





**Brighton & Hove
City Council**

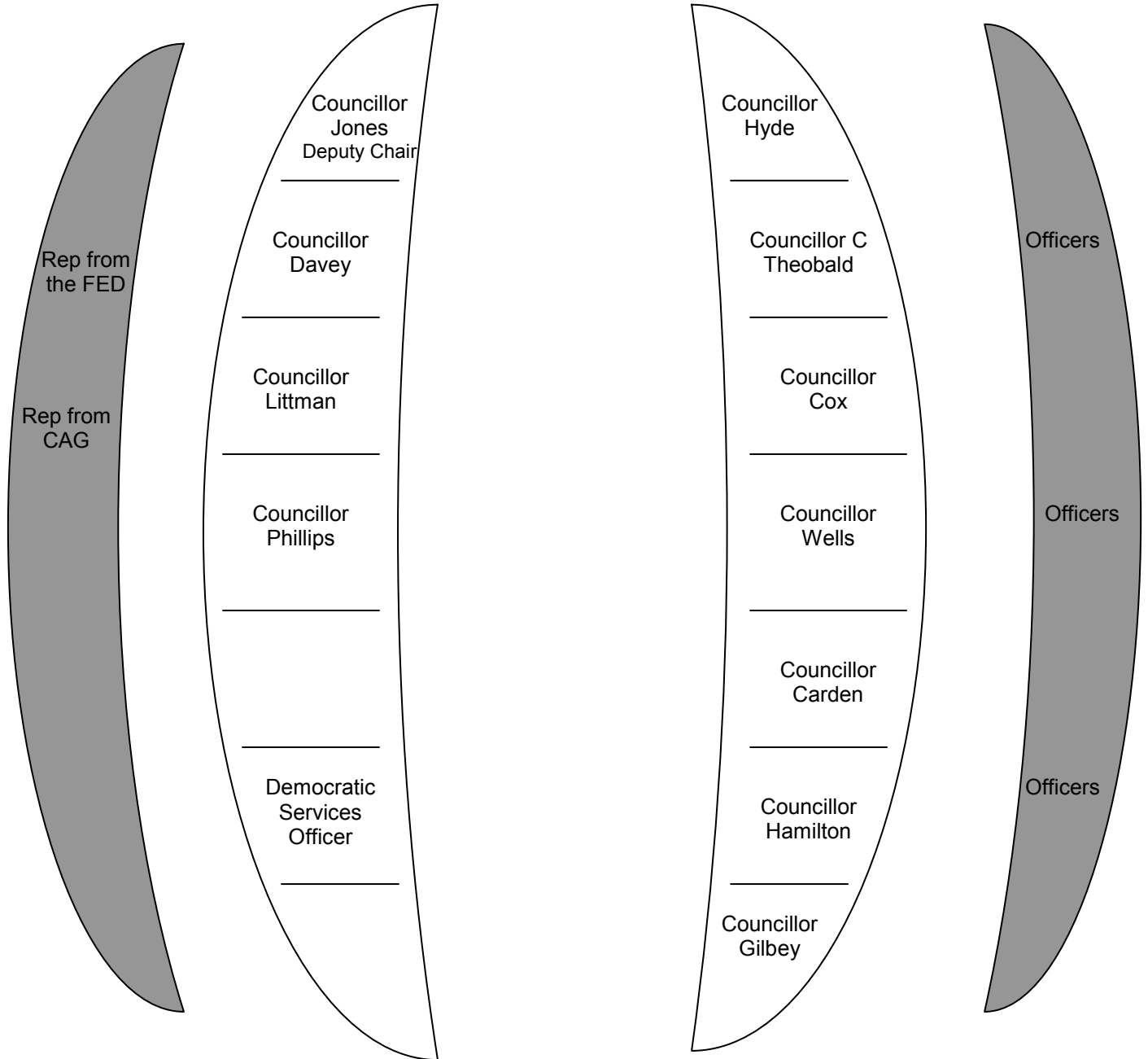
Planning Committee

Title:	Planning Committee
Date:	4 June 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, Gilbey, Hamilton, Littman, Phillips, C Theobald and Wells</p> <p>Co-opted Members: Jim Gowans (Conservation Advisory Group)</p>
Contact:	<p>Ross Keatley Acting Democratic Services Manager 01273 29-1064/5 planning.committee@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.

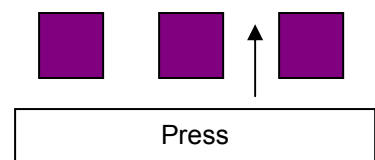
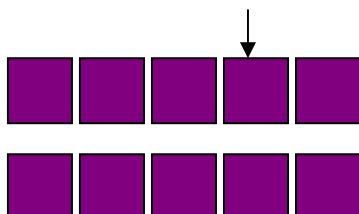
Democratic Services: Planning Committee

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



AGENDA

1. 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

2. MINUTES OF THE PREVIOUS MEETING

Minutes of the meeting held on 14 May 2014 (to follow).

3. CHAIR'S COMMUNICATIONS

4. PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 28 May 2014.

5. PLANNING INVESTIGATIONS AND ENFORCEMENT TEAM YEARLY REPORT APRIL 2013-MARCH 2014 1 - 22

Report of the Executive Director of Environment, Development & Housing (copy attached).

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

7. 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. BH2014/00922 - Hove Park Depot, The Droveaway, Hove - Full Planning 23 - 58

Demolition of existing buildings and construction of a new two storey primary school building with solar panels and windcatchers, associated access works and hard and soft landscaping.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Hove Park

PLANNING COMMITTEE

- B. BH2014/00459 - City College Campus, Wilson Avenue, Brighton - Full Planning 59 - 94**

Demolition of the eastern two storey section of the existing building and erection of a three storey building to accommodate a new Construction Skills Centre. Erection of a two storey entrance extension to the south west corner of the building. Change of use of the tennis courts to a car park and a multi-use games area, other on-site parking and servicing amendments and hard and soft landscaping. Refurbishment of remaining existing buildings including replacement aluminium windows and profiled metal roofs.

RECOMMENDATION – GRANT

Ward Affected: East Brighton

- C. BH2013/01646 - 18, 24, 28 & 30 Kingsthorpe Road, Hove - Outline Application All Matters Reserved 95 - 112**

Outline application for demolition of existing building and erection of part three storey and part four storey building comprising of B1 use at ground floor level and 26no residential units with associated works, and approval of reserved matters for scale.

RECOMMENDATION – MINDED TO GRANT

MINOR APPLICATIONS

- D. BH2014/00596 - Anston House, 137-139 Preston Road, Brighton - Full Planning 113 - 122**

External alterations including new aluminium windows, enlarged window openings, creation of balconies and cladding to all elevations following prior approval application BH2013/02779 for change of use from offices (B1) to residential (C3) to form 44no residential units.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Preston Park

- E. BH2013/03400 - 112 Carden Avenue, Brighton - Full Planning Permission 123 - 134**

Demolition of existing garages to rear and erection of 3no. bedroom detached dwelling with associated landscaping and access from existing driveway off Carden Avenue.

RECOMMENDATION – REFUSE

Ward Affected: Patcham

PLANNING COMMITTEE

- F. BH2014/01001 - 243 Hartington Road, Brighton - Full Planning 135 - 148**

Demolition of workshop and store and erection of a 3no bedroom house (CS) incorporating home office building to rear and bicycle store and parking space to front. (Retrospective).

RECOMMENDATION – REFUSE

- 8. 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

- 9. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 149 - 150**

(copy attached).

- 10. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 151 - 284**

(copy attached)

- 11. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 285 - 286**

(copy attached).

- 12. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 287 - 288**

(copy attached).

- 13. APPEAL DECISIONS 289 - 328**

(copy attached).

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

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

PLANNING COMMITTEE

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

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

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

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

WEBCASTING NOTICE

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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.

For further details and general enquiries about this meeting contact Ross Keatley, (01273 29-1064/5, email planning.committee@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Tuesday, 27 May 2014

Subject:	Planning Investigations and Enforcement Team Yearly Report April 2013-March 2014
Date of meeting:	4 June 2014
Report of:	Head of Planning and Public Protection for Executive Director Environment, Development & Housing
Contact officer:	Aidan Thatcher, Investigations and Enforcement Manager
Name:	Tel: 20-2031
Email:	Aidan.thatcher@brighton-hove.gov.uk
Ward(s) affected:	All

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This is an annual monitoring report presented to Planning Committee in order to update on the work of the Investigation and Enforcement Team.
- 1.2 The work of the team is informed by the adopted Planning Enforcement Policy Document (PEPD) which members agreed in 2011. As part of that process Members and residents expressed an interest in being informed about the progress and outcomes of enforcement investigations.
- 1.3 As such, the PEPD requires an annual update and monitoring report to be presented to the Planning Committee. The policy document is attached as Appendix 1.

2. RECOMMENDATIONS:

- 2.1 That Members' note the contents of this report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 During the 12 months to April 2014 the team has experienced change in the working arrangements of the team and as a consequence of an uplift over the previous year in requests to investigate potential breaches of planning. At the same time some of the resources of the team have been used to support with the determination of planning applications which have also increased in the last 12 months.

- 3.2 In response to these circumstances we have adopted a more focussed and targeted approach in dealing with current cases. We have also concentrated on progressing older cases to satisfactory conclusion.
- 3.3 During this period we have also found short term support in the form of part time administration and a further investigation officer.

Case load management within planning enforcement

- 3.4 During the 2013-2014 period a total of 697 cases have been closed following enforcement investigation which is a slight decrease of 32 cases from the previous year. There are currently 364 live/on hand enforcement investigations
- 3.5 In thirty two percent (32%) almost a third of the cases closed, there was found to be no breach of planning control. This is a significant proportion and we are considering ways to minimising the time spent on such cases whilst ensuring they are fully investigated.
- 3.6 In twenty six percent (26%) of cases closed, it was determined that it was not expedient to pursue formal enforcement proceedings, as the breach was minor and not causing unacceptable harm.
- 3.7 In thirty nine percent (39%) of cases there were breaches of planning which needed to be assessed and required further investigation.
- 3.8 Where we found significant harm or unacceptable impact the teams achieved resolution of these by negotiation. This equate to ninety one percent (91%) of these cases.
- 3.9 In three percent (3%) of all cases closed, compliance was achieved through the issuing of a formal enforcement notice.
- 3.10 The table below provides a comparison between the last two performance years in terms of findings.

	No breach	Not expedient	Full Compliance	Compliance following notice	Total
2013/14	225 (32%)	178 (26%)	275 (39%)	19 (3%)	697
2012/13	255 (37%)	95 (14%)	291 (42%)	52 (7%)	

Enforcement notices

- 3.11 Serving an Enforcement Notice is the most common and most effective method of remedying unauthorised development when informal negotiation has not been successful. Enforcement notices are served

early in an investigation when the breach of planning control is causing significant harm or where the transgressor has made it clear that they are unwilling to remedy the breach. The transgressor has the right to appeal against the notice, and the appeal is considered by the planning inspectorate.

3.12 Twenty eight (28) Enforcement Notices were served in the 2013-14 period, a decrease of 33 from the previous year. The table in Appendix 2 “ summarises the breach of planning control and current status of the investigations in relation to each of the properties against which enforcement notices have been served.

3.13 The Enforcement Notices served take a variety of forms and can be appealed.

Enforcement Notice Appeals

3.14 If an appeal is lodged against an enforcement notice, the requirements of the notice are held in abeyance until the appeal is determined by the Planning Inspectorate.

3.15 The grounds upon which an enforcement notice can be appealed include:

Ground (a) – That planning permission should be granted for what is alleged in the enforcement notice, or that the condition which is alleged not to have been complied with should be discharged.

Ground (b) – That the breach of planning control alleged in the enforcement notice has not occurred as a matter of fact.

Ground (c) – That there has not been a breach of planning control.

Ground (d) – That at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.

Ground (e) – That the notice was not properly served on everyone with an interest in the land.

Ground (f) – That steps required to comply with the requirements of the enforcement notice are excessive and lesser steps would overcome objections.

Ground (g) – The time given to comply with the notice is insufficient or unreasonable.

3.16 The planning Inspectorate (PINS) will dismiss or allow the appeal and also have the ability to vary the enforcement notice should they feel this

necessary. On some occasions they make split decisions – part allowing and part dismissing the appeal.

- 3.17 With all enforcement investigations, every effort is made to encourage transgressors to carry out the required works prior to formal action becoming necessary.

Section 215 Notices

- 3.18 Where the condition of land or a building is adversely affecting the amenity of a neighbourhood, the Council may issue a Notice under Section 215 of the Town and Country Planning Act 1990, requiring the owner or occupier to improve the condition of the land or building. Failure to comply with the Notice is a criminal offence. The Council also has powers, where a Notice has not been complied with, to enter the land and carry out the work itself and recover the cost from the owner.

Breach of Condition Notices

- 3.19 These can be used as an alternative to an Enforcement Notice. There is no right of appeal against a breach of condition notice.

Other significant achievements

3.20 *Increased Public Awareness*

Part of the work of the team involves raising public awareness. The strategy during the 2013-2014 period has been for the Planning Enforcement and Investigations Team to issue press releases to local newspapers and enhance and update the Planning Enforcement and Investigations web page.

- 3.21 When necessary, the team manager attends residents meetings to discuss planning enforcement matters that are of concern, be it generally or in relation to a specific investigation.

- 3.22 Awareness of the work of the team amongst residents has been raised significantly in the past three years. This was achieved in part through the publicity and consultation on the policy document but also as a consequence of the very positive impact the work of the team can have on the built environment and our willingness to engage with the community.

- 3.23 Awareness continues to improve and this in turn has a positive impact with residents and developers regularly remedying breaches of planning control without formal enforcement action becoming necessary. This is evidenced by the high proportion of all cases closed due to full compliance.

3.24 *Workload*

The Planning Investigations and Enforcement Team has progressed a high volume of cases over the past 12 months, and current live investigations are lower than they have been previously. This is due to a focused approach to ensure the number of active investigations is reduced to a manageable level seeking to match this with the team capacity. Officers have been successful in ensuring the thorough and successful processing of investigations in general accordance with the timeframes set out in the Planning Enforcement Policy. There is currently no backlog of cases waiting to be allocated, and all open investigations are progressing.

- 3.25 Every investigation is being carried out in depth, in a timely manner and seeking to resolve breaches to ensure material planning harm is removed.
- 3.26 The team has continued to take pro-active action which has focused on improving the condition and appearance of dilapidated properties through use of Section 215 powers. This action has seen significant improvements to the appearance of properties along Western Road, Brighton, Western Road, Hove and Preston Street, Brighton.
- 3.27 In addition, as a result of an increased number of resident complaints regarding satellite dishes, a pro-active programme to remove new and historic satellite dishes has progressed within conservation areas across the city.
- 3.28 This work is currently being undertaken within a target area of the Valley Gardens and College Conservation Areas, and its achievements will be reviewed once the programme has ended, with a view to rolling this out to other Conservation Areas across the City.
- 3.29 Reporting a breach during the 2013 – 14 year became much simpler as we were able to offer a webform on the B&HCC website to our customers. This has meant that the customer no longer needs to download the form, save the details and then email the form back. This had been a cause of frustration and we had received negative feedback about the older form. The new online is also compatible for use with tablets and mobile devices.

The coming year

- 3.30 The next 12 months are an exciting time for the Planning Investigations and Enforcement Team. As well as continuing the excellent work the team are currently undertaking, the following pieces of work are in our programme.
 - I. Continuing to work with other Council departments and external organisations to resolve breaches in legislation that are causing material planning harm;

- II. Continuing to identify areas in the City where pro-active area and target based enforcement projects will improve their character and appearance, this will be focused on the seafront to improve the image of the city, and the London Road area which is currently undergoing significant redevelopment;
- III. Promoting the success of the team through regular press briefings and use of the Council website;
- IV. Continue to improve the information on our webpages and how it is presented.
- V. The implementation of a monitoring process for planning conditions to ensure that those placed on planning approvals are complied with (subject to the successful implementation of the ICT project); and
- VI. A move towards a more active role in terms of issuing prosecutions and direct action to improve the image of the team and to act as a deterrent to other developers in the City.

4. CONSULTATION

- 4.1 None required.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications relating to this enforcement report that fall outside the normal service delivery for the department.

Legal Implications:

- 5.2 There are no legal implications relating to this enforcement report that fall outside the normal service delivery for the department.

Equalities Implications:

- 5.3 There are no equalities implications relating to this enforcement report that fall outside the normal service delivery for the department.

Sustainability Implications:

- 5.4 There are no sustainability implications relating to this enforcement report that fall outside the normal service delivery for the department.

Crime and Disorder Implications:

- 5.5 There are no crime and disorder implications relating to this enforcement report that fall outside the normal service delivery for the department.

Risk and Opportunity Management Implications:

- 5.6 There are no risk and opportunity management implications relating to this enforcement report that fall outside the normal service delivery for the department.

Corporate/Citywide Implications

- 5.7 There are no corporate or citywide implications relating to this enforcement report that fall outside the normal service delivery for the department.

APPENDIX 1 – PLANNING ENFORCEMENT POLICY DOCUMENT

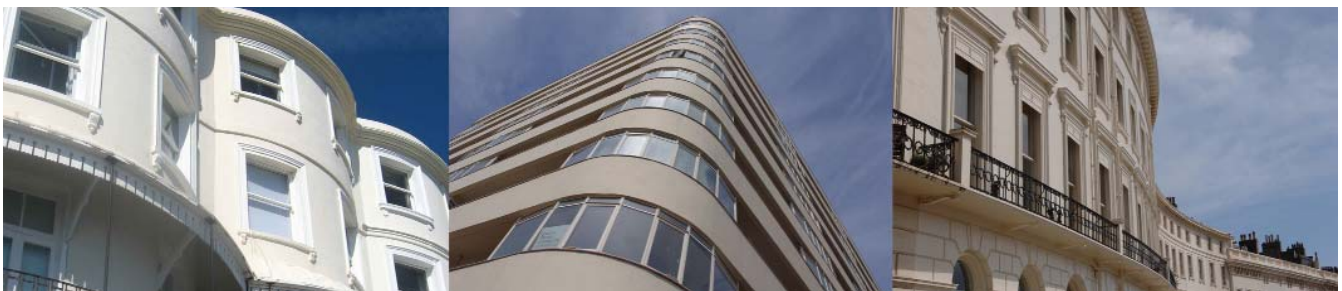
**APPENDIX 2 – PLANNING ENFORCEMENT NOTICES ISSUED BETWEEN
APRIL 2013 – RCH 2014**

Foreword

Brighton & Hove City Council was formed in 1997 and is an historic and vibrant city housing 247,817 people (2001) and employing over 10,000. Demands on land and its use increases continually thereby creating the groundwork for friction between competing users of land be they commercial or residential.

Brighton & Hove City Council has numerous areas of special architectural or historic interest, which it is committed to preserving and enhancing through effective use of its enforcement powers particularly in relation to its 900 plus listed buildings and 34 conservation areas. There is evidence of growing public concern over development that takes place without the appropriate planning permission or without proper reference to approved plans or attached conditions. The number of enforcement enquiries in the City of Brighton & Hove has grown steadily over the years and the Government also recognises that public expectations in this area have become more demanding.

This Planning Enforcement Policy sets a framework for how the Planning Enforcement Team will handle complaints and any subsequent investigations into breaches of planning control. It will clearly set out the aims of the Planning Enforcement Team, the background to Planning Enforcement and the scope of enforcement powers. This Planning Enforcement Policy will set out priorities for responses to complaints and clarify the timescales for response by Enforcement Officers. This policy document will also seek to formulise how Members and the general public will be kept up to date in relation to the work being carried out by the Planning Enforcement Team.



Introduction

The Development Control service operates in connection with the council's statutory role as local planning authority in the regulation of the use and development of land and buildings under the Planning Acts and related legislation. Given the high quality of its townscape, particularly its important conservation areas and listed buildings, the enforcement of planning control is very important to Brighton & Hove City Council in order to:

- Help ensure the credibility of the planning system, and to ensure fairness for those who adhere to planning controls.
- Protect it from the effects of unacceptable development.
- Remedy the unacceptable harmful effects of unauthorised development.
- Ensure the adopted planning policies applicable to the City of Brighton & Hove are properly implemented.

This document sets out the council's approach to handling planning related enforcement matters. It is designed to let the public know what action they can expect when a breach of planning control is reported, where resources will be targeted and the timescales they can expect for a response at certain key stages in the process.

It is an important principle of the planning system that the use of formal planning enforcement action is a discretionary power of the council. In considering any enforcement action, the decisive issue for this Council is whether the breach of planning control would unacceptably affect public amenity or the existing use of land and buildings, and therefore merit such action in the public interest.

The council considers that educating its residents in relation to both national and local planning legislation is a key element to effectively enforcing planning controls. As residents become more informed and aware of the regulations it is hoped that less unauthorised building work will take place within the City of Brighton & Hove.

Principle of Enforcement

Brighton & Hove City Council believe in firm but fair regulation. Underlying the policy of firm but fair regulation are the principles of:

- Proportionality in the application of the law and in securing compliance.
- Consistency of approach.
- Transparency about how the service operates and what those regulated may expect from the service.
- Targeting of enforcement action and education.

Proportionality

Proportionality means relating enforcement action to the risks. Those whom the law protects and those on whom it places duties, expect the action taken by the enforcing authority to be proportionate to the seriousness of any breach.

Consistency

Consistency of approach does not mean uniformity, it means taking a similar approach in similar circumstances to achieve similar ends. The Council aims to achieve consistency in advice given, the response to incidents, the use of powers and decisions on whether to prosecute.

Officers need to take account of many variables:

- The scale of impact.
- Matters of fact and degree.
- The history of previous incidents or breaches.

Decisions on enforcement action are a matter of professional judgement and discretion needs to be exercised. The Planning Enforcement Team will continue to develop arrangements to promote consistency including effective arrangements for liaison with other Council services and enforcing authorities.

Transparency

Transparency is important in maintaining public confidence in the service's ability to regulate. It is about helping those regulated and others, to understand what is expected of them and what they should expect from the Council. It means making clear why an officer intends to take or has taken enforcement action. It also means distinguishing between statutory requirements and advice or guidance about what is desirable or good practice but not compulsory.

Targeted enforcement action and education

Targeting of enforcement action and education are crucial factors in an effective enforcement service. They ensure that the public is aware of planning regulations as well as increasing public confidence in the service.

The Council's Approach to Planning Enforcement

The Council recognises the importance of establishing effective control over unauthorised development and will not condone wilful breaches of planning control. It must however be remembered that enforcement is a discretionary activity. Apart from some listed building and advertisements cases it is not illegal to carry out works without the relevant consent. It only becomes, illegal after the Council issue an enforcement notice and those in breach fail to comply with the requirements of the notice. In considering whether it is expedient to take enforcement action, the Council will take into account its relevant planning policies and all other material considerations including relevant appeal decisions and case law. Consideration will also be given to the reasonable time and resources available to carry out the enforcement function.

The Council will assess whether a breach of planning control unacceptably affects public amenity or causes harm to land and buildings. The Council considers that the objective of planning enforcement is compliance not punishment and as such will encourage its officers to work with those in breach to achieve favourable outcomes without having to issue a formal notice. In cases where those in breach are not pro-actively working with officers or fail to meet agreed deadlines, formal action will be considered and notices issued where it is appropriate to do so.

Investigating Alleged Breaches

In some cases the enforcement team may be unable to take formal action against developments that are reported by members of the public. For example when:

- The works or change of use fall within 'permitted development' tolerances under the terms of the Town and Country Planning Act 1990 (General Permitted Development Order as amended 2008) or use classes order.
- An advertisement benefits from 'deemed consent' under the Town and Country Planning (Control of Advertisements) Regulations 2007.
- Immunity from enforcement action has occurred by way of a use being established for a period of 10 years (4 years for a self-contained dwelling) or building works have been being completed more than 4 years ago.
- The works are considered 'de minimis', i.e too minor to fall under the scope of planning control.

Breaches of planning control which may require action could include:

- Unauthorised works to a listed building, a property or building in a conservation area or property or building subject to, an Article 4 direction.
- Unauthorised change of use of a building or land.
- Conditions of a planning permission not being met or discharged.
- Unauthorised extensions to a residential property.
- Unauthorised display of a sign or advertisement.
- Engineering operations.

In addition to responding to complaints the service will carry out targeted pro-active campaigns when resources allow.



What the complainant can expect from the enforcement service

To initiate a planning enforcement investigation, complaints should be made via the standard form which can be found on the council's website, Council offices or can be sent out to complainants if requested. The complaint will only be accepted if this form is filled out in full including the identity and address of the writer, the address at which the alleged breach of planning control has taken place, a description of the unauthorised development/use and the harm that is considered to be caused by it. Complainants will also be encouraged to send in dated context photographs of the alleged breach, in order to assist the enforcement investigation. Only in exceptional circumstances, such as when emergency action is required, or when there is a special reason why using the standard form is not feasible, will be possible to initiate investigations by telephone or personal visit to speak to the Planning Enforcement Team.

The council will not investigate anonymous complaints as it means we cannot verify particular aspects of the complaint at a later stage. All complaints received will be treated in the strictest confidence. However sometimes in exceptional circumstances complainants may be asked to provide evidence to assist the investigation's legal proceedings.

Issues such as boundary positioning and land ownership disputes do not fall under the remit of town planning. Should complaints be made to the Planning Enforcement Team which fall outside the Team's remit, the Team will endeavour to re-direct the complaint or to advise accordingly. Formal enforcement action will not normally be taken where a trivial or technical breach of planning causes no harm to the local environment.

In respect to complaints received about alleged breaches the following service standards apply:

- 1) Written acknowledgements of receipt of complaint within three working days.
- 2) Other than in cases where immediate or urgent action may be required (see (3) below) initial investigation to be undertaken within ten working days of receipt.
- 3) In cases of reported breaches in planning control involving a serious and/or irreversible harm, the complaint will be investigated as a matter of priority, usually within 48 hours of receipt. Urgent action will be instigated to stop unlawful activity where harm being caused makes this appropriate. Such cases include damage or demolition of listed buildings or any other cases where there is a serious and imminent danger of harm to people or irreversible damage to property.
- 4) The complainant is advised to contact the designated case officer preferable by email or phone 4/6 weeks after receiving their acknowledgement letter. At this stage the officer will be able to inform the complainant on the progress of the investigation.
- 5) Within 5 days of the decision to close an enforcement case the complainant will be notified by letter or email advising them why the case was closed.

What those in breach may expect from the enforcement service

Under normal circumstances, prior to taking formal enforcement action the officer concerned will fully and openly discuss the circumstances of the breach and where possible attempt to resolve any points of difference. A person in breach will be contacted within 5 days of a site visit having taken place advising them what they are required to do in order to remedy the breach of planning control. Should a retrospective application for planning permission be applicable, the letter will also advise those in breach on the likelihood of obtaining a favourable recommendation from the Enforcement Officer. In almost all cases written notification of the breach and opportunities to rectify the situation will be given prior to any action being taken. However, this may not be possible if urgent or immediate action is required, such as in examples given in (3) above.

When breaches appear to have occurred officers will:

- Communicate clearly to the responsible party or their planning agent identifying the problem and the measures that may need to be taken to achieve compliance.
- In the case of formal action being authorised the contravener's rights of appeal will be explained to them.
- Where officers consider there is no significant planning harm or that harmful effects may be satisfactorily addressed by mitigation measures, the Enforcement Team will allow a reasonable period for the submission of a retrospective planning application to regularise a breach of planning control.
- Where initial attempts to persuade those in breach to voluntarily remedy the harmful effects of unauthorised development fail, negotiations will not hamper or delay whatever formal enforcement action may be required to make the development acceptable. Officers will be keen to see that persons in breach are pro-actively seeking to resolve breaches of planning control rather than attempting to delay matters.
- Initiate formal enforcement powers given to local planning authorities when necessary, after being satisfied that there is a clear breach of planning control that would unacceptably affect public amenity of the existing use of land and building meriting protection in the public interest.
- Persistent offenders and those who seek to exploit the planning process at the expense of others will be dealt with using appropriate enforcement processes.



What officers can expect from complainants and those in breach

Planning Enforcement Officers often deal with heavy caseloads and can as a result experience many pressures on their time throughout the day. Therefore in order to allow Officers to make best use of their time and ensure that the enforcement service is as effective and efficient as possible members of the public are asked to adhere to the following:

- If people wish to speak to an Enforcement Officer in person at the council offices they will be required to book an appointment as walk in callers will not be seen.
- People are asked to treat officers with respect and listen to what is being said rather than what they 'think or want to hear'. Sometimes a favourable outcome cannot always be achieved. If this occurs the reason for no action being taken will be explained in full by the Officer in a clear and understandable fashion.
- Officers are happy to speak to members of the public on the phone provided the conversations are productive. If callers are unreasonable in their expectations or are rude to staff they will be asked to only communicate with the Officer via letters or email to which they can expect a response within 10 working days of receipt.

Enforcement options

As discussed earlier in this policy document Officers will seek to work with those in breach to voluntarily resolve contraventions whenever this is possible and appropriate thereby avoiding formal action having to be taken. When this is not possible or appropriate, to obtain a satisfactory voluntary resolution to a contravention and if it is considered expedient to take formal enforcement action to rectify or resolve the breach, the main options for action are summarised as follows:

Section 215 Notices:

Where the condition of land or a building is adversely affecting the amenity of a neighbourhood the council may issue a Notice under Section 215 of the Town and Country Planning Act 1990, requiring the owner or occupier to remedy the condition of the land or building. Failure to comply with the Notice is a criminal offence. The council also has powers, where a Notice has not been complied with, to enter the land and carry out the work itself and recover the cost from the owner.

Breach of Condition Notice:

These can be used as an alternative to an Enforcement Notice. There is no right of appeal against this notice.

Enforcement Notice:

This is the usual method of remedying unauthorised development and there is a right of appeal against the notice. The use of the Enforcement Notice is an effective tool and such notices will be served fairly early on in cases that cause significant harm or where the transgressor has made clear they are unwilling to remedy the breach. The transgressor has the right to appeal against the notice to the planning inspectorate.

Stop Notice:

This can be used in conjunction with an enforcement notice where the breach of planning control is causing serious harm and should only be used in extreme cases. In such cases where Stop Notices are issued the council may be liable to pay compensation if it is later decided that the Stop Notice was not appropriate.

Temporary Stop Notice:

These are similar to Stop Notices (above) but take effect immediately from the moment they are displayed on a site, and last for up to 28 days. A temporary Stop Notice would be issued only where it is appropriate that the use or activity should cease immediately because of its effect on (for example) amenity, the environment, public safety etc. It may be issued even where planning permission has been granted for development, in a case where the developer is not complying with conditions attached to the permission.

Injunction:

This involves seeking an order from the court preventing an activity or operation from taking place. Failure to comply with the requirements of an injunction amounts to a criminal offence.

Default Powers:

The council may enter the land and take the necessary action to secure compliance when enforcement notices are in effect. This is only used in extreme cases and when resources allow. The council will seek to recover all cost associated with carrying out works in default.

Appeals:

There is a right of appeal against most statutory Notices issued by the council (exceptions are Breach of Condition Notices, Stop Notices). Appeals are in most cases made to the Department for Communities and Local Government (the Planning Inspectorate) or in some cases to the Magistrates' Court. When a notice is issued the recipient will also be given the necessary information on how to exercise their right of appeal.

Informing the public

The council is committed to educating and informing Members and the public in relation to the work carried out by its Planning Enforcement Team. The council will attempt to strike a balance between informing the public about planning legislation through articles in city news as well as publicising prosecutions and cases where direct action has been taken. It is considered important to highlight prosecution and direct action to discourage others from breaching planning regulations and ensure the public have confidence in the enforcement service.

Pro-active campaigns will be used to educate the public in relation to the targeted breaches of planning control through Council publications and press releases. Local community groups may also be encouraged to assist in targeted campaigns in their particular area.

As part of the council's commitment to being open and accountable a full year report will be presented to the Planning Committee regarding planning enforcement. Throughout the year ward members will be made aware of cases where enforcement notices have been issued, appeal decisions and the outcomes of any court action taken in their ward.

The planning and investigations section of the website will be updated on a regular basis with relevant enforcement related new stories, before and after photographs and will identify the number of cases closed and the reasons why they were closed.

Key Aims and Objectives

- 45% of all cases reported to be resolved without formal enforcement action having to be taken.
- Preserve and enhance the character and appearance of the City of Brighton & Hove's conservation areas.
- Seek to remove illegal advertisements that cause harm to local amenity or highway safety in a timely fashion.
- Improve the character and appearance of buildings in disrepair through the service of section 215 notices.
- Ensure planning conditions are discharged and adhered to.



Particular Customer Needs

The service will endeavour to be flexible in responding to customer needs by adapting the method of operation to suit the customer. In particular, service leaflets, letters or other documents will be translated into other languages at no additional expense to the customers. Arrangements will also be made for interpreters when this is necessary.

Contacts and further information

Our service provides a range of supplementary planning documents, design guidelines, planning information and forms. These can be obtained by:

- Looking on the council website www.brighton-hove.gov.uk
- Emailing planninginvestiagtion@brighton-hove.gov.uk
- By writing to us or visiting us at

Environment
City Planning
Hove Town Hall
Norton Road
Hove BN3 3BQ

General enquiries contact numbers Planning Contact Centre: 01273 29 2222

Hove Town Hall has full access for disabled people and induction loops in the general reception area. If you need any help getting into the building, please let us know beforehand and we will make arrangements to help you.

If you need this document in Braille, large print, audio tape, or another language, please contact us on 01273 292929.

Appendix 1

Service Indicators

Action	Target
Register and acknowledge all written complaints	3 working days
Carry out initial site visit	Within 10 working days of case being registered
Customers to contact case officer either by email or on the phone	4-6 weeks after receiving acknowledgement letter
The complainant to be informed of the outcome of the case	Within 5 days of case being closed

**APPENDIX 2 – PLANNING ENFORCEMENT NOTICES ISSUED BETWEEN
APRIL 2013 – MARCH 2014**

	ADDRESS	WARD	BREACH	UPDATE
April	6 Palmeira Square	Brunswick and Adelaide	Unauthorised alts to a Listed Building (LBC Notice)	Appeal June13 - Withdrawn
April	6 Palmeira Square	Brunswick and Adelaide	Unauthorised subdivision of a unit and extension to attic level (planning notice)	Appeal June 13 -Withdrawn
April	33A Clifton Terrace	Regency ward	LB Notice removal of unauthorised UPVC windows	Compliance
June	179 Old Shoreham Road	Hove Park	Conversion of dwelling into 2 units	Appeal dismissed
July	1 De Montfort Road	Hanover and Elm Grove	COU from D1 to sui generis HMO	Hearing
July	28 Highfield Crescent	Patcham	Raised deck at rear	Compliance
July	179 Old Shoreham Road	Hove Park	Two Maisonette to be reinstated as a single dwelling house	Appeal dismissed
August	6 Palmeira Square	Brunswick and Adelaide	Subdivision to flat to form 2 units	Withdrawn
August	6 Palmeira Square	Brunswick and Adelaide	Alterations to a listed building	Appeal hearing
August	53 Brunswick Square	53 Brunswick Square	Urgent repair	Awaiting compliance
September	Unit B, Westerman Complex, School Road, Hove	Wish	Change of Use to hand car wash (Sui Generis)	Appeal

September	Land at 16 Ship Street	Regency	Condition and Appearance	Partial compliance
September	9 and 9A Whippingham Road	Hanover and Elm Grove	Condition and appearance	Compliance
October	21 Rowan Avenue	Hollingdean	Change of use to mixed use C3/dog breeding place	Hearing
October	42 Vallance Gardens	Central Hove	Condition and appearance	Appeal
October	Nile House, 17 Preston Street	Regency	Condition and appearance	Notice expires July
January	46 Lansdowne Place	Brunswick and Adelaide	LBC Notice re new Windows	Works due to commence shortly
January	109 London Road	St. Peters and North Laine	Condition and appearance	Appeal
February	52 Longhill Road	Rottingdean Coastal	Treehouse	Compliance
February	24 St James Street	Queens Park	6 Projecting steels from roof	Notice expires October
February	30 Aymer Road	Westbourne	Boundary treatment and shed	Notice expires mid-June
March	45 Queens Park Rise	Queens Park	Subdivision to two units, extensions, dormer, roof terrace and UPVC windows.	Notice expires mid-October
March	66 Preston Street	Regency	Structures in the rear outside space, fencing and fence.	Notice expires end of June
March	Marlborough House, 54 Old Steine, Brighton	Regency	LBC unauthorised external alterations	Notice expires October
March	29 Hanover terrace	Hanover and Elm Grove	Satellite dish re condition and	Notice expires mid-June

			appearance	
March	126B Edward Street	Queens Park	Satellite dish re condition and appearance	Compliance
March	29 Western Road, Brighton	Regency	Condition and appearance	Notice expires end of June
March	Lucerne Road, between Preston Park Tavern and 81 Waldegrave Road	Preston park	Condition and appearance	Notice expires July

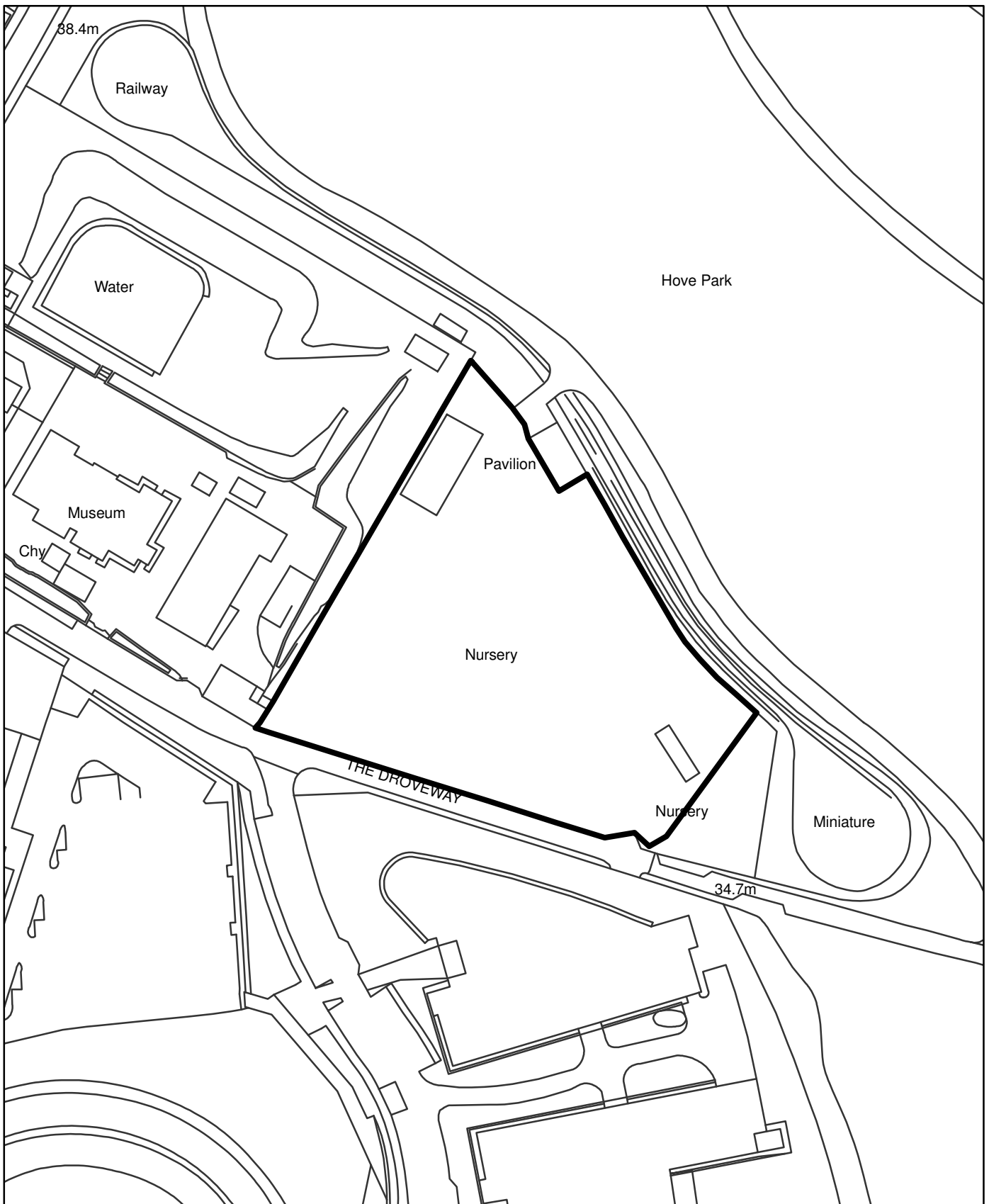
ITEM A

Hove Park Depot, The Droveaway, Hove

BH2014/00922
Full planning

04 JUNE 2014

BH2014/00922 Hove Park Depot, The Droeway, Hove.



Scale: 1:1,250

<u>No:</u>	BH2014/00922	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Hove Park Depot The Droveaway Hove		
<u>Proposal:</u>	Demolition of existing buildings and construction of a new two storey primary school building with solar panels and windcatchers, associated access works and hard and soft landscaping.		
<u>Officer:</u>	Jonathan Puplett Tel 290480	<u>Valid Date:</u>	21 March 2014
<u>Con Area:</u>	Engineerium	<u>Expiry Date:</u>	20 June 2014
<u>Listed Building Grade:</u>	Adjoining Grade II & Grade II*		
<u>Agent:</u>	ECE Planning Limited, Brooklyn Chambers, 11 Goring Road, Worthing, West Sussex.		
<u>Applicant:</u>	Kier Construction, Mr Darren Howe, Longley House, International Drive, Southgate Drive, Crawley.		

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 S106 planning obligation and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises an approximate triangular piece of land sited between The Droveaway and City Park (to the south), Hove Park (to the north and east) and The Engineerium (to the west). Although the site is currently used as a Council depot it is understood that the majority of functions previously performed at the site have now been transferred to Stanmer Nursery.
- 2.2 The site is predominantly open with the exception of 3 detached buildings used in association with the depot. The site incorporates significant changes in ground level, as do ground levels of the area in general, which allows views into the site from Hove Park. The Engineerium is located towards the top of the hill; such that its chimney and boiler houses are prominent in views from the park and from the development site, forming a local landmark. The Droveaway slopes down from The Engineerium towards the Park and is at its steepest beside the application site.
- 2.3 The site is located within The Engineerium Conservation Area which is dominated by the adjoining Engineerium complex of Grade II & II* Listed buildings.

3 RELEVANT HISTORY

BH2013/02096 - Demolition of existing buildings and construction of a new three storey primary school building with brise soleil solar shading, solar panels and windcatchers with associated external hard and soft landscaping. – Withdrawn – 17/09/2013

BH2013/02097 – Conservation area consent for the demolition of existing buildings – Approved 25/09/2013

BH2006/03698: New Indoor Bowls Centre. Refused 23/02/2007 for the following reasons:-

1. *The proposed development, by virtue of its form design and materials, fails to preserve or enhance the character or appearance of the Engineerium Conservation Area and the setting of the nearby Listed buildings. The development is therefore contrary to Policies HE6 and QD1 of the Brighton & Hove Local Plan.*
2. *The proposed development fails to make efficient and effective use of the site contrary to the objectives of Policy QD3 of the Brighton & Hove Local Plan.*

4 THE APPLICATION

4.1 Planning permission is sought for the demolition of existing depot buildings upon the site and the construction of a new two storey primary school building with solar panels and windcatchers, associated access works and hard and soft landscaping.

4.2 In terms of design, the proposed form is simple and functional, which is a two storeys in height with a flat roof. The building has a slab like quality and is proposed to be excavated in to the sloping site as much as possible.

4.3 Proposed materials include a combination of two types of brick and the use of render for the proposed entrance wing to the south.

4.4 Key features of the scheme:

- 12 parking spaces are proposed, 3 of which are disabled.
- Limited outdoor play space is proposed. This is due to the size of the proposed building relative to the size of the site, and the fact that a portion of the site which is steeply sloping is to be a habitat area.
- Vehicular access is to be from The Droveaway.
- It is proposed that parents dropping off / collecting children would park on Goldstone Crescent on the eastern side of Hove Park and walk across the park to / from the school.
- Landscaping is proposed across the site, planting and new fencing and gates are proposed to the site boundaries.
- Renewable energy production is proposed in the form of windcatchers and photovoltaic panels to the flat roof of the school building.

5 PUBLICITY & CONSULTATIONS

External

5.1 **210 (two hundred and ten)** letters of representation have been received from the addressed Listed in **Table One** (at the rear of the report) supporting the application for the following reasons:-

- More primary school places are needed.
- The development would be a good use of land
- The school would be well located to be able to access Hove Park for learning, the park is seemingly under used and this would encourage a greater use of it.
- The benefits of a bilingual school are multiple and would provide an excellent opportunity to young people and future generations.
- The development would be accessed by people from all over the city and well served by public transport so it should not be excessive or harmful.
- The primary school has out-grown its current location and it is vital to approve the new buildings to accommodate more children
- The site is well served by public transport, including buses and trains
- The proposal would be sensitive development that would not harm the location.
- The school is well run.
- The proposed building would be attractive and sit well in its surroundings.

5.2 **Neighbours: 100 (one hundred)** letters of representation have been received from the addressed Listed in **Table Two** (at the rear of the report) objecting to the application for the following reasons:

- The scale and size of the school, numbers of pupils and staff is too big for the site.
- The development would have a severe impact upon the highway and transport network, causing safety concerns and further and displaced parking pressures, and increased noise and disturbance.
- There are already traffic problems and significant congestion in surrounding roads during the hours pupils would be arriving / departing.
- There is not sufficient parking available for parents dropping off / picking up children.
- With only 12 parking spaces proposed on site parents and others working at the school / visiting it will have to park in the surrounding area.
- It is not environmentally friendly to have children travelling long distances to school.
- The school should be located away from the central Brighton / Hove so that parking can be provided.
- Parents will not want to spend time parking on Goldstone Crescent and walking over the park to the school.
- The data, content of the Transport Assessment and walk-ability of the catchment are questioned

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- The school would have inadequate outdoor recreation facilities and maybe forced to use the public open space in Hove Park which would reduce public access and quality of life for other users.
- The school may seek to formalise playing fields within Hove Park.
- There are already three large schools in the area which makes it difficult at present for parents to drop off and pick up children. This situation would be further exacerbated by the proposal
- There is insufficient pavement space and not enough space for buggies and prams to pass with young children.
- The City Park offices and Waitrose already generate significant traffic and parking in the immediate area, the proposed school would worsen this.
- The traffic impact of the proposed school should be considered in conjunction with the newly opened supermarket, Park House (under construction). The Legal and General buildings, The British Engineerium (and a potential Ice Rink), expansion at Aldrington School and potential development at Toads Hole Valley.
- Vehicular access to the site from the Droveaway is extremely difficult and dropping off pupils here would be difficult / dangerous.
- A primary school is not required for the area.
- The school would result in further noise and disturbance to residents
- The land is publicly owned and should not be sold for profit
- The modal shift on to public transport, cycle and pedestrian methods required is unrealistic
- The catchment of the school to other BN postcodes would increase the transport impact of the proposal.
- The traffic changes and current infrastructure would pose a threat to child safety.
- The school places should be restricted to local children to reduce the impact of the travel demand
- A higher quality design is required for a building which would affect the setting of the Listed British Engineerium
- There is insufficient space to evacuate children safely from the building.
- The site could be used for affordable housing, a parking area or a centre for the elderly.
- Badgers on the site will be disturbed by construction works.
- The site is not serviced by the number of buses the application submission suggests.
- The application submission suggests 50% of pupils will travel to the site by car; this figure may in fact be much higher due to the location of the site, poor transport links and the lack of a catchment area which would usually ensure shorter journeys.

5.3 A petition with **31 signatures** has been received objecting to the application for the following reasons:

- The proposed school will create considerable problems for traffic
- There is insufficient parking available. Parking associated with the school would create problems for residents and visitors to Hove Park.

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- If the school uses the park frequently this will create an increased need for maintenance of the park.
- 5.4 A letter has been received from the **Goldstone Valley Residents' Association** objecting to the application for the following reasons:
- Increased traffic will overwhelm the area and cause noise and disturbance.
 - There is insufficient on-street parking available.
 - The submitted Transport Statement references use of the Coral's car park; it is not confirmed whether there is agreement from Coral's for this car park to be used.
 - The change from a Co-op supermarket to Waitrose has resulted in increased traffic which the proposed school would add to.
 - The school would not benefit from sufficient outdoor play space.
 - Vehicles of parents dropping off / picking up pupils, and turning vehicles will cause havoc.
 - The proposed alternative methods for travelling to the school (bus, train, waling, cycle) are unworkable.
 - Alternative site for a school could be the Weald Allotments off Neville Road (with allotments relocated to the application site), the Payless building in the Sackville Trading Estate and the ex-Gala Bingo site on Portland Road.
 - The application site should be put out to tender.
- 5.5 A letter has been received from the **Hove Park Residents' Association** objecting to the application for the following reasons:
- The site is too small for the school and the proposed playground area is too small.
 - The park should not be used by the school as playing fields on a regular basis.
 - The proposed school would cause increased traffic and congestion and there is not adequate parking provision for parents dropping off / picking up children.
 - The traffic impact of school in conjunction with a development of the Toad's Hole Valley site should be considered.
- 5.6 **Councillor Andrew Wealls** Support – a copy of his letter is attached.
- 5.7 **Councillors Vanessa Brown and Jayne Bennett** Object – a copy of their letter is attached.
- 5.8 **Brighton Society:** Object on the following grounds:
- The proposal is no better than the previous application in terms of the extremely poor and inadequate access to the proposed school site.
 - The primary difference between this application and the previous one is that the current proposal is now a boxy two-storey building rather than a

three-storey one. Although a bit more thought has been given to the design, we think it is still an unattractive design both in its basic form and as an unimaginative response to the sloping site.

- 5.9 **CAG:** The Group recommend refusal of the application.
- 5.10 Whilst it is recognised that this is a potential development site, and the reduction in height of the proposal is welcomed, the Group are seriously concerned about the proposed design of the new building and feel it is bland, not sensitive to the adjoining Listed Building in the Conservation Area and does not meet the criteria in paragraph nine of the draft Conservation Strategy Policy, namely that new buildings in conservation areas should be built to a high design standard so that they will be admired in years to come.
- 5.11 The Group also feel the impact of the increased traffic would have a detrimental impact on the Conservation Area.
- 5.12 **English Heritage:** Comment:
- 5.13 The open space within the site at present provides an undeveloped contrast to the industrial buildings which dominate this landscape, making a positive contribution to the landscape. Residual harm to the setting of the pumping station and the character and appearance of the conservation area might be mitigated by maintaining as far as possible an open aspect through careful control of the scale and mass of the buildings, appropriate landscaping and insisting on an exemplary design in line with NPPF policy objectives in respect of the historic environment.
- 5.14 It is recommended that the application be determined in accordance with national and local guidance and on the basis of the Council's specialist conservation advice.
- 5.15 **East Sussex County Archaeologist:** Comment:
The proposed development is situated within an Archaeological Notification Area defining an area of prehistoric and Roman activity. The application includes a very comprehensive archaeological desk based assessment of this site which concludes:
- 5.16 *there is a low to moderate potential for archaeological remains to be found within the Site boundary. This study has identified a moderate potential for remains dating to the Prehistoric period with particular emphasis on the Palaeolithic and Bronze Age. Evidence dating to the Romano-British period has also been identified in the form a Roman villa located north west of the site and possible villa to the south of the Site, a coin hoard and a small number of findspots within the Study Area. Evidence from subsequent periods is sparse in the vicinity, therefore the probability of recovering remains from these periods is considered to be low.*
- 5.17 This assessment is generally concurred with, but advise that as intrusive archaeological assessment of this site has not been carried out, the sites true

archaeological potential is undefined. However it is probable that if archaeological remains do exist they are likely to be of local significance.

