.

16) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code Level 4 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

17) UNI

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

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

18) 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.

19) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A - F 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 character of the area and to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development proposals to comply with policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

20) UNI

The first floor window in the northern 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.

BH2013/04002

160 Dyke Road Brighton

Application for approval of details reserved by conditions 6, 7, 8a and 8b of application BH2012/03534.

Applicant: Rogan Investments Ltd

Officer: Sue Dubberley 293817

Split Decision on 30/01/14 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 6 and 8b and subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 7 and 8a are NOT APPROVED for the following reason:

1. Condition 7; the proposed cycle storage is not secure and covered.
2. Condition 8(a), a Design Stage Assessment Report has not been submitted

BH2013/04112

32 Florence Road Brighton

Erection of a single storey glazed rear extension.

Applicant: Mr Peter Alderman

Officer: Sonia Gillam 292265

Approved on 30/01/14 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 windows in the western elevation of the development hereby permitted shall be obscure glazed and thereafter permanently retained as such.

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

3) UNI

The windows in the western elevation of the development hereby permitted shall be top hung and fitted with window restrictors. Except in emergencies, the restrictors shall restrict the windows to an opening of no more than 350mm in accordance with the details set out in the letter from Mark Godfree received on the 4th December 2013. The restrictors shall be retained as such thereafter.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
-----------	-----------	---------	---------------

Site location plan			04/12/2013
Block plan			04/12/2013
Existing roof plan and elevations	VPF4673/M Sheet 1	A	10/12/2013
Proposed floor plan, roof plan and elevations	VPF4673/M		04/12/2013

BH2013/04121

6 Ashford Road Brighton

Certificate of lawfulness for proposed single storey rear extension and loft conversion incorporating front rooflights and rear dormer with Juliet balcony.

Applicant: Mr Andrew Dodd

Officer: Andrew Huntley 292321

Approved on 17/02/14 DELEGATED

BH2013/04159

Flat 4 12 Lancaster Road Brighton

Replacement of timber double balcony doors with a UPVC single balcony door.

Applicant: Zoe Crossfield

Officer: Emily Stanbridge 292359

Approved on 04/02/14 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			11.12.2013
Photographic schedule			06.12.2013
Brochure page			06.12.2013
Door quotation page			23.01.2014

BH2013/04169

25 Waldegrave Road Brighton

Erection of single storey rear extension.

Applicant: Mrs Deborah Scott

Officer: Emily Stanbridge 292359

Refused on 03/02/14 DELEGATED

1) UNI

The proposed extension by virtue of its design, scale and form represents an inappropriate addition to this property, which is exacerbated by the flat roof form and the bulky roof lanterns. The proposed design of this wrap around extension disrupts the original readable form of the existing building, altering its character and appearance resulting in an overly dominant addition. This extension causes harm to the character and appearance to the property and wider Preston Park conservation area. The proposal is therefore contrary to QD14 within the Brighton & Hove Local Plan and SPD12: Design guide for extensions and alterations.

2) UNI2

Report from: 30/01/2014 to: 19/02/2014

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 received listed below:

3) UNI3

Plan Type	Reference	Version	Date Received
Location and block plans	2013/06/11		09.12.2013
Existing longitudinal section	2013/06/13		09.12.2013
Proposed longitudinal section	2013/06/18	B	09.12.2013
Existing south section	2013/06/15	A	09.12.2013
Proposed south section	2013/06/20	D	09.12.2013
Proposed roof plan	2013/06/17	C	09.12.2013
Existing west elevation	2013/06/14	A	09.12.2013
Proposed west elevation	2013/06/19	D	09.12.2013
Existing ground floor plan	2013/06/12		09.12.2013
Proposed ground floor plan	2013/06/16	D	09.12.2013

BH2013/04189

102 Edburton Avenue Brighton

Installation of rooflight to front elevation.

Applicant: Tanya Taylor

Officer: Chris Swain 292178

Approved on 07/02/14 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 rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed roof plan	PBP0045/02		13 December 2013
Existing and proposed elevations	PBP0045/02		11 December 2013
Site plan	PBP0045/03		11 December 2013
Block plan	PBP0045/04		11 December 2013

BH2013/04205**88 Havelock Road, Brighton, BN1 6GF**

Application for Approval of Details Reserved by Condition 10 of application BH2011/02956.

Applicant: Stanford Inns Limited

Officer: Liz Arnold 291709

Approved on 13/02/14 DELEGATED

BH2013/04208**Ground Floor Flat 107 Preston Road Brighton**

Erection of single storey rear extension.

Applicant: Mr & Mrs Bennett

Officer: Anthony Foster 294495

Approved on 06/02/14 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
Location Plan & Block Plan			12/12/2013
Existing Plans, Section and Elevations	01		12/12/2013
Proposed plans, sections and elevations	02	A	12/12/2013

BH2013/04275**10 Preston Park Avenue Brighton**

Application for variation of condition 2 of application BH2013/00165 (Application to extend time limit for implementation of previous approval BH2010/00220) to alter the access and front forecourt, to provide an improved layout with reconstruction of front wall and removal of southern most access.

Applicant: Peter Franks

Officer: Anthony Foster 294495

Refused on 13/02/14 DELEGATED

1) UNI

The proposed hardstanding would be unduly prominent and harmful to the setting of the building and the coherence of the street scene. The hardstanding represents an unsympathetic alteration and would be to the detriment of the existing property and the street scene, and would fail to preserve or enhance the character or appearance of the Preston Park Conservation Area. As such the proposed development is contrary to policies QD2, QD14 and HE6 of the

Report from: 30/01/2014 to: 19/02/2014

Brighton & Hove Local Plan.

BH2013/04284

93 Springfield Road Brighton

Roof alterations incorporating a dormer and rooflights to rear elevation and a rooflight to the front elevation.

Applicant: Mr Victor Ellis

Officer: Chris Swain 292178

Approved on 11/02/14 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 cheeks and roof of the hereby approved dormer window shall be finished in lead and 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 rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

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
Roof conversion	477/01	B	12 February 2013
Existing Layout	477/02	B	12 February 2013

5) UNI

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

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

BH2013/04338

10 Upper Hamilton Road Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 2no `residential units - one at ground floor level and one at basement level.

Applicant: Liam Russell Architects

Officer: Christopher Wright 292097

Prior approval not required on 13/02/14 DELEGATED

BH2014/00040

59 Florence Road Brighton

Certificate of Lawfulness for existing rooflights to front and rear elevations.

Applicant: Mr Paul Bonczyk

Officer: Emily Stanbridge 292359

Approved on 18/02/14 DELEGATED

Report from: 30/01/2014 to: 19/02/2014

REGENCY

BH2013/01953

36-61 Kings Road Arches Brighton

Demolition of arches and erection of new arches with new brick façade with timber doors and windows. Replacement railings to upper esplanade level. Change of use from storage to 11no individual A1 units and public toilets. (Part retrospective).

Applicant: Brighton & Hove City Council

Officer: Kathryn Boggiano 292138

Approved on 05/02/14 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 and Location Plan	21203/OS/01		22 October 2013
Existing plans and elevation Part 1 of 2	21203/P/E/01/A		22 October 2013
Existing plans and elevation Part 2 of 2	21203/P/E/02/A		22 October 2013
Existing photos	21203/P/P/01		30 September 2013
Public Toilets GA floor plan	21203/B/010/L		19 December 2013
Proposed floor plan and elevations Planning application GA part 1 of 2	20203 P/GA/01		30 September 2013
Proposed floor plan and elevations Planning application GA part 2 of 2	21203/P/GA/02		30 September 2013
Panel and frame details	21203/B/004		12 June 2013
Pre-cast arch details	21203/B/002		12 June 2013
Brickwork details	21203/B/003		12 June 2013
Stanchion details	21203/B/006		12 June 2013
Pre-cast Kerb Unit Details	21203/B/007		12 June 2013
East and West additional Brick Panels	21203/B/005		12 June 2013
Typical Retail Unit	21203/B/016		12 June 2013
Rising slab edge details	21203/B/008		12 June 2013
Drainage Details	21203/B/009		12 June 2013
LED Feature Lighting	21203/P/LED/01		30 September 2013

2) UNI

Unless otherwise agreed in writing with the Local Planning Authority, the A1 units hereby approved shall remain as 11 individual units as shown on plans referenced 21203/P/GA/01 and 21203/P/GA/02 received on 30 September 2013.

Reason: In order to prevent the creation of larger retail units which may compete with any designated shopping centre or local parade and to comply with policies SR1 and SR2 of the Brighton & Hove Local Plan.

3) UNI

The railings shall be constructed using cast iron.

Reason: To ensure the historic character and appearance of the seafront railings is retained and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

The railings shall be fully installed and coloured to match the remainder of the Brighton Seafront Railings within 2 months of the date of this permission.

Reason: To ensure the historic character and appearance of the seafront railings is retained and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

The arch window and door frames and shutters hereby approved shall be painted cream 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.

BH2013/02191

2 Ship Street Brighton

Display of externally illuminated fascia and hanging sign and non illuminated painted signs.

Applicant: Mr Peter Bradford

Officer: Guy Everest 293334

Split Decision on 18/02/14 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.

1) UNI

The non-illuminated signs at second floor level to the front elevation and first floor level to the northern elevation would, by reason of their siting in relation to the ground floor commercial frontage, appear incongruous in relation to the main building and those adjoining. The signs would therefore result in harm to amenity and are also contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and Supplementary Planning Document 07, Advertisements.

BH2013/02843

14 Ship Street Brighton

Conversion of first floor beauty treatment room (sui generis) and second floor small House in Multiple Occupation (C4) to form 3no self contained flats incorporating two storey rear extension at first and second floors.

Applicant: Mr Saeid Zargham

Officer: Liz Arnold 291709

Approved on 10/02/14 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 glazing, sound absorption and ventilation mitigation methods required in association with the proposed change of use shall be installed in the premises as outlined in Section 6.3 and 6.4 of the Noise Assessment report, undertaken by Acoustic Associates Sussex Ltd, received on the 2nd December 2013.

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

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 'pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

4) 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. The development shall be carried out in accordance with the agreed 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.

5) 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.

6) UNI

No residential development shall commence until a BRE issued Interim / Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'pass' as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

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 Location Plan			2nd September 2013
Block Plan			2nd September 2013
Proposed Floor Plans			2nd September 2013
Existing Floor Plans	12/11-02		19th August 2013
Proposed Elevations	12/11-03	Rev. A	9th December 2013
Existing Elevations	12/11-04		2nd September 2013
Proposed Floor Plans	12/11-05	Rev. A	31st December 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.

BH2013/02844

14 Ship Street Brighton

Conversion of first floor beauty treatment room (sui generis) and second floor small House in Multiple Occupation (C4) to form 3no self contained flats incorporating two storey rear extension at first and second floors.

Applicant: Mr Saeid Zargham

Officer: Liz Arnold 291709

Approved on 30/01/14 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

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

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

3) UNI

No works shall take place until details of the design and method of opening of the proposed secondary glazing hereby approved 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 a schedule of the proposed restoration works to the interior has been submitted to and approved in writing by the Local Planning Authority. The schedule shall allow for reinstatement of original architectural features including skirtings, internal doors, stair balustrading, and alterations to the ground floor entrance. 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 details of the proposed fire protection works 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.

6) UNI

The windows hereby approved shall be single glazed painted timber vertical sliding sashes with no trickle vents and shall match exactly the original sash windows to the building, including their architrave, frame and glazing bar dimensions and mouldings, and subcill, masonry cill and reveal details, and shall have concealed sash boxes recessed within the reveals and set back from the outer face of the building to match exactly the original sash boxes to the building.

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

7) UNI

No works shall take place until 1:20 scale elevations and sections of the

proposed lobbies 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.

BH2013/03771

1 Hampton Place Brighton

Conversion of first floor flat into 2no two bedroom flats.

Applicant: Natasha Hay

Officer: Jason Hawkes 292153

Refused on 31/01/14 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 floor area of the existing flat is less than 115 square metres and, in the absence of information to indicate otherwise, the unit did not have more than 3 bedrooms as originally built. The scheme is therefore contrary to the above policy and would result in the loss of a small unit of accommodation.

BH2013/04007

72-73 Western Road Brighton

Display of 1 no. internally illuminated fascia sign and 1 no. non-illuminated hanging sign.

Applicant: Recipease Ltd

Officer: Andrew Huntley 292321

Approved on 30/01/14 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

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) UNI

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

5) UNI

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) UNI

No advertisement shall be sited or displayed so as to -

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) UNI

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

BH2013/04038

Neo Hotel 19 Oriental Place Brighton

Conversion of existing hotel (C1) to form 5no studio flats and 4no one bedroom flats (C3) with associated alterations including extension at second and third floor levels.

Applicant: Steph Harding

Officer: Clare Simpson 292454

Refused on 31/01/14 DELEGATED

1) UNI

The proposed rear extension would result in loss of historic detail and a loss of the appreciation of the original form, scale and mass of the principal building. The external works to the building would result in a loss of the historic and aesthetic significance of the building. Furthermore the visually heavy extension would appear unduly dominant and would upset the established rhythm along the rear of the terrace which has been created through the historic subservient rear extensions. The proposal would therefore harm the historic character and appearance of the building, wider terrace and Regency Square Conservation Area, contrary to policies QD14, HE1, HE3 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed conversion of the property into nine residential units of 5 studio flats and four one bed flats is an over-intensive use of the site and would provide a poor size and mix of units. Furthermore the rear basement flat would have inadequate natural light, ventilation and outlook. The proposal would provide a cramped and unsatisfactory standard of residential accommodation, which would fail to meet the likely needs of future occupiers. The proposal is thereby contrary to policies HO3, QD27, SU2 and TR14 of the Brighton & Hove Local Plan.

BH2013/04039

Neo Hotel 19 Oriental Place Brighton

Conversion of existing hotel (C1) to form 5no studio flats and 4no one bedroom

Report from: 30/01/2014 to: 19/02/2014

flats (C3) with associated internal alterations to layout and external alterations including extension at second and third floor levels.

Applicant: Steph Harding
Officer: Clare Simpson 292454

Refused on 31/01/14 DELEGATED

1) UNI

The proposed rear extension would result in loss of historic detail and a loss of the appreciation of the original form, scale and mass of the principal building. The extension would result in an over-development of the building and site, and would be an unduly dominant addition to the prominent north and west / south-west elevations. The proposal is thereby contrary to policies HE1 and HE3 of the Brighton & Hove Local Plan, and Supplementary Planning Documents 12, Design Guide for Extensions and Alterations, and, 09 Architectural Features.

2) UNI2

2. The proposed conversion of the internal spaces to form self-contained residential flats would result in the loss of original plan form and loss of original historic features of the building, particularly at ground and first floor levels of the building. The proposal is thereby contrary to policies HE1 and HE4 of the Brighton & Hove Local Plan.

BH2013/04041

Royal Albion Hotel 35 Old Steine Brighton

Internal alterations to form 11no guest rooms in basement.

Applicant: Britannia Hotels
Officer: Helen Hobbs 293335

Approved on 10/02/14 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 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 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.

BH2013/04054

43 Sillwood Street Brighton

Application for variation of condition 7 of application BH2005/02323/FP to state that the windows on the ground floor front elevation only shall be retained as painted softwood.

Applicant: Mr Mark Waters
Officer: Emily Stanbridge 292359

Refused on 31/01/14 DELEGATED

1) UNI

Condition 7 of planning application BH2005/02323/FP requires the retention of timber vertical sliding sashes with concealed trickled vents which retain the historic character and appearance of this building and wider street scene. The loss of these traditional features with the replacement of modern materials is considered to be an inappropriate alteration to this property which would cause demonstrable harm to the visual appearance of the dwelling and wider conservation area. The proposed variation of this condition is therefore contrary

to Policies QD14 and HE6 within the Brighton & Hove Local Plan and SPD09 Architectural Features.

BH2013/04086

Flat 8 6 Clarence Square Brighton

Replacement of existing timber framed windows.

Applicant: Miss Brewer

Officer: Oguzhan Denizer 290419

Refused on 13/02/14 DELEGATED

1) UNI

The proposed windows by virtue of their design, proportions and opening method would not reflect or be in keeping with timber sash windows present to lower floors of the building. The windows would therefore fail to preserve the character or appearance of the building or wider Regency Conservation Area. The proposal would thereby be contrary to policy HE6 of the Brighton & Hove Local Plan and SPD09 on Architectural Features.

BH2013/04219

2A Regency Mews Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 1no town house.

Applicant: Mr N Wafae

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 06/02/14 DELEGATED

ST. PETER'S & NORTH LAINE

BH2013/03492

Top Floor Flat 18 Clifton Street Brighton

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

Applicant: Randolph Morse

Officer: Robin Hodgetts 292366

Refused on 30/01/14 COMMITTEE

1) UNI

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.

BH2013/03598

Pavilion Shop 4-5 Pavilion Buildings Brighton

Erection of timber furniture store on paved area in front of shop.

Applicant: Peyton and Byrne

Officer: Chris Swain 292178

Refused on 11/02/14 DELEGATED

1) UNI

The proposed development by reason of its design, materials, scale and siting would be an inappropriate addition to the street scene that would result in visual clutter and detract from the approach to the listed South Gate and harm the

setting of the listed Pavilion Buildings. The proposal would fail to preserve the appearance and character of the wider Valley Gardens Conservation Area. The proposals are thereby contrary to policies QD14, HE3 and HE6 of the Brighton & Hove Local Plan.

BH2013/03693

94-103 London Road Brighton

Display of internally illuminated and non-illuminated hanging signs.

Applicant: Watkin Jones Group

Officer: Andrew Huntley 292321

Refused on 31/01/14 DELEGATED

1) UNI

The proposed advertisements would, by virtue of their number, prominent siting, unsympathetic design, size and bulk, would result in a proliferation of extraneous visual clutter and detract from the character and appearance of the building and the surrounding area to the detriment of local amenity. In addition, the internal illumination of the cube advertisements would exacerbate the harm caused. Therefore, the proposal is contrary to policy QD12 of the Brighton & Hove Local Plan and the Supplementary Planning Document 07 'Advertisements'.

BH2013/03785

94-96 Lewes Road Brighton

Erection of three storey building comprising of offices at basement and ground floor and 2no one bedroom flats and 3no two bedroom flats at first and second floors.

Applicant: Abbey Property Management

Officer: Adrian Smith 290478

Refused on 18/02/14 DELEGATED

1) UNI

The proposed development, by virtue of its design and footprint consuming the majority of the site, and its relationship with the existing building at 94-96 Lewes Road in scale, form and design, represents an incongruous overdevelopment of the site that fails to take the opportunity to improve the general townscape quality of the area or provide suitable landscaping and amenity space for occupants of the development, contrary to policies QD1, QD2, QD3, QD15 and HO5 of the Brighton & Hove Local Plan.

2) UNI2

Insufficient information has been submitted to demonstrate that occupiers of the proposed development would not be exposed to harmful levels of noise, odour and pollutants from the adjacent main road and petrol station, to the detriment of their amenity and contrary to policies SU9, SU10 & QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed development, by virtue of its scale and proximity to the existing building at 94-96 Lewes Road, would result in loss of light and the oppression of outlook to the basement flats, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03888

Brighton Dome Studio Theatre 29 New Road Brighton

Internal alterations to layout of existing bar including movement of entrance staircase and interior walls to accommodate existing disabled platform lift and new disabled toilet.

Applicant: Peyton and Byrne

Report from: 30/01/2014 to: 19/02/2014

Officer: Andrew Huntley 292321

Approved on 10/02/14 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.

BH2013/03948

37a Crescent Road Brighton

Replacement of existing UPVC front door with a timber door and installation and relocation of rooflights to rear roof slope and ground floor flat roof.

Applicant: Sam Willoughby

Officer: Adrian Smith 290478

Approved on 07/02/14 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	WILLOUGHBY .SP.01		20/11/2013
Existing floor plans	WILLOUGHBY .S01		20/11/2013
Existing elevations and section	WILLOUGHBY .S012		20/11/2013
Proposed floor plans	WILLOUGHBY .P01		20/11/2013
Proposed elevations and section	WILLOUGHBY .P01		20/11/2013

BH2013/03963

14 Dyke Road & 1 Wykeham Terrace Brighton

Internal alterations and installation of new entrance doors. (Part retrospective)

Applicant: Kerry Howard

Officer: Chris Swain 292178

Approved on 30/01/14 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

The hereby approved replacement doors DX13, DX14 and DX15, as shown on plan No. WYTER1/02E shall be installed in accordance with the approved details within three months of the date of this approval and shall be retained as such thereafter.

Report from: 30/01/2014 to: 19/02/2014

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.

BH2013/04018

27 Buckingham Close Bath Street Brighton

Replacement UPVC windows and door to rear elevation.

Applicant: Miss Rachel Sanders

Officer: Chris Swain 292178

Approved on 03/02/14 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			9 December 2013
Block plan			25 November 2013
Window details (No.1)			9 December 2013
Window details (Nos. 2, 3 & 4)			9 December 2013
Door details			9 December 2013
Window section details			9 December 2013

BH2013/04145

15 Pelham Square Brighton

Application for approval of details reserved by condition 3 of application BH2013/02974.

Applicant: Mr Andrew Walker

Officer: Chris Swain 292178

Approved on 30/01/14 DELEGATED

BH2013/04146

15 Pelham Square Brighton

Application for approval of details reserved by condition 3 of application BH2013/02973.

Applicant: Mr Andrew Walker

Officer: Chris Swain 292178

Approved on 30/01/14 DELEGATED

BH2013/04166

29-30 Surrey Street Brighton

Installation of new extract duct, replacement of existing window with timber window and door and erection of temporary free standing cold room to flat roof to rear elevation.

Applicant: Fuller Smith and Turner

Officer: Chris Swain 292178

Report from: 30/01/2014 to: 19/02/2014

Refused on 14/02/14 DELEGATED

1) UNI

The applicant has failed to provide sufficient information to demonstrate that the proposed plant/machinery would not result in unacceptable odours or noise disturbance to neighbouring residential occupiers. The proposal is therefore contrary to policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed flue, by reason of design, scale, materials and siting would constitute an incongruous and uncharacteristic element that disrupts the architectural integrity of the building. The proposed cold store and associated timber screen would further exacerbate the harmful appearance of the proposal. Overall, the proposed development would relate poorly to the existing building resulting in a significantly detrimental impact to the character and appearance of the building and the wider West Hill Conservation Area. The proposal is contrary to policies, QD14 and HE6 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide to Extensions and Alterations.

BH2013/04221

73 Roundhill Crescent Brighton

Erection of a single storey rear extension to second floor and associated alterations

Applicant: Jack Konarek

Officer: Chris Swain 292178

Approved on 06/02/14 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 plans and elevations	3410.EXG.01	G	12 December 2013
Proposed plans and elevations	3410.PL.01	C	12 December 2013

BH2013/04289

48 Queens Road Brighton

Display of externally illuminated fascia and hanging signs and non-illuminated canopy with lettering.

Applicant: The Julien Plumart Group

Officer: Wayne Nee 292132

Approved on 11/02/14 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.

BH2013/04290

48 Queens Road Brighton

Alterations to shop front incorporating new doors and stall riser, installation of tiles to forecourt, uplighters to replace existing and associated works.

Applicant: The Julien Plumart Group

Officer: Wayne Nee 292132

Approved on 11/02/14 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 plans	09-01		17 December 2013
Proposed plans	09-02		17 December 2013

BH2013/04321

35 Marlborough Place Brighton

Application for Approval of Details Reserved by condition 1 of application BH2013/03033.

Applicant: C Lewin

Officer: Anthony Foster 294495

Approved on 12/02/14 DELEGATED

BH2014/00033

90A & 90B Shaftesbury Road Brighton

Prior approval for change of use from offices (B1) to residential (C3).

Applicant: Dr John Fernley

Officer: Sue Dubberley 293817

Prior Approval is required and is refused on 17/02/14 DELEGATED

WITHDEAN

BH2012/02958

Land at rear of 48-50 Inwood Crescent Brighton

Erection of 2 no two bedroom three storey houses on land rear of 48-50 Inwood Crescent. (Retrospective)

Applicant: Mrs Karen Healey

Officer: Jason Hawkes 292153

Refused on 05/02/14 DELEGATED

1) UNI

Having regard to the close proximity and scale of the buildings in relation to the rear terrace of 48B Inwood Crescent, the proposal results in an unneighbourly form of development, a loss of outlook and an increased sense of enclosure to this terrace. The scheme is therefore considered to be detrimental to the amenity of the residents of 48B Inwood Crescent and is contrary to policy QD27 of the Brighton & Hove Local Plan.

2) UNI2

Having regard to the close proximity and scale of the buildings in relation to the lower rear windows of 48 & 50 Inwood Crescent, the proposal results in an unneighbourly form of development, a loss of outlook and an increased sense of

enclosure. The scheme is therefore considered detrimental to the amenity of the residents of 48B & 50 Inwood Crescent and is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03772

284 Dyke Road Brighton

Conversion of property from flat and maisonette into three self contained flats (C3) incorporating rooflights to front and rear, parking and associated alterations.

Applicant: Mr Roman Lelic

Officer: Clare Simpson 292454

Approved on 11/02/14 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 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.

3) UNI

The crossover and access hereby approved 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.

4) UNI

The development hereby approved shall not be occupied until the front garden area is laid out in accordance with drawing no.GA09A received on the 27th January 2014. The grassed landscaped area shown on the approved drawing shall thereafter be retained in accordance with this drawing.

Reason; In the interests of the visual amenities of the area and in accordance with policies QD1 and QD14 of the Brighton & Hove Local Plan.

5) UNI

No residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'pass' as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

6) UNI

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

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

7) UNI

None of the residential units hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate

confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

8) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing site plan and location plan	GA01		13th November 2013
Existing Ground Floor	GA02		13th November 2013
Existing First Floor Plan	GA03		13th November 2013
Existing Second Floor Plan	GA04		13th November 2013
Existing Roof Plan	GA05		13th November 2013
Existing Front Elevation	GA06		13th November 2013
Existing Side Elevation	GA07		13th November 2013
Existing Rear Elevation	GA08		13th November 2013
Proposed Site and Block Plan	GA09	A	27th January 2014
Proposed Ground Floor	GA10		13th November 2013
Proposed First Floor Plan	GA11		13th November 2013
Proposed Second Floor Plan	GA12		13th November 2013
Proposed Roof Plan	GA13		13th November 2013
Proposed Front Elevation	GA14		13th November 2013
Proposed Side Elevation	GA15		13th November 2013
Proposed rear Elevations	GA16		13th November 2013

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.

BH2013/03798

15 The Beeches Brighton

Erection of a single storey side extension incorporating conversion of existing garage.

Applicant: Mr & Mrs Olorenshaw

Officer: Christopher Wright 292097

Approved on 11/02/14 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
Location Plan			7 Nov 2013
Block Plan			7 Nov 2013
Proposed Plans and Elevations	2609/10	D	13 Nov 2013

BH2013/03998

Withdean Sports Complex Tongdean Lane Brighton

Application for approval of details reserved by conditions 4, 5 and 6 of application BH2012/02766.

Applicant: Brighton & Hove City Council

Officer: Mick Anson 292354

Approved on 06/02/14 DELEGATED

BH2013/04032

Varndean High School Balfour Road Brighton

Removal of existing bike shed and erection of single storey schoolhaus eco building with integrated solar panel roof.

Applicant: Varndean School

Officer: Clare Simpson 292454

Approved on 10/02/14 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			26th November 2013
Block Plan	UK2013-10-09 41/1001	A	26th November 2013
Proposed reception and office area 50m2	UK2013-10-09 41/2001	A	26th November 2013
Existing cycle shed	UK2013-10-09 41/2002	A	26th November 2013

BH2013/04075

5 The Parade Valley Drive Brighton

Replacement of existing crittall windows with UPVC double glazed windows and replacement of rear timber door with UPVC door.

Applicant: Ms Carolyn Oxonbury & Mr Murray Poole-Connor

Officer: Emily Stanbridge 292359

Approved on 04/02/14 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			13.12.2013
Synerjy brochure			13.12.2013
Schedule of photographs			13.12.2013
Window and door specification			13.12.2013

BH2013/04142

39B Whittingehame Gardens Brighton

Certificate of Lawfulness for proposed loft conversion with side dormer.

Applicant: Mr Christopher Heath

Officer: Robin Hodgetts 292366

Approved on 31/01/14 DELEGATED

BH2013/04160

7 Clermont Terrace Brighton

Replacement of existing timber door with stained glass timber framed door.

