





**Brighton & Hove
City Council**

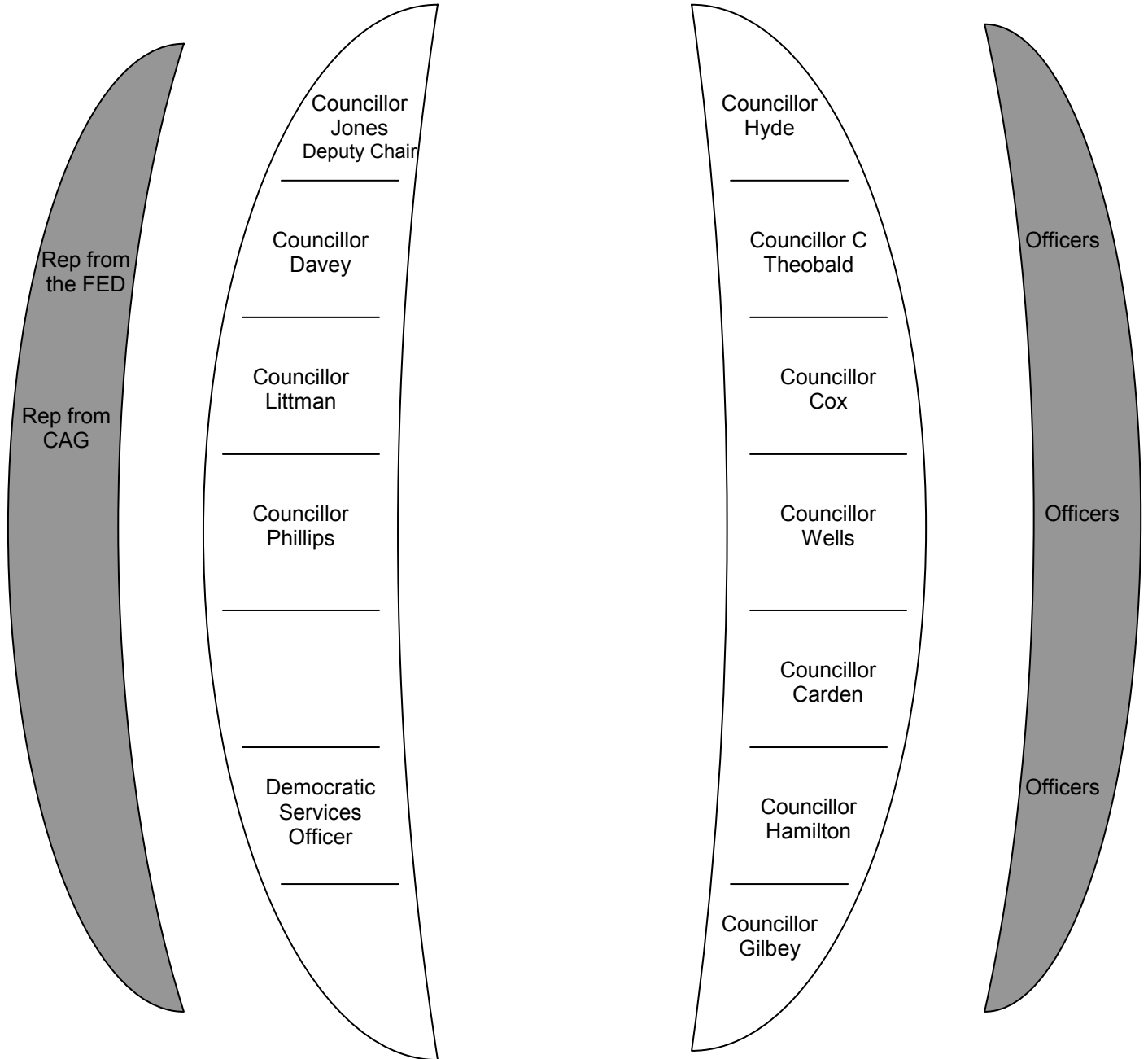
Planning Committee

Title:	Planning Committee
Date:	18 February 2015
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 Democratic Services Manager 01273 29-1064/5 planning.committee@brighton-hove.gov.uk</p>

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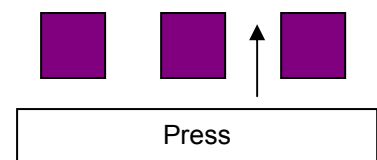
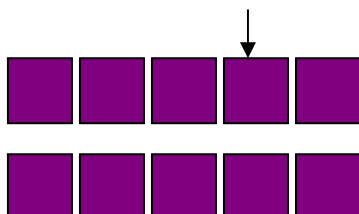
Democratic Services: Planning Committee

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



AGENDA

134 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;
- (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 'aeroplane mode'.

PLANNING COMMITTEE

135 MINUTES OF THE PREVIOUS MEETING

Minutes of the meeting held on 28 January 2015 (circulated separately).

136 CHAIR'S COMMUNICATIONS

137 PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 11 February 2015.

138 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

139 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 BH2014/03300 - 119 Lewes Road, Brighton - Full Planning 1 - 20

Demolition of existing buildings and erection of a 5 storey building (plus basement) comprising 65 self-contained studio flats for student occupation, plant room, communal areas, cycle parking, recycling/refuse facilities and associated works.

RECOMMENDATION – REFUSE

Ward Affected: Hanover & Elm Grove

MINOR APPLICATIONS

B BH2014/03742 - Hove Business Centre, Fonthill Road, Hove 21 - 42 - Full Planning

Creation of 4no one bedroom flats, 4no two bedroom flats and 1no three bedroom flat on existing flat roof incorporating revised access and associated works.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Goldsmid

C BH2014/03354 - 51 Barnett Road, Brighton - Full Planning 43 - 54

Change of use from three bedroom single dwelling (C3) to four bedroom small house in multiple occupation (C4).

RECOMMENDATION – GRANT

Ward Affected: Hollingdean & Stanmer

PLANNING COMMITTEE

- D BH2014/03268 - Kings School Lower School, Mile Oak Road, Portslade - Full Planning 55 - 62**
- Revised kitchen servery incorporating installation of ventilation system. (Retrospective)
RECOMMENDATION – GRANT
Ward Affected: South Portslade
- E BH2014/03799 - 26 & 26A Reigate Road, Brighton - Full Planning 63 - 84**
- Demolition of existing detached dwelling and erection of two storey block of 6no flats.
RECOMMENDATION – MINDED TO GRANT
Ward Affected: Withdean
- F BH2014/03968 - Blocks A B & C Belvedere, 152-158 Dyke Road, Brighton - Full Planning 85 - 100**
- Erection of additional storey to blocks A, B and C to create 5no two bedroom and 1no one bedroom flats (C3) (2no additional flats per block). Erection of bicycle store.
RECOMMENDATION – MINDED TO GRANT
Ward Affected: Patcham
- G BH2014/02984 - 26 Lewes Crescent, Brighton - Householder Planning Consent 101 - 112**
- Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place. (Part Retrospective).
RECOMMENDATION - GRANT
Ward Affected: Rottingdean Coastal
- H BH2014/02985 - 26 Lewes Crescent, Brighton - Listed Building Consent 113 - 122**
- Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place and replacement tiles to the front steps. (Part Retrospective).
RECOMMENDATION - GRANT
Ward Affected: Rottingdean Coastal
- I BH2014/03369 - 16 Fallowfield Close, Hove - Householder Planning Consent 123 - 132**

PLANNING COMMITTEE

Remodelling of existing chalet bungalow incorporating erection of single storey rear extension, erection of extension to front at first floor level, extensions and alterations to roof including raising of ridge height and installation of rooflights to facilitate creation of a two storey dwelling house with associated works.

RECOMMENDATION – GRANT

Ward Affected: Hangleton & Knoll

140 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

141 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 133 - 134

(copy attached).

142 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 135 - 276

(copy attached)

143 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 277 - 278

(copy attached).

144 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 279 - 280

(copy attached).

145 APPEAL DECISIONS 281 - 356

(copy attached).

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

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

PLANNING COMMITTEE

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

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

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

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

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

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

Date of Publication - Tuesday, 10 February 2015

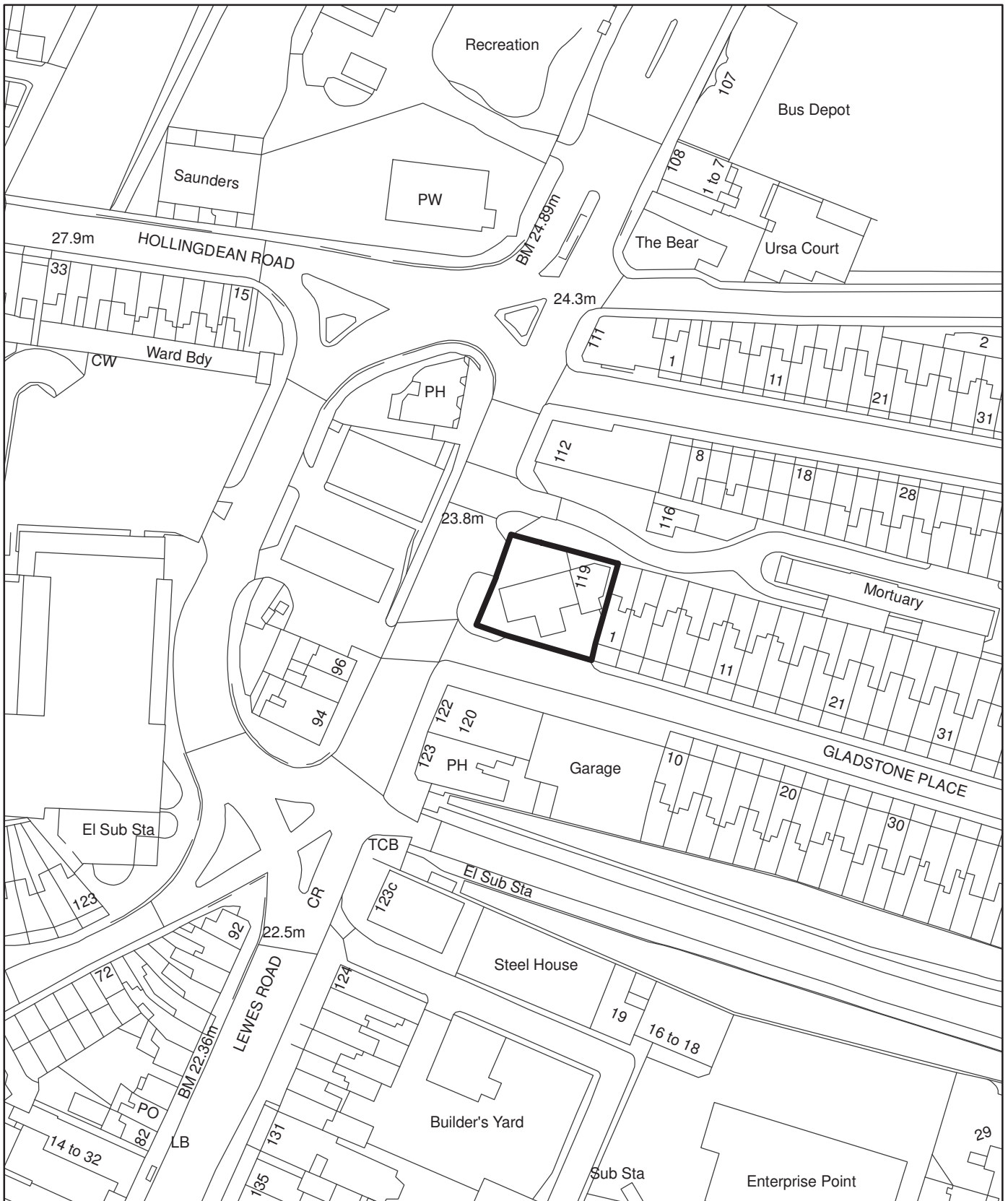
ITEM A

119 Lewes Road, Brighton

BH2014/03300
Full planning

18 FEBRUARY 2015

BH2014/03300 119 Lewes Road, Brighton



Scale : 1 : 1,250

<u>No:</u>	BH2014/03300	<u>Ward:</u>	HANOVER & ELM GROVE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	119 Lewes Road Brighton		
<u>Proposal:</u>	Demolition of existing buildings and erection of a 5 storey building (plus basement) comprising 65 self-contained studio flats for student occupation, plant room, communal areas, cycle parking, recycling/refuse facilities and associated works.		
<u>Officer:</u>	Jonathan Puplett Tel 292525	<u>Valid Date:</u>	29 October 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	28 January 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Pegasus Planning Group Ltd, First Floor, South Wing, Equinox North Great Park Road, Bristol BS32 4QL		
<u>Applicant:</u>	McLaren (119 Lewes Road) Ltd, c/o Pegasus Planning Group Ltd First Floor, South Wing, Equinox North, Great Park Road, Bristol BS32 4QL		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a site on the eastern side of Lewes Road Brighton. The site is situated on the Vogue Gyratory, to the south of the site is Gladstone Place, a primarily residential street with a vehicle repair garage directly to the south of the application site. Immediately to the north of the site is a vehicular access to Brighton Cemetery, beyond this nos. 112-113 Lewes Road is a site being developed at present as a block of student accommodation with retail at ground floor level.
- 2.2 At present the site is of open character with a small single storey building to its eastern side. The site is in use as a hand car wash, this use does not have planning permission and is the subject of a current enforcement investigation.