- 5.18 In the light of the potential for loss of heritage assets on this site resulting from development the area affected by the proposals should be the subject of a *programme of archaeological works*. This would enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded. These recommendations are in line with the requirements given in the NPPF (the Government's planning policies for England).
- 5.19 It is therefore requested that a programme of archaeological works is secured and implemented by planning condition.
- 5.20 It is expected that the written scheme of investigation will confirm the action to be taken and accord with the relevant portions of the East Sussex County Council document Recommended Standard Conditions for Archaeological Fieldwork, Recording and Post-Excavation In East Sussex (Development Control) (2008) including Annexe B.
- 5.21 **Brighton & Hove Archaeological Society: Comment**
The area around this part of Brighton & Hove has produced, in the past, a significant amount of archaeological finds including flint work from the Neolithic period. It is possible that vestiges of an ancient landscape may still be present
- 5.22 **Environment Agency: Comment**
The Environment Agency consider that planning permission could be granted to the proposed development as submitted if the planning conditions are included to secure:
- a universal condition for development on land effected by contamination
 - No infiltration of surface water into the ground
 - Piling or any other foundation designs using penetrative methods not being permitted
- 5.23 Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application. Additional Informatives to advise the applicant are suggested.
- 5.24 **Sussex Police: Comment**
The Design and Access Statement includes full reference to the crime prevention to be considered and adopted in the layout and design of this development using the seven attributes of safe, sustainable place and the principles of Secured by Design, which is welcomed.
- 5.25 The applicant is encouraged to seek accreditation for this development and is referred to the New Schools design guide. Sussex Police are satisfied that the proposals would create a safe and secure environment for students, staff and visitors.
- 5.26 **Southern Water: Comment**

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The exact position of a public water trunk and distribution main must be determined on site by the applicant before the layout of the proposed development is finalised.

- 5.27 It might be possible to divert the public water trunk main (16 and 9 inch) so long as this would result in no unacceptable loss of hydraulic capacity and the work is carried out at the developer's expense.
- 5.28 If granted consent a condition is requested to ensure that the developer agrees measures to divert/protect the public water supply.
- 5.29 Initial investigations indicate that Southern water can provide foul sewerage disposal service to this development. The requirement for as a formal application for connection to a public foul sewer should be highlighted by an informative note.
- 5.30 Initial investigations indicate that there is currently inadequate capacity in the local network to provide surface water disposal to service the proposed development. The proposed development would increase flows to the public sewerage system and existing properties and land may be subject of greater risk of flooding as a result. It is advised that the applicant investigates alternative means for surface water disposal including, discharge to an available watercourse, discharge to soakaway, requisition of a public surface water sewer.
- 5.31 Council Building Control and/or Environment Agency should be asked to comment on the adequacy of soakaways to dispose of surface water for the proposed development.
- 5.32 The application makes reference to SUDS (Sustainable Urban Drainage Systems). Under currently legislation and guidance SUDS rely upon facilities which are not adopted by sewerage undertakers. Therefore the applicant will need to ensure that arrangements for the long term maintenance of SUDS facility is in place to ensure effectiveness are maintained in perpetuity.
- 5.33 Following initial investigations, it appears that Southern Water can provide a water supply to the site. A formal application for connection and on-site mains should be made by the applicant, this requirement should be highlighted by an informative note.
- 5.34 **UK Power Networks:** No objections.
- 5.35 **Southern Gas Networks:** Comment
It should be noted that low/medium/intermediate Pressure gas main in the proximity of the site. There should be no mechanical excavations taking place within 0.5m of the low pressure system, 0.5m of the medium system and 3m of the intermediate pressure system. The position of the mains should be confirmed by hand dug trial holes.

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- 5.36 A copy of the plans and a safety advice booklet have been provided and this should be made available to the developer in order to prevent damage.

Internal:

- 5.37 **Planning Policy:** Support: A previous application was withdrawn under BH2013/02096 prior to determination at committee to enable amendments to the scheme to be made to address those reasons for refusal put forward by officers regarding scale, massing and design and envisaged harm to the adjacent Listed Building as well as transport implications.
- 5.38 Policy comments remain unchanged as per application BH2013/02096 in that no policy objections are raised to the principle of the proposed development at this site. The creation of a school at this site is welcomed in addressing the growing demand for school places particularly in the west of the city, as set out in the Brighton & Hove School Organisation Plan 2012 – 2016.
- 5.39 **Heritage:** Object The Heritage Team considers that the proposed development, by virtue particularly of its scale and mass, has a harmful impact on the open character of the site. This has not been fully mitigated by the design devices that have been implemented. In terms of the NPPF, the level of harm is considered to be less than substantial. In accordance with paragraph 134, it may be that the public benefits of the proposal are considered to outweigh this harm. No heritage public benefits have been identified. Notwithstanding these objections, minor design changes and conditions are recommended should approval be recommended.
- 5.40 **Sustainable Transport:** Comment: No objections subject to the applicant entering into a S106 agreement to secure the formulation, implantation and ongoing review of a Travel Plan and the funding of necessary highways works. Necessary planning conditions are recommended.
- 5.41 **Ecology:** Comment: Provided that the proposed mitigation and compensation measures are carried out, the proposed development should not have an adverse impact on local populations of reptiles and can be supported from an ecological perspective. The site offers the opportunity for biodiversity enhancements.
- 5.42 **Environmental Health:** Comment: Conditions are recommended to secure a land contamination strategy, testing for Radon, plant noise restrictions and odour control, and restrictions on use of outdoor space to restrict noise.
- 5.43 **Arboriculture:** Comment: The nine trees lost as a result of the development are not worthy of a Tree Preservation Order (TPO). Overall no objection by the Arboricultural Section subject to suitable conditions being attached to any planning consent granted.
- 5.44 The Arboricultural report submitted with the application is comprehensive and the Arboricultural Section is in full agreement with its contents, however, this report has only highlighted six trees to be felled plus one already dead tree and the Arboricultural Section has counted a further three trees, making ten in total.

- 5.45 Should this application be granted consent, the following trees will be lost from site:
- 5.46 1 x Elm – This has been categorised as a B2 tree, meaning it is of moderate quality and has an estimated life expectancy of at least 20 years. This tree is the final tree in a line of trees on the boundary of the site. It needs to be removed to widen the entrance to the site. This tree is ivy clad to about 8 metres, with a lean to the east (the majority of the canopy leans to the east to escape from the line of trees) and basal decay is present. For these reasons this tree is not worthy of preservation order and the Arboricultural Section would not object to its loss.
- 5.47 6 x Norway Maples – Five of these trees have been categorised as C2 trees (meaning they are of low quality) and a further Norway Maple is dead. These trees are on the edge of the site and are not of fine form.
- 5.48 3 x Ornamental Pear Trees – these trees are in the middle of the site and have not been included in the Arboricultural report.
- 5.49 None of the above trees are worthy of Preservation Order and the Arboricultural Section would not object to their loss.
- 5.50 The Arboricultural Section would ask that conditions are attached to any planning consent granted regarding the following:
- * Protection of trees that are to remain on site (21 trees in total, all Elm).
 - *Construction of the new entranceway into the school as this is in the vicinity of Elm trees that border the site.
 - *Landscaping scheme to include replacement trees, perhaps in the form of fruit trees for educational purposes. Please note that the Landscaping Masterplan submitted with this application mentions Quercus robur (English Oak). This tree does not thrive on chalky soil and it is therefore recommended that this species is substituted for Quercus frainetto (Hungarian Oak).
- 5.51 **Economic Development:** Comment: The Economic Development team have no adverse economic development comments.
- 5.52 If approved a contribution through a S106 agreement for the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during demolition and construction phases of the development is requested.
- 5.53 **Sustainability:** Recommend approval subject to conditions securing a BREEAM rating of 'Excellent' and 60% score in energy and water sections, and further consideration of solar shading on all the south east and west facades.

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
QD4	Design – strategic impact
QD14	Extensions and alterations
QD15	Landscape design

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QD16	Trees and hedgerows
QD27	Protection of Amenity
EM1	Identified employment sites (industry and business)
EM3	Retaining the best sites for industry
HE3	Development affecting the setting of a Listed building
HE6	Development within or affecting the setting of conservation areas.

Supplementary Planning Guidance:

SPGBH4	Parking Standards
Interim Guidance on Developer Contributions	

Supplementary Planning Documents:

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

Waste & Minerals Plan WMP3d

Brighton & Hove School Organisation Plan 2012 – 2016

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development on this site and the resulting impact on the character and appearance of The Engineerium Conservation Area, the setting of adjoining Listed Buildings, neighbouring amenity, transport and ecology.
- 8.2 A Screening Opinion outlining that an Environmental Impact Assessment is Not Required was adopted by the Local Planning Authority on 18/04/2014.

Principle of development:

- 8.3 The established use of the site is as a Council Parks' Depot which is a 'sui generis' use (i.e. a specific use in its own right). Whilst current planning policy seeks to protect existing employment uses within the City the Local Plan does not specifically seek to retain sui generis. On this basis, the depot would not be considered to be an active employment site and there is no objection to the loss of the existing use. It is also understood that the majority of functions previously performed at the site have now been transferred to Stanmer Nursery. The proposed development would create a three form-entry primary school on the site with a capacity of 650 pupils. The school would be established through the Government's Free School initiative (and would be a maintained school free from local authority control) and would offer a bilingual curriculum in a mixture of English and Spanish.

- 8.4 The proposed school would be supported by local plan policy HO19, and paragraph 72 of the National Planning Policy Framework which explicitly encourages the provision of new schools. In addition Strategic Objective SO21 of the Submission City Plan (Part One) states that additional primary school places will be provided in response to growing demand. The growing demand is set out in the Brighton & Hove School Organisation Plan 2012 – 2016, which forecasts that the number of children entering primary education in the city will grow from 2,711 in 2011/12 to 2,850 in 2016/17. The need for new places is particularly acute in the west of the city.
- 8.5 The proposed educational use of the site would therefore provide additional school places in an area of high demand. The proposed use, in isolation of other considerations, does not raise any policy conflict which would warrant refusal of the application and the Planning Policy Team has advised that, as a result of the existing use, the site should be viewed as brownfield / previously developed. The key remaining issues of consideration therefore relate to the impact of the proposal on the character and appearance of the area, neighbouring amenity, transport and ecology.

Impact on amenity:

- 8.2 The application site is a considerable distance from neighbouring residential properties, with Hove Park and The Engineerium providing separation of at least 70 metres. This separation is considered sufficient to ensure no significant harm would result through loss of light, outlook or privacy for occupiers of adjoining properties.
- 8.3 The separation from adjoining residential properties and presence of other buildings and walls between them and the school would reduce noise levels from outdoor play. These factors coupled with the noise being primarily limited to working hours on weekdays are considered sufficient to ensure no harmful noise would result from the proposal. Whilst future noise complaints from the school cannot be entirely ruled out any such complaints could be investigated as a Statutory Noise Nuisance under the Environmental Protection Act 1990.
- 8.4 A lighting statement has been submitted indicating that obtrusive light would be minimal and would rapidly diminish to very low levels outside the boundaries of the site. On this basis the proposal would not result in an adverse impact on occupants of adjoining properties or users of Hove Park.

The school accommodation proposed:

- 8.5 The proposed building would provide accommodation for a three form entry school. Due to the constraints of the site (the site size, the desire to retain the sloped area of the site as habitat, and the desire to keep the building to a maximum two storey height), there is a limited amount of outdoor play space proposed. There is no Government requirement for Free Schools to provide outdoor play space.

Heritage and visual impact:

- 8.6 The site is within the Engineerium Conservation Area and forms part of the setting of the Listed Engineerium buildings. Discussions have taken place

between the applicant and the Heritage Team following the withdrawal of the previous application. The Heritage Team consider that the proposed building is of an excessive scale, footprint and bulk, and would benefit from greater relief and articulation.

- 8.7 The Heritage Team considers that the proposed development, by virtue particularly of its scale and mass, has a harmful impact on the open character of the site. This has not been fully mitigated by the design devices that have been submitted. In terms of the NPPF, the level of harm is considered to be less than substantial. Paragraph 134 of the NPPF states:
- 8.8 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.'
- 8.9 In this case, it is considered that the proposed development would provide a substantial public benefit in the form of a new school. The design of the proposed building is simple in form and the Heritage Concerns are noted. However, it is considered that the public benefit identified and an appreciation of the constraints of the site justify the proposed design, and that the public benefit outweighs the harm which has been identified in Heritage terms as less than substantial and accords with paragraph 134 of the NPPF.
- 8.10 The Heritage Officer has recommended a number of minor changes to the proposed design and materials, such changes can be agreed by planning condition.

Sustainable Transport:

- 8.11 The application site is accessed from The Droveaway, which leads from a junction with Neville Avenue to the North of the Waitrose supermarket downhill past entrances to The Engineerium and City Park. It is proposed that this route would be utilised for pedestrian and cycle access, for vehicles accessing the car park of the school, and for deliveries and servicing of the school. It is proposed that parents driving children to or from school would park along Goldstone Crescent to the east of Hove Park and walk their children across the park to or from the school site. The application submission also references the parking available at the Waitrose car park and the Coral's car park, there is however no formal agreement in place for parents to park in these car parks when dropping off or collecting children. There is a formalised pedestrian access from Waitrose Car Park to the Droveaway.
- 8.12 As part of the previous application the applicant proposed minor amendments to the main school access into the school by providing a separate pedestrian entrance. The Highway Authority would look for further improvements in the form of dropped kerbs and tactile paving providing access to the area of new hard standing and that school keep clear markings and double yellow lines are provided outside of the main access. Further details of the proposed access including details of highway infrastructure and road markings can be secured by planning condition.

- 8.13 Car parking proposed on site consists of nine standard parking spaces and three disabled spaces, this is within the maximum parking standards set out in SPGBH4. The applicant has stated within the Transport Statement that the car parking spaces will be allocated on the basis of need. It is stated that staff parking demand will be limited to levels that can be accommodated by the on-site provision through the Travel Plan. It is also important to note that the applicant is not proposing any on-site car parking provision for parent parking or dropping off. The proposed disabled car parking spaces meet current standards and are considered to represent sufficient provision.
- 8.14 Twenty cycle parking spaces are proposed in a covered stand; this is above the minimum of 15 spaces which the standards set out in SPGBH4 require. The proposed cycle parking is considered acceptable and further details of the stand can be secured by condition.
- 8.15 In regard to servicing and deliveries to the site, the applicant has previously submitted a swept path analysis of a vehicle of 7.5m length accessing the on-site car parking area and turning around within the turning head. Through a Travel Plan, measures will have to be put in place to ensure that deliveries and refuse collection will take place outside of school start and end times. This is to ensure that there are no conflicts between vehicles and school children. Therefore the Highway Authority has no objections to the proposed servicing and delivery arrangements.
- 8.16 In regard to construction traffic, The Highway Authority has recommended a condition is included on any permission granted that requires the applicant to produce a Construction Environmental Management Plan (CEMP) that looks at ways of mitigating the impact of the construction project. Transport measures within this document should include but not be limited to the following:
- Provide sub-contractors with suitable routes to and from the site:
 - Provide details of where sub-contractors should load/un-load from:
 - Measures to prevent vehicle movements during term time and school start and end times and how this will be enforced, due to the proximity to other local schools:
 - Measures to minimise the number of deliveries and consolidate deliveries:
 - Details of staff parking provision during construction:
 - Measures to prevent road safety issues on local roads.
- 8.17 Transport is a key issue in the determination of this application. A large number of objections have been received from local residents who consider that the proposed on-site parking provision is inadequate, and that parents dropping off and collecting children school will cause a significant increase in traffic levels and on-street parking, and that this in conjunction with increased pedestrian movements could lead to highway safety risks.
- 8.18 The amount of parking which can be provided on site is limited due to the size of the site, the size of building required to accommodate a three form entry school, and the need to provide some outdoor play space. Local Planning

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policies and guidance set out maximum parking standards rather than minimum and seek to maximise the use of sustainable transport methods.

- 8.19 The proposed school would not have a catchment area and therefore it is likely that average journey distances to the school may be longer than those associated with a mainstream school and that it may therefore be more likely that parents may chose to drive their children to school. The applicant has proposed that a travel plan would be employed to seek to ensure that staff, visitors and parents maximise the use of sustainable transport methods. Available parking in surrounding streets has been surveyed and likely trip generation has been calculated. Local residents have questioned the validity of the figures submitted and the conclusions drawn.
- 8.20 The Sustainable Transport Team have commented upon the information submitted and consider that subject to an appropriate Travel Plan being agreed and enacted, and subject to regular review of this plan, the submitted information demonstrates that use of sustainable transport methods would be encouraged and sufficient on-street parking in the vicinity of the application site would be available for parents dropping off and collecting children.
- 8.21 It should be noted that staggered start and finish times are proposed, and that the school attendance is proposed to increase year on year as follows:
- 2014: 210 pupils
 - 2015: 270 pupils
 - 2016: 330 pupils
 - 2017: 420 pupils
 - 2018: 480 pupils
 - 2019: 510 pupils
 - 2020: 540 pupils
 - 2021: 570 pupils
 - 2022: 600 pupils
 - 2023: 630 pupils
- 8.22 Therefore the annual monitoring and review of the travel plan should allow for an assessment of any highways and parking problems caused which can be mitigated through revisions to the Travel Plan year on year, allowing for a full strategy to be adopted to address problems as they emerge.
- 8.23 In regard to off-site highways works, given the scale of the development and that the admissions criteria of the school is not based upon home to school distance, it is forecast that there could be a significant transport impact. The Highway Authority would therefore look for this to be mitigated by the applicant funding works as follows.
- 8.24 Using established formula based on the projected trip generation works to the value of £202,800 are required.
- 8.25 The Highway Authority seeks the following improvements:

- The Droveway (from Nevill Road to park entrance) – Upgrade advisory cycle route by raising the height of cycle route to match the pavement. This effectively would reduce the carriageway width and prevent vehicles from parking but would still allow a refuse lorry to use The Droveway.
- The Droveway (entrance to City Park development) – Continue upgraded cycle route and install a raised table crossing across the entrance to city parks.
- Junction of Goldstone Crescent & The Droveway – Realign the crossing point to allow for a wider central pedestrian refuge. Assist in providing for pedestrian movements from the proposed Park & Stride site on Goldstone Crescent.
- Junction of Goldstone Crescent & Woodland Drive – Provide pedestrian refuge at junction of Goldstone Crescent/Woodland Drive. Assist in providing for pedestrian movements from the proposed Park & Stride site.
- Junction of Orchard Road & Park View Road – Provide a new pedestrian footpath within the park to provide for a potential pedestrian desire line from Orchard Road through the park to the school site.
- Western end of The Droveway within Hove Park – Provide one additional lighting column to ensure continuous lit route.
- Area bounded by Old Shoreham Road, Goldstone Crescent, Shirley Drive and Woodland Drive & area bounded by Goldstone Crescent and Queen Victoria Avenue – Footway improvements in the form of dropped kerbs and tactile paving where currently full height kerbs and no tactile paving are provided.

8.26 Overall, given the constraints of the site, and the fact that a three form entry is proposed, subject to appropriate conditions and the securing of a Travel Plan, C.E.M.P. and the funding of off-site highways works by way of a s106 legal agreement, it is considered that the proposed scheme would successfully address highways and transport considerations.

8.27 Sustainability:

Positive features of the scheme include a large 270m² photovoltaic array is proposed and shown on roof plans. Energy modelling shows that the scheme could achieve an 'A' rated Energy Performance Certificate. Proposed passive design measures include: maximising natural daylighting; external shading on easterly face; passive ventilation via roof mounted wind vanes; natural ventilation to the majority of classrooms and hall.

8.28 Efficient building fabric is proposed with; low air permeability; efficient gas boiler for hot water and heating; demand led extract ventilation to the deep plan classrooms; heat recovery ventilation systems for the admin area, studio, hub areas and toilets; energy efficient lighting systems with daylight

occupancy linked control systems; and energy efficient lighting. A rainwater harvesting feasibility study submitted and water efficiency measures include: low flow hot and cold water outlets, leak detection; and sub metering. Ten trees are proposed to be planted on site, and an area of 770m² seeded with wildflowers. Locally sourced materials, timber certified from sustainable sources are proposed to be used.

8.29 Under supplementary planning document SPD08 major new built development on previously developed land is expected to achieve BREEAM 'excellent' and 60% in energy and water sections. The completed Sustainability Checklist refers to the achievement of BREEAM Education 'very good' with a 50% score in the energy and water sections. This is below the recommended standard expected for major schemes. It does appear that an 'Excellent' rating and 60% in energy and water sections would be achievable and can reasonably be secured by condition. Should further justification be provided at conditions stage to demonstrate that such ratings are not achievable this would be considered in full at this time.

8.30 Ecology/Nature Conservation:

Detailed ecological survey information has been submitted. The County Ecologist has commented upon this information and considers that provided the recommended mitigation and compensation measures are carried out, the proposed development should not have an adverse impact on local populations of reptiles and can be supported from an ecological perspective. Impact upon badgers within the site has been appropriately addressed; an outlier set is proposed to be closed (subject to license from Natural England) and it is proposed that the impact of the works on the main sett be mitigated through the implementation of a detailed method statement/mitigation strategy. The site offers opportunities for biodiversity enhancements which can be secured by planning condition as part of the landscaping scheme for the site.

8.31 Landscaping and trees:

Landscaping of the site is proposed and full details and the implementation of the scheme can be secured by planning condition. The Heritage Officer has requested revisions to the proposed boundary treatments and gates which can again be secured by planning condition. Nature Conservation enhancements can be secured by condition as part of the landscaping scheme to ensure compliance with policy QD17 and the guidance set out in SPD11.

8.32 A comprehensive arboricultural report has been submitted in support of the application; 10 trees are to be removed consisting of one Elm, six Norway Maples and three pear trees. The Arboriculturalist recommends conditions to secure the protection of trees to be retained on site and the planting of replacement trees to mitigate for the proposed losses.

8.33 Environmental Health

Due to previous uses of the site there may be contamination present. Appropriate planning conditions are recommended to secure mitigation and radon testing. In regard to external lighting, details have been submitted to demonstrate that harm would not be caused and the proposed scheme can be

secured by condition. Conditions are recommended to control noise output from plant and machinery and to control odour from the school kitchen. A condition has been recommended to restrict use of outdoor space outside of core school hours, given the distance of residential properties from the site this is not considered to be necessary.

8.34 Other considerations

The County Archaeologist has advised that the site is within an area of prehistoric and Roman activity. If the application were approved it would be necessary to require an archaeological watching brief prior to the commencement of development.

8.35 The application site lies within Source Protection Zone 1 for the Goldstone Public Water Supply. If the application was approved it would be necessary to require further details of a remediation strategy for any land contamination at the site, foundation design (to avoid the need for piling) and surface water drainage through condition.

8.36 It has been confirmed that to address comments from Southern Water the building has been positioned to allow for a 3m easement either side of the main sewer.

8.37 The Planning Projects Team have commented upon the application and identify that a public art element be incorporated into the scheme. It is the preference of the Local Planning Authority that such a proposal be incorporated into the scheme by the developer and in this case a proposal relating to the school gates and / or boundary treatments appears to be the most appropriate solution. Should the developer not wish to propose an appropriate scheme a financial contribution to the council (in this case (£11,600) to prepare a scheme is an acceptable alternative; both options can be secured by s106 agreement.

8.38 The Economic Development Team have commented upon the application and identify that a Local Employment Strategy and a commitment to 20% local labour should be secured as part of the development. This again can be secured by s106 agreement.

9 CONCLUSION

9.1 The principle of the redevelopment of the site as a school is acceptable. The proposed development will cause some harm to the setting of the Listed Engineerium buildings, this harm is however considered to be outweighed by the public benefit which the proposed scheme would deliver. Subject to appropriate conditions, s106 requirements and a travel plan with ongoing monitoring and review, the development would appropriately address transport issues. Sustainability, landscaping and biodiversity measures and improvements can be secured by planning condition. Approval is recommended.

10 EQUALITIES

10.1 The development would result in increased primary school capacity in the City. The proposed school building would be accessible throughout with lift access between floors. The on-site car park makes provision for 3 disabled accessible parking spaces.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Planning Obligation Heads of Terms

- Transport contribution of £202,800
- Travel Plan
- Public Art; scheme to the value of £11,600
- C.E.M.P.
- Local Employment and Training Strategy and commitment to 20% local labour

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	100		10/04/2014
BLOCK PLAN	101		21/03/2014
SITE PLAN	102		21/03/2014
EXISTING ELEVATIONS	103		21/03/2014
EXISTING ELEVATIONS	104		21/03/2014
PROPOSED GROUND FLOOR PLAN	106	A	21/03/2014
PROPOSED FIRST FLOOR PLAN	107	A	21/03/2014
PROPOSED ROOF PLAN	108	A	21/03/2014
PROPOSED ELEVATIONS	109	A	21/03/2014
PROPOSED ELEVATIONS	110	A	21/03/2014
PROPOSED ELEVATIONS	111	A	21/03/2014
PROPOSED ELEVATIONS	112	A	21/03/2014
LANDSCAPING PLAN	200		21/03/2014
LANDSCAPING PLAN	201		21/03/2014
LANDSCAPING PLAN	300		21/03/2014
LEVELS PLAN	600		21/03/2014
LANDSCAPING PLAN	L.100		21/03/2014

3) The use of the site hereby approved shall be limited to a total on site occupation of no more than 630 pupils and 50 full time equivalent staff at any time.

Reason: To ensure the development provides for the travel demand which it creates and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

4) The measures and strategies set out in the Reptile Survey received 19 May 2014 and the Preliminary Ecological Appraisal received 21 March 2014 shall be carried out in full and retained as such thereafter.

Reason: To ensure that species and ecology is protected and to accord

5) No hedgerow, tree or shrub shall be removed from the site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

Reason: To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

6) 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.

7) 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.

11.3 Pre-commencement conditions

8) Notwithstanding the submitted samples, 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.

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9) Notwithstanding the approved details, no development shall take place until large scale details of the elevations and its elements including reveals and change of plane, windows, doors, copings and parapets, thresholds and steps (1:20 elevations and 1:1 scale frame sections), and solar shading be submitted 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 a satisfactory appearance to the development and to comply with policies SU2 and HE6 of the Brighton & Hove Local Plan.

10) Notwithstanding the approved details, no development shall take place until full details of proposed boundary treatments 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 a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

11) The development hereby permitted shall not be commenced until full details of the proposed 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.

12) Unless otherwise agreed in writing by the Local Planning Authority, 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 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. A completed pre-assessment estimator will not be acceptable.

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

13) No development shall take place until details of measures to divert / protect the public water supply have been submitted to and agreed in writing by the Local Planning Authority (in conjunction with Southern Water). The measures shall be carried out in fully in accordance with the agreed details and retained as such thereafter.

Reason: To ensure the protection of the public water supply which runs through the site.

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14) 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

15) No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the standards described in Annex 6 of SPD 11 and shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

16) Notwithstanding the approved details, no development shall take place until full details of proposed external lighting has been submitted to and approved in writing by the LPA. The scheme shall demonstrate that night time spillage and glare on to boundary trees and hedge lines shall be minimised, and that the best practice guidance (Institute of Ecology and Environmental Management 2006, Institute of Lighting Engineers 2007) is to be followed.

Reason: To ensure that bats are not unnecessarily disturbed by the proposed development and to comply with policy QD18 of the Brighton & Hove Local Plan

17) 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 Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

18) No development or other operations shall commence 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 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.

19) 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 the widened entranceway in the vicinity of tree roots 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 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.

20) No development shall commence until a scheme for the fitting of odour control equipment to the building has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

21) No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the planting of 10 replacement trees to mitigate those being removed, details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers / densities and an implementation programme.

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.

22) 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: The site lies above the Newhaven Chalk Formation which is designated a Principal Aquifer and lies within the Source Protection Zone 1 (SPZ1) for the Goldstone Public Water Supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk to groundwater underlying the site and potable supplies.

23) 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 a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason The site lies above the Newhaven Chalk Formation which is designated a Principal Aquifer and lies within the Source Protection Zone 1 (SPZ1) for the Goldstone Public Water Supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk to groundwater underlying the site and potable supplies.

24) 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 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."

Reason The site lies above the Newhaven Chalk Formation which is designated a Principal Aquifer and lies within the Source Protection Zone 1

(SPZ1) for the Goldstone Public Water Supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk to groundwater underlying the site and potable supplies. To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

25) No development shall take place until an assessment of radon levels at the site has been undertaken and details of any required mitigation of radon levels submitted to and approved in writing by the Local Planning Authority. Submitted mitigation methods 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 health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

11.4 Pre-Occupation Conditions:

26) Unless otherwise agreed in writing by the Local Planning Authority, 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.

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 principle of the redevelopment of the site as a school is acceptable. The proposed development will cause some harm to the setting of the Listed Engineerium buildings, this harm is however considered to be outweighed by the public benefit which the proposed scheme would deliver. Subject to appropriate conditions, s106 requirements and a travel plan with ongoing monitoring and review, the development would

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appropriately address transport issues. Sustainability, landscaping and biodiversity measures and improvements can be secured by planning condition.

3. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
4. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
5. Refer to our website at www.environment-agency.gov.uk for more information. We would like to refer the applicant/enquirer to our groundwater policies in Groundwater Protection: Principles and Practice, available from our website. This sets out our position for a wide range of activities and developments, including the discharge of liquid effluents, land contamination and drainage.
6. A formal application to connect to the water supply and public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgate House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk
7. The applicant is advised of the possible presence of bats on the development site. All species of bat are protected by law. It is a criminal offence to kill bats, to intentionally or recklessly disturb bats, damage or destroy a bat roosting place and intentionally or recklessly obstruct access to a bat roost. If bats are seen during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.
8. The applicants are advised that the proposed works involving badgers setts require a license from Natural England who can be contacted on 0300 060 0300.

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Table One: Letters of support have been received from the following addresses:-

Aldrington Court	10 Beverley Court
Albert Road	8
Alpine Road	16 (x2)
Anvil Close	18
Barnett Road	62
Beaconsfield Road	78
Bear Road	275 (x2)
Berriedale House	42
Bolsover Road	5
Brentwood Road	120 (x2)
Brewer Street	37 (x3)
Brighton Marina	Summer Breeze
Brunswick Square	38
Bush Farm Drive	43 (x3)
Byron Street	28
Church Close (Lancing)	17
Clarendon Villas	15
Cobton Drive	24
Colbourne Road	48a
Coleman Avenue	6 (x2), 27 (x6)
Coombe Road	36
Court Farm Road	4 (x2)
Cowley Drive	107
Davigdor Road	Preece House
Denmark Villas	47 (x2), 49
Devils Dyke Road	Terridel Farm
Ditchling Rise	161 (x2)
Ditchling Road	251- 7 Eastwoods
Downside (Shoreham-by-Sea)	32
Downsview (Small Dole)	23
Dyke Road	Fairways
Eaton Place	2
Eaton Gardens	F3-7
East View Fields (Plumpton Green)	48 (x2)
Edmonton Road	42
Exeter Street	44
Fairdene Road	27
Fairway Crescent	7 (x2), 38 (x2)
Firle Road	17
Fonthill Road	13
Foredown Drive	61

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Freyberg Street (Tauranga – NZ)	101B
Gladys Road	2 (x2)
Glendale Road	12
Goldstone Crescent	86, 93, unnumbered
Goldstone Road	BF-2
Goldstone Villas	73
Goldsmid Road	F2-15
Greenways	47
Hallyburton Road	67 (x2)
Hangleton Valley Drive	84 (x2)
Hanover Crescent	17
Harrington Road	Garden Flat 48 (x2)
High Street (Hurstpierpoint)	Farralls
Highlands Road	59
Hills Road (Steyning)	20
Ivor Road	2
Kingsmere, London Road	70, 79
Kings Esplanade	9 Benham Court (x2), 14 Spa Court (x2),
Kingsway	251/255
Ladies Mile Road	78
Ladysmith Road	180
Langridge Drive	15
Lansdowne Place	F1-28
Lewes Mews	3 (x2)
Lincoln Road	17
Lydens Lane (Hever)	Lydens Middle Barn
Lyminster Avenue	104 (x2)
Mackie Avenue	120
Maldon Road	40
Manor Hall Road	134
Marine Parade (Worthing)	75
Medina Villas	F2-28, 28
Millers Road	79 (x2)
Monterey Wharf (Eastbourne)	1
Montgomery Street	30, 127
Natal Road	31
Nevill Road	120, 171, 182
New Church Road	F3-260
New Road	20
Orchard Gardens	12
Osborne Road	201
Osborne Villas	7 (x2), 182, 84 (x2)
Over Street	36 (x2)
Park Crescent Road	63
Park Road	27 (x2)
Pembroke Crescent	29
Princes Terrace	3 (x2), 30 (x2)

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Priors Road	74
Queens Place	8
Queens Park Road	1
Queensmead Avenue (Epsom)	22
Queen Victoria Avenue	Unnumbered
Regency Square	64
Rochester Gardens	6 Palm Court (x3)
Round Hill Crescent	63
Romany Close	3
Rutland Road	73
Sandown Road	64
Shaftesbury Road	GF-70 (x2)
Sandringham Drive	22 (x3)
Shakespeare Street	10
Sherbourne Way	15
Shirley Street	79
Solway Avenue	12
South Street (Wells)	22
Southdown House Mews	2
Stanford Avenue	79
Station Road	F5 Robina Lodge
Sunna Gardens (Sunbury on Thames)	29
Suez Way	18 Caspian Heights (x2)
Sussex Road	18b
St Andrews Road	10
St Aubyns Road	52
St Catherines Terrace	5 The Priory - 8
St Leonards Gardens	31 (x3), 162
St Nicholas Road	6
Tadorne Road (Tadworth, Surrey)	13 (The Cottage)
Tamworth Road	94 (x2), 100
Terminus Road	9a (x2)
Thornhill Way	11
Tisbury Road	22a
Titian Road	3 (X2)
Tivoli Crescent North	75 (x2)
Thornhill Way	11
Trafalgar Street (new Plymouth, NZ)	14B
Unaddressed	x 54
Upper Shoreham Road	333 (x2)
Vale Road	23 (x3)
Valley Drive	115
Victoria Road	82
Wolstonbury Road	19
Westbourne Gardens	3, 70

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Wilbury Villas	26 (x3)
Windsor Close (Haywards Heath)	10
Wish Road (Eastbourne)	
Woodland Drive	8 Mews Cottages,
Address not given	x 9

Table Two: Letters of objection have been received from the following addresses:-

Benett Drive	5,
Bishops Road	28
Blatchington Road	46A
Chartfield	5, 16
Chartfield Way	1, 2
Cobton Drive	35
Eridge Road	4
Elizabeth Avenue	23, 35, 49
Glendor Road	22
Goldstone Close	1, 3
Goldstone Crescent	4 (x2), 32, 55, 57, 59, 60, 61, 69, 71, 73, 77, 81, 83, 85, 89, 99, 119, 125, 127, 128 (x2), 133, 137, 139, 143, 149, 175, 261, 1 x unnumbered
Goldstone Way	24
Hove Park Way	27
Lloyd Road	25
Mill Drive	22, 40
Nevill Gardens	1, 3, 4
Nevill Place	5
Nevill Road	24 (x2), 68, 80, 98, 129, 133, 141, 145, 148, 149
Nevill Way	1, 4, 16
Park View Road	3,
Park View Road	30, 37 (x2) Orchard House,
Orchard Gardens	5, 16, 29
Queen Victoria Avenue	38
Sandringham Drive	30, 65
Sheridan terrace	1
Shirley Drive	92, 149
St Leonards Avenue	33
Sunninghill Avenue	42
Tongdean Road	27
Windsor Close	11
Woodland Drive	Ridgeways, 9, 14 (x2), 25, 72, 6 The Mews Cottages, 1 x unnumbered
Woodland Avenue	8, 43, 52, 1 x unnumbered
Woodruff Avenue	68, 97
Unaddressed	2


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From: andrew.wealls@brighton-hove.gov.uk
Sent: 24 April 2014 15:38
To: Planning Comments
Subject: Planning Application BH2014/00922 - comment

Planning Application - BH2014/00922

I support the planning application

Sender's details

Councillor Andrew Wealls
King's House, Hove
BN3 2LS
01273 291119


Comment

The school is located close to an area of the city in which there is an extreme shortage of primary places. The school will be a valuable amenity to the city as the only truly bilingual provision. It is vital that the school finds a permanent home. There are no sites in the city at which new school provision will have no impact on traffic movements. The Transport Assessment is clear that 'the proposed relocation of BPS to the Hove site will not lead to significant or unacceptable transport impacts and consequences.....this proposed development meets all the requirements set by the range of transport policies in the approved Local Plan'.

From: Vanessa Brown
Sent: 05 May 2014 15:04
To: Jon Puplett
Subject: BH2014/00922

Dear Mr Puplett

Re BH2014/00922 Bi-lingual School

We have every sympathy with the problems the school is facing in finding a suitable location but as the councillors for Hove Park Ward we have to object most strongly to the school being built on the Hove Depot site.

The shed like design of this building is inappropriate for its location next to the Engineerium It has been reduced to a two storey building but the footprint has increased and therefore there is even less outdoor playspace. It is totally insufficient for 630 pupils.

Our greatest concerns are about the increased traffic and parking. This site is situated at the end of a narrow cul-de-sac that already provides access to the Citypark development and the Engineerium. There are insufficient parking spaces for the staff let alone parents and nowhere for cars to turn if they try to access the site. This is a safety hazard.

Hove Park Ward has already been seriously affected by parking problems caused by the Citypark development. There were travel plans produced for that development but they have proved to be completely ineffectual. We believe the travel plans for the school are equally flawed. All the surrounding roads are fully parked all day every day. To take the few remaining car parking places in Goldstone Crescent to deliver and collect children from school will stop other families being able to use the park. The traffic in the mornings when the school would be opening is often stacked back from Old Shoreham Road to the Droveaway and sometimes to the roundabout at the Woodland Drive junction. This would make it very difficult to even access any spare places. As the school accepts pupils from across the City it will generate more traffic than other schools

To access Nevill Road from Woodland Drive in the rush hour is extremely difficult and the traffic is often stacked back from Old Shoreham Road to the entrance to Waitrose. There has been a vast increase in the volume of traffic generated since Waitrose opened. Traffic from the carpark has difficulty exiting the site because of the tailback of traffic in Nevill Road. There are already two secondary schools and a primary school in this area causing traffic problems.

The traffic situation has therefore dramatically deteriorated since the last application due to the opening of the Waitrose store.

Yours sincerely

Vanessa Brown

Jayne Bennett

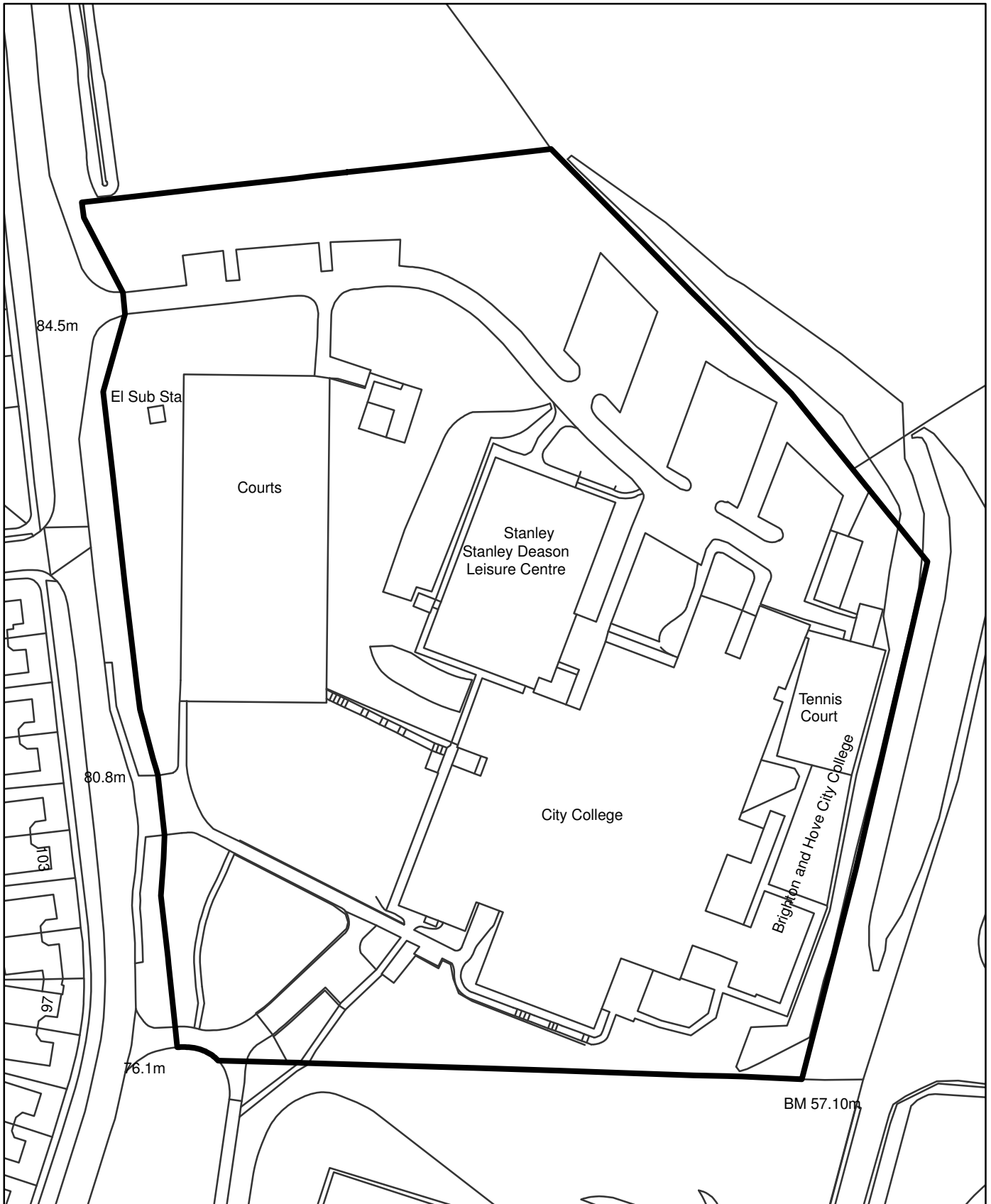
ITEM B

**City College Campus, Wilson Avenue,
Brighton**

**BH2014/00459
Full planning**

04 JUNE 2014

BH2014/00459 City College Campus, Wilson Avenue, Brighton.



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2014/00459	<u>Ward:</u>	EAST BRIGHTON
<u>App Type:</u>	Full Planning		
<u>Address:</u>	City College Wilson Avenue Brighton		
<u>Proposal:</u>	Demolition of the eastern two storey section of the existing building and erection of a three storey building to accommodate a new Construction Skills Centre. Erection of a two storey entrance extension to the south west corner of the building. Change of use of the tennis courts to a car park and a multi-use games area, other on-site parking and servicing amendments and hard and soft landscaping. Refurbishment of remaining existing buildings including replacement aluminium windows and profiled metal roofs.		
<u>Officer:</u>	Kathryn Boggiano Tel 292138	<u>Valid Date:</u>	17 March2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	16 June 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Harwood Savin Ltd, 23 Baynton Road, Woking, GU22 8JT		
<u>Applicant:</u>	City College Brighton & Hove, C Henderson, Pelham Street, Brighton BH1 4FA		

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 site comprises the campus for Brighton & Hove City College East and the Stanley Deason Leisure Centre. The site was previously two schools (Stanley Deason & Marina High) and then a college (East Brighton College of Media Arts COMART). This use of the site ceased in 2005. Brighton & Hove City College took over the campus at the end of December 2005.
- 2.2 The site slopes down steeply from Wilson Avenue to the open land to the east with a difference of up to 19 metres in land levels running direct west to east. The land also slopes upwards from south to north. The main vehicular access is from Wilson Avenue at the northern end of the site. There are three main car parks to the north of the on-site access road, the use of which are currently shared between the College and the Leisure Centre. The car park in the north eastern corner of the site is mainly for the Motor Vehicle Workshop of the College. There is a secondary vehicular access at the south side of the College which provides access to three disabled spaces.
- 2.3 A former tennis court area is present on the west part of the site which is currently used as an overflow parking area. A caretaker's bungalow is present to the north east of the former tennis courts.

- 2.4 The Leisure Centre was constructed in the 1980s and is to the north west of the College Buildings. There is an interlinking corridor between both buildings.
- 2.5 The College Buildings are between one and three storeys in height although due to the difference in ground levels across the site there are 6 different levels throughout the buildings (site levels 0 to 5). Level 0 is the lowest and comprises the ground floor of the former Maths Block to the east of the site. Level 5 is the highest and incorporates the first floor of the teaching block to the west of the entrance lobby.
- 2.6 There are a wide variety of different buildings on site which form the College campus. The most recent building is the double height motor vehicle workshop building which is on the eastern most part of the site which was constructed in 2011. The Media Block which is two storey adjoins the former school buildings to the south. This was constructed approximately 10 years ago. The rest of the buildings form part of the former school buildings.
- 2.7 The site does not have a designation within the Local Plan, however it is directly adjacent to the countryside designation. A small section of the boundary on the north eastern corner of the site is adjacent to the Sheepcote Valley Site of Nature Conservation Importance (SNCI). The boundary of the South Downs National Park is located some 240 metres away and is to the east of the site to the other side of Sheepcote Caravan Park. There is open access land to the north and east of the site. To the east of the Caravan Park the land slopes upwards steeply to the public footpath which is present on top of the ridge.
- 2.8 Immediately to the south of the site are the artificial pitches operated by Stanley Deason which have floodlighting. To south of these are Whitehawk Football Club's pitch, the sports pitches and pavilion belonging to Brighton College and East Brighton Park and pavilion. Residential properties are present on the west side of Wilson Avenue, the majority of which are small scale bungalows.

3 RELEVANT HISTORY

Wilson Avenue Campus

BH2011/00140: Non material amendment to BH2010/02443 for the re-orientation of the building footprint in a westerly direction by 700mm. Approved 28/02/2011.

BH2010/02443: Construction of a single storey motor vehicle workshop and a linking canopy between new build and existing building. Construction of a new ramp and staircase to permit disabled access. Approved 26/10/2010.

BH2008/03160: Erection of a two storey educational building for motor vehicle courses. Approved 14/04/2009.

BH2002/02483/FP: Extension to north elevation of Stanley Deason Leisure Centre. Approved 29/10/2002.

BH2001/02077/FP: Two storey extension to south side of college to provide media suite together with parking area for 4 vehicles and new access. Single storey extension to sports centre to provide separate public changing facilities. Approved 07/01/2002.

BH2000/02426/OA: Outline application to form new arts and media accommodation of 1700 sq. metres and demolition of 250 sq. metres of existing accommodation. Approved 15/11/2000.

93/0096/CC/FP: Extensions to south-west and north-east of existing school building. Re-siting of boathouse, extension of garaging and alterations to main building. Approved 16/03/1993.

83/1432: Provision of hard surfaced play area and additional car parking space for use ancillary to Stanley Deason High School and Sports Centre. Approved 03/03/1984.

81/1131: Erection of sports hall, squash courts and licensed social facilities. Approved 04/12/1981.

Pelham Street Campus

BH2013/01600: Hybrid planning application comprising: Phase 1: Full planning application for erection of an 8 storey (ground plus 7) College building of 12,056 sqm and ancillary accommodation (use class D1), with associated access, infrastructure and, public realm improvements and landscaping. Phase 2a: Full planning application for demolition of Pelham Tower and erection of a 10 (ground plus 9) storey building of 12,647 sqm to provide 442 student residential units and ancillary accommodation (sui generis use class), with associated access, infrastructure, public realm improvements and landscaping. Phase 2b: Outline planning consent for the demolition of York, Trafalgar and Cheapside Buildings, and the erection of up to 125 residential units (use class C3) (access, layout and scale). Approved 11/04/2013.

4 THE APPLICATION

- 4.1 It is proposed to demolish the section of buildings which are located to the west of the former Maths Block and the new Motor Vehicles Workshop and to the south of the College gym and refectory. A three storey building is proposed in this location which would accommodate a Construction Skills Centre.
- 4.2 The proposed Construction Centre would accommodate the following:
- Ground floor (site level 1): Classroom, triple height display space, carpentry bench workshop, double height carpentry and maintenance workshop, double height store, double height machine room, external construction yard, level access link through to the former maths block.
 - First floor (site level 2): General lecture/meeting room, W.Cs, classroom, void over the carpentry and maintenance workshops, store and machine room. Views into the display space are available from this floor.
 - Second floor (site level 3): Student services, group room, WC.s and changing facilities, staff offices and facilities, IT area, painting and decorating and electrical and plumbing workshops including a demonstration area. Views into the display space are also available at this level. An external terrace area is proposed at this level in-between the proposed building and the existing refectory. Level access leading to the entrance lobby would be achieved at this level. There is also a lift which links all levels of the construction centre.
 - Roof: Roofspace plant room and photovoltaics.

- 4.3 The proposed two storey extension would accommodate the following:
- Lower ground (site level 3): entrance link from existing entrance lobby to new entrance (stepped and lift access);
 - Ground floor (site level 4) double height entrance and lobby and reception;
 - First floor (site level 5) void over entrance/lobby, admin area and balcony.
- 4.4 A formalised car park (62 spaces) and multi-use games area (MUGA) are proposed on the site of the former tennis courts along with hard and soft landscaping throughout the wider site.
- 4.5 The refurbishment of the other former school buildings is also proposed (new roofs and windows). The Media Block, Motor Vehicle Workshop and Leisure Centre would remain unaffected by this proposal.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** None received.
- 5.2 **East Sussex Fire & Rescue:** When considering active fire safety measures for all types of premises, including residential and domestic buildings recommend the installation of sprinkler systems. Information concerning guidance and standards for domestic and commercial sprinkler systems is available by reference to BS9251 & BS EN 12845.
- 5.3 **Environment Agency:** No comments to make regarding the proposal.
- 5.4 **County Ecologist:** No objection provided the agreed mitigation measures are implemented, the proposed development is unlikely to have a detrimental impact on biodiversity and can be supported from an ecological perspective. The site offers opportunities for biodiversity enhancements that will help the Council address its duties and responsibilities under the Natural Environment Rural Communities Act (NERC) and National Planning Policy Framework (NPPF).
- 5.5 **Designated Sites and Protected Species:** Surveys were carried out in accordance with best practice and are sufficient to allow an assessment of the potential impacts of the proposed development on biodiversity. The proposed development is unlikely to have a significant impact on any sites, statutory or otherwise, designated for their nature conservation value.
- 5.6 The site comprises buildings and hard standing, introduced shrub, amenity grassland and scattered trees and is of relatively low ecological value. The majority of trees on site are to be retained and should be protected in accordance with BS5837:2012 *Trees in relation to design, demolition and construction*.
- 5.7 **Bats:** The Central Section supports a small common pipistrelle bat roost. All species of bats are fully protected under the Wildlife and Countryside Act 1981, as amended, and the Conservation of Habitats and Species Regulations 2010, making them European Protected Species. The proposed development will result

in the loss of the roost and therefore a mitigation licence will be required. The mitigation measures proposed in section 4.5.3 of the Extended Ecological Assessment report are considered appropriate to protect the favourable conservation status of the species.

- 5.8 Artificial light can negatively impact on bats through e.g. causing disturbance at the roost, affecting feeding behaviour, avoidance of lit areas and increasing the chances of bats being preyed upon. It is therefore recommended that time restrictions be placed upon the lighting of the proposed MUGA and that all lighting design should take account of national guidance (http://www.bats.org.uk/pages/bats_and_lighting.html).
- 5.9 Breeding birds: The site has the potential to support breeding birds. Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. To avoid disturbance to nesting birds, any demolition of buildings or removal of scrub/trees that could provide nesting habitat should be carried out outside the breeding season (generally March to August). If this is not reasonably practicable within the timescales, a nesting bird check should be carried out prior to any demolition/clearance works by an appropriately trained, qualified and experienced ecologist, and if any nesting birds are found, advice should be sought on appropriate mitigation.
- 5.10 The proposal to install two house sparrow terrace boxes (para 4.7.3 of the Extended Ecological Assessment report) is supported.
- 5.10 Badgers: Badgers may use the site for foraging and commuting. Badgers are protected under the Protection of Badgers Act 1992. Best practice working methods should be employed to ensure protection of badgers during construction.
- 5.11 Other species: The site is unlikely to support any other protected species and therefore no further mitigation is required. If protected species are encountered during demolition/construction, work should stop and advice should be sought from an ecologist on how to proceed.
- 5.12 Mitigation Measures/Enhancement Opportunities: In addition to the mitigation measures discussed above, the site offers opportunities for enhancement that will help the Council address its duties and responsibilities under the NPPF and the NERC Act. Opportunities include the use of species of known value to wildlife within the landscaping which should be native and of local provenance wherever possible.
- 5.13 The Landscape Design Strategy and Outline Planting Specification is largely acceptable and should help enhance the biodiversity value of the site. In the list of native tree planting (section 3.1 of the above document) native common alder (*Alnus glutinosa*) should be substituted for the proposed Italian alder.
- 5.14 It is strongly recommended that the opportunity is taken to incorporate green roofs into the design. This will help reduce flooding and heat island effects,

mitigate climate change impacts, aid wildlife connectivity throughout the site, and mitigate the impacts of the scheme on biodiversity. Green roofs should incorporate a chalk wildflower mix appropriate to the surrounding environment.