Applicant: Justin Lloyd

Officer: Helen Hobbs 293335

Refused on 05/02/14 DELEGATED

Report from: 30/01/2014 to: 19/02/2014

1) UNI

The proposed replacement door would be out of keeping with the character of the building and would harm the group value of the building and result in the loss of an original feature. As such the proposal would be detrimental to the historic character of the existing property and the character and appearance of the street scene and surrounding conservation area. The development is therefore contrary to policies QD14 & HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 09 on Architectural Features.

BH2013/04181

44 Reigate Road Brighton

Erection of two storey rear extension with decking, first floor Juliet balcony, gable end roof extension incorporating removal of chimney, front rooflight, side windows and rear dormer with access to roof terrace, side porch extension, revised fenestration and associated works.

Applicant: Mrs Anna Gripp

Officer: Steven Lewis 290480

Refused on 07/02/14 DELEGATED

1) UNI

The proposed roof extensions by reason of their bulk, scale and detailing would result in the unbalancing of pair of symmetrical semi detached houses and would harm the appearance of the street and visual amenity of the area, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2) UNI2

The proposed two-storey rear extension by reason of its form, siting, depth and detailing would harm the character and appearance of the building 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.

3) UNI3

The proposed two-storey rear extension by reason of its height, scale, bulk and siting would have a severe and harmful impact upon the amenities of adjacent occupiers resulting a loss of privacy, light, outlook and create harmful overlooking. 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.

BH2013/04193

Blocks A & B Kingsmere London Road Brighton

Application for Approval of Details Reserved by Conditions 4, 6, 7, 8 and 9 of application BH2012/03673.

Applicant: Anstone Properties Ltd

Officer: Steven Lewis 290480

Split Decision on 05/02/14 DELEGATED

1) UNI

The details pursuant to conditions 4, 6 and 7 subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 8 & 9 are NOT APPROVED for the reason(s) set out in section .

1. The application fails to demonstrate that the proposed cycle storage facility would meet the adopted standards of the Local Planning Authority contrary to

policy TR14 & TR19 of the Brighton & Hove Local Plan.

2) UNI2

The application fails to demonstrate an acceptable and accurate information and arboricultural method statement for the protection of existing trees upon the site contrary to policies QD1 and QD15 of the Brighton & Hove Local Plan.

BH2013/04311

16 Mill Rise Brighton

Erection of roof extension including new front dormer.

Applicant: Mr Michael Jordan

Officer: Oguzhan Denizer 290419

Refused on 12/02/14 DELEGATED

1) UNI

The proposed roof extension and front dormer would be an unduly bulky addition which would dominate the front roofslope of the property. This in turn would unbalance the semi-detached pair of dwellings, causing significant harm to the character and appearance of the property and the wider street scene. As such, the proposal would be contrary to policy QD14 of the Brighton & Hove Local Plan, and SPD12: Design guide for extensions and alterations.

BH2013/04328

1 Glen Rise Close Brighton

Demolition of existing garage and erection of part one part two storey side extension. Erection of two storey rear extension with associated external alterations including creation of a front entrance lobby.

Applicant: Mr Richard Eve

Officer: Steven Lewis 290480

Approved on 13/02/14 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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed within the east or western elevations of the hereby approved extensions 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
Existing Plans/Elevations	2620-01		19/12/2013
Proposed Plans/Elevations	2620-02	A	19/12/2013
Location Block Plans	2620-03	A	19/12/2013

BH2013/04354

49 Valley Drive Brighton

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

Applicant: Mr & Mrs Yelland

Officer: Helen Hobbs 293335

Approved on 17/02/14 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 and proposed elevations and plans, location and block plans	2673-01		20th December 2013

BH2013/04373

1 Herbert Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating rooflights to front and dormers to side and rear.

Applicant: Hayley Price

Officer: Robin Hodgetts 292366

Approved on 17/02/14 DELEGATED

BH2014/00184

77 Eldred Avenue Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, dormer to rear with juliette balcony and 1no rooflight to front.

Applicant: Mr & Mrs Haynes

Officer: Emily Stanbridge 292359

Approved on 19/02/14 DELEGATED

EAST BRIGHTON

BH2013/03477

15 Eaton Place Brighton

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.

Applicant: Michael Lipton

Officer: Chris Swain 292178

Refused on 30/01/14 DELEGATED

1) UNI

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.

BH2013/03478

15 Eaton Place Brighton

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

Applicant: Michael Lipton

Officer: Chris Swain 292178

Refused on 30/01/14 COMMITTEE

1) UNI

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) UNI2

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).

BH2013/04206

187 Eastern Road Brighton

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

Applicant: Mr Tim Williams

Officer: Anthony Foster 294495

Refused on 06/02/14 DELEGATED

BH2013/04272

St Marys Hall Eastern Road Brighton

Internal installation of air conditioning unit to ground floor of main building and associated external plant with underground pipes, timber enclosure and bollard.

Applicant: Brighton & Sussex University Hospitals NHS Trust

Officer: Mick Anson 292354

Approved on 17/02/14 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

The timber enclosure shall be stained in a colour to match the brick wall as closely as possible and shall only be fixed to the mortar joints of the east boundary brick wall against which it will be located and not the bricks themselves.

Reason: In the interests of the long term preservation of the wall and the setting of the Listed Building and to comply with policies HE1 and HE3 of the Brighton & Hove Local Plan.

3) UNI

The timber enclosure shall be erected prior to the air conditioning unit becoming operational.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies HE1 and HE3 of the Brighton & Hove Local Plan.

4) UNI

The external pipework attached to the Elliot Wing shall be painted in a colour to match the existing stucco colour.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2013/04314

3-4 Paston Place Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 2no flats.

Applicant: Brighton and Sussex University Hospitals NHS Trust

Officer: Christopher Wright 292097

Prior approval not required on 12/02/14 DELEGATED

HANOVER & ELM GROVE

BH2013/03657

17 Bernard Road Brighton

Change of use from single dwelling (C3) to house in multiple occupation (SG). (Retrospective)

Applicant: Millhouse Enterprises Ltd

Officer: Anthony Foster 294495

Refused on 30/01/14 DELEGATED

1) UNI

The change of use from dwellinghouse (Class C3) to House in Multiple Occupation (Sui Generis) fails to support a mixed and balanced community and results in the area being imbalanced by the level of similar such uses, to the detriment of local amenity. The use is therefore contrary to policy CP21 part ii) of the Brighton & Hove City Plan Part One (submission document) and to policy QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposal represents over intensification of the use of the property which was originally built as a modest 3 bed family dwelling. The occupation of the property with 7 bedrooms would result in a material increase in noise and disturbance that would cause harm to neighbouring amenity. The proposed development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposal by virtue of the lack of shared communal spaces within the property, restricted usable head height within the front bedroom at second floor within the roof space, resulting in cramped form of development providing a

substandard level of accommodation that would be detrimental to the residential amenity of future occupiers and is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/03996

5A Brading Road Brighton

Replacement of single glazed timber framed window with UPVC double glazed window.

Applicant: Zoe Hillier

Officer: Emily Stanbridge 292359

Approved on 31/01/14 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
Window drawing			25.11.2013
Window opening method			25.11.2013
Evolve Brochure			24.01.2014
Window specification pages			24.01.2014

BH2013/04046

31 Melbourne Street Brighton

Erection of three storey block containing 5no self-contained flats.

Applicant: Mr E Barakat

Officer: Wayne Nee 292132

Refused on 30/01/14 DELEGATED

1) UNI

The proposed development, by reason of its design, scale, architectural detailing and height, would not sympathetically relate to either the modern development to the north of the site or to the traditional terraced properties to the south. The development would therefore fail to justify the loss of the visual gap which acts as a transition break between the two styles of development. As a result the proposed development would appear incongruent and overly dominant causing harm to the character of the street scene contrary to Brighton & Hove Local Plan policies QD1, QD2, QD3 and HO4.

2) UNI2

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

BH2013/04141

Former Nurses Accommodation Brighton General Hospital Pankhurst Avenue Brighton

Application For Approval of Details Reserved by Conditions 20 and 21 of application BH2010/01054.

Applicant: Denne Construction

Report from: 30/01/2014 to: 19/02/2014

Officer: Anthony Foster 294495
Approved on 17/02/14 DELEGATED

BH2013/04168

Flat 1 167 Queens Park Road Brighton

Replacement of existing double glazed UPVC bay window to the front ground floor level.

Applicant: Mr Simon Hodges
Officer: Chris Swain 292178

Approved on 12/02/14 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			9 December 2013
Product survey sheet			9 December 2013
Window design and cross section			9 December 2013

BH2013/04268

171 Elm Grove Brighton

Change of use from small House in Multiple Occupation (C4) with 4 bedrooms to a large House in Multiple Occupation (Sui Generis) with 8 bedrooms along with associated alterations including erection of a single storey rear extension and loft conversion incorporating rooflights to front and rear elevations.

Applicant: Mr Oliver Dorman
Officer: Sue Dubberley 293817

Refused on 13/02/14 DELEGATED

1) UNI

The proposed change of use to provide 8 bedrooms as a Sui Generis House in Multiple Occupation would, as a result of over-subdivision of the rooms and lack of shared communal space create a cramped form of accommodation which would fail to provide an acceptable standard of accommodation. The proposed development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposal represents over intensification of the use of the property effectively doubling the level of occupation. The occupation of the property with 8 bedrooms would result in a material increase in noise and disturbance that would cause harm to neighbouring amenity. The proposed development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/04300

131 Islingword Road Brighton

Application for Approval of Details Reserved by conditions 5, 6, 7 & 8 of application BH2013/02995.

Report from: 30/01/2014 to: 19/02/2014

Applicant: CIP (Hampstead) Limited
Officer: Wayne Nee 292132
Split Decision on 13/02/14 DELEGATED

BH2013/04358

12 Pevensey Road Brighton

Change of use from a five-bedroom Small House in Multiple Occupation (C4) to a seven-bedroom House in Multiple Occupation (Sui Generis) with associated alterations including loft conversion incorporating rooflights to front and rear roof slopes.

Applicant: Mr Jack Konarek
Officer: Adrian Smith 290478

Approved on 18/02/14 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 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 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 and existing plans, sections and elevations	3433.EX.01		23/12/2013
Proposed plans, sections and elevations	3433.PL.01	C	18/02/2014
Cycle store details	3433.PL.02		18/02/2014

HOLLINGDEAN & STANMER

BH2013/03916

33 Dudley Road Brighton

Change of use from single dwelling (C3) to either single dwelling (C3) or small house in multiple occupation (C4).

Applicant: Robert Chilvers
Officer: Wayne Nee 292132

Report from: 30/01/2014 to: 19/02/2014

Refused on 14/02/14 DELEGATED

1) UNI

The change of use from dwellinghouse (Class C3) to House in Multiple Occupation (Class C4) would fail to support a mixed and balanced community and results in the area being imbalanced by the level of similar such uses, to the detriment of local amenity. The proposed use is therefore contrary to policy CP21 part ii) of the Brighton & Hove City Plan Part One (submission document) and to policy QD27 of the Brighton & Hove Local Plan.

BH2013/04170

140 Hollingbury Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating rear dormer and 2no rooflights to front.

Applicant: Mr Tom Arnold

Officer: Chris Swain 292178

Approved on 31/01/14 DELEGATED

BH2013/04236

Former Comet Store Pavilion Retail Park Lewes Road Brighton

Reconfiguration and extension of mezzanine floor.

Applicant: AVIVA Investors Ltd

Officer: Wayne Nee 292132

Approved on 10/02/14 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 mezzanine floor shall only be used for the retail sale (with ancillary storage) of DIY, home improvement, builders` merchants, garden and associated products, domestic electrical and gas goods, furniture, carpets, motoring, cycling and leisure products and for no other purpose (including any purpose within Class A1 of the Town and Country Planning (Use Classes) Order 1987, as amended, or any subsequent similar re-enactment).

Reason: To enable the Local Planning Authority to control the use of the premises as the use for any other purpose, including any other purpose in Use Class A1, may be injurious to the amenities of the area and established shopping centres within Brighton & Hove; and to comply with policies QD27, SR1 and SR2 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan			13 December 2013
Existing plans	1149-035		13 December 2013
Interim plan	1149-037		13 December 2013
Proposed plans	1149-036		13 December 2013

MOULSECOOMB & BEVENDEAN

BH2013/04001**77 Widdicombe Way Brighton**

Erection of single storey rear extension and conversion of roof space incorporating front and rear rooflights.

Applicant: Mr M Shah

Officer: Adrian Smith 290478

Approved on 30/01/14 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
Site plan, block plan and existing plans and elevations	1114-03	A	25/11/2013
Proposed plans and elevations	1114-05	C	25/11/2013

BH2013/04057**Land Rear of 50 Baden Road Brighton**

Demolition of existing garage and erection of three storey 3 bedroom dwelling.

Applicant: Perth Securities

Officer: Sue Dubberley 293817

Approved on 11/02/14 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 extension, enlargement or other alteration of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) 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

The new dwelling hereby permitted shall be constructed to Lifetime Homes

Report from: 30/01/2014 to: 19/02/2014

standards prior to 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

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

5) 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.

6) UNI

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

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

7) UNI

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

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

8) UNI

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			27/11/13
Existing garage	2326/03		27/11/13
Proposed plans and elevations	2326/02		27/11/13
Proposed elevations			03/12/13

9) UNI

Prior to commencement of development full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished ridge heights of all buildings and structures have been submitted to and approved in writing by the

Report from: 30/01/2014 to: 19/02/2014

Local Planning Authority. All levels shall be in metric units and related to Ordnance Survey Datum. The development shall thereafter be built in accordance with the agreed details.

Reason: to safeguard the amenities of nearby residential properties and to safeguard the character and appearance of the area, and to comply with policies QD2 and QD27 of the Brighton & Hove Local Plan.

QUEEN'S PARK

BH2013/02152

Brooke Mead Albion Street Brighton

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.

Applicant: Brighton & Hove City Council

Officer: Adrian Smith 290478

Approved after Section 106 signed on 12/02/14 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.

2) UNI

Within 6 months of occupation of the development hereby approved, the applicant 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 (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.

3) UNI

Other than the dedicated walkways, balconies and roof terraces detailed on drawings nos 1694/P/103 rev P12 & 1694/P/105 rev P12 received on 25 November 2013, and drawing no 1694/P/106 rev P10 received on 8 November 2013, access to the flat roofs of the building hereby approved shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a roof garden, terrace, patio or similar amenity area.

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

4) UNI

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

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

5) UNI

Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. The Rating Level

and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.

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

6) UNI

No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units/bed spaces;
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider, or the management of the affordable housing (if no RSL involved);
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the development meets the housing needs of the city and to comply with policies HO2 & HO3 of the Brighton & Hove Local Plan.

7) UNI

Notwithstanding the provisions of the Town and County Planning (Use Classes) Order 2005 or any amendment thereto, the community facilities as detailed on drawing no.1694/P/100 rev P10 received on 08 November 2013 shall be retained solely for such use at all times

Reason: To allow the Local Planning Authority to control any subsequent change of use of the premises in the interests of retaining the community facilities within the scheme, to accord with policy HO20 of the Brighton & Hove Local Plan.

8) UNI

Notwithstanding the provisions of the Town and County Planning (Use Classes) Order 2005 or any amendment thereto, the residential units hereby permitted shall be retained as extra care units at all times and shall not be used for any other use.

Reason: The development is deemed acceptable on the basis of the mix and type of housing proposed and its limited highways impact therefore the Local Planning Authority would wish to retain control over any subsequent change of use of these premises to comply with policies TR1, HO2, HO3 and QD27 of the Brighton & Hove Local Plan.

9) UNI

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

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

10) UNI

No development shall commence until details of screening to the balconies to flats 2.06, 2.10, 3.09 & 4.09 have been submitted to and approved in writing by the Local Planning Authority. The screens shall be erected prior to the first occupation of the development and shall thereafter be retained at all times.

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

11) 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.

12) UNI

No development shall commence until a scheme for the protection of residents from road traffic noise 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.

13) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 4 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

14) 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.

15) UNI

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate disturbance during demolition and construction works from noise and dust, plant and equipment and transport movements in addition to details of any temporary external lighting to be installed at the site and measures to prevent light spillage. The development shall be carried out in accordance with the approved CEMP unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that construction operations, vehicles, materials and waste do not impact on highway safety and the operation of the school, to protect the

amenities of adjacent occupiers and to comply with policies TR7, SU13 and QD27 of the Brighton & Hove Local Plan.

16) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping that has regard to annex 7 of SPD11 'Nature Conservation and Development'. The scheme shall include the areas of off-site landscaping detailed on drawing no. 1373-01 rev A received on 11 November 2013 and include details of all 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, and the provision of bird boxes.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1, QD15 & QD17 of the Brighton & Hove Local Plan and SPD11 'Nature Conservation and Development'.

17) 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.

18) 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.

19) UNI

No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. 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 policy HE12 of the Brighton & Hove Local Plan

20) 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.

21) 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.

22) UNI

No development shall commence until a scheme for the provision of a minimum of one dedicated parking space for sole use by carers of residents of the development hereby permitted has 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 care staff to the site and to comply with Local Plan policy TR1 and SPGBH4.

23) UNI

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

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

24) UNI

The community facilities hereby permitted shall not be occupied until the sustainability measures detailed within the Energy Strategy Report received on 26 June 2013 relating to energy and water consumption 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 and water are included in the development and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

25) 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.

26) UNI

The development hereby permitted shall not be occupied until the loading bay fronting Albion Street as detailed on drawing no. 1694/P/111 rev P10 received on 8 November 2013 has been fully implemented and made available for use. The loading bay shall be retained as such thereafter.

Reason: In order to ensure the safe operation of the development in accordance with policy TR7 of the Brighton & Hove Local Plan.

27) UNI

The new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter. A minimum of six units shall be built to wheelchair standards to the satisfaction of the Local Planning Authority.

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

28) 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			11/11/2013
Proposed block plans	1694/P/010 1694/P/011	P10 P12	08/11/2013 25/11/2013
Existing plans	1694/P/050	P7	26/06/2013
Existing elevations	1694/P/060 1694/P/061 1694/P/062 1694/P/063	P7 P7 P7 P7	26/06/2013 26/06/2013 26/06/2013 26/06/2013
Proposed floor plans	1694/P/100 1694/P/101 1694/P/103 1694/P/104 1694/P/105 1694/P/106 1694/P/110	P10 P11 P12 P12 P12 P12 P10	08/11/2013 14/11/2013 25/11/2013 25/11/2013 25/11/2013 25/11/2013 08/11/2013
Proposed elevations	1694/P/300 1694/P/301 1694/P/302 1694/P/303	P10 P10 P12 P11	08/11/2013 08/11/2013 25/11/2013 14/11/2013
Proposed sections	1694/P/200 1694/P/201	P12 P10	25/11/2013 08/11/2013
Proposed context elevations	1694/P/020 1694/P/030	P12 P10	25/11/2013 08/11/2013
Proposed detailed section and elevations	1694/P/310 1694/P/311 1694/P/312	P7 P7 P7	26/06/2013 26/06/2013 26/06/2013
Proposed typical flat layout	1694/P/400	P4	26/06/2013
Off-site landscaping plan	1373-01	A	11/11/2013

BH2013/03547

56-58 St James's Street Brighton

Change of use of part of ground floor from professional services (A2) to café (A3) (Retrospective).

Applicant: Welstead Properties PLC

Officer: Sue Dubberley 293817

Report from: 30/01/2014 to: 19/02/2014

Approved on 03/02/14 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	P-207-20		17/10/2013
Ground floor	P-207-22		23/10/2013
As existing Ground floor	D.01		18/12/2013

2) UNI

The use hereby permitted shall not be open to customers except between the hours of 08.00 and 23.00 on Mondays to Sundays.

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

3) UNI

The access door from the café into the yard area shall remain shut during opening hours and customers shall not have access into the rear yard for either smoking or seating.

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

BH2013/03630

18B Margaret Street Brighton

Replacement of velux window with conservation style rooflight to rear providing access to new roof terrace at first floor level. Revised fenestration at front and rear.

Applicant: Mr & Mrs Steve Beadle

Officer: Adrian Smith 290478

Approved on 11/02/14 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 plan and block plan	Y054-A01		24/10/2013
Existing floor plans	Y054-A02		24/10/2013
Existing front elevation	Y054-A03		24/10/2013
Existing rear elevation	Y054-A04		24/10/2013
Existing side elevation	Y054-A05		24/10/2013

Report from: 30/01/2014 to: 19/02/2014

Existing sections	Y054-A06		24/10/2013
Proposed floor plans	Y054-D01	A	09/01/2014
Proposed front elevation	Y054-D02		24/10/2013
Proposed rear section	Y054-D03		24/10/2013
Proposed side elevation	Y054-D04	A	09/01/2014
Proposed section	Y054-D05	A	09/01/2014
Proposed rear elevation	Y054-D06	A	09/01/2014

BH2013/03885

Saunders Glassworks Sussex Place Brighton

Application for approval of details reserved by conditions 10(a) & (b), 15 (i)(a) and 19 of application BH2010/03791.

Applicant: Mr Sirus Taghan

Officer: Anthony Foster 294495

Split Decision on 17/02/14 DELEGATED

BH2013/04100

20 East Drive Brighton

Erection of single storey rear extension and alterations to fenestration.

Applicant: Mr & Mrs Sansbury

Officer: Adrian Smith 290478

Approved on 30/01/14 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 new window on the rear (south east) elevation hereby approved 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.

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	203.100		03/12/2013
Existing floor plans	203.101		03/12/2013
	203.102		03/12/2013
Existing elevations and section	203.103		03/12/2013
Proposed floor plans	203.104	c	03/12/2013
	203.105	a	03/12/2013
Proposed elevations and	203.106	c	03/12/2013

section			
---------	--	--	--

BH2013/04264

32 Windmill Street Brighton

Certificate of Lawfulness for proposed single storey rear extension and loft conversion incorporating rear dormer with Juliet balcony and 4no rooflights to the front and rear.

Applicant: Mr & Mrs Glyn and Anna Huelin

Officer: Chris Swain 292178

Approved on 12/02/14 DELEGATED

BH2013/04286

13 Camelford Street Brighton

Installation of replacement rooflight to rear elevation. (Retrospective).

Applicant: Mr Chris Cage

Officer: Emily Stanbridge 292359

Refused on 11/02/14 DELEGATED

1) UNI

The proposed cabrio roof light by virtue of its size and design forms an unacceptable addition to the rear roof slope of this property. The proposed roof light significantly increases the size of the existing opening in relation to the modestly scaled rear roof slope, causing harm to the character and appearance of this listed building. Furthermore the use of a cabrio roof light causes further harm to this property, given its ability to project beyond the plane of the roof, increasing the prominence of this feature. As such the proposed alterations cause demonstrable harm to the character and appearance of this listed building are therefore contrary to policy HE1 within the Brighton & Hove Local Plan.

BH2013/04346

33A Upper Rock Gardens Brighton

Demolition of existing rear conservatory and erection of single storey rear extension and external alterations.

Applicant: Mr Gerard Raimond

Officer: Adrian Smith 290478

Approved on 12/02/14 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
-----------	-----------	---------	---------------

Report from: 30/01/2014 to: 19/02/2014

Site plan			20/12/2013
Block plan			20/12/2013
Existing plans and elevations	001		20/12/2013
Proposed plans and elevations	102	A	20/12/2013

BH2013/04385

14 Tower Road Brighton

Certificate of lawfulness for proposed 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

Approved on 13/02/14 DELEGATED

ROTTINGDEAN COASTAL

BH2013/03484

96 Longhill Road Brighton

Erection of new boundary wall with gates and door.

Applicant: Mr Richard White

Officer: Chris Swain 292178

Refused on 31/01/14 DELEGATED

1) UNI

The proposed development, by virtue of its height, materials, form, design and relationship to the existing front boundary, would result in an unsympathetic and overly dominant feature that would detract from the appearance and character of the property and this section of the Longhill Road street scene which is generally characterised by low front boundary treatment and soft vegetation. The development is therefore contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD012).

BH2013/03890

5 Tremola Avenue Saltdean Brighton

Erection of conservatory extension to rear elevation.

Applicant: Mr Benson

Officer: Andrew Huntley 292321

Approved on 11/02/14 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			15.11.2013
Block Plan			15.11.2013
Existing and Proposed Elevations and Floor Plans	10111-1		03.12.2013

Report from: 30/01/2014 to: 19/02/2014

BH2013/03908

68-70 High Street Rottingdean

Application for approval of details reserved by conditions 20ii and 21 of application BH2011/01773.

Applicant: Novus Properties

Officer: Wayne Nee 292132

Split Decision on 10/02/14 DELEGATED

BH2013/03974

29 Chailey Avenue Rottingdean Brighton

Formation of raised decking and access steps to garden to replace existing. (Retrospective)

Applicant: Mr M Brown

Officer: Sue Dubberley 293817

Approved on 12/02/14 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

Within 3 months of the date of this approval details of 1.8 metre high solid screening to the northern edge of the decking (between the application site and no. 31 Chailey Avenue) shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be erected in accordance with the approved details within one month of such approval and shall be maintained 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
Location plan			20/11/13
Existing and proposed decking	559-01		20/11/13

BH2013/04040

Flat 1 45 Sussex Square Brighton

Internal alterations to layout of flat and installation of external vents (part retrospective).

Applicant: Miss Susan Lockwood

Officer: Wayne Nee 292132

Approved on 31/01/14 DELEGATED

1) UNI

Notwithstanding the approved details, within 3 months of the date of this permission the external vents hereby approved shall be set flush with the external wall and shall be coloured to match the elevation.

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

Report from: 30/01/2014 to: 19/02/2014

2) UNI

All doors and architraves shall be re-used or the doors shall be traditionally constructed 4 panelled doors to match exactly that between bedroom 1 and the kitchen.

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

BH2013/04197

39-40 Arundel Place Brighton

Demolition of existing factory (B2) and erection of a terrace of 3no three bedroom houses (C3), with conversion of lower ground floor area to form 1no two bedroom flat (C3).

Applicant: Creative Developments Ltd

Officer: Anthony Foster 294495

Approved on 05/02/14 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 extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(s) 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.

3) 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.

4) UNI

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

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

5) UNI

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

No development shall take place until a survey report and a method statement setting out how the existing boundary walls are to be protected, maintained, repaired and stabilised during and after demolition and construction works, and including details of any temporary support and structural strengthening or underpinning works, shall have been submitted to and approved in writing by the Local Planning Authority. The demolition and construction works shall be carried out and completed fully in accordance with the approved method statement.

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

7) 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.

8) UNI

The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

9) UNI

Development shall not commence until the following details have been submitted to and approved by the Local Planning Authority in writing;

- i) Windows and doors (1:20 sample elevations and 1:1 scale joinery sections) including detail of their opening methods, reveals, thresholds and cills
- ii) Pedestrian and vehicular gates (1:20 elevations and 1:1 scale joinery sections)
- iii) Guttering and downpipes,
- iv) Parapets and copings (1:2 sections)
- vii) all other architectural design features

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 HE6 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 plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments. The boundary treatments shall be provided in accordance with the approved details before the building is occupied

Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD1, QD15 and QD27 of the Brighton & Hove Local Plan.

11) 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.

12) 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.

13) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 3 as a minimum for all 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.

14) UNI

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

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

15) UNI

Unless otherwise agreed 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 nomination of a competent person to oversee the implementation of the works.

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

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

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

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.

16) UNI

Prior to the first occupation of the development hereby permitted the applicant shall reinstate the redundant vehicle crossover on Arundel Place back to a footway by raising the existing kerb and footway.

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

17) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.

18) UNI

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

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

Plan Type	Reference	Version	Date Received
Block & site location Plans	01		11/12/2013
Existing ZARA survey	02		11/12/2013
Existing lower ground floor plan	03		11/12/2013
Existing ground floor plan	04		11/12/2013
Existing first floor plan	05		11/12/2013
Existing street elevations	06		11/12/2013
Existing street elevations	07		11/12/2013
Existing site sections	08		11/12/2013
Existing street elevations	09		11/12/2013
Existing street elevations	10		11/12/2013
Proposed block plan	11		11/12/2013
Proposed site plan	12		11/12/2013
Proposed ground floor	13		11/12/2013
Proposed first floor plan	14		11/12/2013
Proposed upper floor plan	15		11/12/2013
Proposed courtyard elevation	16	A	16/01/2014
Proposed Cross Section BB	17	A	16/01/2014
Proposed north elevation CC	18	A	16/01/2014
Proposed Cross Section DD	19	A	16/01/2014
Proposed side elevation	20	A	16/01/2014
Proposed side elevation	21	A	16/01/2014
Proposed Arundel Place elevation and access gates	22	A	16/01/2014
Existing and Proposed Eastern Road Elevation	23	A	16/01/2014
Proposed Eastern Place elevation and gates detail	24		16/01/2014

BH2013/04257

Report from: 30/01/2014 to: 19/02/2014

The Dene The Green Brighton

Replacement of 2no existing boiler flues to North West elevation.