3 RELEVANT HISTORY

BH2014/04351: Change of use from car showroom to hand car wash and car valet service (retrospective). Submitted 22/01/2015. Under consideration.

BH2011/03195: Change of use from car showroom (SG) to contract hire facility (B1). Erection of security fencing to south and west elevations to replace existing. (Part Retrospective). Refused 04/04/2012.

BH2010/02960: Installation of 2.4m palisade fencing. (Part retrospective). Refused 06/12/2010.

BH2010/02958: Certificate of Lawfulness for existing use of premises as car hire and car and bus parking. Refused 06/12/2010.

BN88/1094/F: Change of use from petrol filling station to site for sale and display of cars. Approved 09/08/1988

4 THE APPLICATION

- 4.1 Planning permission is sought for the Demolition of the existing structure on the site and the erection of a five storey building comprising self contained studio flats to be occupied by students, and communal facilities including a common room, laundry and cycle storage.
- 4.2 This is an unusual application, as purpose built student accommodation would normally be expected to consist primarily of non-self contained accommodation e.g. cluster flats which consist of a number of bedrooms and a shared kitchen / living space. The application submitted proposes a block of self-contained studio flats. There are communal facilities at ground floor level but the occupants of the units of accommodation would not be dependent on these facilities as each flat would provide bathroom and kitchen facilities. It is proposed that the flats would be occupied by students only and a restriction of the occupancy of the development to students only can be secured by planning condition / legal agreement.
- 4.3 It is therefore reasonable and appropriate to consider the application on this basis, i.e. as a proposed block of studio flats to be occupied by students only.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Twenty One (21)** letters of representation have been received from nos. 1, 12B, 21B, 22, 27, 34A, 36, 36A, 38, 41A, 43, 43A, 43B and 50 Gladstone Place, nos. 14, 42 and 68 Newmarket Road, no. 116 Lewes Road, no. 29 Upper Lewes Road, no. 55 Dean Court Road, and 'Basement Flat' BN2 3QD objecting to the application for the following reasons:
 - The proposed 5 storey building would look out of keeping in the area / the proposed building is too large, would be overbearing and out of scale.
 - The proposal for 65 flats is an inappropriate density and represents an overdevelopment of the site.
 - The proposed accommodation may not have adequate staffing / management and this could lead to behaviour which could harm neighbouring amenity.
 - There is already too much student accommodation in the area surrounding the site. There are many student houses in the area. This causes noise and disruption for other residents, anti social behaviour, and problems with litter and refuse collection. More student accommodation will worsen this situation significantly.
 - The traffic noise and air pollution along Lewes Road make it unsuitable for residential development.
 - The proposed development will result in more cars being parked on the surrounding streets which are already heavily parked. It will be harder for

existing residents to find a parking space. Gladstone Place is also accessed by large vehicles visiting Kwik Fit. The increased activity and parking would increase highway safety risk.

- Local businesses will suffer as a result of a lack of available parking.
- The proposed building would overshadow neighbouring properties.
- The proposed development would block views from neighbouring properties.
- The proposed development would cause additional overlooking of neighbouring properties.
- No details of surface water drainage have been submitted.
- The proposal could include additional sustainability measures such as rainwater harvesting, renewable energy production and green roofs; this is a lost opportunity.
- The proposed building would be overcrowded and would be a fire hazard for future occupiers due to its proposed layout.
- There is no proposals to facilitate deliveries to / collections from the site; such activities may therefore block the public highway.
- The area surrounding the site is home to bats and badgers. The development could impact upon these species; an ecological survey should be carried out at the site.
- The proposed development would reduce the value of existing dwellings in the area around the application site.
- The construction works required to facilitate the development would cause inconvenience.
- The sewer system in the surrounding area does not have capacity to meet existing needs; the system would not cope with increased demand.
- The proposed cycle parking is not adequate for 65 flats.
- The site would be better utilised for first time buyers' flats as there is a shortage in the area and throughout Brighton.

External:

- 5.2 **East Sussex Fire and Rescue Service:** Comment. In order to meet the requirements of section B5 of Approved Document B of the Building Regulations the premises will require the provision of a fire main. A sprinkler system is also recommended.
- 5.3 **Sussex Police:** Comment. Various security measures are recommended to the applicant.
- 5.4 **County Ecologist:** Comment. The proposed development is unlikely to impact upon any site of nature conservation interest. The site and development offer the opportunity to secure nature conservation enhancements such as the planting of appropriate species within a scheme of landscaping, bird boxes and bat boxes.
- 5.5 **Southern Water:** Conditions recommended. Details of surface and foul water disposal are required and should be secured by condition. A formal application for a connection to the water supply and the sewerage system will be required.

The site is within a source protection zone and the Environment Agency's comments should be sought in this regard.

- 5.6 **Environment Agency:** Conditions recommended in relation to land contamination, and to secure full details of surface water drainage measures, and foundation designs.
- 5.7 **County Archaeologist:** No objection. It is not considered that significant archaeological remain are likely to be affected by the proposed development.
- 5.8 **UK Power Networks:** No objection.

Internal:

- 5.9 **Planning Policy:** Comment. The site is located within the secondary frontage of the Lewes Road District Shopping Centre, the site is however not in retail use and the proposal for student accommodation is therefore not resisted. The proposal would attract pedestrian activity to the centre in the form of the future occupiers of the development.
- 5.10 The proposal for student accommodation is considered having regard to policy CP21. Policy CP21 supports the development of new purpose built student accommodation provided specified criteria are addressed. It is considered that the development is in compliance with some elements of policy CP21, it is however noted that the application does not have the support of an education provider in the city which is contrary to criterion 6 of the policy. It is noted that a student accommodation scheme has also been granted at 112-113 Lewes Road and therefore it should be demonstrated that an additional scheme of this nature will not cause harm to neighbouring amenity.
- 5.11 In order to address policy HO6 a contribution of £78,229 towards open space provision in the city is necessary.
- 5.12 **Sustainability:** Conditions recommended. The submitted details set out the objective of meeting a Code for Sustainable Homes rating of Level 4. It may be more appropriate to apply the BREEAM Multi residential standard, in which case a rating of 'Excellent' and a 60% score in energy and water sections of the assessment would be sought.
- 5.13 **Environmental Health:** Conditions recommended. In regard to land contamination some information has been submitted but these details are not conclusive. Therefore it is recommended that a full land contamination condition be applied to any approval which is granted. A noise report has been submitted along with proposed mitigation measures. The noise report submitted does not include all required details to fully demonstrate that future occupiers of the development would not suffer noise disturbance.
- 5.14 **Transport Planning:** Conditions recommended to secure full details of proposed measures to encourage use of sustainable transport, cycle parking provision, and reinstatement of pavement and kerbs. A legal agreement is required to secure a contribution of £15,150 towards sustainable transport

infrastructure in the vicinity of the site, and a contribution of £2,000 to facilitate the drawing out of new road markings and an amendment of the relevant Traffic Regulation Order.

- 5.15 **Access Officer:** Comment. The proposed bathrooms do not meet Lifetime Homes Standards. If viewed as a residential development 5% of units should be wheelchair accessible which equates to three units in this case; only two are proposed. There are positive elements of the scheme; level access, a suitable lift to all floors, and storage space for wheelchairs within the two wheelchair accessible units.
- 5.16 **Air Quality Officer:** Comment. The site is situated in an area where air quality is an issue of concern. Ideally bedrooms should be set away from Lewes Road at ground and first floor level. It is recommended that the first floor units which front on to Lewes Road have revised layouts to set the beds within the units away from the frontage. All windows which front on to Lewes Road should be hermetically sealed, a passive ventilation system should be installed which draws air from the rear of the site at high level, and the boilers in the plant room should have ultralow NOx.
- 5.17 **Arboriculture:** Conditions recommended. It is recommended that an Arboricultural Method Statement be secured by condition to ensure that a tree situated alongside the site is not harmed during construction works.
- 5.18 **Economic Development:** Comment. A Local Employment Training Strategy and a commitment to a minimum of 20% local employment should be 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
TR2	Public transport accessibility and parking
TR4	Travel plans
TR5	Sustainable transport corridors and bus priority routes
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
SU3	Water resources and their quality
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewerage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and reuse of construction industry waste
SU14	Waste management
SU15	Infrastructure
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Street frontages
QD6	Public art
QD27	Protection of amenity
QD28	Planning obligations
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
SR5	Town and district shopping centres

Supplementary Planning Guidance:

SPGBH4	Parking Standards
SPGBH9	A guide for Residential Developers on the provision of recreational space (draft)

Supplementary Planning Documents:

SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
CP12	Urban Design
CP21	Student Accommodation and House in Multiple Occupation
DA3	Lewes Road Area

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the proposed development (i.e. the loss of the existing use of the site and the proposed use as student accommodation), design and visual impact, standard of accommodation, neighbouring amenity, transport and highways, environmental health and drainage, sustainability, landscaping and ecology.

Principle of development:

- 8.2 The existing use of the site is as a hand car wash. This use does not have planning permission, a planning application has been submitted seeking formal consent for the current use (ref. BH2014/04351). The most recent authorised use of the site was for car sales (sui generis).
- 8.3 Both the existing use of the site, and the last authorised use are of a commercial nature and are employment generating uses. The policies of the Brighton and Hove Local Plan Chapter 5 'Supporting the local economy and getting people into work' have the objective of protecting existing employment generating uses, the uses specified however are in the main in the B Class. There is no specific protection of sui generis uses such as car sales or car washes. Given the size of the site and the scale of the existing use on the site it is unlikely that in its current guise the site would generate significant levels of employment. Overall having considered these factors, the loss of the existing use of the site is not objected to.
- 8.4 The key policy considerations with respect to the principle of development are policy SR5 of the Brighton and Hove Local Plan and policies CP21 and DA3 of the emerging Brighton & Hove City Plan Part One (submission document). Policy SR5 sets out criteria for assessing changes of use from retail within the town and district shopping areas of the city; the site is located within the secondary frontage of the Lewes Road District Shopping Centre. Policy DA3 is an area based policy which sets out a strategy for development in the defined Lewes Road Area, the site is within this defined area. Policy CP21 sets out a

strategy for the delivery of purpose built student accommodation and the management of the location of Houses in Multiple Occupation (HMOs).

- 8.5 The site is located within the secondary frontage of the Lewes Road District Shopping Centre and as such policy SR5 applies, the site is however not in retail use. Ideally the Local Planning Authority would prefer to see a commercial use such as retail proposed at ground floor level, which would attract pedestrian activity to the centre and would encourage combined trips to the centre. However, in this case, in the context that the existing use of the site is not retail, and this section of Lewes Road is not of strong retail character, the lack of commercial / retail activity at ground floor level is not resisted.
- 8.6 The proposed use of the site is student accommodation. The Brighton and Hove Local Plan does not contain a specific policy which addresses this issue, the Brighton and Hove City Plan Part 1 does have a policy which specifically addresses student accommodation, CP21. This policy document is at a late stage of preparation and the council attaches significant weight to CP21.
- 8.7 In regard to purpose built student accommodation, Policy CP21, as currently proposed, states that:
- 8.8 *The council will encourage the provision of purpose built accommodation to help meet the housing needs of the city's students. Proposals for new purpose built student accommodation will need to demonstrate that the following criteria have been addressed:*

1. Proposals should demonstrate that there will be no unacceptable impact upon residential amenity in the surrounding area through issues such as increased noise and disturbance;

2. High density developments will be encouraged but only in locations where they are compatible with the existing townscape (see CP12 Urban Design);

3. Sites should be located along sustainable transport corridors where accommodation is easily accessible to the university campuses or other educational establishments by walking, cycling and existing or proposed bus routes;

4. Proposals should demonstrate that they would not lead to an unacceptable increase in on-street parking in the surrounding area;

5. Proposals should be designed to be safe and secure for their occupants whilst respecting the character and permeability of the surrounding area;

6. Schemes should demonstrate that they have entered into a formal agreement with the support of one of the city's two Universities or other existing educational establishments within Brighton & Hove. The council will seek appropriate controls to ensure that approved schemes are occupied solely as student accommodation and managed effectively;

7. Permanent purpose built student Accommodation will not be supported on sites allocated for housing or with either an extant planning permission for residential development or sites identified as potential housing sites.