5.15 Natural England:

Statutory nature conservation sites: Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites.

5.16 Protected landscapes: Having reviewed the application Natural England does not wish to comment on this development proposal. The development however, relates to the South Down National Park. Therefore advise the Council to seek the advice of the National Park Authority as their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the designation.

5.17 Protected species: National England has not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

South Downs National Park Authority:

5.18 The application site lies adjacent to the South Downs National Park and has the potential to have an impact upon the setting of the National Park. Therefore, a Landscape and Visual Impact Assessment should be undertaken to assess the potential for impact and appropriate controls placed on external lighting and materials to ensure that any impact is minimised.

South Downs Society:

5.19 Whilst this application is not within or does not have a common boundary with the National Park, it does hold a very important prominent position within the hillside. It is highly visible and attracts extensive views from the surrounding countryside and in particular the national park to the east. This includes open views from the popular bridleway extending from the racecourse to Black Rock and the abutting open access land. Given this, it is disappointing that there appears little or no reference in the application to the potential impact of the proposals on the views from the National Park. We would therefore expect the Council to satisfy itself that the application is complete in its present form and that the visual impact of the proposals will not be of the detriment of the nearby National Park, an area which attracts the highest level of protection.

Southern Gas Networks:

5.20 A Low/Medium/Intermediate Pressure gas main is in proximity to the application site. There should be no mechanical excavations taking place above or within 0.5 metres of the low pressure and medium pressure system and no mechanical

excavations within 3 metres of the intermediate pressure system. The exact location of mains should be determined using hand dug trial holes.

Southern Water:

- 5.21 The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised. All existing infrastructure including protective coatings and cathodic protection should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 3 metres of the public water main without consent from Southern Water.
- 5.22 There are previously designated private foul sewers crossing the site which are now considered to be public sewers. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.
- 5.23 Southern Water requires a formal application for a connection to the public foul sewer to be made by the developer and recommend that an informative to this effect is attached to the decision notice.
- 5.24 Initial investigations show that there are no public surface water sewers in the vicinity to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to the public foul sewer. The Council's Building Control or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.
- 5.25 Recommend that a condition is attached to require that the means of foul and surface water disposal are agreed.

Sussex Police:

- 5.26 Due to the dual nature of the site (leisure use next door to a college), in order to accomplish a secure environment for both the premises access control will be paramount. Due to the nature of the landscape in which the development rests, demarcation of the area with fences will be very difficult and could give the impression of fortress mentality. However, the proposed secure line across the development will have the desired effect of controlling access into specific areas. Access control will then be able to control visitors to each building.
- 5.27 The parking adjacent to the proposed MUGA should be designated for specific users and access via the gates entry should be controlled. Recommend that cycle security within the car park adjacent to the MUGA should be an open shelter design, providing clear arcs of surveillance over them from the car park.
- 5.28 Lighting in and around communal areas, entrances and parking controls should confirm to BS5489-13.

- 5.29 **UK Power Networks:** No objection.

Internal:

Environmental Health:

- 5.30 No objection. There is likely to be noise generated by plant, vehicle movements and people using the multi-use games area. Light pollution (especially for the houses opposite) may result from the outdoor areas if the design does not remove the risk. Recommend conditions to restrict the hours of use of the MUGA to no later than 8pm on weekdays and 6pm on weekends and to require details of the external lighting to be agreed.
- 5.31 Air quality is good at this location and the Air Quality Management Area (AQMA) is some distance away. For effective dispersion of emissions away from the building the CHP flue should terminate at least 1.5 m above the top of the tallest building.

Planning Policy:

- 5.32 *Comments made on 24 April 2014*: The reduction in outdoor sports ancillary to the educational use of the site can be accepted.
- 5.33 *Comments made on 8 April 2014*: The site lies within the built up area of the city. Improvements to the educational facilities, which serves the city and surrounding area, are welcomed and supported subject to normal development control considerations (eg amenity, design, transport etc). The improvements in respect of sustainability and wheelchair accessibility are also supported.
- 5.34 However the loss of a significant part of the outdoor sports facilities to parking and the restriction of use of the remaining area to the students of the college raises policy concerns. Whilst the application indicates the sports area has not, in recent years, been in effective sports use and thus the retention and improvement of part of the area could more effectively meet the current needs of the premises, it is considered further information is necessary to ascertain if this appropriately accords with policy (including regard to CP17.8). It would assist if the applicant could confirm what requirements are placed upon the college to provide sports and recreation facilities, whether the use of this sports area has had links with the Stanley Deason Leisure Centre and why dual use with the Leisure Centre is not appropriate. The views of the Sustainable Transport Team in respect of the need for the parking may also be relevant to the consideration of the sports area.

Sports Facilities Manager:

- 5.35 *Comments made on 20 May 2014*: The proposed surface for the MUGA (Polymeric Type 4) has a slightly lower slip resistance than Type 3 which is generally required for netball but will be fine for football, basketball and general recreational use. The proposed surface is acceptable for its anticipated usage.
- 5.36 *Comments made on 12 May 2014*: Support. Sports Development have consulted with Freedom Leisure (the operator of Stanley Deason Leisure Centre) and they are supportive of this planning application. The Sports Development Team make the following comments:

- The rationale of making a clearer definition of areas is sound and the site being 'dual-use' would benefit from this. The idea of channelling students to the southern entrance would help improve security and provides a useful divide between public sports facility and educational establishment.
- Any planning consent would need to ensure the new MUGA is used by college students only and is not made available for public hire.
- It would be beneficial to consider new clear signage to indicate designated parking areas for students, teachers and leisure centre users.
- Believe that the existing entrance road to the proposed new car park/MUGA should be widened to allow cars to pass in and out of the car park.
- The installation of a MUGA is welcomed and will provide more opportunities for students to keep physically active.

Sustainability:

- 5.37 Approval is recommended. The Energy Statement commits to achieving BREEAM 'excellent'. The scheme performs well against sustainability policy for energy; proposing a site wide decentralised energy plant consisting of a gas combined heat and power plant (CHP) and efficient gas boilers which would deliver heat across the site; reducing operational emissions from existing buildings; delivering renewables in the form of PV; and delivering energy performance improvements to existing buildings through a suite of retrofit measures. The supporting documents indicate that some of these measures may be affected if full funding for the refurbishment is not received.
- 5.38 These proposals address the energy policies covering energy efficiency, passive design, and use of renewables within Local Plan Policy SU2, SU16 and SPD08.
- 5.39 Other aspects of sustainability policy have been addressed less well, but the achievement of BREEAM 'excellent' will ensure that materials specification, waste management, water efficiency, ecology, pollution and other sustainability factors will be addressed. Whilst it is disappointing that this information has not been provided, the application of a condition securing BREEAM 'excellent' will ensure the scheme addresses relevant areas of local policy to a reasonable degree.
- 5.40 A feasibility study for rainwater recycling has not been submitted but the Design & Access Statement refers to a rainwater collection system though this is not substantiated elsewhere. The case officer could request further information via condition to secure a feasibility study and/or evidence of installation.
- 5.41 The energy strategy includes a site wide decentralised energy approach with a new energy centre including gas CHP, plus a 50kWp photovoltaic array on the Construction Trades Centre roof. Passive design and energy efficiency measures are incorporated into plans and include improvements to existing buildings as well as high quality new build. These include: improvements to the insulation in the walls, roofs and floors; improvements to air tightness; solar control glazing and brise soleil to minimise solar gain and reduce glare; natural ventilation approaches including a combination of single sided and cross-flow ventilation, with stack ventilation to the rear of the building; exhaust gas flue heat recovery; a lighting strategy including daylight dimming; absence detection; LED

lighting for classrooms and officers; 'anti-corrosive' LEDs for workshop environments; and north facing roof 'lights' to provide natural daylighting.

5.42 Aspects of policy that have not been addressed: submission of a feasibility study of rainwater harvesting and greywater recycling; use sustainable materials; facilities for composting and recycling.

5.43 Suggested conditions:

- BREEAM Education 'excellent' with 60% in energy and water sections.
- Feasibility Study and/or Evidence of installation of Rainwater harvesting system, post construction.
- Considerate Constructors scheme.

Sustainable Transport:

5.44 *Comments made on 14 May 2011: No objection.*

Recommend conditions to secure the following:

- Provision of disabled parking;
- Provision of cycle parking;
- Provision of motorcycle parking;
- Submission of a Travel Plan;
- On site signage;
- Submission of a Construction Environmental Management Plan (CEMP);
- Requirement of the use of the MUGA to be for College students/staff only.

5.45 Signage: The car park could benefit from signage to clearly show where the car parking is located. At night it can be difficult to see the car parking at times. Often visitors drive to the bottom car park then have to drive back up as this car park is usually busy. Signage may help address this issue. Would not want to see the signage split between uses though to designate parking areas for students, teachers and leisure centre users. The peak parking demand for the different land uses occurs at different times of the day it makes sense that all of the parking caters for both uses to make best use of the available spaces.

5.46 It may be beneficial to have some pedestrian signage from the car parks to the main entrance of both the leisure centre and college; as discussed this could be secured via condition.

5.47 Proposed Vehicular Access MUGA/Car Park: The proposed access is 3.5 metres wide, widening to 4.1m within the car park. The Manual for Streets states that a carriageway width of 4.1m allows two vehicles to pass. Do not consider it essential for two way movements nor that this raises any safety issues, given that there is clear visibility along the section of carriageway of 3.5m wide. However, given the number of parking spaces and the likely use it may be beneficial to provide an access that facilitates two way vehicle movements. This would mean increasing the width from 3.5m to a minimum of 4.1m.

5.48 Disabled Car Parking: SPG04 states that the minimum standard for disabled parking for a D1 educational use is 2 disabled spaces plus 1 additional space per 2500m². Therefore for this site (8233m²) the total minimum disabled car parking

standard is 5 spaces. The disabled car parking for the leisure centre is retained and this is acceptable.

- 5.49 Pedestrian Routes: Part of the pedestrian route from the new car park should be resurfaced to provide a suitable route for all to the college main entrance. Ideally the existing pedestrian route adjacent to the northern most car parks should be extended to provide pedestrian access to and from the western most car park. This would then provide a continuous footway from all car parking spaces to both the leisure centre and college entrance.

Comments made on 30 April 2014:

- 5.50 Car Parking Provision: SPG04 states that the maximum car parking standard for a D1 educational establishment outside of a CPZ is 1 space per teaching staff member plus 1 car space per 3 other staff members, plus 2 spaces for visitors. Currently there are 86 spaces including 5 disabled spaces. While proposed there are 148 spaces. This level of car parking is in line with the maximum car parking standards in SPG04 and is therefore deemed acceptable.

- 5.51 Motorcycle Parking: The applicant has set aside one car parking space to accommodate motorcycles in the eastern most car parking area. This arrangement is deemed acceptable by the Highway Authority.

Comments made on 22 April 2014:

- 5.52 Clarity sought regarding the following matters:
- Clarification on the proposed number of disabled car parking spaces;
 - Clarification on the existing and proposed number of car parking spaces;
 - Need for motorcycle parking. The parking survey highlighted regular use of motorbikes but the applicant has not provided specific motor cycle parking. The applicant should consider the provision of specific motor cycle parking as part of this application.

- 5.53 Pedestrians: The main pedestrian access from the site is from Wilson Avenue. This is located between the two vehicular access points. There are footpaths within the site from the car park, cycle parking area and the bus drop off area near Wilson Avenue to the main college entrance. This provides a segregated and convenient pedestrian access to the site which is supported.

- 5.54 Cycle Parking: SPG04 states that a minimum of 1 cycle parking space is required per 250m² or part thereof of educational establishments. For this development of 8233m² of college building the minimum cycle parking standard is 33 cycle parking spaces in total.

- 5.55 In order to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Highway Authority's preference is for the use of Sheffield type stands spaced in line with the guidance contained within the Manual for Streets.

- 5.56 The applicant indicates that they intend to provide 50 cycle parking spaces in total within the proposed car park (currently tennis courts). The applicant is also

providing short stay cycle parking closer to the building which is welcomed. There is the provision of 4 Sheffield Stands (8 spaces) outside the college entrance. The proposed cycle parking is acceptable.

- 5.57 The existing stands (5 Sheffield stands) located by the leisure centre entrance are to be retained. It is noted that these stands are extremely tall which makes it difficult to secure a bikes frame and both wheels to the stand. Therefore the Highway Authority would recommend that these existing stands are lowered and that the top of the stand (height of the stand) is 750mm above ground level. This would make the existing stands more useable and ensure the bikes locked to these stands are secure.
- 5.58 Servicing: While not stated within the TS it is assumed that deliveries associated with the college building will continue to serve the proposed building as currently occurs. There is adequate space on-site for all deliveries to load/un-load from within the site. The Highway Authority has no objections to loading and unloading taking place within the site.
- 5.59 Vehicular Access: The main vehicular access to the site is from Wilson Avenue, close to the northern boundary of the site. There is an additional vehicular access in the southern part of the site also accessed from Wilson Avenue. The majority of the car parking spaces are accessed from the northern access point while the southern access provides access to three disabled car parking spaces. The applicant is retaining these access points and there are no objections to this arrangement.
- 5.60 Construction Car Parking & CEMP: The construction works are envisaged to last 2 years, during this time temporary teaching accommodation could be provided in the overspill car park area/tennis courts. This will effectively reduce the number of car parking spaces on-site to 85 spaces (including 5 disabled). In order to understand whether there was likely to be any over spill car parking from the development the applicant commissioned a parking survey to be undertaken in January 2014 over a 5 day period. During the survey period the peak parking demand was for 104 cars and 12 motor bikes. During the construction phase it could be likely that relatively small numbers of vehicles may seek to park on-street if the car park is full. The applicant has undertaken an on-street parking survey which demonstrates there is capacity in the local area to accommodate some level of overspill car parking during construction. The impact of overspill car parking can be further mitigated by the implementation of travel plan measures as part of the CEMP.
- 5.61 Due to the scale of the development there is a need for a Construction & Environmental Management Plan to be produced. This should be secured via condition. The loss of existing overspill car parking should be mitigated by the Construction Management Plan promoting the use of sustainable forms of travel to both construction workers and college staff during construction.
- 5.62 Trip Generation & Section 106 Requirements: There is not forecast to be a significant increase in trip generation as a result of these proposals. The

proposals are for a reduction in D1 floor space. The existing D1 floor space totals 8,559m² and 8,233m² is proposed.

- 5.63 The application does not involve any increase in student numbers above existing levels. Currently, there are approximately 4,000 students registered at the site, together with 194 staff. There may be some reorganisation of the curriculum and where students are located. However, this itself is not considered to lead to any increase in student numbers attending the Wilson Avenue campus and therefore an increased transport impact.
- 5.64 The proposed MUGA would be for the sole use of the college and it would not be for public use. As the application has been assessed on this basis it is recommended that a condition is included on any permission restricting the use of the MUGA to college use only.
- 5.65 In light of the above, the Highway Authority would not look for a S106 contribution towards necessary transport infrastructure.
- 5.66 Travel Plan: As detailed as part of the Pelham Street planning application (BH2013/01600) the Highway Authority would wish to see an overarching Travel Plan which applies to the College as a whole, with separate sections specifically relating to individual measures for each site (Pelham Street and Wilson Avenue). The need to produce a Travel Plan can be secured via 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
TR2	Public transport accessibility and parking
TR4	Travel Plans
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
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD7	Crime prevention through environmental design
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD25	External lighting
QD26	Floodlighting
QD27	Protection of Amenity
SR17	Smaller scale sporting and recreational facilities
SR20	Protection of public and private outdoor recreational space
NC4	Sites of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGs)
NC6	Development in the countryside/downland
NC8	Setting of the South Downs National Park

Supplementary Planning Guidance:

SPGBH4	Parking Standards
SPGBH15	Tall Buildings

Interim Guidance on Developer Contributions

Supplementary Planning Documents:

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

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable Buildings
CP9	Sustainable Transport
CP10	Biodiversity

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to:
- Principle of the development;
 - Design and impact on the setting of the National Park;
 - Transport impacts;
 - Amenity impacts;
 - Impact on nature conservation; and
 - Sustainability.

Background:

- 8.2 In 2011 the College Corporation approved a masterplan for the College to rationalise the College Estate to 20,000m² which was split between two campuses, 12,000 m² at the Pelham Street campus and 8,200m² at the Wilson Avenue campus. This allowed for an increase of 2,000 m² over the space of 18,000 m² which is recommended by the Skills Funding Council for a college of this size.
- 8.3 Planning permission has been granted (BH2013/01600) for the redevelopment of the Pelham Street campus which includes a new educational building (12,000 m²).
- 8.4 When the recent planning application for the Pelham Street campus was under consideration (BH2013/01600), the College had predicted that it was their aim to increase their student numbers across all sites over the next 10 years from a total of 10,550 at (part time and full time) in 2013/14 to 12,470 by 2023. This would equate to approximately 1,000 additional students at the Wilson Avenue campus over the next 10 years. This projected increase in students is independent of the proposed development. The proposal itself is not considered to significantly increase student numbers at the Wilson Avenue campus. Although the number of students attending the Wilson Avenue campus is currently in the region of 4,000 students, the College and the submitted TA have found that only approximately half this number are on site at any one time. A large number of students are studying part time or are apprentices.

- 8.5 The following courses would be provided within the proposed building at Pelham Street; arts, media, journalism, travel and tourism, retail, catering, business, accountancy, IT, science and maths, hair and beauty and English for Speakers of Other Languages (ESOL).
- 8.6 The following courses would be provided at Wilson Avenue; motor engineering, construction, sport, public services, health and care and performing arts.
- 8.7 Construction skills specifically include plumbing, electrical, brickwork, plastering, maintenance, painting and decorating. Future courses are envisaged to include sustainable technologies. The proposal would allow all construction courses to be run at the same campus in the same building.
- 8.8 The construction trades are currently taught in a mixture of different former classrooms at varying levels across the buildings which were built in the 1970s. Some of the classrooms are small and do not provide modern teaching space for vocational construction courses which should reflect 'real-life' construction sites. As part of the new construction centre double height large workshops are proposed along with a triple height display space where the construction of a two storey house can be replicated.
- 8.9 Due to the age and poor condition of the existing buildings on this part of the site there are also maintenance issues. Level access from the buildings on the west side of the site, through the set of buildings which are due to be demolished and though to the former Maths block on the east side of the site, is difficult.
- 8.10 The funding of the proposed Construction Skills Centre is not related to the Pelham Street development. The College has been successful in obtaining a Further Education 'Enhanced Renewal Grant' (ERG). The secured ERG grant would fund the construction of the Construction Skills Centre and the two storey entrance extension. However, a grant for the refurbishment of the remaining former school buildings has not yet been awarded.

Principle of the Development:

- 8.11 The site has been in education use since the school was established on the site in the 1970s. Brighton & Hove City College took over the campus at the end of December 2005. The floor area of the section of the building to be demolished is approximately 3190m². The floor area of the new building is approximately 2870 m². A new external yard specifically for the construction trades would be created (290m²) along with a new external seating area.
- 8.12 The educational use of this site is well established. The demolition and new build is not creating a net increase of additional floorpace over and above what is currently provided on site. However, the proposal would provide a modern, purpose built Construction Skills Centre. The proposed accommodation is considered to be a much improved facility and would significantly improve the learning and teaching environment for the construction vocational courses on offer at this College.

- 8.13 The landscaping improvements and the rationalisation of the site to better separate the Leisure Centre entrance from the College entrance and motor vehicular repair building and car park, would improve security and would provide a useful divide between the public sports facility and the educational establishment.
- 8.14 The principle of the redevelopment of part of the site for continued educational use is considered to be acceptable subject to the other material planning considerations which are discussed in more detail below.
- 8.15 It is also proposed to change the use of part of the hardsurfaced tennis courts to car parking. However, a small MUGA would be installed on part of the tennis courts which would be used for five-a-side football, basketball and general sports and recreational training and play. The MUGA would be for the exclusive use for students and staff of the College only and would not be made available for wider public use.
- 8.16 The hardsurfaced area has not been used as tennis courts since the College took over the campus (2005). It has been used in recent years as an overflow parking area and as an informal 'kick around' area for students. The transport considerations are detailed later on in this report.
- 8.17 Policy SR20 of the Local Plan seeks to protect public and private recreational space. Criterion c of the policy does permit a loss where the sports facilities can best be retained and enhanced through the redevelopment of a small part of the site. Given the length of time since the area was last used as tennis courts, and as the proposed MUGA would improve the sports facilities currently on offer at the campus, it is considered that the loss of the former tennis court area is acceptable in principle and complies with policy SR20. A condition is recommended to require that the MUGA is constructed within 3 months of the Construction Skills Centre first being brought into use.

Design and Impact on the Setting of the National Park

- 8.18 The proposed materials for the Construction Skills Centre are brick for the lower floors, with profiled metal cladding (light grey) at the upper floors and a profiled metal roof (dark grey). There are also areas of white coloured render on the west and south facing elevations. Small areas of composite timber cladding are also proposed on the south, west and north facing elevations. A zinc clad feature window surround is proposed to the north facing elevation. Aluminium window frames are proposed (grey). Small areas of brise soleil are proposed to the east and south facing elevations.
- 8.19 The proposed materials for the two storey entrance extension are large areas of glazing with aluminium frames and render. A feature zinc window/door surround is proposed to the west facing elevation which contains the main entrance doors. A large canopy roof (metal profiled) is proposed. Coloured brise soleil is proposed to the south elevation.
- 8.20 The proposed Construction Skills Centre is not visible from the street scene but would be visible from parts of the National Park to the east. The proposed

entrance extension is not highly visible from the National Park but would be visible in part from the Wilson Avenue street scene.

- 8.21 The north facing elevation of the Construction Skills Centre would be the elevation which is most visible from within the campus itself. This elevation incorporates a number of design features such as a canopy and a large zinc clad window feature surround within the rendered wall, which add interest to the elevation.
- 8.22 There are a wide variety of different buildings on site including the former school buildings, the 1980s Leisure Centre, the Media Block which was added approximately 10 years ago and the Vehicle Repair Workshop which was added approximately three years ago. The former school buildings consist of mainly brick walls with some smaller areas of timber cladding and concrete tiled roofs. The Leisure Centre is brick with a metal profiled roof (dark brown). The Media Block has a light grey metal roof. The colour of the brickwork ranges on site from buff coloured to dark brown. The materials of the Motor Vehicle Workshop are light metal cladding for the elevations and a metal profiled roof.
- 8.23 It is also proposed to refurbish the rest of the remaining College buildings (apart from the Media Block and the Motor Vehicle Workshop). As part of the refurbishment it is proposed to replace the existing concrete tiled roofs with a metal profiled roof and to replace the windows and rooflights with aluminium frames. The materials of the Leisure Centre would remain unaffected.
- 8.24 The boundary of the South Downs National Park is located some 240 metres away and is to the east of the site to the other side of Sheepcote Caravan Park. There is open access land to the north and east of the site. To the east of the Caravan Park the land slopes steeply upwards to the public footpath which is present on top of the ridge.
- 8.25 The campus can be viewed from areas of the National Park from the east, mainly from the open access land to the east and the public footpath. The campus is viewed in the immediate context of the Leisure Centre's artificial pitches and floodlighting, Whitehawk Football Club, the caravan park and the residential properties to the east of Wilson Avenue and the Race-course stand. The built up area of East Brighton is also highly visible in these views, particularly the Thomas Kemp Tower and the Bristol Estate.
- 8.26 At the north end of Sheepcote Valley adjacent to the car park accessed from Warren Road only the tops of the roofs of the College campus are visible and these are viewed against the much larger backdrop of Marine Gate (Roedale Road) and the gasworks.
- 8.27 The proposed Construction Centre would comprise slightly less bulk on the southern side of the campus when viewed from the National Park, as the footprint on the southern side would be sited approximately 5 metres further to the north than the existing building to be demolished. It would also comprise less bulk on the northern side as it would be sited approx 20 metres further to the south than the existing building to be demolished. However the proposed

building would be approximately 1.6 metres taller than the ridge of the southern most building to be demolished and 2.8 metres taller than the northern section of the building to be demolished.

- 8.28 The existing buildings on site follow the natural topography of the site and increase in height from east to west. This situation would continue as part of the proposed scheme. The ridge of the tallest remaining College building to the west and the Leisure Centre would be approximately 8 metres higher than the ridge of the proposed Construction Skills Centre. Therefore the new Construction Skills Centre would be viewed sandwiched between the remaining buildings and would be significantly smaller in height than the buildings to the west which are on elevated ground. Therefore, it is not considered that the scale, height and massing of the proposed Construction Centre would result in harm to the setting of the National Park.
- 8.29 As previously mentioned there are a variety of different materials present on site. The metal cladding and metal profiled roof to the Construction Skills Centre would be visible in views from the National Park. However, it would be viewed against the backdrop of the metal roof of the Leisure Centre and the light grey metal roof of the Media Block. It is also envisaged that the existing roofs of the other College buildings would also be replaced with metal profiled roofs and this would enable more consistency in terms of the colour and materials to be achieved on site. It is therefore considered that the proposed materials are acceptable and would not harm the setting of the National Park.
- 8.30 The entrance extension would be visible in limited views from the National Park. Its roof would be slightly lower than the existing building it adjoins. It is not considered that this extension would harm the setting of the National Park.
- 8.31 It is noted that the National Park Authority have recommended that a Landscape and Visual Impact Assessment is carried out in order to assess the potential for impact on the setting of the National Park and that appropriate controls are placed on external lighting and materials to reduce any impact. It is considered that the requirement for a Landscape and Visual Impact Assessment (which would include the production of verified views), could be justified if the proposed extensions were significantly taller than any buildings on site. However, given the small scale of the proposed development, it is considered that the application contains sufficient information and that full assessment of the potential impact on the setting of the National Park has been undertaken in reaching the recommendation to Planning Committee. It is not considered that the proposed development would have any greater impact than the existing campus does on the setting of the National Park. The edge of the built up area of East Brighton is highly visible in views from this part of the National Park.
- 8.32 The two storey extension would be visible from the Wilson Avenue street scene, However, the ground floor would lower than the pavement level and it would be approximately 60 metres away. The canopy and top floor of the extension would still be clearly visible from the pavement and it is at the top floor where signage is indicated. It is considered that the design including the canopy and

the use of materials would create a much more prominent entrance without creating an addition which is incongruous.

- 8.33 A condition is recommended to secure elevational details of all of the proposed fences and gates. The existing mesh fence on the boundary of the site with Wilson Avenue is also in a poor state of the repair and it is now also proposed to replace this fence.

Transport impacts:

- 8.34 Policy TR1 of the Local Plan requires development proposals to provide for the demand for travel which they create and maximise the use of public transport, walking and cycling. Policy TR7 will permit developments that would not increase the danger to users of adjacent pavement, cycle routes and roads.
- 8.35 The main vehicular access is from Wilson Avenue at the northern end of the site. There is a secondary vehicular access at the south side of the College which provides access to three disabled spaces. Overspill parking is provided within the former tennis court area to the east of Wilson Avenue, which is also accessed via the northern access road.
- 8.36 There is a southbound bus stop adjacent to the main pedestrian access to the College. There is a pedestrian crossing on Wilson Avenue immediately to the north of it. The northbound bus stop is located between the northern access to the College and Danehill Road. There is a College mini-bus which operates between this campus and the Pelham Street campus which is free for students and staff.
- 8.37 Traffic generation: The proposal itself is not considered to give rise to a significant increase in student numbers and the floor area created as part of the proposed Construction Skills Centre would be slightly less than the area of the buildings to be demolished. Therefore, the proposal is not considered to generate a significant change in traffic generation.
- 8.38 Car parking: SPG04 'Parking Standards' states that the maximum car parking standard for a D1 educational establishment outside of a CPZ is 1 space per teaching staff member plus 1 car space per 3 other staff members, plus 2 spaces for visitors. SPG04 also requires a maximum of 1 car space per 10m² of facility plus 1 car space per 10 spectators' seats plus 1 car space per 3 staff for D2 Sport Centres.
- 8.39 There are currently 91 car parking spaces on site including 5 disabled spaces. In addition to this are the informal areas of parking on the site of the former tennis courts and adjacent to the motor vehicle repair building. The parking is shared with the Leisure Centre and it is free with no time restrictions. The shared use of the car parking between the College and the Leisure Centre works well as the College is busiest during the working week with the Leisure Centre's peak times being early morning and the evening during the working week and at weekends.

- 8.40 There are currently four car parks which are accessed off the northern access road along with an area of parking which is located at 90 degrees to the northern access point on Wilson Avenue. The eastern most parking area is mainly used by the motor vehicle repair school although this is not secured off or gated from the rest of the site. A new yard specifically for brick laying is now proposed in this area. Parking for the motor vehicle repair school would be located at the next car park up (19 spaces). This would be segregated from the Leisure Centre entrance by new fencing and a locked gate. The three other existing car parking areas which comprise 18, 27 and 12 spaces would continue to operate as a shared use between the two uses on site.
- 8.40 The site of the former tennis courts has been used as an overspill parking area for a number of years. The TA includes a snapshot survey for one week in January when up to 23 cars were parked here on the busiest day.
- 8.41 Approximately 10 spaces would be lost from the eastern most parking area to accommodate the new brickwork yard. However, it is proposed to formalise the parking on the site of the former tennis courts and the proposals include a 62 space car park with a MUGA. An additional two disabled spaces are also proposed adjacent to the College's entrance.
- 8.42 150 car parking spaces are proposed which would include 7 disabled parking spaces. If the loss of the informal area of parking adjacent to the motor vehicle repair building is counted (space for up to 10 vehicles), there would be a net gain of 54 spaces on site. This level of car parking is below the maximum car parking standards in SPG04 'Parking Standards' for this campus and the Council's Sustainable Transport Team consider the level of parking to be appropriate.
- 8.43 Based on the standards within SPG4 the College should be providing a minimum of 5 disabled parking standards. There are three disabled spaces adjacent to the main entrance and it is proposed to increase this number to 5 spaces. This is considered to be acceptable.
- 8.44 Cycle parking: SPG04 'Parking Standards' requires a minimum of 1 cycle parking space is provided per 250m² or part thereof of educational establishments. Based on this the overall College use should provide 33 spaces. The applicant indicates that they intend to provide 50 cycle parking spaces in total within the proposed car park (former tennis courts). The applicant is also providing 8 short stay cycle parking closer SPG4 and is considered to be acceptable. A condition requiring the details of the cycle parking and shelters is recommended.

Amenity impacts:

- 8.45 The built form of the Construction Skills Centre and the new entrance extension would not have an impact on neighbouring amenity. The construction courses are already taking place on site and there is not considered to be any amenity impacts with regard to nuisance arising from these activities.

- 8.46 The use of the MUGA and the formalised car park area on the site of the former tennis courts, need to be assessed in terms of any potential impact on neighbouring amenity. The nearest residential properties on Wilson Avenue are set between 35 and 40 metres away from the MUGA and are 45 metres away from the car park. Both the MUGA and the car park are set at a lower ground level than Wilson Avenue, as are the residential properties on the opposite side.
- 8.47 The main College use of the MUGA and the car park would be during the day. A condition is proposed to limit the use from 8am to 8pm with 9am to 6pm on Saturdays and Sundays.
- 8.48 The car park could also be potentially used by visitors to the Leisure Centre which is currently open from 9am to 11pm Monday to Friday and 8am to 11pm at weekends. However, it is considered to be unlikely that it would be used by large numbers of cars, given the evening traffic counts and due to the availability of the other car parks which are nearer to the Leisure Centre entrance.
- 8.49 It is not clear from the application if lighting is proposed to the car park area or the MUGA. If any lighting is to be installed to the car park it is envisaged that this would be low level bollard style lighting. A condition is proposed to secure lighting details for both areas. It is considered that the lighting details can be adequately controlled by condition in order to prevent an adverse impact on neighbours with regard to light pollution. A condition requiring that the MUGA lighting is switched off when the MUGA is not in use is also recommended.

Impact on nature conservation/biodiversity:

- 8.50 All buildings on site were assessed as part of the Phase 1 Ecological Survey with regard to their suitability for bat ingress/egress and roosting. The older former school buildings were found to have medium or high potential for roosting bats. Therefore a Phase 2 Bat Survey has been carried out, and a small roost of three pipistrelle was recorded in the section of the building near to the link with the former Maths Block. Bats could therefore be affected by both the demolition of the buildings and the replacement of the existing roofs on the parts of the buildings which are to remain. A separate Natural England European Protected Species Mitigation (EPSM) licence is required prior to any demolition and redevelopment works commencing. Prior to any demolition works commencing at the site, the buildings subject to demolition will be inspected by a licensed bat worker to locate roosting bats. Any bats found during this inspection will, if necessary, be removed by hand and placed within bat boxes which have been previously erected on trees within the site.
- 8.51 The MUGA, car park and the external construction yard could be lit although no details have been submitted regarding the lighting. A condition is recommended for the details of the MUGA lighting to be agreed. Conditions are also recommended which would limit the hours of the external lighting from 8am to 8pm. The advice of the County Ecologist will be sought when the application is submitted for the MUGA lighting and this should ensure that it will be designed appropriately in order to reduce any potential impacts on the bat population.

- 8.52 Three bat boxes are proposed within semi-mature trees which border the site and four new bat boxes will be incorporated into the new build. A condition is recommended to secure that the bat mitigation measures defined within the Ecological Report are carried out and also to secure the bat boxes proposed as part of the new build.
- 8.53 The Ecological Report also found that there is a low potential for breeding birds to nest in the introduced shrubs on site and it is recommended that any vegetation clearance works to these areas are completed outside of the main breeding period which extends from March to August inclusive. If the works are required during the breeding bird season, the Ecological Report recommends that appropriate measures are taken to inspect the vegetations for active nests, and that if an active nest is found an undisturbed exclusion zone will be established to allow the birds to complete the nesting cycle. It is also proposed to secure by condition that this mitigation is carried out. Two bird boxes (house sparrow terraces with 3 x nest space each) are proposed to be installed within the new build.
- 8.54 The Ecological Report found no evidence of badgers present on site. Whilst their use of the site for foraging could not be completely ruled out, it is considered to be unlikely. The Report does recommend that during the construction phase of the proposed development all excavations greater than 1 metre depth are either covered overnight or fitted with an earthen/timber ramp to allow badgers to egress safely should they fall into excavations. A condition to secure this is recommended.
- 8.55 With regard to the on site vegetation, the Ecological Report found that much of the shrubs are of low ecological value and non native species. The proposed landscape and planting schemes recommend that the new planting includes native species which should improve the biodiversity of the site. An updated planting scheme has been submitted by the applicant which includes the recommendations for native planting made by the Council's Arboriculturist and the County Ecologist. Existing trees will be protected during construction and landscaping works.
- 8.56 It is therefore considered that the proposed landscaping scheme will improve the biodiversity of the site and subject to the necessary mitigation measures for bats, badgers and nesting birds, the proposal is not considered to harm protected species. Ecological enhancements in the form of bird and bat boxes will be secured by condition.

Sustainability:

- 8.57 Policy SU2 states that planning permission will be granted for proposals which demonstrate a high standard of efficiency in the use of energy, water and materials. SPD 08 'Sustainable Buildings' requires that major new build development achieves BREEAM 'excellent' with 60% in energy and water sections. Policy SU2 seeks greywater recycling and/or rainwater harvesting to deliver lower mains water use and SPD08 recommends submission of a feasibility study for these systems.

- 8.58 The new Construction Centre is a standalone building and the applicant has committed to achieving BREEAM excellent. A condition securing this with the minimum of 60% in the energy and water sections is therefore recommended.
- 8.59 A Combined Heat & Power Plant (CHP) is proposed. However, the applicant has indicated that if the funding is not available for the general refurbishment of the existing buildings, then this may not be implemented. The site is not within an Air Quality Management Area, therefore it not considered that the CHP would have a detrimental impact on local air quality.
- 8.60 Rainwater collection units are proposed below the new outdoor seating area at level 3. The rainwater would be used for greywater within the new development and for irrigation of landscaped areas. It is proposed to secure this by condition.
- 8.61 The refurbishment of the existing buildings and the replacement of the roofs and windows would have sustainability benefits in terms of enhanced insulation. It is recognised that this refurbishment may not occur if the funding is not secured or that it may occur sometime after the new Construction Skills Centre and entrance extension have been built. However, a rating of BREEAM Excellent for the new Construction Centre would still be secured via a condition and it is considered that the proposal complies with policy requirements with regard to sustainability.

Other Considerations:

- 8.62 There will be the need for temporary teaching accommodation whilst the development is under construction. It is unclear whether this could be provided at this site, on the former tennis court area or at the Preston Road campus. Temporary buildings needed during redevelopment works are sometimes classed as permitted development under the Town & Country Planning (General Permitted Development) Order 1995 (as amended). This application does not include any details of temporary accommodation.

9 CONCLUSION

- 9.1 The principle of the redevelopment of part of the site for continued education use in connection with the College is acceptable. Given the length of time since the hard play area was last used as tennis courts, and as a MUGA is proposed, it is considered that the change of use of part of the tennis court area to parking is acceptable. The new buildings would be of high quality design and would not compromise the setting of the South Downs National Park. The level of parking to be provided on site complies with local policy and scheme provides for the transport demand which it would generate. Subject to conditions the scheme is not considered to harm biodiversity or residential amenity. The sustainability credentials of the campus would be significantly improved as a result of the proposals. Therefore approval is recommended.

10 EQUALITIES

- 10.1 The scheme meets the minimum standards prescribed within SPG4 Parking Standards for disabled parking. The proposed Construction Skills Centre and

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entrance extension will aid level access provision throughout the side from site level 0 to site level 5.

11 PLANNING CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Site location plan	P002	D	17 March 2014
Site plan as proposed	P101	G	19 May 2014
Site plan as existing	P001	B	12 February 2014
Floor plans as existing – Level 0	P010	D	12 February 2014
Floor plans as existing – Level 1	P011	F	12 February 2014
Floor plans as existing – Level 1	P012	E	12 February 2014
Floor plans as existing – Level 3	P013	E	12 February 2014
Floor plans as existing – Level 4	P014	C	12 February 2014
Floor plans as existing	P015	C	12 February 2014
Floor plans as existing – Level 6	P016	B	12 February 2014
Floor plans as proposed – Level 0	P110	C	12 February 2014
Floor plans as proposed – Level 1	P111	G	12 February 2014
Floor plans as proposed – Level 2	P112	G	12 February 2014
Floor plans as proposed – Level 3	P113	J	19 May 2014
Floor plans as proposed – Level 4	P114	E	12 February 2014
Floor plans as proposed – Level 5	P115	D	12 February 2014
Floor plans as proposed – Level 6 – Roof plan	P116	C	16 May 2014

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Existing elevations – Site elevation	P040	B	12 February 2014
Existing sections 1 of 2	P020	B	12 February 2014
Existing sections 2 of 2	P021	B	12 February 2014
Sections as proposed – Sheet 1 of 2	P120	E	12 February 2014
Sections as proposed – Sheet 2 of 2	P121	B	12 February 2014
Proposed elevations – Site elevations	P140	E	19 May 2014
Proposed elevations – Construction Centre	P150	B	12 February 2014
Entrance sections as proposed	P125	E	12 February 2014
Northern entrance area	LLD594/0 4a	02	14 February 2014
Southern entrance area	LLD594/0 4b	02	14 February 2014
Hard and soft general arrangement drawing	LLD594/0 3	02	14 February 2014
Tree constraints plan	LLD594/0 1	01	14 February 2014
Tree retention & protection plan	LLD/594/0 2	01	14 February 2014
Landscape Design Strategy and Outline Plant Specification		03	20 May 2014`

- 3) The Multi Use Games Area hereby approved shall be fully installed and made available for use no later than three months after the first occupation of the Construction Skills Centre and shall be retained for permanent use thereafter. The surface of the Multi- Use Games Area shall be Polymeric Type 4 as defined by Sports England’s Guidance, ‘A Guide to the Design, Specification & Construction of Multi Use Games Areas including Multi-Sport Synthetic Turf Pitches – Part 1 General Guidance & Design Considerations, Dimensions and Layouts’.

Reason: In order to ensure that adequate sports provision is provided to compensate for the loss of the former tennis court area and to comply with policies SR17 and SR20 of the Brighton & Hove Local Plan.

- 4) The Multi Use Games Area hereby approved shall be solely used by staff and students of Brighton & Hove City College and shall not be hired or leased out to the general public. The MUGA shall only be used between the hours of 8.00 and 20.00 Monday to Friday and between the hours of 09.00 and 18.00 Saturdays, Sundays and Bank Holidays. The lighting to the MUGA shall be switched off when the MUGA is not in use and shall only be illuminated when the MUGA is in use during the times stated above.

Reason: To safeguard the amenities of the local transport network, local residents and local ecology and to comply with policies QD27, TR1 and TR19 of the Brighton & Hove Local Plan.

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- 5) The scheme shall be carried out entirely in accordance with the bat mitigation details contained within section 4.5.3 of the Extended Ecological Enhancement Assessment Final Document Rev.1 February 2014 which was received on the 12 February 2014.
Reason: To ensure that bats are protected during the demolition stages and to comply with policy QD18 of the Brighton & Hove Local Plan.
- 6) The scheme shall be carried out entirely in accordance with the nesting bird mitigation details contained within section 4.7.3 of the Extended Ecological Enhancement Assessment Final Document Rev.1 February 2014 which was received on the 12 February 2014.
Reason: To ensure that nesting birds are protected during the development and to comply with policy QD18 of the Brighton & Hove Local Plan.
- 7) The scheme shall be carried out entirely in accordance with the foraging badger mitigation details contained within section 4.4.3 of the Extended Ecological Enhancement Assessment Final Document Rev.1 February 2014 which was received on the 12 February 2014.
Reason: To ensure that foraging badgers are protected during the development and to comply with policy QD18 of the Brighton & Hove Local Plan.
- 8) The scheme shall be carried out fully in accordance with the details within the Waste Minimisation Statement which is contained within section 7 of the Harwood Savin Ltd Planning Statement February 2014 which was received on the 12 February 2014.
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.
- 9) The landscaping and planting schemes shall be carried out fully in accordance with the details contained within plans referenced LLD594/01 Rev 01, LLD954/02 Rev 01 LLD594/03 Rev 03, LLD594/04b Rev 02, LLD594/04a Rev 02 submitted on the 14 February 2014 and the Landscape Design Strategy and Outline Plant Specification submitted on the 20 May 2014.
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) 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 Construction Skills Centre; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

- 11) Unless otherwise agreed in writing with the Local Planning Authority, the height of the flue serving the Combined Heat and Power plant shall terminate a minimum height of 1.5 metres above the height of the tallest building present on the Wilson Avenue campus.
Reason: To ensure effective emission dispersion and to protect local air quality and to comply with policy SU9 of the Brighton & Hove Local Plan.
- 12) The new car parking area including the access widening hereby approved shall be laid out fully in accordance with the details shown on plan P101 G received on the 19 May 2014, prior to the Construction Skills Centre being first brought into use. Prior to the Construction Skills Centre being brought into use, a scheme for the external lighting of the car park shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such there after.
Reason: To ensure that the new parking area is laid out in accordance with the approved details and to safeguard the amenities of the occupiers of adjoining properties and ecology and to comply with policies WD18, QD27, TR1 and TR7 of the Brighton & Hove Local Plan.
- 13) The vehicle parking area shown on the approved plans (including the motorcycle parking areas) shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the staff, students and visitors to Brighton & Hove City College and the Stanley Deason Leisure centre. A minimum on-site car parking provision of 85 car parking spaces shall be provided throughout the construction of the development hereby approved unless otherwise agreed in writing with Local Planning Authority.
Reason: To ensure the adequate parking for the users of the site, to ensure the safety of persons and vehicles entering and leaving the site, to limit overspill car parking and to comply with Local Plan policies TR1, TR7 & TR19 of the Brighton & Hove Local Plan.

11.2 Pre-Commencement/Part Commencement Conditions:

- 14) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
- a) a scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
 - b) a scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site
 - c) details of hours of construction including all associated vehicular movements
 - d) details of the construction compound and any temporary teaching accommodation
 - e) a plan showing construction traffic routes
 - f) sustainable transport measures to promote alternatives to private car use throughout the construction phase.

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The construction shall be carried out in accordance with the approved CEMP.

Reason: In the interests of amenity and highway safety, to comply with policies QD27, SU10, SR18, SU9 and TR7 of the Brighton & Hove Local Plan.

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

- 16) No development of the Construction Skills Centre shall take place until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme for surface water drainage shall also include details of the rainwater recycling system to be installed. The scheme shall be implemented fully in accordance with the approved details.

Reason: To ensure the existing infrastructure can facilitate the development and to reduce the risk of flooding and to comply with policies SU3 and SU15 of the Brighton & Hove Local Plan.

- 17) No development of the Construction Skills Centre or entrance extension above ground floor level 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.

- 18) No replacement roofs shall be installed until samples of the materials to be used in the external surfaces of the replacement roofs 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 NC8, QD1 and QD14 of the Brighton & Hove Local Plan.

- 19) Unless otherwise agreed in writing by the Local Planning Authority, no development of the Construction Skills Centre above ground floor level shall take place 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' for the Construction Skills Centre

hereby approved 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.

- 20) No development of the Construction Skills Centre above first floor level shall take place until details of a minimum of 4 bat boxes to be installed within the new buildings hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be installed fully in accordance with the approved details prior to the occupation of the Construction Skills Centre and shall be retained thereafter.

Reason: To ensure that roosting facilities for bats are provided for as part of the development and to comply with policy QD18 of the Brighton & Hove Local Plan.

- 21) No development of the Construction Skills Centre above first floor level shall take place until details of a minimum of a minimum of two house sparrow terrace boxes, to be installed within the new buildings hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The bird boxes shall be installed fully in accordance with the approved details prior to the occupation of the Construction Skills Centre and shall be retained thereafter.

Reason: To ensure that nesting facilities for birds are provided for as part of the development and to comply with policy QD18 of the Brighton & Hove Local Plan.

- 22) No development of the Construction Skills Centre above first floor level shall take place until details of the external lighting for the external yards (including the brick laying yard) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such thereafter.

Reason: To ensure that the impact on lighting on ecology is controlled and to comply with policies QD18 of the Brighton & Hove Local Plan.

- 23) No external lighting for the Multi Use games Area hereby approved shall be installed unless and until details of the proposed lighting including drawings showing the vertical and horizontal luminance projection, have been submitted to and approved in writing with the Local Planning Authority. The external lighting scheme serving the MUGA shall be installed fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such thereafter.

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

11.3 Pre-Occupation Conditions:

- 24) Unless otherwise agreed in writing by the Local Planning Authority, Construction Skills Centre hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction

Review Certificate confirming that the Construction Skills Centre 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.

- 25) Prior to the entrance extension being first brought into use, the 5 disabled parking spaces near to the entrance to the College as shown on drawing P101 G received on 19 May 2014 have been fully laid out and made available for permanent use.

Reason: To ensure that the development provides parking for people with a mobility related disability and to comply with policy TR18 of the Brighton & Hove Local Plan.

- 26) Prior to the Construction Skills Centre above being first brought into use details of secure cycle parking facilities for the occupants of, and visitors to, the College Campus hereby approved have been submitted to and approved in writing by the Local Planning Authority. A minimum of 33 cycle parking spaces shall be provided. These facilities shall be fully implemented and made available for use prior to the occupation of the Construction Skills Centre 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.

- 27) Notwithstanding the submitted plans, prior to the Construction Skills Centre above being first brought into use further details of secure motorcycle facilities for the occupants of, and visitors to, the College Campus 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 Construction Skills Centre 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.

- 28) Notwithstanding the submitted plans, prior to the Construction Skills Centre above being first brought into use full details of all proposed gates, fencing and walls, have been submitted to and approved in writing by the Local Planning Authority. The details shall include elevational plans and shall also include details of the replacement fence on the western boundary of the site with Wilson Avenue. All proposed gates, fencing and walls shall be fully installed within the approved details prior to the Construction Skills Centre being first brought into use.

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

11.3 Post Occupation Conditions

- 29) Within 3 months of occupation of the Construction Skills Centre hereby approved a 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)) shall be submitted to and approved in writing by the Local Planning Authority.