Applicant: Teachers Housing Association

Officer: Chris Swain 292178

Approved on 10/02/14 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

All disturbed masonry shall be good to match the existing elevation.

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 proposed flues and associated brackets shall be painted to match the northern elevation of the building and shall be retained as such thereafter.

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

BH2013/04267

70 Greenways Brighton

Erection of single storey rear extension and formation of additional floor incorporating front, side and rear rooflights and associated roof alterations.

Applicant: Mr Paul Nicholson

Officer: Robin Hodgetts 292366

Refused on 12/02/14 DELEGATED

1) UNI

The proposal by reason of its design, scale, the excessive depth of the rear extension, overall bulk and massing would result in a development which would appear over extended and fail to respect the spacing characteristics of the street scene, appearing cramped within the plot and out of scale with the surrounding development. It would appear overly dominant within the street scene and 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

The proposed, side first floor windows due to their positioning would cause a perceived loss of privacy and harmful impact on the neighbouring property to the south. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/04288

57 Falmer Road Rottingdean Brighton

Application for Approval of Details Reserved by Condition 10 of Application BH2011/03204.

Applicant: Falmer Road Developments Ltd

Officer: Wayne Nee 292132

Approved on 11/02/14 DELEGATED

BH2013/04315

9 Northgate Close Rottingdean

Demolition of existing canopy and erection of new porch with associated canopy and external works.

Applicant: Mr & Mrs Taylor

Officer: Emily Stanbridge 292359

Approved on 14/02/14 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 or other operations shall commence on site until a scheme which provides for the retention and protection of the Cherry tree that is covered by Tree Preservation Order (No 21) 1998 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 trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Floor Plans (Existing)	3469.EXG.01		18.12.2013
Ground floor plan and elevations (Proposed)	3469.PL.01		18.12.2013
Sections	3469.PL.02		18.12.2013

WOODINGDEAN

BH2013/03206

132 The Ridgway Brighton

Replacement of existing conservatory with erection of two storey rear extension.

Applicant: Mr Carl Meek

Officer: Wayne Nee 292132

Refused on 18/02/14 DELEGATED

1) UNI

The proposed rear extension, by reason of its excessive projection from the rear wall of the dwelling, the design, roof form, and bulk would result in an unsympathetic and overly dominant addition that would relate poorly to the existing building and would detract from the appearance and character of the property and the wider surrounding area, contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2013/03713

81 Stanstead Crescent Brighton

Erection of single storey rear extension to replace workshop and shed.

Applicant: Mr Barry Mowett & Mr Barry Smith

Officer: Robin Hodgetts 292366

Approved on 30/01/14 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
Site location plan			05/11/13
Existing and proposed plans and elevations	PL 01	Rev A	30/10/13

BH2013/04203

11 Midway Road Brighton

Erection of a single storey rear extension with a pitched roof and associated external alterations and raised timber decking to west elevation and steps to rear.

Applicant: FCM Renovations Limited

Officer: Adrian Smith 290478

Approved on 10/02/14 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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or doors shall be constructed in the 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
Site plan and block plan			11/12/2013
Existing and proposed plans and elevations	1212013/01	A	11/12/2013

BH2013/04234

73 Crescent Drive North Brighton

Certificate of Lawfulness for proposed loft conversion incorporating rear pitched roof extension with Juliet balcony and rooflights to front and rear.

Applicant: Mr & Mrs Perry

Officer: Chris Swain 292178

Approved on 07/02/14 DELEGATED

1) UNI

The proposed development is permitted under Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BRUNSWICK AND ADELAIDE

BH2013/03230

Flat 6 Crescent Court 28-29 Adelaide Crescent Hove

Internal alterations to layout of flat.

Applicant: Mr Nalin Perera

Officer: Helen Hobbs 293335

Approved on 31/01/14 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

Within 3 months of the commencement of works hereby approved, the archway between the kitchen and dining room should be removed and the replacement rectangular opening as shown on drawing number 2A received on 20th January 2014. The external finishes of the works hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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

3) UNI

Any new internal doors should closely match the design and detailing of the existing original doors elsewhere in the property.

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

BH2013/03544

59 Western Road Hove

Display of internally illuminated fascia and projecting sign.

Applicant: Hidden Hearing

Officer: Guy Everest 293334

Approved on 18/02/14 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.

BH2013/03614

Basement Flat 71 Lansdowne Place Hove

Application for approval of details reserved by condition 2 of application BH2013/02184.

Applicant: Ideal Homeworks Ltd

Officer: Robert McNicol 292198

Approved on 31/01/14 DELEGATED

BH2013/04154

56a Brunswick Road Hove

Application for Approval of Details Reserved by Conditions 2, 3 and 4 of application BH2013/02521.

Applicant: Neil Hutchinson

Officer: Jason Hawkes 292153

Approved on 31/01/14 DELEGATED

BH2013/04176

Flat 1 32 Adelaide Crescent Hove

Internal alterations to layout of flat.

Applicant: Rowland Absalom

Officer: Helen Hobbs 293335

Approved on 04/02/14 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

The kitchen units and appliances shall be positioned so as not to conceal any window architraves or panelling, or any part of the chimney breast.

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

BH2013/04241

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 & Mehmet Ugur

Officer: Helen Hobbs 293335

Approved on 07/02/14 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 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

Report from: 30/01/2014 to: 19/02/2014

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.

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	Y077-A01		13th December 2013
Existing and proposed external window elevations	Y077 D 03		13th December 2013

BH2013/04255

20 Western Road Hove

Internal alterations to first and second floors.

Applicant: Moretons Investments Ltd

Officer: Christopher Wright 292097

Approved on 18/02/14 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

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.

BH2013/04380

24 Chapel Mews Hove

Installation of 3no conservation style rooflights.

Applicant: Mr Hay & Mr Turvey

Officer: Helen Hobbs 293335

Approved on 17/02/14 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 rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

Report from: 30/01/2014 to: 19/02/2014

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

Plan Type	Reference	Version	Date Received
Proposed plan	1490/1749		23rd December 2013
Existing plan	1490/1748		23rd December 2013

CENTRAL HOVE

BH2013/03694

76 Osborne Villas Hove

Reconstruction of ground and first floor level front bay windows.

Applicant: Zoe Brinkworth

Officer: Robin Hodgetts 292366

Approved on 03/02/14 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

All render features such as cornicing and cills hereby permitted shall match exactly the existing in terms of material, colour, style, bonding and textures 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 windows hereby approved shall match exactly the original sash windows to the building, including their architrave, frame and glazing bar dimensions and mouldings, and subcill, masonry cill and reveal details, and shall have concealed sash boxes recessed within the reveals and set back from the outer face of the building to match the original sash windows to the building, and the windows 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.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed elevations and block and site plans	486(PL)1a		06/11/13

5) UNI

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

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

BH2013/03882

Day Centre Connaught Road Hove

Erection of two storey side extension to create internal staircase incorporating removal of existing spiral staircase, formation of front lobby, new shed and relocation of existing sheds, installation of canopies, revision to fencing and parking and associated works.

Applicant: Brighton & Hove City Council

Officer: Steven Lewis 290480

Approved on 11/02/14 OTHER

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 samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

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

3) UNI

Prior to the commencement of development on site, a sample of the proposed mesh fencing shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in strict accordance with the agreed 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.

BH2013/03889

Flat 18 Bath Court Kings Esplanade Hove

Replacement of existing balcony doors with UPVC balcony doors (retrospective).

Applicant: Ms Foster

Officer: Andrew Huntley 292321

Approved on 17/02/14 DELEGATED

BH2013/03945

6 Blatchington Road Hove

Installation of rooflight to flat roof and creation of new lightwell following Prior Approval for change of use from offices (B1) to residential (C3) to form 2no self contained flats (BH2013/02167).

Applicant: T and L Holdings Ltd

Officer: Christopher Wright 292097

Approved on 31/01/14 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			19 Nov 2013
Block Plan			19 Nov 2013
Existing Plans	998.01		2 Dec 2013
Existing Elevations and Section A-A	998.02		2 Dec 2013
Proposed Plans	998.03	B	27 Jan 2014
Proposed Elevations	998.04		2 Dec 2013
Proposed Sections A-A, B-B & C-C	998.05		2 Dec 2013

BH2013/03977

15 Norton Road Hove

Removal of rear external fire escape steps, retaining platforms at first and second floors to form balconies and replacement of second floor door with sash window to side elevation.

Applicant: Headline Development Ltd

Officer: Liz Arnold 291709

Approved on 31/01/14 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 and Proposed Elevations	PL01		20th November 2013

BH2013/03988

55 St Aubyns Hove

Loft conversion to create 1no studio flat incorporating dormer and rooflight to front and two dormers to rear.

Applicant: Acornrent Ltd

Officer: Liz Arnold 291709

Refused on 14/02/14 DELEGATED

1) UNI

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

2) UNI2

The addition of two rear dormers as proposed to the highly visible rear roof slope of the terrace would give the roof a cluttered appearance resulting in a development which would be of detriment to the visual amenities of the parent property, the related terrace, the Seaford Road street scene and the surrounding Old Hove and Cliftonville Conservation Area, contrary to policies QD1, QD2 and

Report from: 30/01/2014 to: 19/02/2014

QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

BH2013/04227

Flat 5 Courtenay House Courtenay Terrace Hove

Internal alterations to layout.

Applicant: Mrs Jojo Moyes

Officer: Steven Lewis 290480

Approved on 04/02/14 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

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.

GOLDSMID

BH2013/03590

Flat 17 Bell Mead 124 Holland Road Hove

Insertion of rooflight to south roofslope.

Applicant: Mr Michael & Mrs Pauline Trigg

Officer: Guy Everest 293334

Approved on 03/02/14 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			25/10/2013
Proposed Rooflight siting (Photograph)			18/10/2013
Proposed Rooflight specification			25/10/2013

BH2013/03803

Flat 3 Denmark House 49 Denmark Villas Hove

Replacement of single glazing with double glazing using existing timber window frames and replacement timber balcony doors.

Applicant: Karina Knight

Report from: 30/01/2014 to: 19/02/2014

Officer: Emily Stanbridge 292359

Approved on 03/02/14 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 Map			06.11.2013
Schedule of photographs			06.11.2013
Door opening	1		06.11.2013
Existing and replacement window 4 and 6	2		06.11.2013
Existing and replacement window 5	3		06.11.2013
Existing and replacement window 3	4		06.11.2013
Existing and replacement window 2	5		06.11.2013
Section of double glazing	6		06.11.2013
Opening method			06.11.2013
Brochure pages			06.12.2013

BH2013/04058

Flat 2 26 Hove Park Villas Hove

Erection of single storey rear extension, existing rear window replaced by French doors and installation of rear patio.

Applicant: G Somerville

Officer: Emily Stanbridge 292359

Approved on 30/01/14 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
Location plan			27.11.2013
Block Plan			27.11.2013
Existing and proposed	01		27.11.2013

BH2013/04162

92 Goldstone Road Hove

Erection of a single storey rear extension.

Applicant: Viviana Doctorovich

Officer: Liz Arnold 291709

Approved on 03/02/14 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 Site Plan & Block Plan Plan Proposed Block Plan	144(10)001		6th December 2013
Existing Plan	144(20)001		6th December 2013
Proposed Plan	144(21)001	Rev. A	6th December 2013
Existing Section AA & Rear Elevation	114(30)001		6th December 2013
Proposed Section AA & Rear Elevation	144(31)001	Rev. A	6th December 2013

BH2013/04164

1 Addison Road Hove

Installation of additional rooflight to front elevation. (Part retrospective)

Applicant: Mr Peter Goodsman

Officer: Emily Stanbridge 292359

Refused on 07/02/14 DELEGATED

1) UNI

The proposed roof light by virtue of its size and position represents an inappropriate addition to this property. The addition of a third roof light to the front elevation creates a cluttered appearance and causes irregular spacing within the front roof slope. The installation of a third roof light to the front elevation has harmed the character and appearance of the host property and wider street scene, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12: Design guide for extensions and alterations.

Report from: 30/01/2014 to: 19/02/2014

BH2013/04175**27 Wilbury Crescent Hove**

Erection of dormers to side and rear, installation of 1no rooflight to front and infilling of first floor window to side.

Applicant: Stephen Strafford

Officer: Clare Simpson 292454

Approved on 30/01/14 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 Plans	057.EXG.01	A	10th December 2013
Sections and Elevations Existing	057.EXG.02		10th December 2013
Location, block and floor plans	0057.PL.10	C	10th December 2013
Sections and elevations	0057.PL.11	D	10th December 2013

BH2013/04256**141-143 Sackville Road Hove**

Change of Use from retail (A1) to beauty salon (Sui generis).

Applicant: Harriet Al Saed

Officer: Clare Simpson 292454

Approved on 10/02/14 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 and Site Location	TA7558/01		16th December

Report from: 30/01/2014 to: 19/02/2014

Plan			2013	
Existing Ground Floor Plan	TA7558/02	B	16th 2013	December
Existing Front elevation	TA7558/03		16th 2013	December
Proposed ground Floor Plan	TA7558/10	A	16th 2013	December
Proposed front elevation	TA7558/11		16th 2013	December

BH2013/04260

10 Goldstone Road Hove

Installation of 1no rooflight to the front and 3no rooflights to the rear.

Applicant: Mr David O'Connor

Officer: Emily Stanbridge 292359

Approved on 17/02/14 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
Proposed loft conversion	OC/O1	A	10.02.2014

BH2013/04335

70 - 71 Cromwell Road Hove

Display of externally illuminated fascia signs and hanging sign, internally illuminated poster cases and non illuminated poster cases.

Applicant: Spirit Pub Co

Officer: Jason Hawkes 292153

Approved on 13/02/14 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

Report from: 30/01/2014 to: 19/02/2014

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.

BH2014/00024

2 Melville 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 3.3m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.5m.

Applicant: Julian Fry

Officer: Helen Hobbs 293335

Prior approval not required on 12/02/14 DELEGATED

HANGLETON & KNOLL

BH2013/03982

20 Olive Road Hove

Demolition of existing buildings and erection of 2no three bedroom semi-detached bungalows with 2no parking spaces.

Applicant: Billaway Developments

Officer: Helen Hobbs 293335

Approved on 10/02/14 DELEGATED

1) BH01.01

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

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.

2) 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.

3) UNI

The vehicle parking are 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.

4) UNI

(i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:

(a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.

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

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress; and

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

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

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.

5) 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.

6) UNI

No development shall take place until details of boundary treatments (to the north, west and southern boundaries) have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and be maintained as such thereafter.

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

7) UNI

Notwithstanding the submitted plans no development shall take place until details of compliance with Lifetime Homes standards has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

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.

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 3 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

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.

10) UNI

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

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

11) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouses 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.

12) UNI

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

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

Plan Type	Reference	Version	Date Received	
Site plan	01/1305569		21st	November 2013
Block plan	02/1305569		21st	November 2013
Existing plan survey	03/1305569		21st	November 2013
Existing plan	04/1305569		21st	November 2013
Photos of existing	05/1305569		21st	November 2013
Photos of existing	06/1305569		21st	November 2013
Photos of existing	07/1305569		21st	November 2013
Proposed ground floor plan	13/1305569		21st	November 2013
Proposed front and rear elevations	14/1305569		21st	November 2013
Proposed side elevations	15/1305569		21st	November 2013
Proposed visuals 1	16/1305569		21st	November 2013
Proposed visuals 2	17/1305569		21st	November 2013
Proposed ground floor plan dimensions	18/1305569		21st	November 2013
Proposed roof plan	19/1305569		21st	November 2013
Proposed sections	20/1305569		21st	November 2013
Existing plan	21/1305569		5th	December 2013
Commercial report			22nd	November 2013

13) UNI

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to

and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

BH2013/04059

5 Park Close Hove

Demolition of garage and erection of single storey rear extension.

Applicant: A O'Sullivan

Officer: Helen Hobbs 293335

Refused on 07/02/14 DELEGATED

1) UNI

The proposed extension, by virtue of its depth, bulk, siting and design, creates an incongruous and poorly related feature to the existing property, detracting from the character and appearance of the existing building and visual amenity enjoyed by neighbouring properties. As such, the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 Design Guide on Extensions and Alterations.

BH2013/04103

Hangleton Manor Hangleton Valley Drive Hove

Installation of glazed front entrance. (Retrospective)

Applicant: Hall & Woodhouse Ltd

Officer: Jason Hawkes 292153

Approved on 04/02/14 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
Location & Block Plan, Before & After 'Entrance' Floor Plan, Elevations & Photographs	PL1	A	20th December 2013
Before & After 'Entrance' Elevation, Door Section	PL2		20th December 2013

BH2013/04104

Hangleton Manor Hangleton Valley Drive Hove

Installation of glazed front entrance. (Retrospective)

Applicant: Hall & Woodhouse Ltd

Officer: Jason Hawkes 292153

Approved on 04/02/14 DELEGATED

BH2013/04144

Land to Rear of 88 Dale View Hove

Erection of 3no garages to the rear of the property.

Applicant: Mr David Biss

Officer: Steven Lewis 290480

Approved on 17/02/14 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of

Report from: 30/01/2014 to: 19/02/2014

three years from the date of this permission.

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

2) UNI

The front paved area shall be made of porous materials and retained thereafter or provision shall be made and retained to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site

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.

3) UNI

The garages hereby permitted shall be used for domestic purposes only and no trade or business shall be carried out therefrom.

Reason: To protect neighbouring residential amenity in compliance with policies SU10 and QD27 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	DB/13/005		23/12/2013
Block Plan	DB/13/005		23/12/2013
Proposed Garages	DB/13/003		05/12/2013

5) UNI

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

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

BH2013/04174

Mill View Hospital Nevill Avenue Hove

Erection of steel mesh fence and retaining walls with associated landscaping to rear garden area.

Applicant: Sussex Partnership NHS Foundation Trust

Officer: Liz Arnold 291709

Approved on 30/01/14 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 landscaping scheme detailed on drawing no. 8706/024B received on 13th December 2013 shall be carried out in the first planting and seeding season following the completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

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

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	8706/008	A	13th	December 2013
Existing Block Plan	8706/009		9th	December 2013
Proposed Block Plan	8706/010	D	13th	December 2013
Existing Site Plan	8706/020		9th	December 2013
Existing Elevations	8706/021		9th	December 2013
Proposed Site Plan	8706/02	B	13th	December 2013
Proposed Elevations	8706/025	B	13th	December 2013
Typical Fence Details	8706/030	A	9th	December 2013

BH2013/04222

The Bungalow 11 Hangleton Lane Hove

Erection of single storey front, side and rear extensions incorporating associated roof alterations.

Applicant: Mr Jerjes Philips

Officer: Steven Lewis 290480

Refused on 04/02/14 DELEGATED

1) UNI

The proposed extension, by virtue of its increased bulk, form and prominence within the street would represent an inappropriate addition to the property, which in addition to the previous extensions would incrementally over-develop the site and erode the open and green characteristic which positively contributes to the character and appearance of the Conservation Area and, to the setting of the adjacent Listed Buildings and walls, contrary to policies QD14, HE3 and HE6 of the Brighton & Hove Local Plan and the guidance contained.

BH2013/04282

121 Hangleton Valley Drive Hove

Erection of single storey front extension incorporating other associated alterations.

Applicant: Mr & Mrs Bradley

Officer: Helen Hobbs 293335

Refused on 12/02/14 DELEGATED

1) UNI

The proposed extension, by virtue of its design, siting and roof form, would form an inappropriate and incongruous addition that would poorly relate to the main dwelling. Furthermore it would result in an overdeveloped appearance to the

Report from: 30/01/2014 to: 19/02/2014

property and as such would detract from the character and appearance of the existing property and street scene. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD12 Design Guide on Extensions and Alterations.

BH2014/00035

10 Lynchets Crescent Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 3.65m, and for which the height of the eaves would be 2.15m.

Applicant: Tracey Brockbank

Officer: Clare Simpson 292454

Prior approval not required on 13/02/14 DELEGATED

BH2014/00179

5 Rowan Avenue Hove

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Barry Knight

Officer: Emily Stanbridge 292359

Approved on 18/02/14 DELEGATED

SOUTH PORTSLADE

BH2013/03774

Portslade Town Hall Victoria Road Portslade

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.

Applicant: Brighton & Hove City Council

Officer: Wayne Nee 292132

Approved on 30/01/14 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.

2) UNI

If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, 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.

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 in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

4) UNI

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

BH2013/04019

Former Infinity Foods Site 45 Franklin Road and 67 67a & 67b Norway Street Portslade

Application for approval of details reserved by condition 15 of application BH2013/01278.

Applicant: Taylor Wimpey (South West Thames) Ltd

Officer: Jason Hawkes 292153

Approved on 31/01/14 DELEGATED

BH2013/04021

Former Infinity Foods Site 45 Franklin Road and 67 67a & 67b Norway Street Portslade

Application for approval of details reserved by condition 14 of application BH2013/01278.

Applicant: Taylor Wimpey (South West Thames) Ltd

Officer: Jason Hawkes 292153

Approved on 31/01/14 DELEGATED

BH2013/04025

Former Infinity Foods Site 45 Franklin Road and 67 67a & 67b Norway Street Portslade

Application for approval of details reserved by condition 27 of application BH2013/01278.

Applicant: Taylor Wimpey (South West Thames) Ltd

Officer: Jason Hawkes 292153

Refused on 31/01/14 DELEGATED

1) UNI

Insufficient information relating to finished floor, eaves and ridge levels has been submitted to discharge the details required by condition 27 of application BH2013/01278.

BH2013/04026

Former Infinity Foods Site 45 Franklin Road and 67 67a & 67b Norway Street Portslade

Application for approval of details reserved by condition 29 of application BH2013/01278.

Applicant: Taylor Wimpey (South West Thames) Ltd

Officer: Jason Hawkes 292153

Split Decision on 03/02/14 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 29(i)(a) and subject to full compliance with the submitted details.

Report from: 30/01/2014 to: 19/02/2014

1) UNI

The details pursuant to conditions 29(i)(b) & (ii) are NOT APPROVED

2) UNI2

Insufficient information has been submitted in order to discharge part 29(i)(b) and (ii).

BH2013/04309

4 Lincoln Road Portslade

Erection of a single storey outbuilding in rear garden.

Applicant: Ms L McRory

Officer: Helen Hobbs 293335

Approved on 12/02/14 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 outbuilding hereby permitted shall be used solely as ancillary residential accommodation in connection with the enjoyment of the main property as a single dwellinghouse and it shall at no time be occupied as a separate unit of accommodation.

Reason: To enable the Local Planning Authority to retain control over subdivision of the site and in order to protect the amenities of adjacent properties and in accordance 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
Existing survey, block plan and location plan	31901	A	18th December 2013
Block plan	319/02		18th December 2013
Planning, elevations, block and site plan	319 50	B	18th December 2013
Proposed ground floor plan	319 55	B	18th December 2013
Proposed roof plan	319 56	B	18th December 2013

HOVE PARK

BH2013/03591

267 Dyke Road Hove

Application for approval of details reserved by conditions 6, 10 and 11 of application BH2013/02858.

Applicant: Mr Simon Cheesman

Officer: Adrian Smith 290478

Approved on 14/02/14 DELEGATED

BH2013/03606

Cardinal Newman Catholic School The Upper Drive Hove

Application for Approval of Details Reserved by Conditions 6, 11 and 15 of application BH2013/01693.

Applicant: The Governors of Cardinal Newman Catholic School

Officer: Jason Hawkes 292153

Split Decision on 31/01/14 DELEGATED

1) UNI

The details pursuant to conditions 11 & 15 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 6 are NOT APPROVED for the following reason:

1. Without the submission of BRE issued Interim / Design Stage Certificate demonstrating that the development will meet a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' of relevant BREEAM assessment for all non-residential development, the requirements of condition 6 cannot be discharged.

BH2013/03702

17 Hill Drive Hove

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

Applicant: Jonathan Paxton

Officer: Clare Simpson 292454

Refused on 30/01/14 COMMITTEE

1) UNI

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) UNI2

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

BH2013/03703

6 The Drove Hove

Application for approval of details reserved by conditions 8, 13, 15 and 16 of application BH2013/01619.

Applicant: Lancing College Preparatory School

Officer: Steven Lewis 290480

Approved on 13/02/14 DELEGATED

BH2013/03716

6 Hove Park Gardens Hove

Erection of detached garage with pitched roof.

Applicant: Mr J Foot

Officer: Jason Hawkes 292153

Approved on 03/02/14 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of

Report from: 30/01/2014 to: 19/02/2014

three years from the date of this permission.

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

2) UNI

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

3) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping along the western boundary adjacent to the garage hereby approved, including 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.

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			31st October 2013
Block Plan			31st October 2013
Proposed Garage	9531/3	B	24th January 2013

5) 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.

BH2013/03759

16 Benett Drive Hove

Remodelling of dwelling incorporating roof extensions, front and rear dormers, rooflights and rear balcony. Erection of single storey side extension, single storey rear extension, raised terrace with steps to garden and associated works. (Amendments).

Applicant: Mr & Mrs Thomas

Officer: Liz Arnold 291709

Approved on 17/02/14 DELEGATED

Report from: 30/01/2014 to: 19/02/2014

1) BH01.01

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

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

2) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no window, other than those expressly authorised by this permission, shall be constructed in the eastern elevation of the extension hereby permitted 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.

3) UNI

The windows in the eastern elevation of the hereby approved single-storey rear extension shall be obscure glazed and shall thereafter be permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Block and Site Location Plan	TA 739/01		05/11/2013
Existing Floor Plans	TA 739/02		05/11/2013
Existing Sections and Elevations	TA 739/03		05/11/2013
Existing Elevations	TA 739/04		05/11/2013
Proposed Floor Plans	TA 739/10	C	07/01/2014
Proposed Sections and Elevations	TA 739/11	C	07/01/2014
Proposed Elevations	TA 739/12	C	07/01/2014

5) UNI

Notwithstanding the submitted plans the balustrading to the east and western edges of the hereby approved rear terrace and dormer balcony shall be of obscured glazing. The terrace and balcony areas shall not be brought into use until the obscured balustrading has been installed. The balustrading shall thereafter be permanently retained as such.

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

BH2013/03763

25 The Drove Way Hove

Installation of glass balustrade at second floor level.

Applicant: Mr A Standing

Officer: Emily Stanbridge 292359

Report from: 30/01/2014 to: 19/02/2014

Refused on 30/01/14 DELEGATED

1) UNI

The proposed second floor terrace would result in the use and likely placing of domestic items on the roof of the building which would be harmful to the appearance of the building and the character and appearance of the area, contrary to policy QD14 of the Brighton & Hove Local Plan.

2) UNI2

The proposed second floor roof terrace would result in the significant loss of amenity for the residents of the adjacent property at No.27 The Droveaway by way of direct overlooking and loss of privacy, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/03816

BHASVIC 205 Dyke Road Hove

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.

Applicant: BHASVIC

Officer: Clare Simpson 292454

Approved after Section 106 signed on 18/02/14 DELEGATED

1) UNI

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

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

2) UNI

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.

3) UNI

The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

4) 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.

5) UNI

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) UNI

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.

7) UNI

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) UNI

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) UNI

Unless otherwise agreed in writing, 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) 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

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) 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.

13) UNI

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) UNI

Unless otherwise agreed in writing, 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Site Plan	P100	B	11th November 2013
Proposed Site Plan	P101	D	11th November 2013
Proposed Site Plan	P104	M	11th November 2013
Proposed Block Plan	P107	C	11th November 2013
Location Plan	P108	B	11th November 2013
CCTV location Site Plan	P109	A	11th November 2013
Existing Basement Floor Plan	P200	A	11th November 2013
Existing Ground Floor Plans	P201	B	11th November 2013
Existing First Floor Plan	P202	B	11th November 2013
Existing Second Floor Plans	P203	A	11th November 2013
Proposed Infill Block Ground Floor	P258	N	11th November 2013
Proposed Infill Block First Floor	P259	K	11th November 2013
Proposed Infill Block Second Floor	P260	I	11th November 2013
Proposed Infill Block Roof plan	P261	I	9th January 2014
Proposed link Building Ground Floor	P262	D	11th November 2013
Proposed Infill-Block section AA-BB	P263	C	11th November 2013
Proposed elevations	P265	I	9th January 2014
Existing elevations	P266	A	11th November 2013
Contextual Elevations	P267	D	11th November 2013
Existing Link building Ground Floor	P278		11th November 2013
Proposed elevations -Sculptural Boundary Treatment	P279	A	11th November 2013
Proposed elevations showing	P282		9th January 2014

Ground Floor Elevation			
Proposed Elevations Showing Roof mounted services	P283		9th January 2014
Landscape Masterplan 1 of 2	1500-1001		11th November 2013
Landscape Masterplan 2 of 2	1500-1002		11th November 2013

BH2013/04010

25 Tredcroft Road Hove

Creation of additional storey to existing bungalow incorporating two storey rear extension. Single storey rear extension, alterations and extension to garage and associated works.