8.9 Issue (1):

Impact upon neighbouring amenity is considered below.

8.10 Issue (2):

The proposed development is of a high density. The development would contrast with the majority of the residential development in the immediate vicinity of the site which consists of terraced dwelling houses. It is however the case that the site fronts on to Lewes Road which is of a mixed character and the Lewes Road frontage includes some larger buildings and denser developments. In this context the principle of a dense development is not objected to, subject to a detailed consideration of all impacts.

8.11 Issue (3):

The application site is on a sustainable transport corridor and the university campuses are accessible by foot, cycle and bus.

8.12 Issue (4):

This matter is addressed below. It is considered that parking stress in the area would be likely to be exacerbated by the proposed development.

8.13 Issue (5):

The proposed site layout and design do not raise any specific security concerns. Sussex Police have recommended security measures to the applicant in relation to matters such as door and window locks.

8.14 Issue (6):

No information has been submitted to date in this regard. Based upon the information which has been submitted, it does not appear that there is any formal agreement in place with one of the city's two Universities or other existing educational establishments within Brighton & Hove.

8.15 This is of concern as it has not been demonstrated that there is a demand for the specific development and type, and specification of accommodation which is proposed. Furthermore it has not been demonstrated that the accommodation proposed would meet the standard of the city's two Universities or other existing educational establishments within Brighton & Hove.

8.16 The lack of an educational establishment's involvement also raises concerns regarding the future management of the building as it would normally be expected that the educational provider would have involvement in this regard by for example engaging in ensuring student behaviour is of an appropriate nature and that antisocial behaviour and disturbance is not caused.

8.17 The absence of a formal agreement with one of the city's two Universities or other existing educational establishments within Brighton & Hove is of

significant concern and is considered to warrant the refusal of planning permission in this case.

8.18 Issue (7):

It is clear that the site does have the potential to deliver housing, it is the view of the Planning Policy Team however that it would not be reasonable to refuse planning permission on this basis, as the site is not allocated for housing and is not identified as having the potential for housing in the Council's SHLAA. Therefore, whilst the site does have the potential to deliver housing, in this case it is considered that the planning application does warrant refusal on these grounds.

8.19 Policy DA3 sets out a strategic vision for the Lewes Road Area with a specific focus upon allocated strategic sites and their development potential. DA3 states that:

8.20 *The strategy for the development area is to further develop and enhance the role of Lewes Road as the city's academic corridor by supporting proposals which:*

- *improve further and higher education provision in the Lewes Road area;*
- *facilitate improved sustainable transport infrastructure that provides choice, including travel by bus, walking and cycling;*
- *secure improvements to the townscape and public realm;*
- *deliver inter-connected green infrastructure and biodiversity improvements, contributing to Biosphere objectives (see policy CP10);*
- *improve air quality in the Lewes Road area; and*
- *deliver the amounts of development set out in part B.*

8.21 These objectives are set on a strategic level and could not reasonably all be delivered on an individual development site of a relatively small scale. The development would provide student accommodation which may assist the provision of higher education provision in the DA3 area. There are concerns regarding the design of the proposed building, these are set out below, these concerns however relate to the specific design proposed rather than constituting an in principle design objection to the redevelopment of the site as student accommodation. A well designed building would improve the townscape and the public realm as the existing site appearance is not attractive.

8.22 It is noted that the application site is not allocated for redevelopment in policy DA3, this is itself is not however necessarily of concern. DA3 does not provide an indication of the projected provision of student accommodation on unidentified sites. The proposed development is not in principle contrary to DA3.

8.23 Overall it is considered that the development could, if appropriately designed and linked to an educational establishment, contribute to meeting the strategic objectives of policy DA3.

Design and visual impact:

- 8.24 The principle of a redevelopment of the site consisting of a building of contemporary design is not resisted to. The character of development along Gladstone Place is primarily three storey dwelling houses (one floor at lower ground floor level), which are set back from the pavement with a space in between which provides a lightwell to the lower ground floor level of the dwellings. Along Lewes Road there is a mix of development types and designs. Most recently a four storey building has been approved at 112-113 Lewes Road and is under construction.
- 8.25 The proposed development consists of a five storey block with a two storey element to the rear. The footprint of the proposed building covers the majority of the site, an inset area to the northern side of the site provides some spacing from a tree which is sited alongside the site and an area for cycle parking. To the southern side of the site the rear section of the building is set in from the pavement; this provides an outdoor space and a cycle parking area.
- 8.26 The building design incorporates various forms and materials. Projecting blocks and inset sections are proposed. Facing materials are brick, white render, and HPL (High Pressure Laminate) panels. The colours and finish of the proposed HPL panels have not been confirmed. No samples of materials have been submitted. UPVC grey framed windows are proposed. The ground floor façade is brick faced with one large section of glazing and a number of narrow sections of glazing with brick columns between. The top floor of the building is of a smaller footprint than the floor below but is not set back significantly from the front of the building.
- 8.27 The proposed building would be significantly taller than the dwelling houses on Gladstone Place, and would also be substantially taller than the recently approved building at 112-113 Lewes Road. It is noted that a five storey building is in situ at 'Ursa Court' alongside the bus depot. This building does however have a different immediate context and the top floor of this building is set back significantly from the façade of the building below. The scale and bulk of the proposed building would be more prominent as the site is on a corner.
- 8.28 Having regard to the immediate context of the application site, it is considered that the proposed building would be of an excessive scale and bulk, would be unduly prominent and would not relate well to surrounding development. The building would appear as substantially higher than surrounding development, and the main block of the building would be set forward from the established building line on Gladstone Place significantly. This step forward would emphasise the scale and bulk of the building when viewed from the east along Gladstone Place and also from Lewes Road to the south of the site. The main block of the building is not set back significantly from the pavement to its front and sides. Overall the footprint, scale and design of the building is considered to be inappropriate and would result in an incongruous appearance.
- 8.29 It is considered that a block of a reduced scale and bulk, which paid greater respect to the Gladstone Place building line, could deliver a more acceptable appearance which would sit more comfortably alongside existing development. If the main building were to be three storeys with a significantly inset fourth

storey for example, this would relate more closely to the terraces along Gladstone Place (which are three storeys with a pitched roof), and would site more comfortably in the Lewes Road street scene.

- 8.30 In regard to the detailed design and materials, based upon the submitted drawings, it is difficult to envisage the building as proposed as the colour and finish of the proposed HPL panels have not been confirmed, and no material samples have been submitted. The Design and Access Statement includes some basic 3D visuals, these however show that all walls would be of white render finish, the submitted drawings however contradict this and show brick faced elements.
- 8.31 During the course of the application a set of photo montages have been submitted which better indicate the materials proposed. The HPL panels to the top floor are shown as grey, facing bricks are shown in two colours; brown / red, and at ground floor a mix of grey colours. HLP panel details to upper floors are shown as grey and brown.
- 8.32 It is not clear that the mix of materials proposed would result in an appropriate standard of appearance. UPVC windows are proposed which in general have bulky frames and a reflective quality to the frames. It is considered that a more appropriate higher quality proposal would be powder coated aluminium frames; such window frames generally have a matt finish and more slender frames, and would achieve a more contemporary and high standard of appearance.
- 8.33 The design includes large areas of blank wall which would be of prominence in the Lewes Road street scene. It is considered that a reconsidered design which included an increase in glazing and window size would improve this significantly. Increased glazing at ground floor would provide a more active frontage.
- 8.34 Overall, in regard to the detailed design and materials, it is not clear that there is an overall design rationale or attempt to formulate a high quality building design. Furthermore there is little evidence of an attempt to relate to the existing development in the vicinity of the site. The Council would not seek 'pastiche' design, it would however normally be expected that the design would seek to relate to the surrounding area in some way.
- 8.35 As proposed, the development would result in an appearance which would appear incongruous, would not be of benefit to the street scene, and is not considered to represent the high standard of design which national and local planning policies seek to secure. These matters are of particular concern as there is a strategic objective to secure improvements to the townscape and public realm in the DA3 area. The proposed development would be contrary to these objectives, and warrants refusal on these grounds.

Standard of accommodation:

- 8.36 The proposed internal layout consists of a basement plant room, common room and laundry room at ground floor level, external cycle storage, and 65 self

contained studio units. Each room has a bed, desk, kitchenette, and en-suite bathroom. At fourth floor level three roof terrace areas are proposed.

- 8.37 It would usually be expected that a block of student accommodation would be arranged in cluster flats with bedrooms and communal kitchen / living rooms. The fact that this is not proposed suggests that an educational establishment has not influenced the design and it may not be fit for purpose in terms in terms of wellbeing.
- 8.38 The units proposed are in general around 18m², which is significantly below the size which would be expected for a studio flat for general housing. The Council does not have minimum unit sizes but a useful reference point is the Government's consultation on The Nationally Prescribed Space Standard which proposes 37m² as the minimum size for a studio flat to be occupied by one person. The proposed units are less than half this size.
- 8.39 There is a common room proposed which would be available to future residents, the room is not however large enough for all occupants to use it at any one time. The roof terraces proposed are of usable size, one is associated with an individual flat and the other two would be communal and could allow for small numbers of students to sit outside.
- 8.40 Whilst concerns regarding units sizes and the provision of communal space must be acknowledged, it must also be considered that the accommodation is proposed to be occupied by students only. Students will reside at the property for a temporary period (e.g. one academic year), and can reasonably be expected to spend significant periods away from their residential accommodation (e.g. attending lessons / lectures, social events and activities etc.). In this context, it is usually accepted that student accommodation would not meet the standards which would normally be expected of general housing developments, hence the need for shared facilities.
- 8.41 In relation to the application proposal, whilst it is considered that the development could provide an improved standard of accommodation by for example proposing a greater provision of communal space or by proposing larger units, overall the standard of accommodation proposed is not considered to warrant the refusal of planning permission.
- 8.42 The Environmental Health Officer has raised concerns regarding potential noise disturbance and air quality. Some details of mitigation measures in this regard have been submitted, and full details of glazing methods, sound insulation and ventilation could be secured by planning condition were approval to be recommended.

Neighbouring amenity:

- 8.43 The neighbouring residents who would be most affected by the bulk of the proposed building would be the residents of the nearest properties on Gladstone Place. The proposed main block is set away from no. 1 Gladstone Place by 5.1 metres (with a two storey flat roofed element set away from the boundary by 1.8 metres), furthermore no. 1 Gladstone Terrace has a two storey

rear projection to its western side with a blank flank wall which would screen views of the proposed development from the main rear windows of the dwelling. The development would be visible from the rear gardens of properties along Gladstone Terrace but as detailed above would be set away from these gardens. Overall it is considered that the bulk of the proposed building would not cause significant harm to neighbouring amenity.

- 8.44 In regard to privacy, only two side facing windows are proposed which would be obscure glazed, at fourth floor level two glazed doors are proposed which could also be obscured. An east facing terrace is proposed which would provide some views over neighbouring gardens, given the height of this terrace however users of the area would not have direct views into neighbouring gardens or windows.
- 8.45 In regard to noise disturbance, the proposed roof terraces, if used by a number of students at night, could cause noise disturbance, it is however expected that the use of these terraces could be managed as part of the overall management of the property and for example the use of the terraces could only be allowed up to a certain time each night. This could be secured as part of a management plan were approval to be recommended.
- 8.46 Similarly, the management of students behaviour, noise disturbance, anti-social behaviour etc. could be secured as part of a management plan.
- 8.47 As detailed above however, the context of the site is that there are a large number of HMO / student properties in the vicinity of the site, a purpose built block of student accommodation is being constructed at no. 112-113 Lewes Road, and other sites in the locality are proposed as student accommodation. There is a high demand for on street parking spaces in the streets in close proximity to the site. In this context, a further development, of 65 units of accommodation, with no on site parking proposed and little outdoor space within the site, does have the potential to worsen existing problems in the area which are typically associated with dense development and properties in multiple occupation. The cumulative scenario, which does impact upon the amenity of neighbouring occupiers, would be worsened by the proposed development. For these reasons the development is considered to be contrary to policies CP21 and QD27 and warrants refusal on these grounds.