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

11.4 Informatives:

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

The principle of the redevelopment of part of the site for continued education use in connection with the College is acceptable. Given the length of time since the hard play area was last used as tennis courts, and as a MUGA is proposed, it is considered that the change of use of part of the tennis court area to parking is acceptable in principle. The new buildings would be of high quality design and would not compromise the setting of the South Downs National Park. The level of parking to be provided on site complies with local policy and scheme provides for the transport demand which it would generate. Subject to conditions the scheme is not considered to harm biodiversity or residential amenity. The sustainability credentials of the campus would be significantly improved as a result of the proposals.
3. **Travel Plan**

The Travel Plan required by condition 29 shall include such measures and commitments as are considered necessary to mitigate the expected travel impacts of the development and should include as a minimum the following initiatives and commitments:

 - (i) Promote and enable increased use walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use
 - (ii) A commitment to reduce carbon emissions associated with business and commuter travel:
 - (iii) Increase awareness of and improve road safety and personal security:
 - (iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses:

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- (v) Identify targets focussed on reductions in the level of business and commuter car use:
 - (vi) Identify a monitoring framework, which shall include a commitment to undertake an annual staff travel survey utilising iTrace Travel Plan monitoring software, for at least five years, or until such time as the targets identified in section (v) above are met, to enable the Travel Plan to be reviewed and updated as appropriate:
 - (vii) Following the annual staff 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 to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.
4. Leisure Centre Cycle parking
The Local Planning Authority recommends that the existing cycle parking located close to the Stanley Leisure Centre entrance be lowered to ensure the height of the stands is approximately 750mm above ground level. This is to ensure that the stands are fit for purpose and provide suitable support for bikes and allow users to easily secure both the frame and both wheels of the bike to the stand.
5. External lighting
The applicant is advised that the details of external lighting required by conditions 12, 22 and 23 should comply with the recommendations of the Institution of Lighting Engineers (ILE) 'Guidance Notes for the Reduction of Light Pollution (1995)' for Zone E or similar guidance recognised by the council. The external lighting should also comply with the guidance contained within the Bat Conservation Trust's Document Bats and Lighting in the UK. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) should be submitted with the details. Please contact the council's Pollution Team for further details. Their address is Environmental Health & Licensing, Bartholomew House, Bartholomew Square, Brighton, BN1 1JP (telephone 01273 294490 email: ehlpollution@brighton-hove.gov.uk website: www.brighton-hove.gov.uk).
6. Connection to the Public Sewer
A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119 or www.southernwater.co.uk

ITEM C

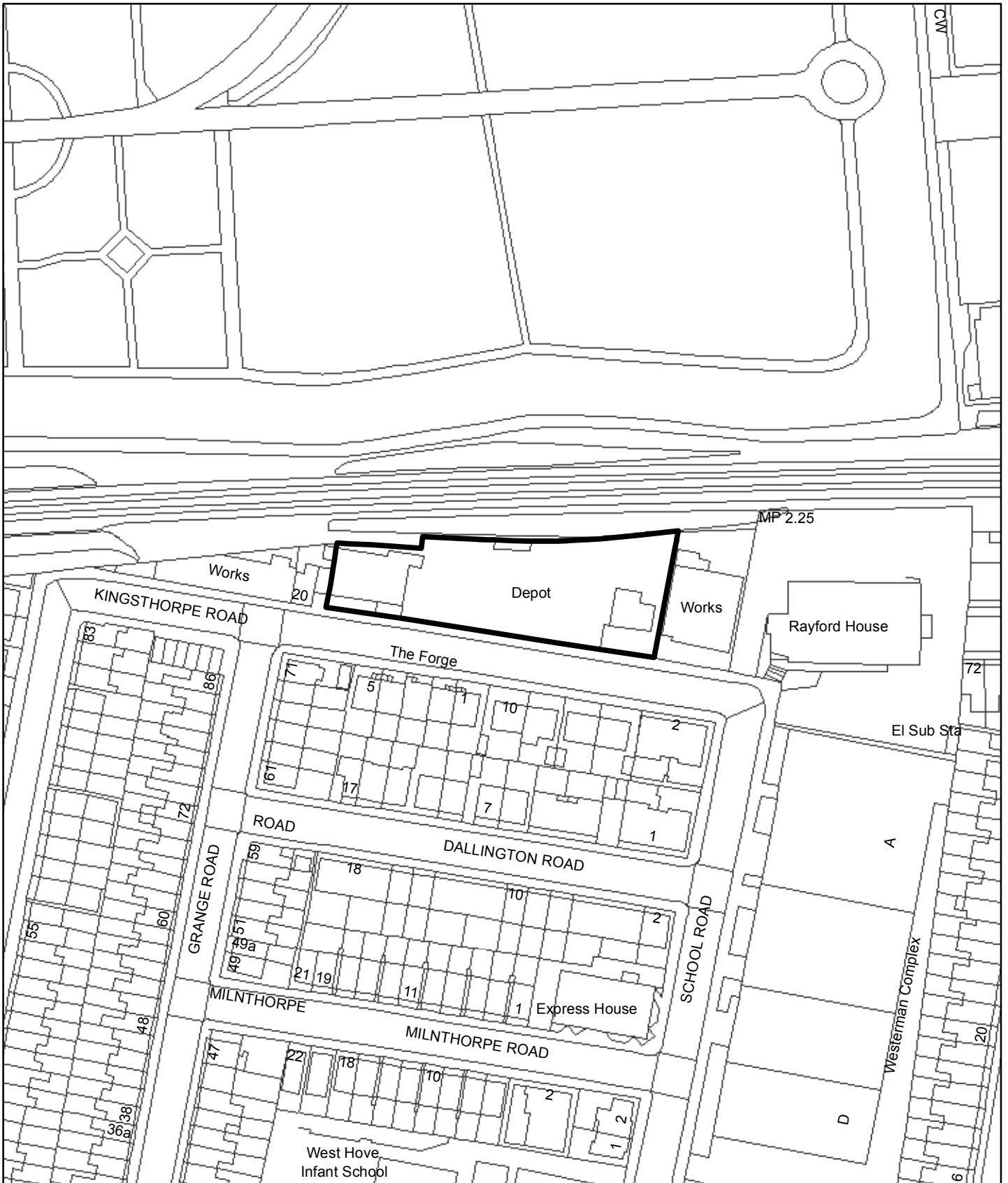
18, 24, 28 & 30 Kingsthorpe Road, Hove

BH2013/01646

Outline application all matters reserved

04 JUNE 2014

BH2013/01646 18, 24, 28 & 30 Kingsthorpe Road, Hove



Scale: 1:1,250

<u>No:</u>	BH2013/01646	<u>Ward:</u>	WISH
<u>App Type:</u>	Outline Application All Matters Reserved		
<u>Address:</u>	18 24 28 & 30 Kingsthorpe Road Hove		
<u>Proposal:</u>	Outline application for demolition of existing building and erection of part three storey and part four storey building comprising of B1 use at ground floor level and 26no residential units with associated works, and approval of reserved matters for scale.		
<u>Officer:</u>	Jonathan Puplett Tel 292525	<u>Valid Date:</u>	04 June 2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	03 September 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Leo Horsfield Surveying, 9 Clifton Hill, Brighton BN1 3HQ		
<u>Applicant:</u>	Danworth Holdings Ltd, Mr Damian Sablon, Unit 35, Stairbridge Lane Haywards Heath RH17 5PA		

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 S106 agreement and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a depot site comprising two main buildings and a large open depot area with brick built boundary walls and metal gates. The railway line between Portslade and Aldrington stations is to the north of the site, to the southern side of Kingsthorpe Road two storey residential development is in situ. Much of the surrounding area is characterised by traditional two storey terraced dwellings with the northern side of Kingsthorpe Road and the eastern side of School Road being of commercial character. Most development in the area is two storey height or single storey. Rayford House to the east of the site is 5 storeys in height.

3 RELEVANT HISTORY

- 3.1 None.

4 THE APPLICATION

- 4.1 Outline planning permission is sought for the demolition of the existing buildings on the site and the erection of a part three part four storey building comprising B1 use at ground floor level and 26 residential units above. All matters except scale are reserved for approval at a later date.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Thirteen (13)** letters of representation have been received from **The Nook Kingsthorpe Road, no. 36 Kingsthorpe Road, nos. 3 and 4 The Forge, no. 17 Dallington Road, nos. 22, 28 36, 65, 67 (x2) and 75 Bolsover Road, and no. 13 Clarendon House Clarendon Road** objecting to the application for the following reasons:

- The proposed development would overshadow neighbouring properties.
- The proposed residential units would be located in an industrial area.
- The proposed development does not have sufficient off-street parking / would lead to increased demand for on-street parking, traffic and would adversely affect highway safety.
- The proposed development would cause increased overlooking.
- The proposed development would cause increased noise, smell and disturbance.
- The proposed development would impact negatively upon neighbouring amenity, would be overbearing and overly large / out of scale with neighbouring buildings.
- The proposed development is of an excessive scale and density.
- The proposed development would impact on the availability of local infrastructure (e.g. schools).
- Layout, siting, appearance, means of access, road capacity, landscaping, increased danger to children.
- If there were a bin strike the development would cause additional refuse to be left on the street.
- The proposed roof form is inappropriate.
- The outline nature of the application means information is not clear.
- The development should be just residential – no industrial.

5.2 A letter has been received from **Councillor Anne Pissaridou** objecting to the application, a copy of this letter is attached.

5.3 **East Sussex Fire and Rescue Service:** No comment.

5.4 **Crime Prevention Design Advisor:** Comment. Crime prevention design measures are recommended.

5.5 **Environment Agency:** No comment.

Internal:

5.6 **Planning Policy:** Comment. The site is allocated in the emerging city plan for employment lead mixed use development, with no loss of employment floorspace. A target of 40% affordable housing should be sought.

5.7 **Sustainable Transport:** Comment. No objections subject to a s106 agreement to secure off site transport works to the value of £29,600 and 2 years car club membership for each residential unit. Conditions are recommended to secure

cycle parking provision, disabled parking provision, reinstatement of redundant dropped kerbs and a travel plan.

- 5.8 **Public Art:** Comment. A scheme of the public art to the value of £8,700 is required to address policy QD6.
- 5.9 **Education:** Comment. A s106 contribution of £85,019.20 towards educational provision is required.
- 5.10 **Environmental Health:** Comment. Recommend conditions to restrict hours of operation for the commercial use and the operation of plant and machinery, soundproofing measures, control of outdoor activities and loading and unloading. A condition is required to secure a land contamination strategy.
- 5.11 **Access Officer:** Comment. Comments are made on the indicative layouts submitted.
- 5.12 **Arboriculture:** Comment. No objection subject to the protection of trees situated on the railway embankment being secured by 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
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
QD28	Planning Obligations
HO2	Affordable Housing ‘Windfall’ sites
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in housing schemes
HO7	Car free housing
HO9	Residential conversions and the retention of smaller dwellings
HO13	Accessible housing and lifetime homes
EM1	Identified employment sites (industry and business)
EM3	Retaining the best sites for industry

Supplementary Planning Guidance:

SPGBH4	Parking Standards
Interim Guidance on Developer Contributions	

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
CP3	Employment land

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The application seeks outline planning permission for the demolition of the existing buildings on the site and the erection of a part 3 part 4 storey building comprising 440m² B1 floorspace and residential at ground floor level and residential units to the upper floors. In total 26 residential units are proposed; comprising 20 2-bed units and 6 3-bed units. The scheme includes 10 affordable units which equates to 38.5%. The application is outline and all matters are reserved other than scale. The considerations of the application therefore relate to the principle of the proposed development and a building of part 3 part 4 storey scale. The drawings submitted are indicative only; all details other than the principle of development and scale would be determined under an application for reserved matters.

Principle of development:

- 8.2 The proposal to demolish existing buildings on site and develop commercial floorspace approximately double the size of the existing buildings along with 26 residential units which include 10 affordable units is considered to be in compliance with national and local planning policies. The commercial floorspace would be built to modern standards and would provide twice as much commercial accommodation (440m²) in comparison to the existing. The indicative mix of residential units proposed is acceptable. The proposed B1 use would enable a more intensive employment use than the current site allows. The site allocated as an EM1 site in the Brighton & Hove Local Plan, this policy seeks to retain employment uses and would not normally support a mixed use scheme. The proposed development however provides a greater level of employment than existing in addition to housing. Emerging policy CP3 seeks to support such mixed use schemes on employment sites, in conjunction with the presumption in favour of development set out in the NPPF, the proposed development is on balance considered to be acceptable.
- 8.3 At present, there is no agreed up-to-date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (20,000 units) as the basis for the five year supply position. The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The specific impacts of the development are considered fully below.

Visual Impact:

- 8.4 Much of the surrounding development is characterised by 2 storey residential dwellings. There is a taller building in the vicinity of the site; Rayford House to the east of the site, which is 5 storeys in height. The northern side of Kingsthorpe Road is of mixed character and it is considered that a part 3 part 4 storey building, of an appropriate design, could sit comfortably in the street scene and would not cause visual harm. The indicative designs submitted are

not considered appropriate as the roof forms proposed are over-complicated. These drawings are, however, illustrative only and an appropriate design could be secured at reserved matters stage.

Standard of accommodation / housing mix

- 8.5 The indicative drawings submitted demonstrate that the site could contain commercial floorspace of the scale proposed and 26 residential units. The indicative mix of two and three bedroom units is considered acceptable, the affordable units however are all two bedroom units; it would be preferable if some three bedroom units could be incorporated into the affordable element of the scheme. Again such details could be resolved at reserved matters stage. Two wheelchair units are proposed which complies with policy HO13.
- 8.6 The submitted illustrative drawings indicate that a building similar to that shown could accommodate acceptable unit sizes and that the affordable units could meet minimum size standards.
- 8.7 Residential units situated alongside a railway line and in close proximity to employment uses could be subject to noise and disturbance. A noise and vibration report has been submitted which demonstrates that soundproofing measures could successfully mitigate such potential harm and full details of such measures could be secured at reserved matters stage or by condition.
- 8.8 It is considered that the site could contain a scheme which provides an acceptable standard of accommodation, outlook and amenity space in the form of gardens and balconies.

Neighbouring amenity:

- 8.9 A development of the scale proposed would result in some increased overshadowing and overlooking of neighbouring properties. It is however considered that adequate spacing from the properties on the southern side of Kingsthorpe Road would remain and that the relationship of a new building alongside no. 20 Kingsthorpe Road to the west of the site would be acceptable. Detailed aspects such as any windows which may need to be obscured or privacy screening to balconies could be agreed at reserved matters stage.
- 8.10 The proposed B1 use of the ground floor would be compatible with residential uses. Hours of operation, plant and machinery, outdoor activity and loading and Unloading can be secured by condition. It was originally proposed that the ground floor use would be a flexible B1/B2 use, the B2 element has been removed due to concerns regarding potential impact upon amenity.

Transport:

- 8.11 The proposed development would result in increased trip generation, the level of increase would not however cause significant harm to neighbouring amenity and would not represent a highway risk to safety. The uplift in trip generation can be mitigated by a contribution towards sustainable transport infrastructure which can be secured by s106 legal agreement, a travel plan, and a commitment to fund car club membership for two years for the residential units. Cycle parking is proposed and can be secured by condition.

- 8.12 The indicate layout plan shows 6 parking spaces; it is not confirmed how these spaces would be allocated. The site is located within Controlled Parking Zone R and there is a pressure for on-street parking in the locality of the site. The Gala Bingo scheme (25 residential units plus a surgery) at the southern end will create significant additional demand and there is potential for further new commercial and residential development along the eastern side of School Road. In this context, to comply with policy HO7 of the Brighton & Hove Plan, encourage use of sustainable transport methods, and to ensure that a localised pressure for on-street parking (which would be harmful to the amenity of neighbouring residents) is not caused by the development, it is considered reasonable and necessary to apply a condition which removes future occupants eligibility for residents parking permits.
- 8.13 Staff of the commercial use proposed would not normally be eligible for a business permit. Such permits are only issued where it can be demonstrated that a vehicle is essential for the running of a business. Only two permits are issued per business and permits are not issued for commuting to work or loading and unloading goods.
- 8.14 Subject to these restrictions and requirements it is considered that the development would have an acceptable transport and parking impact. It is noted that the removal and reinstatement of redundant dropped kerbs will facilitate the formation of additional on-street parking bays which may be utilised by neighbouring residents.

Sustainability:

- 8.15 The submitted documentation indicates that the proposed development would meet a Code for Sustainable Homes rating of 'Level 4' for the resident units and a BREEAM rating of 'Excellent' for the commercial element. This is equal to / in excess of the requirements of policy SU2 and SPD08.

Trees, landscaping and ecology:

- 8.16 Landscaping of the site, nature conservation enhancements and tree protection measures (for the trees to the north of the site) can be secured by condition.

Land contamination:

- 8.17 Due to the current and previous uses of the site a condition is required to secure a land contamination strategy.

Other matters:

- 8.18 The following matters are required to ensure the acceptability of the scheme and can be secured by s106 agreement:
- A contribution towards off-site open space provision (£43,844)
 - Education contribution (£85,019.20)
 - A local employment strategy which includes a commitment to 20% local labour.

8.19 The applicant has demonstrated that the viability of the affordable housing provision would be threatened were further contributions to be sought. A reduced open space contribution is therefore required and no contribution towards the Local Employment Scheme and no public art element is sought in this case.

9 CONCLUSION

9.1 The proposed development is considered to be acceptable in principle, the proposed uses and quantity of development are acceptable, and a scale of part three part four storeys is considered to be appropriate. The design and details of the scheme are reserved. The scheme is therefore recommended for approval.

10 EQUALITIES

10.1 The residential accommodation would be required to meet Lifetime Homes Standards and two wheelchair units are proposed.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- Transport Contribution £29,621
- Two years car club membership for each residential unit
- Open space contribution £43,844
- Education contribution £85,019.20
- Local Employment Strategy and 20% local labour.

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) 10 of the residential units hereby approved shall be affordable (defined as residential accommodation that is provided with a subsidy to ensure that rents / prices remain at a level that is genuinely affordable to local people whose income means that they are unable to meet their housing needs through the housing market) and shall be retained as such thereafter. The Brighton & Hove Local Plan defines affordable housing as:
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.
- 3) Two of the affordable units shall be built to wheelchair 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.

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

- 4) The 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.

- 5) No industrial activity of any kind, except loading and unloading, shall take place outside the proposed building within the curtilage of the site without the prior written approval of the Local Planning Authority.

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

- 6) The commercial uses hereby permitted shall not be open to customers except between the hours of 7am and 7pm on Mondays to Saturdays and not at anytime on Sundays, Bank or Public Holidays.

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

- 7) No machinery and/or plant shall be used at the premises except between the hours of 7am and 7pm on Mondays Saturdays and not at anytime on Sundays, Bank or Public Holidays.

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

- 8) No vehicular movements nor any loading or unloading of vehicles shall take place on the site except between the hours of 7am and 7pm on Monday to Saturdays and not at any time on Sundays, Bank or Public Holidays.

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

11.3 Pre-Commencement Conditions:

9. a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (i) layout;
- (ii) appearance;
- (iii) access; and
- (iv) landscaping.

b) The reserved matters shall be carried out as approved.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

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Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

10. 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.
11. No development shall commence until full details of the existing and proposed land levels of the proposed development in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.
Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
12. 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.
13. Unless otherwise agreed in writing by the Local Planning Authority, 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 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority.
A completed pre-assessment estimator will not be acceptable.
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) No development shall commence until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning

PLANNING COMMITTEE LIST- 4 JUNE 2014

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.

15. 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 future residents have no entitlement to a resident's parking permit and to comply with policy HO7 of the Brighton & Hove Local Plan.

16. 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.

- 17) 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.

- 18) No development shall take place until a scheme for the reinstatement of redundant dropped kerbs and the construction of any new vehicular accesses has been submitted to and 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.

- 19) 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.

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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.

- 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) No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the standards described in Annex 6 of SPD 11 and shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

- 22) No development shall commence until a scheme for the soundproofing of the building (including soundproofing between the commercial and residential uses proposed) and ventilation 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.

- 23) No development shall commence until measures for the protection of trees located immediately to the north of the site have been enacted in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The measures shall be enacted 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.

- 24) (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.

11.4 Pre occupation

25) The residential units hereby approved shall not be occupied until the B1 commercial accommodation at ground floor level has been provided and made available for occupation in accordance with the approved drawings.

Reason: To ensure the provision of modern office accommodation on the site and to comply with policy EM1 of the Brighton & Hove Local Plan.

26) 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.

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- 27) Unless otherwise agreed in writing by the Local Planning Authority, 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 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.
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.
- 28) 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.
- 29) Prior to the first occupation of the development hereby approved, a detailed 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) for the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be carried out in full thereafter.
Reason: To ensure the promotion of sustainable forms of travel and comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

11.5 Informatives:

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

Plan Type	Reference	Version	Date Received
LOCATION PLAN	100		21/05/2013

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SITE PLAN	101		21/05/2013
PROPOSED GROUND FLOOR PLAN	201	B	04/05/2013
PROPOSED FIRST AND SECOND FLOOR PLAN	202	B	04/05/2013
PROPOSED THIRD FLOOR PLAN	203	B	04/05/2013
PROPOSED ELEVATIONS	204		21/05/2013
PROPOSED ROOF PLAN	205	A	04/05/2013
PROPOSED ELEVATIONS	206		21/05/2013
NOISE AND VIBRATION ASSESSMENT			22/01/2014

- (ii) 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
- (iii) for the following reasons:-
The proposed development is considered to be acceptable in principle, and a scale of part three part four storeys is considered to be appropriate. The design and details of the scheme would be secured by condition / at reserved matters stage.
3. In regard to condition 2, the applicant is advised to refer to the Brighton & Hove Local Plan for a detailed definition and explanation of affordable housing.
4. The applicant is advised that the scheme required to be submitted by Condition 14 should include the registered address of the completed development, an invitation to the Council as Highway Authority (copied to the Council's Parking Team) to amend the Traffic Regulation Order, and details of arrangements to notify potential purchasers, purchasers and occupiers that they have no entitlement to a resident's parking permit.

From: Anne Pissaridou
Sent: 05 July 2013 14:36
To: Guy Everest
Subject: Application number: BH2013/01646 Kingsthorpe Road

Guy Thank you for taking me through the outlying application. I am concerned about a number of aspects of the proposals. The scale of the development is inappropriate, the buildings in the centre in particular, which rise from 3 to 4 stories, are likely to dominate the area. I note also that employment will increase, which is commendable, but this will inevitably mean an increase in the number of vehicles coming and going in a very small residential area which is already suffering from a lack of parking spaces and narrow roads. Finally as there are only 6 parking places planned for the residents of 26 units this will mean that residents will need to find parking on the surrounding roads. Parking is already a huge problem around Bolsover Road/grange road etc and there is no tolerance for more on road parking. Will you please add my comments to the application and keep me advised of its progress?
Regards

Anne Pissaridou
Labour/Co-op Spokesperson for Children and Families

Labour & Co-operative Group Councillor for Wish
Brighton & Hove City Council
Room 121, King's House, Grand Avenue, Hove BN3 2LS

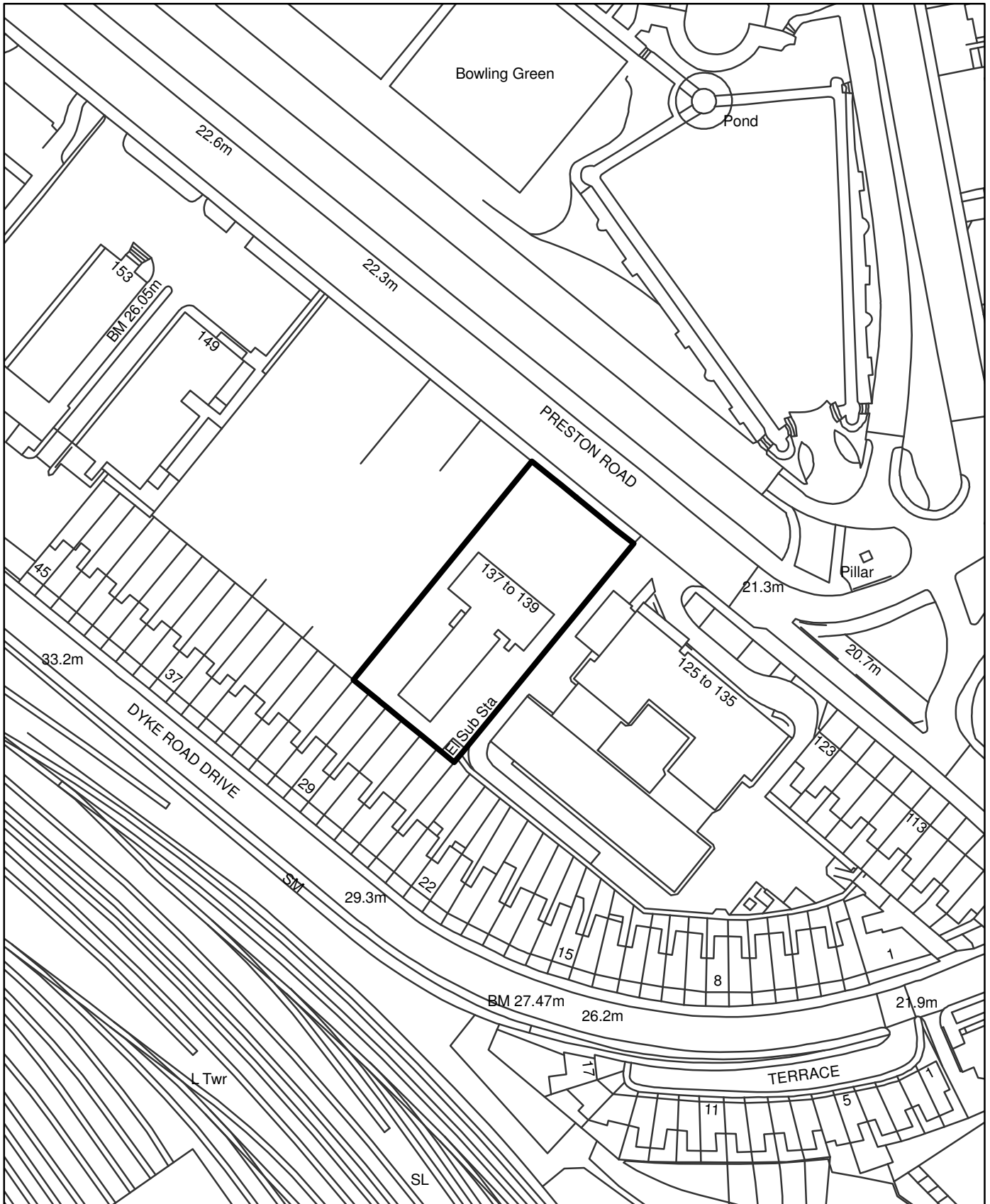
ITEM D

**Anston House, 137-139 Preston Road,
Brighton**

**BH2014/00596
Full planning**

04 JUNE 2014

BH2014/00596 Anston House, 137-139 Preston Road, Brighton.



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2014/00596	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Anston House 137-139 Preston Road Brighton		
<u>Proposal:</u>	External alterations including new aluminium windows, enlarged window openings, creation of balconies and cladding to all elevations following prior approval application BH2013/02779 for change of use from offices (B1) to residential (C3) to form 44no residential units.		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	06 March 2014
<u>Con Area:</u>	Adj Preston Village	<u>Expiry Date:</u>	01 May 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Savills, 33 Margaret Street, London W1G 0JD		
<u>Applicant:</u>	Joint LPA Receivers Mr S Ray and Mr N Hitch, C/O Savills, 33 Margaret Street, London W1G 0JD		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site relates to the existing Anston House building which is located at the southern end of Preston Park on the West side of Preston Road. The plot is rectangular in shape and measures approximately 30m x 65m. The existing Anston House building is 9 storeys in height to the road frontage and steps down to 7 storeys to the rear. The building has been vacant for approximately 25 years having last been in use as offices.

3 RELEVANT HISTORY

- BH2013/04228-** Certificate of lawfulness for proposed change of use from offices (B1) to residential (C3) to form 44no residential units. Approved 13/03/2014
BH2013/02779- Prior approval for change of use from offices (B1) to residential (C3) to form 44no residential units. Prior Approval not required 17/09/2013

4 THE APPLICATION

- 4.1 Planning permission is sought for external works to the building to facilitate its conversion into 44 residential flats, as permitted under prior approval application BH2013/02779. The works include:
- The cladding of the building with a glazed terracotta tile
 - The enlargement of existing windows,
 - The addition of balconies to the front and side elevations
 - New window and door treatments
 - Landscaping works

- 4.2 During the course of the application amendments have been received to substitute the original black tile cladding with a cladding to reflect the adjacent brick buildings, to include obscure glazing to the existing rear facing windows, and screening to the rearmost balconies.

5 PUBLICITY & CONSULTATIONS

External

5.1 Neighbours:

Twenty Six (26) letters of representation have been received from **25 (x2), 26, 27 (x2), 28 & 35 Dyke Road Drive; 108 Beaconsfield Villas; 191 Surrenden Road; 46a Inwood Crescent; 162a Springfield Road; 8 West Hill Road; 240 Ditchling Road; 11 Stanford Court, Stanford Avenue; 16 Whistler Court, 26 Preston Park Avenue (x2); 46 Nestor Court, Grange Close; 4a Park View Terrace; 19 Withdean Crescent; 49 Denmark Villas; 42 Rugby Road; 10 Campbell Road; 35 Ryde Road; Flat 3, 2 Florence Road; 11 Walnut Close; and 5 Cornwall Gardens, objecting** to the proposed works on the following grounds:

- The larger windows and new balconies will result in loss of privacy and increased noise
- Overlooking from rear windows. They should be frosted
- The dark cladding is very oppressive and draws attention to the building rather than improving it, and has no place in an area of red brick buildings. There are no black buildings in the area
- The black tiles will be grim and unsightly, and totally out of keeping with the area
- The glazed finish would be foreign to the area
- Noise from the substation
- No details of refuse and recycling facilities have been provided
- Highway safety from the site entry/exit point
- Insufficient parking spaces

Three (3) letters of representation have been received from **35 Dyke Road Drive and 49 Mandalay Court, London Road (x2), supporting** the proposed works.

Internal

5.2 Heritage:

(Verbal comment) In this location, given the existing context, the terracotta tones would be a preferable palette of materials.

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:

- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD4 Design – strategic impact
- 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

Supplementary Planning Documents:

- SPD06 Trees & Development Sites
- 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 of the external works on the appearance of the building, the setting of the adjacent Preston Village Conservation Area, and the amenities of adjacent occupiers. The principle of conversion to 44 residential flats has been established

by prior approval under application BH2013/02779. This application relates solely to the external works required to facilitate the conversion.

Design and Appearance:

- 8.2 The building as existing forms a vacant office unit in a poor state of repair such that it has a negative impact on the street scene and setting of the Preston Village Conservation Area opposite. The proposal seeks to improve its appearance through a number of external works. Principally, the application proposes to clad the exterior brickwork with a glazed terracotta tile across all floors, set in a staggered banding and punctuated by enlarged window openings and balconies. No new window openings are proposed. The plans detail that the cladding (as amended) would be of a similar colour and tone to the adjacent brick buildings, thereby ensuring a continuity of appearance. The reflective nature of the material and its staggered banding would both soften the appearance of the cladding and provide visual interest to the building. This, in combination with the enlarged windows with white reveals and the addition of balconies, is such that the building would have a distinctive appearance that would both complement and contribute positively to the variety of large scale office and medical buildings along the west side of Preston Road. An indicative sample of the proposed cladding has been submitted, with the final sample to be secured by condition.
- 8.3 Elsewhere on the building, the application proposes metal balconies, glass balustrades and aluminium windows. A sample board of these materials has been prepared and these materials and finishes are secured by condition.
- 8.4 Landscaping: As part of the refurbishment, new hardstanding and soft landscaping is proposed around the building, including new parking layouts. This arrangement is acceptable in principle however full details are sought by condition.

Impact on Amenity:

- 8.5 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.
- 8.6 The main impact would be on the amenities of the properties to the rear along Dyke Road Drive, which are located on higher ground. The application proposes to retain rear facing windows that directly overlook the rear gardens to these properties, with new balconies to the side elevations that would introduce additional overlooking potential. The application has been amended to include screening to the rearmost balconies to minimise overlooking, and to introduce obscure glazing to the rear windows that would most impact on privacy. This would ensure that the residential occupation of the building would not have a significant amenity impact beyond that which would occur if the building was restored as offices. The adjacent buildings to the north and south are in office use and would not be otherwise affected to a significant or harmful degree. Subject to conditions to ensure the balconies are screened prior to occupation, the proposal would accord with policy QD27 of the Brighton & Hove Local Plan.

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- 8.7 Concern has been raised at potential noise disturbance from the electricity substation within the grounds of the site. This is an existing facility set below the levels of adjacent gardens for which no works are proposed, therefore it would not be reasonable to request noise surveys or acoustic attenuation in this instance. In the event the substation causes noise disturbance, such matters for an existing facility can be addressed under Environmental Health legislation.

9 CONCLUSION

- 9.1 The proposed development would not harm the appearance of the building, the setting of the Preston Village Conservation Area, or the amenities of adjacent occupiers, in accordance with development plan policies.

10 EQUALITIES

- 10.1 None identified

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Site plan	001	P03	08/05/2014
Existing floor plans	101	P02	21/02/2014
	102	P02	21/02/2014
Existing elevations	301	P02	21/02/2014
	302	P02	21/02/2014
Proposed ground floor	110	P03	06/03/2014
Proposed floor plans	111	P03	06/03/2014
	112	P03	06/03/2014
Proposed elevations	311	P06	16/05/2014
	312	P06	16/05/2014
Proposed window and door sections and elevations	614	P01	06/03/2014
	615	P01	06/03/2014
	616	P01	06/03/2014
	617	P01	06/03/2014
Indicative bay study	-	-	16/05/2014

- 3) The development hereby permitted shall be carried out in accordance with the material samples received [date to be inserted on late list], excluding the external tile cladding.

- Reason:** To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2 & HE6 of the Brighton & Hove Local Plan.
- 4) Prior to implementation, a final sample of the external cladding shall 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, QD2 & HE6 of the Brighton & Hove Local Plan.
- 5) Prior to implementation, a scheme for landscaping, which shall include hard surfacing, details of all 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 shall have been submitted to and approved in writing by the Local Planning Authority.
- Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1, QD2, QD15 & HE6 of the Brighton & Hove Local Plan.
- 6) 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, QD2, QD15 & HE6 of the Brighton & Hove Local Plan.
- 7) Prior to their first occupation, the privacy screens to the rearmost balconies as detailed on drawing nos 311 P06 and 312 P06 received on 16 May 2014 shall be installed and retained in situ at all times.
- 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.

11.2 Informatives:

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

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- (ii) for the following reasons:-
The proposed development would not harm the appearance of the building, the setting of the Preston Village Conservation Area, or the amenities of adjacent occupiers, in accordance with development plan policies.
- 3. Notwithstanding the approved drawings, the application relates to operational development only for the external alterations and does not purport to grant planning permission for the change of use of the site to residential use.

ITEM E

112 Carden Avenue, Brighton

BH2013/03400
Full planning

04 JUNE 2014

BH2013/03400 112 Carden Avenue, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/03400	<u>Ward:</u>	PATCHAM
<u>App Type:</u>	Full Planning		
<u>Address:</u>	112 Carden Avenue Brighton		
<u>Proposal:</u>	Demolition of existing garages to rear and erection of 3no. bedroom detached dwelling with associated landscaping and access from existing driveway off Carden Avenue.		
<u>Officer:</u>	Anthony Foster Tel 294495	<u>Valid Date:</u>	05 February 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	02 April 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Mr Dieter Haslam, 6 Peacock Lane, Brighton BN1 6WA		
<u>Applicant:</u>	Mr Paul Williams, 112 Carden Avenue, Brighton BN1 8NE		

This application was deferred from Planning Committee on 2 April 2014 to allow Members to conduct a site visit and on 23 April 2014 to allow the applicant to resolve outstanding matters of land ownership and correctly complete ownership certificates.

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The site comprises the rear garden of no.112 Carden Avenue. This section of the garden is elevated above the floor level of nos.112 and 110. A fence (approx height 1.5m) is present on the boundary between the gardens of nos.110 and 112.
- 2.2 Two garages are located on the site at present within the eastern section of the garden. These are accessed via a private road adjacent to no.130 Carden Avenue.
- 2.3 The surrounding area is predominantly residential, although there commercial properties present at nos.122 to 128 Carden Avenue with residential flats over. A doctor's surgery is located at nos.114 – 118.

3 RELEVANT HISTORY

- BH2009/00014:** Erection of 1 no. 2 bedroom detached bungalow. Refused 16/03/2009
- BH2007/03690:** Construction of detached three bedroom chalet dwelling. Refused 18/01/2008
- BN88/1181/OA:** Erection of a detached dwelling with access onto Carden Avenue adjoining No.130. Refused 09/08/1988. Dismissed at Appeal

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing garages and the erection of a 3 bedroom detached dwelling with associated landscaping and access from the existing driveway adjacent to no. 130 Carden Avenue.
- 4.2 The proposed dwelling would be located 22.5m to the east of the existing dwelling at no 112 Carden Avenue, resulting in the garden being split to provide a rear garden for 112 Carden Avenue of 16.5m in length and 6m in length for the proposed dwelling.
- 4.3 The dwelling would appear as a single storey dwelling, but also provides accommodation within a basement level. At ground floor level the accommodation proposed includes a bedroom, bathroom and open plan living/kitchen area. Whilst two further en-suite bedrooms are proposed at basement level.
- 4.4 The property would be 3.4m in height to the front (east) elevation with a monopitch sloping roof down to 3m in height to the rear (west) elevation. The property is proposed to be finished in white render, with a sedum roof and powder coated aluminium doors and windows.
- 4.5 The application proposes a parking area to the front.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Five (5)** letters of representations have been received from the residents of **91 Graham Avenue, 110 (x4) 126/128, 130 Carden Avenue (x3), objecting** to the scheme on the following grounds:
 - The proposal will impact upon the wildlife in the area
 - Excavating to a lower level will have an impact upon drainage
 - The proposal is out of context for the area
 - Impact upon neighbouring amenity in terms of overlooking and loss of privacy
 - There is no right to use the adjoining parking spaces to allow for turning
 - There is uncertainty about the use of the shared driveway.
 - The Doctor's surgery has now moved and the site has been redeveloped to a mixed use scheme with retail on the ground floor at the front and residential to the rear and above.
 - The Sustainable Transport comments incorrectly states that access is solely for use by the proposed dwelling when it is shared by a number of other properties. In respect of sufficient space on Carden Avenue to accommodate associated parking, the majority of the surrounding streets have double yellow lines and the parking bays are time restricted.
 - Damage to the shared driveway/road as a result of the commercial/vehicle carrying building materials.
 - The shared drive should be fully tarmaced and make good any damage that results from the implementation of the scheme.
 - Capacity of the area to provide parking for the different uses.
 - Lack of parking for the proposed house and turning area.

- Safety hazard during construction and thereafter.
- 5.2 **Six (6)** letters of representations have been received from the residents of **82 Lyminster Avenue, 109 Carden Avenue, 4 Sunnysdale Avenue, 101 Ladies Mile Road, 15 Rustington Road, 8 Birchgrove Crescent** supporting the scheme on the following grounds:
- In favour of an eco home
 - Good modern design with lots of outdoor space
 - The basement reduces the impact on the area
 - There is a current housing shortage in Brighton
 - Neighbouring amenity would not be impacted upon
 - It has been designed for use by disabled people

Internal:

- 5.3 **Sustainable Transport:** Comment.
- 5.4 Pedestrian & Mobility Impaired Access: Access is via a private road leading to Carden Avenue. Ideally the applicant should consider a segregated pathway for pedestrians; however it is noted that the private road will only be used by the proposed dwelling and likely to be lightly trafficked, therefore in this instance it is deemed acceptable.
- 5.5 Cycle Parking: The applicant has proposed a cycle parking space in a shed in the garden at the rear of the site. When assessing the sections and layout plans there appears to be steps and a drop in level to reach the shed and the garden. If this is the case this location would be unsuitable and does not comply with Local Plan policy TR14.
- 5.6 There appears to be other locations on the site that does not have a stepped approach. It is requested that the applicant provides a further drawing that details a cycle parking space that is in a convenient location with no stepped approach and a condition is recommended in this respect. If the space is on a lawn area then a tarmac path or similar should also be detailed to ensure that the space can be used during inclement weather.
- 5.7 Car Parking: The applicant is proposing a hardstand for 1 parking space with a turning point that is serviced via an existing private road. This arrangement is acceptable on the basis that vehicles can exit the site in a forward gear. The amount of parking complies with the City Council's Maximum Parking Standards SPG04.
- 5.8 There is a loss of 2 garages due to this proposal that may have been used as parking space by the existing house on Carden Avenue. Their removal may mean that any car parking associated with the existing dwelling would now occur on the highway.
- 5.9 On assessment, however, there appears to be sufficient space on Carden Avenue north of the site to accommodate likely associated parking therefore the Highway Authority does not wish to object to the loss of the garages.

- 5.10 Vehicular Crossover: The vehicular crossover to the private road that services the site is as existing and appears to be acceptable.
- 5.11 Trip generation/ Financial contributions comment: The size of this development is below the threshold at which financial contributions can be sought due to the temporary recession measures approved by the Council. The Highway Authority acknowledges this and in this instance does not wish to seek financial contributions for any uplift in trips generated by this development.

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

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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
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

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

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

8.1 Matters relating to the implementation of the scheme and the status and condition of the access to the land are not material planning considerations. The main considerations in the determination of this application relate to the principle of the subdivision of the plots, the impact of the proposal on the visual amenity and character of the area, the residential amenity of adjacent occupiers, sustainability and traffic considerations.

Principle:

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

- 8.3 The character of the surrounding area is mixed, however there is a relatively established building grain within the area, which largely comprises of a traditional pattern of development with a predominance of two storey semi-detached and detached properties with pitched roofs with large gardens which extend to the rear.
- 8.4 The dwelling is proposed within the rear section of the garden of No.112 which is elevated above the floor levels and lower section of the gardens of Nos.110 and 112 Carden Avenue by approximately 2m. The gardens of properties along this section of Carden Avenue and properties to the east on Graham Avenue have long gardens of typically some 35 to 45 metres in length.
- 8.5 The proposed siting of the dwelling would appear relatively contrived in relation to the existing plot and the grain of development within the area. Whilst there are existing garages on the site these are for domestic use only and do not provide additional residential accommodation sited adjacent to the rear boundary close to other neighbouring garages and outbuildings and they are modest in height. The proposed development in contrast is clearly residential in character with large windows proposed in the north, east and west elevations and is sited some 10m further west into the plot.
- 8.6 It is considered that the proposal would result in an incongruous and intrusive development in an area which is typically characterised by large open garden plots, and would be detrimental to the character and appearance of the area and contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

Design:

- 8.7 Policies QD1, QD2, and QD3 set out the design criteria for applications of this nature. These policies require proposals to make an efficient and effective use of the site, contributing positively to the visual quality of the environment, addressing key principles for the neighbourhood in terms of height, scale, bulk and design whilst providing an interesting and attractive street frontage.
- 8.8 The proposal is simple in design terms. There is little detailing provided in relation to the design of the dwelling and the overall approach appears to be contrived, particularly with the proposed monopitched roof, which seeks to ensure that the proposal has a minimal impact upon neighbouring occupiers. Whilst the proposal would not be readily visible from within the street scene it is considered that this overly simplified approach does not represent a high standard of design which enhances the positive characteristics of the neighbourhood. In addition, the siting of the proposed dwelling bears no relationship to the surrounding linear development along Carden Avenue and Graham Avenue. Further, due to the site's elevated position in relation to Carden Avenue development, the proposal fails to provide adequate subservience and would appear intrusive in views of the site from surrounding neighbouring properties. The visual intrusion of the proposal is exacerbated by its siting within the rear of the plot at 112 Carden Avenue with the west elevation of the proposed dwelling sited some 16.5m forward of the rear boundary of the site which is currently surrounded on all sides by largely open garden areas.

- 8.9 It is recognised that there is a mix of properties within the area however, the proposed development by reason of its siting, excessive plot coverage, form, design and relationship with others in the area would appear out of context with the established pattern of development, and would fail to make a positive contribution to the visual quality of the area or emphasise the positive characteristics of the area. The proposed development would introduce an incongruous addition to the site and surroundings which would be harmful to the overall character of the area. The proposal is therefore contrary to policies QD1, QD2, and QD3 of the Brighton & Hove Local.

Amenity for future residential occupiers:

- 8.10 Policy QD27 seeks to resist development where it would cause a loss of amenity to proposed residents. Policy HO5 requires the provision of private amenity useable amenity space in new residential developments, which is appropriate to the scale and character of the development. The application proposes two windows to the rear elevation which would be a minimum of 23m between the rear elevation of the proposed dwelling and the ground floor extension of no 112 Carden Avenue. This separation distance is considered acceptable in the context of the wider area and ensures that the future occupiers of the scheme are not directly overlooked by the surrounding neighbours.
- 8.11 Policy HO13 requires all new dwellings to fully meet lifetime home standards. From the plans submitted it would appear that the proposed dwelling would be capable of complying with lifetime home standards, given the overall size of the dwelling.
- 8.12 Policy SU2 requires all new residential development to provide refuse and recycling storage facilities. Insufficient information has been provided regarding the full details of the provision of refuse and recycling facilities, however it is considered that the property is capable of providing a suitable level of provision. Were the scheme otherwise considered acceptable this could be controlled by suitably worded conditions.

Neighbouring amenity:

- 8.13 The previously refused application BH2009/00014 included a reason on the basis of impact on neighbouring amenity and read as follows:
- *The proposal, by reason of siting, design, height, bulk and massing, would result in the proposal unduly impacting on the living conditions, visual amenity of surrounding residents and the use and enjoyment of their private amenity spaces due to its overbearing and over-dominant impact. As such the proposal is contrary to policy QD27 of Brighton & Hove Local Plan.*
- 8.14 The design of the current application has been amended since the previous scheme in relation to a reduction in the size of the footprint, from approximately 9m in depth and 8m in width, to approximately 8.5m in depth and 7.5m in width. In addition, the previously proposed pitched roof has been replaced by a mono-pitched roof and the maximum height has therefore been reduced from

approximately 5.25m down to 3.7m above ground level (the heights are based on the plans submitted which are not however related to Ordinance Datum (AOD)). The siting remains largely unaltered, in front of the existing garages and the proposal now includes basement level of accommodation and an additional bedroom to that previously proposed.

- 8.15 Although the reduction in the maximum height through the removal of the fully hipped roof and slight reduction in the size of the footprint are noted, the impacts of the proposal in relation to neighbouring amenity as set out in the reason for refusal above remain largely very similar. The impact of the reduction in the footprint and removal of the fully hipped roof are weighed against the fact that the buildings elevations are now proposed to be approximately 3.4m above ground level where they were previously proposed to be approximately 2.7m above ground level. As such although the maximum height has been reduced in relation to the fully hipped roof, the main bulk of the dwelling has increased in height when compared to the previous scheme. In addition, the elevated position of approximately 2m above that of 112 Carden Avenue, the proposed dwelling, particularly in relation to the neighbouring properties to the west of the site, results in the proposal unduly impacting on neighbouring amenity. The impact is further compounded by the fact that the aspect for the surrounding properties is currently that of largely open garden area. The proposal would therefore appear over-dominant when viewed from surround properties and gardens.
- 8.16 The proposal, by reason of siting, elevated position, bulk and massing, would result in the proposal unduly impacting on the living conditions, visual amenity of surrounding residents and the use and enjoyment of their private amenity spaces due to its overbearing and over-dominant impact. As such the proposal is contrary to policy QD27 of Brighton & Hove Local Plan.
- 8.17 There is a ground difference of at least 2m from the front of 112 Carden Avenue to the rear of the site where the dwelling is proposed. The rear elevation of the property would be set back from the boundary with no 112 Carden Avenue by circa 6m, and from the adjoining boundary with no 110 Carden Avenue by 1.8m. There would potentially be the opportunity for some level of overlooking of the amenity space to the adjoining property no 110 Carden Avenue, due to the change in levels which exists across the site. However, it is considered that this level of overlooking is commensurate to that within this sub-urban location, and would not cause demonstrable harm to neighbouring amenity by way of loss of privacy. These details could be secured by conditioned were the scheme otherwise considered acceptable.

Impact on local highway network/parking:

- 8.18 Policy TR1 confirms that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling. Policy TR14 confirms that all proposals for new development and change of use should provide facilities for cyclists in accordance with the parking guidance.

- 8.19 The applicant is proposing a hardstand for 1 parking space with a turning point that is serviced via an existing private road. This arrangement is acceptable on the basis that vehicles can exit the site in a forward gear. The proposed level of car parking is in line with the maximum car parking standards quoted within SPG04 and is deemed acceptable.
- 8.20 The application proposes the loss of 2 garages that may have been used as parking space by the existing house on Carden Avenue. Their removal may mean that any car parking associated with the existing dwelling would now occur on the highway. However, there appears to be sufficient space on Carden Avenue north of the site to accommodate likely associated parking therefore the Sustainable Transport Officer raises no objection to the loss of the garages.
- 8.21 Policy TR14 requires all new residential developments to have secure, covered cycle storage. The application proposes a cycle parking space in a shed in the garden at the rear of the site, however there appears to be steps and a drop in level to reach the shed and the garden, which is not considered acceptable to the Sustainable Transport Officer. There appears to be other locations on the site with sufficient space that do not have a stepped approach and were the scheme otherwise considered acceptable this could be controlled via a suitably worded condition.

Sustainability:

- 8.22 Policy SU2 and SPD08 seeks to ensure that development proposals are efficient in the use of energy, water and materials. Proposals are required to demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design.
- 8.23 The proposal is for new build development on garden land as such the scheme should therefore achieve Level 5 of the Code for Sustainable Homes as recommended by SPD08. The submission of a Sustainability Checklist is also required. The completed sustainability checklist submitted with the application contends that the development will meet level 5 of the Code for Sustainable Homes. This is considered acceptable and could be secured by a suitably worded condition were the scheme otherwise considered acceptable.

9 CONCLUSION

- 9.1 The proposed the development would result in an incongruous and intrusive development in an area which is typically characterised by large open garden plots. The proposed development is considered to be of an unacceptable standard of design, which fails to emphasise and enhance the positive qualities and would be detrimental to the character and appearance of the area.

10 EQUALITIES

- 10.1 The development would be required to meet Lifetime Homes Standards.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposed development by reason of its siting, excessive plot coverage, form, design and relationship with others in the area would appear out of context with the established pattern of development, and would fail to make a positive contribution to the visual quality of the area or emphasise the positive characteristics of the area. The proposed development would introduce an incongruous addition to the site and surroundings which would be harmful to the overall character of the area. This harm is therefore considered to outweigh the benefit provided by the additional dwelling and the proposal is therefore contrary to policies QD1, QD2, and QD3 of the Brighton & Hove Local.
2. The proposal, by reason of siting, elevated position, bulk and massing, would result in the proposal unduly impacting on the living conditions, visual amenity of surrounding residents and the use and enjoyment of their private amenity spaces due to its overbearing and over-dominant impact. This harm is therefore considered to outweigh the benefit provided by the additional dwelling and as such the proposal is contrary to policy QD27 of 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 Plan & Block Plan			05/01/2014
Existing site plans	01	A	09/10/2013
Existing Sections and Elevations	02	A	09/10/2013
Proposed Plans, Sections and Elevations	03	B	29/11/2013
Proposed Site Plan, Roof Plan, Cycle Store and Fence Details	04	A	9/10/2013
Proposed Rear (West) Sectional Elevation	05		05/03/2014

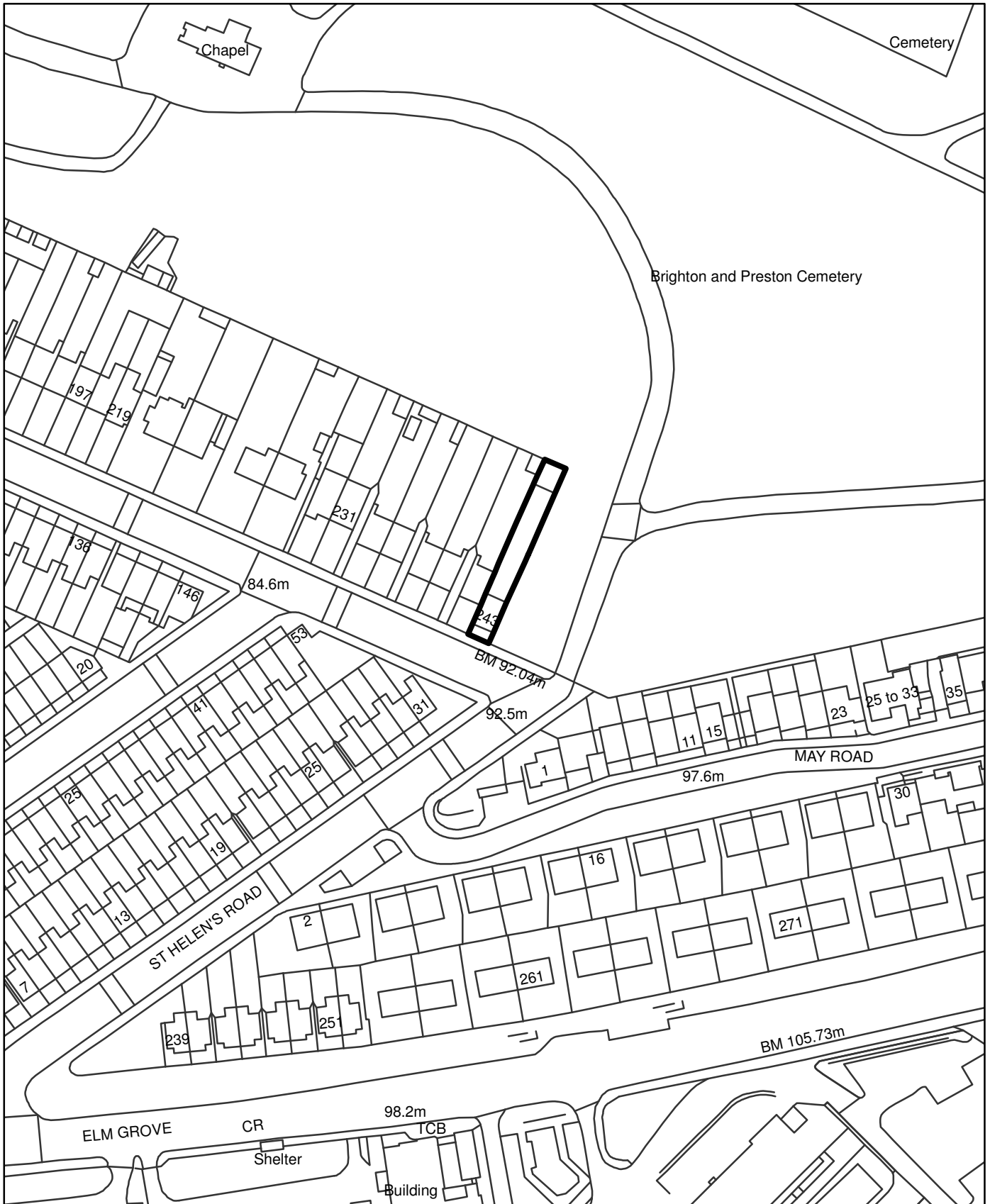
ITEM F

243 Hartington Road, Brighton

BH2014/01001
Full planning

04 JUNE 2014

BH2014/01001 243 Hartington Road, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/01001	<u>Ward:</u>	HANOVER & ELM GROVE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	243 Hartington Road Brighton		
<u>Proposal:</u>	Demolition of workshop and store and erection of a 3no bedroom house (C3) incorporating home office building to rear and bicycle store and parking space to front. (Retrospective).		
<u>Officer:</u>	Wayne Nee Tel 292132	<u>Valid Date:</u>	14 April 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	09 June 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Delavals Design, Heron House, Laughton Road, Ringmer, East Sussex BN8 5UT		
<u>Applicant:</u>	Mr M Knight, C/O Delavals Design, Heron House, Laughton Road Ringmer, East Sussex BN8 5UT		

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

The application relates to a semi-detached dwelling at the eastern end of Hartington Road. There was previously a single storey commercial building on the site; this has been demolished and the new dwelling constructed.