Applicant: Declan Roche

Officer: Jason Hawkes 292153

Approved on 10/02/14 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 a written Waste Minimisation Statement, in accordance with Supplementary Planning Document 03: Construction and Demolition Waste, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policy SU13 of the Brighton & Hove Local Plan, policy WMP3 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

3) UNI

The rooflights in the east facing roofslopes shall be obscure glazed and thereafter retained as such.

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

4) UNI

The front tree to be retained on site shall be protected to standard BS 5837 (1991) and (2005) during the works and retained as such thereafter.

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

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			25th November 2013

Report from: 30/01/2014 to: 19/02/2014

Existing Plans	01		25th 2013	November
Existing Plans & Sections	02		25th 2013	November
Proposed Block Plan	2D		25th 2013	November
Existing Elevations	03		25th 2013	November
Proposed Ground Floor Plan	3D		25th 2013	November
Existing Elevations	04		25th 2013	November
Proposed First Floor Plan	4D		25th 2013	November
Proposed Roof Plan	5E		17th January	2014
Proposed Rear Elevation	6E		17th January	2014
Proposed East & West Elevations	7D		25th 2013	November
Proposed Sections	8D		25th 2013	November

6) 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 first floor windows shall be installed to the side east facing elevation of the proposed dwelling 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, for this reason the Local Planning Authority would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/04049

16 Woodland Avenue Hove

Enlargement of existing garage and erection of part one, part two storey side extension.

Applicant: Mr & Mrs P Instone

Officer: Helen Hobbs 293335

Refused on 10/02/14 DELEGATED

1) UNI

The proposed side and rear extension would, by reason of the scale, roof form, design and detailing, have an unduly dominant and discordant visual relationship with the recipient property and the character and appearance of the locality, to the detriment of visual amenity. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan 2005 and Supplementary Planning Document 12 Design Guide on Extensions and Alterations.

BH2013/04078

24 Tongdean Road Hove

Erection of single storey side extension to replace existing conservatory and single storey rear extension at basement level. Conversion of garage to habitable living space, erection of garage and carport to rear, alterations to fenestration and associated works.

Applicant: Mrs Lucy Davis

Officer: Steven Lewis 290480

Report from: 30/01/2014 to: 19/02/2014

Approved on 30/01/14 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	BD523 - LP01		02/12/2013
Block Plan	BD523 BP01		18/12/2013
Existing elevation	EE01 - 1,2,3,4	E	18/12/2013
Existing Garage Elevations	EE01 - 1,2,3,4	E	18/12/2013
Existing Basement and Ground Floor Plans	EP01 - 0,1		02/12/2013
Existing First, Second and Roof Plans	EP01 - 2,3,4		02/12/2013
Proposed Elevations	PE01-1,2,3,4	E	18/12/2013
Proposed elevations of music room, carport and bike store	PE01-1,2,3,4	E	18/12/2013
Proposed basement and ground floor plans	PP01- 0,1	D	02/12/2013
Proposed first, second and roof plans	PP01, 2,3,4	D	02/12/2013

BH2013/04091

89 Queen Victoria Avenue Hove

Demolition of existing garage and garden store and erection of single storey side extension.

Applicant: Mr Brian Ward

Officer: Helen Hobbs 293335

Refused on 14/02/14 DELEGATED

1) UNI

The proposed side extension, by virtue of its size, design and siting would form an inappropriate and incongruous addition that would poorly relate to the main dwelling and result in an unbalanced appearance. Overall the proposal would detract from the character and appearance of the existing property. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

BH2013/04117

9 Orchard Gardens Hove

Erection of part one, part two storey rear extension.

Applicant: Mr Marshall Matthews

Officer: Christopher Wright 292097

Report from: 30/01/2014 to: 19/02/2014

Approved on 13/02/14 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

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 on the north or south facing side elevations of the extension hereby permitted without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	388/P1		4 Dec 2013
Existing Plans	388/P2		4 Dec 2013
Existing Elevations	388/P3		4 Dec 2013
Proposed Plans	388/P4		4 Dec 2013
Proposed Elevations	388/P5		4 Dec 2013

BH2013/04132

British Engineerium The Drove Hove

Application for variation of conditions 2 and 3 of application BH2013/01718 (Erection of temporary ice rink within the Engineerium grounds from October to February for a one year period commencing October 2013. Ancillary structures to include skate hire and shop and associated plant.) to state the use hereby permitted shall only take place between the 1st October 2014 and 28th February 2015 and the application site shall be restored to its condition immediately prior to the use commencing on or before 14th March 2015.

Applicant: The British Engineerium Ltd

Officer: Helen Hobbs 293335

Approved on 11/02/14 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
-----------	-----------	---------	---------------

Report from: 30/01/2014 to: 19/02/2014

Plan as Existing	1967/1	A	04/12/2013
Elevations as Existing	1967/2	A	04/12/2013
Block Plan	1967/3	A	04/12/2013
Site Location Plan	1967/4	A	04/12/2013
Plan as Proposed	1967/11	C	04/12/2013
Elevations as Proposed	1967/12	C	04/12/2013
Marquee Elevations as Proposed	1967/13	B	04/12/2013
Crown and Branch Spread Tree Constraints Plan			04/12/2013
Root Protection Area Tree Constraints Plan			04/12/2013
Category Grading Plan			04/12/2013

2) UNI

The use hereby permitted shall only take place between 1st October 2014 and 28th February 2015 after when the use shall be permanently discontinued.

Reason: The use and buildings hereby approved are not considered suitable as a permanent form of development, to safeguard the setting of The Engineerium and associated listed buildings, to allow the transport impacts of the use to be assessed, and to comply with policies TR1, HE3, HE4 and HE6 of the Brighton & Hove Local Plan.

3) UNI

The application site shall be restored to its condition immediately prior to the use commencing on or before 14th March 2015.

Reason: To safeguard the setting of The Engineerium and associated listed buildings and to comply with policies HE3, HE4 and HE6 of the Brighton & Hove Local Plan.

4) UNI

The ice rink hereby permitted shall not be open to customers except between the hours of 09.00 and 22.30 daily.

Reason: To safeguard the amenities of the locality and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall not be brought into use until details of secure 2 cycle parking spaces 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 development hereby permitted being first brought into use and shall thereafter be retained for use at all times.

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

6) UNI

No loading or unloading of vehicles or storage of materials associated with the ice rink shall take place on soft landscaped areas to the north of the raised hardstanding.

Reason: To protect trees which make an important contribution to the character and appearance of The Engineerium Conservation Area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

7) UNI

No development shall commence until tree protection measures, including pruning and ground protection, have taken place in accordance with the EAS Ltd 'Tree Survey & Arboricultural Impact Assessment' dated December 2012.

Reason: To protect trees which make an important contribution to the character

Report from: 30/01/2014 to: 19/02/2014

and appearance of The Engineerium Conservation Area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

8) UNI

No development shall commence until a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries will take place and the frequency of deliveries, has been submitted to and approved in writing by the Local Planning Authority. All deliveries shall thereafter be carried out in accordance with the approved Plan.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with polices S10, QD27 and TR7 of the Brighton & Hove Local Plan.

9) UNI

The development hereby approved shall not be open to visiting members of the public until a Visitor Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall outline measures to manage, monitor and evaluate the impacts of visitor activity to and from the site and to promote sustainable transport. The measures shall be implemented as approved and in conjunction with visitor parking being provided in accordance with planning permission BH2009/02342.

Reason: In order to promote sustainable choices and to reduce reliance on the private car to comply with policies SU2, TR1, TR4, TR7, TR18 and QD27 of the Brighton & Hove Local Plan.

10) UNI

The lighting illuminating the hereby permitted ice rink shall be switched off between the hours of 23.00 and 09.00 the following day.

Reason: To safeguard the amenities of the locality and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2013/04147

99 Old Shoreham Road Hove

Change of use from retail (A1) to tanning studio (sui generis).

Applicant: Mr David Tamplin

Officer: Andrew Huntley 292321

Approved on 05/02/14 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

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

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

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			11.12.2013
Block Plan			05.12.2013
Existing Floor Plan			11.12.2013
Proposed Floor Plan			11.12.2013

BH2013/04310

60 The Drove Way Hove

Erection of detached garage/home office to rear and creation of crossover from Bishops Road with new entrance gates and pier.

Applicant: Mr George Laurence

Officer: Jason Hawkes 292153

Refused on 18/02/14 DELEGATED

1) UNI

The proposed garage, by virtue of its excessive size and design in a prominent position, would form an incongruous and unsympathetic feature poorly related to the appearance of the adjacent buildings which would be detrimental to the visual amenity of the surrounding area. The proposal would therefore be contrary to the objectives of development plan policies QD1, QD2 & QD14 of the Brighton & Hove Local Plan and to SPD12: Design Guide for Extensions and Alterations.

2) UNI2

Due to the position and bulk of the garage, the proposal would result in a significant loss of outlook, light and a heightened sense of enclosure to a ground floor habitable room at 10 Bishops Road with a north facing window. The proposal would therefore lead to a loss of amenity and is contrary to policies QD14 & QD27 of the Brighton & Hove Local Plan.

BH2013/04324

157 Shirley Drive Hove

Gable end roof extension to front incorporating increased ridge height, balcony with French doors and associated alterations.

Applicant: Mr Phil Keating

Officer: Sonia Gillam 292265

Refused on 17/02/14 DELEGATED

1) UNI

The development, by virtue of its design, form, height and bulk, would fail to emphasise and enhance the positive qualities and characteristics of the area and would instead appear out of scale and character with adjoining properties in this section of Shirley Drive. The resulting dwelling would appear unduly dominant and would have a detrimental impact on the character and appearance of the property and wider street scene. The proposal would thereby be contrary to policy QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12 Design Guide on Extensions and Alterations.

BH2013/04356

48 Hill Brow Hove

Application for Approval of Details Reserved by Condition 3 of application BH2013/00032.

Applicant: Mr Anthony Nelson

Officer: Helen Hobbs 293335

Approved on 17/02/14 DELEGATED

BH2013/04372

4 Benett Drive Hove

Enlargement of existing first floor dormer on front elevation.

Applicant: Mr Andrew Herrington

Officer: Helen Hobbs 293335

Refused on 17/02/14 DELEGATED

1) UNI

The proposed front dormer, by virtue its design and excessive size, would form an overly dominant and incongruous feature that would harm the character and appearance of the existing property, street scene 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 on Extensions and Alterations.

WESTBOURNE

BH2013/03672

43 Lawrence Road Hove

Erection of single storey side extension and increase in total number of children accommodated by the day nursery formerly approved under application BH203/01597 from 18 children in total to 21 children in total (15 children on the ground floor of the dwellinghouse and 6 children in the detached annex).

Applicant: Mr Tony Franco

Officer: Christopher Wright 292097

Approved on 03/02/14 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 number of children attending the day nursery use hereby permitted shall not exceed 21 at any time, with a maximum of 6 children accommodated within the detached annex building and 15 children at ground floor level within the main dwelling.

Reason: To safeguard the amenities of the locality and to comply with policies HO26, SU10 and QD27 of the Brighton & Hove Local Plan 2005.

4) UNI

Outdoor play sessions in connection with the day nursery use hereby permitted shall be restricted to within the hours of 09.00 and 17.00 Monday to Friday inclusive with no use permitted on Saturdays, Sundays or Bank Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies HO26, SU10 and QD27 of the Brighton & Hove Local Plan 2005.

5) UNI

The 1.8m to 2m high side boundary wall between the flank wall of the extension and Reynolds Road as shown on drawing no. 2012.80.02b Revision D received on 24 January 2014, shall be retained as existing, or, if removed or damaged, shall be repaired or reinstated to match existing, prior to occupation of the extension hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12: Design Guide for Extensions and Alterations.

6) UNI

The premises shall be used for the use described by this planning permission only and for no other purpose (including any other purpose in Classes C3 and D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The local planning authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan 2005.

7) UNI

Unless otherwise approved in writing by the local planning authority, the rooms allocated for residential purposes on the first floor and within the roof space, as indicated on drawing no. 2012.80.02b Rev. D received on 24 January 2014, shall be retained as such and shall not be used as part of the day nursery.

Reason: In order to protect the stock of residential accommodation within the city, in accordance with policy HO8 of the Brighton & Hove Local Plan 2005.

8) UNI

The use hereby authorised shall not commence until a management plan for the use of the outside space has been submitted to and approved in writing by the local planning authority. The use shall operate in accordance with the approved management plan thereafter.

Reason: To ensure the effective management of the outdoor space and safeguard the amenities of the locality and to comply with policies QD27 and HO26 of the Brighton & Hove Local Plan 2005.

9) UNI

The use hereby authorised shall not be occupied until a Travel Plan (a document that sets out a package of measures tailored to the needs of the site, which is aimed at promoting sustainable travel choices by residents, visitors, staff, deliveries and parking management) has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include such commitments as are considered appropriate and should include as a minimum the following initiatives:-

- (i) Promote and enable increased use of walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use;
- (ii) A commitment to reduce carbon emissions;
- (iii) Increase awareness of and improve road safety and personal security;
- (iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses;
- (v) Identify targets focused on reductions in the level of car use;
- (vi) Identify a monitoring framework to enable the Travel Plan to be reviewed and updated as appropriate;
- (vii) Following an annual survey, an annual review will be submitted to the Local Planning Authority to update on progress towards meeting targets;
- (viii) Identify a nominated member of staff or post to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan;
- (ix) Provide details of arrangements to ensure the safe pick up and drop off of children.

Reason: To ensure the promotion of sustainable forms of travel by means other than the private motor vehicles and comply with policies TR1 and TR4 of the

Brighton & Hove Local Plan 2005.

10) UNI

The use hereby authorised 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

The premises shall not be used as a day nursery except between the hours of 08.00 to 18.00 Monday to Friday inclusive, with no use permitted on Saturdays, Sundays or Bank Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies HO26, SU10 and QD27 of the Brighton & Hove Local Plan 2005.

12) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			28 Oct 2013
Block Plan			28 Oct 2013
Existing Ground, First Floor Layouts and Elevations	2012.80.01b	A	28 Oct 2013
Proposed Ground, First Floor Layouts and Elevations	2012.80.02b	D	24 Jan 2014

13) UNI

No amplified music or musical equipment shall be used in the outdoor play area in connection with the day nursery use hereby permitted.

Reason: To safeguard the amenities of the locality and to comply with policies HO26, SU10 and QD27 of the Brighton & Hove Local Plan 2005.

BH2013/03685

24A Westbourne Place Hove

Variation of condition 2 of BH2012/03330 (Conversion of outbuilding into a 1no one bedroom mews cottage (revised plans)) to show single storey extension and revised fenestration to proposed cottage.

Applicant: Park Avenue Estates Ltd

Officer: Clare Simpson 292454

Approved on 14/02/14 DELEGATED

1) UNI

The external layout and boundaries (including the 1.8 metre high boundary wall) of the two respective properties as shown on the drawings hereby approved shall be retained.

Reason: For the avoidance of doubt as the red line of the application site covers both dwellings and to ensure sufficient outdoor amenity space is retained for each property, to comply with policies HO5, SU2, TR14, TR1, QD14 and QD27.

2) UNI

No extension, enlargement or other alteration of the existing dwellinghouse at 24

Report from: 30/01/2014 to: 19/02/2014

Westbourne Place or the proposed dwellinghouse at 24a Westbourne Place as provided for within Schedule 2, Part 1, Classes A, B, C, D 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 existing or adjoining 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

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 policies TR1 and TR19 of the Brighton & Hove Local Plan.

4) UNI

Unless otherwise agreed in writing by the Local Planning Authority, external elevations of the new house shall be finished in painted render for the walls, with natural slate to the pitched roofs and timber-framed with aluminium facing fenestration as outlined in approved application BH2012/03330 and retained as such thereafter.

Reason: For the avoidance of doubt and to ensure a satisfactory appearance to the development, to comply with policies QD1, QD14 and HE6 of the Brighton & Hove Local Plan.

5) UNI

The new dwelling hereby permitted shall be constructed to Lifetime Homes standards and shall be retained as such thereafter.

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

6) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block plan	Y084-A01		29th October 2013
Existing Floor Plans	Y084-A02		29th October 2013
Existing elevations	Y084-A03		29th October 2013
Existing Sections	Y084-A04		29th October 2013
Consented Floor Plan	Y084-A05		29th October 2013
Consented Elevations	Y084-A06		29th October 2013
Consented Sections	Y084-A07		29th October 2013
Proposed floor plan	Y084-D01	A	29th November 2013
Proposed elevations	Y084-D02	A	29th November 2013
Proposed Sections	Y084-D03		29th October 2013

7) UNI

Notwithstanding the cycle stores indicated on the approved drawings, the development hereby permitted shall not be commenced until details of additional

Report from: 30/01/2014 to: 19/02/2014

secure cycle parking facilities for the occupants of, and visitors to, the existing and proposed dwellings 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: There is insufficient space for the refuse/cycle stores as shown on the submitted plans to meet both needs adequately, to ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

8) UNI

The development hereby permitted shall not be occupied until the sustainability measures [air source heat pumps, locally sourced materials, timber certified from sustainable sources, natural materials, water butts, garden irrigation and sustainable drainage techniques, recycling provision, insulation and efficient boiler] detailed within the Sustainability Checklist received on 18th October 2012 have been used and 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.

9) 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.

10) UNI

The development hereby permitted shall be commenced before 24/06/2016.

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

11) UNI

The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

BH2013/03828

Flat 3 21 Langdale Gardens Hove

Replacement UPVC windows to side and rear at first floor level and to rear dormer, replacement timber door and window to front dormer, and replacement first floor timber sash window to front.

Applicant: Mr A Goodwin

Officer: Christopher Wright 292097

Approved on 31/01/14 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 first floor bay window to the front elevation shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents.

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

3) UNI

The hereby approved second floor window and door to the front elevation shall be painted softwood.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Elevations	5787/01		11 Nov 2013
Proposed Elevation	5787/02A	A	29 Jan 2014
Site Location and Block Plan	5787/03		11 Nov 2013
Timber Sash Windows Cord and Weight Windows	5787/04		11 Nov 2013
uPVC Casement Windows	5787/05		11 Nov 2013
Email from Agent			29 Jan 2014

BH2013/03915

Co-op Welcome 67-71 Portland Road Hove

Installation of timber fence to side elevation to form trolley store.

Applicant: The Co-operative Group

Officer: Helen Hobbs 293335

Refused on 03/02/14 DELEGATED

1) UNI

The proposed trolley storey, due to its siting, design and materials would result in an highly prominent and inappropriate addition, to the detriment of the existing property, street scene and surrounding area. As such the proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

BH2013/04072

Bluebird Court 12-14 Hove Street Hove

Replacement of existing UPVC windows and doors with UPVC double glazed units.

Applicant: Raglan HA

Officer: Helen Hobbs 293335

Approved on 11/02/14 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.

Report from: 30/01/2014 to: 19/02/2014

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

Plan Type	Reference	Version	Date Received
Proposed fenestrations	SC.23850/4	A	17th December 2013
Proposed fenestrations	SC.23850/5	A	17th December 2013
Proposed fenestrations	SC.23850/6	A	17th December 2013
Existing elevations	SC.23850/7		17th December 2013
Existing elevations	SC.23850/8	A	17th December 2013
Location plan	SC.23850/9		17th December 2013
Proposed elevations	SC.23850/10		17th December 2013
Proposed elevations	SC.23850/11		17th December 2013
Proposed elevations	SC.23850/12		17th December 2013
Proposed elevations	SC.23850/13		17th December 2013
Existing elevations	SC.23850/14		17th December 2013
Existing elevations	SC.23850/15		17th December 2013
Existing elevations	SC.23850/16		17th December 2013
Existing elevations	SC.23850/17		17th December 2013
Typical sections	SC.23850/18		17th December 2013
Typical sections	SC.23850/19		17th December 2013

BH2013/04161

59 & 59a Coleridge Street Hove

Change of use of existing offices (B1) and workshops (B2) to offices (B1) and 14no units of student accommodation (sui generis) with associated alterations including a single storey side extension, creation of additional storey to detached garage and external steps.

Applicant: D Golding

Officer: Christopher Wright 292097

Refused on 17/02/14 DELEGATED

1) UNI

The proposed change of use to student accommodation would intensify the use of the site, which is narrow and situated in between the back gardens of residential properties in two nearby streets. The proposal would, together with the external staircases and first floor windows, result in un-neighbourly levels of noise, disturbance and overlooking resulting in a harmful loss of privacy. The

proposal is thereby contrary to policy QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposal would create a poor standard of accommodation for future occupants by reason of the proposed layout and inadequate levels of light and outlook. The proposal is thereby contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed first floor extension over the detached garage, by reason of its height, bulk, form and massing, would appear incongruous and discordant with the form and appearance of existing development in the street scene. The resulting building would harm the prevailing character and appearance of the area and is thereby contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

4) UNI4

The proposed first floor extension over the detached garage, by reason of its the height, bulk, form, massing in close proximity to residential properties in Westbourne Street, would have an overbearing impact resulting in an increased sense of enclosure, loss of light and a significant adverse impact on the amenity and living conditions of adjoining residents. The proposal is thereby contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

5) UNI5

The proposed change of use would result in the loss of employment space which has not been demonstrated by the applicant to be genuinely redundant. The proposal is thereby contrary to policy EM6 of the Brighton & Hove Local Plan.

BH2013/04214

25 Arthur Street Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 2no self contained flats.

Applicant: Mr D C Ajmi

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 06/02/14 DELEGATED

BH2013/04233

10 Princes Crescent Hove

Creation of new vehicle crossover and driveway with associated front garden and boundary wall alterations.

Applicant: Mr Stuart Forbes

Officer: Christopher Wright 292097

Refused on 18/02/14 DELEGATED

1) UNI

The application site is within the Pembroke & Princes Conservation Area where the retention of front gardens is of significant importance in order to preserve the area's character. The proposal would differentiate the application site from the pattern and character of surrounding development and would harm the street scene in this section of Princes Crescent. The proposal would fail to preserve or enhance the character or appearance of the Pembroke & Princes Conservation Area and is contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and the provisions of Supplementary Planning Document 09, Architectural Features.

BH2013/04252

67 Carlisle Road Hove

Replacement of existing conservatory to the rear.

Applicant: Mr Dickson
Officer: Liz Arnold 291709
Approved on 03/02/14 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			16th December 2013
Block Plan			16th December 2013
Existing House Plan and Rear Elevation	099-79133:01		16th December 2013
Existing Side Elevations	099-79133:02		16th December 2013
Proposed House Plan and Rear Elevation	099-79133:03		16th December 2013
Proposed Side Elevations	099-79133:04		16th December 2013

BH2013/04341

92 Portland Road Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 2no units.

Applicant: Mr James Summers
Officer: Christopher Wright 292097

Prior Approval is required and is approved on 31/01/14 DELEGATED

BH2014/00060

66 Montgomery Street Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.385m, for which the maximum height would be 3.06m, and for which the height of the eaves would be 2.435m.

Applicant: Richard Keeling
Officer: Oguzhan Denizer 290419

Prior approval not required on 10/02/14 DELEGATED

WISH

BH2012/04044

9-16 Aldrington Basin/Land South of Kingsway Basin Road North Portslade

Demolition of business unit to east of Magnet showroom. Erection of new building ranging from 3no to 5no storeys at Kingsway Level and a further one and a half storeys of car parking beneath Kingsway ground floor accessed via Basin Road North. Development comprises mixed use commercial premises (A1, A3, B1, D1)

Report from: 30/01/2014 to: 19/02/2014

with associated new access and 52 residential units in 6no blocks. Change of use of existing Magnet showroom at Basin Road North level to storage (B8) with associated service area, lorry delivery bay and car parking. (Amended plans and supporting information).

Applicant: Harbour View Developments (Sussex) Ltd

Officer: Guy Everest 293334

Approved after Section 106 signed on 14/02/14 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.

2) UNI

Plan Type	Reference	Version	Date Received
Lozenge 4 First Floor Level Plan	150/4/401	A	09/05/2013
Lozenge 4 Second Floor Level Plan	150/4/402	A	09/05/2013
Lozenge 4 Third Floor Level Plan	150/4/403	A	09/05/2013
Lozenge 4 Fourth Floor Level Plan	150/4/404	A	09/05/2013
Lozenge 4 East Elevation	150/4/405	B	09/05/2013
Lozenge 4 South Elevation	150/4/406	B	09/05/2013
Lozenge 4 West Elevation	150/4/407	B	09/05/2013
Lozenge 4 North Elevation	150/4/404	B	09/05/2013
Lozenge 5 Kingsway Level Plan	150/5/500	B	09/05/2013
Lozenge 5 Mezzanine Level Floor Plan	150/5/500.1	B	09/05/2013
Lozenge 5 First Floor Level Plan	150/5/501	A	09/05/2013
Lozenge 5 Second Floor Level Plan	150/5/502	A	09/05/2013
Lozenge 5 Third Floor Level Plan	150/5/503	A	09/05/2013
Lozenge 5 North Elevation	150/5/504	B	09/05/2013
Lozenge 5 East Elevation	150/5/505	A	09/05/2013
Lozenge 5 South Elevation	150/5/506	B	09/05/2013
Lozenge 5 West Elevation	150/5/507	A	09/05/2013
Lozenge 6 Kingsway Level Plan	150/6/600	B	09/05/2013
Lozenge 6 Mezzanine Level Floor Plan	150/6/600.1	B	09/05/2013
Lozenge 6 First Floor Level Plan	150/6/601	B	09/05/2013
Lozenge 6 Second Floor Level Plan	150/6/602	B	09/05/2013
Lozenge 6 North Elevation	150/6/603	B	09/05/2013
Lozenge 6 East Elevation	150/6/604	A	09/05/2013
Lozenge 6 South Elevation	150/6/605	B	09/05/2013

Lozenge 6 West Elevation	150/6/606	A	09/05/2013
--------------------------	-----------	---	------------

3) UNI

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

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

4) UNI

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 and staff 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 hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

6) UNI

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

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

7) UNI

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

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

8) UNI

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the ground floor of 'lozenge 1 & 2', as identified on drawing no. 150/1/100 Rev B & 150/2/200 B, shall not be used for the sale of any goods other than those within the following categories:-

- (i) Electrical goods and other domestic appliances;
- (ii) Bathroom suites - furniture and accessories; kitchen units - furniture and accessories, floor and wall tiles;
- (iii) DIY products, materials, tools and machinery for the repair, maintenance or improvement of the home, the garden and motor vehicles;
- (iv) Motor and cycle goods; and
- (v) Furniture, bedding, floor coverings, soft furnishings and textiles

Reason: To protect the vitality and viability of established shopping centres from significant harm, to ensure that the range of goods sold is appropriate for the

site's location and layout and to control the character of the development and to comply with policies SR1, SR2, TR1 and QD27 of the Brighton & Hove Local Plan.

9) UNI

The ground floor of 'lozenge 1 & 2', as identified on drawing no. 150/1/100 Rev B & 150/2/200 B, shall remain as a single retail unit and at no time be sub-divided into smaller units.

Reason: To ensure that the unit remains suitable for the sale of bulky goods and does not harmfully compete with existing established shopping centres and to comply with policies SR1, SR2 and SR3 of the Brighton & Hove Local Plan.

10) UNI

No additional floorspace shall be created within 'lozenge 1 & 2', as identified on drawing no. 150/1/100 Rev B & 150/2/200 B, by the insertion of a mezzanine floor without the specific grant of planning permission.

Reason: To enable the local planning authority to assess the impact of additional floorspace on the vitality and viability of existing centres, on existing highway and access conditions and on-site car parking availability, and to comply with policies SR2, SR3, TR1, TR7 and TR19 of the Brighton & Hove Local Plan.