Transport:

- 8.48 The application site is located on a number of main bus routes. The universities and the city centre are accessible by bus, cycle and foot. The proposed development would generate additional trips in comparison to the existing use of the site; this is not objected to but in order to address the requirements of policies TR1 and TR2 a contribution of £15,150 towards sustainable transport infrastructure improvements in the vicinity of the site is required. This could be secured by legal agreement were approval to be recommended.
- 8.49 The applicant is proposing measures to encourage the use of sustainable modes and these measures would be secured by condition were approval to be recommended.

- 8.50 An arrival and departure strategy has been submitted which it is considered will reduce the disruption associated with the arrival and departure of occupants so far as is practical.
- 8.51 No vehicular access is proposed into the site and therefore the existing crossovers and dropped kerbs would need to be reinstated as pavement were the development to be carried out, this could be secured by condition. The applicant has proposed that the new space available on street could be utilised for a loading bay and disabled or general parking, the Transport Officer has advised that these works would require a contribution of £2,000 to fund the amendment of the relevant Traffic Regulation Order.
- 8.52 The proposed development would be likely to generate additional demand for on-street parking as a proportion of future occupiers are likely to have a private motor vehicle which they would look to park as close to the site as possible. The applicants estimate based upon census data that 16 cars could be associated with the development proposed.
- 8.53 This is of concern as it appears that there is a very high demand for on-street parking in the vicinity of the application site. This is common in terraced streets, and this may be worsened where there are a high number of properties in multiple occupation. It must also be acknowledged that the development under construction at 112-113 Lewes Road does not have any on site parking and will also add to demand for on-street parking once occupied.
- 8.54 No information has been submitted by the applicant to demonstrate that there is capacity in surrounding streets to accommodate additional parking demand, in fact their transport statement acknowledges that there is limited availability in the area surrounding the site.
- 8.55 It is noted that the removal of the vehicular access on Gladstone Place would allow for some additional on-street parking which could be allocated to loading, disabled parking, or general parking. This would not however address all of the demand that the proposed development would be likely to create.
- 8.56 Overall, it is considered that the increased parking demand would not cause a highway safety risk, but would impact negatively upon neighbouring amenity as detailed above, as existing residents are likely to face greater competition for spaces in the vicinity of the application site.
- 8.57 In regard to cycle parking 22 secure spaces are proposed. This would meet the standards set out in SPGBH4 and full details of the provision could be secured by condition were approval to be recommended.

Environmental Health and Drainage:

- 8.58 There is potential that the site is contaminated and the site is situated within a ground water source protection zone. For these reasons, were approval to be recommended, a full land contamination condition along with conditions securing details of foundation methods and drainage would be applied.

Sustainability:

- 8.59 The submitted details set out the objective of meeting a Code for Sustainable Homes rating of Level 4. The Sustainability Officer considers that it may be more appropriate to apply the BREEAM Multi residential standard, in which case a rating of 'Excellent' and a 60% score in energy and water sections of the assessment would be sought. If approval were to be recommended a condition could be applied which required that one or the other of these standard must be met, as either would deliver an acceptable level of sustainability to address the requirements of policy SU2 and the guidance set out in SPD08.

Landscaping and nature conservation enhancements:

- 8.60 Policy QD15 of the Brighton & Hove Local Plan requires that all new development incorporates high quality landscaping (soft and hard). Policy QD17 and the guidance set out in SPD11 require that all new development include nature conservation enhancement measures. The submitted drawings do not detail any soft landscaping or ecological improvements. The outdoor area and terrace provide areas for planting and features. Green walls and rooftop planting are also possible. Whilst ideally such measures would be integral to the proposed development design and would be presented at application stage, in the absence of such proposals details of appropriate landscaping and nature conservation measures could be secured by planning conditions.

9 CONCLUSION

- 9.1 The application site is considered to have the potential to deliver general housing and affordable housing. Having considered this matter and the nature of the proposed development, it is considered that the use of the site for student accommodation should not be permitted. The visual impact the proposed building would have is considered to be inappropriate. The proposed development in conjunction with existing development and uses in the vicinity of the site, and future development which is likely to come forward, would cumulatively have a negative impact upon neighbouring amenity. For these reasons refusal of planning permission is recommended.

10 EQUALITIES

- 10.1 It would not be reasonable to require that the development provide full compliance with Lifetime Homes Standards as these standards relate to general housing developments. It is however noted that the development would provide a good standard of access with level access at ground floor level and a lift to provide access through the building.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The development is not supported by either of the city's universities or another educational provider in the city. The proposed development of the site as student accommodation is therefore contrary to policy CP21 of the Brighton and Hove City Plan Part 1 submission document.

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2. The proposed development would be of an excessive scale and bulk. Due to this scale and the footprint of the proposed building the development would have an excessive prominence, would not relate well to the existing development in the immediate vicinity of the site, and would result in an incongruous appearance. The design includes large areas of blank wall, and it has not been demonstrated that the materials proposed would result in an appropriate appearance. The proposal is contrary to policies QD1, QD2 and QD3 of the Brighton and Hove Local Plan and policy CP12 of the Brighton and Hove City Plan Part 1 submission document.
3. Policy DA3 of the Brighton and Hove City Plan Part One (submission document) sets out a strategy for the development and enhancement of the Lewes Road area, which includes the objective to secure improvements to the townscape and public realm. As identified above, the proposed development would not enhance or improve the townscape or public realm and would therefore be directly contrary to the strategic objectives set out in Policy DA3.
4. The area surrounding the site contains a concentration of properties in multiple occupation which as set out in policy CP21 can impact negatively upon neighbouring amenity. The proposed development, which would result in an intensive occupation of the site, would worsen this situation and therefore has the potential to harm neighbouring amenity by way of increased activity and disturbance, and in this case an increased demand for on street parking where demand is already particularly high. The proposed development is therefore contrary to policy QD27 of the Brighton and 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	101	A	17/10/2014
BLOCK PLAN	102		01/10/2014
PROPOSED SITE PLAN	104		01/10/2014
EXISTING SITE PLAN	103		01/10/2014
BASEMENT PLAN	110		01/10/2014
PROPOSED GROUND FLOOR PLAN	111		01/10/2014
PROPOSED FIRST FLOOR PLAN	112		01/10/2014

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PROPOSED SECOND FLOOR PLAN	113		01/10/2014
PROPOSED THIRD FLOOR PLAN	114		01/10/2014
PROPOSED FOURTH FLOOR PLAN	115		01/10/2014
PROPOSED ROOF PLAN	116		01/10/2014
PROPOSED ELEVATIONS	120		01/10/2014
PROPOSED ELEVATIONS	121		01/10/2014
CONTEXUAL ELEVATIONS	122		01/10/2014
EXISTING ELEVATIONS	125		17/10/2014

3. The applicants attention is drawn to the fact that the visuals in the submitted Design and Access Statement are not consistent with the submitted drawings as the visuals show that all walls would be of white render finish, the submitted drawings however contradict this and show brick faced elements.
4. The applicant is advised that the application site will be considered for inclusion in the Council's SHLAA at the time of its next annual review.

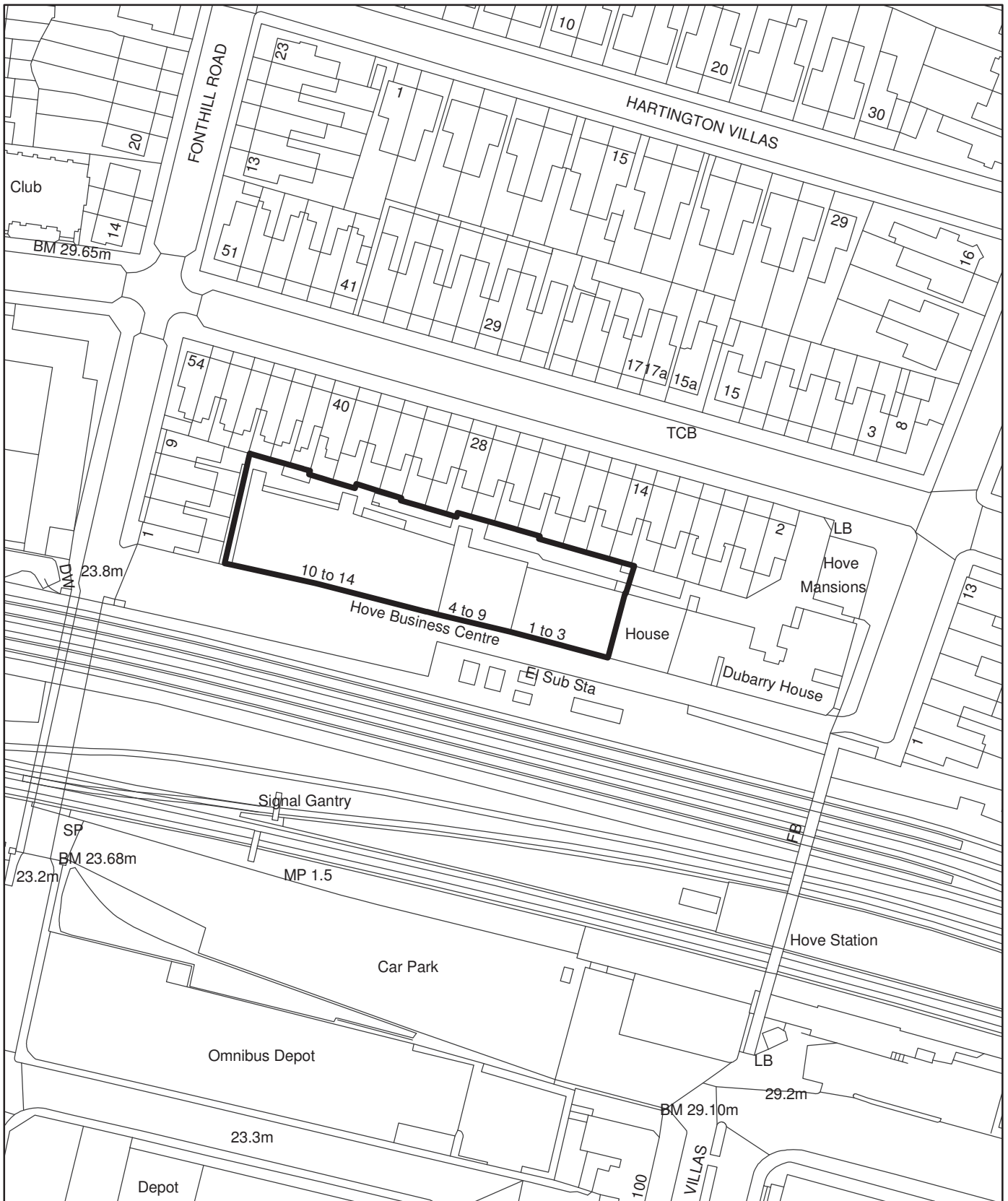
ITEM B

Hove Business Centre, Fonthill Road, Hove

BH2014/03742
Full planning

18 FEBRUARY 2015

BH2014/03742 Hove Business Centre, Fonthill Road, Hove



<u>No:</u>	BH2014/03742	<u>Ward:</u>	GOLDSMID
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Hove Business Centre Fonthill Road Hove		
<u>Proposal:</u>	Creation of 4no one bedroom flats, 4no two bedroom flats and 1no three bedroom flat on existing flat roof incorporating revised access and associated works.		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	06 November 2014
<u>Con Area:</u>	adjacent Hove Station	<u>Expiry Date:</u>	01 January 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis McMillan Architects, 7 Queen Square, Brighton BN1 3FD		
<u>Applicant:</u>	Pearl & Coutts, c/o Lewis McMillan Architects, 7 Queen Square Brighton BN1 3FD		

This application was deferred from 28 January 2015 Committee in order for Members to carry out a site visit. The report has been updated to clarify the status of the building and noise issues

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 site relates to the Hove Business Centre, a part three part four storey building comprising a mix of seventeen B1, B8, D1 and D2 units. The Business Centre forms part of the former Dubarry Perfumery complex and is attached to Microscape House to the east. Access and parking is via Fonthill Road to the west.
- 2.2 Residential properties abut the site to the north and west, with further business units within Microscape House to the west. The mainline railway fronts the site to the south with Hove Station and the Hove Station Conservation Area to the southeast. The former Dubarry Perfumery building, which also comprises Microscape House and Dubarry House to the east, has been nominated as a building of local interest and been placed on the draft list accordingly.