3 RELEVANT HISTORY

BH2013/04047 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 – Currently under consideration

BH2013/02817 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 – Refused 01/11/2013

BH2013/02620 Non material amendment to BH2012/00173 to allow for alterations including the omission of the lower ground floor level of the dwelling, the installation of 2no. velux windows to front elevation, changes to rear fenestration and replacement of garden office (retrospective). Refused 19/09/2013.

BH2013/00097 Application for Approval of Details Reserved by conditions 6, 7, 8, 9, 10 and 11 of application BH2012/00173. Split decision 12/08/2013.

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. Approved 13/09/2012.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of a workshop and store and erection of a 3no bedroom house (C3) incorporating home office building to rear and bicycle store and parking space to front. This is a retrospective application.
- 4.2 The dwelling which has been constructed does not accord with the scheme approved under application BH2012/00173.
- 4.3 The most significant deviations from the approved scheme are as follows:
- The basement level which formed part of the approved scheme has not been constructed.
 - The rear dormer roof extensions constructed do not accord with the previously approved drawings.
 - The outbuilding to the rear garden area, which was to be retained, has been demolished and replaced with a new structure.
 - Two rooflights have been inserted to the front roofslope.
 - The rear first floor windows of the dwelling are set lower than was approved.
 - The raised hardstanding to the front of the property is set at a higher level in relation to the dwelling than was shown in the previously approved drawings.
- 4.4 The Head of Law has advised, in relation to undetermined variation of condition application BH2013/04047, that insofar as the dwelling has been constructed a variation of condition application is inappropriate as such an application can only be used where the development involved is yet to be carried out. Where development has already been carried out a retrospective planning application must be made.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Eight (8)** letters of representation have been received from **(233, 235, 237, 329 and 241 Hartington Road, 31 St Helens Road, 5 Hylden Close Woodingdean and 6 Rectory Close Shoreham-by-Sea)** supporting the application for the following reasons:
- Virtually every property on the street has larger dormers than proposed here;
 - The dormers are well designed in comparison to others;
 - This is a minor issue;
 - The property is a vast improvement to what was there before.

Internal:

- 5.2 **Ecology:** It is considered unlikely that the development will have any significant impacts on biodiversity. It is recommended that a condition be applied to provide a scheme to enhance the nature conservation interest of the site, in line with the NERC Act and NPPF.
- 5.3 **Environmental Health:** No comment
- 5.4 **Planning Policy:** No comment
- 5.5 **Sustainable Transport:** Recommended approval as the Highway Authority has no objections to this application. The Highway Authority comments are similar to recent application such as BH2013/02817 and BH2013/04047. The Highway Authority would look for further details of cycle storage to be secured via condition.
- 5.6 **Natural England:** No comment
- 5.7 **Access Officer:** The gradient of the access path appears to be far too steep. The required 300mm clearance to the leading edge of the entrance door is missing. There seems to be a step up to the rear doors. They should have level approach. The ground floor plan shows about 550mm space in front of the WC where there should be 1100mm. There needs to be suitable side transfer space beside the 1st floor WC (1000mm from centre line)

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

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
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD27	Protection of amenity
QD28	Planning obligations
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes
EM6	Small industrial, business and warehouse units

Supplementary Planning Guidance:

SPGBH4	Parking standards
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Supplementary Planning Documents:

SPD03	Construction and Demolition Waste
SPD06	Trees & Development Sites
SPD08	Sustainable Building Design
SPD11	Nature Conservation and Development
SPD12	Design guide for extensions and alterations

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the loss of the established employment use on the site the proposal for a new residential dwelling, neighbouring amenity, the appearance of the proposed development, the standard of accommodation which the new

dwelling would provide, transport, sustainability, trees landscaping and ecology, and impact upon the adjoining SNCl.

Background:

8.2 A planning application (BH2013/02817) for the variation of condition 2 to allow for minor amendments was refused for the following reason:

8.3 *The rear roof dormers as shown in the submitted drawings and as constructed are of an excessive size in relation to the roof slope, with large areas of cladding around the windows. The dormers dominate the appearance of the rear roof rather than appearing as sympathetic additions, contrary to policies QD1 and QD14 of the Brighton & Hove Local plan and the guidance set out in SPD12 'Design guide for extensions and alterations'.*

8.4 In this resubmission, the dormers have been amended on the drawings with a narrower width.

Principle of development:

8.5 The established use of the premises was considered under application BH2013/00173 to be a workshop (Use Class B1). The loss of this use must therefore be considered having regard to Policy EM6 of the Brighton & Hove Local Plan which states that:

8.6 ***'small industrial, business and warehouse premises (Use Classes B1, B2 and B8 of 235 sq m or less) will be retained for employment purposes unless:***

8.7 ***a. specially built or converted starter business units are available elsewhere in the neighbourhood at a comparable rental;***

8.8 ***b. the premises have been assessed and are genuinely redundant***

8.9 ***i.e. they are vacant and have been marketed locally at price that reflects their condition and commercial value and for a period of time that reflects the likely demand for the size of premises;***

8.10 ***c. continued use of the premises for business purposes would cause undue disturbance to residential neighbours; or***

8.11 ***d. access to the premises does not meet an acceptable safety standard and cannot reasonably be improved.***

8.12 ***e. a change of use is the only practicable way of preserving a building of architectural or historic interest.'***

Criterion (a)

8.13 A statement addressing the criteria of policy EM6 along with marketing information / evidence was submitted to the LPA in March 2012. The

statement identified starter units in the city which were vacant at the time.

- 8.14 Searching the Council's commercial property database on 14/08/2012 for industrial / storage units of less than 100m² yielded a 95.1m² unit on Hollingbury Enterprise Estate, an 82.7m² unit at Hove Enterprise Centre, an open yard to the rear of 37 Lewes Road, and a 61.7m² storage unit on Marine Square Mews. 10 units of 100-200m² were also identified. A search for small office units yielded numerous results across the city. Therefore whilst no details of starter business units 'elsewhere in the neighbourhood' have been identified, there are B1 units available in the city and overall it is considered that it would be unreasonable to refuse the application for failing to fully demonstrate compliance with criterion (a).

Criterion (b)

- 8.15 Marketing information was previously submitted with no supporting evidence. The information indicated that the property was marketed at some time in the past; no dates were confirmed. The redundancy argument presented therefore relies upon the condition of the pre-existing building, the length of time since employment use last took place (which was over 15 years), the lack of off-street parking / loading area, and the conflicts with the residential use to the west and the cemetery use to the east and north.

Criterion (c)

- 8.16 In regard to criteria (c) it is acknowledged that industrial / employment uses located in close proximity to residential properties can have a significant negative impact on neighbouring amenity due to noise pollution, air pollution, and general disturbance. It is also the case that many such businesses, appropriately run, can successfully function within such locations without causing significant negative impacts. The subtext of Policy EM6 states that:

- 8.17 *'Brighton & Hove has a densely developed built up area with limited opportunities for introducing new workshop premises but it still retains many small workshops within the urban fabric. It is very important that these sites are retained for starting up new employment enterprises. This is shown by a strong demand for small and inexpensive industrial or business premises, preferably within easy reach of residential neighbourhoods..'*

- 8.18 On this basis it cannot be assumed that all employment sites in residential locations are inappropriate. It is however clear that a case could be made in this regard given the proximity of residential properties. The adjoining residential property is clearly in extremely close proximity to the application site. Use of the existing building and open rear curtilage for a light industrial purpose could cause significant disturbance to neighbouring residents. The size of the site and the large open space

to the rear could facilitate a level of activity beyond that which for example a small workshop or office unit would create.

- 8.19 Criterion (d) and (e) not relevant in this case.
- 8.20 It is clear that the site was not in active employment use for a period of time, and that the existing building was not particularly suitable for modern employment use. Furthermore, the size of the site and the open nature of the rear curtilage means that an employment use which fully utilised the site could cause significant noise and disturbance. Due to the immediate proximity of neighbouring residential dwellings this is a significant concern. Overall, having regard to the information that was submitted, the nature of the application site and the proximity of neighbouring residential properties, it is considered that the loss of the employment use is acceptable in this case. The proposed replacement use, as a residential dwelling house, is considered to be appropriate in this location and in principle compliant with local and national planning policies.

Visual Impact:

- 8.21 The proposed dwelling adjoins the dwelling alongside to form a semi-detached pair in keeping with the pattern of development on the northern side of Hartington Road. There is roof level accommodation resulting in a total of three storeys of accommodation. A traditional design style is proposed. To the front of the dwelling is a two storey bay to match the dwelling alongside. Walls are brick faced and painted render finishes with tile hanging to the front bay. The roof is of gable-end form and tiled finish. To the side of the dwelling a brick faced finish is proposed at ground floor level with painted render finish above. A side window is proposed at roof level. To the rear of the building glazed doors are proposed at ground floor level.
- 8.22 The proposed dwelling sits comfortably in the street scene and from the front it relates well to the dwelling alongside. The front curtilage is to some extent dominated by the proposed raised driveway and any vehicle parked on it, the layout proposed is however dictated by the need to provide gently sloping access to the front entrance of the dwelling and the desire for an off-street parking space and overall the arrangement is considered appropriate. The proposed railings are considered acceptable.
- 8.23 Under the original application, a large box dormer was initially proposed. This was considered to be unacceptable and revised drawings which showed two smaller dormers of an acceptable design were submitted and approved. The dormers which have been constructed do not comply with the previously approved drawings, they are significantly larger. The dormers are considered to be contrary to policy QD14 of the Brighton & Hove Local Plan and to the guidance set out in SPD12 which states:

- 8.24 *'Dormer windows should instead be kept as small as possible and clearly be a subordinate addition to the roof, set appropriately in the roof space and well off the sides, ridge and eaves of the roof. In some cases a flat roof may be considered preferable to a pitched roof in order to reduce the bulk of a dormer. The supporting structure for the dormer window should be kept to a minimum as far as possible to avoid a "heavy" appearance and there should be no large areas of cladding either side of the window or below. As a rule of thumb a dormer should not be substantially larger than the window itself unless the particular design of the building and its context dictate otherwise.'*
- 8.25 The dormer extensions which have been constructed are significantly larger than the windows, with large areas of cladding surrounding the windows. The dormers are not set significantly down from the ridge height, nor up from eaves height. In this application the dormers on the drawings are set in from the sides of the roof, however they still dominate the appearance of the rear roof rather than appearing as sympathetic additions to the roof. The dormers cause significant visual harm and are considered to warrant refusal on these grounds.
- 8.26 It is noted that the property alongside, no. 241 Hartington Road, has a large rear dormer, with large areas of cladding and an unusual roof form. There is no planning history relating to this extension which it appears was carried out under permitted development rights. This extension is not considered to set a precedent for the approval of similar additions, rather, as with the roof dormers to the application property, the extension serves as an example of the visual harm inappropriate roof extensions can cause. The applicant has also provided examples of other dormer windows in the vicinity which do not appear to have planning permission and are therefore considered to have limited weight in this respect.
- 8.27 Two rooflights have been inserted to the front roof slope. The rooflights which have been installed are not ideal as they are not regularly spaced across the roof slope. They are however of an appropriate size and are not excessive in number, overall the appearance of the rooflights is not considered to be significantly harmful.
- 8.28 The outbuilding to the rear garden area, which was to be retained, has been demolished and replaced with a new structure. This development does not cause any significant impact as the outbuilding which has been constructed is very similar to that which was previously in situ and is considered to be acceptable.

Neighbouring amenity:

- 8.29 The proposed dwelling is set alongside no. 241 and therefore the bulk of the new building would not have a significant impact upon neighbouring amenity. The proposed rear windows and glazed doors would cause overlooking of neighbouring rear gardens, particularly that of no. 241. This relationship would however be comparable with the relationship

between other neighbouring dwellings and would not cause significant harm.

- 8.30 A rendered blockwork wall to a depth of 1.8 metres has been built to replace part of the existing high fence, which is an appropriate solution to protect the privacy of users of the garden of no. 241.
- 8.31 It is proposed that the existing outbuilding be utilised as a 'home office'. Such activity is unlikely to cause disturbance to neighbouring residents.
- 8.32 The neighbouring site which shares the eastern and northern boundaries of the site is a cemetery. There are graves located directly alongside the boundaries of the site and visitors to the cemetery will have a clear view of the proposed dwelling; its side elevation fronts directly on to the cemetery site. A window is proposed to the side of the dwelling at roof level to serve a bedroom which would also be served by a rear dormer window. It is considered reasonable and necessary to require by condition that the side window be obscure glazed to protect the privacy of visitors to the cemetery.

Standard of accommodation:

- 8.33 The proposed dwelling consists of:

GF: A hallway, kitchen, W.C. and living room with stairs leading up to the upper floors.

FF: Two bedrooms, a bathroom and an en-suite.

2F: Two bedrooms, and bathroom.

- 8.34 To the front of the property a raised driveway is proposed with a cycle store below and a sloping pathway. To the rear a large garden area is provided. A location for refuse / recycling storage has been identified to the rear of the raised driveway, refuse and recycling could also be stored within the building or in the rear garden area proposed.
- 8.35 It is considered that the proposed dwelling would provide an acceptable standard of accommodation.
- 8.36 Policy HO13 requires that new dwellings meet Lifetime Homes standards.
- 8.37 Concern has also been raised by the Access Officer regarding the gradient of the pedestrian access to the front door. In this case it must be acknowledged that the gradient of the path is defined by the height difference between the pavement and the entrance door. The entrance door cannot be raised in height as the detailing of the dwelling has been designed to replicate that of the adjoining semi-detached property. A longer ramp design which took up more of the front curtilage would be likely to require the omission of the proposed vehicular parking and may appear incongruous in the street scene. Therefore, whilst the submitted drawings do not appear to fully demonstrate compliance with Lifetime

Homes Standards, a sloping access is proposed and the concerns raised are not considered to warrant the refusal of planning permission in this instance.

Transport:

- 8.38 One vehicular parking space is proposed which is the maximum specified in SPGBH1.
- 8.39 Cycle parking is proposed below the raised driveway; a storage cupboard 3.0m x 1.5m x 1.2m tall. The Sustainable Transport Team have confirmed that this cupboard will provide adequate storage for one cycle which is the minimum defined by SPGBH4.
- 8.40 The development would create an increased burden on sustainable transport infrastructure within the vicinity of the site; the Sustainable Transport Team have therefore advised that a contribution towards such infrastructure is required to ensure compliance with policy TR1 of the Brighton & Hove Local Plan. Under current short term recession measures, improvements to / contributions toward improvements to sustainable transport infrastructure would not however be sought in relation to a development of the scale proposed.
- 8.41 Overall the scheme is considered acceptable in regard to transport issues.

Environmental Sustainability:

- 8.42 The dwelling meets Code For Sustainable Homes rating of Level 3 and a post construction final certificate has been submitted to confirm this. This is considered acceptable in compliance with SU2 and SPD08.
- 8.43 A waste minimisation statement has been submitted which addresses the requirements of SU13 and SPD03.
- 8.44 Overall it is considered that the proposed development successfully addresses the environmental sustainability aspirations set out in national and local policy and the guidance of SPD08.

Landscaping, trees and nature conservation / ecology:

- 8.45 The site adjoins a SNCI and as such impact upon the SNCI must be carefully considered. Policy QD17 requires that new developments incorporate new nature conservation features, with further guidance detailed in SPD11 Nature Conservation & Development. The Ecology Officer has no objection to the proposal.
- 8.46 Areas of hard landscaping are proposed to the front and rear curtilage of the dwelling. These would need to be permeable or run of to permeable areas within the site. This can be secured by condition. A small area of planting is proposed to the front of the site. To the rear garden a large lawn area is proposed with some planting. Details of a full scheme of

landscaping and the implementation of the scheme can be secured by planning condition.

- 8.47 In regard to boundary treatments, the existing flint wall along the eastern boundary of the site is to be retained. Existing fencing is to be retained to the northern and western boundary of the rear garden. A wall is proposed to protect the privacy of no. 241 as detailed above. To the front garden a low wall is proposed between the application site and no. 241, to the front of the site railings are proposed to either side and between the pedestrian and vehicular access. As stated above these alterations are considered acceptable.

9 CONCLUSION

- 9.1 The rear roof dormers as shown in the submitted drawings and as constructed are of an excessive size in relation to the roof slope, with large areas of cladding around the windows. The dormers dominate the appearance of the rear roof rather than appearing as sympathetic additions, contrary to policies QD1 and QD14 of the Brighton & Hove Local plan and the guidance set out in 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 rear roof dormers as shown in the submitted drawings and as constructed are of an excessive size in relation to the roof slope, with large areas of cladding around the windows. The dormers dominate the appearance of the rear roof rather than appearing as sympathetic additions, contrary to policies QD1 and QD14 of the Brighton & Hove Local plan and the guidance set out in SPD12 'Design guide for extensions and alterations'.

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
Ground floor plan	13.05.10.004		25 March 2014
Cross section	13.05.10.008		25 March 2014
Outbuilding plans	13/04/08/10BR		25 March 2014

PLANNING COMMITTEE LIST- 4 JUNE 2014

First floor plan	13.05.10.005		25 March 2014
Second floor plan	13.05.10.006		25 March 2014
Elevations	13.05.10.009		25 March 2014
Block plan	13.05.10.001		25 March 2014
Landscaping plan	13.05.10.002		25 March 2014
Indicative drainage layout	13.05.10.003		25 March 2014
Site plan	13.05.10.007		25 March 2014

PLANNING COMMITTEE	Agenda Item 9 Brighton & Hove City Council
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Information on Pre-application Presentations and Requests

Upcoming presentations – Dates TBC

Anston House, Preston Road, Brighton – site redevelopment

Date	Address	Ward	Proposal
1 st April 2014	Land at Meadow Vale, Ovingdean	Rottingdean Coastal	Construction of 112 new dwellings with vehicular access provided from a new junction on Ovingdean Road, on-site open space and a landscaping buffer along the Falmer Road boundary.
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 04 June 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****BH2013/03049****Site Between Bonheur & Rocklands Braypool Lane Brighton**

Erection of 1no three bedroom detached house with cycle/bin stores and parking areas.

Applicant: Mr John Blankson

Officer: Chris Swain 292178

Approved on 09/05/14 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 dwellinghouse as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

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

The rooflights to the side roofslopes 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.

5) UNI

The hereby approved driveway shall be built in accordance with the submitted

Report from: 24/04/2014 to: 14/05/2014

Arboricultural Report by R W Green Ltd the associated tree plans (Drawing Nos. RG-NDJ-LPJB 001 and RG-NDJ-LPJB 002) received 5 September 2014 and in accordance with BS5837 (2012).

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.

6) 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 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.

7) UNI

No development shall commence until full details of the existing and proposed land levels of the proposed development in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.

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

8) UNI

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted, including the hardstanding, 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

No development shall commence until the fences for the protection of the trees to be retained have been erected in accordance with the submitted Arboricultural Report by R W Green Ltd the associated tree plans (Drawing Nos. RG-NDJ-LPJB 001 and RG-NDJ-LPJB 002) received 5 September 2014 and in accordance with BS5837 (2012). The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 5 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.

11) 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.

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

The recommendations set out in Chapter 5 "Noise Mitigation Measures" in the Noise Assessment Report by Acoustic Associates Sussex Ltd dated 22 August 2013 and received on 5 September 2013 shall be implemented in full prior to occupation of the hereby approved dwellinghouse and shall be retained as such thereafter.

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

14) UNI

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

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

15) UNI

The dwelling hereby permitted shall be constructed to Lifetime Homes 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.

16) UNI

The vehicular access shall be constructed prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

17) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	796/001		5 September 2013
Proposed site layout and	796/31	B	23 October 2013

block plan			
Proposed ground floor plan	796/32	B	23 October 2013
Proposed first floor plan	796/33	B	23 October 2013
Proposed front and side elevations	796/34	A	5 September 2013
Proposed rear and side elevations	796/35	A	5 September 2013
Proposed sections	796/37	A	5 September 2013
Street scene and block plan	796/38		5 September 2013
Proposed contextual elevations and plans	796/39		5 September 2013
Proposed roof layout	769/40		5 September 2013
Acoustic fence and bund details	796/41		23 October 2013
Tree survey plan	RG-NDJ-LPJB 001		5 September 2013
Tree survey plan showing construction phase access	RG-NDJ-LPJB 002		5 September 2013

BH2014/00394

144 Mackie Avenue Brighton

Change of use from retail (A1) to financial services (A2).

Applicant: A C Tax Services Ltd

Officer: Adrian Smith 290478

Approved on 01/05/14 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			14/02/2014
Existing floor plan	PL-01		21/02/2014
Proposed floor plan	PL-02		21/02/2014

BH2014/00813

Unit B1 Hollingbury Enterprise Estate Crowhurst Road Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2013/00745.

Applicant: In The Pipeline Ltd

Officer: Emily Stanbridge 292359

Approved on 08/05/14 DELEGATED

BH2014/00874

16 Old Farm Road Brighton

Erection of single storey rear/side extension.

Applicant: Laurie Taylor

Officer: Julia Martin-Woodbridge 294495

Refused on 13/05/14 DELEGATED

1) UNI

The proposed extension, by virtue of its design, scale and siting would form a bulky and unsympathetic addition resulting in an overextended and disjointed appearance to the property. As such, the proposal would be detrimental to the character and appearance of the property and the visual amenities enjoyed by neighbouring properties and is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: 'Design guide for extensions and alterations'.

BH2014/00958

13 Greenfield Crescent Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 3.3m.

Applicant: Mrs Suzanna Cassidy

Officer: Robin Hodgetts 292366

Prior approval not required on 01/05/14 DELEGATED

BH2014/01023

45 Vale Avenue Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.6m, for which the maximum height would be 2.7m, and for which the height of the eaves would be 2.7m.

Applicant: Mr Olly Olsen

Officer: Christine Dadswell 292205

Prior approval not required on 14/05/14 DELEGATED

PRESTON PARK

BH2013/04085

11A Preston Park Avenue Brighton

Demolition of existing dwelling and erection of 3no detached dwellings with associated landscaping and parking.

Applicant: Roche Barrett Estates

Officer: Liz Arnold 291709

Approved on 30/04/14 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 dwellinghouses 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 to the character of the area and for this reason would wish to control any future development to comply with policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

No development shall be undertaken until the exclusion fencing for amphibians and reptiles shall be installed and the site cleared in accordance with the information set out in the Ecology Report and Ecology Plan received on the 4th March 2014. The exclusion fencing must be maintained and kept clear of vegetation throughout the period of construction.

Reason: To ensure the protection of any protected species and to comply with policy QD18 of the Brighton & Hove Local Plan.

5) UNI

Notwithstanding the Ecology Report and Ecology Plan submitted on the 4th March 2014 and letter from Paul Pendlebury submitted on the 20th March 2014, the following measures must be adhered to;

- a) All works shall be undertaken during the amphibian's active period (mid- March to October),
- b) The minimum pitfall trap effort is 50 traps per ha,
- c) The minimum trapping effort is 30 suitable days in spring or 15 days in spring (February to June) and 15 in Autumn (July to October) followed by five days clear. Suitable conditions are taken as 5° or more night time temperatures,
- d) Rubbles pile within the construction zone shall be dismantled manually under the supervision of a suitably qualified and experienced ecologist.

Reason: To ensure the protection of any protected species and to comply with policy QD18 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 new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

8) UNI

Notwithstanding the information submitted, the development hereby permitted shall not be commenced until further details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These

facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

9) UNI

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

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

10) UNI

No development shall commence until the fences for the protection of the trees to be retained have been erected to the specification as set out in the Ecology and Reptile Report, received on the 10th March 2014 and within a letter from Paul Pendlebury, received on the 20th March 2014 and in a position as set out in the Unnumbered Landscaping plan received on the 4th March 2014. The fences shall be maintained in good repair until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

11) UNI

Notwithstanding the details submitted, 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. Replacement trees should be marked on the submitted plan to compensate for the trees already removed from the western boundary of the site, to the south of the proposed cycle store area.

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

12) UNI

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 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.

14) UNI

Notwithstanding the information submitted, the first floor windows within the north facing elevation of Unit 1 hereby permitted shall be obscure glazed and non-opening unless the parts of the windows/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

15) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 5 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

16) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

17) 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.

18) UNI

Unless otherwise agreed in writing with the Local Planning Authority the measures set out in the Site Waste Management Statement, received on the 2nd December 2013, shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies 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.

19) UNI

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

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

Plan Type	Reference	Version	Date Received
OS Maps	LH11-027-100	Rev. A	2nd December 2013
Existing Elevations	TA 1120/04		2nd December 2013
Existing Floor Plans	TA 1120/03		2nd December 2013
Topographical Survey	SSL:11489:20 0:1:1		2nd December 2013
Floor Plans	LH13-627 MA/FP 201	Rev. E	2nd December 2013
Roof & Landscaping Plan	LH13-627 MA FP 202	Rev. E	2nd December 2013
Front Elevations	LH13-627 MA FP 203	Rev. D	13th January 2014
Side Elevations	LH13-627 MA FP 204	Rev. E	13th January 2014
Rear Elevations	LH13-627 MA FP 205	Rev. D	13th January 2014
Side Elevations	LH13-627 MA FP 206	Rev. D	13th January 2014
Landscaping Plan			4th March 2014

BH2014/00101

92 Preston Drove Brighton

Installation of new shopfront. (Part retrospective).

Applicant: Mr Ayhan Sen

Officer: Emily Stanbridge 292359

Refused on 24/04/14 DELEGATED

1) UNI

The proposal results in the loss of the attractive original shop front. The loss of the centralised recessed door and its repositioning to the eastern side of this front elevation, adjacent to the existing flat entrance is considered to cause significant disruption and harm to the character and appearance of this building and the surrounding Preston Park Conservation Area. As such the proposed development is contrary to QD10 and SPD02: Shop front design.

BH2014/00407

First Floor Flat 3 Port Hall Road Brighton

Replacement of existing aluminium and timber windows with UPVC windows.

Applicant: Mr Peter Sturman

Officer: Joanne Doyle 292198

Approved on 07/05/14 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.

Report from: 24/04/2014 to: 14/05/2014

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			12 Mar 2014
Sectional Drawings			07 Feb 2014
Window Specifications Guide			07 Feb 2014

BH2014/00640

5 York Villas Brighton

Excavation at basement level incorporating new bay window to front elevation.

Applicant: Mr Jonathan Taylor

Officer: Chris Swain 292178

Approved on 01/05/14 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 windows hereby approved shall be painted timber, vertical sliding sashes with no trickle vents and shall match exactly the original sash windows to the building, including their architrave, frame and glazing bar dimensions and mouldings, and subcill, masonry cill and reveal details, and shall have concealed sash boxes recessed within the reveals and set back from the outer face of the building to match 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 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
Site plan	5YV3/1		6 March 2014
Block plan	5YV3/2		6 March 2014
Existing elevations	5YV3/3		6 March 2014
Proposed elevations	5YV3/4		6 March 2014
Existing ground floor plan	5YV3/5		6 March 2014
Proposed ground floor plan	5YV3/6		6 March 2014
Existing and proposed basement floor plans and	5YV3/7		6 March 2014

sections			
Proposed front elevation / section	5YV3/8		6 March 2014

BH2014/00669

44 Hythe Road Brighton

Installation of raised decking to rear incorporating steps to garden and privacy screening.

Applicant: Mrs P Newman-Starley

Officer: Joanne Doyle 292198

Refused on 08/05/14 DELEGATED

1) UNI

The proposed raised decking by reason of its elevated height represents an un-neighbourly and overbearing addition which would result in increased overlooking and loss of privacy towards no 42 Hythe Road to the detriment of the residential amenity of this dwelling. Furthermore the proposed privacy screen, measuring 1.8m high and 1.2m along the boundary, would result in loss of outlook and loss of light toward no 42 Hythe Road. As such, the proposal is thereby contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2014/00679

78 Southdown Avenue Brighton

Erection of a single storey rear extension. Roof alterations incorporating rear dormer and rooflight.

Applicant: Daniel Glover

Officer: Julia Martin-Woodbridge 294495

Approved on 08/05/14 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(s) hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Site & Location Plan	2065(10)001		03.03.2014
Proposed Site & Location Plan	2065(11)001		03.03.2014
Existing Plans	2065(20)001		03.03.2014
Proposed Ground Floor	2065(21)001		03.03.2014

Report from: 24/04/2014 to: 14/05/2014

Proposed First & Second Floor Plan	2065(21)002		03.03.2014
Proposed Roof Plan	2065(21)003		03.03.2014
Existing Elevations & Section	2065(30)001		03.03.2014
Proposed Elevations & Section	2065(31)001		03.03.2014

BH2014/00743

Prestamex House 171-173 Preston Road Brighton

External alterations to facade of building including revised entrance, revised fenestration and other associated works.

Applicant: Daejan (Brighton) Limited

Officer: Helen Hobbs 293335

Approved on 02/05/14 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
Location plan	130219-A-S-V A-D001		6th March 2014
Existing floor plans	130219-A-S-V A-D002		6th March 2014
Existing east elevation	130219-A-S-V A-D003		6th March 2014
Existing north elevation	130219-A-S-V A-D004		6th March 2014
Existing south elevation	130219-A-S-V A-D005		6th March 2014
Existing west elevation	130219-A-S-V A-D006		6th March 2014
Proposed east elevation	130219-A-S-V A-D007		6th March 2014
Proposed north elevation	130219-A-S-V A-D008		6th March 2014
Proposed south elevation	130219-A-S-V A-D009		6th March 2014
Proposed west elevation	130219-A-S-V		6th March 2014

	A-D010		
Proposed elevation detail	130219-A-S-V A-D011		6th March 2014

BH2014/00779

74 Preston Road Brighton

Erection of office unit above existing vehicular MOT service garage.

Applicant: S Strafford

Officer: Andrew Huntley 292321

Refused on 12/05/14 DELEGATED

1) UNI

The proposed first floor addition, by virtue of its contrived design, size, height, bulk and siting up to the boundary with properties on Ditchling Rise would result in a visually bulky, intrusive, overbearing and incongruous addition to the building, which is unsympathetic to the design of the existing building. As a result, the proposal would be detrimental to the visual amenities of the parent building, the street scene and the wider area. The proposal is therefore contrary to policies QD14 and EM4 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

2) UNI2

The walkway at first floor level would cause significant harm to neighbouring amenity by reason of the perception of overlooking and loss of privacy to neighbouring properties. In addition, the proposal would result in the loss of outlook from neighbouring properties by reason of its siting, height and bulk. Therefore, the proposal would be contrary to policies QD14, QD27 and EM4 of the Brighton & Hove Local Plan.

3) UNI3

The proposal has failed to demonstrate that that any lighting and/or plant, which may be necessary, would not have further detrimental impacts on neighbouring amenity. Furthermore, it has not been shown that the existing garage would not impact on the amenity of future occupiers of the offices or that the proposed offices would not have the potential to impact on the running of the existing garage at ground floor level. Therefore, the proposal would be contrary to policies QD27 and EM4 of the Brighton & Hove Local Plan.

BH2014/00796

28 Sandgate Road Brighton

Erection of first floor rear extension.

Applicant: Mr & Mrs King

Officer: Chris Swain 292178

Approved on 09/05/14 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 hereby approved extension without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan	1363/E01		12 March 2014
Existing ground and first floor plan	1363/E02		12 March 2014
Existing elevations	1363/E03		12 March 2014
Existing section	1363/E04		12 March 2014
Block plan	1363/PL01		12 March 2014
Proposed floor plans	1363/PL02		12 March 2014
Proposed roof plan and elevations	1363/PL03		12 March 2014
Proposed section	1363/EPL04		12 March 2014

BH2014/00842

32A Chatsworth Road Brighton

Erection of single storey rear extension to replace existing conservatory.

Applicant: Mrs Edalene Lee

Officer: Robin Hodgetts 292366

Approved on 12/05/14 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	101		17/03/14
Existing plans and elevations	103		17/03/14
Proposed plans and elevations	104		17/03/14

BH2014/00855

4 Chester Terrace Brighton

Installation of front rooflight and rear dormer. (Part retrospective)

Applicant: Mr Ian Carter

Officer: Emily Stanbridge 292359

Refused on 13/05/14 DELEGATED

1) UNI

The proposed rear dormer by virtue of its position and design is deemed unacceptable. The rear dormer is situated to the far northern side of the roof slope, giving it a cramped appearance whilst relating poorly to the fenestration below, harming the appearance of the property. In addition the modern window design does not reflect that of the existing fenestration to the property, further disrupting its general appearance. As such the development is contrary to policy QD14 within the Brighton & Hove Local Plan and SPD12: Design guide for extensions and alterations.

BH2014/00991

187 Osborne Road Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.7m, for which the maximum height would be 3.6m, and for which the height of the eaves would be 2.9m.

Applicant: Andy Renault

Officer: Joanne Doyle 292198

Prior approval not required on 07/05/14 DELEGATED

BH2014/01172

34 Sandgate Road Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.1m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.6m.

Applicant: Mr Philip Wainwright

Officer: Julia Martin-Woodbridge 294495

Prior approval not required on 13/05/14 DELEGATED

REGENCY

BH2013/02437

Koba 135 Western Road Brighton

Conversion of rear part of building from cafe/bar (A3) to 5 no one and two bedroom flats incorporating a rear extension at second floor level, alterations and additions to fenestration, removal of external rear fire escape, creation of rear balconies and associated external alterations.

Applicant: Mr Jake Kempston

Officer: Guy Everest 293334

Approved on 07/05/14 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

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	E01	B	23/04/2014
Existing Plans	E02		06/03/2014
Existing Elevations	E03		06/03/2014
Existing Elevations	E04		06/03/2014
Existing Elevations	E05		06/03/2014
Proposed Plans	GA01	B	06/03/2014
Proposed Plans	GA02	B	06/03/2014
Proposed Section	GA03	B	06/03/2014
Proposed Section	GA04		06/03/2014
Proposed Section & Elevations	GA05	B	06/03/2014

3) UNI

The hereby approved rooflights to the rear elevation of the building shall be 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 external finishes of the hereby approved second floor rear extension 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 policies QD14 and HE6 of the Brighton & Hove Local Plan.

5) 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.

6) UNI

Notwithstanding the submitted 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.

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

7) UNI

Notwithstanding the submitted plans no development shall commence until details of Lifetime Homes standards to be incorporated in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Report from: 24/04/2014 to: 14/05/2014

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

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.

9) UNI

The development hereby permitted shall not begin until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

Reason: To ensure that the development is car-free and to comply with policy HO7 of the Brighton & Hove Local Plan.

BH2013/02947

10 Duke Street Brighton

Change of use from retail (A1) to hot food takeaway (A5) including replacement of existing extraction fan to rear elevation.

Applicant: Ben's Cookies

Officer: Andrew Huntley 292321

Refused on 28/04/14 DELEGATED

1) UNI

The proposed change of use from a retail unit (A1) to a takeaway (A5) would have an adverse effect in the vitality and vibrancy of the Regional Shopping Centre and will undermine its retail function, contrary to policy SR4 of the Brighton & Hove Local Plan.

BH2013/03682

Former Royal Alexandra Hospital 57 Dyke Road Brighton

Application for approval of details reserved by conditions 38 and 40 of application BH2010/03379.

Applicant: Taylor Wimpey South West Thames

Officer: Guy Everest 293334

Approved on 01/05/14 DELEGATED

BH2013/04150

38-42 East Street Brighton

Conversion of existing office (B1) on parts of second, third and fourth floors to 9no residential dwellings (C3), with associated alterations including second and third floor rear extension to number 38, creation of new link corridor to number 41, replacement timber double glazed windows and refurbishment works.

Applicant: CBRE Global Investors

Officer: Liz Arnold 291709

Approved on 02/05/14 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 HE1, HE3 and HE6 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

No development shall take place until section details at 1:5 scale of the new cornice and stringcourse mouldings to the extension hereby approved at the rear of number 38 East Street have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5) UNI

No development shall take place until further details, including the location, material, colour and appearance of the new vents for the ventilation system to have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details.

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

6) UNI

All new and replacement rainwater goods shall be in cast iron and shall be painted black and retained as such thereafter.

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

7) UNI

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 policies HE1 and HE6 of the Brighton & Hove Local Plan.

8) UNI

The new dwellings hereby permitted shall be constructed to Lifetime Homes standards, where practicable, 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) UNI

Notwithstanding the information submitted, the development hereby permitted shall not be commenced until further details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

10) UNI

No 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.

11) 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.

12) UNI

Notwithstanding the information submitted, no development shall take place until a written Site Waste Management Plan, 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: As insufficient information has been submitted, 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.

13) UNI

Notwithstanding the information submitted, no development shall commence until full details of means of ventilation of the residential units have 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 the property and to comply with policy QD27 of the Brighton & Hove Local Plan and to ensure a

satisfactory appearance to the development and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

14) UNI

Notwithstanding the information submitted, no development shall commence until full details of the soundproofing of the windows of the residential units hereby approved have 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 the property and to comply with policy QD27 of the Brighton & Hove Local Plan and to ensure a satisfactory appearance to the development and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

15) UNI

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

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

16) UNI

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	L639 P(0) 100		6th December 2013
Existing Ground Floor Plan	L639 P(0) 101		6th December 2013
Existing Basement Plan	L639 P(0) 102		6th December 2013
Existing First & Second Floor Plan	L639 P(0) 103	Rev. G	17th February 2014
Existing Third & Fourth Floor Plan	L639 P(0) 104	Rev. G	17th February 2014
Existing East Street Elevation	L639 P(0) 105		6th December 2013
Existing North & South Elevations	L639 P(0) 106		20th January 2014
Existing Rear Elevation	L639 P(0) 107		6th December 2013
Proposed Ground Floor Plan	L639 P(0) 108		6th December 2013
Proposed Basement Plan	L639 P(0) 109		6th December 2013
Proposed First & Second Floor Plan	L639 P(0) 110	Rev. F	17th February 2014
Proposed Third & Fourth Floor Plan	L639 P(0) 111	Rev. G	17th February 2014
Proposed East Street Elevation	L639 P(0) 112		6th December 2013

Proposed North & South Elevations	L639 P(0) 113	Rev. F	17th February 2014
Proposed Section A-A	L639 P(0) 114	Rev. F	17th February 2014
Proposed Rear Elevation Part Section B-B	L639 P(0) 115	Rev. G	17th February 2014
Proposed Second & Third Floor Plan, Detail no. 42	L639 P(0) 116		6th December 2013
Proposed East & Rear Elevations, Detail No. 42	L639 P(0) 117	Rev. E	20th January 2014
Proposed North Elevation, Detail No. 42	L639 P(0) 118		6th December 2014

BH2013/04151

38-42 East Street Brighton

Conversion of existing office (B1) on parts of second, third and fourth floors to 9no residential dwellings (C3), with associated alterations including second and third floor rear extension to number 38, creation of new link corridor to number 41, replacement timber double glazed windows and refurbishment works. Internal alterations to layout including addition of a new internal staircase from ground to basement level in number 42 and the removal of the existing staircase.

Applicant: CBRE Global Investors

Officer: Liz Arnold 291709

Approved on 02/05/14 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 cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

3) UNI

No development shall take place until further details, including the location, material, colour and appearance of the new vents for the ventilation system to have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details.

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

4) UNI

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

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

5) UNI

No works shall take place until full details of the proposed doors, architraves, cornices and skirtings to number 42 East Street, including 1:20 scale sample elevations and 1:1 scale profiles, have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Report from: 24/04/2014 to: 14/05/2014

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

6) UNI

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

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

7) 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.

8) UNI

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

BH2013/04322

51 Ship Street Brighton

Removal of rear fire escape stairs incorporating relocation of fire escape door and reinstatement of stonework to front and rear.

Applicant: TGI Friday's

Officer: Christopher Wright 292097

Approved on 24/04/14 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 to the front elevation until a sample of the proposed new matching Portland stone has 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 policies HE1 and HE4 of the Brighton & Hove Local Plan.

3) UNI

The hereby approved door to the rear elevation shall be painted black within one month of installation and shall be retained as such thereafter.

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

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			19 Dec 2013
Access Around Building Basement Floor	2405/FR/001/*		3 Jan 2014
Access Around Building Ground Floor	2405/FR/002/*		3 Jan 2014
Existing External Elevations Front & Rear	2405/02/*		3 Jan 2014
Proposed External Elevations Front & Rear	2405/04/B		3 Jan 2014
Proposed External Elevations Front	2405/60/A		19 Dec 2013

BH2013/04323

51 Ship Street Brighton

Removal of rear fire escape stairs incorporating relocation of fire escape door and reinstatement of stonework to front and rear.

Applicant: TGI Friday's

Officer: Christopher Wright 292097

Approved on 28/04/14 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 door to the rear elevation shall be painted black within one month of installation and shall be retained as such thereafter.

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

3) UNI

No works shall take place to the front elevation until a sample of the proposed new matching Portland stone has 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 policies HE1 and HE4 of the Brighton & Hove Local Plan.

BH2013/04377

38-39 East Street Brighton

Installation of metallic scissor curtains to front doors of shop. (Retrospective)

Applicant: SMCP UK Limited

Officer: Liz Arnold 291709

Approved on 12/05/14 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 Map	P02		5th February 2014
Site Location Plan	P05		5th February 2013
Existing Shopfront	P30		5th February 2013
Shopfront	P32		5th February 2013
Scissor Curtain Details	P33		17th March 2014

BH2014/00204

Brighton Town Hall Bartholomew Square Brighton

Installation of commemorative plaque to West elevation.

Applicant: Brighton & Hove City Council Commemorative Plaque Panel

Officer: Emily Stanbridge 292359

Minded to Grant National Planning Casework Unit (Secretary of State) on 29/04/14

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 existing 'No Smoking' sign to the western elevation below the proposed siting of the commemorative plaque shall be removed.

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

BH2014/00294

39-40 Kings Road Brighton

Replacement of existing timber sash windows with UPVC sash windows on first, second, third and fourth floors.

Applicant: D H Moyle Properties

Officer: Emily Stanbridge 292359

Refused on 30/04/14 COMMITTEE

1) UNI

The proposed UPVC replacement windows would cause significant harm to the character and appearance of the host properties, street scene and the wider Old Town Conservation Area. The use of UPVC is an unsympathetic material to such an historic building which would result in the frames having a significantly bulkier appearance that would not match the existing joinery details to the building. As such the proposed alterations are contrary to HE6 within the Brighton & Hove Local Plan and SPD09: Architectural Features.

BH2014/00457

13 Queensbury Mews Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2013/03976.

Applicant: Geoffrey Waters

Officer: Jason Hawkes 292153

Approved on 12/05/14 DELEGATED

BH2014/00526

Land Adjacent to Basketball Court Kings Road Arches Brighton

Installation of photographic booth to pavement.

Applicant: Photomatic

Officer: Helen Hobbs 293335

Refused on 02/05/14 DELEGATED

1) UNI

The proposed photo booth, by reason of its substantial size and bulk, would form an alien and obtrusive feature to this traditional seafront promenade, and would appear as harmful visual clutter. Furthermore the siting and bulk of the photo booth would obscure the adjoining Grade II listed railings. The proposal would therefore result in significant harm and would fail to preserve the character or appearance of the Regency Square Conservation Area and adjoining listed seafront railings. The proposal is thereby contrary to policies HE3 and HE6 of the Brighton & Hove Local Plan.

BH2014/00578

36 & 37 Montpelier Road Brighton

Alterations to convert joint basement (A3) to form lower ground floor flat at No. 37 and maisonette on lower ground and ground floor of No. 36. External alterations to all floors including replacement windows, new railings, new rear dormer, rear rooflight and associated works.

Applicant: Paxform Properties Ltd

Officer: Steven Lewis 290480

Approved on 01/05/14 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 new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

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

3) UNI

Notwithstanding previously submitted drawings, no works shall take place until the detailed design including materials and finishes of the following items has been submitted to and approved in writing by the Local Planning Authority:

- i) French doors (including door furniture)
- ii) All new external doors (including door furniture)
- iii) All new windows (including reveals, cill and head treatment)

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

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

4) 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 the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

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

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

6) UNI

The development hereby permitted shall not be occupied until the sustainability measures including efficient gas boiler, raised food beds, insulation, glazing detailed within the Sustainability Checklist received on the 20th February 2014 have been fully implemented, and such measures shall thereafter be retained as such.

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

7) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing LG Floor	141/5		20/02/2014
Existing UG & 1st Floor no.36	141/6		20/02/2014
Existing 2nd & 3rd Floor no.36	141/7		20/02/2014
Existing Section no.36	141/8		20/02/2014
Existing Rear elevation	141/9	A	29/04/2014
Existing Elevations	141/10	A	04/03/2014
Location & Block Plan	141/11		20/02/2014
Proposed LG Floor	141/12	E	25/04/2014
Proposed UG & 1st Floor no.36	141/13	C	25/04/2014
Proposed 2nd & 3rd Floor no.36	141/14	B	04/04/2014
Proposed Section no.36	141/15	C	25/04/2014
Proposed Rear elevation	141/16		20/02/2014
Proposed Door elevations	141/17		05/04/2014
Prop. W.Skirt & Metalwork	141/18	B	25/04/2014
Proposed Staircases	141/19	A	05/04/2014
Existing Elevations	141/21		04/04/2014
Proposed Elevations	141/22		04/04/2014

8) UNI

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

BH2014/00579

36 & 37 Montpelier Road Brighton

Alterations to convert joint basement (A3) to form lower ground floor flat at No. 37 and maisonette on lower ground and ground floor of No. 36. External alterations to all floors including replacement windows, new railings, new rear dormer and rooflight and associated works.

Applicant: Paxform Properties Ltd

Officer: Steven Lewis 290480

Approved on 02/05/14 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 existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

3) UNI

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

4) UNI

No development shall take until a satisfactory lime plaster method statement has been submitted to and approved by the local planning authority. The statement shall set out an appropriate lime plaster mix and methodology of implementation. The works shall be carried out in strict accordance with the approved details.

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

5) 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 the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

Notwithstanding the submitted plans all new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and shall be painted black and retained as such thereafter.

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

7) UNI

Notwithstanding previously submitted drawings, no works shall take place until the detailed design including materials and finishes of the following items has been submitted to and approved in writing by the Local Planning Authority:

- i) French doors (including door furniture)
- ii) All new external doors (including door furniture)
- iii) All new windows (including reveals, cill and head treatment)

iv) New basement staircase (including treads, risers, balustrade)

v) All new internal doors (including door furniture)

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

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

8) 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.

9) UNI

The reinstatement of party wall and chimney breast detail at lower ground level, reinstatement of walls to the hall at lower ground floor and the reinstatement of the staircase to between lower upper ground floors shall be completed in accordance with the approved plans prior to the first reoccupation of the accommodation.

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

BH2014/00613

6-8 Preston Street Brighton

Formation of new double door access creating new main entrance and installation of new windows to front elevation with associated alterations.

Applicant: Genting Casino UK Ltd

Officer: Oguzhan Denizer 290419

Approved on 12/05/14 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

The proposed tiling to be installed to the front elevation of the building hereby permitted shall match in material, colour, style, bonding and texture the existing tiling to the façade.

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
Site Location Plan	375/LP/01		24/02/2014
Existing Shopfront Elevation	375/SF/01		24/02/2014
Proposed Shopfront Elevation	375/SF/02	A	25/04/2014
Existing Ground Floor Plan	375/EP/01		24/02/2014
Proposed Ground Floor Plan	375/PP/01	A	25/04/2014

Report from: 24/04/2014 to: 14/05/2014

BH2014/00621

11 Little East Street Brighton

Change of use from restaurant (A3) to apart-hotel (C1) to first and second floors with associated alterations.

Applicant: Little East Street Limited

Officer: Steven Lewis 290480

Approved on 30/04/14 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

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

No development shall take place until details of sustainability measures to secure improvements upon the use of energy and water of the building have been submitted and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details and 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.

5) UNI

The front door hereby approved shall match exactly the original door to the building, including its architrave, frame and glazing bar dimensions and mouldings, and the reveal details. The door shall be retained as such thereafter.

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

6) UNI

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

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

7) UNI

No development shall take place until full details of all new railings and gates, including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections, have been submitted to and approved in writing by the Local Planning

Authority. The works shall be carried out and completed in accordance with the approved details and shall be retained as such thereafter.

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

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
Location & Site Plans	1310/P01	01	05/03/2014
Existing Elevations	1310/P05	01	05/03/2014
Existing Floor Plans	1310/P06		25/02/2014
Proposed Floor Plans	1310/P10		25/02/2014
Proposed Elevations	1310/P11		05/03/2014
Existing Photos	1310/PH01	01	25/02/2014

9) UNI

The second floor front windows hereby approved shall be single glazed painted timber casements shall match exactly the original windows to the building, including their architrave, frame and glazing bar dimensions and mouldings, and subcill, masonry cill and reveal details to match the original 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.

BH2014/00638

6-8 Preston Street Brighton

Display of internally illuminated projecting sign.

Applicant: Genting Casino UK Ltd

Officer: Oguzhan Denizer 290419

Refused on 13/05/14 DELEGATED

1) UNI

The projecting sign by reason of its size and siting would result in an overly prominent and unduly bulky addition to the building and would fail to preserve the character and appearance of the Regency Conservation Area. The proposal would result in significant harm to amenity and is contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan, and Supplementary Planning Document 09, Advertisements.

2) UNI2

The projecting sign would result in harm to amenity for occupiers of adjoining properties by virtue of size, illumination and close proximity to adjoining first floor residential accommodation. The proposal would result in significant harm to amenity and is contrary to policy QD12 of the Brighton & Hove Local Plan, and Supplementary Planning Document 09, Advertisements.

BH2014/00694

Royal York Buildings 41-42 Old Steine Brighton

Display of 3no internally illuminated fascia signs and 1no vinyl sign.

Applicant: YHA (England & Wales) Ltd

Officer: Liz Arnold 291709

Approved on 12/05/14 DELEGATED

1) BH10.01

Report from: 24/04/2014 to: 14/05/2014

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.

BH2014/00754

27 Ship Street Brighton

Installation of replacement signage incorporating entrance plaque and lettering sign illuminated by new trough light.

Applicant: Youngs

Officer: Julia Martin-Woodbridge 294495

Approved on 13/05/14 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 trough light hereby approved shall match the fascia colour and shall be maintained as such thereafter.

Reason: To ensure the works adequately preserve the character and appearance of the listed building in accordance with policy HE1 of the Brighton & Hove Local Plan.

BH2014/00768

West Beach Hotel 135 - 136 Kings Road Brighton

Replacement of existing aluminium windows with timber sash windows to South and East elevations at first, second, third and fourth floor levels.

Applicant: West Beach Hotel (SprachCaffe UK)

Officer: Emily Stanbridge 292359

Approved on 14/05/14 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 to the first floor of the property shall be constructed as triple sash, sliding sash windows as confirmed within the email received from the agent on the 8th May 2014.

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

3) UNI

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

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

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			10.03.2014
Block plan			10.03.2014
First and second floor plans	83413/PL.01		10.03.2014
Third and fourth floor plans	83413/PL.02		10.03.2014
Elevations-existing	83413/PL.03		10.03.2014
Elevations-proposed	83413/PL.04		10.03.2014
Section through head			10.03.2014
Section through stiles			10.03.2014
Section through meeting rails			10.03.2014
Section through Cill			10.03.2014

BH2014/00804

77-78 East Street Brighton

Display of internally illuminated fascia sign, 2no internally illuminated hanging signs and internally illuminated menu box (Retrospective).

Applicant: Eclectic Clubs and Bars Ltd

Officer: Liz Arnold 291709

Split Decision on 14/05/14 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.

8) UNI

GRANT advertisement consent for the southern sited internally illuminated hanging sign, internally illuminated fascia sign and internally illuminated menu box sign shown on drawing titled Proposed Shopfront Elevation.

1) UNI

REFUSE advertisement consent for the internally illuminated northern sited hanging sign shown on drawing titled Proposed Shopfront Elevation

2) UNI2

The proposed northern sited hanging sign, shown on the drawing titles Proposed Shopfront Elevation received on the 12th March 2014, by virtue of its positioning close to neighbouring signage and in conjunction with the southern sited hanging sign and fascia sign, results in excess visual clutter to the western elevation which detracts from the character and appearance of the parent property, the East Street street scene and the wider area, including the surrounding Old Town Conservation Area and the setting of Listed Buildings within the vicinity of the site. As such the proposal is contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and the Supplementary Planning Document 07 'Advertisements'.