11) UNI

The ground and mezzanine floors of 'lozenge 3', as identified on drawing no. 150/3/300 A & 150/3/300.1 A, shall only be used within Class A1 (retail) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

12) UNI

The ground and mezzanine floors of 'lozenge 4', as identified on drawing no. 150/4/400 A & 150/4/400.1 A, shall only be used as a restaurant / café within Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

13) UNI

The ground and mezzanine floors of 'lozenge 5', as identified on drawing nos. 150/5/500 B & 150/5/500.1 B, shall only be used for consulting rooms only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

14) UNI

The ground and mezzanine floors of 'lozenge 6', as identified on drawing nos. 150/6/600 B & 150/6/600.1 B, shall only be used for Class B1 use of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and

re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

15) UNI

The ground and mezzanine commercial unit to the easternmost section of Basin Road North, as identified on drawing no. 150/4/100 H, shall only be used for purposes within Class B1 use of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

16) UNI

No commercial deliveries or waste collection shall occur at Kingsway level except between the hours of 08:00 and 19:00 on Monday to Fridays and 09:00 and 17:00 on Saturdays, Sundays, Bank or Public Holidays.

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

17) UNI

The uses hereby approved at Kingsway level (including the associated mezzanine level) shall not be open or in use except between the hours of 08:00 to 19:00 Monday to Fridays and 09:00 and 17:00 on Saturdays, Sundays, Bank or Public Holidays.

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

18) UNI

No development shall commence until a scheme for the details of the provision of affordable housing, as part of the development, has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme which shall include:

- i. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- ii. the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iii. the arrangements to ensure that the affordable housing remains as affordable housing for both first and subsequent occupiers of the affordable housing; and
- iv. the occupancy criteria shall be agreed by Brighton & Hove City Council Housing Team

For the purposes of this condition 'affordable housing' has the meaning ascribed to it by the National Planning Policy Framework.

Reason: To ensure the provision and retention of an appropriate amount of affordable housing in accordance with policy HO2 of the Brighton & Hove Local Plan.

19) UNI

Two units shall be built to wheelchair housing standards. No development shall commence until details of the wheelchair accessible units have been submitted to and approved by the Local Planning Authority in writing. The scheme shall be implemented in accordance with the agreed details and thereafter retained as such.

Reason: To ensure satisfactory provision of homes for people with disabilities and

to comply with policy HO13 of the Brighton & Hove Local Plan.

20) 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.

21) UNI

No development shall commence until elevations and sections at a scale of 1:20 of the balconies and associated balustrading, windows and their reveals, solar panels and their method of fixing, the canopy and its method of fixing and the roof detail have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details and be maintained as such thereafter.

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

22) UNI

No development shall commence until elevations and sections of the Basin Road North frontage, below the level of Kingsway, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details and be maintained as such thereafter.

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

23) UNI

No development shall take place until drawings at a scale of 1:20 of the shopfronts to ground and mezzanine floor commercial units at Kingsway level have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

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

24) UNI

No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The 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 future occupants of the development and occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

25) UNI

No development shall commence until details of screening to outdoor amenity space at Kingsway level, as identified on approved drawing no. 150/4/140 C, has been submitted to and approved in writing by the Local Planning Authority. The screening shall be erected in accordance with the approved details prior to first occupation of the development.

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.

26) UNI

No development shall commence until a scheme for sound insulation between

ground and first floor level to each building has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until construction has been completed in accordance with the agreed details. The development shall be retained as such thereafter.

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.

27) UNI

No development shall commence until a scheme for the soundproofing of the building, as recommended by the submitted 7th Wave Acoustics report (dated 24th July 2012 and received on the 20th December 2012), 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 and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

28) UNI

No development shall commence until details of the ventilation strategy for the development, including details of heat exchanger units to be fitted to each residential unit, 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.

29) UNI

Notwithstanding the submitted plans no development shall commence 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.

30) UNI

The new crossover and access to Kingsway 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.

31) UNI

No development shall commence until a Scheme of Management of the vehicle parking has been submitted to and been approved in writing by the Local Planning Authority. The submitted scheme shall include details of how each car parking space will be allocated and any necessary measures to ensure that each car parking space is secured for the use of its allocated owner. The approved scheme shall be implemented prior to the first occupation of the building and thereafter retained at all times.

Reason: To ensure the development maintains a sustainable transport strategy and to comply with policies TR1 and TR19 of the Brighton & Hove Local Plan.

32) UNI

Notwithstanding the submitted plans 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.

33) 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 6 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.

34) UNI

No non-residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 'Outstanding' 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.

35) UNI

Notwithstanding the submitted plans no development shall commence until details of compliance with Lifetime Homes standards have been submitted to and approved prior to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

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

36) UNI

No development shall take place until details of the proposed green walling and maintenance and irrigation programme have been submitted to and approved in writing by the Local Planning Authority. The walls shall thereafter be constructed, maintained and irrigated 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.

37) UNI

(i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:

(a) a 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,

(b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include 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) (b) above that any remediation scheme required and approved under the provisions of (i) (b) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- 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) (b).

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

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm would not exceed the run-off from the underdeveloped site following the corresponding rainfall event. The drainage works shall be completed in accordance with the details and timetable agreed.

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

39) UNI

No development shall commence until details of the rainwater harvesting system have been submitted to and approved in writing by the Local Planning Authority. The details shall include which properties the system will serve, any associated treatment and a maintenance and monitoring plan. The system shall be installed in accordance with the agreed details and be maintained as such thereafter.

Reason: To ensure safeguards are in place to protect public health and to comply with policy QD27 of the Brighton & Hove Local Plan.

40) 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.

41) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a timetable for the submission of 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 6 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.

42) UNI

None of the non-residential development hereby approved shall 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 'Outstanding' 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.

43) UNI

A Travel Plan shall be submitted to the Local Planning Authority within three months of the first occupation of the development. The Travel Plan shall be agreed in writing by the Local Planning Authority and include a package of measures, proportionate to the scale of the approved development, aimed at promoting sustainable travel choices and reducing reliance on the car. The measures shall be implemented within a time frame as agreed with the Local Planning Authority and should be subject to annual review.

Reason: In order to promote sustainable choices and to reduce reliance on the private car to comply with policies SU2, TR1 and TR4 of the Brighton & Hove Local Plan

44) 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	150/4/10		11/01/2013
Block Plan	150/4/11		20/12/2012
Existing Floor Plans - former Milterbest unit	150/4/85		20/12/2012
As Existing North and South Elevations	150/4/90		20/12/2012
Existing Magnet Floor Plan	150/4/95		20/12/2012
Proposed North & South Elevations	150/4/001	B	09/05/2013
Lower Basin Road level and parking mezzanine	150/4/100	H	09/05/2013
Kingsway Level Plan	150/4/105	C	09/05/2013
First Floor Plan	150/4/110	C	09/05/2013
Second Floor Plan	150/4/115	B	20/12/2012
Third Floor Plan	150/4/120	B	20/12/2012
Fourth Floor Plan	150/4/125	B	20/12/2012
Affordable Housing Provision	150/4/135	D	09/05/2013
Kingsway Level Plan OPEN SPACE	150/4/140	C	09/05/2013

Lozenge 1 & 2 Kingsway Level Plan	150/1/100	B	09/05/2013
Lozenge 1 First Floor Level Plan	150/1/101	B	09/05/2013
Lozenge 1 Second Floor Level Plan	150/1/102	B	09/05/2013
Lozenge 1 & 2 North & South Elevation	150/1/103	C	09/05/2013
Lozenge 1 & 2 East Elevation	150/1/104	A	09/05/2013
Lozenge 1 & 2 West Elevation	150/1/105	A	09/05/2013

45) UNI

Plan Type	Reference	Version	Date Received
Lozenge 1 & 2 Kingsway Level Plan	150/2/200	B	09/05/2013
Lozenge 2 First Floor Level Plan	150/2/201	B	09/05/2013
Lozenge 2 Second Floor Level Plan	150/2/202	A	09/05/2013
Lozenge 2 Third Floor Level Plan	150/2/203	A	09/05/2013
Lozenge 3 Kingsway Level Plan	150/3/300	A	09/05/2013
Lozenge 3 Mezzanine Level Floor Plan	150/3/300.1	A	09/05/2013
Lozenge 3 First Floor Level Plan	150/3/301	A	09/05/2013
Lozenge 3 Second Floor Level Plan	150/3/302	A	09/05/2013
Lozenge 3 Third Floor Level Plan	150/3/303	A	09/05/2013
Lozenge 3 Fourth Floor Level Plan	150/3/304	A	09/05/2013
Lozenge 3 East Elevation	150/3/305	B	09/05/2013
Lozenge 3 South Elevation	150/3/306	B	09/05/2013
Lozenge 3 West Elevation	150/3/307	A	09/05/2013
Lozenge 3 North Elevation	150/3/304	B	09/05/2013
Lozenge 4 Kingsway Level Plan	150/4/400	A	09/05/2013
Lozenge 4 Mezzanine Level Floor Plan	150/4/400.1	A	09/05/2013

46) UNI

The affordable housing shall provided in accordance with the Affordable Housing Provision on drawing no. 150/4/135 Rev C which secures 20 affordable units.

Reason: To ensure the provision and retention of an appropriate amount of affordable housing in accordance with policy HO2 of the Brighton & Hove Local

Report from: 30/01/2014 to: 19/02/2014

Plan.

BH2013/03941

89 Payne Avenue Hove

Application for approval of details reserved by conditions 7, 8, 9 and 10 of application BH2012/03657.

Applicant: Hope Trustees Ltd

Officer: Adrian Smith 290478

Approved on 18/02/14 DELEGATED

BH2013/03957

39 Portland Avenue Hove

Erection of a single storey rear extension, installation of replacement roof covering to existing side extension and rear raised terrace.

Applicant: Ruth Preston

Officer: Steven Lewis 290480

Approved on 18/02/14 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
Existing and Proposed Floor Plans and Elevations	428(PL) 1a		02/12/2013
Site Location and Block Plans	428(PL) 2		20/11/2013

BH2013/04136

35 St Keyna Avenue Hove

Erection of part one, part two storey rear extension and roof extension with front and rear rooflights and rear dormer.

Applicant: Mr Christopher Curtis

Officer: Emily Stanbridge 292359

Refused on 10/02/14 DELEGATED

1) UNI

The proposed extensions and alterations result in the addition of significant bulk and massing to the rear elevation of this property, incorporating dominant additions to the building rather than being subservient in design. In addition the proposed works incorporate a variety of roof forms which cumulatively relate poorly to one another. Overall the proposed scheme results in the disruption of

Report from: 30/01/2014 to: 19/02/2014

the overall appearance of the property, altering its original plan and form, semi-detached pair and surrounding area. The application is therefore contrary to policy QD14 of the Brighton & Hove Local Plan, and SPD12: Design guide for extensions and alterations.

2) UNI2

The proposed single storey part of the rear extension is situated adjoining the boundary with No.37 St Kenya Avenue. The height and positioning of the extension would result in increased levels of overshadowing and loss of light to this neighbouring property. In addition these works would result in a heightened sense of enclosure to these neighbouring occupiers. The application is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/04163

38 & 40 St Leonards Avenue Hove

Replacement of existing aluminium windows with UPVC windows to front elevation.

Applicant: Mrs Margaret Longstaff

Officer: Helen Hobbs 293335

Approved on 07/02/14 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 not commence until documentary evidence (in the form of a proposed timescale and signed contracts by all interested parties) for the works hereby approved has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the development will be constructed in its entirety concurrently to both 38 and 40 St Leonards Avenue. The development shall be carried out in accordance with the approved timescale unless otherwise agreed in writing by the Local Planning Authority.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan			9th December 2013
Block plan			9th December 2013
Window details			9th December 2013

BH2013/04182

Unit A1 Portland Business Park Portland Road Hove

Creation of new entrance and external steps to south elevation.

Applicant: Store Property Investments Ltd

Officer: Helen Hobbs 293335

Report from: 30/01/2014 to: 19/02/2014

Approved on 12/02/14 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 and proposed plans, block plan and site plan	101	A	23rd December 2013

BH2013/04350

61 Bolsover Road Hove

Erection of conservatory to rear elevation.

Applicant: Mr Bundock

Officer: Liz Arnold 291709

Refused on 10/02/14 DELEGATED

1) UNI

The proposed extension, by virtue of its excessive depth compared to that of the rear garden and original dwelling, would be an over-development of the site and would appear out of scale with the existing building and wider surrounding area. The proposal would be of detriment to the visual amenities of the parent site, the related terrace and the surrounding area. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2) UNI2

The proposed extension, by virtue of its excessive depth, its positioning in respect of the northern boundary and the low height of part of the northern boundary, would have a detrimental impact upon the amenities of occupants of 63 Bolsover Road by way of loss of light, outlook and privacy. The proposal is thereby to policies QD14 and QD27 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

Withdrawn Applications

PLANS LIST 12 March 2014**PATCHAM**

Application No: BH2014/00099
15 South Woodlands, Brighton

6no Sycamores in front garden - a) lift crowns, including all epicormic growth to give a minimum clearance of 5.4 metres above ground level, b) prune any lateral growth in the lower crown by no more than 1m, c) crown clean remaining crowns.

Applicant: Mr J Hatch
Approved on 13 Feb 2014

PRESTON PARK

Application No: BH2014/00276
182 Springfield Road, Brighton

2no Elm (T1 and T2) reduce in height by 2.5m. 1no Copper Beech (T3) reduce crown by 1-1.5m, thin remaining crown by 20%, prune from house to give minimum clearance of 2.5m. 1no Lime (T4) reduce crown by no more than 2m, thin remaining crown by 20%.

Applicant: Mr Colin Ruffell
Approved on 30 Jan 2014

Application No: BH2014/00410
121 Chester Terrace

1no Betula Jacquemontii (T1) - thin crown by 15% and reduce and reshape by 3-4 ft (1 metre approx).

Applicant: Mr Rob Stevens
Approved on 14 Feb 2014

REGENCY

Application No: BH2013/04274
Waitrose Car Park, 130 Western Road, Brighton

T1 Horse Chestnut - no works. T2 Lime - Remove epicormic growth to give a minimum clearance of 5m above ground level; Thin crown by no more than 15%; Crown clean remaining crown. T3 Lime - Remove epicormic growth to give a minimum clearance of 5m above ground level; Thin crown by no more than 15%; Crown clean remaining crown. T4 Lime - Prune from lamp head to provide a natural cone of light; formative prune remaining crown. T6 - Elm - Remove all deadwood; lift crown to give minimum clearance of 5m above ground level; thin crown by no more than 15%; crown clean remaining crown. T7 Elm - Crown clean. T8 Elm - Crown clean. T9 Elm - Prune crown away from adjacent building to provide a minimum clearance of 3m; lift crown to give a minimum clearance of 4m above ground level; Crown clean.

Applicant: Mr G O'Flanagan
Approved on 07 Feb 2014

Application No: BH2014/00451
St George's House, 43 Dyke Road

7no Elm (T1,T2,T7,T9,T17,T20,T21) remove deadwood. 2no Elm (T3,T5) remove deadwood and prune away from building by 3metres. 2no Elm (T14,T18) remove deadwood and crown lift 5.5metres over road. 1no Sycamore (T16) remove deadwood, prune away from building by 3metres and over road to 5.5metres. 1no Sycamore (T19) crown lift over building by 2metres. 1no Elm (T22) and 2no Sycamore (T23, T24) remove deadwood, crown lift over road to 5.5metres plus Euonymus overhang.

Applicant: Mr Harry Reynolds
Approved on 14 Feb 2014

Application No: BH2014/00469
12 Montpelier Villas

2no Sycamore in rear garden (T1, T2) - reduce by 1-2m back to live growth points.

Applicant: Mr J Reid
Approved on 14 Feb 2014

ST. PETER'S & NORTH LAINE

Application No: BH2014/00230
16 Alexandra Villas, Brighton

1no Purple Plum (T1) Prune clear of phone lines and signs and raise over footpath to reduce interference. 1no Silver Birch (T2) Remove dead wood for safety.

Applicant: Mr Bob Thatcher
Approved on 31 Jan 2014

Application No: BH2014/00265
34 Roundhill Crescent

1no Sycamore (T1) in rear garden - pollard or removal. If removed to be replaced by a more appropriate tree such as a fruit tree. The tree canopy overhangs 4 gardens so may present a hazard in the future. The tree is not visible from a public space, thus no public amenity value.

Applicant: Mrs Claire Elliott
Approved on 06 Feb 2014

Application No: BH2014/00277
1 Belton Close

Fell 1no Sycamore (T1) causing damage to car park and kerb stones. Fell 1no Ash (T3) because of damage being caused to retaining wall and detrimental impact on growth, form and future health of T2. Fell Group of Sycamore and Ash volunteers (G1) and poison.

Applicant: Steve Bustin
Approved on 07 Feb 2014

Application No: BH2014/00278
1 Belton Close

1no Ash (T2) thin out epicormic growth caused by previous reduction. 1no Ash (T4) remove large stem overhanging neighbouring garden.

Applicant: Steve Bustin
Approved on 07 Feb 2014

WITHDEAN

Application No: BH2014/00128
Varndean Park Estate, Varndean Drive

Fell 1no Horse Chestnut (Oak Close) (T88) leaving a habitat pole approx 6m in height. Fell 1no Sycamore (T117) to approx ground level.

Applicant: Mr Terry Sinclair
Refused on 30 Jan 2014

Application No: BH2014/00129
Varndean Park Estate, Varndean Drive

1no Holly (Laine Close) (T2) - crown lift and cut back from car bays. 1no Elm (Laine Close) (T22) - cut back canopy on south side to give 2m clearance from building. Row of Holly (Walnut Close) - cut back overhanging foliage to approx kerb line. 3no Elm (12/14 Walnut Close) (T46,47,48) - crown lift to 4m. Row of trees outside Highdown (T111-115) - cut back canopies to give 2m clearance from building. 1no Lime (car park outside Monterey) (T103) - crown lift to 6m. 2no Holly (outside Monterey) - clear away from phone lines and cut back from building. 1no Lime (east boundary) (T95) - cut basal sucker growth back from garden and down in height by up to 3m.

Applicant: Mr Terry Sinclair
Approved on 30 Jan 2014

Application No: BH2014/00192
Leahurst Court, Leahurst Court Road

3no Lawson Cypress (T52,T55, T57) - lop tops that are exposed to winds level with roof gutter.

Applicant: Mr Patrick Ward
Refused on 13 Feb 2014

Application No: BH2014/00470
3 Highcroft Mews, Brighton

2no Limes (T1, T2) reduce by 2-3metres. 1no Ash (T3) reduce by 2-3metres and thin.

Applicant: Mr C Warren
Approved on 14 Feb 2014

EAST BRIGHTON

Application No: BH2014/00203
20 Sudeley Street, Brighton

1no Eucalyptus (T1) Cut branches overhanging 1 Sudeley Terrace back to the boundary to reduce interference.

Applicant: Mrs Bob Thatcher
Approved on 30 Jan 2014

Application No: BH2014/00266
15 Rock Street, Brighton

3no Lime Trees (T1-T3): reduce in height by 3-4ft and prune flat against the wall to keep maintained and tidy.

Applicant: Mr Jooles Sayers
Approved on 31 Jan 2014

HANOVER & ELM GROVE

Application No: BH2014/00170
Brighton & Preston Cemetery, The Lodge 99 Hartington Road

1no Horse Chestnut (T1) - Reduce all stems and branches by 1.5m and lift crown by 3m to reduce interference with graves and allow in more light.

Applicant: Mrs Janet Bonwick
Approved on 30 Jan 2014

HOLLINGDEAN & STANMER

Application No: BH2014/00257
Coldean School House, Selham Drive, Brighton

Rear of School House, on boundary with Coldean Primary School - prune back to growth points trees growing over from the school plus remove 1no main branch from Ash tree leaning over the shed, to clear encroachment on garden.

Applicant: Mr R Stevens
Approved on 31 Jan 2014

MOULSECOOMB & BEVENDEAN

Application No: BH2014/00267
13, 14 and 15 Tenantry Road, Brighton

Fell 9no Sycamores (T1-T9). Alternatively re-pollard trees at 2-4m below old pruning cuts. Trees are too big and block light and sunshine.

Applicant: Mr Turan Mehmet
Refused on 06 Feb 2014

QUEEN'S PARK

Application No: BH2014/00195
1 Parochial Mews, Prince's Street

3no Sycamore (T1, T2 and T3) - Crown lift on East side by approx. 1m to allow more light under canopy. Reduce height of crown to approx. 1m below previous points. Reduce lateral growth to previous points. 1no Sycamore (T4) - reduce to previous points. REASON: The tree owner and landscape designer are hoping that by carrying out the above spec. more light will filter through to new planting beneath. They have been made aware that excessive crown reduction of this species will result in prolific re-growth but they are prepared to enter into a regular pruning programme similar to the B&HCC street tree model.

Applicant: Mr Ben Macdonald
Approved on 30 Jan 2014

ROTTINGDEAN COASTAL

Application No: BH2014/00298
12 Wilkinson Close, Rottingdean

Fell 1no Sycamore (T5) to ground level.

Applicant: Mr Bob Lennox
Refused on 07 Feb 2014

Application No: BH2014/00299
12 Wilkinson Close, Rottingdean

2no Sycamore (T3 and T4) - reduce and reshape by 30%, laterals reduce by 2.5m and height by 3m. 1no Sycamore (T2) - reduce and reshape by 40%, laterals reduce by 1m and height by 4.5m.

Applicant: Mr Bob Lennox
Approved on 07 Feb 2014

Application No: BH2014/00306
St Margarets Church, Rottingdean

1no multi-stem Sycamore (T1) in St Margaret's Church graveyard - fell one stem of tree immediately adjacent to the wall and overhanging the garden.

Applicant: Mr Terence Pollock
Approved on 06 Feb 2014

Application No: BH2014/00408
12 Wilkinson Close, Rottingdean

1no Sycamore (T1 multi-stem) - reduce and reshape by 30%, laterals reduce by 2.5m and height by 3m.

Applicant: Mr Bob Lennox
Refused on 07 Feb 2014

BRUNSWICK AND ADELAIDE

Application No: **BH2014/00268**
41 Selborne Road

1no Sycamore (T1) - Reduce by up to 30% (between 1-3 metres).

Applicant: Mrs Sally Peck
Approved on 31 Jan 2014

Application No: **BH2014/00269**
8 Norfolk Road

2no Ash (T1, T2) - reduce overhang on wall on right-hand side, reduce both trees by 1-2m and thin. 1no Birch (T3) - reduce entire tree by 1m.

Applicant: Mr J Hatch
Approved on 31 Jan 2014

GOLDSMID

Application No: **BH2014/00444**
58A Palmeira Avenue, Hove

1no Beech (T6) - crown lift over the roof of the development by approximately 2.5-3.0m, reduce crown, on the southern side only by approximately 2.5m and crown thin remaining crown by no more than 15%. 1no Sycamore (T10) - remove two low branches to the north rubbing on the scaffold. Reduce and reshape the northern and eastern side of the upper crown by approximately 2.5m. The extent of the proposed works has been discussed on site with Di Morgan.

Applicant: Mr David Owen
Approved on 12 Feb 2014

SOUTH PORTSLADE

Application No: **BH2014/00342**
St Nicholas Vicarage, South Street, Portslade

Fell one Holm Oak (2 on plan) and one Holly (5 on plan). T2 although visible has no potential for long-term retention.

Applicant: Mr L Bartlam
Approved on 07 Feb 2014

Application No: **BH2014/00344**
St Nicholas Vicarage, South Street, Portslade

2no Holm Oak (1 & 3 on plan) - reduce by 2m; 1no Ash (4 on plan) - reduce by 2m;
mixture of Ash & Sycamore (6-11 on plan) - reduce by 3m to allow more light.

Applicant: Mr L Bartlam
Approved on 07 Feb 2014

HOVE PARK

Application No: **BH2014/00274**
110 Woodland Drive. Hove

Fell 1no Conifer (T2). The conifer is visible from Three Corner Copse but is not sustainable in its location. It does not justify a TPO.

Applicant: Mr Henry Mason
Approved on 31 Jan 2014

Application No: **BH2014/00275**
110 Woodland Drive. Hove

1no Yew (T1) - reduce height by 3m. The Yew has grown like a hedge so wound diameters from pruning cuts will be less than 50mm.

Applicant: Mr Henry Mason
Approved on 31 Jan 2014

Application No: **BH2014/00359**
Land between Orchard House and March House, Orchard Road, Hove

2no Norway Maples (T3 & T4) - trim back by 2.5m maximum all round.

Applicant: Mr S Welch
Approved on 05 Feb 2014

WESTBOURNE

Application No: **BH2014/00011**
Glentworth House Nursing Home, 40-42 Pembroke Avenue

1no Elm (T1) - remove all ivy, prune out all epicormic shoots to a height of 5.5m, prune canopy away from roof of No. 18 to give minimum clearance of 2.5m and crown clean.

Applicant: Mrs Anita Redwood
Approved on 30 Jan 2014

Application No: BH2014/00429
71 Pembroke Crescent, Hove

1no Silver birch (T1) - Prune back all overhang to 33 Westbourne Street to boundary. REASON: to improve light and lessen tree debris falling in garden as client is allergic to catkins.

Applicant: Mrs Ward
Approved on 14 Feb 2014

NEW APPEALS RECEIVED**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ROTTINGDEAN COASTAL**

BH2013/03553

52 Greenways Brighton

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

APPEAL LODGED

31/01/2014

Delegated

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

BH2013/02678

41 Middle Street Brighton

Replacement of existing timber windows and rooflights with UPVC windows and rooflights. (Retrospective).

APPEAL LODGED

31/01/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WITHDEAN**

BH2013/02881

25 Harrington Villas Brighton

Creation of vehicle crossover and partial removal of front boundary wall.

APPEAL LODGED

04/02/2014

Delegated

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

BH2013/03675

154 Lustrells Vale Saltdean Brighton

Removal of existing chimney and installation of infill dormer to side elevation.

APPEAL LODGED

04/02/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****SOUTH PORTSLADE**

BH2013/02627

39 Station Road Portslade

Erection of single storey rear extension.

APPEAL LODGED

APPEAL RECEIVED DATE 31/01/2014
APPLICATION DECISION LEVEL Delegated

WARD

APPEAL APP NUMBER
ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

PATCHAM

BH2013/03238
Maycroft & Parkside London Road & 2-8
Carden Avenue Brighton
Display of 4no externally illuminated signs
around boundary of site.

APPEAL LODGED

05/02/2014

Delegated

WARD

APPEAL APP NUMBER
ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

HANGLETON & KNOLL

BH2013/03160
188 Hangleton Valley Drive Hove
Erection of part single storey, part two storey
front and side extension and associated works.

APPEAL LODGED

05/02/2014

Delegated

WARD

APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

ROTTINGDEAN COASTAL

BH2013/03668
Pineglade Bazehill Road Brighton
Demolition of existing garage and erection of
single storey building incorporating garage,
store and workspace and associated works.

APPEAL LODGED

05/02/2014

Delegated

WARD

APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

ROTTINGDEAN COASTAL

BH2013/03382
Norton Cottage The Green Rottingdean Brighton
Alterations to front elevation including
enlargement of existing balcony incorporating
glazed balustrading, installation of new
entrance doors and replacement of garage door
with a window.

APPEAL LODGED

06/02/2014

Delegated

WARD

APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS

WISH

BH2013/03699
First Floor Flat 48 Braemore Road Hove
Installation of dormer to side and rooflights to
front and rear.

APPEAL LODGED

APPEAL RECEIVED DATE 07/02/2014
APPLICATION DECISION LEVEL Delegated

WARD

APPEAL APP NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

ST. PETER'S & NORTH LAINE

BH2013/02447

Buckingham Lodge Buckingham Place Brighton
Application for removal of condition 9 of application BH2011/02675 (Application to extend time limit for implementation of previous approval BH2008/00319 for construction of one additional storey to form 6no one bedroom flats and conversion of 2no existing garages into a bin/cycle storage area) which states that prior to the commencement of the development, a scheme for suitable tree planting shall be submitted to and approved in writing by the Local Planning Authority. The tree planting shall be carried out in strict accordance with the approved details prior to the first occupation of the residential units and shall thereafter be retained to the satisfaction of the Local Planning Authority.

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

APPEAL LODGED

10/02/2014

Delegated

WARD

APPEAL APP NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

WISH

BH2013/04196

18 Middleton Avenue Hove

Creation of dormer to front elevation.

APPEAL LODGED

11/02/2014

Delegated

WARD

APPEAL APP NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

MOULSECOOMB & BEVENDEAN

BH2013/02400

77 Widdicombe Way Brighton

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

APPEAL LODGED

12/02/2014

Delegated

WARD

APPEAL APP NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

EAST BRIGHTON

BH2013/01463

Flat 4 159 Marine Parade Brighton

Internal and external alterations including alterations to layout of flat and installation of glazed panels behind existing balcony balustrade (Part Retrospective).

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
11/02/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

ROTTINGDEAN COASTAL
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.

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
13/02/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

HOVE PARK
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)

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
17/02/2014
Delegated

WARD
APPEALAPPNUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

REGENCY
BH2013/00937
1 Sillwood Terrace Brighton
Formation of mansard roof to accommodate one 2no bedroom flat with roof terrace.