3 RELEVANT HISTORY

BH2014/01981- Creation of 4no one bedroom flats, 4no two bedroom flats and 1no three bedroom flat on existing flat roof incorporating revised access and associated works. Withdrawn

BH2012/00021- Change of use of Unit 2 from offices (B1) to performing arts college (D1). Refused 05/09/2012

BH2003/02016/FP- Change of use of Unit 9 (top floor) from B1 (business use) to yoga studio (D2). Approved 23/07/2003

BH2000/02021/FP- Change of use of Unit 1 from B8 (Storage/warehousing) to B1 (Information Centre/Offices) and form new disabled access door to front elevation. Block up window at rear and install new fire doors. Approved 12/09/2000

BH1998/02008/FP- Change of use of Unit 8 from B1/B8 to D2 (Health & Fitness Club). Retrospective application for change of use of units 7 and 7A from B1/B8 to D2. Approved 01/12/1998

4 THE APPLICATION

- 4.1 Planning permission is sought for the addition of nine residential flats at roof level, accessed via an internal walkway along the rear of the roof. The additional floor would be metal/zinc clad with balconies to the south side. No onsite parking is to be provided.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours:

Twenty Eight (28) letters of representation have been received from **6, 12, 16, 18, Ground floor flat 20, Ground floor flat 22 (x2) Upper Maisonette 22, 24, 32, 34 (x2), 36 (x2), 38b, 40, 44, 46 & 48 Newtown Road; savehove; and Unit 6 Hove Business Centre; 6 Wilbury Avenue; 22 Hove Park Villas; 10 Hartington Villas; 5 Burton Villas; savehove; and Unknown (x2), objecting** to the application for the following reasons:

- The Dubarry Perfume factory is an iconic building and should be protected. It is loved and admired by residents
- The building will lose its unique identity
- The development would not be in keeping with the distinctive historic building and its setting
- Flats and associated paraphernalia on the roof would spoil the iconic image of the building and its skyline
- The design of the flats is not in keeping with the Victorian houses and Dubarry building
- The existing extension above Microscape House is an eyesore, the development would be worse
- An application to list the building is under consideration
- Impact on setting of Hove Station Conservation Area and the Grade II listed Hove Station
- The building is now under consideration to be listed
- Cramming in a high density area
- Potential loss of businesses in the building to residential in the future
- Increased security risks to businesses and adjacent residents from use of the rear alleyway for cycle parking
- Businesses will look to leave the building

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- Loss of skylight will reduce quality of office accommodation in unit 6
- Sharing of access lifts between businesses and residents will be detrimental to business operations
- Loss of daylight and sunlight, particularly in winter, spring and autumn. The height of the existing building results in no sunlight for the majority of the year
- Overshadowing and overbearing impact. Gardens to Newtown Road are already overshadowed so any reduction in sunlight would have a significant impact. 20% loss of sunlight to 19 houses on Newtown Road and 4 on Fonthill Road is significant
- Most windows to Newtown Road do not currently meet the BRE daylight criteria. 35 houses would be affected.
- Gardens would become unusable and dangerous in winter months
- Overlooking
- Increased noise and disturbance to neighbouring residents
- Noise disturbance from rain falling on the metal roof
- Noise complaints will be received from residents against the dance studio within the building. Existing noise levels from the studio are very high and cause disturbance to residents. To suggest future residents will not be disturbed is absurd
- The noise surveys were carried out when the dance studio was on half term and therefore cannot be relied on
- Loss of views and sky views
- Light and noise pollution from use of the access walkway.
- Decreased quality of life
- 40-50 family homes on Newtown Road will suffer for the benefit of 9 flats
- The building is not currently used at weekends. Residential use will change its relationship with the properties adjacent
- The flats are ideal to be used for parties
- Insufficient detail of how the barriers to the front would appear and impact on the decorative parapets
- Loss of house value
- There is insufficient parking in the area to cater for new residents, especially in the evenings after 7pm
- A car-free development cannot be enforced
- Inaccurate plans
- Conflict between residential and business use of the lifts
- Construction noise and disturbance
- The lighting survey is not credible, with incorrect numbering, and incorrect plans including incorrect window positions
- The building may not be safe to add an additional storey to
- The only beneficiaries will be the developer
- Loss of light will have a detrimental impact on the quality of life of a deaf resident of Newtown Road
- The development is for money only
- The development will result in the building being steadily converted into flats

5.2 **One (1)** letter has been received on behalf of the occupiers of **10, 12, 18, 24, 34, 36, 38b, 40 and 42 Newtown Road, and Unit 6 of Hove Business Centre** objecting to the proposed development on the following grounds:

- The development would harm the character of the building, introducing a modern and incongruous form of development rising above the parapet line and highly visible from Hove Station.
- The rear fenestration pattern is unsympathetic to the symmetry of the fenestration to the building, and the metal cladding gives the proposal a modern and incongruous appearance
- The introduction of residential paraphernalia to the amenity areas would detract from the visual quality of the building
- The proposal would unbalance the building in views from the site entrance off Fonthill Road
- The proposal would fail to sustain or enhance the setting of the Hove Station Conservation Area
- Similar applications for development to the roof of the Dubarry building have been refused by the Council and then by the Inspectorate on two occasions, the most recent on the grounds that the penthouse would seriously and unacceptably harm the appearance of the building and its setting
- Loss of daylight, particularly on evenings and in winter months, to Newtown Road and Fonthill Road properties
- The daylight/sunlight report is confusing and inaccurate. It shows properties fail the BRE tests contrary to policy QD27
- The loss of the skylight and disturbance from building works and
- Use of the terraces would impact on working conditions within the businesses below
- The alterations to the ground floor would preclude delivery of large items to the businesses
- The development constitutes town cramming
- Insufficient parking

5.3 **Councillor Jarrett** has objected.

5.4 **Internal:**

Environmental Health: No objection

This application seeks to introduce residential into what is effectively a commercial environment within a building that is immediately adjacent to an active railway station with sidings used to stable Gatwick Express trains.

5.5 Having assessed the Acoustic Report by 7th Wave Acoustics (ref: R001.1039.001.NGA.2.0), dated the 16th June 2014 Environmental Health officers are confident that the noise levels from trains / transport, and the dance studio will meet the standards set out by WHO guidance and British Standard 8233.

5.6 However, while the noise levels from the dance studio may meet the standards set out by WHO guidance and British Standard 8233, this does not mean it will

not cause complaints and potentially be considered a statutory nuisance under the Environmental Protection Act 1990. Concern is raised over the level of noise that is likely to intrude into the proposed properties from the existing dance studio and the potential problems this could create for the dance studio should the application go ahead. Currently the hours for the studio are 9am – 8pm, Monday to Friday and 9am – 5pm on Saturdays, but with no restrictions on their times this could easily be extended.

- 5.7 The proposed residents are likely to be protected from the noise of the dance studio via their high standard of flooring, glazing, and ventilation, however there is nothing to prevent them from opening their windows and removing the level of protection provided to them. While ventilation has been considered as part of the application in order to prevent residents from having to open their windows, there is still the element of personal choice. During the summer months, both residents and the studio are likely to want their windows open.
- 5.8 The Environmental Protection Act 1990 allows for complainants to have their windows open, and would still require officers to investigate complaints relating to noise from the dance studio with the windows open, should complaints be received. There is no way to prevent future residents from opening their windows and potentially putting complaints in about noise from the dance studio.
- 5.9 If complaints were received by Environmental Health then there is every possibility that the noise from the dance studio could be considered a statutory noise; either with the windows open or closed. This would then place requirements on the dance studio to make alterations that may not have otherwise been necessary.
- 5.10 7th Wave Acoustics have subsequently assessed the readings that were taken from the roof of the building, over a week long period, and have submitted further information. 7th Wave Acoustics have listened to the recordings made by the two monitoring units, and has stated that each of the units has only identified three occasions where the noise from the dance studio was audible on the roof.
- 5.11 The readings are representative of the summer months when windows are most likely to be open, and noise escape from the dance studio at its highest. The information provided therefore strongly suggests that the level of impact from the current operation at the dance studio is only likely to have a minimal impact on proposed residents. It should also be noted that when the properties are built, the residents will have a much higher level of acoustic protection, and that even an open window will offer some level of noise reduction.
- 5.12 While the noise from the dance studio may be audible on occasions, the information provided suggests it unlikely to be at a level that would cause a nuisance in the proposed resident's homes.
- 5.13 Based on the current information available, the current application should be approved with conditions.
- 5.14 **Heritage:** No objection

This scheme will be visible from Hove Station but will not be seen from other vantage points in the setting of the station or of the conservation area, therefore these comments are provided having regard to the impact on the building itself which has been nominated for inclusion on the list of buildings of local interest.

- 5.15 The southern elevation of the proposed additional floor has been divided to reflect the window rhythm on the lower floors. The materials for these solid panels will need to be fully considered; it may be better that they reflect the brickwork below, however this will depend on the final choice of material for the panels, and the alternative dark cladding may be recessive enough behind the individual parapets.
- 5.16 The rear of this building is far more utilitarian than the front and has also been more affected by alterations and fire escapes. The additional height resulting from the proposed walkway roof lights gives top-heavy proportions in elevation, however the set-back will diminish this effect in reality. The largely unbroken frontage line and uniform material does not reflect the individual sections of this building and as a result could appear an over dominant, linear element of the building.
- 5.17 **Sustainable Transport:** No objection
No objection subject to a contribution of £6,750 towards sustainable transport infrastructure and details of a scheme to provide a segregated footway within the car park for pedestrians to reach the residential access. Based on census data the development would likely generate additional parking demand for 5 vehicles. This should be mitigated by the inclusion of a Residential Travel Pack for occupiers that includes 2 years membership of the Car Club.
- 5.18 **Housing:** No objection
- 5.19 **Access:** No objection

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
- SU10 Noise nuisance
- 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
- QD27 Protection of Amenity
- QD28 Planning obligations
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO7 Car free development
- HO13 Accessible housing and lifetime homes
- HE3 Development affecting the setting of a listed building
- HE6 Development within of affecting the setting of conservation areas
- HE10 Buildings of local interest

Supplementary Planning Guidance:

- SPGBH4 Parking Standards

Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development
DA6 Hove Station Area
CP15 Heritage

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of adding an additional floor comprising residential flats to the building, its impact on the appearance of the building and the setting of the adjacent Hove Station Conservation Area, its impact on neighbouring amenity, the standard of accommodation to be provided, and sustainability and transport issues. Also relevant is the potential impact of the residential accommodation on the existing business units within the building.
- 8.2 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 provision target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (estimated to fall within the range 18,000 – 24,000 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 merits of the proposal are considered below.
- 8.3 **Principle of Development:**
The site is located outside the northern boundary of the Hove Station Area Development Area identified within policy DA6 of the emerging Submission City Plan Part One. Policy DA6 generally seeks to maintain and strengthen employment provision within the area as well as providing for residential uses. It is not considered that the proposal runs contrary to these aims.
- 8.4 Hove Business Centre is located within the former Dubarry Perfumery building and comprises a mix of B1, B8, D1 & D2 uses. The Perfumery was built in the 1920's and is formed of six linked buildings, with the Business Centre located in the four westernmost buildings. The remaining part of the Perfumery is formed of office units within Microscape House adjacent and by residential flats within Dubarry House beyond at the far east of the site. The building is notable for its ornate parapet roofline and original mosaic signage retained on the southern elevation. The building falls within the setting of the Hove Station Conservation Area to the southeast, and to the Grade II listed Hove Station buildings and footbridge which lie approximately 60m to the southeast across the railway line. Residents have identified that the building is under consideration to be listed however no application has been made to English Heritage. The building has been included on the draft list of buildings of local interest which is currently out to public consultation, however as consultation has not finished this carries limited weight.