BH2014/00845

39 Norfolk Road Brighton

Application for Approval of Details Reserved by Condition 8 of application BH2013/00419.

Applicant: John Lloyd

Officer: Helen Hobbs 293335

Approved on 09/05/14 DELEGATED

BH2014/00919

Pugets Cottage Rear of 15 North Street Brighton

Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2013/03589.

Applicant: West Register (Property Investments) Ltd

Officer: Steven Lewis 290480

Split Decision on 12/05/14 DELEGATED

1) UNI

APPROVE the details pursuant to condition 3 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 4 are NOT APPROVED

2) UNI2

It would be premature to approve a render finish at this stage. The restoration of the gable end and the infilling of the first floor opening in matching material could still include flint and without sufficient investigation the proposal does not satisfactorily preserve the special historic and architectural interest of the building, contrary to policy HE1 of the Brighton & Hove Local Plan.

ST. PETER'S & NORTH LAINE

BH2012/03707

27-33 Ditchling Road Brighton

Demolition of existing building and construction of new 4no storey building providing retail (A1), offices (B1), financial and professional services (A2) and restaurant/café (A3) uses at ground floor level and student accommodation (sui generis) (total of 86 rooms) at ground, first, second and third floor levels with associated works.

Applicant: Zise Ltd

Officer: Guy Everest 293334

Approved after Section 106 signed on 01/05/14 COMMITTEE

1) UNI

Prior to the occupation of the development hereby approved the applicant shall reinstate the redundant vehicle crossover on the northern side of Oxford Place back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development and shall be retained as such thereafter.

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

2) UNI

No development shall take place 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. The scheme as approved shall thereafter be implemented.

Reason: To ensure that the development is car-free and to comply with policies TR1, HO7 and QD27 of the Brighton & Hove Local Plan.

3) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential development (student accommodation) hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the residential development (student accommodation) built has achieved a Multi Residential BREEAM rating of 'Very Good' 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

Within 3 months of occupation of the hereby approved student accommodation 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) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include as a minimum the following initiatives and commitments:

(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 associated with business and commuter travel:

(iii) Increase awareness of and improve road safety and personal security:

(iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses:

(v) Identify targets focussed on reductions in the level of business and commuter car use:

(vi) Identify a monitoring framework, which shall include a commitment to undertake an annual staff travel survey utilising iTrace Travel Plan monitoring software, for at least five years, or until such time as the targets identified in section (v) above are met, to enable the Travel Plan to be reviewed and updated as appropriate:

(vii) Following the annual staff 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.

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

5) 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.

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
Site Location Plan	1000	00	21/11/2012
Existing and Proposed Block Plan	1001	00	21/11/2012
Existing Floor Plan	2000	00	21/11/2012
Existing Floor Plan	2001	00	21/11/2012
Proposed Floor Plan	2005	00	21/11/2012
Proposed Floor Plans	2006	00	21/11/2012
Proposed Floor Plan	2007	00	21/11/2012
Existing Elevations	2100	00	21/11/2012
Existing Elevations	2101	00	21/11/2012
Contextual Analysis	2103	00	21/11/2012
Contextual Analysis	2104	00	21/11/2012
Proposed Elevations	2105	00	21/11/2012
Proposed Elevations	2106	00	21/11/2012
Proposed Floor Plans	2008	00	21/11/2012
Visual Impact Diagram	2200	01	21/11/2012
Proposed Sections and Elevations	2201	00	21/11/2012

7) UNI

The A1, A2 and A3 uses hereby permitted shall not be open to customers except between the hours of 07:00 and 23:00 on Mondays to Saturdays and 10:00 and 22:00 on Sundays and Bank/Public Holidays. The B1 use hereby permitted shall not operate except between the hours of 07:00 and 23:00 on Mondays to Saturdays and 10:00 and 20:00 on Sundays and Bank/Public Holidays.

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

8) UNI

No deliveries to or from the development hereby approved, shall occur except between the hours of 07.00 and 19.00 Monday to Saturday, and not at all on Sundays, Bank or Public Holidays.

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

9) UNI

No servicing for collection of refuse/recycling at the site shall occur except between the hours of 07:00 and 19:00 on Mondays to Saturdays not at all on

Sundays or Bank/Public Holidays.

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

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

(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;

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

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175; and, unless otherwise agreed in writing by the local planning authority,

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

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

a) 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 (or has been secured / contained in a manner which makes such material safe). Thereafter the scheme shall be monitored and

12) UNI

No development approved by this permission shall be commenced until a scheme for the provision of foul and 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.

13) UNI

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

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 'Very Good' for all non-residential development have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 'Very Good' for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

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

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the residential development (student accommodation) hereby approved will achieve a Multi Residential BREEAM rating of 'Very Good' for the development have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the residential development (student accommodation) hereby approved has achieved a Multi Residential BREEAM rating of 'Very Good' for the development has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

15) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, 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.

16) UNI

No development shall take place 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.

17) 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, QD2, QD3, QD4, QD5 and HE6 of the Brighton & Hove Local Plan.

18) UNI

Notwithstanding the details shown in the approved drawings, no development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) Full details of the proposed shopfronts including 1:20 scale elevation drawings and section drawings;
- b) Elevations and sections at 1:20 scale of the proposed doors, and proposed windows, including solar shading and louvers;
- c) Sections at no smaller than 1:10 scale showing the horizontal bands of precast concrete; and
- d) Details of the proposed rainwater downpipes.

Reason: To secure further details of the proposed building design and to comply with policies QD1, QD2, QD3, QD4, QD5 and HE6 of the Brighton & Hove Local Plan.

19) UNI

Notwithstanding the details shown in the approved plans, no development shall take place until a revised scheme for the storage of refuse and recycling, including improved provision to serve the individual commercial units approved, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the 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.

20) UNI

No development shall take place until a scheme for soundproofing measures to the party walls/floors between commercial units, including the plant rooms, lifts and refuse store, and residential units 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.

21) UNI

No development shall commence until a scheme for sound insulation and alternative means of ventilation for the residential units (student accommodation) within the development 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.

22) 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 lighting

installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Light Pollution" (2011) for zone E or similar guidance recognised by the council. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

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

23) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.

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

BH2013/02528

The Open Market Marshalls Row Brighton

Application for approval of details reserved by condition 31 of application BH2010/03744 as amended by BH2013/01147.

Applicant: Hyde Group and The Brighton Open Market CIC

Officer: Paul Vidler 292192

Approved on 14/05/14 DELEGATED

BH2013/02852

The Open Market Marshalls Row and Francis Street Brighton

Application for Approval of Details reserved by Condition 33 of application BH2010/03744 as amended by BH2013/01147.

Applicant: Hyde Group and The Brighton Open Market CIC

Officer: Paul Vidler 292192

Approved on 13/05/14 DELEGATED

BH2013/03316

94-103 London Road Brighton

Application for Approval of Details Reserved by Conditions 22, 23 and 25 of application BH2012/02675 and conditions 21, 22 and 23 of BH2013/03310.

Applicant: Watkin Jones Group

Officer: Kathryn Boggiano 292138

Approved on 13/05/14 DELEGATED

BH2013/03826

11 Buckingham Place Brighton

Removal of external fire escape and decking with revised fenestration to rear. Internal alterations to layout of ground floor.

Applicant: Ms Kefi Chadwick

Officer: Andrew Huntley 292321

Approved on 07/05/14 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.

3) UNI

The hereby approved works shall be undertaken in their entirety as a single operation.

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

4) UNI

No works shall take place until full details of new internal double doors including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. Any fireproofing to doors should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type. 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

The door handles to the new external and internal doors shall be brushed brass lozenge door knobs unless otherwise agreed in writing by the Local Planning Authority.

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

BH2013/03827

11 Buckingham Place Brighton

Removal of external fire escape and decking with revised fenestration to rear.

Applicant: Ms Kefi Chadwick

Officer: Andrew Huntley 292321

Approved on 07/05/14 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

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

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

Plan Type	Reference	Version	Date Received
Existing Floor Plans & Location Plan	247.12.01		04.02.2014
Existing Second Floor Plan, Block Plan & Cross Section	247.12.02	A	04.02.2014
Proposed Floor Plans & Block Plan	247.13.05	A	04.02.2014

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Proposed Second Floor Plan, Block Plan & Cross Section	247.13.06	A	04.02.2014
Casement Window Detail	247.12.D001	A	04.02.2014
Casement Window Section	247.13.D02	A	04.02.2014
French Doors	247.13.D003	A	04.02.2014
French Door Sections	247.13.D04		04.02.2014
Proposed Door & Juliet Balcony	247.13.D005		04.02.2014
Proposed Door Section	247.13.D06		04.02.2014
Proposed Dormer Sash Windows	247.13.D007		04.02.2014
Sash Window Section	247.12.D08		04.02.2014

BH2013/04092

Royal Pavilion 4-5 Pavilion Buildings Brighton

Replacement of existing wallpaper with woven silk in the saloon.

Applicant: The Royal Pavilion

Officer: Emily Stanbridge 292359

Approved Secretary of State on 29/04/14

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.

BH2014/00007

69 Trafalgar Street Brighton

Display of non illuminated fascia signs and illuminated hanging signs.

Applicant: The Radiator Centre

Officer: Chris Swain 292178

Approved on 13/05/14 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

Report from: 24/04/2014 to: 14/05/2014

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.

BH2014/00085

1 Buckingham Close Bath Street Brighton

Replacement of existing metal framed windows and timber door with UPVC windows and door.

Applicant: Miss Hayley Hudson

Officer: Joanne Doyle 292198

Approved on 30/04/14 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			20 Jan 2014
Window Drawing			20 Jan 2014
Quotation & Orders Sheet			20 Jan 2014
Specification Guide			20 Jan 2014

BH2014/00393

Report from: 24/04/2014 to: 14/05/2014

11 Wykeham Terrace Brighton

Replacement of existing window and door with timber double doors to rear elevation with associated external alterations. Internal alterations to layout of house.

Applicant: Iain Findley

Officer: Julia Martin-Woodbridge 294495

Approved on 01/05/14 DELEGATED

1) 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.

BH2014/00537

55 Princes Road Brighton

Erection of a single storey rear extension and rebuilding of existing side lean-to. Replacement of aluminium windows with timber windows, installation of rear rooflight, replacement of ground floor roof tiles to slate and new roof to porch.

Applicant: Mrs Jane Power

Officer: Chris Swain 292178

Approved on 28/04/14 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 rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

4) UNI

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

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

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
Site and block plan	CH600/001		26 February 2014
Existing plans	CH600/002		26 February 2014
Existing elevations	CH600/003		26 February 2014
Proposed plans	CH600/004		26 February 2014

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Proposed elevations	CH600/005	B	26 February 2014
Sash window details	CH600/006		26 February 2014

BH2014/00588

5 St Martins Street Brighton

Erection of single storey rear extension.

Applicant: Mr C Demetriou

Officer: Joanne Doyle 292198

Approved on 25/04/14 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 elevations of the extension hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	1401587		21 Feb 2014
Block Plan	1401587		21 Feb 2014
Elevations	15/1401587		21 Feb 2014
Existing Section	04/1401587		21 Feb 2014
Proposed Section	1401587		12 March 2014
Proposed Section	14/1401587		21 Feb 2014
Existing Floor Plans	03/1401587		21 Feb 2014
Proposed Floor Plans	13/1401587		21 Feb 2014

BH2014/00615

Downs Filling Station 134 Ditchling Road Brighton

Display of internally illuminated fascia signs and non illuminated window vinyls.

Applicant: Malthurst Retail Group

Officer: Chris Swain 292178

Refused on 02/05/14 DELEGATED

1) UNI

The proposed fascia and vinyl signage by reason of its, scale, bulk, design, colour scheme and excessive number of signs would result in a cluttered and incoherent appearance that relates poorly to the existing building and would detract significantly from the appearance and character of the Ditchling Road street scene and the setting of the Roundhill Crescent and Preston Park Conservation Areas, contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and the Council's Supplementary Planning Document 'Advertisements' (SPD07).

BH2014/00618

94-103 London Road Brighton

Report from: 24/04/2014 to: 14/05/2014

Application for Approval of Details Reserved by Conditions 26, 28 and 41 of application BH2013/03310

Applicant: Watkin Jones Group

Officer: Kathryn Boggiano 292138

Approved on 13/05/14 DELEGATED

BH2014/00659

Shaftesbury House 61 Stanley Road Brighton

Prior approval for change of use at ground floor level from office (B1) to residential (C3) to form 1no two bedroom flat.

Applicant: Jude Aldred

Officer: Christopher Wright 292097

Prior approval not required on 29/04/14 DELEGATED

BH2014/00740

29-30 Surrey Street Brighton

Display of 1no externally illuminated fascia sign, 2no non-illuminated fascia signs, 1no internally illuminated projecting sign and 2no internally illuminated menu boxes.

Applicant: Fuller Smith & Turner PLC

Officer: Chris Swain 292178

Approved on 08/05/14 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.

BH2014/00790

11-12 Marlborough Place Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 14no self contained flats.

Applicant: Kilbracken Properties (Brighton) Limited

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 08/05/14 DELEGATED

1) UNI

The development hereby permitted shall not be occupied 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.

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

(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 un

BH2014/00803

5 North Gardens Brighton

Erection of a single storey infill extension to lightwell.

Applicant: D Bailey

Officer: Chris Swain 292178

Approved on 07/05/14 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 extract vents shall be metal or ceramic, fitted flush with the rear elevation and painted to match 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.

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site and block plan	dav 01	A	12 March 2014
Existing plans and elevations	dav 10	D	12 March 2014
Proposed plans and elevations	dav 15	E	12 March 2014

BH2014/00817

Flat 3 15 Albert Road Brighton

Report from: 24/04/2014 to: 14/05/2014

Installation of 2no rooflights to the front roof slope.

Applicant: Roland Webster

Officer: Joanne Doyle 292198

Approved on 08/05/14 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(s) hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			12 Mar 2014
Front Elevation Drawing	Plan 1		12 Mar 2014
Roof Plan & Cross Section	Plan 2		12 Mar 2014

BH2014/00841

28 & 28B Crescent Road Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 5no self contained flats.

Applicant: Just Developments Ltd

Officer: Andrew Huntley 292321

Prior Approval is required and is refused on 13/05/14 DELEGATED

BH2014/00843

Chapel Royal 164 North Street Brighton

Change of Use to restaurant/cafe (A3) incorporating alterations to entrance.

Applicant: Jo & Marcus Thompson

Officer: Liz Arnold 291709

Approved on 12/05/14 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 railings shown on the approved plans shall be painted black prior to the occupation of the development hereby permitted and shall be retained as such thereafter.

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

3) UNI

The development hereby permitted shall not be commenced until a Delivery and Service Management Plan has been submitted to and approved in writing by the

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Local Planning Authority. The Plan shall include details of the types of vehicles, how deliveries will take place, the frequency of deliveries and measures to minimise the impact deliveries have in the transport network. All deliveries shall thereafter be carried out in accordance with the approved plan. Reason: In order to ensure that the vehicles that service the development are of a suitable size and to ensure the safe operation of the highway network and thus the protection of the amenity of nearby residents, in accordance with policies TR1, TR7, SU10 and QD27 of the Brighton & Hove Local Plan.

4) UNI

No development shall commence until full details of the retaining wall structure, including cross section, depth of footings, retained height, thickness of wall and construction materials 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 stability of the adjacent pavement and to comply with policy TR7 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 development shall commence until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

7) UNI

The use hereby permitted shall not be open to customers except between the hours of 11.00am to 11.00pm on Mondays to Thursdays, 11.00am to 11.30pm on Fridays and Saturdays and 11.00am to 10.30pm on Sundays, Bank or Public Holidays.

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

8) UNI

The development hereby permitted shall not be occupied until details of sustainability measures, including measures to reduce water consumption and use of sustainable materials, have been submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented prior to the first use of the restaurant and thereafter 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

Amplified music or other entertainment noise from within the premises shall not be audible within the above chapel or at the nearest residential premises.

Reason: To safeguard the amenities of the occupiers of adjoining properties and

to accord with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

10) UNI

No intoxicating liquor shall be sold or supplied except to persons who are taking meals on the premises and who are seated at tables. 'Meals' means food that has been cooked or prepared and purchased within the premises.

Reason: To prevent noise, nuisance, disturbance and public disorder, to protect the amenities of the occupants of residential accommodation within the vicinity of the site and to comply with policies SU10, QD27 and SR12 of the Brighton & Hove Local Plan.

11) UNI

No development shall commence until the adopted highway on Prince's Place where the new stairwell is proposed, as is indicated on the proposed lower ground floor plan (Drawing Number 1204-22A), has been stopped up.

Reason: To ensure that satisfactory access arrangements are provided to the development and to comply with policy TR7 and TR8 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
Ordnance Survey Plan, Block Plan & Aerial Photograph	1204-20		17th March 2014
Existing Lower Ground Floor Plan, Section and Photographs	1204-21		17th March 2014
Proposed Lower Ground Floor Plan, Elevations and Sections	1204-22	A	17th March 2014
Proposed Plinth and Column Details	1204-23		17th March 2014
Existing and Proposed Historic Shelving	1204-24		17th March 2014
Window and Entrance Details	1204-25	B	17th March 2014
Proposed Heat Recovery & Toilet Ventilation Layout	5126 01		17th March 2014
Shelving Retained	01		17th March 2014
Sequence Diagram	02		17th March 2014

13) UNI

The bricks and brick slips, to be used in the re-facing of the exposed external elevation at basement level, are only to be Lambs Imperial Handmade Red Rubber Medium Multi Facings.

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

14) UNI

Other than the Lambs Imperial Handmade Red Rubber Medium Multi Facings brick and brick slip referred to in condition 3, 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

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out in accordance with the approved details.

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

15) UNI

No works shall take place until section details of the new wall coping and railings and gates hereby approved, at 1:20 and 1:1 scale, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

16) UNI

Before works commence to re-face the new external elevation a photographic record of the externally exposed wall construction shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a suitable record is maintained of the exterior of this historic building and in accordance with policy HE1 of the Brighton & Hove Local Plan.

17) UNI

Before works commence to re-face the new external elevation details of the junction of the new facing material with the existing decorative splayed jambs to the entrance, at 1:1 scale, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

18) UNI

The new brick wall hereby approved and the new brick slip facings to the entrance well shall be laid in English Bond (i.e. in alternating courses of stretchers and headers) to match the existing elevations and shall be set in lime mortar. The top course of brick slips shall have a chamfered edge.

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

19) UNI

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

20) UNI

No works shall take place until details of the proposed disabled access platform have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details.

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

21) UNI

No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to

and approved in writing by the Local Planning Authority.

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

BH2014/00929

The Open Market Marshalls Row Brighton

Application for Approval of Details Reserved by Condition 50 of application BH2010/03744 as amended by BH2013/01147.

Applicant: Hyde Group and The Brighton Open Market CIC

Officer: Paul Vidler 292192

Approved on 14/05/14 DELEGATED

BH2014/00964

Land Adj 10 New England Road & rear of 53 New England Street Brighton

Application for approval of details reserved by condition 4 of application BH2013/00245.

Applicant: QED Estates Ltd

Officer: Jason Hawkes 292153

Refused on 14/05/14 DELEGATED

1) UNI

There is insufficient detail as to how the 'street art' would be commissioned and how the installation would relate to the approved structures and wider surrounding area. The details are therefore not sufficient to discharge the details required by condition 4. The proposal is therefore contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

WITHDEAN

BH2014/00009

1 Tivoli Crescent Brighton

Demolition of existing garages and non original extension to existing dwelling and construction of new three bedroom dwelling. Erection of two storey side extension to existing dwelling to facilitate new access to flats.

Applicant: Mrs Doris Levinson

Officer: Steven Lewis 290480

Approved on 28/04/14 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 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

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) 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.

5) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, rooflights or doors other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

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

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

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.

8) UNI

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the 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

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

10) UNI

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

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

11) UNI

No development shall take place until 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.

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 all proposed balustrading and brise soliel. The 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.

13) 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.

14) UNI

No development or other operations shall commence on site until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority; no development or other operations shall take place except in complete accordance with the approved protection scheme. This scheme should also include any proposed pruning works (of overhang) to facilitate the development.

15) 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.

16) UNI

Prior to the first occupation of the development hereby permitted the redundant vehicle crossover located in front of the site 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.

17) UNI

The amended 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.

18) 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.

19) 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.

20) 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	TA748/01		02/01/2014
Existing Ground Floor Plans	TA748/02		02/01/2014
Existing 1st and 2nd floor Plan	TA748/03		02/01/2014
Existing Roof Plans	TA748/04		02/01/2014
Existing Elevations	TA748/05		02/01/2014

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Existing Elevations	TA748/06		02/01/2014
Proposed Floor Plans	TA748/10		02/01/2014
Proposed 1st and 2nd floor Plan	TA748/11	A	02/01/2014
Proposed roof Plans	TA748/12	A	02/01/2014
Proposed Elevations and Sections	TA748/13	A	02/01/2014
Proposed Elevations and Section	TA748/14		02/01/2014
Proposed Elevation	TA748/15		02/01/2014
Proposed Elevation	TA748/16		02/01/2014

BH2014/00046

51 Westdene Drive Brighton

Installation of front and rear dormers.

Applicant: Mr N Sullivan

Officer: Jonathan Puplett 292525

Refused on 12/05/14 DELEGATED

1) UNI

The proposed roof extensions are of an excessive scale and bulk and would visually dominate the roof slopes of the property causing harm to the appearance of the dwelling and the street scene. The proposed rendered finish to the dormers is considered inappropriate as it would not match the tile finish of the main roof further adding to their prominence. The proposed extensions are contrary to policy QD14 of the Brighton & Hove Local Plan and the guidance set out in SPD12 'Design guide for extensions and alterations.'

BH2014/00518

55 Loder Road Brighton

Erection of cycle store and raised decking. Front and rear rooflights and 2no. light tubes to rear roofslope.

Applicant: C-Architecture

Officer: Helen Hobbs 293335

Approved on 25/04/14 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 survey plans and elevations	159-E001A		28th February 2014
Proposed plans and elevations	160-SK001D		15th April 2014
Existing and proposed photographs	160-SK002C		15th April 2014

BH2014/00676

26 Millcroft Brighton

Erection of two storey rear extension including basement beneath part of existing dwelling. (Retrospective).

Applicant: Mr Adam Jannece

Officer: Helen Hobbs 293335

Approved on 12/05/14 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 block plan	059_PL_01_A		3rd March 2014
Existing floor plans and elevations	059_PL_02_A		3rd March 2014
Proposed plans	059_PL_03_B		3rd March 2014
Proposed elevations	059_PL_04_B		3rd March 2014

2) UNI

The windows and doors in the southeast and northwest (side) elevations 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.

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.

BH2014/00695

78 Wayland Avenue Brighton

Hip to barn end roof extension incorporating installation of 4 no rooflights and other roof alterations. Enlargement of existing conservatory to the rear and other associated works.

Applicant: Mr & Mrs Maguire

Officer: Christine Dadswell 292205

Refused on 12/05/14 DELEGATED

1) UNI

The proposed roof extensions, by reason of the design, form, scale, bulk and massing, would relate poorly with and have an unduly dominant visual relationship with the scale and character of the original building. The proposal would have a detrimental impact on visual amenity and the character and appearance of the wider street. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design guidance for extensions and alterations.

BH2014/00698

43 Copse Hill Brighton

Certificate of Lawfulness for proposed single storey rear extension and loft

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conversion incorporating rear dormer, 2no front rooflights and insertion of window to side.

Applicant: Mr & Mrs Cornock
Officer: Emily Stanbridge 292359
Approved on 28/04/14 DELEGATED

BH2014/00785

95 Green Ridge Brighton

Erection of single storey rear extension, roof alterations including hip to gable rear roof extension with Juliet balcony and rooflights to side elevations.

Applicant: Mr Stefan Hollingsworth
Officer: Helen Hobbs 293335

Refused on 02/05/14 DELEGATED

1) UNI

The proposed roof extension and ground floor extension, by reason of their siting, design, height, scale and massing, have an unduly dominant, discordant and unsympathetic relationship to the form and character of the host building, to the detriment of its visual amenity and causing harm to the character and appearance of the street scene. As such the proposal is contrary to the requirements and objectives of policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guidance for extensions and alterations.

2) UNI2

The proposed extensions, by reason of its height, depth and bulk, adjacent to the shared boundary would result in an unacceptably overbearing and visually dominant impact towards No. 97 Green Ridge. 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).

BH2014/00793

28 North Road Preston Brighton

Erection of single storey rear extension, replacement of rear crittall windows with timber sash windows and removal of external fire escape and first floor access door to rear and internal alterations to layout. (Retrospective)

Applicant: M James
Officer: Steven Lewis 290480

Approved on 07/05/14 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 window serving the garage shall match that of the existing adjacent window in terms of material, joinery detailing, painted finish and method of opening.

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

3) UNI

The new windows hereby approved shall be white-painted softwood to and shall be maintained as such thereafter.

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

4) UNI

The reinstated flint walling shall exactly match the previously existing walling in terms of flint type, the form of flint coursing and the angle of strike. Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) 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.

BH2014/00794

28 North Road Preston Brighton

Erection of single storey rear extension, replacement of rear crittall windows with timber sash windows and removal of external fire escape and first floor access door to rear and internal alterations to layout. (Retrospective)

Applicant: M James

Officer: Steven Lewis 290480

Approved on 07/05/14 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 new window serving the garage shall match that of the existing adjacent window in terms of material, joinery detailing, painted finish and method of opening.

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

3) UNI

The external 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.

4) UNI

The new windows hereby approved shall be white-painted softwood to and shall be maintained as such thereafter.

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

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
Pre-existing Plans & Elevations	1312-10		12/03/2014
As Built Plans & Elevations	1312-11		12/03/2014
Proposed Plans & elevations	1312-12		12/03/2014

6) UNI

The reinstated flint walling shall exactly match the previously existing walling in

terms of flint type, the form of flint coursing and the angle of strike.

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

BH2014/00800

71 Gordon Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating 2no rooflights and insertion of window to front and dormer with Juliette balcony to rear.

Applicant: Simon Grange

Officer: Joanne Doyle 292198

Approved on 14/05/14 DELEGATED

BH2014/00830

8 Bramble Rise Brighton

Erection of single storey rear extension, demolition of existing garage and other associated alterations.

Applicant: Mr Oliver Dorman

Officer: Liz Arnold 291709

Refused on 09/05/14 DELEGATED

1) UNI

The proposed rear extension, by virtue of its design, detailing, scale and positioning, which includes the intersection with the existing rear roofslope of the dwelling, would result in an extension which poorly relates to the existing bungalow and which would be a visually intrusive and an unsympathetic extension to the dwelling. As such the proposal would result in an extension which would be of detriment to the visual amenities of the parent property, the pair of semi-detached properties, the Bramble Rise street scene and the wider area, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

BH2014/00894

1 Tivoli Copse Woodside Avenue Brighton

Erection of two storey side extension, single storey lower ground floor front extension with terrace above, enlargement of existing first floor front balcony and associated alterations.

Applicant: Miss Sarah Vinning & Mr Tim Clegg

Officer: Jason Hawkes 292153

Approved on 13/05/14 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 (with the exception of the proposed render) shall match in material, colour, style, bonding and texture those of the existing building.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			18th March 2014
Block Plan			18th March 2014
Tree Plan			18th March 2014
Existing Floor Plans	301/01		18th March 2014
Existing and Proposed Elevations	301/03	A	22nd April 2014
Proposed Lower Ground Floor Plan	301/04		18th March 2014
Proposed Ground Floor Plan	301/05		18th March 2014
Proposed First Floor Plan	301/06		18th March 2014

EAST BRIGHTON

BH2014/00091

Royal Sussex County Hospital Eastern Road Brighton

Erection of single storey storeroom.

Applicant: Brighton Health Care NHS Trust

Officer: Wayne Nee 292132

Approved on 06/05/14 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 adjoining 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	2014/14001/00 1	A	23 April 2014
Block plan	2014/14001/00 2		20 January 2014
Site plan			20 January 2014

BH2014/00435

Car Park to Rear of Sussex Row Bristol Gardens Brighton

Erection of 6no garages in car park.

Report from: 24/04/2014 to: 14/05/2014

Applicant: Sparks & Dowsing
Officer: Sonia Gillam 292265
Approved on 25/04/14 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 and garages shown on the approved plans of the development hereby approved shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the properties in Sussex Row.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing layout	ADC595/01	B	11/02/2014
Proposal layout	ADC595/02	D	11/02/2014
Proposed elevations and roof plan	ADC595/03	C	11/02/2014
Site location plan	ADC595/04	A	11/02/2014
Block plan	ADC595/05	C	17/03/2014
Existing boundary wall elevations	ADC595/06		11/02/2013

BH2014/00556

105 Queensway Brighton

Erection of a two storey side extension.

Applicant: Simeon Bowes

Officer: Chris Swain 292178

Approved on 13/05/14 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
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Report from: 24/04/2014 to: 14/05/2014

			Received
Site plan			19 February 2014
Existing and proposed plans and elevations	2235/14/01	B	16 April 2014

BH2014/00776

68A St Georges Road Brighton

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

Applicant: Sussex Property Investments Ltd

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 06/05/14 DELEGATED

HANOVER & ELM GROVE

BH2014/00783

Wellesley House 10 - 14 Waterloo Place Brighton

Display of externally illuminated screen mesh scaffolding shroud. (Retrospective)

Applicant: Phoenix Brighton

Officer: Adrian Smith 290478

Refused on 09/05/14 DELEGATED

1) UNI

Insufficient evidence has been submitted to demonstrate that the continued display of the large scaffold shroud for the temporary period proposed would link with a schedule of development work at the site. In the absence of such information, including an extant planning permission for such works, it is considered that the shroud represents an overly prominent advertisement which harms the appearance of the application site, the character of the Valley Gardens Conservation Area, and the setting of adjacent listed buildings, including Grade II* Listed St Peter's Church. The proposal is therefore contrary to policies QD13 and HE9 of the Brighton & Hove Local Plan and to the guidance set out in SPD07.

BH2014/00900

168 Elm Grove Brighton

Erection of a single storey rear extension incorporating ground work to facilitate creation of steps up to rear garden.

Applicant: Annette Kane

Officer: Christine Dadswell 292205

Approved on 13/05/14 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 and Block Plan	001		17 March 2014

Report from: 24/04/2014 to: 14/05/2014

Existing Plans and Elevations	002		17 March 2014
Proposed Plans and Elevations	003		17 March 2014

HOLLINGDEAN & STANMER

BH2014/01317

58 Stephens Road Brighton

Certificate of lawfulness for proposed erection of fence.

Applicant: Zuzana Vostiarova

Officer: Oguzhan Denizer 290419

Approved on 07/05/14 DELEGATED

BH2014/01317

58 Stephens Road Brighton

Certificate of lawfulness for proposed erection of fence.

Applicant: Zuzana Vostiarova

Officer: Oguzhan Denizer 290419

Approved on 07/05/14 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2013/04225

16 Selba Drive Brighton

Installation of balcony window to rear and rooflights to front and rear.

Applicant: Rita Maciunas

Officer: Wayne Nee 292132

Refused on 12/05/14 DELEGATED

1) UNI

The proposed 'cabrio'-balcony rooflight, due to its elevated height and its location close to the neighbouring boundary, would represent an un-neighbourly addition for nearby residents resulting in increased overlooking and loss of privacy to the occupiers of no. 14 Selba Drive. This would be to the detriment of residential amenity; therefore the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed 'cabrio'-balcony rooflight by virtue of its size and poor siting would have an overly dominant appearance on the rear roof slope and fail to complement the existing building. The balcony railings would also result in a cluttered appearance to the roof slope. The proposal is consequently considered detrimental to the overall character and appearance of the host property, contrary to policy QD14 of the Brighton & Hove Local Plan 2005 and the guidance set out in SPD12.

BH2014/00231

48 Medmerry Hill Brighton

Erection of single storey side extension to replace garage and erection of detached bicycle store to rear.

Applicant: Karen Taaffe

Officer: Chris Swain 292178

Approved on 12/05/14 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 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 vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

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

5) UNI

The 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	1014/08		27 January 2014
Block plan and cycle storage details	1014/09		27 January 2014
Existing plans and elevations	1014/10		27 January 2014
Propose plans and elevations	1014/11		27 January 2014

BH2014/00620

34 Walmer Crescent Brighton

Erection of porch with pitched roof and rooflights to replace existing with associated alterations to front boundary wall.

Applicant: Ms S Simpson

Officer: Joanne Doyle 292198

Approved on 02/05/14 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 & Block Plans	14473		25 Feb 2014
Existing Floor Plans & Elevations	14473- 02		25 Feb 2014
Proposed Floor Plans & Elevations			07 Mar 2014

BH2014/00792

3 Colbourne Avenue Brighton

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

Applicant: MTM Property Services

Officer: Christine Dadswell 292205

Approved on 07/05/14 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

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

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			10/03/14
Block Plan			10/03/14
Existing and Proposed Plans and Elevations	CA3/03014		10/03/14

BH2014/01020

Report from: 24/04/2014 to: 14/05/2014

6 Nyetimber Hill Brighton

Certificate of lawfulness for proposed loft conversion incorporating front rooflight and rear dormer.

Applicant: Mr D Humphrey

Officer: Jonathan Puplett 292525

Approved on 06/05/14 DELEGATED

QUEEN'S PARK

BH2014/00378

107-108 St Georges Road Brighton

Certificate of lawfulness for existing use as café (A3) and take-away (A5).

Applicant: Mr James Farmar

Officer: Adrian Smith 290478

Refused on 14/05/14 DELEGATED

BH2014/00580

Montague House Montague Place Brighton

Insertion of 2no UPVC double glazed windows to ground floor east elevation and associated alterations.

Applicant: Property & Design

Officer: Joanne Doyle 292198

Approved on 25/04/14 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	001		28 Feb 2014
Block Plan	002		28 Feb 2014
Existing Layout	300		28 Feb 2014
Proposed Layout	301		28 Feb 2014
Existing & Proposed East Elevations	302		28 Feb 2014

BH2014/00805

6-7 Old Steine Brighton

Application for Approval of Details Reserved by Conditions 2, 3, 4 and 5 of application BH2013/02730.

Applicant: Brighton Language College

Officer: Andrew Huntley 292321

Split Decision on 07/05/14 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 4 and 5 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 2 and 3 are NOT APPROVED

Report from: 24/04/2014 to: 14/05/2014

ROTTINGDEAN COASTAL

BH2013/03658

17 Dean Court Road Rottingdean Brighton

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)

Applicant: Mrs Christina Harrison-Flynn

Officer: Robin Hodgetts 292366

Approved on 24/04/14 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

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

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

Plan Type	Reference	Version	Date Received
Location and block plans	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

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

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

No development shall commence until fences for the protection of the

Report from: 24/04/2014 to: 14/05/2014

Euonymous Hedge to be retained along the north east boundary of the site have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: 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.

6) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for additional landscaping along the north eastern boundary of the site, which shall include indications of the existing Euonymous hedgerow along this boundary which is to be retained.

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

7) UNI

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

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

BH2013/03872

Land at Brighton Marina comprising Outer Harbour West Quay and adjoining land Brighton Marina Brighton

Non material amendment to BH2012/04048 to change wording of condition 60 to read as follows - "No development of each relevant phase of the development (as agreed by reference to the phasing plan agreed pursuant to condition 2) shall take place until details of a scheme of:

- (a) steel submarine netting or other suitable material to be installed between the protective piles of the development; and
- (b) linked mesh or other suitable material to be installed around the outer piles of the development has been submitted to and approved in writing by the Local Planning Authority for that relevant phase and the approved scheme shall be implemented in full before the completion of each respective basement car park structure. The scheme shall identify temporary openings within the nets."

Applicant: Brunswick Developments Group plc

Officer: Sarah Collins 292232

Approved on 12/05/14 DELEGATED

BH2013/04102

St Wulfrans Church Greenways Brighton

Change of use from agricultural land (Sui Generis) to burial ground (D1).

Applicant: St Wulfrans Church

Officer: Chris Swain 292178

Approved on 30/04/14 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

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	1021537/01	B	3 December 2013
Graveyard Extension	1021537/01	D	3 December 2013

3) UNI

No development shall take place until full details of the proposed gate to the southern boundary of the existing graveyard boundary, as shown on the approved drawing 1021537/01 Revision D including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

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

4) UNI

The area marked "Non-consecrated Section" on the approved drawing, 1021537/01 Revision D shall not be used for burials and shall remain free from development.

Reason: To ensure a satisfactory appearance to the development and to the site, protect the amenity of neighbouring occupiers and comply with policies HE1, HE6, NC6, NC7 and QD27 of the Brighton & Hove Local Plan.

5) UNI

No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers / densities and an implementation programme. Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1, QD15, QD16 and QD17 of the Brighton & Hove Local Plan.

6) UNI

The area marked "Non-consecrated - Archaeology" on the approved drawing, 1021537/01 Revision D shall not be used for burials and shall be remain free from development.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and to comply with policy HE12 of the Brighton & Hove Local Plan

BH2013/04251

66 High Street Rottingdean

Change of use of ground floor from retail (A1) to residential (C3). (Retrospective)

Report from: 24/04/2014 to: 14/05/2014

Applicant: Marion Briggs
Officer: Chris Swain 292178
Approved on 25/04/14 DELEGATED

1) UNI

Within three months of the date of this decision, details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be implemented in full with the agreed details within three months of the approval of such details. The cycle parking facilities 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.

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	PL01		16 December 2014
Block plan	PL02		16 December 2014
Existing plan	PL03		16 December 2014

BH2013/04343

4 Challoners Mews Brighton

Erection of conservatory to rear.

Applicant: Mr George
Officer: Chris Swain 292178

Refused on 06/05/14 DELEGATED

1) UNI

The proposal, by reason of its unsympathetic design, form and materials, would relate poorly to the existing building and would fail to preserve the character or appearance of this locally listed building or the wider Rottingdean Conservation Area. The proposal is therefore contrary to policies QD14, HE6 and HE10 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2014/00375

67 High Street Rottingdean Brighton

Erection of single storey rear extension.

Applicant: C P J Field & Company Ltd
Officer: Adrian Smith 290478

Approved on 28/04/14 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
Site plan	ROTT06	F	22/04/2014
Block plan	ROTT05	F	22/04/2014
Existing floor plan	ROTT01	A	22/04/2014
Existing elevation	ROTT02		22/04/2014
Proposed floor plan	ROTT03	F	22/04/2014
Proposed elevation	ROTT04	F	22/04/2014

BH2014/00485

16 Glynde Avenue Saltdean Brighton

Demolition of existing garage to facilitate erection of a side extension with associated roof extension and rooflights to front, rear and side roofslopes.

Applicant: Mr Martin Leppard

Officer: Sue Dubberley 293817

Approved on 09/05/14 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
Location plan			14/02/2014
Existing block plan			14/02/2014
Proposed block plan			14/02/2014
Existing and proposed plans	GB/270/20		14/02/2014

BH2014/00529

12 Court Ord Road Rottingdean Brighton

Certificate of lawfulness for proposed roof extension including rooflights to front

Report from: 24/04/2014 to: 14/05/2014

and rear and windows to side.

Applicant: Mr Paul Daniels
Officer: Christine Dadswell 292205
Approved on 28/04/14 DELEGATED

BH2014/00574

32A Bristol Gardens Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2013/03158.

Applicant: Mr Michael Pregar
Officer: Emily Stanbridge 292359
Approved on 29/04/14 DELEGATED

BH2014/00617

Maddalena Bazehill Road Brighton

Certificate of Lawfulness for proposed erection of garage extension to side incorporating alteration to ground levels and 2no single storey outbuildings in rear garden.

Applicant: Mr Jobie Edwards
Officer: Julia Martin-Woodbridge 294495
Approved on 06/05/14 DELEGATED

BH2014/00647

29 Chailey Avenue Rottingdean Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2013/03974.

Applicant: Mr Michael Brown
Officer: Sue Dubberley 293817
Approved on 14/05/14 DELEGATED

BH2014/00649

11 Roedean Way Brighton

Demolition of existing single storey extension and erection of two storey side/rear extension incorporating terrace to front elevation. Extension to include pool house to rear with pitched roof and 5.no rooflights to West roof slope. Associated external alterations to rear garden.

Applicant: Mr Lars Vestergaard
Officer: Chris Swain 292178
Approved on 14/05/14 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

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.

4) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed to the hereby approved extension without planning permission obtained from the Local Planning Authority.

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

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing plans, sections and elevation	1136/01		5 March 2014
Proposed plans, section and elevations	1136/02		5 March 2014

BH2014/00704

32A Bristol Gardens Brighton

Application for Approval of Details Reserved by Conditions 2, 3, 6, and 8 of application BH2013/03159.

Applicant: Michael Pregar

Officer: Emily Stanbridge 292359

Approved on 29/04/14 DELEGATED

BH2014/00722

140 Longhill Road Brighton

Alterations to front elevation including erection of single storey extension at lower ground floor level to replace existing garage and roof alterations including new pitched roof extension with gable end.

Applicant: Nicholas Monti

Officer: Liz Arnold 291709

Refused on 02/05/14 DELEGATED

1) UNI

The proposed gable end front extension, as a result of its design, bulk and massing, would result in a visually intrusive and bulky addition to the front elevation of the existing modest chalet bungalow, which would be of detriment to the visual amenities of the parent property, the Longhill Road street scene and the wider area, including the setting of the Ovingdean Conservation Area. The proposal is contrary to policies QD2, QD14 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/00749

37 Ainsworth Avenue Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 7.3m, for which the maximum height would be 3.49m, and for which the height of the eaves would be 3.49m.

Applicant: Ms Linda Eklind

Officer: Andrew Huntley 292321

Prior Approval is required and is approved on 28/04/14 DELEGATED

BH2014/00905

2 Westfield Rise Saltdean Brighton

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

Applicant: Mr Matt Perry

Officer: Julia Martin-Woodbridge 294495

Approved on 13/05/14 DELEGATED

BH2014/01030

1 Eley Drive Rottingdean Brighton

Certificate of Lawfulness for proposed single storey rear extension.

Applicant: Mr John Hay

Officer: Jonathan Puplett 292525

Approved on 07/05/14 DELEGATED

WOODINGDEAN

BH2013/04084

78 Balsdean Road Brighton

Erection of raised terrace to rear incorporating balustrading and stairs (Part Retrospective).

Applicant: Mr Douglas Taylor

Officer: Julia Martin-Woodbridge 294495

Refused on 08/05/14 DELEGATED

1) UNI

The proposed raised decking by reason of its elevated height and siting represents an un-neighbourly addition which would result in increased overlooking and loss of privacy towards no. 76 Balsdean Road causing harm to residential amenity. As such, the proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/00041

57 Downland Road Brighton

Erection of single storey timber structure in rear garden. (Retrospective)

Applicant: Damion Hawkins

Officer: Joanne Doyle 292198

Approved on 14/05/14 DELEGATED

1) UNI

The outbuilding hereby permitted shall be used solely as ancillary residential accommodation in connection with the enjoyment 57 Downland Road 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.

2) UNI

The development hereby permitted is on the basis of 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			07 Mar 2014
Block Plan			07 Mar 2014
Annotated Drawing Elevations			07 Mar 2014
Annotated Drawing			07 Mar 2014
Annotated Drawing			07 Mar 2014
Annotated Drawing windows/door specifications			07 Mar 2014

BH2014/00190

Unit 14 Woodingdean Business Park Sea View Way Brighton

Display of non-illuminated fascia sign. (Retrospective).

Applicant: Jayar Components Ltd

Officer: Chris Swain 292178

Approved on 30/04/14 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.

Report from: 24/04/2014 to: 14/05/2014

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.

BH2014/00553

17 Newells Close Brighton

Creation of rear dormer.

Applicant: Karen Gordan

Officer: Julia Martin-Woodbridge 294495

Refused on 29/04/14 DELEGATED

1) UNI

The rear dormer by reason of its size, bulk and detailing would appear unduly bulky and would fail to respect the character and proportions of the existing building, adjoining properties and the wider surrounding area. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan and the provisions of Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/00622

11A Vernon Avenue Brighton

Certificate of Lawfulness for proposed single storey side/rear extension and conversion of garage into habitable accommodation.

Applicant: Mrs Beryl Pratt

Officer: Julia Martin-Woodbridge 294495

Approved on 02/05/14 DELEGATED

1) UNI

The rear and side extension is permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995.

BH2014/00786

Land Adjacent 49A Channel View Road Brighton

Application for Approval of Details Reserved by Conditions 5, 6 and 7 of application BH2013/01103.

Applicant: Mr & Mrs Schan

Officer: Adrian Smith 290478

Split Decision on 06/05/14 DELEGATED

1) UNI

The details pursuant to conditions 5 & 6 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 7 are NOT APPROVED for the reason set out

below.

1. Insufficient information in relation to the required Final/Post Construction Code Certificate has been submitted in order for the details pursuant to condition 7 of the consent to be approved.

BH2014/01110

2 Hylden Close Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 4m, and for which the height of the eaves would be 2.4m.

Applicant: Jason Howick

Officer: Julia Martin-Woodbridge 294495

Prior approval not required on 14/05/14 DELEGATED

BRUNSWICK AND ADELAIDE

BH2012/01263

Amber Court 38 Salisbury Road Hove

Change of use of part of basement level of block of flats to commercial office (B1) with associated external alterations including new access ramp and cycle storage to front elevation.

Applicant: Mr Vic Marchant

Officer: Guy Everest 293334

Approved on 30/04/14 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

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	LH11-001-100		04/05/2012
Existing Ground Floor Plan	LH10-209-101		26/04/2012
Existing Front Elevation	LH11-001-102		26/04/2012
Existing Rear Elevation	LH11-001-103		26/04/2012
Existing Side Elevation	LH10-209-104		26/04/2012
Existing Side Elevation	LH10-209-105		26/04/2012
Proposed Floor Plan	LH11-001-401		26/04/2012
Proposed Front Elevation & Street Scene	LH10-209-402		26/04/2012
Proposed Front Elevations	LH10-209-403		26/04/2012

3) UNI

The use hereby permitted shall not be in use except between the hours of 08:00 to 19:00 on Monday to Friday, and 09:00 and 17:00 on Saturday and Sundays.

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

4) UNI

The hereby approved development, at lower ground floor level, shall not be occupied until the cycle parking facilities, as shown on drawing nos. LH11-001-401 & 403, have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

5) UNI

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 policies QD1 and QD14 of the Brighton & Hove Local Plan.

6) UNI

No development shall take place until a scheme for soundproofing between lower ground and upper ground floor levels 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 and be maintained as such thereafter.

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

7) UNI

No development shall take place until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy and water. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy 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.

8) 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) the hereby approved lower ground floor level shall only be used within Use Class B1 and for no other purpose.

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 policies TR1, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2014/00202

Ground Floor Flat 113 Lansdowne Place Hove

External alterations to rear including replacement of existing UPVC doors and window with timber doors and window and installation of extract vent to wall.

Applicant: Ms N Jones

Officer: Oguzhan Denizer 290419

Approved on 02/05/14 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three

years from the date of this consent.

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

2) UNI

No works shall take place until a sample of the proposed clay extraction vent to be installed hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved sample.

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 bottom panels of the proposed timber French doors shall be solid timber and not glazed and be retained as such hereafter.

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

BH2014/00260

St Patricks Church 3 Cambridge Road Hove

Formation of new opening with timber door to South elevation of the tower at roof level. External works including new gutter outlet, cast iron hopper and downpipe to front elevation and repair works to roof and walls.

Applicant: St Patricks Church

Officer: Sonia Gillam 292265

Approved on 12/05/14 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 new slate roof tiles and stone to the gable to be used in the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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

3) UNI

The timber door shown on the approved plans shall be painted dark grey (RAL7037) within one month of installation and shall be retained as such thereafter.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	07682-SK-100 0		27/02/2014
Existing third floor plan	07682-04-04		27/02/2014
Existing east elevation	07682-04-05		27/02/2014
Existing tower elevations	07682-04-09	A	27/02/2014
Proposed tower elevations	07682-04-10	A	27/02/2014

Report from: 24/04/2014 to: 14/05/2014

Proposed third floor plan	07682-04-103	A	27/02/2014
Roof plan	07682-04-104	B	27/02/2014
Proposed tower elevations/door	07682-04-105	A	27/02/2014
Proposed steps	07682-04-106		27/02/2014
Proposed door details	07682-04-107		27/02/2014

BH2014/00330

Brighton & Hove Progressive Synagogue 6 Lansdowne Road Hove

Application for variation of condition 2 of application BH2013/02204 (Part demolition and rebuild of existing building incorporating retention of front facade with alterations including new window, roof dormer and rooflight) to allow for external alterations to rear and west elevations.

Applicant: Brighton & Hove Progressive Synagogue

Officer: Christopher Wright 292097

Approved on 30/04/14 DELEGATED

1) UNI

The development hereby permitted shall be commenced on or before 15 November 2016.

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	ADC568/LP		27 Jun 2013
Block Plan	ADC568/BP	A	31 Jul 2013
Ground Floor Plan as Existing	ADC568/01		27 Jun 2013
First Floor Plan as Existing	ADC568/02		27 Jun 2013
Roof Plan as Existing	ADC568/03	A	20 Aug 2013
Existing Section and Front Elevation	ADC568/04	C	17 Sep 2013
Existing Rear and Side Elevations as Existing	ADC568/05		27 Jun 2013
Ground Floor Plan and Section 2 As Proposed	BHPS/35B		14 Feb 2014
First Floor Plan and Section 2a As Proposed	BHPS/36B		14 Feb 2014
Second Floor Plan and South (Rear) Elevation As Proposed	BHPS/37B		14 Feb 2014
West (Flank) Elevation and North (Front) Elevation As Proposed	BHPS/38B		14 Feb 2014

3) UNI

Notwithstanding the drawings hereby approved, permission is not hereby granted for the removal of the front, street facing façade of the building, including any supporting trusses the removal of which may compromise the structural integrity of the street facing façade of the building.

Reason: For the avoidance of doubt, in the interests of proper planning and in order to ensure a satisfactory appearance to the development in accordance with policy HE6 of the Brighton & Hove Local Plan.

4) UNI

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

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

5) UNI

The premises shall be used as a place of worship 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 and to comply with policy QD27 of the Brighton & Hove Local Plan.

6) 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.

7) 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 order to comply with policies HE6, QD2 and QD27 of the Brighton & Hove Local Plan.

8) 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.

BH2014/00484

Flat 4 52 Cambridge Road Hove

Insertion of dormer windows to front and velux windows to rear.

Applicant: Daniel Curtis
Officer: Emily Stanbridge 292359

Approved on 01/05/14 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 roof lights 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 dormer windows 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
Loft conversion	2005/MC/01		13.02.2014
Loft conversion	2005/MC/02		13.02.2014
Loft conversion	2005/MC/02		13.02.2014
Loft conversion	2005/MC/03		13.02.2014

BH2014/00536

Flat 3 31 Adelaide Crescent Hove

Internal alterations to layout of flat (Retrospective).

Applicant: Ms Natasha Rankin

Officer: Helen Hobbs 293335

Approved on 08/05/14 DELEGATED

BH2014/00660

31A Adelaide Crescent Hove

Internal damp-proofing and repair works.

Applicant: Mr Matthew Pahlavan

Officer: Emily Stanbridge 292359

Approved on 30/04/14 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

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

Report from: 24/04/2014 to: 14/05/2014

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

BH2014/00667

Flat 4 12 - 13 Brunswick Terrace Hove

Internal alterations to layout of flat. (Retrospective).

Applicant: M Daly

Officer: Emily Stanbridge 292359

Refused on 07/05/14 DELEGATED

1) UNI

Whilst there is no objection to the principle of the works undertaken, the plans submitted are inaccurate and the joinery details submitted are not considered appropriate to this Grade I Listed building. As such the proposal is contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2014/00753

55-56 Western Road Hove

Display of externally illuminated fascia signs, internally illuminated projecting sign and non illuminated ATM surround.

Applicant: Sainsburys Supermarkets Ltd

Officer: Emily Stanbridge 292359

Approved on 13/05/14 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.

BH2014/00877

Flat 43 Embassy Court Kings Road Brighton

Internal alterations to layout of flat incorporating formation of opening between living room and bedroom with installation of sliding doors.