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
19/02/2014
Planning Committee

**Brighton & Hove
City Council****INFORMATION ON HEARINGS / PUBLIC INQUIRIES
12th March 2014**

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

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: Hove Town Hall

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: Hove Town Hall

21 Rowan Avenue, Hove BN3 7JF

Description: Change of use to Dog Kennels.
Decision: Enforcement
Type of appeal: Informal Hearing
Date: 1st July 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

Richmond House, Richmond Road, Brighton BN2 3RL

Planning application no: BH2013/02838
Description: 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.
Decision: Planning Committee
Type of appeal: Informal Hearing
Date: TBC
Location: TBC

APPEAL DECISIONS

	Page
A – COURT FARM HOUSE, KING GEORGE VI, HOVE – HANGLETON & KNOLL	
Application BH2012/03446 – Appeal against refusal for Demolition of existing buildings. Construction of 5 no. two storey detached houses and a 58 bed space, two and three storey nursing home with associated landscaping, vehicle parking and external works. Alterations to the existing site access. APPEAL ALLOWED & COSTS AWARDED IN PART (COMMITTEE DECISION 13/03/13)	241
B – 56 QUEEN’S PARK RISE, BRIGHTON – QUEEN’S PARK	
Application BH2013/02728 – Appeal against refusal for ground floor single storey side extension combined with the re-building of the rear conservatory. APPEALS ALLOWED (delegated decision)	259
C – 5 BENFIELD WAY, PORTSLADE – SOUTH PORTSLADE	
Application BH2013/03081 – Appeal against refusal for removal of rear conservatory and replacement with two storey rear extension. Removal of flat roof front porch and construction of pitched roof front porch. APPEAL DISMISSED (delegated decision)	261
D – PARIS CAFÉ BAR, 7 FENCHURCH WALK, NEW ENGLAND QUARTER, BRIGHTON – ST. PETER’S & NORTH LAINE	
Application BH2012/03806 – Appeal against refusal of installation of a side smoking shelter adjacent to Paris Cafe. APPEAL DISMISSED (delegated decision)	265
E – 346 DYKE ROAD, BRIGHTON – WITHDEAN	
Application BH2013/02895 – Appeal against refusal to add rooms in the roof with shower room and bathroom. Change of use of garage to habitable room. Removal of conservatory to rear. Balcony to first floor bedroom. To render the building to match in with neighbours property. Re-tile all roofs to building. Internal alterations. APPEAL ALLOWED & COSTS REFUSED (delegated decision)	267
F – 36 CASTLE STREET, BRIGHTON – REGENCY	
Application BH2013/02129 – Appeal against refusal for removal of existing timber store and erection of 1 x 1 no. bedroom dwelling house. APPEAL DISMISSED (delegated decision)	273

G – 8 HILL BROW, HOVE – HOVE PARK

Applications BH2013/03039 – Appeal against refusal for two storey extension and the raising of the existing roofline to provide second floor accommodation with rear and front rooflights (revisions to BH2013/01166). **APPEALS DISMISSED** (delegated decision) **279**

H – 41A & 41B BOND STREET, BRIGHTON – ST. PETER'S & NORTH LAINE

Application BH2012/03874 – Appeal against refusal for mansard roof extension to form 3rd and 4th floors; conversion of first, second & third floors to form hostel and fourth floor to form managers flat. **APPEAL DISMISSED** (delegated decision) **283**

I – 72 SHIRLEY DRIVE, HOVE – HOVE PARK

Application BH2013/02190 – Appeal against refusal for 2 storey extension to the north-east side of an existing 2 storey house. **APPEAL ALLOWED** (delegated decision) **287**

J – 12 THE CLIFF, BRIGHTON – ROTTINGDEAN COASTAL

Application BH2013/01949 – Appeal against refusal for demolition of existing dwelling and garage and erection of new dwelling house with garage. **APPEAL DISMISSED** (delegated decision) **289**

K – 126 STAPLEY ROAD, HOVE – HANGLETON & KNOLL

Application BH2013/03356 – Appeal against refusal for PVCu conservatory and brick extension to replace the existing extension. **APPEAL DISMISSED** (delegated decision) **291**

L – 6 MARINE GARDENS, BRIGHTON – QUEEN'S PARK

Application BH2013/02668 – Appeal against refusal for single storey side extension. **APPEAL DISMISSED** (delegated decision) **293**

Appeal Decision

Inquiry opened on 14 January 2014

Site visit made on 15 January 2014

by Joanna Reid BA(Hons) BArch(Hons) RIBA

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

Decision date: 18 February 2014

Appeal Ref: APP/Q1445/A/13/2200978

Court Farm House, King George VI Avenue, Hove, East Sussex BN3 6XJ

- 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 Thornton Properties Ltd against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03446, dated 24 October 2012, was refused by notice dated 11 April 2013.
 - The development proposed is "Demolition of existing buildings. Construction of 5 no. two storey detached houses and a 58 bed space, two and three storey nursing home with associated landscaping, vehicle parking and external works. Alterations to the existing site access".
 - The inquiry sat for 2 days on 14 and 15 January 2014.
-

Decision

1. The appeal is allowed and planning permission is granted for "Demolition of existing buildings. Construction of 5 no. two storey detached houses and a 58 bed space, two and three storey nursing home with associated landscaping, vehicle parking and external works. Alterations to the existing site access" at Court Farm House, King George VI Avenue, Hove, East Sussex, BN3 6XJ, in accordance with the terms of the application, Ref BH2012/03446, dated 24 October 2012, subject to the conditions set out in Schedule A at the end of this Decision.

Application for costs

2. At the inquiry an application for costs was made by Thornton Properties Ltd against Brighton & Hove City Council. This application is the subject of a separate Decision.

Procedural matters

3. The Council's letter to the appellant's agent dated 21 October 2013 confirmed that it does not seek to defend the reference to 'access' in its reason for refusal 2. The Council's letter to the appellant's agent dated 16 December 2013 confirmed that it does not seek to defend its reason for refusal 1, which alleged conflict with Policies NC5 and NC6 of the *Brighton & Hove Local Plan 2005* (LP) in relation to the site being within the urban fringe and in a countryside location. The Council also confirmed at the inquiry that it does not seek to defend reason for refusal 3 regarding measures to promote and encourage sustainable transport and highway improvements because the

appellant's planning obligation, which was submitted at the inquiry, addresses the Council's concerns. I shall deal with the appeal accordingly.

4. The appellant's advocate explained that because 'nursing home' is an antiquated term, 'care home with nursing' would better describe the relevant part of the proposal. The Council raised no objection to this. As there would be no prejudice to the main parties, and I agree with that view, I shall refer to the relevant part of the proposal as a care home with nursing (care home).
5. The plans on which the Council made its decision included plan 0214.PL.002A. The appellant has submitted revised plan numbered 0214.PL.002C, which shows minor amendments to the parking, including parking spaces for disabled users. As the Council raised no objection to the revised plan at the inquiry, it has been available to the public during the appeal process, and I do not consider that anyone's interests would be prejudiced, I shall take it into account.

Main issue

6. From my inspection of the site and its surroundings, and from the representations made at the inquiry and in writing, I consider that the main issue in this appeal is whether the proposal would be a sustainable development.

Reasons

7. The appeal site is within the urban fringe, which is outside the Built-up Area of the city defined in the LP. The South Downs National Park is close by to the north-west, north and north-east. The site adjoins a mainly open area of land, known as Toad's Hole Valley (THV) to the south-west, and it is otherwise mostly bounded by roads, including King George VI Avenue, a roundabout, and a slip road, which is in a well-treed cutting, to the A27 trunk road. There are established mainly residential areas on the opposite side of King George VI Avenue and beyond THV. The roughly 0.98 hectare site includes Court Farm House, a storage/garage building, and hard-surfaced and soft landscaped areas which would make way for the proposed development including 5 4-bedroom houses and a care home with 58 single en-suite bedrooms for elderly people.

Planning policy context

8. No conflict with Development Plan policy was identified in the Council's only remaining reason for refusal 2. Therefore, the proposal falls to be considered in the context of the presumption in favour of sustainable development at paragraph 14 of the *National Planning Policy Framework* (Framework). For decision-taking this means granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.
9. Paragraph 49 of the Framework is relevant because the proposal includes 5 houses. It states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Although the Council and the appellant said at the inquiry that the Council has about 4.5 years and about 1.8 years housing land supply respectively, it was common ground that the Council cannot demonstrate a five-year supply of deliverable housing sites.

Emerging local policy

10. The appeal site is part of a site identified as DA7-Toad's Hole Valley in the emerging *Brighton & Hove Submission City Plan Part One* (CP) which includes a proposed development area (DA7) and a site of nature conservation importance which is statutory open access land. The Council's witness confirmed that DA7 is the only urban fringe site included in the CP.
11. An Examination Hearing for the CP has taken place, so the CP is at a fairly advanced stage. My colleague's letter to the Council of 13 December 2013 reflects her initial conclusions on the soundness issues she has identified at this stage. However, her comments are not intended to be comprehensive, and are made without prejudice to the content of her final report.
12. Emerging CP Policy DA7 aims to secure a modern, high quality and sustainable mixed use development to help meet the future needs of the city, improve accessibility and provide new community facilities to share with adjacent neighbourhoods. Whilst CP Policy DA7 is subject to objections, it would seem likely to progress. However, the hearings into the CP are not expected to reopen until about September 2014, so the weight that can be attached to this emerging Policy is a little less than significant.
13. In the light of the Council's concerns in reason for refusal 2, it is relevant to consider whether, due to its relationship to the rest of DA7 and timing, uses, and density, the proposal would compromise the aims of CP Policy DA7 to achieve housing, employment and infrastructure at DA7.

Comprehensive development, relationship to the rest of DA7 and timing

14. The appeal site is between 2% and 3% of the area of DA7. It is at one end of DA7, where its curved shape, the nearby National Park, off-site trees, and the roads in all but one direction, are some of the constraints to development. THV and the appeal site are in 2 separate ownerships and there is no proposal by the Council to assemble the sites. There is also no requirement in CP Policy DA7 for the 2 sites to be developed comprehensively. As the appeal site is a relatively small part at one end of DA7, and because the rest of DA7 is in a single separate ownership, the proposal would not be likely to result in the unacceptable piecemeal development of the substantially larger THV site.
15. The Council has recently made a start on the planning brief referred to in CP Policy DA7, but it is not yet ready for public consultation. The best available indication of how DA7 might be developed is the neighbouring owners' Vision for THV. The Vision shows that all of the development envisaged by CP Policy DA7, including a school, a minimum of 700 dwellings and 25,000 m² of use Class B1 floorspace, could be accommodated at THV. On that basis, the proposed 5 houses and the care home would be in addition to the minimum policy requirements.
16. The likely modification to CP Policy DA7 includes between 3.5 and 4.5 hectares of use Class B1 floorspace. As modified, the supporting text says that the most appropriate location for the employment area is close to the trunk road network in terms of accessibility and amenity. The appeal site is just smaller than the difference between the 2 parameters for the Class B1 floorspace, so most of that development would be within THV. Whilst Class B1 development may be preferred at the appeal site, the Council's witness agreed that all of the

3.5 to 4.5 hectares of use Class B1 development could be provided close to the A27 within the adjoining site. So, the proposal would not compromise the provision of the Class B1 employment floorspace.

17. Although the Council may wish to see DA7 developed in a different way, the adjoining owners' Vision shows that their scheme would not conflict with the proposal. Moreover, due to their siting in relation to the common boundary between the 2 sites, the proposed dwellings would not have an adverse effect on the development of the THV site for Class B1 or residential use. So, the 2 sites could be developed independently from one another, and at different times, without compromising the aims of emerging CP Policy DA7. The owners of the THV site have not objected to the proposal; that also supports my view.

Uses

18. All of the houses would be suited to families, and each would have 4 bedrooms. This would satisfy CP Policy DA7, which seeks a minimum of 50% family sized dwellings with 3 bedrooms or more. The care home would not be residential in the sense of providing new dwellings. Whilst the Council's Older People's Housing Strategy aims to support elderly people in their own homes for as long as possible, and the catchment area for the care home would include land outside the local authority area, the Council's witnesses agreed that a care home could be acceptable at DA7. However, the Council's preference was for the care home to be provided on a different part of DA7.
19. The employment likely to be created by the high tech modern office space envisaged by CP Policy DA7 would typically provide employment for one person per 10 m². The employment created by the care home would be in a different sector and much lower at roughly one person per 46 m². This would be similar to a data centre use, which is at the lower limit for Class B1 office uses. However, the Employment Land Study 2012, which underpins CP Policy DA7, explains that over the last decade the largest contributors to job growth in the city included healthcare, where the city outperformed regional and national growth rates. So, non-B1 uses are also important to the local economy. Also, the care home would create jobs for about 60 full-time equivalent staff which would be in addition to the business park that could be provided at THV.
20. The care home would also provide specialist housing for up to 58 elderly people, which would meet more than one tenth of the existing identified qualitative need for single en-suite bedrooms. The Council's witness explained that there would be no quantitative shortage of bed spaces for the elderly during the next 10 years as the Council has been granted an exemption from providing bed spaces with en-suites. There was also no evidence that the Council would fund bed spaces at the care home. Even so, it would not be reasonable to deny choice to future occupiers not funded by the Council, as that would be at odds with the government's aim to provide all residents with a single en-suite bedroom.
21. The proposal would not be part of the offices for the knowledge based economy aspired to in the likely supporting text to the Policy. However, the care home would make a significant contribution to the identified qualitative need, and it would provide employment in addition to the Class B1 uses in DA7. It would also provide 5 family houses, and no concerns were raised about the access to the site. So, the proposal would not compromise the aims of emerging CP Policy DA7 to provide housing, employment and infrastructure.

Density

22. At the inquiry the Council confirmed that its concern about density relates only to the dwellings. CP Policy DA7 seeks a residential density of 50 to 75 dwellings per hectare, with a minimum of 50% family sized dwellings of 3 bedrooms or more. The supporting text explains that the Policy aims to enable a mix of housing types and sizes to be provided, to achieve a choice in the range of housing.
23. With the proposed mix of housing types and sizes, the density of the housing would be most unlikely to be uniform across DA7. The appellant's witness explained that one approach would be to increase the density towards the centre of DA7, and to reduce it towards the edges to respect the nearby lower density development and the setting of the National Park, but there would be other valid approaches. The density would be roughly 12.5 dwellings per hectare on the relevant part of the site, which would be lower than the nearby mainly residential areas. However, due to its site specific circumstances, including its elevated siting at one end of DA7, and the 4-bedroom houses proposed, the density at the visually sensitive but relatively modest site would reasonably be expected to be lower than that on other parts of DA7.
24. Whilst the Council drew attention to the significant need for housing in the local planning authority area, as each proposal should be considered on its merits, the density at the appeal site would not establish a harmful precedent for other housing sites. Moreover, the proposal would not compromise the residential densities sought by emerging CP Policy DA7.

Efficient and effective use of land

25. During the appeal process the Council raised the concern that the proposal would not make efficient and effective use of the site. The appellant's witness explained the importance of the spaces around the buildings to the quality of life of the future occupiers and to the function and setting of the development. The well-planned outside spaces would be put to effective use as gardens, to provide access and parking, and to promote biodiversity, amongst other things. However, almost no analysis of the site constraints and opportunities was put to me by the Council. From my assessment of the plans and the site specific circumstances, there is no reason to consider that the scheme would waste land or that it has been poorly designed. So, the scheme would satisfy emerging CP Policy DA7, which seeks the efficient and effective use of the site.

Conclusion on emerging policy

26. For all of these reasons, I consider that the proposal would make a positive contribution to the proposed modern, high quality and sustainable mixed use development envisaged at DA7. It would not unacceptably compromise the aims of emerging CP Policy DA7 to provide housing, employment and infrastructure.

Other matters

27. The planning obligation for a Sustainable Transport Contribution would provide measures including dropped kerbs and tactile paving on Sandringham Drive, King George VI Drive, Woodland Avenue and Queen Victoria Avenue. It would also provide Real Time Passenger Information, a bus shelter and an accessible bus stop at the King George VI Drive West bus stop. The bus stop serves a

route which includes Brighton city centre and Brighton and Hove railway stations. The footway improvements would be necessary to provide inclusive access along a continuous footway from the development to local shops and nearby public transport. As the King George VI Drive West bus stop only has a bus stop post at present, the bus stop infrastructure would be necessary to make the use of public transport more realistic and attractive. These measures would be necessary to encourage occupiers, staff and visitors to the development to make sustainable transport choices.

28. The footway improvements would connect routes between the development and nearby local shops in Queen Victoria Avenue and the bus stop, and the bus stop infrastructure would be provided at the nearest bus stop to the development. As the occupiers, visitors and staff at the proposal would be most likely to use them, they would be directly related to the development. The contribution has been calculated on the basis of the forecast net increase in trip generation from the development including a reduction factor based on the level of public transport accessibility of the development, so it would be fairly and reasonably related in scale and kind to the development. The contribution would satisfy LP Policy TR1, which aims for development to provide for the demand for travel it creates, and LP Policy QD28 which aims to provide public transport infrastructure, facilities for people with mobility problems, and off-site highway improvements. As the obligation for the Sustainable Transport Contribution would satisfy all 3 of the statutory tests in *The Community Infrastructure Levy Regulations 2010* (the CIL) I shall take it into account.
29. Although the planning obligation includes the carrying out of Highway Works to provide vehicular and pedestrian access to the proposal, the advice in the Framework and Circular 11/95 *The Use of Conditions in Planning Permissions* is that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. At the inquiry the main parties agreed that those highway works could be dealt with by means of a condition and I agree. Because the obligation for Highway Works would not be necessary it would fail to meet that statutory test in the CIL. As all 3 statutory tests in the CIL have to be met, I shall not take the obligation for the provision of highway works into account.

Benefits

30. The proposal would provide a number of benefits. These include that it would make better use than is made at present of the site, which is in a sustainable location in transport terms. The development would provide well-designed accommodation and surroundings for its future occupiers with good standards of amenity. It would respect the setting of the nearby National Park, and it would harmonise with the character and appearance of the surrounding area. The ecological measures at the site should enhance biodiversity. The highway improvements would provide safe access to the site and the infrastructure improvements in the locality would promote sustainable transport choices for the future occupiers, staff, visitors and existing nearby residents. The development would also achieve BREEAM Outstanding and Code level 5, so it would achieve very high levels of sustainability. The 5 dwellings would make a modest contribution towards meeting the identifiable local need for family housing in the city. The care home would provide appropriate accommodation for up to 58 elderly persons with respect for their dignity, which would

contribute towards meeting the existing identifiable qualitative need. The care home would also create jobs in a non-B1 sector which is important to the city.

31. As well as creating construction jobs during development, the care home would create employment, so the proposal would contribute to economic growth. The proposal would include family housing and the care home which would meet identified needs, so it would fulfil a social role. Moreover, the sustainably located and well-designed scheme would be readily assimilated into its surroundings without having an unacceptable effect on the development of the adjoining THV site. Thus, the proposal would satisfy the economic, social and environmental dimensions of sustainable development.

Balance

32. In the absence of relevant Development Plan policies, the presumption in favour of sustainable development prevails, unless material considerations indicate otherwise. I have found that the proposal would not unacceptably compromise the aims of emerging CP Policy DA7. Even if the proposed uses and the density of the proposed dwellings were to amount to adverse impacts in themselves, which is not accepted, they would be insufficient, individually or cumulatively, to outweigh the benefits. Therefore, the proposal would be in accordance with the presumption in favour of sustainable development.
33. I consider that the proposal would be a sustainable development. It would satisfy the Framework, and the thrust of emerging CP Policy DA7. Therefore, planning permission should be granted subject to conditions.

Conditions

34. The Council's suggested conditions have been considered in the light of the advice in Circular 11/95 and the Framework. The condition identifying the approved plans is reasonable and necessary for the avoidance of doubt and in the interests of proper planning. The condition for highway works is necessary and reasonable in the interests of highway safety. The conditions for external materials; hard and soft landscaping, including boundary treatments; tree, shrub and hedge protection; refuse and recyclable materials storage facilities; and existing and proposed levels are reasonable and necessary to protect the character and appearance of the area. The tailpiece in the landscaping condition is reasonable to give the Council discretion to approve different species should specified trees or shrubs be unsuited to conditions at the site.
35. The relationship of the site to the National Park and the sustainable design and construction provide the exceptional circumstances whereby it is reasonable to remove permitted development rights for extensions and alterations. The condition to remove permitted development rights for side-facing windows and other glazed openings is necessary and reasonable to safeguard the privacy of the nearby occupiers. Conditions for final/post construction Code level and BREEAM certification are reasonable in the interests of sustainable development. The condition for external lighting is necessary to protect the living conditions of nearby occupiers and in the interests of biodiversity. The condition for a biodiversity method statement is necessary to safeguard and enhance biodiversity interests at and near the site. The condition for cycle parking is reasonable to promote sustainable transport choices. The conditions for vehicle parking, and the roads within the site including their surface water drainage, outfall and lighting, are necessary in the interests of highway safety.

36. The conditions for a scheme of odour control at the care home and sound insulation of plant at the development are necessary to safeguard the living conditions of the future occupiers. The conditions for the noise barrier and garden fences, the enhanced glazing specification and ventilation for the dwellings and the care home are necessary to protect the future occupiers from traffic noise associated with the nearby roads. The condition to control plant and machinery noise is necessary to protect nearby occupiers' living conditions. The condition for a travel plan, including parking management, is reasonable to promote sustainable travel modes. The condition for investigations and measures to deal with contaminated land is necessary to safeguard the health of the future users and occupiers, because localised areas of chemical and/or fuel contamination are possible due to the historic agricultural use. These conditions have been imposed.
37. Conditions for design stage/interim Code for Sustainable Homes and BREEAM certification are not necessary because these would only assess the standards likely to be achieved, and planning permission would not need to be refused if this certification were not to be provided. The condition for a management scheme for the vehicle parking is not necessary because it can be dealt with in the travel plan. The condition for disabled users' parking bays is not necessary because they are shown on approved plan 0214.PL.002C. These conditions have not been imposed.

Conclusion

38. For the reasons given above and having regard to all other matters raised, the appeal succeeds.

Joanna Reid

INSPECTOR

Schedule A

- 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: 0214.PL.001, 0214.PL.002C, 0214.PL.003, 0214.PL.004, 0214.PL.010A, 0214.PL.011A, 0214.PL.012A, 0214.PL.013A, 0214.PL.020, 0214.PL.021, 0214.PL.022, 0214.PL.023, 0214.EXG.002, 0214.EXG.003, 0214.EXG.200, and 0214.EXG.201.
- 3) No development shall take place until a scheme setting out highway works to implement a new site access with right turn lane, pedestrian refuge crossing facility including dropped kerbs and tactile paving and resurfacing of the path on the southern side of King George VI Avenue has been submitted to and approved in writing by the local planning authority. No dwelling and no part of the care home shall be occupied until the approved highway works have been carried out in accordance with the approved scheme.
- 4) No development shall take place until samples and details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in

writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 5) Notwithstanding the provisions of *The Town and Country Planning (General Permitted Development) Order 1995* as amended (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses hereby permitted within Classes A, B and C of Part 1 of Schedule 2 of that Order other than those expressly authorised by this permission shall be carried out.
- 6) Notwithstanding the provisions of *The Town and Country Planning (General Permitted Development) Order 1995* as amended (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, roof lights or glazed doors other than those expressly authorised by this permission shall be constructed in the south-east elevations of House 02, House 03, House 04 and House 05, or in the north-west elevations of House 01, House 02, House 03 and House 04, as shown on approved plan 0214.PL.002C.
- 7) No development or other operations shall take place on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in accordance with the approved protection scheme.
- 8) No operations shall commence on site in connection with the development hereby approved (including tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
- 9) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- 10) No development shall take place until a scheme for hard and soft landscaping which shall include all hard surfacing, boundary treatments, planting, and indications of all existing trees, shrubs and hedgerows on the land and details of any to be retained has been submitted to and approved in writing by the local planning authority. All planting, seeding and turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the development or the completion of the development, whichever is the sooner, and any trees or shrubs 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 the same size or species unless the local planning authority gives its written approval to any variation. All hard landscaping and boundary treatments shall be carried out in accordance with the approved details before any part of the development hereby approved is

- occupied and the boundary treatments shall be retained as approved thereafter.
- 11) No part of the development shall be occupied until the noise barrier fence and garden fence in accordance with the specification on Page 3 of the Acoustics Associates Ltd letter to Giles Ings, ABIR Architects, dated 22 February 2013, has been erected and the noise barrier fence and garden fence shall be retained as such thereafter.
 - 12) The glazing of the development hereby approved shall only be carried out in accordance with the enhanced thermal glazing 6/12/4 specification in section 6.2 of Acoustics Associates Ltd report ref J1120 dated 10 October 2012 and the glazing shall be retained as such thereafter.
 - 13) The dwellings shall achieve Level 5 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 5 has been achieved.
 - 14) The care home shall achieve a minimum BREEAM rating of Outstanding. No part of the care home shall be occupied until a Post Construction Review Certificate has been issued by the Building Research Establishment for the care home certifying that a BREEAM rating of Outstanding has been achieved.
 - 15) The development hereby approved shall not be occupied until the refuse and recyclable materials storage facilities shown on the approved plans have been implemented and made available for use, and the approved refuse and recyclable materials storage facilities shall be retained as approved for those purposes thereafter.
 - 16) No development shall take place until details of all external lighting have been submitted to and approved in writing by the local planning authority. The external lighting shall be carried out in accordance with the approved details and shall be retained as approved thereafter.
 - 17) No development shall take place until details of existing and proposed ground levels on and adjoining the site and finished floor and finished roof levels for the development hereby approved to Ordnance Survey Datum have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved level details.
 - 18) No development shall take place until a Biodiversity Method Statement, including details and timescales for mitigation measures, the creation of the proposed habitats, the translocation of reptiles, the clearance of bird nesting habitats, the proposed green roofs, and details of the types and locations of nest boxes, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Biodiversity Method Statement.
 - 19) No part of the development hereby approved shall be occupied until the vehicle parking areas have been implemented in accordance with the approved plans, and those areas shall be retained as approved for the parking of motor vehicles and motor cycles of the occupiers of and visitors to the development hereby approved thereafter.
 - 20) No development shall take place until details of secure cycle parking facilities for occupiers of and visitors to the development hereby

permitted have been submitted to and approved in writing by the local planning authority. No part of the development hereby permitted shall be occupied until the secure cycle parking facilities have been carried out in accordance with the approved details and they shall be retained as approved for use as such thereafter.

- 21) No development shall take place until details of the on-site roads, surface water drainage, outfall disposal, and street lighting, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
- 22) No development shall take place until a scheme for the sound insulation of plant at the development has been submitted to and approved in writing by the local planning authority. The sound insulation measures shall be implemented in accordance with the approved scheme before any part of the development is occupied and shall be retained as such thereafter.
- 23) No development shall take place until a scheme for the installation of equipment to control the emission of odour from the care home hereby approved has been submitted to and approved in writing by the local planning authority. The scheme as approved shall be implemented before the care home is occupied. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.
- 24) No development shall take place until a scheme for the ventilation of the dwellings and the care home to achieve the 'good' internal noise level standard in accordance with BS 8233:1999 *Sound insulation and noise reduction for buildings Code of Practice* and World Health Organisation for all living rooms and all bedrooms for internal noise events to not exceed 45 dB L_{Amax} has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme and shall be retained as such thereafter.
- 25) Noise associated with plant and machinery in the development shall be controlled so that the Rating Level, measured or calculated one metre from the façade of the nearest noise sensitive receptor, shall not exceed a level of 5 dB below the existing L_{A90} background noise level. The Rating Level and existing background noise levels shall be determined in accordance with BS 4142:1997 *Method for Rating industrial noise affecting mixed residential and industrial areas* and there shall be no significant low frequency tones present.
- 26) Before the care home hereby approved is occupied a Travel Plan, which shall include measures to promote sustainable travel choices by residents, visitors and staff, for deliveries, and parking management, shall be submitted to and approved in writing by the local planning authority. The approved Travel Plan shall be implemented within 3 months of the occupation of the care home.
- 27) No development shall take place until there has been submitted to and approved in writing by the local planning authority:
 - i) a desktop study documenting all previous and existing land uses at the site and adjacent land in accordance with Contaminated Land

- Research Reports No 2 and No 3 and BS 10175:2001 *Investigation of potentially contaminated sites Code of Practice*;
- and unless otherwise approved in writing by the local planning authority:
- ii) a site investigation report documenting ground conditions at the site including chemical and gas analysis identified as appropriate by the desktop study in accordance with BS 10175:2001;
- and unless otherwise approved in writing by the local planning authority:
- iii) a Detailed Scheme for Remedial Works and Measures to be undertaken to avoid risks 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. 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 that any remediation scheme required has been implemented in accordance with the approved details. Unless otherwise agreed in writing by the local planning authority such verification shall comprise: a) 'as built' drawings of the completed 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 maintained and monitored in accordance with the approved Detailed Scheme for Remedial Works and Measures.