- 8.5 The building is however considered a 'non-designated heritage asset' under paragraph 135 of the NPPF by virtue of its ornate southern elevation, history within the Hove Station Area, and its position on the draft list of buildings of local interest. Paragraph 135 of the NPPF requires Planning Authorities to take into account the effect of an application on the significance of a non-designated heritage asset, and reach a balanced judgement as to the scale of any harm or loss and the significance of the asset.
- 8.6 In this instance the significance of the building is most borne out by its southern elevation and parapet roofline. This is most visible from the station platforms opposite and from the footbridge overpass to the east of the site. The parapet roofline, which is different on each section of the building, is silhouetted against the sky when viewed from the station platforms, but is set more amongst rooftop clutter when viewed from the public footbridge to the east. The original roof form of the building has been eroded by the addition of an additional storey on Microscape House to the east which, although set back from the parapet, appears as a detracting piecemeal addition, and by stairwell, railing and rooflight upstands along the main roof.
- 8.7 The application proposes to continue the general scale and footprint of the Microscape House addition west across the entire roof to the building. This would serve to remove much of the rooftop clutter and provide a cleaner, more unifying form behind the parapet. On balance, and having regard the status of the local list, its consideration as a 'non-designated heritage asset', the extent of its public visibility, and the absence of a five year housing land supply, it is considered that a roof top addition in the manner proposed would not in principle be so harmful to the significance of the building as to justify withholding permission. Nor would it have a significantly harmful impact on the setting of the Hove Station Conservation Area, or the setting of the Grade II listed Hove Station buildings and footbridge given its subordinate scale and separation from these heritage assets. This view is subject to the acceptability of all other material planning considerations as set out below.
- 8.8 Objectors have identified that previous applications for additional storeys on Dubarry House have been refused on account of harm to the appearance of the building. Dubarry House is a largely residential building on the eastern side of the linked complex. It is four storeys in height with an ornate frontage to Hove Park Villas. The applications for an additional storey were refused as the proposals added to the tallest part of the site and failed to visually link to the elevations below. The current proposal is on the lower three storey section of the complex where an additional storey would relate more appropriately to the building below and be generally less disruptive to the overly scale of the complex. As such the refusals for development on top of the tallest building within the Dubarry complex do not automatically preclude appropriate additions elsewhere on the lower sections.
- 8.9 Design and Appearance:
The additional storey would be inset between 2m and 2.7m from the front parapet roofline and be completed in a dark grey metal/zinc finish with windows of

matching appearance. This would give the additional a recessive appearance and assist in retaining the primacy of the existing elevations and parapets. The design of the additional storey links appropriately with the vertical division across the building, with suitable visual breaks between each building type and windows aligning with those below. The final details of materials and windows are secured by condition and, if appropriately treated, would serve to ensure that the additional storey forms a suitably unifying and subordinate crown to the building.

- 8.10 To the rear, the building is of lesser visual significance. The additional storey would be set variously between 2m and 3.1m from the rear elevation, and be completed in solid dark grey metal/zinc walls as per the front elevation. No windows would be in this rear elevation, with the massing regularly punctuated by insets aligning with the windows in the elevation below. Angled rooflights would project 0.5m above the rear part of the roof to provide natural light into the rear walkway access. The general position, scale and elevational treatment of the rear elevation is considered acceptable in design terms, providing a suitably articulated elevation inset appropriately from the main rear elevation such that it would appear a subordinate addition when viewed from the properties along Newtown Road to the rear. Subject to final details of materials, the proposed rooftop extension is considered an appropriately scaled and design addition that would unify the roof of the building without significantly harming its heritage significance, in accordance with policies QD1, QD2, QD14 & HE6 of the Brighton & Hove Local Plan.
- 8.11 To the front, a new curved entrance canopy to the residential lift and stairwell is proposed. This is a lightweight addition that would not detract from the appearance of the building.
- 8.12 **Standard of Accommodation:**
The nine units would comprise four one-bedroom flats, four two-bedroom flats, and one two/three-bedroom flat. The general size and layout of each flat is acceptable, with each room having good access to natural light and ventilation. Each unit would have a private south facing balcony to comply with policy HO5, whilst a condition is attached to ensure the development meets lifetime homes standards in accordance with policy HO13.
- 8.13 A noise survey has been submitted which calculates that noise disturbance from the railway line can be suitably mitigated through the use of measures such as standard double glazing and alternative ventilation means for all front facing rooms. Such measures are secured by condition.
- 8.14 **Impact on Amenity:**
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.
- 8.15 The main concern is the impact of the development on the amenities of adjacent occupiers, particularly those to the rear along Newtown Road. Also of concern is the potential impact of noise from the business uses within the building on the

amenities of future occupiers, and the risk such noise may result in noise complaints from future residents.

8.16 Residential amenity

As existing, Hove Business Centre is set between 11m and 13.5m from the properties on Newtown Road, and approximately 6m from their rear gardens. The building is three storeys in height with a basement level to the west side, and has large windows facing towards the Newtown Road properties. The scale and proximity of the building dominates the outlook to these properties, whilst the facing windows result in night-time light pollution and a strong sense of overlooking. This impact is somewhat alleviated by the business use of the building, with little or no weekend activity.

8.17 Residents of Newtown Road have raised significant concerns over the impact of the additional storey and its residential occupancy. The bulk and massing of the additional storey would be set between 2m and 3.1m from the rear elevation of the building and would undoubtedly have some impact on light and outlook to these properties, with section drawings through the building indicating that the main body of the extension would be visible above the existing roofline from the rear ground floor doors to the properties along Newtown Road. From the site visit it was clear that the additional storey would indeed be visible from the ground floor windows and gardens to properties on both Newtown Road and Fonthill Road.

8.18 However, given the 2m-3.1m inset of the additional storey, and its separation of between 14m and 16.4m from the properties along Newtown Road, its degree of visibility from ground level would be somewhat limited. As such it is not considered that it would have a significantly oppressive impact or result in a significant loss of light or outlook. Whilst its visibility would be considerably greater from upper floor windows and terraces, this would be set against broader sky views such that it would not be significantly oppressive or harmful to light or outlook.

8.19 A daylight/sunlight assessment has been submitted however it contains many inaccuracies in its assessment of the numbering, form and fenestration of the properties along Newtown Road, therefore full weight cannot be attached to it. Notwithstanding these inaccuracies the assessment identifies that all adjacent properties would experience some loss of daylight, however no window would fail the BRE guidance tests. The degree of lost light would be variously between 1% and 9.5%, significantly below the 20% drop that the BRE guidance suggests would be appreciable and potentially harmful. This modest loss of light adds weight to the conclusion that loss of daylight would not be so significant as to warrant the withholding of permission.

8.20 In terms of sunlight, the report identifies that three ground floor windows at 22, 24 & 30 Newtown Road would fail 2 of the 3 criteria for assessing sunlight within the BRE guidance. The other 112 windows identified in the report would be largely unaffected. It is clear from the site visit that an additional storey would increase the massing of the building and result in some loss of winter sunlight reaching ground floor windows and garden areas. Notwithstanding the calculations of the

daylight/sunlight assessment, the rear ground floor windows within the adjacent properties would retain direct sunlight for more than six months of the year, with the angle of the development rising from 29 degrees to 35 degrees (Nb the angle of the midday sun at the March/September equinox is 39.4 degrees). Given that the rear elevations of Newtown Road are south facing, these properties would retain existing levels of sunlight throughout much of the year. Consequently the degree of harm would not be so significant as to warrant the withholding of permission

- 8.21 To the west, the extension would be inset 3m from the west elevation. This setback is sufficient to ensure minimal amenity impact on the rear gardens and windows to nos.1-9 Fonthill Road, with the extension part disguised behind an existing stair tower.
- 8.22 There are no windows proposed in the rear elevation therefore the proposal would not result in overlooking of properties along Newtown Road or Fonthill Road. The rooflights are orientated to the south with blank rear upstands. This is sufficient to ensure no significant light spillage to the rear. The complete enclosure of the walkway access is sufficient to ensure minimal potential noise disturbance from residents accessing their properties.
- 8.23 On balance, the inset position of the additional storey is such that it would not have an excessively oppressive or enclosing impact when viewed from the gardens and ground floor windows along Newtown Road, would not result in loss of privacy, and would not result in a significant loss of daylight or sunlight.
- 8.24 Impact on existing businesses:
Concern has been raised that the addition of residential units above existing businesses may give rise to noise complaints that ultimately prejudice the abilities of the businesses in the building to function as normal. Concern has also been raised that the loss of a rooftop skylight would have a harmful impact on the quality of office accommodation below. A Planning Noise Assessment has been submitted with the application to help address some of these matters.
- 8.25 The building is occupied by a mix of B1 office units, B8 storage units, and D2 leisure uses. The B8 uses are mainly at ground floor level and as such would not result in significant noise disturbance, whilst the nature of B1 office uses is such that disturbance is highly unlikely, and more so particularly outside of working hours. There are however yoga and dance studios in the building that by their nature likely to generate significant potential for noise disturbance. The dance studio in particular is located at third floor level, immediately below the proposed flats.
- 8.26 The noise assessment was carried out from Wednesday 21 May continuously to Thursday 29 May 2014. Residents have highlighted that this was during half-term when noise levels from the dance studio are lower. The report identifies maximum noise incidences of 82-90db on the first Wednesday to Friday, with lower maximum individual incidences of 77-79db over the following week (half term). The average daytime noise levels recorded remain consistent at 53-54db across the entire recording period. The assessment concludes that noise levels from the

railway line and uses within the building would meet the standards set out by WHO guidance and British Standard 8233 when windows are shut. When windows are open, night-time noise levels to the front of the flats would be exceeded (averaging 37db compared to the 35db guide, with maximum levels of 57db compared to the 45db guide). The report recommends that all bedrooms have alternative means of ventilation to enable windows to be closed at night as a means to overcome this issue.

- 8.27 In respect of noise transmission from the dance studio, specific noise surveys were carried out during a dance session between 17:00 and 18:00 on Tuesday 10 June 2014 and included a measurement in front of the speakers to establish the highest potential noise level incident on the ceiling. The speakers were turned up to the maximum level likely during a session for the recording. The recordings showed noise levels of between 73db and 83db.
- 8.28 The assessment calculates that the combination of the existing concrete roof and the proposed elevated floor to the new dwellings is sufficient to reduce worst case noise levels from the dance studio from the 75-85db range to a maximum 18-32db, within the WHO guideline. The calculations show that this threshold would be marginally exceeded only in the worst case scenario when music within the dance studio is at maximum level. Otherwise noise levels would be beneath the standard where disturbance would be caused.
- 8.29 The Environmental Health officer is satisfied that noise transference through the roof of the building and closed windows would not likely result in harmful noise disturbance for future residents above. Concern has though been raised at potential disturbance when windows to the dance studio and residential flats are open.
- 8.30 The applicants have submitted further information to address this concern. Specifically, the acoustic consultants have confirmed that sound recordings from the roof of the building clearly peak when the windows to the dance studio were open. These peaks occurred during three separate 15 minute periods at the front and rear of the building over the course of the continuous 7 day survey.
- 8.31 The Environmental Health officer notes that the readings are representative of the summer months when windows are most likely to be open and noise escape from the dance studio at its highest. The Environmental Health officer concludes that while noise from the dance studio may be audible on occasions, the information provided suggests it unlikely to be at a level that would cause a nuisance in the proposed resident's homes. Noise from the dance studio is only therefore likely to have a minimal impact on proposed residents, with the Environmental Health officer noting that even an open window will offer some level of noise reduction for residents. A recommendation to approve is made subject to a condition to secure the attenuation and ventilation recommendations set out in the noise assessment.
- 8.32 Subject to this condition the application is considered to accord with policies SU10 and QD27 of the Brighton & Hove Local Plan.

- 8.33 With regard disturbance from construction works, this would undoubtedly create noise and inconvenience for existing businesses in the building, however such impact would be for a temporary period only whilst works are carried out. To ensure impact on the amenities of adjacent occupiers is protected as far as is reasonably possible, a condition is attached requiring the submission of a Construction Environment Management Plan. The mitigation of any harm caused by development works that falls beyond the scope of the Plan would be a private matter for the building's owners to agree with current occupiers, either through the terms of their leases or otherwise.
- 8.34 With regard the loss of the skylight, this would undoubtedly impact on the existing quality of accommodation within the business below, however its loss would not prevent future business use of the unit. The unit and the building as a whole would retain large windows regularly positioned on the north and south elevations providing good natural light and outlook to all floors.
- 8.35 The proposed canopy to the front would include a single door access in place of large open shutters. This reduced access arrangement would likely impact on the ability of the business units to readily accept or distribute large and bulky goods in the manner to which they are accustomed. A condition is attached seeking revised details of the new access door arrangement to ensure appropriate accessibility is maintained for all users of the building.
- 8.36 For these reasons the proposed development would not result in a significant or harmful loss of amenity to existing residents or businesses, in accordance with policy QD27 of the Brighton & Hove Local Plan.
- 8.37 **Sustainable Transport:**
Policies TR1 and TR7 aim to ensure that proposals cater for the demand in traffic they create, and do not increase the danger to users of adjacent pavements, cycle routes and roads.
- 8.38 The site is within Controlled Parking Zone T, in a sustainable location adjacent to Hove Station and public transport routes. The proposal will provide no onsite parking for the residential units, with the existing provision to be retained for the existing business occupiers. SPGBH4 identifies that this scale of development would require a maximum provision of 14 parking spaces, whilst 2011 census data suggests that 9 flats would likely generate demand for five parking spaces. As the application proposes no parking provision the sustainable transport officer has requested a Residential Travel Information Pack be secured by way of a s106 agreement. The pack would include measures to promote sustainable transport usage and 2 years membership to the Car Club. A s106 agreement would also be needed to secure a contribution of £6,750 towards sustainable transport infrastructure in the Fonthill Road, Conway Street, Clarendon Road area. Although in a CPZ it is not considered appropriate in this instance to require that occupiers be made ineligible for parking permits as the edge of the CPZ is a short distance to the northwest. If made car-free, residents would likely park on the streets outside the CPZ increasing parking pressure in these areas. Consequently making the development car-free would be counter-productive to reducing parking pressure.