Applicant: Mr Jeffrey Keep

Officer: Christopher Wright 292097

Approved on 12/05/14 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 the works using materials of matching composition, form and finish to 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.

BH2014/00880

Embassy Court Kings Road Brighton

Installation of eye-bolts to the inside face of parapet walls on ninth floor, to walls of eleventh floor tank rooms and to roof.

Applicant: Bluestorm Ltd

Officer: Christopher Wright 292097

Approved on 12/05/14 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 the works using materials of matching composition, form and finish to 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.

CENTRAL HOVE

BH2014/00329

Flat D 63 Tisbury Road Hove

Replacement of existing windows and patio doors with timber windows and patio doors with associated external alterations to construct bay window to rear elevation. Internal alterations to layout of flat.

Applicant: Sparks Property Developments

Officer: Christine Dadswell 292205

Approved on 07/05/14 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

Notwithstanding the submitted plans no works shall take place until full details of the proposed front door including 1:1 scale joinery profiles have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

3) UNI

No works shall take place until details of the airbrick ventilation for the vaults have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details.

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

BH2014/00397

1-2 Victoria Terrace Hove

Change of use from car showroom (Sui Generis) to form 2no professional services units (A2) and 1no two bedroom flat at ground floor level, and 2no one bedroom flats at lower ground floor level, together with new shopfronts, repairs to balcony, access stairs, landscaping and associated works.

Applicant: Mr John Regan

Officer: Christopher Wright 292097

Approved on 28/04/14 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 cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

3) UNI

Prior to the first occupation of the development hereby permitted the redundant vehicle crossover on Victoria Terrace shall be reinstated by the applicant back to a footway by raising the kerb and footway in accordance with a specification that has been submitted to and 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.

4) 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.

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 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			7 Feb 2014
Pre-Existing Plans	01		7 Feb 2014
Existing Plans	02		7 Feb 2014
Existing Sections	03		7 Feb 2014
Existing Rear Elevation	04		7 Feb 2014
Proposed Floor Plans	05		7 Feb 2014
Proposed Sections and Floor Finishes Schedule	06		7 Feb 2014
Proposed Rear Elevations	07		7 Feb 2014
Proposed Rear Elevation 1:20 Scale	08		7 Feb 2014
Proposed Balcony and Stair Details	09		7 Feb 2014
Large Scale Balustrade Details	10		7 Feb 2014
Proposed Concrete Stair Section	11		7 Feb 2014
Existing & Proposed Shopfront Elevations	12		7 Feb 2014
Proposed Shopfront Details	13		7 Feb 2014
Proposed Shopfront Details	14		7 Feb 2014
Large Scale Details	15		7 Feb 2014

Large Scale Details	16		7 Feb 2014
Large Scale GF External Door Details	17		7 Feb 2014
Large Scale GF External Door Details	18		7 Feb 2014
Large Scale GF External Door Details	19		7 Feb 2014
Large Scale Basement Sliding Sash Window Details	20		7 Feb 2014
Large Scale GF External Door Details	21		7 Feb 2014

7) 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.

BH2014/00652

Land Rear of 33 Sackville Road Hove

Installation of 5 no solar photovoltaic panels to the rear roof slope.

Applicant: Mr & Mrs Colasurdo

Officer: Jonathan Puplett 292525

Approved on 12/05/14 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, EXISTING PLANS AND ELEVATIONS	EX02		27/02/2014
PROPOSED PLANS AND ELEVATIONS	PL02		27/02/2014
PHOTOVOLTAIC PANEL SPECIFICATION			27/02/2014

BH2014/00735

1 Hove Street Hove

Partial demolition of existing garage and erection of 2no two bedroom houses and conversion of part of garage into 1no two bedroom house with associated

Report from: 24/04/2014 to: 14/05/2014

alterations.

Applicant: Mr John Robinson

Officer: Liz Arnold 291709

Approved on 12/05/14 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, C and D of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the 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.

3) UNI

Any render work shall not use metal or plastic expansion joints, corner or edge render beads or bell drips or stops and shall be maintained as such thereafter.

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

4) 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.

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 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.

7) UNI

The new-build dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

8) UNI

Unless otherwise agreed in writing with the Local Planning Authority the measures set out in the Site Waste Management Statement, received on the 6th March 2014, shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies 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.

9) UNI

The recommendations set out in Chapter 5 of the Anderson Acoustics Noise Assessment, dated April 2014, shall be implemented in full prior to occupation of the hereby approved residential units. The measures shall be retained as such thereafter.

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

10) 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.

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, including the communal areas, 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.

12) UNI

No development shall take place until full details of all new windows and doors, including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections and 1:5 joinery details of the balcony balustrades, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and 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.

13) 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, 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.

14) UNI

Notwithstanding the plans submitted, the development hereby permitted shall not be commenced until further 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.

15) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no new-build residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that Units 2 and 3 will achieve 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. 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) UNI

Unless otherwise agreed in writing by the Local Planning Authority no development within the retained southern building, Unit 1, shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the Unit 1 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.

17) 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

18) 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

19) UNI

Unless otherwise agreed in writing by the Local Planning Authority the new-build residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that Units 2 and 3 as built have 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.

20) UNI

Unless otherwise agreed in writing by the Local Planning Authority the retained southern building, Unit 1, shall not be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that Unit 1 as 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.

21) 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.

22) 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 Block Plan & Site Location Plan	TA775/01	Rev. A	23rd April 2014
Existing Ground Floor Plan	TA775/02		6th March 2014
Existing First Floor Plan	TA775/03		6th March 2014
Existing Front Elevation	TA775/04		6th March 2014
Existing Section Facing West	TA775/05		6th March 2014
Proposed Site Plan	TA775/10		6th March 2014
Proposed Ground Floor Plan	TA775/11	Rev. B	9th April 2014
Proposed First Floor Plan	TA775/12		6th March 2014
Proposed Front Elevation	TA775/13	Rev. A	22nd April 2014
Proposed Section B Facing West	TA775/14	Rev. A	22nd April 2014
Proposed Sections C & D	TA775/15	Rev. A	22nd April 2014
Proposed Section E	TA775/16	Rev. A	22nd April 2014
Proposed Section G & F	TA775/17	Rev. A	22nd April 2014

GOLDSMID

BH2014/00166

30 Shirley Street Hove

Change of use from food take away (A5) at ground floor level with residential unit above (C3) to 1no residential unit (C3) incorporating removal of existing shop front and installation of bay windows to ground and first floor, loft conversion with rear dormer and 3no roof lights to front and alterations to fenestrations.

Applicant: Mr Adam Blackburn

Officer: Liz Arnold 291709

Refused on 13/05/14 DELEGATED

1) UNI

The proposed rear dormer, by virtue of its size and design, which includes large areas of cladding, would appear unduly bulky and would fail to respect the character and proportions of the existing building, adjoining properties and the wider surrounding area. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan and the provisions of Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2) UNI2

The insertion of three rooflights within the front roofslope of the property would result in visual clutter to the front of the property to the detriment of the character and appearance of the host property, the Shirley Street street scene and the wider area. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan and the provisions of Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/00181

Flats 1-3 13 Cromwell Road Hove

Internal alterations to layout of basement, ground and first floor flats. (part retrospective)

Applicant: FCH Enterprises LLP

Officer: Jason Hawkes 292153

Refused on 14/05/14 DELEGATED

1) UNI

The scheme results in significant changes to the interior, involving the re-configuration of internal spaces in a way that detrimentally affects the proportion and symmetry of rooms which are important characteristics of buildings such as this. Additionally, no evidence has been submitted to show that the scheme has not resulted in the loss of architectural embellishments such as original cornicing through the introduction of new partitioning. Furthermore, no details have been given regarding the routing of ventilation equipment associated with internal bathrooms and kitchens. These alterations could detrimentally affect the external appearance of the building. The scheme is therefore deemed to detrimentally affect the architectural and historic character and appearance of the listed building and is contrary to policy HE1 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Notes 11: Listed Building Interiors.

BH2014/00323

10 Ranelagh Villas Hove

Removal of existing garden room and erection of single storey rear and side extension.

Applicant: Simon Clemson

Officer: Oguzhan Denizer 290419

Refused on 29/04/14 DELEGATED

1) UNI

The proposed extension by virtue of its design, form and scale would form an inappropriate addition to the building. The extension would disrupt the original plan form of the building and would appear unduly dominant, detracting from the character and appearance of the building. The proposed development is therefore contrary to Local Plan policy QD14, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/00496

Flat 21 Drive Lodge 68 - 70 The Drive Hove

Replacement of existing timber framed single glazed balcony windows and door with UPVC double glazed balcony windows and doors.

Applicant: Geoffrey R Garland

Officer: Emily Stanbridge 292359

Approved on 24/04/14 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			13.02.2014
Existing photographs			13.02.2014
Proposed specification			13.02.2014
Technical specification			13.02.2014

BH2014/00592

84-86 Denmark Villas Hove

Report from: 24/04/2014 to: 14/05/2014

Display of internally illuminated fascia and projecting signs, externally illuminated ATM surround and non-illuminated fascia sign.

Applicant: Tesco Stores Limited

Officer: Joanne Doyle 292198

Approved on 02/05/14 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.

BH2014/00657

Report from: 24/04/2014 to: 14/05/2014

Decon Laboratories Ltd Conway Street Hove

Certificate of lawfulness for existing use of the building as offices and light industrial (B1) and storage and distribution (B8).

Applicant: Decon Laboratories Ltd

Officer: Paul Earp 292454

Approved on 08/05/14 DELEGATED

BH2014/00677

8 Silverdale Road Hove

Erection of a single storey rear extension with associated alterations to fenestration.

Applicant: Rosie Scott

Officer: Jason Hawkes 292153

Refused on 01/05/14 DELEGATED

1) UNI

Due to the position and bulk of the extension, the proposal would result in a loss of outlook, light and a heightened sense of enclosure to 6 Silverdale Road. The proposal would therefore lead to an unacceptable material loss of amenity and is contrary to policies QD14 & QD27 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2014/00835

8 Ranelagh Villas Hove

Certificate of lawfulness for proposed loft conversion incorporating hip to gable extension, front rooflight, rear dormer and alterations including removal of chimney and increase in height of chimney. Erection of shed/workshop in rear garden.

Applicant: Mr & Mrs Ian Watson

Officer: Helen Hobbs 293335

Approved on 12/05/14 DELEGATED

BH2014/00836

8 Ranelagh Villas Hove

Erection of single storey rear/side extension.

Applicant: Ms Karen Wasunna

Officer: Helen Hobbs 293335

Approved on 12/05/14 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	140102/P0		14th March 2014
Block plan	140102/SO		14th March 2014
Ground floor plan as existing	S1		14th March 2014
Ground floor plan as existing	S2		14th March 2014
First floor plan as existing	S3		14th March 2014
Roof plan as existing	S5		14th March 2014
Front elevation as existing	S6		14th March 2014
Side elevation as existing	S7		14th March 2014
Rear elevation as existing	S8		14th March 2014
Side elevation as existing	S9		14th March 2014
Section A-A as existing	S10		14th March 2014
Ground floor plan as proposed	P101		14th March 2014
Ground floor plan as proposed	P102		14th March 2014
First floor plan as proposed	P103		14th March 2014
Roof plan as proposed	P105		14th March 2014
Front elevation as proposed	P106		14th March 2014
Side elevation as proposed	P107		14th March 2014
Rear elevation as proposed	P108		14th March 2014
Side elevation as proposed	P109		14th March 2014
Section A-A as proposed	P110		14th March 2014
Section B-B as proposed	P111		14th March 2014

HANGLETON & KNOLL

BH2013/03862

37 Hangleton Road Hove

Excavation of front garden and relocation of steps to form car parking and crossover.

Applicant: Mrs Lesley Putman

Officer: Robin Hodgetts 292366

Approved on 13/05/14 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

No development or other operations shall commence in connection with the development hereby approved, (including any 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 the construction of the crossover has been submitted to and approved in writing by the Local Planning Authority. This shall

Report from: 24/04/2014 to: 14/05/2014

provide for the long-term protection and retention of the on-street Elm. 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 tree which is to be retained on the footpath in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			14/11/13
Existing and proposed plans and elevations			21/03/14

BH2014/00290

44 Fallowfield Crescent Hove

Erection of single storey rear extension to replace existing conservatory.

Applicant: Mrs Debbie Miller

Officer: Joanne Doyle 292198

Approved on 29/04/14 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
Location Plan/Block Plan	BH 198 03		30 Jan 2014
Existing Floor Plan	BH 198 01		30 Jan 2014
Proposed Floor Plan	BH 198 02		30 Jan 2014

BH2014/00658

118 Holmes Avenue Hove

Certificate of lawfulness for proposed loft conversion incorporating enlargement of existing rear dormer and rooflight to front roof slope.

Report from: 24/04/2014 to: 14/05/2014

Applicant: Ms Claire Moran
Officer: Helen Hobbs 293335
Approved on 25/04/14 DELEGATED

1) UNI

The development is permitted under Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2014/00748

137 Hangleton Valley Drive Hove

Erection of a single storey rear extension.

Applicant: Mr Russell Gross
Officer: Emily Stanbridge 292359

Approved on 09/05/14 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing OS Map		A	07.03.2014
Proposed block plan		B	14.03.2014
Existing floor plan	102	A	07.03.2014
Existing floor plan	103	A	07.03.2014
Proposed floor plan	202	A	07.03.2014
Existing and proposed roof plans	202		07.03.2014
Existing elevations	104	A	07.03.2014
Proposed floor plan	200	A	07.03.2014
Proposed Elevations	201	A	07.03.2014

BH2014/00795

46 Lark Hill Hove

Certificate of Lawfulness for proposed single storey side and rear extensions and loft conversion with hip to gable end roof extension, front rooflights and rear dormer with Juliet balcony.

Applicant: Tim Stanford
Officer: Jason Hawkes 292153

Approved on 07/05/14 DELEGATED

BH2014/00846

111 Hangleton Way Hove

Report from: 24/04/2014 to: 14/05/2014

Certificate of Lawfulness for proposed single storey rear extension to replace existing conservatory.

Applicant: Ms V Wood

Officer: Christine Dadswell 292205

Approved on 14/05/14 DELEGATED

BH2014/00990

3 Midhurst Walk 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 3m, and for which the height of the eaves would be 3m.

Applicant: Mr Godet Fikrry

Officer: Christine Dadswell 292205

Prior Approval is required and is refused on 07/05/14 DELEGATED

BH2014/01040

33 Applesham Avenue Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.3m, for which the maximum height would be 2.9m, and for which the height of the eaves would be 2.75m.

Applicant: Mr John Nicklin

Officer: Joanne Doyle 292198

Prior approval not required on 12/05/14 DELEGATED

BH2014/01049

18 Tudor Close Hove

Non Material Amendment to BH2013/03355 for removal of existing window and door with enlargement of approved side elevation window.

Applicant: Mr & Mrs Mullineux

Officer: Emily Stanbridge 292359

Approved on 29/04/14 DELEGATED

SOUTH PORTSLADE

BH2013/04158

Former Infinity Foods Site 45 Franklin Road Portslade

Application for Approval of Details Reserved by Condition 4 of Application BH2013/01278.

Applicant: Taylor Wimpey

Officer: Jason Hawkes 292153

Approved on 24/04/14 DELEGATED

BH2014/00207

Former Infinity Foods Site 45 Franklin Road & 67 67a & 67b Norway Street Portslade

Application for variation of condition 18 of application BH2013/01278 (Demolition of existing buildings and construction of a three-storey commercial building (class B1 office space) and two and three storey buildings to form 31no dwellings with associated car parking, access and landscaping works) to amend wording of condition to read as follows - 'No development shall commence until full details of the phased construction programme have been submitted and agreed in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the agreed details unless otherwise agreed in writing.'

Applicant: Taylor Wimpey (South West Thames) Ltd

Officer: Jason Hawkes 292153

Refused on 28/04/14 DELEGATED

1) UNI

Planning Permission BH2013/01278 was granted on the basis that the development was a mixed use scheme which delivered an appropriate element of commercial floorspace. The proposed variation of condition 18 would fail to secure the delivery of commercial floorspace on the site as part of a mixed use development. This would be contrary to policies EM1 and EM3 of the Brighton & Hove Local Plan, and policy CP3 of the Brighton & Hove Submission City Plan Part One.

BH2014/00208

Former Infinity Foods Site 45 Franklin Road & 67 67a & 67b Norway Street Portslade

Application for variation of conditions 2 and 10 of application BH2013/01278 (Demolition of existing buildings and construction of a three-storey commercial building (class B1 office space) and two and three storey buildings to form 31no dwellings with associated car parking, access and landscaping works). Condition 2 to be varied in order to enable the widening of rear access paths from 1m to 1.2m in width. Wording of condition 10 to be amended to read as follows - 'Other than in relation to plots 26-31, 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.'

Applicant: Taylor Wimpey (South West Thames) Ltd

Officer: Jason Hawkes 292153

Approved on 28/04/14 DELEGATED

1) BH01.06

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

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

Plan Type	Reference	Version	Date Received
Planning Layout	011202-WIM-S WT-01	F	23rd February 2014
Information Layout	011202-WIM-S WT-02	D	23rd January 2014
Storey heights Plan	011202-WIM-S WT-03	D	23rd January 2014
Tenure Plan	011202-WIM-S WT-04	E	23rd January 2014
Unit Types Plan	011202-WIM-S WT-05	D	23rd January 2014
Location Plan	011202-WIM-S WT-06	A	13th June 2013
Refuse Strategy	011202-WIM-S WT-07	D	23rd January 2014
Street Scene C-C	011202-WIM-S WT 03	A	23rd January 2014
Street Scene	011202-WIM-S WT-SSDD		13th June 2013
Street Scene	011202-WIM-S WT-SSBB		13th June 2013

Report from: 24/04/2014 to: 14/05/2014

Type F Floor Plans	011202-WIM-F-P1		22nd April 2013
Type E Floor Plans	011202-WIM-E-P1		22nd April 2013
Type G Floor Plans	011202-WIM-S-WT-G-P1		22nd April 2013
2BF Apartments Ground Floor Plans	011202-WIM-S-WT-2BF-P1	B	23rd January 2014
2BF Apartments First Floor Plan	011202-WIM-S-WT-2BF-P2	B	23rd January 2014
2BF Apartments Second Floor Plans	011202-WIM-S-WT-2BF-P3	B	23rd January 2014
Apartment Block 2BF, Front Elevation	011202-WIM-S-WT-2BF-E1	A	23rd January 2014
Apartment Block 2BF, Side Elevation	011202-WIM-S-WT-2BF-E2	A	23rd January 2014
Apartment Block 2BF, Rear Elevation	011202-WIM-S-WT-2BF-E4	A	23rd January 2014
Bin / Cycle Stores Elevations & Floor Plans	011202-WIM-S-WT-BS1	B	23rd January 2014
Commercial Building First Floor Plan	011202-WIM-S-WT-COM-P2		22nd April 2013
Commercial Building Second Floor Plan	011202-WIM-S-WT-COM-P3		22nd April 2013
Commercial Offices, Front Elevation	011202-WIM-S-WT-COM-E1		22nd April 2013
Commercial Offices, Side Elevation	011202-WIM-S-WT-COM-E2		22nd April 2013
Commercial Offices, Side Elevation	011202-WIM-S-WT-COM-E3		22nd April 2013
Commercial Offices, Rear Elevation	011202-WIM-S-WT-COM-E4		22nd April 2013
Type D Floor Plans	011202-WIM-S-WT-D-P1		22nd April 2013
Type A Floor Plans	011202-WIM-A-P1		22nd April 2013
Type B Floor Plans	011202-WIM-B-P1		22nd April 2013

2) BH05.10

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

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

3) UNI

The proposed development shall be implemented in accordance with the details of the provision of affordable housing approved under application BH2013/04158, save where condition 5 below applies.

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.

4) UNI

Should all the residential units hereby approved not have been constructed to at least first floor level by the third anniversary of the date of this permission, a viability assessment which assesses, at that date, the number of affordable housing units that the proposed development could provide whilst remaining viable, together with a scheme ('the reassessed scheme') of affordable housing provision based on that viability assessment, shall be submitted to, and for approval in writing by, the local planning authority. The affordable housing shall be provided in accordance with the approved reassessed scheme which reassessed scheme 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.
- iv. the occupancy criteria shall be agreed by Brighton & Hove City Council Housing Team

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.

5) 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.

6) UNI

The first floor side window in the elevation of the proposed dwelling hereby permitted immediately adjacent the southern boundary of the site (as indicated on drawing no.0011202-WIM-SWT-E-F-E1) shall be obscure glazed and non-opening, unless the parts of the window which can be opened is more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

7) 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.

8) UNI

Other than the alterations in relation to plots 24-31 (as indicated on drawing 13687/24-31/52E), no additional 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.

9) UNI

The employment/commercial building shall only be used for B1 use only and for no other purpose (including any other purpose in Class B2 or B8 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.

10) UNI

No deliveries or waste collection shall occur at the B1 premises 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.

11) UNI

The office accommodation shall not be open 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.

12) UNI

The proposed development shall be implemented in accordance with wheelchair standards approved under application BH2013/04021 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.

13) UNI

The proposed development shall be implemented in accordance with the Site Waste Management approved under application BH2013/04019. 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 WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

14) UNI

No works shall take place above the ground floor slab level of any part of the development hereby approved until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

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

15) UNI

The proposed development shall be implemented in accordance with the details of the proposed means of foul and surface water sewerage disposal and measures to be undertaken to divert public sewers. The means of foul and surface disposal shall thereafter be retained for use at all times.

Reason: To ensure that adequate surface water and foul sewerage drainage is available prior to the development commencing and to comply with policies SU4 and SU5 of the Brighton & Hove Local Plan.

16) UNI

Prior to the first occupation of the development hereby permitted the redundant vehicle crossover to Franklin 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.

17) UNI

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

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

18) UNI

No works shall take place above the ground floor slab level of any part of the development hereby approved until details showing the type, number, location and timescale for implementation of the compensatory bird and bat boxes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out in strict accordance with the approved details.

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

19) UNI

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

20) UNI

No works shall take place above the ground floor slab level of any part of the development hereby approved until full details of Lifetime Homes standards have been submitted to and approved by the Local Planning Authority. 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 meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

21) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no works shall take place above the ground floor slab level of any part of the residential development hereby approved 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.

22) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no works shall take place above the ground floor slab level of any part of the commercial development hereby approved 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.

23) UNI

No works shall take place above the ground floor slab level of any part of the development hereby approved until a feasibility study for rainwater harvesting has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in strict accordance with the agreed details.

Reason: To ensure the development is sustainable in terms of rain water harvesting and in accordance with policy SU2 and SPD8: Sustainable Building Design of the Brighton & Hove Local Plan.

24) UNI

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

25) UNI

No development shall commence until full details of the existing and proposed land levels of the proposed building in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.

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

26) UNI

No works shall take place above the ground floor slab level of any part of the

development hereby approved, 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.

27) UNI

The proposed development shall be implemented in accordance with the land contamination reports approved under application BH2013/04026. Within 3 months of the date of this permission the following details shall be 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) (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.

28) UNI

No works shall take place above the ground floor slab level of any part of the development hereby approved, until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, boundary treatments (including new 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.

29) 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.

30) 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.

31) UNI

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.

32) UNI

Within 6 months of occupation of the residential and commercial 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 (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.

33) UNI

The affordable housing shall be provided in accordance with the Tenure Plan drawing 011202-WIM-SWT-04/C which secures 7 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 Plan.

34) UNI

Not used.

35) UNI

The proposed development shall be implemented in accordance with the phased construction programme approved under application BH2013/04024. The commercial element shall be built to shell and core prior to occupation of the residential units. The scheme shall be implemented fully in accordance with the agreed details.

Reason: So as to ensure the implementation of the entire scheme and to comply with policies TR1, TR2, TR4, TR7, TR14, TR18, TR19, SU2, QD1, QD2, QD3, QD4, QD5, QD6, QD15, QD16, HO2, HO3, HO4, HO5, HO6 and HO13 of the Brighton & Hove Local Plan and CP3 of the Brighton & Hove Submission City Plan Part One.

BH2014/00453

134 Victoria Road Portslade

Creation of new crossover and hard standing with alterations to front boundary wall.

Applicant: Mr Piers Merrett

Officer: Liz Arnold 291709

Approved on 24/04/14 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 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.

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			11th February 2014
Block Plan			11th February 2014
Site Plan Existing Plan			26th February 2014
Site Plan Proposed Plan			26th February 2014
Paving Drawing			27th February 2014

BH2014/00650**99 & 101 Foredown Drive Portslade**

Erection of single storey extensions to rear of 99 and 101 Foredown Drive.

Applicant: Mr Alan Harper & Mr Paul Williams

Officer: Julia Martin-Woodbridge 294495

Approved on 24/04/14 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.

Report from: 24/04/2014 to: 14/05/2014

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 Details			27.02.2014
Proposed Plan			27.02.2014
Block Plan			27.02.2014
Land Registry document			04.04.2014
Title deed			04.04.2014

4) UNI

The works 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 99 and 101 Foredown Road. The works shall be carried out to within the approved timescale unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of adjacent properties and in accordance with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2014/00654

1 Gordon Mews Gordon Close Portslade

Prior approval for change of use from offices (B1) to residential (C3) to form 5no self contained flats.

Applicant: PHW Property Ltd

Officer: Jason Hawkes 292153

Prior approval not required on 29/04/14 DELEGATED

BH2014/00732

48 Mill Lane Portslade

Erection of single storey garage to side elevation and single storey extension to rear.

Applicant: Mr Richard Berriman

Officer: Oguzhan Denizer 290419

Approved on 12/05/14 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.

Report from: 24/04/2014 to: 14/05/2014

Plan Type	Reference	Version	Date Received
Site Location and Block Plans	14/01-02		17/03/2014
Existing Elevations	14/01-04		17/03/2014
Existing Ground Floor Plan	14/01-03		17/03/2014
Proposed Floor Plan and Elevations	14/01-01		05/03/2014

BH2014/00940

3 Fairfield Gardens Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.639m, for which the maximum height would be 2.98m, and for which the height of the eaves would be 2.90m.

Applicant: Mohammed Shahjahan Ahmed

Officer: Joanne Doyle 292198

Prior approval not required on 28/04/14 DELEGATED

BH2014/00941

29 Maplehurst Road Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.3m.

Applicant: Mr Biggs

Officer: Joanne Doyle 292198

Prior approval not required on 28/04/14 DELEGATED

BH2014/00982

17 Windlesham Close Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.9m, and for which the height of the eaves would be 2.6m.

Applicant: Matt Slater

Officer: Christine Dadswell 292205

Prior approval not required on 07/05/14 DELEGATED

HOVE PARK

BH2013/04218

4 Barrowfield Close Hove

Demolition of existing dwelling and erection of seven bedroom dwelling.

Applicant: Mr and Mrs Platt

Officer: Liz Arnold 291709

Refused on 28/04/14 DELEGATED

1) UNI

The proposed dwelling, by virtue of its bulk, massing, design, footprint and array of materials, would create a form and sense of bulk which would appear out of scale and unduly dominant in relation to adjoining properties on Barrowfield Close. The resulting building would fail to emphasise and enhance the positive qualities and characteristics of the area. As such the development would be detrimental to the character and appearance of Barrowfield Close and wider surrounding area and is contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

Report from: 24/04/2014 to: 14/05/2014

2) UNI2

The proposed dwelling, by virtue of its scale, bulk and massing in close proximity to the boundary with 6 Barrowfield Close, represents an unneighbourly form of development and would appear overbearing and oppressive for occupants of this adjoining property. The proposal would have a harmful impact on neighbouring amenity and is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/00348

49 Hill Drive Hove

Demolition of rear conservatory and erection of single storey rear extension to facilitate indoor swimming pool with terrace above. Installation of solar panel to rear roofslope.

Applicant: Mr & Mrs Starr

Officer: Steven Lewis 290480

Approved on 25/04/14 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

Prior to the commencement of development on site, details of the proposed balustrade and screening serving at 1:20 scale of the rear terrace shall be submitted to and approved in writing by the Local Planning Authority. The scheme of balustrade and screening shall be implemented prior to the first use of the terrace, in strict accordance with the approved details and shall thereafter be retained as such.

Reason: To ensure an appropriate scheme of screening, to protect the residential amenity of adjacent occupiers and to accord with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

No development shall commence until full details of the existing and proposed land levels of the proposed development in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.

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

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans, sections and rear elevation	1102/01		10/02/2014

Report from: 24/04/2014 to: 14/05/2014

Proposed plans, sections and rear elevation	1102/02	A	26/03/2014
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BH2014/00433

17 Old Shoreham Road Hove

Erection of single storey rear extension with associated landscaping and parking alterations.

Applicant: Peter Mallinson

Officer: Jason Hawkes 292153

Refused on 30/04/14 COMMITTEE

1) UNI

Having regard to the excessive scale of the proposed extension in relation to the existing property and surrounding area, the proposal would significantly detract from the character and appearance of the host building and stand out as an inappropriate and unsympathetic addition. The coverage of the plot is disproportionate to the scale of the building and surrounding area and the proposal is considered overdevelopment of the site. The scheme is therefore contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

2) UNI2

Given the scale and projection of the proposed extension in close proximity to the boundary with 15 Old Shoreham Road, the proposal would result in an increased sense of enclosure and an unneighbourly form of development. The scheme therefore results in a loss amenity and is contrary to policies QD14, QD27 and HO11 of the Brighton & Hove Local Plan.

BH2014/00493

26 The Drove Hove

Display of externally illuminated fascia signs, internally illuminated projecting sign and non-illuminated fascia board and window vinyl.

Applicant: Tesco Stores Limited

Officer: Helen Hobbs 293335

Split Decision on 25/04/14 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 wall mounted dibond graphic panel, by virtue of its size, positioning and materials would be unduly prominent, significantly detracting from the character and appearance of the recipient building and the wider street scene. As such, they would be contrary to policy QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document (SPD) 07: Advertisements.

BH2014/00634

39 Hill Brow Hove

Installation of electronic gates and increase of height of front boundary wall.

Applicant: Mr Michael Price

Officer: Oguzhan Denizer 290419

Approved on 06/05/14 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 Location Plan and Existing & Proposed Plans and Elevations	SK1	B	31/03/2014

2) 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.

BH2014/00687

89 Hove Park Road Hove

Erection of tree house in rear garden incorporating hedging alongside Western fence. (Part retrospective)

Applicant: Sinclair Bilton

Officer: Steven Lewis 290480

Refused on 25/04/14 DELEGATED

1) UNI

The structure and its use has an un-neighbourly impact and results in an undue presence, overlooking, loss of privacy and outlook, harming the residential amenities of adjacent occupiers. The proposed use of planting to provide screening would fail to sufficiently mitigate for the loss of amenity in the long term. This is contract to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2014/00712

27 Shirley Drive Hove

Certificate of lawfulness for proposed single storey side extension.

Applicant: Mr & Mrs Rod Thomas

Officer: Joanne Doyle 292198

Split Decision on 28/04/14 DELEGATED

1) UNI

GRANT a lawful development certificate for the proposed installation of soil and vent pipe for the following reason:

The proposed installation of soil and vent pipe are permitted under Schedule 2, Part 1, Class G of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

1) UNI

REFUSE a lawful development certificate for the proposed single storey side extension for the following reasons;

The development is not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as the proposed side extension would have a width greater than half the width of the original dwelling house.

BH2014/00713

27 Shirley Drive Hove

Erection of single storey side extension.

Applicant: Mr & Mrs Rod Thomas

Officer: Joanne Doyle 292198

Refused on 30/04/14 DELEGATED

1) UNI

The side extension, by reason of its design, scale and siting, would stand out as an inappropriate and unduly prominent addition. The extension would therefore form an unsympathetic and overly dominant addition to the detriment of the character and appearance of the dwelling and wider surrounding area. The proposal is thereby contrary to QD14 of the Brighton & Hove Local Plan and the Supplementary Planning document: Design guide for Extensions and Alterations (SPD12).

BH2014/00746

28 Elrington Road Hove

Erection of two storey side extension. Removal of existing garage and erection of new flat roof garage with front dormer at first floor above and creation of 2no flat

roof dormers to rear.

Applicant: Mr & Mrs G Docherty

Officer: Helen Hobbs 293335

Refused on 02/05/14 DELEGATED

1) UNI

By virtue of the resulting size of the house, the proposed development would have an excessive scale and prominence in comparison to other houses in the immediate area. The proposal would extend the dwelling almost the entire width of the plot, reducing an important visual gap, thus appearing cramped and harming the spatial quality of the street scene. The proposal is therefore not sympathetic to the character of the area and is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 Design Guide on Extensions and Alterations.

2) UNI2

The proposed front and rear dormers, due to their size, positioning and number would form inappropriate and incongruous features, that in conjunction with the other proposed extensions would result in excessive bulk to the roof, contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 Design Guide on Extensions and Alterations.

3) UNI3

The proposed extension to the garage, due to its projection forward and additional width have an unduly dominant, discordant and unsympathetic relationship to the existing property and to the detriment of visual amenity and the appearance of the street scene. As such the proposal is contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guidance for extensions and alterations.

BH2014/00764

Cardinal Newman Catholic School The Upper Drive Hove

Application for Approval of Details Reserved by Condition 7 of application BH2013/01693.

Applicant: The Governors of Cardinal Newman Catholic School

Officer: Jason Hawkes 292153

Approved on 13/05/14 DELEGATED

BH2014/00772

Flat 7 Barrowfield Lodge Barrowfield Drive Hove

Replacement of steel window with aluminium window and replacement of timber sash windows with UPVC sash windows.

Applicant: Mr Frank Ainscough

Officer: Helen Hobbs 293335

Refused on 02/05/14 DELEGATED

1) UNI

The proposed replacement of the existing timber framed sash window with UPVC units would be an inappropriate alteration to the building, which is of a traditional character with timber framed windows and doors. The proposal would therefore significantly harm the character and appearance of the existing property, street scene and the surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 Design Guide for Extensions and Alterations.

BH2014/00798

36 Hove Park Road Hove

Certificate of lawfulness for proposed rear dormer.

Applicant: Mr Iain Oswald

Officer: Christine Dadswell 292205
Approved on 07/05/14 DELEGATED

BH2014/00806

17 Milcote Avenue Hove

Erection of a single storey rear extension.

Applicant: Andy Lake

Officer: Christine Dadswell 292205

Approved on 09/05/14 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
Location and Block Plan	04		12/03/14
Existing Plans and Elevations	01		12/03/14
Proposed Plans and Elevations	02	A	25/04/14

BH2014/00809

28 Orchard Gardens Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.5m, for which the maximum height would be 3.2m, and for which the height of the eaves would be 2.4m.

Applicant: Martin & Caroline Pigott

Officer: Mark Thomas 292336

Prior approval not required on 30/04/14 DELEGATED

BH2014/00821

4 Barrowfield Close Hove

Remodelling of existing dwelling incorporating two storey rear extension, two storey front/side extension and additional two storey extension to create entrance porch. Enlargement of existing garage, extensions and alterations to roof, revised fenestration and associated works.

Applicant: Mr & Mrs J Platt

Officer: Liz Arnold 291709

Approved on 08/05/14 DELEGATED

1) BH01.01

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

Report from: 24/04/2014 to: 14/05/2014

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

2) UNI

The first floor windows in the north-east elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed in the north-east elevation without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plan	001	Rev. A	25th April 2014
Existing Floor Plans	002		13th March 2014
Existing Elevations	003		13th March 2014
Proposed Ground Floor Plan	004	Rev. A	25th April 2014
Proposed First & Second Floor Plan	005	Rev. A	25th April 2014
Proposed Site Plan	006	Rev. A	25th April 2014
Proposed Elevations Sheet 1	007	Rev. A	25th April 2014
Proposed Elevations Sheet 2	008	Rev. A	25th April 2014
Proposed Street Scene	009		13th March 2014

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 in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

BH2014/00840

16 Woodland Avenue Hove

Erection of a two storey side extension and single storey rear extension.

Applicant: Mr & Mrs P Instone

Officer: Helen Hobbs 293335

Approved on 12/05/14 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

Report from: 24/04/2014 to: 14/05/2014

unimplemented permissions.

2) UNI

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

Reason: To ensure a satisfactory appearance to the development 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	WA/001		17th March 2014
Proposed plans and elevations	WA/002		17th March 2014

BH2014/00873

75 Hove Park Road Hove

Erection of detached garage to front.

Applicant: Mr & Mrs Longden

Officer: Oguzhan Denizer 290419

Approved on 14/05/14 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 walls of the garage hereby permitted shall match the brickwork used in the construction of the existing driveway wall and boundary wall.

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 Block and Location Plans	187.500		19/03/2014
Proposed Block and Location Plan	187.502		19/03/2014
Existing Floor Plans and Elevations	187.501		19/03/2014
Proposed Floor Plans and Elevations	187.503		19/03/2014

BH2014/01044

3 Frant Road Hove

Certificate of lawfulness for proposed loft conversion incorporating insertion of roof lights to front and side, dormer to rear, and single storey rear extension.

Report from: 24/04/2014 to: 14/05/2014

Applicant: Ms Sasha Davies
Officer: Jonathan Puplett 292525
Approved on 07/05/14 DELEGATED

BH2014/01154

21 Shirley Drive Hove

Application for approval of details reserved by condition 3 of application BH2014/00114.

Applicant: Julian Adams
Officer: Jason Hawkes 292153
Approved on 14/05/14 DELEGATED

WESTBOURNE

BH2013/03624

The Westbourne 90 Portland Road Hove

Alterations to layout of doors and windows, new canopies to front elevation, raised garden level and installation of fixed aluminium planters to west elevation of garden.

Applicant: Ms Emma Lundin
Officer: Liz Arnold 291709
Approved on 30/04/14 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

The garden area shall not be in use between 2230 hours and the hour in which the premises opens for business the following day and the rear French doors shall be kept shut at all times the premises is open except for access and egress.

Reason: To safeguard the amenities of nearby residents and in order to comply with policy QD27 of the Brighton & Hove Local Plan

3) UNI

The raised garden area hereby approved shall not be brought into use until the bamboo screening shown on the drawings hereby approved has been installed. The screening shall thereafter be permanently 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 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	0267.EXG.001	Rev. A	23rd October 2013
Existing Plans Section and Elevations	0267.EXG.002	Rev. C	23rd October 2013
Proposed	0267.PL.001	Rev. D	21st January 2014
Proposed Sections, Elevations and Details	0267.PL.002	Rev. B	23rd October 2013

BH2014/00194

Report from: 24/04/2014 to: 14/05/2014

First Floor Flat 203 Kingsway Hove

Replacement of two timber sash windows with timber casement windows to enclosed balcony.

Applicant: Brighton & Hove Securities

Officer: Sonia Gillam 292265

Approved on 12/05/14 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 timber windows hereby approved shall be painted white within 3 months of the date of installation and shall be retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed elevations	0151/100	B	22/01/2014
Site location plan and block plan	0151/101		27/01/2014
Profile details			22/01/2014

BH2014/00520

31 Pembroke Avenue Hove

Change of Use from guest house (C1) to residential house (C3).

Applicant: Mr Clive Robertson

Officer: Steven Lewis 290480

Approved on 02/05/14 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 use hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

3) UNI

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: 24/04/2014 to: 14/05/2014

Plan Type	Reference	Version	Date Received
Site Plan			06/03/2014
Existing Layout			06/03/2014

BH2014/00534

13 Aymer Road Hove

Replacement of existing concrete roof tiles with clay tiles.

Applicant: Mr Daniel & Mrs Emma Habba

Officer: Christine Dadswell 292205

Approved on 24/04/14 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 details of the treatment to the existing hip and eaves of the building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and 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

No development shall take place until samples of the replacement ridge tiles to be used in the construction 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 a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	120802/SO		18/02/2014
Proposed Roof Plan			27/02/2014

5) UNI

The roof shall be finished in Marley Plain Clay Tiles (specification Hawkins Dark Heather) 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.

BH2014/00686

39 & 39A Cowper Street Hove

Application for Approval of Details Reserved by Condition 4 of application BH2013/02192.

Report from: 24/04/2014 to: 14/05/2014

Applicant: Downside Development (BTN) Ltd

Officer: Mark Thomas 292336

Refused on 30/04/14 DELEGATED

1) UNI

The proposed, unsheltered, 'Sheffield' style cycle stand would not provide adequate cycle storage for resident's, being unsuitable for the long stay nature of cycle storage required.

BH2014/00703

191 Kingsway Hove

Application for variation of condition 2 of application BH2011/03956 (Demolition of existing building and construction of nine residential flats) to permit amendments to the approved drawings to vary South and North elevations and roof layout.

Applicant: Castlemist Finances Ltd

Officer: Adrian Smith 290478

Approved on 12/05/14 DELEGATED

1) UNI

The development hereby permitted shall be commenced before 1 October 2015.

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			04/03/2014
Semi-basement plan	747/2	A	17/03/2014
Proposed floor plans	747/3	B	17/03/2014
	747/4	A	25/03/2014
	747/5	A	25/03/2014
	747/6	A	25/03/2014
	747/7	A	17/03/2014
	747/17		08/05/2014
Proposed elevations	747/8	B	17/03/2014
	747/9	A	17/03/2014
	747/10	A	17/03/2014
	747/11	A	17/03/2014
Proposed block plan	747sk11		04/03/2014
Proposed stairlift		B	04/04/2012
Existing floor plans	721/11		30/12/2011
	721/12		30/12/2011
Existing elevations	721/13		30/12/2011

3) UNI

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings and samples and details of the balconies 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.

Report from: 24/04/2014 to: 14/05/2014

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 works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work on the site, the subject of this permission, is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

6) UNI

The dwellings shall achieve Level 3 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 3 has been achieved.

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

7) UNI

Before the first occupation of the development hereby permitted the building shall be soundproofed in accordance with the recommendations contained within the Noise Impact Assessment received by the Local Planning Authority on 30 December 2011 and the implemented measures shall be retained in that condition thereafter.

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

8) UNI

In the event that mechanical ventilation or any other machinery is required to service the development hereby permitted, all noise associated with such machinery 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 shall be determined in accordance with the guidance provided in BS 4142:1997.

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

9) UNI

No dwelling shall be occupied until space has been laid out within the site in accordance with the approved drawings for cycle parking and shall be permanently retained thereafter for use by the occupants and visitors.

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

10) UNI

No dwelling shall be occupied until refuse and recycling storage facilities shown on the approved drawings have been put in place. They shall be thereafter retained for use at all times.

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

11) UNI

No dwelling hereby permitted shall be occupied until the basement car parking shown on the approved drawings has been constructed and is capable of use. It shall be thereafter retained for use at all times by residents of and visitors to the development.

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

12) UNI

No development shall take place on the site until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

Reason: To enable the recording of any items of historical or archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within Policy HE12 of the Brighton & Hove Local Plan.

WISH

BH2013/03695

153 Portland Road Hove

Installation of ventilation duct to rear elevation (Retrospective).

Applicant: Martin Webb

Officer: Liz Arnold 291709

Approved on 24/04/14 DELEGATED

1) UNI

Noise associated with 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.

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	A.01		30th October 2013
Block Plan	A.02		30th October 2013
Existing Ground Floor Plan	A.03		30th October 2013
Existing First Floor Plan	A.04		30th October 2013
Existing North Elevation	A.05	Rev. A	30th October 2013
Existing East Elevation	A.06	Rev. A	30th October 2013
Existing Roof Plan	A.07	Rev. A	30th October 2013
Proposed Ground Floor Plan	D.01		30th October 2013
Proposed First Floor Plan	D.02		30th October 2013
Proposed Roof Plan	D.03		31st March 2014
Proposed South Elevation	D.04		30th October 2013

Report from: 24/04/2014 to: 14/05/2014

Proposed North Elevation	D.04		30th October 2013
Proposed East Elevation	D.05		30th October 2013

BH2014/00140

Westbourne Motors 268-272 Portland Road Hove

Installation of external condenser unit and 3no air conditioning units to rear incorporating replacement of shutters with wall and door, erection of fencing with gate around units and associated works.

Applicant: Southern Co-operative

Officer: Liz Arnold 291709

Approved on 28/04/14 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 external condenser unit and air conditioning units hereby approved shall be installed in accordance with the details set out in the Acoustic Report, by KR Associates (UK) Ltd, received on the 28th march 2014.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			23rd January 2014
Existing Plan & Elevation Layouts	CP-PORT-001-001		21st January 2014
Proposed plan & Elevation Layouts	CP-PORT-001-002	Rev. A	7th April 2014
Proposed Elevation Fencing Detail	CP-PORT-001-003		21st January 2014

BH2014/00147

Westbourne Motors 268-272 Portland Road Hove

Display of externally-illuminated fascia sign, internally-illuminated projecting sign and non-illuminated projecting sign.

Applicant: Southern Co-operative

Officer: Liz Arnold 291709

Approved on 28/04/14 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.

Report from: 24/04/2014 to: 14/05/2014

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.

BH2014/00601

18 Welbeck Avenue Hove

Roof alterations incorporating hip to gable extension, rooflights to front, dormer to rear and repositioned window to side.

Applicant: Ms Polly Harknett

Officer: Steven Lewis 290480

Refused on 24/04/14 DELEGATED

1) UNI

The proposed dormer extension and roof lights by reason of their scale, height, bulk, massing, detailing and number are considered poorly designed and fail to

reflect the positive character and appearance of the area and harm its visual amenity, this is contrary to policies QD1, QD2, QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 (Design guide for extensions and alterations).

2) UNI2

The proposed hip to gable extension by reason of its massing, bulk and detailing would result in an unbalancing of a pair of semi detached dwellings which reflect the original and positive character and appearance of the area. The gable extension is therefore considered poorly designed and would harm the character and appearance of the street scene and visual amenity of the area, this is contrary to policies QD1, QD2, QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 (Design guide for extensions and alterations).

BH2014/00808

4 Coleman Avenue Hove

Erection of single storey side extension.

Applicant: Roger Saunders

Officer: Steven Lewis 290480

Approved on 06/05/14 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			12/03/2014
Site, Block & Location Plans	1403/001		12/03/2014
Existing Plans	1403/010		12/03/2014
Existing Elevations	1403/011		12/03/2014
Proposed Plans	1403/020		12/03/2014
Proposed Elevations	1403/021		12/03/2014

Withdrawn Applications

PLANS LIST 4 June 2014**WITHDEAN**

**Application No: BH2014/01146
7 Pinewood Close**

1no Horse Chestnut (T1) and 1no Copper Beech (T2) reduce canopy by up to 2.5m radially back to suitable lateral growth points.

Applicant: Ms Angela Leal
Approved on 24 Apr 2014

**Application No: BH2014/01147
57B Preston Drove**

Fell 1no tree at the end of the garden (T1) - tree is not visible from any public area thus has no public amenity value.

Applicant: Jill Saracini
Approved on 24 Apr 2014

**Application No: BH2014/01148
23 Lauriston Road
15 Lauriston Road**

1no Bay (T1) in front garden no 23 Lauriston Road - reduce by 30% and shape. 1no Willow (T2) in rear garden no 15 Lauriston Road - reduce the canopy by 2m from 10m to 8m back to previous pruning points.

Applicant: Mrs Theresa Martin
Approved on 24 Apr 2014

QUEEN'S PARK

**Application No: BH2014/01216
The Deaf Association, Head Office, Brighton Deaf Centre, Carlton Hill, Brighton**

3no Sycamores - crown reduction by 1.5-2 metres, reducing overall crown spread and reducing height to approximately 10 metres.

Applicant: Mr K Williamson
Approved on 24 Apr 2014

BRUNSWICK AND ADELAIDE

Application No: BH2014/01175
13 First Avenue, Hove

1no Sycamore (T1) 5m reduction to previous to contain spread of tree (approx 40% of canopy).

Applicant: Mr Mark Haddock
Approved on 06 May 2014

CENTRAL HOVE

Application No: BH2014/01180
25 Ventnor Villas

1no semi-mature Elm (T1) in rear garden - reduce height by 3m and sides by 2-3m, sever ivy.

Applicant: Mrs Jenny Forbes
Approved on 06 May 2014

GOLDSMID

Application No: BH2014/00891
65 Denmark Villas, Hove

Fell 1no Sycamore (T2) in garden of 65 Denmark Villas. T2 has partial public visibility and makes a contribution to the local landscape. However, due to its location, its long-term retention is not feasible.

Applicant: Mrs Joanne Shaw
Approved on 06 May 2014

Application No: BH2014/00892
63 Denmark Villas
65 Denmark Villas
Car park of Denmark Mews

1no Cherry (T1) in front garden of 63 Denmark Villas - reduce by 25-30%. 1no Sycamore (T3) in car park of Denmark Mews - crown reduce by 40%.

Applicant: Mrs Joanne Shaw

Approved on 06 May 2014

Application No: BH2014/01144
Coniston Court, Holland Road

Fell 1no Sycamore and 1no Maple (G1) completely in sections making final cut as close to ground as possible.

Applicant: Mr Halls
Refused on 06 May 2014

WESTBOURNE

Application No: BH2014/01177
17 Princes Crescent, Hove

4no Limes (T1-T4) Pollard to primary scaffold, 2m back from previous. Trees are crowding out the gardens of 4 properties and a lesser reduction will result in very short term gain due to species. 1no Beech (T5) reduce canopy to balance tree due to being suppressed by Lime (T4).

Applicant: Mr Mark Haddock
Approved on 24 Apr 2014

NEW APPEALS RECEIVED**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****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.

APPEAL LODGED

25/04/2014

Delegated

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

BH2013/03447

32 Montpelier Crescent Brighton

Conversion of ground floor flat into 2no flats (C3), with external alterations including infill of window to front and replacement door and window to rear. (Part-Retrospective).

APPEAL LODGED

30/04/2014

Delegated

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

BH2013/03450

32 Montpelier Crescent Brighton

Internal alterations layout of ground floor flat to create 2no flats (C3). External alterations including infill of window to front and replacement door and window to rear. (Part-Retrospective).

APPEAL LODGED

30/04/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WITHDEAN**

BH2012/02958

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

APPEAL LODGED

28/04/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****BRUNSWICK AND ADELAIDE**

BH2014/00145

24 Palmeira Avenue Mansions 21-23 Church
Road Hove

Internal alterations to layout of flat.

APPEAL LODGED

12/05/2014

Delegated

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

BH2013/03541

10 Lloyd Road Hove

Erection of two storey rear extension and
enlargement of existing dormer to front.

APPEAL LODGED

13/05/2014

Delegated

**INFORMATION ON HEARINGS / PUBLIC INQUIRIES**4th June 2014**Brighton & Hove
City Council**

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

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: 20th May 2014

Location: TBC

Flat 5a, 6 Palmeira Square, Hove BN3 2JA

Enforcement ref: 2013/0612

Description: Material Change of Use

Decision: Delegated

Type of appeal: Public Inquiry

Date: 24th June 2014

Location: Hove Town Hall

Flat 5a, 6 Palmeira Square, Hove BN3 2JA

Enforcement ref: 2013/0613

Description: Unauthorised works to a Listed Building.

Decision: Delegated

Type of appeal: Public Inquiry

Date: 24th June 2014

Location: Hove Town Hall

21 Rowan Avenue, Hove BN3 7JF

Enforcement ref: 2013/0422

Description: Change of use to Dog Kennels.

Decision: Delegated

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

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Appeal Decision

Site visit made on 7 April 2014

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 11 April 2014

Appeal Ref: APP/Q1445/A/13/2204556

Sandringham Lodge, 23 Palmeira Avenue, Hove BN3 3GA

- 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 Anstone Properties Ltd against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00683, dated 27 February 2013, was refused by notice dated 6 June 2013.
 - The development proposed is partial roof extension for 2No three bedroom penthouse flats each with a private roof garden and car space.
-

Decision

1. I dismiss the appeal.

Main Issue

2. This is the effect of the proposal on the character and appearance of the Palmeira Avenue area of Hove and on buildings and spaces within the Willett Estate and the Brunswick Town Conservation Areas.

Reasons

3. The Council has drawn attention to policies of the Brighton and Hove Local Plan, QD1 seeks a high standard of design taking account of scale and height among other matters, QD2 requires development to emphasise and enhance the positive qualities of the local neighbourhood and cites height and scale, and Policy HE6 refers to development affecting the setting of conservation areas and sets out requirements to avoid harmful effects on townscape and roofscape. The appellant has detailed other policies which include support for a higher density than that typically found in the vicinity. Supplementary Planning Guidance on roof extensions details the requirement to respect the character of the building and the surroundings. There is emerging policy in the City Plan, which identifies a need for new homes and the efficient use of land in accessible locations. The National Planning Policy Framework states a presumption in favour of sustainable development and seeks to boost significantly the supply of housing.
4. The Government launched web based Planning Practice Guidance on 6 March 2014, after the receipt of representations to this appeal. The content of the Guidance has been considered, but in light of the facts of this case that content does not alter the conclusions reached.