End of Schedule A

Costs Decision

Inquiry opened on 14 January 2014

Site visit made on 15 January 2014

by Joanna Reid BA(Hons) BArch(Hons) RIBA

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

Decision date: 18 February 2014

Costs application in relation to Appeal Ref: APP/Q1445/A/13/2200978 Court Farm House, King George VI Avenue, Hove, East Sussex BN3 6XJ

- The application is made under the Town and Country Planning Act 1990, sections 78, 320 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Thornton Properties Ltd for a full award of costs against Brighton & Hove City Council.
 - The inquiry was in connection with an appeal against the refusal of planning permission for "Demolition of existing buildings. Construction of 5 no. two storey detached houses and a 58 bed space, two and three storey nursing home with associated landscaping, vehicle parking and external works. Alterations to the existing site access".
 - The inquiry sat for 2 days on 14 and 15 January 2014.
-

Decision

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

The submissions for Thornton Properties Ltd

2. The costs application was made orally and submitted in writing at the inquiry.
3. Although the application is for a full award of costs, in accordance with paragraph A18 of the Circular, the award may be granted as a whole or in part. The Inspector is invited to look at the list of evidence referred to by the Council's witnesses on page 5 of the Council's Response to Costs Application. This should be assessed against paragraph B16 of the Circular.
4. After paragraph 17 of the Application for costs: It goes further than that. The alleged conflicts with draft policy are more imagined than real.
5. In conclusion, the case is made for an award of costs.

The response by Brighton & Hove City Council

6. The response was made orally and submitted in writing at the inquiry.
7. After the third paragraph on page 2 of the Response to Costs Application: Prior to the findings in May 2013, the objectively assessed need was 15,800; see paragraph 4.2 on page 128 of the *Brighton & Hove Submission City Plan Part One (CP)*.
8. In conclusion, the Council has not acted unreasonably so no full or partial award of costs should be considered.

Reasons

9. Circular 03/2009 *Costs Awards in Appeals and other Planning Proceedings* advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
10. The application was made in a timely manner.
11. The appellant's planning statement submitted in October 2012 explained that its approach to the proposal, which included 5 houses, was that the Council could not demonstrate a 5-year supply of deliverable housing sites. My colleague's appeal decision ref APP/Q1445/A/12/2183454 supports the appellant's stance, but it is not very helpful to me because I do not know what evidence was put to my colleague. Nonetheless, the appellant's view was that Policies NC5 and NC6 of the *Brighton & Hove Local Plan 2005* (LP) were relevant policies for the supply of housing, which should not be considered up-to-date, and that the proposal should only be refused if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. There was almost no analysis of the appellant's approach to the application in the report to committee and there was little evidence that this matter was discussed at the Planning Committee meeting in March 2013.
12. The Council considered that the conflicting reasons for refusal 1 and 2 were appropriate when the application was refused on 11 April 2013, because the statutory Development Plan policies were, and still are, extant, and the policies in the CP were subject to consultation. There could be no certainty that the CP would be found sound, or that CP Policy DA7 would progress. There were different approaches to the site in the 2 Plans. A reason for refusal could be withdrawn if there were to be a material change in circumstances.
13. The Council's concerns in reason for refusal 3 were capable of being overcome by means of a planning obligation, and, in the event, a condition. The appellant had been content to provide the obligation since about March 2013.
14. The CP, which is dated February 2013, was submitted for Examination in June 2013. The appeal was made on 1 July 2013. In accordance with paragraph 215 of the *National Planning Policy Framework* (Framework), and having regard to the Council's LP - Framework compatibility assessment of 2012, the Council considered LP Policies NC5 and NC6 to be fully consistent with the Framework. The Council's view was that LP Policies NC5 and NC6 were not relevant policies for the supply of housing. The Council considered that it had a 5-year supply of deliverable housing sites because, amongst other things, it had used a ramped approach to housing delivery. Whether or not that was the right approach for the CP, the Council has provided some explanation for its view during the early part of the appeal process.
15. An Examination Hearing for the CP took place in October 2013. The Examining Inspector wrote to the Council on 13 December 2013. With regard to paragraph A28 of the Circular, and in the light of the Inspector's letter, the Council reviewed reason for refusal 1 and concluded that it should no longer be defended. The Council withdrew reason for refusal 1 by letter of 16 December 2013. However, the Council did not provide a clear explanation of its reasons for doing so until the inquiry.

16. At the inquiry the Council and the appellant said that the Council has about 4.5 years and about 1.8 years housing land supply respectively. However, it was common ground that the Council could not demonstrate a five-year supply of deliverable housing sites. Therefore, relevant policies for the supply of housing should not be considered up-to-date.
17. Nonetheless, at 16 December 2013 the Development Plan was effectively absent (as opposed to relevant policies being out-of-date), because the Council's concerns in reason for refusal 3 could be overcome, and its concerns in relation to Development Plan policy in reason for refusal 1 had been withdrawn. However, there was little evidence that the Council had actively reviewed its case with regard to reason for refusal 2.
18. The Council considered that the Examining Inspector's letter may strengthen its case for the proposed allocation of the DA7 development area (DA7), but the progress of the CP would be delayed. There was almost no evidence that the proposal had been actively reviewed by the Council in the context of the presumption in favour of sustainable development at this time, or since then. There was little evidence that the benefits of the development had been assessed and weighed in the balance against the alleged possible adverse impacts on the aims of emerging CP Policy DA7 referred to in reason for refusal 2.
19. With regard to reason for refusal 2, paragraph B16 explains that the planning authority's decision notice should be carefully framed and should set out in full the reasons for refusal. CP Policy DA7 does not require the 'comprehensive' development of the proposed allocated site, which is in 2 separate ownerships. In the absence of an adopted policy saying so, the reference to 'comprehensive' in reason for refusal 2 was not reasonable.
20. Paragraph B16 also explains that authorities will be expected to produce evidence to show clearly why the development cannot be permitted. The Council's evidence was contradictory because it says that the residential density would fall well below the range of 50 to 75 dwellings per hectare in emerging CP Policy DA7. However, the Council's witness preferred Class B1 uses at the appeal site, so the residential density would be lower still, at nil.
21. Furthermore, CP Policy DA7 seeks at least 50% family sized dwellings with 3 or more bedrooms. Five 4-bedroom family houses with gardens would be expected to take up more land than, say, 5 studio flats, so the density would not be expected to be uniform across DA7. There was little evidence that the Council had assessed the constraints and opportunities at the appeal site, which would also affect the density. Moreover, there was almost no assessment of DA7 by the Council to show that the number and type of dwellings at the appeal site would have an adverse effect on the overall density in DA7, when the supporting text advocates a mix of housing types and sizes to achieve a choice in the range of housing.
22. The effective and efficient use of the appeal site was not a concern of the Council in its reason for refusal 2. It was not raised until the Council's Statement of Case. Even so, the Council provided almost no evidence to substantiate its concerns about the alleged unacceptable underuse of the site.
23. The Council's witnesses accepted that a care home with nursing (care home) could be acceptable within DA7. The appeal site was not the Council's

witness's preferred location for it. However, the planning brief referred to in the CP Policy DA7 was not ready for public consultation, and the Council's view that Class B1 uses at the appeal site 'may' be optimal was unsupported by credible evidence. The Council did not substantiate its apparent view that the amenity requirements of office workers in the proposed high tech modern offices would be different to those of the elderly persons and workers in the care home or occupiers of the dwellings. Little tangible evidence, such as road layouts, was put to me by the Council to show that the access to part of the Class B1 floorspace at the appeal site would be 'good' in comparison to other locations in DA7. Furthermore, as the Council's witness accepted that all of the Class B1 floorspace could be provided within the adjoining site close to the A27, the Council failed to substantiate how the additional jobs at the care home would have an adverse effect.

24. There was little realistic evidence of any adverse impact that the density and uses proposed would have on the aims of the emerging Policy. There was also little evidence that the Council had approached the proposal in a positive way or that it had looked for solutions rather than problems, as advocated by the Framework.
25. For all of these reasons, I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in Circular 03/2009, has been demonstrated and that an award of costs to cover the period from 16 December 2013 up to and including the inquiry is justified.

Costs Order

26. In exercise of the powers under section 250(5) of the *Local Government Act 1972* and Schedule 6 of the *Town and Country Planning Act 1990* as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Brighton & Hove City Council shall pay to Thornton Properties Ltd the costs of the appeal proceedings described in the heading of this decision limited to those costs incurred from 16 December 2013 onwards.
27. The applicant is now invited to submit to Brighton & Hove City Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Joanna Reid

INSPECTOR

Appeal Decision

by **Richard Thomas BA DipArch RIBA IHBC**

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

Site visit made on 28 January 2014

Decision date: 5 February 2014

Appeal Ref: APP/Q1445/D/13/2210743
56 Queens Park Rise, Brighton, BN2 9ZF

- 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 Vasco Menezes against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02728 was refused by notice dated 25 October 2013.
 - The development proposed is a ground floor single storey side extension combined with the re-building of the rear conservatory.
-

Decision

1. The appeal is allowed and planning permission is granted for a ground floor single storey side extension combined with the re-building of the rear conservatory at 56 Queens Park Rise, Brighton, BN2 9ZF in accordance with the terms of the application Ref BH2013/02728, dated 8 August 2013, subject to the following conditions:
 - 1) The development hereby permitted shall commence before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans; Drg No: 0227-13-01 (Existing & Proposed Elevations), Drg No: 0227-13-02 (Existing Plans), Drg No: 0227-13-03 (Proposed Plans), Drg No: 0227-13-04 (OS Extract) and Drg No: 0227-13-06 (Block Plan).
 - 3) 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.

Main issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the host property and the area.

Reasons

3. The appeal property is a two storey end of terrace house with accommodation in the converted roof space. It is separated from the neighbouring terrace by a pathway. To the rear, set in from the flank of the house, there is a two storey projection or 'outrigger', with a single storey conservatory attached at the end.

4. It is proposed to infill the space to the side of the outrigger up to the edge of the pathway, by way of a single storey extension with a lean to roof. This would wrap around the end of the outrigger with a fully glazed roof replacing the existing conservatory.
5. The Council's Supplementary Planning Document 12 "design guide for extensions and alterations" 2013 (SPD), advises that infill extensions should not normally extend beyond the rear wall of the outrigger or wrap around to the rear elevation. This is to preserve the original plan of the building.
6. Irrespective of whether the conservatory is an original part of the house or not, it is an existing feature and, judging by its character and appearance, a relatively longstanding one. Therefore, in this particular case, extending beyond the two storey rear projection to the depth proposed would have a very limited effect on the plan of the building as it currently appears.
7. The SPD also advises that the acceptability of infill extensions is generally dependent upon the proposed design. The proposed glazed bi-folding doors at the rear as well as the glazed roof to the section that extends beyond the outrigger would result in the rear section of the proposed extension having a particularly lightweight appearance, readily discernable from both inside and outside the house. This would ensure that the traditional floor-plan of the building would remain clearly legible.
8. The proposed extension would therefore sit comfortably with the existing building and, taking into consideration its low single storey form, the effect on the surrounding area would be neutral. Accordingly, the proposed development would not have a harmful effect on the character and appearance of the host property or the area. The development would thereby not conflict with policy QD14 of the Council's Local Plan 2005.

Conclusion

9. For the reasons given above, and having regard to all other matters raised, it is concluded that the appeal should be allowed and planning permission granted.

Conditions

10. In addition to the standard commencement condition, one that requires the development to be undertaken in accordance with the approved plans is necessary for the avoidance of doubt and in the interests of proper planning. A condition which requires the external surfaces to match those of the existing building is necessary in order to ensure a satisfactory appearance to the proposed development.

R Thomas

INSPECTOR

Appeal Decision

Site visit made on 27 January 2014

by K Stone BSc (Hons) DipTP MRTPI

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

Decision date: 5 February 2014

Appeal Ref: APP/Q1445/D/13/2210681
5 Benfield Way, Portslade, Brighton BN41 2DA

- 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 Harding against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/03081 was refused by notice dated 4 November 2013.
 - The development proposed is described as the removal of rear conservatory and replacement with two storey rear extension. Removal of flat roof front porch and construction of pitched roof front porch.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey rear extension replacing the existing conservatory and a pitched roof front porch replacing the existing porch at 5 Benfield Way, Portslade, Brighton BN41 2DA in accordance with the terms of the application, Ref BH2013/03081, dated 3 September 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: CH547/001, CH547/002, CH547/003, CH547/004, CH547/005, CH547/006,
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Procedural matter

2. The description of development on the Council's decision notice and the appeal form are different from that on the original application form. I have used the Council's description in my decision as it more concisely and accurately describes the development.

Main issue

3. The main issue in this appeal is the affect of the proposed development on the character and appearance of the existing property and surrounding area.

Reasons

4. The property the subject of this appeal is a previously extended bungalow with rooms in the roof space located in a reasonably generous plot. It is sited in a road of mixed character with properties of varying design and form. The land falls sharply from north to south and from east to west. The proposed two storey rear extension would accommodate a pitched roof with slopes similar to those on the existing dormers and a rear facing gable reflecting that on the original main building. In this regard the extension would be reasonably consistent with the design and features on the original property.
5. The two storey rear extension would be sited on the footprint of an existing conservatory, albeit slightly larger, adjacent to the garage of No.7 Benfield Way which lies directly to the north. This structure is set on a higher ground level and is deeper than the existing conservatory and the proposed extension and would thereby substantially shield the majority of the flank elevation of the proposed two storey extension from views from the north. Whilst the roof and upper element of the first floor would be visible over the top of the garage it would not intrude excessively into the general character and appearance of the area. Furthermore given the separation between the properties and the positioning of this extension to the rear it would not be readily visible in the general street scene.
6. The Council have noted that the extension would not significantly affect the outlook of the occupants of No.7 and given the change in levels, the position of the extension and the existing garage at No 7 I agree with this conclusion. On this basis I conclude that the proposed extension would not result in a harmful impact on the character and appearance of the area or the appearance of the existing property.
7. The Council have also commented that the proposed porch and narrow single storey side infill extensions are acceptable in design terms. Given their size scale and position associated with the variations in the street scene and relationships with the adjoining properties I find no reason to disagree with these conclusions.
8. The Council's SPD – Design Guide for extensions and alterations, adopted June 2013 advises that rear extensions if excessively large and poorly designed can be harmful to the appearance of the building and can reduce useable garden space for existing and future residents. Having regard to the main issue it further advises in respect of two storey rear extensions that the additional height also gives the extension greater visual prominence in the neighbourhood. Given the conclusions I have reached above I am satisfied that the proposed extension, taking account of the surrounding levels and relationships with the adjoining properties would not result in such effects. Moreover, as the footprint sits substantially on that of an existing conservatory there would be no loss of useable garden. Having regard to the design of the extension, the roof pitches, separation from the boundary and the appropriate use of materials I am satisfied that the extension would meet the design principles outlined for two storey rear extensions in the SPD.
9. For the reason given above I conclude that the proposed development would not result in material harm to the character and appearance of the existing property or the surrounding area. It does not therefore conflict with policies QD14 and QD27 of the Brighton and Hove Local Plan 2005 or Policy SS1 of the

Brighton & Hove Submission City Plan Part One Feb 2013. Together these seek to secure amongst other things sustainable development that is well designed in relation to the existing property and the surrounding area and development that does not result in the loss of amenity for adjacent occupiers. This is consistent with the National Planning Policy Framework (the Framework) and in particular paragraph 17, fourth and fifth bullet points, which require high quality design and account to be taken of the different roles and character of different areas. It is also consistent with paragraphs 56, 60 and 61 of the Framework which note the great importance the government puts on the design of the built environment which should reinforce local distinctiveness and the integration of new development into the built environment.

Conditions

10. A Condition is required to secure the development is built in accordance with the approved plans in the interests of proper planning and a further condition is required to ensure the materials of the extensions match the host property in the interests of the visual amenity of the area.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

Kenneth Stone

INSPECTOR

Appeal Decision

Site visit made on 13 January 2014

by L Gibbons BA (Hons) MRTPI

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

Decision date: 6 February 2014

Appeal Ref: APP/Q1445/A/13/2206615

Paris Cafe Bar, 7 Fenchurch Walk, New England Quarter, Brighton, East Sussex BN1 4GX

- 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 Sarah Danhard against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02182, dated 1 July 2013, was refused by notice dated 23 August 2013.
 - The development proposed is the installation of a side smoking shelter adjacent to Paris Cafe.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is a ground floor retail unit within a modern residential building. The surrounding area is a relatively new development with a mix of retail and residential uses. The appeal site occupies a prominent corner position and faces towards an open area below which acts as a focal point for residents and shoppers. Fenchurch Walk slopes steeply down from the east past the appeal site towards the open area.
4. Key elements of the building are its simple design, the fascia board above the windows which gives interest to the main elevations of the unit and the white walls above which are part of the residential element of the building. The roofs are also a particularly striking feature of the residential buildings and I note that the design of the shelter seeks to replicate this. I also accept that the height of the roof is necessary in order to promote the flow of smoke away from the building. In addition, the shelter is proposed to be constructed of modern materials and would provide a smaller footprint than that of a previous application (BH2013/01089). There is also no dispute that there is a demand from customers for such a facility.
5. However, the three arches of the barrel-vaulting would be set close together, with a steeper curve than the roof of the main building and in my opinion this

would appear cramped and would look out of place when compared to the original roof design of the main building. Although small in scale in comparison to the main building, it seems to me that the design of the arches would draw the eye making the structure appear very noticeable. Furthermore, the roof of the proposed shelter would partly obscure the fascia board, and as the arches rise above the unit they would be visible against the white walls. As a result of its height and shape of the roof it would look out of place against the simple design of the retail unit and the rest of the building and would draw the eye.

6. Moreover, the roof and supports of the proposed shelter would be visible from a number of locations, including from the open area and in longer views from the east looking towards the station building, from outside the appeal property in Fenchurch Walk and from Kingscote Way. From these views it would appear as an incongruous addition to the area surrounding the appeal property which remains relatively uncluttered, retaining the majority of its original features. Against that background, the argument that the proposed shelter would add interest to the area carries little weight; it would be in direct contrast to the relatively unaltered design of the development and would be visually intrusive.
7. For these reasons I conclude that the appeal proposal would cause harm to the character and appearance of the host property and the surrounding area. It would conflict with policy QD14 of the Brighton and Hove Local Plan 2005 which amongst other things seeks to ensure that extensions and alterations are well designed in relation to the property and the surrounding area. It would be contrary to the provisions of the National Planning Policy Framework relating to the need for high quality design.
8. In coming to my view I have considered the appellant's suggestion that this type and design of shelter is commonplace throughout the County. However, I have not been provided with any further information and must in any event determine the appeal on its own merits.

Other matters

9. I note that there is no objection from Sussex Police and that the Council considers that the proposed shelter meets the required environmental health standards, nevertheless these do not outweigh the harm I have found in respect of character and appearance.

Conclusion

10. For the above reasons and having regard to all other matters including the concerns raised by a neighbour in relation to air and noise pollution, the appeal is dismissed.

L Gibbons

INSPECTOR



Appeal Decision

Site visit made on 3 February 2014

by D Lamont BSc(Hons) MBA MRTPI MCMl

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

Decision date: 6 February 2014

Appeal Ref: APP/Q1445/D/13/2211132
346 Dyke Road, Brighton, BN1 5BB.

- 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 P Coleman against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02895 was refused by notice dated 5 November 2013.
 - The development proposed is add rooms in the roof with shower room and bathroom. Change of use of garage to habitable room. Removal of conservatory to rear. Balcony to first floor bedroom. To render the building to match in with neighbours property. Re-tile all roofs to building. Internal alterations.
-

Application for Costs

1. An application for costs was made by Mr and Mrs P Coleman against the decision of Brighton & Hove City Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for rooms in the roof with shower room and bathroom, change of use of garage to habitable room, removal of conservatory to rear, balcony to first floor bedroom, to render the building to match in with neighbours property, re-tile all roofs to building and internal alterations at 346 Dyke Road, Brighton, BN1 5BB, in accordance with the terms of planning application BH2013/02895, 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 not be carried out other than in complete accordance with the details shown on the submitted plans, numbers: 01/1307575 (Site Location Plan); 02/1307575 (Block Plan); 03/1307575 (Existing Ground Floor); 04/1307575 (Existing First Floor); 05/1307575 (Existing Roof Plan); 07/1307575 (Existing Front Elevation); 08/1307575 (Existing Rear Elevation); 09/1307575 (Existing Side Elevation); 10/1307575 (Existing Side Elevation); 11/1307575 (Streetscene Photographs); 13/1307575 (Proposed Ground Floor); 14/1307575 (Proposed First Floor); 15/1307575 (Proposed Second Floor); 17/1307575 (Proposed Front Elevation); 18/1307575 (Proposed Rear Elevation); 19/1307575 (Proposed Side Elevation) and 20/1307575 (Proposed Side Elevation).

Procedural Matters

3. Drawing No. 21/1307575 (Proposed Roof Plan) is inconsistent with the submitted drawings, with particular regard to the roof element which would project above the proposed first floor balcony. Consequently, the appeal has been determined on the basis of the details proposed in the elevation drawings.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the building and the area, having regard to the alterations to the original form and design of the host property.

Reasons

5. The subject site lies within a predominantly residential area of Dyke Road, a principal route to the city centre, in which substantial detached dwellings predominate. These properties reflect a wide variety of periods, types and styles. The locally diverse mix of design, scale and plot size adds visual interest to the area and is a significant influence in contributing to its character and appearance and the streetscene. No. 346 is a detached two storey house which occupies a corner plot by the junction with Tivoli Crescent North. The host property is principally read within the streetscene of Dyke Road and the neighbouring properties to the south east.
6. The proposal would remodel the house to provide additional accommodation, within a new roofspace arrangement. This would include a projecting roof element over a proposed first floor balcony above an existing ground floor element. It is proposed to introduce a uniform application of rendering and roof finish to the remodelled building and reflect the more contemporary form of the resultant design.
7. The proposal's contemporary design would reflect other examples of such in the streetscene and along Dyke Road. It would reflect the contemporary character and appearance of the adjacent property at No. 344, as recently approved by appeal (Ref. APP/Q1445/D/10/2141431). The proposal would also include many similar elements, such as a split and projecting gable roof line, balcony and glazing. The proposed gable ended bay would be of a similar height to No. 344 and are distinctive features of the more traditional dwellings in the streetscene and to the south east.
8. Although the proposal would be visible from Tivoli Crescent North, the host property's principal context is within the Dyke Road streetscene and its close association with the similarly designed No. 344. Public views of the proposal from Tivoli Crescent North would be more localised than the longer views from which it would be visible along the more significant and heavily trafficked Dyke Road. Notwithstanding these considerations, the comparable contemporary rear elevation of No. 344 is readily visible from Tivoli Crescent North. The proposal would occupy a more prominent corner plot it. However, from Tivoli Crescent North, it would be read within the close context of the character and appearance of the rear of No. 344, and with which the proposal's character and appearance would be consistent.
- 9.

10. Although the proposal would result in a larger dwelling the additional floor of accommodation would be achieved within a roof height consistent with No. 344 and the older properties to the south east. Views of the proposed south east side gable would be restricted by its close proximity to No. 344. Although the north west side elevation would be more prominent its massing would be interrupted by the variety of its rooflines and the lower element to the corner. It would also be largely read within the context of its oblique association with the contemporary design of the front elevation from the principal view from the north west approach along Dyke Road.
11. The proposal would remodel the dwelling to create a different style and a more contemporary design, including associated rooflines, features and glazing. Whilst the design reflects a different period, the basic features are seen in other properties in the immediate and wider context. This would complement the area's diverse range of housing and reflect the design of the adjacent property . Additionally, the proposal has had regard for the dwelling as a whole and would not detract from the host property nor harm the character or appearance of the area; particularly the streetscene of the building group to the south east with which it is most closely associated.
12. For these reasons, I conclude that the proposal would respect the character and appearance of the host property, the streetscene and the area; and would not conflict with the Brighton and Hove Local Plan Policy QD14 and the Council's Supplementary Planning Document Design Guide on Extensions and Alterations.
13. In addition to the standard time limit condition, an additional condition is attached, for the avoidance of doubt and in the interests of proper planning, to require that the development is carried out in accordance with the approved plans.

D Lamont

INSPECTOR

Appeal Decision

Site visit made on 3 February 2014

by D Lamont BSc(Hons) MBA MRTPI MCMl

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

Decision date: 6 February 2014

Costs application in relation to Appeal Ref: APP/Q1445/D/13/2211132 346 Dyke Road, Brighton, BN1 5BB.

- 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 appeal is made by Mr & Mrs P Coleman for a full award of costs against Brighton & Hove City Council.
 - The appeal was made against the refusal of planning permission to add rooms in the roof with shower room and bathroom. Change of use of garage to habitable room. Removal of conservatory to rear. Balcony to first floor bedroom. To render the building to match in with neighbours property. Re-tile all roofs to building. Internal alterations.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. Circular 03/2009 advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. With reference to Paragraph B18 of the Circular, planning appeals often involve matters of judgement concerning the character and appearance of a local area. Where the outcome on an appeal turns on an assessment of such issues it is unlikely that costs will be awarded if realistic and specific evidence is provided about the consequences of the proposed development.
4. From the evidence before me, while I have come to a different conclusion, respectable evidence has been provided to substantiate the Council's decision as expressed in its decision notice.
5. I recognise that the proposal may have design elements which reflect those found in neighbouring properties. However, the circumstances of the appeal site and the subject development are different from those which relate to the adjacent property at No. 344 Dyke Road.
6. There is no evidence that the Council gave inadequate regard to all the issues in respect of impact on the character and appearance of the host building and the area within the individual circumstances of the site and the subject development; unduly delayed its decision process; nor determined the application other than impartially on the planning merits of the case.

7. I therefore find that unreasonable behaviour resulting in unnecessary expense, as described in Circular 03/2009, has not been demonstrated.

D Lamont

INSPECTOR

Appeal Decision

Site visit made on 27 January 2014

by Kenneth Stone BSc(Hons) DipTP MRTPI

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

Decision date: 7 February 2014

Appeal Ref: APP/Q1445/A/13/2209028
36 Castle street, Brighton BN1 2HD

- 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 Ivan Topper against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02129, dated 13 August 2013, was refused by notice dated 8 October 2013.
 - The development proposed is removal of existing timber store and erection of 1 x 1 no. bedroom dwelling house.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - (a) The effect the proposed development would have on the character and appearance of the Regency Square Conservation Area;
 - (b) The effect of the proposed development on the living conditions of the occupiers of surrounding properties with particular regard to outlook, visual impact and privacy; and
 - (c) Whether the proposed development would provide for satisfactory living conditions for the future occupiers' with particular regard to space, outlook, light and ventilation and lifetime homes.

Procedural Matter

3. The appellant contends that Policy QD14 of the Brighton and Hove Local Plan 2005 (saved policies post 2007) (LP) which refers to extensions is not relevant given that the proposed development is a free standing building infilling an area at the rear of the building but which is not physically linked. However, the submitted plans show that the building would directly abut the rear of 36 Castle Street (No 36) and the basement and ground floor layout show there is no physical separation but that it would utilise the rear wall of the existing building as such therefore I conclude that it is reasonable to describe the proposal as an addition to that building and that Policy QD14 is therefore relevant.