- 8.39 Bicycle storage for 24 bicycles is proposed in an existing rear storage building. This is above that required by SPGBH4 and is secured by condition. The Sustainable Transport officer has also requested a pedestrian footway be delineated within the site and this could be secured by condition to minimise risk of pedestrian and vehicle collision.
- 8.40 If the application were approved conditions and s106 measures would ensure the proposal accords with policies TR1, TR7, TR14 & TR19 of the Brighton & Hove Local Plan.
- 8.41 **Sustainability:**
Policy SU2 and SPD08 requires efficiency of development in the use of energy, water and materials and recommends that residential developments of this number should achieve Level 3 of the Code for Sustainable Homes (CSH). This is an appropriate mechanism given that the proposed dwellings would be stand alone additions atop the existing building.
- 8.42 The application is supported with a Sustainability Checklist which details that all 9 properties will meet level 3 of the Code for Sustainable Homes. This is secured by condition. Acceptable refuse and recycling facilities are detailed in an enclosure within the front car park, and are also secured by condition.

9 CONCLUSION

- 9.1 On balance, the impact of the proposed additional storey on the appearance of this non-designated heritage asset is considered acceptable having regards the nature of the significance of the building and the public benefits of providing addition housing units given the absence of a five year housing supply. Whilst the additional storey would impact on the amenities of residents to the rear along Newtown Road, the degree of loss of daylight and sunlight would not be sufficiently significant as to warrant the refusal of permission. Subject to conditions the amenities of future occupiers would be sufficiently protected from existing activities in the building. Accordingly the development complies with development plan policies.

10 EQUALITIES

- 10.1 The development is required to meet Lifetime Homes standards.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- A contribution of £6,750 towards sustainable transport infrastructure
- A Residential Travel Information Pack to promote sustainable transport usage and include 2 years membership to the Car Club

11.2 Regulatory Conditions:

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- 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	13-113-01	A	06/11/2014
Existing block plan	13-113-02	A	06/11/2014
Proposed block plan	13-113-03	B	06/11/2014
Existing ground and roof plans	13-113-04	A	06/11/2014
Existing south, north and west elevations and section A-A	13-113-05	A	06/11/2014
Proposed ground and roof plans	13-113-06	D	06/11/2014
Proposed south, north and west elevations and section A-A	13-113-07	C	06/11/2014
Proposed roof plan/flat layouts	13-113-08	C	06/11/2014
Part front elevation	13-113-09	B	06/11/2014
Part rear elevation	13-113-10	B	06/11/2014
Proposed section A-A	13-113-11	C	06/11/2014
Existing and proposed front elevation	13-113-12	B	06/11/2014

- 3) Other than amenity spaces to the front of the building as detailed on drawing nos 13-113-06 rev.D and 13-113-08 rev.C received on 06 November 2014, access to the flat roof to the building shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 4) The window in the west side elevation of the development hereby permitted shall be obscure glazed and non-opening, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

11.3 Pre-Commencement Conditions:

- 5) No development shall take place until samples of the following 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:
 - a) samples of the cladding and roofing materials

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b) samples of the proposed window and door treatments
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) No development shall take place until full details of the design, materials and finishes for the balcony screens and railings, and their relationship with the parapet roofline, 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.

- 7) 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

e) a plan showing construction traffic routes

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.

- 8) Notwithstanding the submitted details, the ground floor entrance doors shall not be installed until a revised opening arrangement that allows for access for larger goods and deliveries has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: as the existing door does not provide suitable access for the existing business units within the building and to comply with policies QD14 & QD27 of the Brighton & Hove Local Plan.

- 9) 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.

- 10) No development shall commence until a scheme for the soundproofing of the residential flats hereby permitted, to accord with the recommendations set out in the submitted noise[acoustic] report received on the 06 November 2014 as a minimum, 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 first 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.

- 11) No development shall commence until details of a scheme of works to provide a segregated footway within the Hove Business Centre car park from Fonthill Road to the new residential access has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed prior to the first occupation of the development hereby permitted and shall thereafter be retained.

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

11.4 Pre-Occupation Conditions:

- 12) 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.

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

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

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

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

- 15) The 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.

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:-

On balance, the impact of the proposed additional storey on the appearance of this non-designated heritage asset is considered acceptable having regards the nature of the significance of the building and the public benefits of providing addition housing units given the absence of a five year housing supply. Whilst the additional storey would impact on the amenities of residents to the rear along Newtown Road, the degree of loss of daylight and sunlight would not be sufficiently significant as to warrant the refusal of permission. Subject to conditions the amenities of future occupiers would be sufficiently protected from existing activities in the building. Accordingly the development complies with development plan policies.
3. The applicant is advised that the details required by Condition 11 are to be delegated for agreement to the Head of Development Control in consultation with the Chair, Deputy Chair and the Opposition Spokesperson.

ITEM C

51 Barnett Road, Brighton

BH2014/03354
Full planning

18 FEBRUARY 2015

BH2014/03354 51 Barnett Road, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/03354	<u>Ward:</u>	HOLLINGDEAN & STANMER
<u>App Type:</u>	Full Planning		
<u>Address:</u>	51 Barnett Road Brighton		
<u>Proposal:</u>	Change of use from three bedroom single dwelling (C3) to four bedroom small house in multiple occupation (C4).		
<u>Officer:</u>	Christopher Wright Tel 292097	<u>Valid Date:</u>	18 November 2014
<u>Con Area:</u>		<u>Expiry Date:</u>	13 January 2015
<u>Listed Building Grade:</u>			
Agent:	N/A		
Applicant:	Mr Lee Bolingbroke, 2 Withdean Close Brighton BN1 5BN		

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 is occupied by a two storey mid-terrace dwellinghouse situated on the western side of Barnett Road. The street is characterised by similar terrace properties arranged on a clear building line. The property is not Listed and it is not located in a Conservation Area.

3 RELEVANT HISTORY

- 3.1 There is no relevant planning history.

4 THE APPLICATION

- 4.1 The application seeks planning permission for a proposed change of use from dwellinghouse (C3) to a small House in Multiple Occupation (C4). Planning permission is required because the site is located in a ward where an Article 4 Direction applies, restricting the usually permitted change of use between Classes C3 and C4.

5 PUBLICITY & CONSULTATIONS

External:

5.1 Neighbours:

Two (2) letters of representation have been received from the occupiers of **51 and 53 Barnett Road**, objecting to the application for the following reasons:-

- Noisy student house
- Student ghetto
- Current occupier would not have moved in had they known it would be a short term tenancy.
- No protection from landlords and unregulated letting agents
- Financial gain.
- Devoid of social responsibility.

5.2 **Councillor Sven Rufus:** Objects to the proposal. Letter Attached.

5.3 **Councillor Bill Randall:** Objects to the proposal. Letter Attached.

5.4 **Councillor Jeane Lepper:** Objects to the proposal. Letter Attached.

Internal:

5.5 **Private Sector Housing:** No objection

An HMO Licence has been granted for the property.

5.6 **Sustainable Transport:** No objection

The proposals could increase the total number of trips associated with this development as more people may live within a house in multiple occupation. However, the development is not considered to cause a negative highway impact or warrant a refusal of planning permission.

5.7 The applicant is not proposing any on-site car parking spaces, which is the same as the existing arrangement. Given the location and the potential overspill car parking the proposed car parking levels are deemed acceptable.

5.8 Parking Standards SPGBH4 requires a minimum of 1 cycle parking space per 3 bed sits for a house of multiple occupation. Further details of cycle parking should be 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
TR14 Cycle access and parking
TR19 Parking standards
QD27 Protection of Amenity

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development
CP21 Student Accommodation and Houses in Multiple Occupation

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development; impact on neighbour amenity; and the impact on sustainable transport.
- 8.2 **Principle of development:**
Policy CP21 of the City Plan Part One is at an advanced stage of adoption and can be given significant weight in determining the application. Policy CP21 (ii) states that in order to support mixed and balanced communities and to ensure that a range of housing needs continue to be accommodated throughout the city, applications for the change of use to a Class C4 (Houses in Multiple Occupation) use or to a *Sui Generis* House in Multiple Occupation use (more than six people sharing) will not be permitted where:
- More than 10% of residences within a radius of 50 metres of the application site are already in use as Class C4, mixed C3/C4 or other types of HMO in a *Sui Generis* use.

- 8.3 There are 46 properties within a radius of 50 metres from the application site. Of these, two are in use as Houses in Multiple Occupation. This equates to 4.5%. The proposed change of use at 51 Barnett Road, the application site, would raise the level to 6.5%. As such the proposed change of use falls below the 10% threshold set out in policy CP21 and is considered acceptable in principle.
- 8.4 The letters of representation received from neighbours and Councillors are noted and have been taken into consideration. However, the evidence available to the Local Planning Authority indicates that within a radius of 50 metres from the application site there is not an excessive amount of properties being used as HMOs.
- 8.5 **Impact on neighbour amenity:**
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 change of use from a 3-bedroom house to a small HMO under Use Class C4 (3 to 6 unrelated persons living together) would not, in view of the small number of other HMOs within a 50 metre radius of the site, give rise to an unacceptable impact on neighbour amenity.
- 8.7 There is no certainty that an HMO use will automatically lead to excessive noise, or other amenity issues such as extra litter. Should noise become an issue in future, as with any residential properties including single dwellings, powers under Environmental Health legislation can be invoked to investigate cases of potential noise nuisance.
- 8.8 **Sustainable Transport:**
Policies TR1 and TR19 of the Local Plan require development to provide for the transport demand generated in accordance with the maximum car parking and minimum cycle parking standards set out in SPGBH4: Car Parking. Cycle parking should be secure, convenient to use, and sheltered, in line with policy TR14 of the Local Plan.
- 8.9 The maximum car parking level that could be provided within the site as a dwelling would be one parking space, whereas a maximum of one car parking space could be provided for every 2 rooms in an HMO. In this case 4 rooms are proposed, so the maximum parking provision that could be accepted is 2 spaces. However, the property is a mid-terrace dwelling with a shallow front garden at a lower level to the street and the provision of off-street car parking would not be practicable due to these site constraints. On-street parking is free and is not controlled by permit. The absence of any off-street car parking is compliant with SPGBH4 and as on street car parking is not controlled by permit, the development cannot be made car-free. The Sustainable Transport team does not raise an objection and considers that the additional trips to and from the site would not be detrimental to the operation of the highway or highway safety.

- 8.10 In line with SPGBH4 the development should provide a minimum of 1 off-street cycle parking space. The applicant has not submitted any details of cycle parking, but there is space in front of the property to provide it. As such it is considered appropriate to impose a condition requiring further details of cycle parking, which should ideally comprise a Sheffield stand so that both frame and wheels of bicycles can be secured.

9 CONCLUSION

- 9.1 The proposed change of use is acceptable in principle and would not have a significant adverse impact on neighbour amenity or sustainable transport. For the reason outlined the application is recommended for approval.

10 EQUALITIES

- 10.1 The entrance to the property is lower than street level.

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			18 Nov 2014
Existing and Proposed Floor Plans	477/01		18 Nov 2014

3. The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times. **Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the

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approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The proposed change of use is acceptable in principle and would not have a significant adverse impact on neighbour amenity or sustainable transport.

From: Sven Rufus
Sent: 11 December 2014 11:15
To: Christopher Wright
Subject: Re Planning application number BH2014/03354 - 51 Barnett Road

Dear Christopher

I am writing to lodge my objection to the above planning application for conversion of a three bedroom house for use as an HMO. Barnett Road in particular, and this area of Hollingdean more generally already has many HMO's and is constantly under pressure from landlords seeking to convert more houses in this way. This is an issue of great concern to me and the residents of the area due to the impact that the use of housing in this way has on neighbours and the wider community. I feel that the Article 4 directive should be used to prevent this property being converted in this way.