5. Sandringham Lodge is mainly of brick with some rendered panels below or between certain windows, but the predominant character is of a solid building due to the repetitive detailing, both on each level, and between the levels. Each storey is similar in treatment and the top of the building is signified by an overhanging fascia to the flat roof. The architectural arrangement is less successful than that of the more recent Lansdowne Court to the north corner, but similar to the blocks to the west on the corners with Salisbury Road. The other two corners of the cross roads are occupied by the grounds of the Law Courts and a more fragmented arrangement of modern residential units to the south-east.
6. Turning to the effect on the conservation areas, the block presently has little impact on Brunswick Town as the Law Courts dominates the nearest point to the east and the block is not readily seen from further south on Palmeira Avenue. With regard to Willett Estate there is closer proximity at Salisbury Road but the continuous terrace within the designated area is dominant and the plain Sandringham Lodge has little effect, with trees between. The building does however form a gateway to the conservation area and frames glimpses of the terrace beyond. In all, the present arrangement of the block is, through its design, massing and detailing, not assertive in its surroundings, tending to be a background building.
7. The Council refer to the most recent building at 25 Palmeira Avenue as being designed to match and not exceed the height of those around it. It was clear on visiting a top-floor flat in Lansdowne Court also that eye level there equated to roof level of the appeal building, seemingly accounted for by a slight rise in level to the north. It is the commonality of height amongst different buildings that is one of the features locally, tying together the otherwise disparate styles and architectural treatments. The pitched roofed, red brick properties to the south and the modern buildings to the north, east and west are of similar overall heights.
8. The proposed glazed upper floor would change the present recessive background building into a more assertive feature, the height would be more than its neighbours and the use of glass, whilst being lightweight and dissimilar to the brickwork below, would be readily seen as reflections of bright sky, and would not blend into its surroundings. It would draw attention to the building and away from both the attractive buildings to the south on Palmiera Avenue and from the glimpses of the attractive terrace on Salisbury Road, within Willett Estate.
9. There would be some benefits; it would make good the poor visual termination of the walls; it would also replace the prominent lift-overrun with a lower version, subsumed more within the raised roofline. Looking solely at the building on its own, the roof extension would bring about some visual improvements. On that basis it is certainly more acceptable than the previous appeal scheme referred to as a continuation of the repetitive brick detailing to add a floor. Representation from occupiers have also referred to this being an acceptable way of overcoming the need for expensive roof repairs that would otherwise be a cost to those occupiers. The controlled removal of asbestos has also been mentioned as a benefit.
10. The Council also accept that there have been similar additions in other locations and it is the case that such lightweight additions, both visually and in

fact, can be a successful way of adding accommodation. However, the Local Plan policies listed by the Council require consideration of the locality and not just the building. That approach is endorsed in section 7 of the Framework which seeks good design which makes places better for people, and which respond to local character and history, reflecting the identity of local surroundings and materials.

11. There is a balance to be struck here, with additional dwellings being created in an accessible location, close to shops, leisure, work and transport, and where there is a need to find locations for more dwellings. The proposal would provide other benefits as set out. However, the proposal would upset the arrangement of building heights in the vicinity and this would cause harm to the appreciation of buildings to the south and to the entry to the Willett Estate Conservation Area. The building would change from being recessive in views and not competing with the more richly detailed older buildings, to vying with them for attention, to their detriment. On balance, the benefits of the scheme do not outweigh the adverse effects and the proposal does not reach the standard of design and effect on surroundings sought in the Development Plan policies and in the Framework. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR



Appeal Decision

Site visit made on 4 April 2014

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 24 April 2014

Appeal Ref: APP/Q1445/A/13/2206982

20-22 Market Street and 9 East Street Arcade, Brighton BN1 1HH

- 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 the Gondola Group against the decision of Brighton & Hove City Council.
 - The application, Ref. BH2013/01279, dated 22 April 2013, was refused by notice dated 25 June 2013.
 - The development proposed is 'change of use to restaurant; external plant'.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. In determining the appeal I have had regard to Government planning guidance published on 6 March 2014, but in the light of the facts in this case this does not alter my conclusions.

Main Issue

3. The main issue is the effect of the proposed change of use on the vitality and viability of the East Street / Regents shopping arcade and the wider regional shopping centre.

Reasons

4. In its refusal of the appeal application the Council considers that the proposed change of use would be contrary to Policy SR4 of the Brighton and Hove Local Plan 2005 (the 'Local Plan'). This policy permits a loss of retail uses outside prime frontages provided that a healthy balance and mix of uses, including retail, is retained and concentrations of uses other than retail are avoided.
 5. As I understand it, the presumption behind Local Plan Policy SR4 is that too many non-retail uses in specific parts of the 'outside prime frontage area' would be unhealthy because they would have the potential to discourage shoppers, especially during the daytime. Moreover, in the absence of a residual critical mass of retail uses it would be difficult, if not impossible, for remaining shops to survive. The Council has defined the 'outside prime frontage area' relevant to this appeal as being 'The Lanes' and their immediate environs to the rear of the
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prime frontage In North Street and bounded by Ship Street to the west, Prince Albert Street to the south and East Street to the east.

6. The appellant's views notwithstanding, from my visit to the Lanes and adjoining streets I consider that the 'stand and observe uses within visible distance' advocated by the Council is as good a method as any for determining a sub-area for the assessment of a concentration of non-retail uses. In forming this view I have had regard to the area's distinctive character and the complex street pattern, which together encourage city centre visitors to wander and explore the locality for their shopping or leisure experiences. Applying this method in this case I saw that in the vicinity of the appeal premises, this would essentially encompass Nos. 40-45 on the west side of Market Street and Nos. 18-24 on the east, which includes two of the premises (Nos. 20 & 22) in this appeal.
7. The Council has quantified the non-retail uses already within this area as eight (two pubs, five restaurants and a Costa operating mainly as an A3 use) and points out that if the appeal is allowed only three retail uses would remain. Bearing this in mind I consider that there is already a concentration of non-retail uses in this part of the 'outside prime frontage area'. Therefore whilst I accept the appeal scheme would not in itself cause a concentration of such uses, it would arithmetically increase and thereby exacerbate one that already exists. Policy SR4 does not define 'concentration' and rather than attempting a definition I see the decision-maker's role as being to exercise a combination of a planning judgement and common sense to assess whether the description can reasonably be used in any particular case.
8. In terms of the effect of the proposal I acknowledge that daytime patrons of A3 and A4 uses may also use retail outlets and that some, but by no means all, A3 units enjoy a large proportion of their trade within normal shopping hours rather than evenings. However in an area of the city where the character is one of a variety of relatively small independent retail outlets suitable for comparison shopping and browsing, I consider that the retention of a mix of uses is essential to its character, vitality and viability.
9. It is for this reason that I give only limited weight to the results of the appellant's Brighton / Oxford / Cambridge survey, as it does not embrace the cumulative effect of a visitor's individual visits to different shops and their conversion to purchases. This would occur much less frequently in respect of patronage of A3 units, albeit with the A3 element of coffee shops a possible but still limited exception.
10. The appeal application includes 9 East Street Arcade and this is to some extent different because the 'stand and observe' test clearly cannot apply. However the loss of any retail unit, even of modest size, inside the arcade would be likely to have at least some effect on its attraction for shoppers and could thereby lead to the reduction of viability of other units. This would reduce the size and variety of the retail offer in this part the city centre.
11. I have noted that the floorspace has an extant consent for an A2 use, but even this, if implemented, would be better than a blank frontage. I have also had regard to an amended plan in the appeal scheme which introduces a dining area into the East Street Arcade. This is undoubtedly an improvement to the

proposal, but it does not go to the heart of the main issue, namely the principle of a loss of retail in this location that would arise from the scheme as a whole.

12. The National Planning Policy Framework 2012 ('the Framework') is a significant material consideration in this appeal, particularly as the Local Plan dates from 2005. However I can find nothing in Section 2 of the Framework 'Ensuring the vitality of town centres', including paragraph 23 referred to for the appellant, that undermines the objectives of Local Plan Policy SR4.
13. I am aware that the appellant considers this to be an outdated and unhelpful policy, out of touch with the Government's current direction of travel on shopping centre policy. However the appeal proposal is outside the extent of the increased flexibility and I consider that with this scheme and the location of the premises in this part of the city centre, Policy SR4 remains pertinent. I can therefore find no fault with the Council's interpretation of the policy or indeed with its overall approach.
14. I accept that the development on its own would not change the rest of the 'outside prime frontage area' from a 'healthy' to the polar opposite of an 'unhealthy' balance and mix of uses. However, as the Council has argued, the cumulative effect of non-retail uses should be considered when assessing harm to the vitality and viability of the shopping centre and the incremental effect in this case might reasonably be diagnosed as to make the balance 'less healthy'. Through allowing concentrations of non-retail uses, a momentum can be started or reinforced which would then be difficult to resist.
15. Accordingly on the main issue I conclude for the reasons set out that the proposed change of use would have an unacceptable effect on the vitality and viability of the East Street / Regents shopping arcade and the wider regional shopping centre in conflict with Local Plan SR4 and the Framework.

Other Matter

16. The appeal premises are located in the Old Town Conservation Area. Local Plan Policy HE6 states, amongst other matters, that proposals that are likely to have an adverse impact on the character or appearance of a conservation area will not be permitted. Because I have concluded that the reduction in retail units and concentration of non-retail units in this part of the city centre would have an adverse effect on the vitality and viability of the East Street / Regents shopping arcade and the wider regional shopping centre, I also conclude that it would have a similar effect on the character of the conservation area.
17. The conservation area is also a designated heritage asset as defined in Annex 2 of the Framework. The proposal would cause harm to the significance of the asset, but as it relates to a change of use of a small part and involves little or no physical alteration, this would be 'less than substantial'. I have therefore assessed whether any public benefits of the proposal, including securing the current optimum viable use of the three retail units, would outweigh my decision on the main issue. However I consider that the exacerbation of the existing concentration of non-retail uses in the Market Street area remains a sound and sufficient reason for the dismissal of the appeal.

Conclusion

18. For the reasons given, and having regard to all other matters raised, the appeal is dismissed.

Martin Andrews

INSPECTOR



Appeal Decision

Site visit made on 4 April 2014

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 28 April 2014

Appeal Ref: APP/Q1445/A/13/2207937

68a St George's Road, Brighton BN2 1EF

- 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 Sussex Property Investments Ltd against the decision of Brighton & Hove City Council.
 - The application, Ref. BH2013/01529, dated 8 May 2013, was refused by notice dated 19 July 2013.
 - The development proposed is the demolition of the existing building and roof covering over the site. Change of use and redevelopment to provide 3 x 3 bedroom houses with associated landscaping.
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Applications for Costs

1. Applications for costs were made by Brighton & Hove City Council against Sussex Property Investments Ltd and by Sussex Property Investments Ltd against Brighton & Hove City Council. These applications are the subject of separate decisions.

Decision

2. The appeal is dismissed.

Procedural Matters

3. In determining the appeal I have had regard to Government planning guidance published on 6 March 2014, but in the light of the facts in this case this does not alter my conclusions.
 4. The Council's Notice of Refusal included a reason regarding the proposal's standard of design. However this was withdrawn following the comments of an Inspector in a September 2013 appeal for a very similar proposal at the same site (Ref. APP/Q1445/A/13/2192973).
 5. This decision remains a significant material consideration in respect of the other matters before me in this appeal, as although further information has been submitted, the difference between the two proposals is confined to the fenestration of the proposed building.
-

Main Issue

6. The main issue is the living conditions for residents, firstly in terms of the outlook and privacy for the occupiers of Nos. 69 and 70 St George's Road, and secondly as regards the outlook for future occupiers of the proposed dwellings.

Reasons

Outlook and Privacy for Occupiers of Adjoining Properties

7. Firstly, in respect of the outlook for both Nos. 69 and 70, the Council's Notice of Refusal uses the terms 'over-dominance' and 'visual intrusion' in the context of the 'size, siting, design and form' of the windows of the proposed dwellings and this objection is elaborated in the officer report. The use of terms such as 'dominance' and 'intrusion' are normally quite separate from the issue of overlooking and privacy and are associated with a development that obstructs the outlook from the rooms or garden of existing dwellings to an unacceptable extent.
8. However the Inspector in the appeal for the previous scheme has made a similar connection between the proposed windows and outlook by his comment in paragraph 21 of his Decision: '*A further matter which concerns me on this issue is the simple presence of the windows and their relationship to the flats on the first floor of the adjacent properties in St George's Road. Whether or not direct overlooking would occur, the proximity of the fenestration and the building itself would be visually intrusive and intimidating.....*'.
9. The further survey information submitted as part of the current appeal application clarifies that this effect on the outlook from Nos. 69 and 70 would be confined to the view from just one habitable room (a bedroom) in each building. In addition the bedroom windows in both properties would for the most part be higher than the first floor windows in the development, and the bedroom window to No. 69 offset from any of the proposed windows. In this context I am also mindful that Nos. 69 and 70 have the advantage of having living rooms and bedrooms with an outlook over St George's Road.
10. However, after taking all this into account, there would still be at least some adverse effect on the outlook from Nos. 69 and 70, as there would be in respect of the second concern on this issue, relating to the actual and perceived loss of privacy arising from the direct overlooking and inter-looking between the sites. Despite this, with the information now provided, any problem would be less than was apparent in the previous scheme, even after having allowed for the increased glazing area of the proposed building's first floor windows.
11. As a consequence, the effect on existing outlook and privacy would not be in unacceptable conflict with Policy QD27 of the Brighton & Hove Local Plan 2005, which precludes development that would cause a material loss of amenity to adjacent occupiers. Accordingly, there would also be limited conflict with the relevant Core Planning Principle of the National Planning Policy Framework ('the Framework') which has a similar objective to Policy QD27.
12. In coming to this view, in the light of information that was not available to the previous Inspector, I have also had regard to some mitigation of any harm due to the fact that the existing outlook from the windows in the rear elevation of

Nos. 69 and 70 St George's Road is poor, namely 'a dilapidated corrugated asbestos roof'. Furthermore, the north elevation of the proposed dwellings would be set 3m further back than the wall of the existing building on the site.

Outlook for Future Occupiers of the Proposed Dwellings

13. On this issue the reason for refusal of the previous scheme included inadequate daylight, and although this has been addressed by alterations to the windows there are concerns remaining as to the outlook.
14. The distance between the development and the rear of Nos. 69 and 70 has not changed from the first proposal and the Inspector observed that '*because of the shortcomings of the scheme in relation to outlook and natural lighting, a sense of claustrophobia and confinement would be experienced by the residents of the units. This would result in a poor standard of accommodation and general living conditions to the extent that the development would fail to comply with the provisions of policy QD7 of the local plan*'.
15. The proposed accommodation would be of a modest size and the ground and first floors of Units 1 and 2 have only a single aspect, towards the rear of Nos. 69 and 70. With these limitations it is all the more important for there to be a reasonable outlook in both quantitative and qualitative terms from the rooms and external space. However the opposite would be the case, with the boundary wall to Nos. 69 and No. 70 only between 5m and 6m away from the front elevations and even less from the bay windows.
16. The Design and Access Statement describes this wall as being 'very tall' and 'up to 5m high', which is approximately equivalent to the top of the first floor windows on the proposed elevation. Even if there are views above and beyond this wall from inside or outside the appeal scheme dwellings, these would be of the main rear elevation and roof of the St George's Road properties just a few metres further back, rather than open sky.
17. On this issue I therefore conclude that the combination of single aspect and poor outlook would constitute unsatisfactory living conditions contrary to Local Plan Policy QD7 and to paragraph 58 of the Framework which requires development to create attractive and comfortable places to live, work and visit.

Other Matters

18. The appeal site lies within the East Cliff Conservation Area. Both the Council and the previous Inspector consider that the proposal would not have any harmful impact on either it or the other nearby heritage assets and I concur with this view. I therefore find that the character and appearance of the conservation area would be preserved by the development.
19. For the appellant, my attention has been drawn to a permission granted in 2007 at St James's Street Mews, about 2km from the appeal site. I agree there are similarities to this case but I am not convinced that its characteristics and setting accurately closely replicate the appeal site. However even if they do, I consider that it is a precedent that should not be followed, bearing in mind that my conclusion in this appeal is that the outlook for future occupiers would be unacceptable and in conflict with both local and national planning policy.

20. I have also noted the housing shortfall in Brighton, and accept that opportunities need to be taken on sites such as St George's Road with the adoption of a flexible and positive approach as encouraged by the Framework. However, this should not compromise the provision of a reasonable minimum standard of living conditions for future occupiers.

Conclusion

21. Although I have found in the appellant's favour on the first issue, the effect on outlook and privacy for occupiers of adjoining properties, this is outweighed by my conclusion on the second, the outlook for future occupiers of the proposed dwellings. For these reasons, and having had regard to all other matters raised, the appeal is dismissed.

Martin Andrews

INSPECTOR



Costs Decision

Site visit made on 4 April 2014

by Martin Andrews BSc(Econ) MA(Planning) DipTP & DipTP(Dist) MRTPI

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

Decision date: 28 April 2014

Costs application in relation to Appeal Ref: APP/Q1445/A/13/2207937 Site at 68a St Georges Road, Brighton BN2 1EF

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Sussex Property Investments Ltd for a full award of costs against Brighton & Hove City Council.
 - The appeal was made against the refusal of planning permission for the demolition of the existing building and roof covering over the site. Change of use and redevelopment to provide 3 x 3 bedroom houses with associated landscaping.
-

Decision

1. The application for an award of costs is refused.
2. The application for costs was made and responded to on the basis of Circular 03/2009, which has been superseded by planning guidance published by the Government on 6 March 2014. However, having regard to the submissions put to me, I am satisfied that no party's interests will be prejudiced by my judging the application and response against the planning guidance.

Reasons

3. The planning guidance explains that costs will normally be awarded when unreasonable behaviour has caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
 4. The appellant considers that the Council has behaved unreasonably because in its appeal statement it failed to have regard firstly to additional information on the relationship between the proposed new properties and the rear of the existing properties in St George's Road, and secondly to the relevance of a similar approved mews scheme. However the Council's appeal statement did in fact refer to the amended fenestration and its effect on both overlooking and natural light. However the thrust of the statement was to highlight the Inspector's views on the previous appeal and I consider this to be a reasonable approach.
 5. The Council's case at appeal is in fact the combination of the 'six week appeal statement' and the officer report. The latter refers to the differences between the two schemes and states that there is '*additional information clarifying the relationship between the proposed development and surrounding properties*'.
-

In the main body of the report, under 'Impact on Amenity: Neighbouring Occupiers', there is a description of the content of the additional plan submitted as part of the fresh application. There are then two further references as to why this plan, in the Council's view, makes the overlooking and inter-looking between the proposed and existing properties worse than in the previous scheme.

6. In the section entitled 'Future Occupiers' the report refers to how the amended fenestration in the resubmitted scheme would improve daylight and outlook in the proposed properties. There is also mention of the daylight calculations and that the information given has established that the light levels to the properties would be acceptable.
7. I therefore consider that the Council did have regard to the additional information submitted. I acknowledge that there was not a particularly thorough analysis in respect of the additional details put forward in a form that would have supported the appellant's case. However the fact that this information did not then persuade the Council to grant permission is ultimately a matter of planning judgement and was therefore not unreasonable behaviour as described by the new guidance.
8. I accept that the Council did not refer to the permission at St James's Street Mews but this alleged precedent does not go to the root of the appellant's case for the appeal to be allowed. Moreover in the event, I have not found it to have sufficient materiality to alter my conclusions on the main issues.
9. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the planning guidance, has not been demonstrated.

Martin Andrews

INSPECTOR



Costs Decision

Site visit made on 4 April 2014

by Martin Andrews BSc(Econ) MA(Planning) DipTP & DipTP(Dist) MRTPI

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

Decision date: 28 April 2014

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 - The appeal was made against the refusal of planning permission for the demolition of the existing building and roof covering over the site. Change of use and redevelopment to provide 3 x 3 bedroom houses with associated landscaping.
-

Decision

1. The application for an award of costs is refused.
2. The application for costs was made and responded to on the basis of Circular 03/2009, which has been superseded by planning guidance published by the Government on 6 March 2014. However, having regard to the submissions put to me, I am satisfied that no party's interests will be prejudiced by my judging the application and response against the planning guidance.

Reasons

3. The planning guidance explains that costs will normally be awarded when unreasonable behaviour has caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
 4. The basis of the Council's claim is that with the publication of the Inspector's Decision on a previous appeal for a similar development on the same site (Appeal Ref. APP/Q1445/A/13/2192973 dated 26 September 2013), the appellant should not have proceeded with the appeal. This was because the differences between the two schemes were confined to the fenestration of the proposed dwellings. The impacts of the proposal were the same as previously and had therefore already been considered by the Inspectorate.
 5. However in the earlier appeal the Inspector had accepted the appellant's arguments in respect of the design of the building, thereby removing one of the three objections to the development. It was considered by the appellant that the alterations to the fenestration (an increase in size and the elimination of obscure panels) would address one of the Council's two remaining objections,
-

namely the living conditions for future occupiers. It was essentially the combination of a poor level of natural light and a poor outlook which led to the Inspector's rejection of the appellant's arguments on this matter.

6. I have accepted the appellant's case in respect of daylighting because of the improvements made and the calculations submitted. However I have concluded that the outlook from the dwellings would still be of an inadequate standard that would not justify the appeal being allowed.
7. Thus although I have endorsed the previous Inspector's decision on this issue, it was on a narrower basis than considered by him. I consider that this justifies carrying on with the appeal as there was a sufficient difference between the two proposals not to make the decision to proceed unreasonable.
8. In respect of the other objection, the effect on the living conditions for the existing occupiers of Nos. 69 and 70 St George's Road, the appellant considered that further information and plans of the relationship between the two buildings, not seen by the previous Inspector, would nullify the validity of the Council's objection.
9. The Inspector's judgement in the previous appeal was a significant material consideration in my assessment of the current appeal scheme. However in the light of the new plans and further information I concluded that although some harm to the privacy and outlook for existing occupiers would still occur, it would be sufficiently modest not to preclude the development on this basis alone. This outcome in itself makes pursuance of the appeal reasonable.
10. Thus on both issues the appellant had new information and arguments which had not been subject to independent scrutiny at appeal. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the planning guidance, has not been demonstrated.

Martin Andrews

INSPECTOR

Appeal Decision

Site visit made on 14 April 2014

by Louise Phillips MA (Cantab), MSc, MRTPI

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

Decision date: 30 April 2014

Appeal Ref: APP/Q1445/A/14/2212395

The Atlas, 253 Old Shoreham Road, Hove, East Sussex BN3 7EB

- 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 D Roberts, Fourteen Investments Ltd, against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/03554, dated 17 October 2013, was refused by notice dated 20 December 2013.
 - The development proposed is the erection of a ground floor single storey extension to the rear garden area.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal property is a public house/restaurant on a large corner plot at the junction of Old Shoreham Road and Holmes Avenue. Old Shoreham Road is a busy main route comprising both residential and commercial uses, while Holmes Avenue is a residential side street composed primarily of semi-detached houses of an older style with pitched roofs.
4. The existing pub is constructed of rendered brick and is part two-storey and part single-storey in height. Both sections have pitched tiled roofs. The property has a couple of single storey extensions to the rear, but these are small relative to the size of the main building. The building is presently vacant and boarded up. Whilst it does not appear to be in a particularly poor state of repair, rubbish bags are accumulating in the parking areas and the site is beginning to look untidy.
5. The proposed development is a single storey, flat roofed extension to the rear of the building, which would replace the existing single storey additions. The extension would provide a dining area and new toilet facilities in 129sqm of additional ground floor space. It would be approximately 7m deep and would extend across the back of both the single-storey and two-storey elements of the main building. Thus it would occupy a significant proportion of the existing beer garden and would be very large relative to the host property.

6. The flat roof of the proposed extension would be completely at odds with the pitched roof design of the main building. It would be lower than the eaves of the existing single-storey wing, but given its overall expanse, this would not make the extension appear subordinate to the main building. Whilst the proposed elevations and fenestration would be finished to match the existing building, this would not be sufficient to offset its bulky and incongruous appearance.
7. I have taken account of the design provisions of the National Planning Policy Framework (the Framework), including paragraph 60, which states that planning decisions should not attempt to impose architectural styles or particular tastes. However, it is my view that the proposed extension would have a purely functional appearance which would not be sympathetic to that of the host property.
8. The extension would not be seen from Old Shoreham Road and I accept that views from Holmes Avenue would be limited to a small number of public vantage points. However, it would be clearly visible in the gap adjacent to No 1 Holmes Avenue looking south towards Old Shoreham Road. In addition to seeing the substantial depth of the addition, it would also be possible to look down onto the expanse of flat roof because Holmes Avenue is at a significantly higher level than the appeal site. This would be out of keeping with the more traditional roof forms present in Holmes Avenue and the uncharacteristic appearance of the extension would be harmful to the street scene.
9. I agree with the appellant that reopening the pub would improve the street scene in Old Shoreham Road by providing an active frontage, but this does not justify the harm I have identified which would persist in the long term. Therefore I conclude that the proposed development would be significantly detrimental to the character and appearance of the area. Thus it would conflict with Policy QD14 of the Brighton & Hove Local Plan, 2005. Amongst other things, this states that extensions to existing buildings should be well designed, sited and detailed in relation to the property to be extended and to the surrounding area.

Other Matters

10. The Framework defines sustainable development in terms of its economic and social roles as well as its environmental one and I have had regard to these benefits of the proposal in determining the appeal. However, paragraph 8 of the Framework makes it clear that these roles should not be pursued in isolation and that economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Therefore the economic and social benefits of the proposal would not outweigh the harm that would be caused to the character and appearance of the area.
11. In reaching my decision, I have had regard to the recently published Planning Practice Guidance, but it does not alter my conclusions in this case.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR

Appeal Decision

Site visit made on 8 April 2014

by Edward Gerry BA (Hons) MSc MRTPI

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

Decision date: 30 April 2014

Appeal Ref: APP/Q1445/A/13/2209041
199/201 Old Shoreham Road, Hove BN3 7EA

- 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 Alfred Haagman against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00521, dated 15 February 2013, was refused by notice dated 2 August 2013.
 - The development proposed is the erection of a detached building containing ground floor two bedroom flat and first/second floor three bedroom maisonette.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken into account the Government's Planning Practice Guidance, issued on 6 March 2014, in reaching my decision.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the surrounding area, on the living conditions of the occupiers of Nos 197, 199 and 201 Old Shoreham Road, with particular reference to privacy and outlook, and whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to external amenity space.

Reasons

Character and appearance

4. The appeal site, currently occupied by a building containing two single garages, is located in a residential area. The area predominantly consists of semi-detached dwellings which are set back within spacious plots that have fairly long narrow back gardens.
5. I note the proposed building would be set back from the front of its plot and the width of the plot compares favourably to some of the other plots in the surrounding area. Furthermore, I acknowledge that the appearance of the building would be in keeping with that of the other buildings in the vicinity of the site. However, given the overall size of the plot and the footprint of the building proposed it would appear cramped within its plot and would be at odds

with the pattern of development in the surrounding area. In addition, whilst I accept that Nos 199 and 201 Old Shoreham Road would still have sizeable rear gardens the proposal's encroachment into these gardens, which would result in the loss of some trees and vegetation, would have a negative impact on the spacious character of the area.

6. For these reasons the proposed development would unacceptably harm the character and appearance of the surrounding area. As a result there would be a conflict with policies QD1 and QD2 of the Brighton & Hove Local Plan 2005 (LP). The policies aim to ensure, amongst other things, that development is of a high quality design which makes a positive contribution to the visual quality of the environment. Furthermore, the policies seek to ensure that developments are designed to emphasise and enhance the positive qualities of the local neighbourhood, by taking into account its local characteristics.

Living conditions of nearby residents

7. The appeal site is located to the north of Nos 199 and 201 Old Shoreham Road and to the north west of No 197 Old Shoreham Road. The rear gardens of Nos 199 and 201 extend to the southern boundary of the appeal site whilst the end of the rear garden to No 197 abuts the eastern boundary of the site.
8. The demolition of the single storey garage on the site and its replacement with a much larger two storey dwelling would result in a significant increase in the massing of development on the site. Given the proximity of the proposed building to the rear boundaries of the plots of Nos 199 and 201 and the size of the building, the proposal would seem oppressive and overbearing from the gardens of Nos 199 and 201. The lack of any boundary screening would exacerbate the overbearing impact that would result from the proposal.
9. Turning to the matter of privacy, I acknowledge the southern elevation of the proposed building would have one window at both first floor level and ground floor level which would face Nos 199 and 201. Although the Council is concerned about the perception of overlooking policies QD14 and QD27 of the LP do not make specific reference to the perception of overlooking. I consider the key issue is whether the proposal would actually result in overlooking. I note the window at first floor level would be fitted with obscure glass. Furthermore, it would only be the fanlight section of the window at ground floor level which would extend beyond the height of the boundary fence. Consequently, I am satisfied that the proposal would not result in overlooking of Nos 199 and 201.
10. The eastern elevation of the proposed dwelling would face the rear garden of No 197. I accept that at first floor level there would be a large window to a habitable room that would face the rear garden of No 197. Furthermore, I acknowledge the limited distance between the rear elevation and the boundary with No 197. However, any overlooking which may take place would primarily only affect the rear part of the fairly long narrow rear garden to 197. Also the rear garden of No 197 is already overlooked from neighbouring properties. Finally, there are trees on the boundary of the site and No 197 which would help to limit any overlooking that may take place. Consequently, I consider that any harm would not be significant.
11. In addition to the above a number of local residents, including the occupiers of No 195 Old Shoreham Road and No 1 Weald Avenue have expressed concern in

relation to living conditions matters. However, the Council has not objected to the proposal on living conditions grounds beyond the impact that the proposal would have upon the occupiers of Nos 197, 199 and 201 Old Shoreham Road. Based upon the evidence before me I see no reason to come to a different view.

12. For these reasons the proposed development would unacceptably harm the living conditions of Nos 199 and 201 Old Shoreham Road with regard to outlook. As a result there would be a conflict with Policy QD27 of the LP which seeks to protect the amenity of the occupiers of neighbouring properties including in respect of outlook. Although the Council's decision notice refers to Policy QD14 of the LP I do not consider this policy is relevant as it is concerned with extensions and alterations.

Living conditions for future residents

13. The proposed building comprises of a ground floor two bedroom flat and first/second floor three bedroom maisonette. The rear garden associated with the proposal would be for the use of the occupiers of the ground floor flat whilst the front garden would be for the use of the occupiers of the maisonette.
14. Given the maisonette comprises of three bedrooms it is likely that it would be occupied by a family. On this basis, I consider that the amount of private amenity space proposed is inadequate. Furthermore, given its location to the front of the proposed building, facing Weald Avenue, the amenity space would suffer from a lack of privacy which may impact upon its usability.
15. In addition to the above, I acknowledge that ideally a larger area of external amenity space should be provided in connection with the ground floor flat. However, the flat only has two bedrooms and the amenity space would be located to the rear of the proposed building which would afford it some privacy and thus would be likely to increase its usability. On this basis I am satisfied that any harm arising from the lack of external amenity space would not be significant.
16. For these reasons the proposed development would fail to provide acceptable living conditions for future occupiers, with particular regard to external amenity space. As a result there would be a conflict with Policy HO5 of the LP which seeks to provide an appropriate amount of private useable amenity space in conjunction with new residential development.

Conclusion

17. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Edward Gerry

INSPECTOR

Appeal Decision

Site visit made on 14 April 2014

by Louise Phillips MA (Cantab), MSc, MRTPI

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

Decision date: 1 May 2014

Appeal Ref: APP/Q1445/A/13/2207433

Plot adjacent to 42 Rosebery Avenue, Woodingdean, Brighton BN2 6DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Graham Card against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01377, dated 30 April 2013, was refused by notice dated 17 July 2013.
 - The development proposed is a new detached residential dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with all matters reserved for determination at a later date. I have considered the appeal on this basis but I have had particular regard to the site layout and block plan, drawing No 1728/04, which shows the front elevation of the proposed dwelling to be aligned with that of the adjacent property, 42 Rosebery Avenue. It is stated elsewhere in the appellant's evidence that the proposed dwelling would follow this building line. I have also had regard to the appellant's clear intention to construct a single storey dwelling which would be of a lower height than No 42.
3. I have taken account of the recently published Planning Practice Guidance in reaching my decision.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area, including the setting of the adjacent National Park; and on protected species and their habitats.

Reasons

Character and Appearance

5. The appeal site comprises a parcel of grassed land at the end of the row of dwellings on the eastern side of Rosebery Avenue. It is bounded to the south by No 42 Rosebery Avenue, a chalet-style property granted planning permission under application Ref BH2009/03171. Both the appeal site and No 42 lie outside the boundary of the built up area where Policy NC6 of the

Local Plan¹ states that development will not be permitted unless certain specific criteria apply and there would be no significant adverse impact on the countryside.

6. None of the criteria specified in Policy NC6 are relevant in this case, while in respect of the countryside, the site is adjacent to the boundary of the South Downs National Park (National Park), which lies to the north. The evidence suggests that the National Park designation was conferred relatively recently and that the area was previously covered by the Sussex Downs Area of Outstanding Natural Beauty (AONB).
7. The policies referred to in the Council's decision notice relate to the AONB rather than the National Park, but they remain relevant in considering the effect of development upon the latter. This is because paragraph 115 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving landscape and scenic beauty in both types of area. In accordance with the statutory purpose of including land within National Parks, I have also given great weight to the conservation of wildlife in the area, particularly in relation to the second main issue of the appeal.
8. The site is separated from the National Park by Drove Road, a public footpath/bridleway, but there are clear views across it into and out of the National Park. In this particular area, the National Park comprises a vast expanse of open, sloping land. Another footpath, which connects Rosebery Avenue and Drove Road, bounds the site to the west and a large area of flat, open land bounds it to the east. Therefore the area to the north of Rosebery Avenue has an open character to which the appeal site presently contributes. Whilst it is bounded by residential development to the south, the site is exposed on the three sides most visible from the National Park and public footpaths.
9. I recognise that the proposal is in outline, but I consider that a dwelling on this site would be out of place in the context of its largely open surroundings. Looking from the west on Drove Road, it would interrupt the view of the open area of land which bounds the site to the east. It would therefore detract from the contribution this makes to the open character of the area more generally.
10. Looking from the east, it would appear to stand alone adjacent to Drove Road and, if it were oriented to follow the building line of Rosebery Avenue as shown on drawing No 1728/04, it would be particularly dominant in this view for it would fill much of the depth of the site. It would project beyond the rear building line of the properties in Downland Road to the west of the appeal site and would thereby extend the pattern of built development further into the open area adjacent to the National Park.
11. Furthermore, the retention of the existing bramble hedge on the northern boundary of the site would not be sufficient to soften the edge of the development in views from within the National Park itself, even if the proposed dwelling were to be lower than No 42 Rosebery Avenue. Nor would the retention of the footpath linking Rosebery Avenue to Drove Road compensate for the effect of the proposed development on the open character of the area to the north.

¹ Brighton & Hove Local Plan, 2005

12. In reaching my conclusions, I have taken account of the grant of planning permission for No 42 Rosebery Avenue, which is also located outside the boundary of the built-up area. However, No 42 is some distance away from Drove Road and the appeal site presently acts as an open buffer between it and the National Park. It is also contained within the rear building line of the dwellings in Downland Road.
13. For these reasons, I do not consider that No 42 detracts from the open character of the area, which includes the National Park, or from the established pattern of development to the same extent as would the proposed development. Therefore, while the Council's policies have not changed since planning permission was granted for No 42, I agree with its conclusion that the present proposal would cause more harm when assessed against them.
14. Consequently, I conclude that the proposed development would be significantly detrimental to the character and appearance of the area, including the setting of the National Park, and would fail to conserve its natural beauty as required by the Framework. Thus it would be contrary to Policies NC5 and NC6 of the Local Plan, which require development within the urban fringe/outside the boundary of the built up area to have no significant adverse impact on the countryside. Whilst they relate to the AONB, the proposal would also conflict with the aims of Policies NC7 and NC8 of the Local Plan, which seek to conserve and enhance the visual and landscape quality of the area now designated a National Park, including in respect of its setting.

Protected Species

15. The Council's ecology specialist refers to records of several protected species within 1km of the appeal site, including reptiles, bats and great crested newts within 290m to the west. The Council also refers to a local habitat which has the potential to support breeding birds. Given the open character of the area and the presence of vegetation and hedges in the vicinity of the site, I have no reason to question the Council's evidence.
16. The appeal site itself is located within the open area to the north of Rosebery Avenue and is bordered by hedgerows on three sides. Whilst the appellant apparently tends the grassed area regularly, it is fenced off from the curtilage of No 42 and does not appear to be used for domestic purposes. In the context of its surroundings, it is not inconceivable that protected species may be present. Therefore I consider that there is a reasonable likelihood of protected species being present as required by Circular 06/2005² (the Circular).
17. In such circumstances, paragraph 99 of the Circular requires that the presence or otherwise of protected species, and the extent to which they may be affected by the proposed development, is established before planning permission is granted. No survey or other information has been provided in this respect and while the application is in outline, a grant of planning permission would establish the principle of development on the site. Consequently, it would not be appropriate to leave this matter to be addressed through conditions.
18. Therefore I cannot be satisfied that significant harm to biodiversity, including protected species, would be avoided, mitigated or compensated for as required

² ODPM Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System

by paragraph 118 of the Framework. The proposal would also be contrary to Policy QD18 of the Local Plan, which requires appropriate site investigations to be undertaken where it is evident that a proposal could directly or indirectly affect a species of protected animal or its habitat.

Other Matters

19. In reaching my decision, I have taken account of the presumption in favour of sustainable development set out in the Framework. I recognise that the proposal would provide an additional dwelling in an accessible location and that it would be designed to comply with the Code for Sustainable Homes and Lifetime Home Standards criteria. I also recognise that several nearby residents have signed letters which state that they do not object to the proposed development.
20. However, these other matters neither alter nor outweigh my findings in relation to the main issues of the appeal.

Conclusion

21. For the reasons given above I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR



Appeal Decision

Site visit made on 29 April 2014

by **P Jarvis Bsc (Hons) DipTP MRTPI**

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

Decision date: 8 May 2014

Appeal Ref: APP/Q1445/D/14/2215266

64 Welbeck Avenue, Hove, BN3 4JN

- 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 John Frenchum against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/04037 was refused by notice dated 5 March 2014.
 - The development proposed is raised wooden decking to the rear of the property, to be flush with the rear lounge floor level.
-

Decision

1. The appeal is allowed and planning permission is granted for raised wooden decking to the rear of the property, flush with the rear lounge floor level, in accordance with the terms of application ref: BH2013/04037 dated 1st September 2013 and 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: 1:1250 site location, 1:500 site plan, rear elevation (current and proposed), floor plan (current and proposed), side elevation (current and proposed) and south side elevation / section (current and proposed).

Main issue

2. The main issue is the effect on the living conditions of the occupiers of the adjoining property, No. 66 Welbeck Avenue.

Reasons

3. The appeal site is located within a residential street mainly characterised by semi-detached dwellings, albeit the dwelling on the appeal site, like its' immediate neighbour to the north (No. 66) is detached. The dwelling has been extended to the rear with a single storey addition across its entire width.
4. The proposed decking would extend across the majority of the width of the rear extension in place of an existing paved area. However, it would be slightly deeper and would extend right up to the northern boundary with No. 66. The decking would be 0.55 metres above the ground level to be flush with the existing sliding rear patio doors. The existing paved patio is at a lower level with two steps down from the rear doors.

5. The existing boundary with No. 66 is marked by an approximate 2 metre high close boarded fence above which is a row of dense conifers which extend about another 2 metres in height above the fence. These trees are in the adjoining property, No. 66. In my opinion, whilst the height of the decking would be such that it would be possible for a person standing on it to see over the top of the existing boundary fence, the conifer screen within the neighbouring garden effectively prevents any loss of privacy as it provides a dense barrier at the higher level above the fence. I consider that the dense screen and separation provided by these conifers is such that there would be no unacceptable real or perceived level of overlooking.
6. The Council suggests that the existence of this screen would not be sufficient to protect the privacy of the neighbour as it could be removed at any time and is thus not a permanent feature as the decking would be. However, it is my view that as the trees are within the ownership and control of the neighbour affected, it is unlikely that they would choose to remove the trees and thus open views into their property. However, should the trees be removed for any reason in the future, alternative planting or additional boundary treatment would be sufficient to prevent any loss of privacy.
7. I thus find that the proposal would not have a harmful effect on the living conditions of the occupiers of the adjoining property, No. 66 Welbeck Avenue. There would be no conflict with Policies QD14 and QD27 of the Brighton and Hove Local Plan (2005) which seek to ensure that development is well designed, sited and detailed in relation to the property to be extended and does not cause loss of amenity to occupiers of adjoining property.
8. I also find that the proposal would comply with the National Planning Policy Framework which seeks to secure high quality design and a good standard of amenity. The content of the Planning Practice Guidance has also been considered but does not alter my conclusions.
9. The Council has not suggested any additional conditions and I do not consider that any are necessary apart from one to refer to the approved plans in the interests of proper planning and for the avoidance of doubt.
10. I therefore conclude that the appeal should be allowed and planning permission granted.

P Jarvis

INSPECTOR



Appeal Decision

Site visit made on 29 April 2014

by **P Jarvis Bsc (Hons) DipTP MRTPI**

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

Decision date: 8 May 2014

Appeal Ref: APP/Q1445/D/14/2215743 **10 Princes Crescent, Hove, BN3 4GS**

- 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 Stuart Forbes against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/04233 was refused by notice dated 18 February 2014.
 - The development is the construction of a vehicle crossover to access a proposed, off road, vehicle parking area on the right hand side of the front of a detached property and alterations to the existing front wall.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a vehicle crossover to access a proposed off road vehicle parking area on the right had side of a detached property and alterations to the existing front wall in accordance with the terms of application ref: BH2013/04233 dated 9 December 2013 and 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: 1:1250 site location plan, 1:500 block plan, drawing no: 804/5 (existing layout and elevation and proposed layout and elevation).
 - 3) No development shall take place until full details of the new gates, to include height, spacing and dimensions of the railings, and samples of the materials to be used in the external surfaces of the development, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Main issue

2. The main issue is the effect on the character and appearance of the Pembroke and Princes Conservation Area.

Reasons

3. Princes Crescent is characterised by large detached houses, mainly inter-war, with tiled, steeply pitched, hipped roofs and brick and render elevations, some with half-timbering and some with tile hanging. They are generally set within relatively spacious plots with pleasant 'green' front gardens. The wider

- conservation area contains similar detached properties, with some older Victorian and Edwardian properties in the northern part.
4. Most of the properties within the immediate streetscene of the appeal site have accesses with drives and parking areas. The extent to which what were probably the original front gardens have been given over to hardstanding varies, but most retain an element of lawn or flower beds contained behind a mixture of old and new front boundary walls, gates and railings. The appeal property appears to be the only one in the row that has retained its original front garden area enclosed by a dwarf brick wall with railings above. Currently there are pedestrian gates only, one in the centre and another to the right side.
 5. It is my view that whilst there would be some disruption to the existing front boundary and the loss of a small section of railings, the existing side pedestrian gate and part of the existing garden consisting of raised flower beds, given that the majority of it would be retained together with the majority of the front railings, its attractive 'green' appearance and distinctive character would not be significantly diminished.
 6. The street scene contains a mixture of front boundary treatments, in which walling predominates. The section to be removed would be replaced with a new pillar and gates, the details of which could be approved through the imposition of a condition thus ensuring that they would be an appropriate match and preserve the character and appearance of the area. For the same reason samples of the materials to be used in the new drive should also be submitted for approval.
 7. The introduction of parked cars to the front of the property would also result in some change. However, they would be sited to one side of the frontage only and at what would appear to be a slightly lower level than the main garden area and as such would not in my view have a harmful impact, particularly in the context of the established street scene. I consider that the remaining garden area would continue to make a significant contribution to the homogenous character of the area which the Pembroke and Princes Conservation Area Character Statement identifies and seeks to preserve or enhance.
 8. Subject to the above, I find that the proposal would preserve the character and appearance of the Pembroke and Princes Conservation Area. It would thus accord with Policies QD14 and HE6 of the Brighton and Hove Local Plan (2006) which require proposals to preserve or enhance the character or appearance of the area and show a consistently high standard of design and detailing reflecting the character of the area including the retention and protection of gardens and other open areas which contribute to its character or appearance. It would also satisfy the guidance in the Architectural Features Supplementary Planning Document (2009) which seeks to retain original railings, particularly where they are a common feature in the streetscene and that new ones should match their design, height, spacing and dimensions.

Other matters

9. I find no conflict with the National Planning Policy Framework and conclude that the heritage asset would be conserved in a manner appropriate to its significance. The content of the Planning Practice Guidance has also been considered but does not alter my conclusions.

10. I note that the Highway Authority advises that the proposal would necessitate the removal of an on-street parking bay but this would be dealt with under other necessary consents.
11. In addition to the above conditions regarding the submission of materials, a condition to refer to the approved plans is necessary in the interests of proper planning and for the avoidance of doubt.

Conclusion

12. I conclude that this appeal should be allowed and planning permission granted.

P Jarvis

INSPECTOR



Appeal Decision

Site visit made on 29 April 2014

by **P Jarvis Bsc (Hons) DipTP MRTPI**

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

Decision date: 8 May 2014

Appeal Ref: APP/Q1445/D/14/2215768

157 Shirley Drive, Hove, BN3 6UP

- 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 P Keating against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/04324 was refused by notice dated 17 February 2014.
 - The development proposed is the provision of a gable roof extension to the front elevation including increased ridge height. Installation of new windows and doors and creation of balcony to first floor front elevation.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect on the character and appearance of the streetscene.

Reasons

3. The site is located along a road characterised by large detached dwellings of varying size and style. The dwelling on the appeal site is a large chalet style bungalow which sits in an elevated position relative to the road. It has a deep hipped roof with single 'eyebrow' dormer at first floor level in the front elevation. It lies at the end of a row of detached chalet bungalows which front Shirley Drive. Whilst these other dwellings are of varying design and appearance, they all have hipped roofs which gives a continuity to the built form in this part of the road.
4. The proposed extensions would introduce a large gable feature across the whole width of the front of the dwelling in place of the existing hipped roof shape, with increased ridge height to the front element. I consider that this would add significant bulk to the roof and introduce an incongruous and unduly prominent feature in the streetscene which would contrast starkly with the regular hipped roof forms of the adjoining dwellings. The elevated position of the dwelling would emphasise the intrusive nature of the addition. In my opinion this would not be sympathetic to the established pattern and form of buildings in the streetscene.
5. I therefore find that the proposal would have a harmful impact on the character and appearance of the streetscene. This would be contrary to Policy QD14 of

the Brighton and Hove Local Plan (2005) which seeks to ensure that extensions and alterations to buildings are well designed, sited and detailed in relation to the property to be extended, adjoining properties and the surrounding area. Furthermore, it would fail to satisfy the Council's Design Guide on Residential Extensions and Alterations (2013) which indicates that the original design of the building and its setting should form the primary influence on the design of any extension. In respect of roof extensions it also indicates that excessively bulky additions can have a significantly harmful impact on the appearance of the property and the continuity of a streetscape.

6. The appellant has indicated that the proposal would provide improved headroom in the main bedroom with an increase in floor area and provision of a balcony. Whilst I agree that these features would enhance the accommodation within the property, these benefits would not outweigh the harm identified.
7. I also find that the overall aim of achieving good design set out in the National Planning Policy Framework would not be satisfied. The content of the Planning Practice Guidance has also been considered but does not alter my conclusions.
8. I therefore conclude that the appeal should be dismissed.

P Jarvis

INSPECTOR

Appeal Decision

Site visit made on 7 May 2014

by Cullum J A Parker BA(Hons) MA MRTPI AIEMA

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

Decision date: 12 May 2014

Appeal Ref: APP/Q1445/D/14/2215964
70 Greenways, Ovingdean, Brighton, BN2 7BL

- 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 Paul Nicholson against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/04267, dated 16 December 2013, was refused by notice dated 12 February 2014.
 - The development proposed is remodelling of bungalow to form house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the street scene and on the living conditions of neighbours in terms of privacy.

Reasons

Character and appearance

3. The appeal building is a detached bungalow located in a residential area. The street scene is characterised by a mixture of two and single storey dwellings, with those adjacent to the appeal site both two storey in height. Whilst the plots within the locality are a variety of sizes and widths, there are clear visual gaps between the dwellings. The proposal, by reason of its width and height, would reduce these visual gaps, which are a key feature of the street scene.
4. Moreover, the proposed development would result in a substantial increase in the overall footprint of the existing dwelling at both two and single storey heights. In particular, I note that the depth at two storey height would be similar to those at both Nos 68A and 72 Greenways and that the Council raises no issues with this element of the scheme. However, in both cases the overall footprint of those dwellings is considerably smaller than that proposed in this case which, according the Officer's report, would see the depth increasing from about 9 metres to about 19.5 metres.
5. The overall depth, when considered together with the bulk proposed due to the two storey form, would result in a dwelling very different to that originally on site. The combination of both the depth and bulk that would also be at odds with the directly adjacent dwellings, and result in a building that would fail to

respect the character and appearance of the street scene. I therefore find that the proposed development, due to its design, scale, and overall depth, would fail to respect the prevailing pattern of development and spacing within the locality. As such, it would harm the character and appearance of the street scene.

6. Accordingly, the proposed development is contrary to Policies QD2 and QD14 of the Brighton and Hove Local Plan 2005 (BHLP) which amongst other aims seeks to ensure that planning permission will only be granted if the proposed development is well designed, sited and detailed in relation to adjoining properties and the surrounding area and takes account of local characteristics including scale and bulk.
7. I also acknowledge that the Council's adopted Supplementary Planning Document 12 – Design guide for extension and alterations 2013 (SPD) has also been cited, in particular the part that indicates the rear extensions should normally be no deeper than half the depth of the main body of the original building. Whilst not adopted policy, I consider that this guidance provides a good indication of the parameters the Council considers acceptable for rear extensions and in this case weighs against the proposed scheme.

Living conditions

8. My site visit confirmed that there are obscured glazed windows at both ground and first floor levels in the flank wall of No 68A Greenways. The submitted drawings show that the windows in both proposed flank walls would be obscured glazed and non-opening below 1.7 m from the internal floor level. These windows would serve ensuite, WC and a 'Games Room'. I have had regard to Paragraph 206 of the Framework relating to the use of conditions and the Planning Practice Guidance issued on 6 March 2014. In this case, I consider that a condition securing obscure glazing and fixed windows for the proposed scheme would be reasonable and could be imposed.
9. I acknowledge the close proximity of the windows between the properties. In this case, although there may be a perception of privacy being lost, given that the windows proposed at No 70 and existing at No 68A would be or are obscured glazed, any such loss of privacy would be limited. I do not, therefore, find that the perceived level of overlooking would result in a material loss of privacy for neighbouring occupiers.
10. Accordingly, the proposed development would not result in material harm to the living conditions of neighbours. I therefore conclude that the proposed development, in terms of living conditions, would not conflict with Policy QD27 of the BHLP which refers to ensuring new developments do not result in significant loss of privacy to neighbouring properties.

Other matters

11. I note the comments from neighbours relating to parking, the potential use of the building were permission granted, noise and overshadowing. I have regard to the concerns raised. However, they have not been decisive in leading to my overall conclusion.
12. Policies QD1 and QD3 of the BHLP, relating to quality of development and efficient use of sites, have been quoted by the appellant in support of the proposal. However, it is unclear as to how these specifically relate to the main

issues raised or provide justification for overcoming the harm identified. In any case, they do not alter my findings on the main issues or overall conclusion.

Conclusion

13. I have found in favour of the appellant with regards to the living conditions issue. However, the lack of harm I have identified in this respect is insufficient to overcome the material harm to the character and appearance of the street scene identified.
14. For the reasons given above, I therefore conclude that the appeal should be dismissed.

Cullum J A Parker

INSPECTOR