Reasons

Character and appearance

4. The appeal site is located to the rear of No 36 within the Regency Square Conservation Area (CA). The Character Statement¹ for this conservation area describes the special character of the area as being derived from the strong grid pattern with streets running downhill towards the sea intersecting others following the contours. But recognises the grid is irregular reflecting the piecemeal fashion of its development. In relation to the specific environs of the appeal site it is further noted that there is a marked contrast between the formal architecture of the grander houses in prestigious locations such as Regency Square and the smaller scale buildings which have traditionally provided services, such as the artisan housing in Western Street and Castle Street.
5. The CA is subdivided into different character areas with the appeal site being located within the Northeast area and where the Character Statement notes 'Further west are Stone Street, Castle Street and Regency Mews, an artisan area of small two and three storey houses interspersed with commercial and light industrial premises.' The appeal site is a yard area to the rear of No 36 a three storey terraced property divided into flats. An archway within the terrace provides access to the rear area which has a mixed character, comprising the rear outrigger to No 36, the Brighton Little Theatre and Castle Mews a more recent development dating from 2003. Castle Street is formed of short terraces of varying height with that to the North being a lower 2 storey building the overall scale, bulk and roofscape is therefore varied.
6. The proposed building would replace an existing timber store and decked area with a three storey building above a basement having significantly greater bulk and mass. The building would fill the space between the rear of the existing outrigger and the Little Theatre building where it would appear cramped and unrelated to the adjoining buildings. The building would sit above the ridged roof of the theatre and the eaves line of the out-rigger at No 36 with little regard to either building. In this respect it would dominate and overwhelm those buildings and the intimate nature of the space between the buildings in this discreet location.
7. The proposed design with modern materials and the incorporation of balconies would introduce features, materials and a design which would be significantly at odds with those in the surrounding area. Whilst this is a deliberate architectural response and in some cases can be successfully employed it would not be so here. There is little regard paid to the surrounding properties in terms of scale, mass, floor heights etc which would successfully integrate the proposed development
8. Whilst the site is in an area set away from the main frontage and views into it are restricted, this forms part of the character of the area along with the scale and mass of the artisan and workshop buildings and glimpses through to areas to the rear. The modern materials and design would be visible at lower levels through the archway from Castle Street and would be readily visible to the occupants and users of Castle Mews. This would be harmful to the character and appearance of the CA.

¹ Regency Square Conservation Area Character Statement adopted 20 October 2005

9. The harm to the character of the conservation is however in the context of paragraph 134 of the National Planning Policy Framework (the Framework) less than substantial. The public benefits of the scheme including the provision of an additional housing unit, the efficient use of land and the potential to achieve a development meeting Code for Sustainable Homes level 4 are not however sufficient to outweigh the harm identified.
10. For the reasons given above I conclude on this main issue that the proposed development would result in material harm to the character and appearance of the Regency Square Conservation Area. Consequently it would conflict with Policies QD1, QD2, QD14 and HE6 of the LP. Collectively these seek development of a high standard of design that makes a positive contribution to the visual amenities of the area taking account of height, scale and bulk and which is well designed and sited in relation to the property to be extended and adjoining properties. Proposals within conservation areas should preserve or enhance the character or appearance of the area with the design and detailing reflecting the scale and character or appearance of the area. The development also conflicts with the Framework and in particular paragraph 131 which advises that account should be taken of the desirability of sustaining and enhancing the significance of heritage assets.

Living conditions of neighbours'

11. The proposed development would be some 2.5m higher than the existing height of the out rigger of 38 Castle Street. This additional height over the existing built form would fill an existing break in the built development between the rear of No 36 and the little Theatre building and would thereby add to the sense of enclosure presently experienced by the occupants of the properties to the north. Given the enclosed nature of this space the additional sense of enclosure would be harmful to the amenities presently enjoyed by the occupants of those properties. The contrasting materials, bulk and mass of the additional form would be readily visible and conflict with the traditional form and materials of the adjacent properties and adversely affect the visual amenities enjoyed by those occupants.
12. Whilst the appellant has suggested that the glazed nature of the walls and roof of the building will allow light to penetrate this will not address the sense of enclosure created by the built form which will be readily visible. The use of obscure glazing could however effectively safeguard the privacy of the occupants of the properties to the north.
13. The front elevation would incorporate glass and balconies which would offer significant potential for overlooking of those properties to the south. However, the rear northern elevation of the closest block of Castle Mews has windows of restricted size which appear to be obscure glazed such that there would not be an unacceptable level of overlooking and harm to the privacy of the occupants of those properties. Furthermore given the separation to the front elevation of the further block of Castle Mews and the courtyard form of that development the proposed development would not further compromise the privacy of the occupants of those properties.
14. For the reasons given above I conclude on this main issue that the proposed development would result in material harm to the living conditions of the occupants of those properties to the north with particular regard to outlook and visual impact. Consequently it would conflict with policies QD14 and QD27 of

the LP which amongst other things seek to ensure development does not result in a loss of amenity or outlook to neighbouring properties. This is consistent with the Framework and in particular paragraph 17 bullet point 4 which advises that decision taking should always seek a good standard of amenity for all existing and future occupants of land and buildings.

living conditions of future occupiers'

15. Policy H013 of the LP requires new dwellings to be built to lifetime homes standards such that they can be adapted to meet the needs of people with disabilities without major structural alterations. The proposed development provides a raised ground floor to the building with access gained from a short flight of stairs. Internally the corridors circulation space and stairways are narrow and not easily accessible for future occupiers with disabilities. Moreover the limited footprint and internal space would mean that adaptation would be difficult. A point acknowledged by the appellant who suggests that it may not be suited to those less mobile due to the arrangement of one room per floor. In this regard the proposed development would not be well designed and would not afford a good standard of space for future occupiers.
16. The basement level provides a habitable room with a high level window that to secure a satisfactory level of privacy and amenity for future occupiers would need to be obscure glazed. This in turn would provide a poor level of outlook for the future occupants. When associated with the concerns raised with regard to the internal space within the dwelling leads me to conclude that the standard of accommodation provided would be inadequate.
17. For the reasons given above I conclude on this main issue that the proposed development would not provide for satisfactory living conditions for the future occupiers' with particular regard to space, outlook and lifetime homes. In consequence it would conflict with policies QD27 and HS01 of the LP which amongst other things seek adaptable accommodation that does not harm the amenity of proposed occupiers. This would also conflict with the Framework and in particular paragraph 17 bullet point four which seeks to secure high quality design and a good standard of amenity for future occupants of land and buildings.

Other matters

18. The issue of private rights and access as raised by Brighton little theatre is a private matter. In the context of noise generated by the proposal impacting on the theatre given the residential nature of the use and the existing surrounding buildings I do not view this would cause unacceptable harm.
19. I note the comments about cycle storage however this is a matter that could suitably be addressed by way of condition had I found the scheme acceptable.
20. I note that the site is in a sustainable location and that the scheme could be constructed to meet Code for Sustainable Homes level four however these benefits are limited and not sufficient to outweigh the harm that I have identified above.

Conclusions

21. For the reasons given above I conclude that the appeal should be dismissed.

Kenneth Stone

INSPECTOR

Appeal Decision

Site visit made on 27 January 2014

by L Gibbons BA (Hons) MRTPI

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

Decision date: 10 February 2014

Appeal Ref: APP/Q1445/D/13/2210732

8 Hill Drive, Hove BN3 6QN

- 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 Ghar Cheung against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/03039, dated 27 August 2013, was refused by notice dated 30 October 2013.
 - The development proposed is a two storey extension and the raising of the existing roofline to provide second floor accommodation with rear and front rooflights (revisions to BH2013/01166).
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal on the character and appearance of the host property and the effect on the living conditions of the occupiers of No 6 Hill Drive in respect of outlook.

Reasons

Character and appearance

3. The appeal property is a relatively modern two storey detached house. It is one of four properties which are very similar in size and design. A key element of the rear elevation of the appeal property is its simple design and it appears to be relatively unchanged in its external appearance. I accept that the proposal would be constructed using the same materials as the existing building and that it does not include dormers which were part of a previous planning application (BH2013/01166). I also note that planning permission has been previously been granted for a full width single storey extension.
4. However, the two storey extension by reason of its height and size would appear very bulky against the proportions of the host property. The first floor elevation on the rear of Nos 2 to 8 Hill Drive appears to be largely unchanged and as a consequence the proposed alteration to the house would look particularly out of place. Moreover, the windows on the first floor would be noticeably different in style, positioning and size compared to the existing windows on the host property.

5. In relation to the roof, I note that the Council do not object to the proposed increase in the height of the main roof. However, the hipped elements of the roof of the proposed extension would clearly not match the design of the main pitched roof and would look bulky in comparison. In addition, the eaves of the roof of the proposed extension would extend slightly beyond the side walls of the property, resulting in a feature that would look out of place against the simple outline of the rest of the building.
6. The building lines of Nos 2 to 8 are very similar, although No 10 is slightly forward of No 8. The appellant has submitted that there is variety in the building lines along Hill Drive, however no further information has been provided and in any event each proposal must be judged on its own merits. The proposed extension would result in the rear elevation of No 8 being forward of No 10 and appreciably forward of No 6, thereby altering the building line with both adjacent properties. Against this background, the argument that that the proposal would simply repeat the concept of the building lines that exists between Nos 10 and 8 carries little weight.
7. The Council's Supplementary Planning Document Design Guide for Extensions and Alterations (SPD) 2012 at Section 2 refers to the original design of the building in informing the design of extensions and alterations. The appellant submits that the proposal would enhance the appearance of the house and would be preferable to the single storey flat roof extension. I do not have the details of the single storey extension before me to be able to make a comparison. Moreover, the proposed two storey extension would wholly conceal the original simple design of the rear elevation to the detriment of the host property. It would seem to be overly dominant in relation to the proportions of the house and would not appear subordinate to the host property.
8. For these reasons I conclude that the appeal proposal would cause harm to the character and appearance of the host property. It would conflict with policy QD14 of the Brighton and Hove Local Plan (LP) 2005, which amongst other things seeks to ensure that extensions and alterations are well designed in relation to the property and the surrounding area. It would be contrary to the SPD and contrary to the provisions of the National Planning Policy Framework relating to the need for high quality design.

Living conditions

9. Due to the hilly nature of the area, No 6 Hill Drive is on lower ground than that of No 8, this is more noticeable to the side and rear of the properties. The appellant submits that the change in building line may result in additional privacy between the two properties and that there would not be to a significant increase in overshadowing due to the orientation of the properties. However, due to the depth of the proposed extension, the side wall and roof would be highly visible and would appear unduly intrusive to the occupiers of No 6 at both ground and first floor level.
10. Moreover, due to the difference in height between the two properties and the location of the proposed extension close to the boundary with No 6, I consider it would lead to a significant sense of being enclosed for the occupiers of No 6, particularly when within the conservatory.

11. For these reasons I conclude that the appeal proposal would cause harm to the living conditions of the occupiers of No 6 Hill Drive in respect of outlook. It would conflict with policies QD14 and QD27 of the LP which amongst other things seeks to ensure developments which would not result in a significant loss of amenity to neighbouring properties and occupiers.

Conclusion

12. For the above reasons and having regard to all other matters, the appeal is dismissed.

L Gibbons

INSPECTOR

Appeal Decision

Site visit made on 10 February 2014

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 12 February 2014

Appeal Ref: APP/Q1445/A/13/2207682
41a & 41b Bond Street, Brighton, BN1 1RD

- 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 George Georgio against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03874, dated 12 December 2012, was refused by notice dated 25 April 2013.
 - The development proposed is mansard roof extension to form 3rd and 4th floors; conversion of first, second & third floors to form hostel and fourth floor to form managers flat.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council considered the planning application against the guidance provided within the Supplementary Planning Guidance: SPGBH note 1 Roof Alterations & Extensions. However, since this time the document has been replaced by the Supplementary Planning Document: design guide for extensions and alterations (2013) (the SPD). Therefore, I have had regard to the guidance provided within the SPD.
3. The appellant has made reference to Planning Policy Statement 3: Housing (PPS3). However, PPS3 has now been replaced by the National Planning Policy Framework (the Framework), to which I have had regard.

Main Issue

4. The main issue in this case is whether the proposal would preserve or enhance the character or appearance of the North Laine Conservation Area.

Reasons

5. The appeal site is located within Bond Street, which is situated within the North Laine Conservation Area. The character of Bond Street is described by the North Laine Study (1995) as having a variety of building types and styles. The study also sets out that *'The traditional building heights vary between 2-3 storeys and are much lower than those generally found elsewhere'*. I observed on my site visit that the three storey Victorian host building has a modest appearance, flanked by two taller buildings.

6. The SPD sets out that *'Flat topped roofs or those with very shallow upper slopes mimicking mansards are not acceptable'*. The proposal is for a non traditional roof form and has been designed to mimic a mansard roof and would also have a central flat section to the roof. As a result, it is clear that the proposed development would be discordant with this guidance. The SPD also identifies that *'Traditional 18th and 19th century mansard roofs are normally subdued and subsidiary elements of the building'*. The appellant has provided drawings to show the outline and size of the proposed roof and also that of the previously approved mansard roof design. Whilst I note that the ridge height would only be increased by approximately 500mm, the roof design would result in additional bulk, which I observed would be visible within the street scene, despite the narrow nature of the street. I concur with the Council that the increased height, depth and roof form results in an overall bulky appearance from that previously permitted. I consider that the proposal would be overly dominant against the relatively modest host building.
7. The proposal would have two dormer windows and two rooflights on the front elevation. I accept that the rooflights are of a conservation style, sitting flush with the pitched roof, however it was evident that rooflights were not common features in the area. Whilst I consider that the dormer windows are of an acceptable design, in my view the combination of the rooflights, dormer windows and smoke vents that would also be visible, would result in the roof appearing cluttered to the detriment of the character and appearance of the street scene.
8. In conclusion, whilst I accept that the roof would be of traditionally detailing and would maintain the variation in roof-lines and façade heights in the area, the proposal by virtue of its non traditional form, bulk and design would be harmful to the character and appearance of the host building and the street scene. As a result, I consider that the proposal would not preserve or enhance the character or appearance of the North Laine Conservation Area. I conclude that the proposed development is contrary to Policies QD1 Design – quality of development and design statements, QD2 Design – key principles for neighbourhoods and HE6 Development within or affecting the setting of conservation areas of the Brighton & Hove Local Plan (2005) and the guidance provided by the SPD.
9. I consider the harm to the significance of the North Laine Conservation Area as a whole to be less than substantial, given the relatively minor nature of the proposed development. Therefore, the public benefits of the scheme need to be weighed against the identified harm. The proposal would provide a hostel, however, in the absence of any more immediate public benefits, I do not consider that this outweighs the identified harm.

Other matters

10. The appellant has set out that: the proposed development is a result of an essential need for accommodation for the manager or member of staff of the hostel; the flat would provide for a need for smaller households; and would make effective and efficient use of previously developed land. However, there is limited evidence before me in relation to the requirement for accommodation or that such an arrangement would be the only feasible way of operating the hostel. Whilst I accept that the proposal would deliver one small dwelling, it would however, make only a very modest contribution to such a need. I note

that the Framework encourages the effective use of land by re-using previously developed land, however, I do not consider that the addition to an existing building constitutes previously developed land in the context that it is set out within the Framework. As a result, I have given these matters only limited weight.

11. Interested parties have raised concern that the proposed hostel would lead to noise, disturbance and increased crime. Whilst I accept that the proposal may lead to increased noise, I concur with the Council that suitable sound proofing could be secured via a planning condition to address this matter. In addition, there is no evidence before me to suggest that the proposed hostel would lead to increased crime in the area. I am also mindful that there is an extant planning permission for a hostel on the site and that the appellant has confirmed that there would be 24 hour security on the premises.
12. The occupants of a neighbouring building have raised concern that the proposal would lead to a loss of natural light to their office. However, I observed on my site visit that a significant loss of daylight is unlikely to occur given the orientation of the proposal and the windows of the neighbouring property. Nonetheless, I consider that the reason for the development, its modest contribution to housing or its acceptability in relation to the above matters does not individually or in combination outweigh the identified harm.

Conclusion

13. For the reasons set out above and considering all other matters raised, I conclude that there is nothing to outweigh the development plan conflict and the appeal should be dismissed.

Jonathan Manning

INSPECTOR

Appeal Decision

Site visit made on 3 February 2014

by Les Greenwood MRTPI

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

Decision date: 12 February 2014

Appeal Ref: APP/Q1445/D/14/2211323

72 Shirley Drive, Hove, East Sussex BN3 6UF

- 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 Thomas Peel against the decision of Brighton and Hove City Council.
 - The application Ref BH2013/02190 was refused by notice dated 18 October 2013.
 - The development proposed is a 2 storey extension to the north-east side of an existing 2 storey house.
-

Decision

1. The appeal is allowed and planning permission is granted for a 2 storey extension to the north-east side of an existing 2 storey house in accordance with the terms of the application Ref BH2013/02190, dated 1 July 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: SDE/1, 2, 3, 4, 5, 6, 7 and 8.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main issue

2. The main issue is the effect of the proposal on the character and appearance of the house and of this part of Shirley Drive.

Reasons

3. Shirley Drive is a residential street lined mainly by detached houses, often with complex roof forms including gables, hips, cat-slides and dormer windows. Although the houses are architecturally varied, they combine to form an interesting and attractive street scene. The L-shaped house at No 72 complements this character, with its highly articulated and well detailed design. The proposal would fill in part of the 'L' at the front/side with a 2 storey
-

extension that would fit flush with the main forward gable, but behind a section of cat-slide roof with a dormer window.

4. In line with the National Planning Policy Framework's emphasis on high quality design, Brighton and Hove Local Plan 2005 Policy QD14 allows for extensions to houses providing that, amongst other things, they are well designed, sited and detailed. The Council's Supplementary Planning Document 12 (SPD12) *Design Guide for Extensions and Alterations* further advises that in order to assimilate well with the building and street scene, 2 storey side extensions should be subservient to their host building: they should generally be set back from the frontage and down from the main ridge line by at least 0.5m. SPD12 explains that extensions that would sit flush with the front elevation will only rarely be considered appropriate, in instances where the extension would integrate well with the design of the host building.
5. The proposed extension would be set more than 0.5m down from the main roof line and would match the general form and detailing of the existing house. Although it would sit flush with the main wall of the forward projecting gable, it would still sit well back from the visually important cat-slide element of that gable. The Council argues that the resulting front elevation would be cluttered, but the articulation and intricacy of the design is characteristic of the area. I note that the plans include a small section of flat roof, but this would be concealed behind appropriately designed and proportioned pitched roofs.
6. I conclude that, subject to a condition requiring the use of matching materials, the proposal would integrate well with the existing house and would not harm the character or the appearance of either the house or this part of Shirley Drive. It therefore accords with the aims of the above-mentioned policies. I also impose a condition listing the approved plans, for the avoidance of doubt and in the interest of proper planning.
7. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR

Appeal Decision

Site visit made on 10 February 2014

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 12 February 2014

Appeal Ref: APP/Q1445/A/13/2207686

12 The Cliff, Brighton, BN2 5RE

- 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 Mike Wilson against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01949, dated 13 June 2013, was refused by notice dated 21 August 2013.
 - The development proposed is demolition of existing dwelling and garage and erection of new dwelling house with garage.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal site has a planning history which includes a previous appeal (APP/Q1445/A/12/2181473, dated 26 March 2013) against a decision for; replacement of single (3 bedroom) dwelling and garage with single (5 bedroom) dwelling with garage. Whilst the previous appeal related to a residential dwelling, it differed significantly to the proposal subject of this appeal. I have therefore considered the proposed development on it's individual merits.

Main Issue

3. The effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is located on The Cliff, which is characterised by two and three storey dwellings of various types and styles. The appeal site currently accommodates a detached dwelling with a front gable and traditional pitched roof, with brick and tiled elevations. The proposed development would be of a contemporary form and appearance, which would be arranged in 3 'wings', each of which would have a different height. The proposed dwelling would be finished with a mixture of render and timber cladding.
5. The appellant has set out that the design was created to complement the differing heights and changing levels of the neighbouring properties, however I consider that the resulting 3 'wing' design would appear disjointed and I agree with the Council it could be mistaken as separate dwellings. In addition, I

consider that the proposed design would be too far removed from the character of existing dwellings in close proximity to the appeal site, which whilst varied in type and style are of a more traditional ilk and construction. I am mindful that the National Planning Policy Framework (the Framework) advise against imposing architectural styles and stifling innovation or requiring conformity to certain development forms or styles, the Framework also sets out that it is, however, proper to seek to promote or reinforce local distinctiveness. Whilst I acknowledge that a contemporary individual design could be accommodated on the site, I consider that the proposed development would not promote or reinforce local distinctiveness and for the reasons above, would be an incongruous feature within the street scene.

6. The Council has also raised concern about the mass and scale of the proposal. However, I observed on my site visit that the footprint of the dwelling could be comfortably accommodated within the appeal site, as could the increased height of the central 'wing', given the topography of the area and heights of the neighbouring properties. I therefore, do not share the Councils concern on these matters and I do not consider that the scale and mass of the proposal would be overly dominant in the street scene.
7. I acknowledge the examples of other similar developments provided by the appellant. However, I am mindful that none of those provided have the same individual circumstances or location as the appeal site and that each proposal should be considered on its own merits.
8. In conclusion, I note the support received for the proposal and the views of appellant's supporting professionals. I also acknowledge that the external materials, scale and mass of the proposed development would be acceptable in the context of the appeal site. However, I consider that the proposal by virtue of its disjointed design would result in an incongruous feature that would be harmful to the character and appearance of the area. I therefore consider that the proposal is contrary to Policies QD1 Design – quality of development and design statements, QD2 Design – key principles for neighbourhoods and QD5 Design – street frontages of the Brighton & Hove Local Plan (2005), which I consider to be the policies of most relevance of those referred to by the Council.

Other matters

9. The occupant of a property opposite the appeal site has raised concern that the proposal would lead to increased overlooking. I observed on my site visit that properties to the north of The Cliff are set at a higher level and there would be a separation distance between the properties of approximately 20 metres. As a result, I concur with the Council that the proposal would not lead to any significant overlooking. However, the acceptability of the proposed development in relation to this matter does not outweigh the identified harm.

Conclusion

10. For the reasons set out above and considering all other matters raised, I conclude that the appeal should be dismissed.

Jonathan Manning

INSPECTOR

Appeal Decision

Site visit made on 4 February 2014

by L Gibbons BA (Hons) MRTPI

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

Decision date: 18 February 2014

Appeal Ref: APP/Q1445/D/14/2211678
126 Stapley Road, Hove, East Sussex BN3 7FG

- 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 Sherwood & Miss Goodman against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/03356, dated 1 October 2013, was refused by notice dated 26 November 2013.
 - The development proposed is to erect a PVCu conservatory and brick extension to replace the existing extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the appeal proposal on the character and appearance of the host property.

Reasons

3. The appeal property is a two storey semi-detached house, which has a simple design. At the rear there is a single storey side extension and a single storey conservatory both of which appear to have been in place for some time.
4. The Council's Supplementary Planning Document Design Guide for Extensions and Alterations (SPD) 2012 at Section 2 refers to the original design of the building in informing the design of extensions and alterations. The appellants submit that the proposed extensions would be in keeping with the host property and that it would add architectural detailing to the host property. However, although the conservatory roof is designed to be a similar shape to that of the main roof, the detailed design of the conservatory would be at odds with the simple appearance of the host property.
5. Some of the detailing on the roof ridge of the proposed conservatory would protrude slightly above the lower part of the window and this would appear out of place. Moreover, the windows and doors on the proposed conservatory would differ from the design of the windows of the host property resulting in an unbalanced appearance. Therefore, the proposed conservatory would appear as an incongruous feature against the simple rear elevation of the host property.

6. I consider that the remaining depth of the garden will be sufficient for the amenity of the occupiers of No 126 Stapley Road, nevertheless the increase in mass and bulk of the proposed extensions, when coupled with their contrasting designs, would lead to a significantly more cramped appearance to the host property when viewed from within the garden.
7. For these reasons, I conclude that the appeal proposal would cause harm to the character and appearance of the host property. It would conflict with policy QD14 of the Brighton and Hove Local Plan (2005) which, amongst other things, seeks to ensure that extensions and alterations are well designed, sited and detailed in relation to the property to be extended. It would be contrary to the provisions of the National Planning Policy Framework relating to the need for high quality design.
8. I understand the concerns of the appellants that the existing extensions are outdated and that they are seeking to improve living conditions by upgrading and expanding their current accommodation. I also note that the appeal property is located in an accessible location and that water and energy saving measures would be incorporated into the design. However, none of these are sufficient reasons to justify the proposal before me.

Conclusion

9. For the above reasons and having regard to all other matters including the lack of objection from neighbours, the appeal is dismissed.

L Gibbons

INSPECTOR

Appeal Decision

Site visit made on 5 February 2014

by L Gibbons BA (Hons) MRTPI

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

Decision date: 20 February 2014

Appeal Ref: APP/Q1445/D/14/2211471

6 Marine Gardens, Brighton BN2 1AH

- 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 Kim Gordon against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02668, dated 5 August 2013, was refused by notice dated 16 October 2013.
 - The development proposed is a single storey side extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal on the character and appearance of the host property and the effect on the living conditions of the occupiers of No 7 Marine Gardens in respect of outlook and light.

Reasons

Character and appearance

3. The host property is a 3 storey semi detached property which is set back from the road. Although the properties on Marine Gardens are dominated by higher properties on Charlotte Street, they have a distinctive appearance, being relatively narrow with the key features being the mansard roof and double height bay windows. The appeal property is on a relatively constrained plot with a parking space and small garden at the front of the property and there is a raised patio area and small outbuilding to the side. Additionally, there is a flat roofed 2 storey side extension which appeared to have been in place for some time, this gives the property a 'stepped' appearance which is slightly at odds with the character of the main building.
4. The appeal proposal is for a single storey extension and I note that the materials would be to match those of the host property. I have been referred to a previous permission at the same address for a side conservatory and kitchen (BH2002/01311/FP) and an indication of the policies which were in place at the time. Whilst I have been provided with an elevation drawing, this appears to indicate that the two schemes differ. Moreover, I do not have the full details of the circumstances that led to that proposal being accepted in

order to make a comparative assessment. In any case, I have considered the appeal proposal on its own merits.

5. I have been referred to the Council's Supplementary Planning Document Design Guide for Extensions and Alterations (SPD) 2012 which includes examples of properties which are not similar to the appeal proposal. However, the SPD guidance at Section 3.2 refers to side extensions which should be set back from the front of the building in order to retain a subordinate appearance. The proposed extension would be particularly noticeable as it would protrude forward of the main elevation of the house including the bay window. This would serve to draw the eye and would lead to the extension appearing as the dominant feature on the front elevation.
6. Moreover, as the proposed extension fully extends to the northern boundary of the appeal site, this would lead to an elongated appearance that would be at odds with the height and narrow form of the original building and which would be exacerbated by the constrained nature of the site. I accept that the rooflight would increase the amount of light to the proposed extension and that it reflects a design element from the rear of the buildings on Charlotte Street. However, I consider that the flat roof of the proposed extension, in combination with the flat roof of the 2 storey addition would exaggerate the prominence of the proposed extension and the 'stepped' appearance to the detriment of the host property.
7. For the above reasons I conclude that the appeal proposal would cause harm to the character and appearance of the host property. It would conflict with policy QD14 (bullet point a) of the Brighton and Hove Local Plan (LP) 2005 which, amongst other things, seeks to ensure that extensions and alterations are well designed, sited and detailed in relation to the property to be extended. It would be contrary to the provisions of the National Planning Policy Framework relating to the need for high quality design.
8. The appeal site is situated within the East Cliffe Conservation Area. The Conservation Area includes a number of tall, substantial residential buildings including on Charlotte Street, and their significance is clearly associated with the seafront and Brighton as a seaside resort. Marine Gardens consists of smaller properties, but they appear to fit in with the dense development pattern and those on the west side, including the appeal property have a close association with the buildings on Charlotte Street.
9. I note that there is no objection from the Council's Conservation Officer in relation to the impact of the proposed extension on the Conservation Area. I also appreciate that the walls and rooflight of the proposed extension would be only partially visible due to the hedge at the front of the host property and the height of the fences at the boundaries with adjacent properties. Nevertheless, even if the proposed extension was not visible at all in the wider area, this does not outweigh the harm I have found in relation to the effect on the host property.

Living conditions

10. Due to the layout of the properties which are to the rear of properties along Charlotte Street, the plots along Marine Gardens are naturally constrained and the area already has a feeling of being slightly enclosed. The proposed extension would be slightly higher than the tall fence and brick wall which form

the boundary with No 7 Marine Gardens. The rooflight and a portion of the walls of the proposed extension would be visible to the occupiers of No 7. However given the height and nature of the existing boundary treatment and the layout of the properties, I consider that the proposed extension would not lead to a significant increase in a sense of enclosure for the occupiers nor would it result in a loss of light to the windows on the south elevation of No 7.

11. For the above reasons I conclude that the appeal proposal would not cause harm to the living conditions of the occupiers of No 7 Marine Gardens in respect of outlook and light. It would not conflict with policy QD14 (bullet point b) and policy QD27 of the LP which, amongst other things, seek to ensure developments which would not result in a significant loss of amenity to neighbouring properties and occupiers.

Conclusion

12. I have found that the appeal proposal would be acceptable in relation to the living conditions of the occupiers at No 7 Marine Gardens. However, I have found that the appeal proposal would have a harmful impact on the character and appearance of the host property and this is sufficient reason to dismiss the appeal.

L Gibbons

INSPECTOR