Yours sincerely

Cllr Sven Rufus
Hollingdean and Stanmer

Planning application BH201/03354

51 Barnett Road BN1 7GJ

I am formally objecting to this application to convert this family home (51 Barnett Road) into an HMO. As you will see from the HMO mapping there are already several HMOs in the road, and I feel that Article 4 should be used to stop the increase of HMOs in Bennett Road before it becomes saturated with HMOs like Bernard Road and other roads in my own ward.

I have to declare a personal interest: the tenant is my son Luke Randall. However, I would take this action who ever the tenant was in my role as Chair of Housing.

Luke Randall explained the cynical behaviour of the landlord and letting agent. Leaving that aside, I believe we should use planning powers to preserve the domestic nature of this neighbourhood before it becomes yet another scruffy dormitory for the universities with the loss of much-needed family homes.

Cllr Bill Randall

Chair of Housing Brighton and Hove City Council

Christopher Wright
Planning Officer
Brighton and Hove City Council
Hove Town Hall
Norton Road
Hove

**Planning Application BH 2014 03354 51 Barnett Road, Brighton
Change of use from (C3) 3 bedroom house single dwelling house
to (C4) 4 bedroom small house in multiple occupation.**

I am writing to ask the Planning Committee to consider whether or not there are grounds to reject this planning application.

Members will be aware that Hollingdean and Stanmer Ward is one of those areas where, because of the increasing number of HMOs, the Council has introduced licensing for smaller HMOs such as this. Hollingdean is just one part of the Ward where residents frequently express concerns to me about the loss of single dwelling houses as they are converted to HMOs.

Numbers 53 and 58 Barnett Road are already registered as HMOs and some residents have expressed concerns to me about the advisability of allowing another HMO so close to those which are already there.

I would ask members of the Committee to consider what powers they have to reject this application and would like to attend the Committee meeting when the application is considered.

Yours sincerely,
Councillor Jeane Lepper

**Labour and Co-operative
Hollingdean and Stanmer
Brighton and Hove City Council**

ITEM D

**Kings School Lower School, Mile Oak Road,
Portslade**

**BH2014/03268
Full planning**

18 FEBRUARY 2015

BH2014/03268 Kings School Lower School, Mile Oak Road, Portslade.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/03268	<u>Ward:</u>	SOUTH PORTSLADE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Kings School Lower School Mile Oak Road Portslade		
<u>Proposal:</u>	Revised kitchen servery incorporating installation of ventilation system. (Retrospective)		
<u>Officer:</u>	Sonia Gillam Tel 292265	<u>Valid Date:</u>	14 October 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	09 December 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Rusell Education Trust, Ms Fran Stewart, Manor Court, 1 The Crescent, Leatherhead KT22 8DY		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a single storey kitchen building, located at a school site in Portslade. The site is bounded by Mile Oak Road and High Street to the north, residential properties in Applesham Way to the east, Maplehurst Road to the south and Melrose Avenue to the west.

3. RELEVANT HISTORY

BH2014/03760 Application for Approval of Details Reserved by Condition 4 of application BH2013/01620. Under consideration.

BH2013/02789 Application for approval of details reserved by conditions 4 and 5 of application BH2013/01620. Split Decision 01/11/2013.

BH2013/02705 Provision of temporary car parking for 20 cars over 3 years. Approved 04/11/2013

BH2013/01620 Erection of single storey temporary modular classroom. Approved 18/07/2013.

4 THE APPLICATION

- 4.1 Planning permission is sought for the installation of a ventilation system for a revised kitchen servery. The application is retrospective.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** Five (5) letters of representation have been received from nos. **21(x2), 23(x2) and 29 Maplehurst Road** objecting to the application for the following reasons:
- Noise
 - Odour
 - Unsightly equipment

Internal:

- 5.2 **Environmental Health:** Support. The application is retrospective and the system has been operating since September 2014. Complaints were received about noise and odour from the system and that the units were being left on at night and were noisy. No statutory nuisance was identified. With regards to the odour no diaries have been returned so the assumption is that the matter has been resolved.

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:

SU9	Pollution and nuisance control
SU10	Noise nuisance
QD14	Extensions and alterations
QD27	Protection of Amenity

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 siting of the development and its impact upon the amenity of adjacent occupiers, and the design and its impact upon the appearance and character of the building and wider area.

Design and visual amenity:

- 8.2 The development is sited on the roof of a single storey kitchen block to the south of the site. The equipment can be seen in views from the properties and gardens of Maplehurst Road and in longer views from outside of the site to the east and west.
- 8.3 However the equipment is sited at a low level on the roof and is further shielded, to an extent, from the nearest properties by a parapet wall. Additionally due its low visibility from public areas, it is considered that the equipment does not have a significantly detrimental impact on the site or the visual amenity of the area. Accordingly, it is considered that no visual harm is derived from the development by reason of its siting and surroundings.

Impact on residential amenity:

- 8.4 Policy QD27 states that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.5 Policy SU10 of the adopted Local Plan requires that new development minimise the impact of noise upon occupiers of neighbouring properties and the surrounding environment.
- 8.6 The application is retrospective and the system has been operating since September 2014. Representations have been received from neighbours objecting to the equipment with regard to noise and odour. The Council's Environmental Health team have also received complaints on the same grounds which have been investigated; no statutory noise nuisance has been identified.
- 8.7 With regards to odour the Environmental Health team have advised that as the complaints are not ongoing, the assumption is that the matter is resolved. Therefore there is no objection to the application. However it is noted that whilst planning permission may be granted, this does not preclude the department

from carrying out an investigation under the Environmental Protection Act 1990, should any further complaints be received.

9 CONCLUSION

- 9.1 The development does not have a significantly detrimental impact upon the character and appearance of the building or the wider area. Additionally there is no demonstrable harm upon the amenities of neighbouring residents.

10 EQUALITIES

- 10.1 None identified

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Site location plan			29/09/2014
Site location plan kitchen block			29/09/2014
Floor plan			29/09/2014
Layout of kitchen ventilation canopies	GB-VENT-1		29/09/2014
Kitchen design layout	CD 1699/101C		29/09/2014

- 2) The ventilation system hereby permitted shall be switched off when not in use. **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.

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

PLANNING COMMITTEE LIST- 18 FEBRUARY 2015

- (ii) for the following reasons:-
The development does not have a significantly detrimentally impact upon the character and appearance of the building or the wider area. Additionally there is no demonstrable harm upon the amenities of neighbouring residents.
3. The applicant should be aware that whilst the requisite planning permission may be granted, this does not preclude the department from carrying out an investigation under the Environmental Protection Act 1990, should any complaints be received.

ITEM E

26 & 26A Reigate Road, Brighton

BH2014/03799
Full planning

18 FEBRUARY 2015

BH2014/03799 26 & 26a Reigate Road, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/03799	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Full Planning		
<u>Address:</u>	26 & 26A Reigate Road Brighton		
<u>Proposal:</u>	Demolition of existing detached dwelling and erection of two storey block of 6no flats.		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	11 November 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	06 January 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Turner Associates, 19A Wilbury Avenue, Hove BN3 6HS		
<u>Applicant:</u>	Investsave Ltd, Mr Alan Pook, 2A Church Road, Hove BN3 2FL		

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 detached property located on the eastern side of Reigate Road. The existing property is subdivided into a ground floor and a first floor flat, with associated rear garden areas. The site slopes slightly from south-west to north-west.
- 2.2 Reigate Road provides an array of detached, semi-detached and short terraced properties in addition to purpose built block of flats to the north of the application site, known as Hurst Court and Rush Lodge, comprising 2 or 3 storeys, some with roofspace accommodation. Apart from Hurst Court, which has a flat roof form, one characteristic of the properties within the Reigate Road streetscene is of prominent roof forms.

3 RELEVANT HISTORY

BH2014/02323 - Demolition of existing single dwelling and erection of two storey block of 7no flats. Withdrawn 16/10/2014.
BH2004/00924/FP – 26A - Enclosure of existing "external" staircase (Retrospective) and replace timber cladding with pebble dash rendering. Approved 18/05/2004.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing detached property, which currently comprises two flats, and the construction of a new building comprising six flats, 4x2-bed units and 2x2-bed units.
- 4.2 The development would provide accommodation at lower ground, ground, first and second floor levels. The proposed building would comprise two flat roof front dormer windows, front lightwells, square bay windows on the front elevation at ground and first floor level, a rear two storey flat roof projecting section at lower ground and ground floor level and rear and side rooflights.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Nine (9)** letters of representation have been received from **11, 13, 15, 17(x2), 19, 19A(x2), 28 Reigate Road** objecting to the application for the following reasons:

- Increase of vehicles parking in road. There has been no consideration of the extra parking that will be required by 6 different family units occupying a space where there are currently only 2. The parking in the area is already under pressure, as can be seen from the number of houses that have converted gardens to parking spaces. A majority of the time the residents parking bays are fully occupied, do not accept this can be overcome by making a condition of any decision a car free scheme,
- Increase in traffic and congestion along what is already a busy stretch of road, particularly during morning and evening rush hours. Reigate Road is used somewhat as a rat run to avoid the traffic lights at the junction of Highcroft Villas and Dyke Road, thus any increase in cars as a result of additional dwellings is going to further add to this problem,
- Over-development of a single house plot, based not only on the scale and proportion of the design, but also on the brief to provide 6 units in lieu of the existing 2 (a reduction of one unit from previous application is not much of a revision).
- Size is inappropriate to the surrounding houses,
- Whilst welcome the reduction in number of flats proposed, the overall development would still be out of keeping with the nature of this part of Reigate Road. Building will not be in keeping with surrounding houses and would be out of character,
- Note the architects seem to use the block of flats opposite the junction of Wincombe Road and Reigate Road as justification for this type of development. The fact that permission was obtained some considerable time ago for these flats does not now set a precedent,
- Huge impact of noise and dirt during demolition, excavation and construction of 6 flats,
- Question use of front dormers on the second floor, this is not in keeping with houses on the rest of the street and looks out of character with the surrounding buildings,
- Overlooking and loss of privacy, especially from roof level flats,
- Increased noise,

- Excavation for the basement level in such close proximity to neighbouring property may result in subsidence,
- Reigate Road is primarily a street comprising family dwellings and not only will the bulk have an impact, but also it will create a change in character in the street, as there will be a loss of 2 no. 3 bedroom family units,
- Does not seem to adequately show how waste material from demolition and excavation for the proposed basement will be removed from the site and what impact this traffic is going to have on Reigate Road,
- The line delineating the left (north) boundary does not appear to be correct, in that the existing north elevation is in fact built tight to the boundary of no. 28,
- Excavation for a lower ground floor will have a significant impact on the townscape, there are no other lightwells or basement lower ground floor flats in Reigate Road, and therefore would be out of character. The street has an open suburban feel with front gardens, not an urban feel as with nineteenth century properties nearer the centre of town. These would be the only lightwells in the street and as such would be incongruous,
- The scheme has been reduced at the rear but this has had no impact on the streetscene, and
- The concern widely felt in the street community of a possible creeping proliferation of small units in lieu of the existing family atmosphere of Reigate Road, which has semi, terraced and detached houses, and flats are a rarity,

5.2 **Six (6) letters of representation have been received from 23 Surrenden Park, 102 Stanmer Villas, 49 Compton Road (x2), 4 Downside and 48 Highview Road** supporting the application for the following reasons:

- Should be more affordable housing to buy or rent in this area, great to finally see some low cost housing, perfect for a starter home, in a prime location. Only to often buyers are finding themselves priced out of the market and having to move further afield to likes of Peacehaven and Newhaven etc. City fast becoming a place that only the rich can afford. More projects like this should be encouraged to redress the balance. Will be ideal for first time buyers as in a great location and area, close to everywhere,
- Have been no developments like this in area in years,
- Nice and safe area, and
- Will be an improvement and can only benefit the road, will look nicer than what is already there. Not overpowering at all. Good design. Need more like this.

5.3 **Councillors A & K Norman:** Object, letter attached.

Internal:

5.4 **Access Officer:** The proposed layout is satisfactory.

- 5.5 **Arboriculturist:** Proposal would result in the loss of trees and shrubs of insignificant arboricultural value. No objection subject to a suitable condition being attached to any consent granted regarding a scheme for landscaping.
- 5.6 **Private Sector Housing Officer:** No comments.
- 5.7 **Sustainable Transport:** No objection to the application subject to the inclusion of a condition regarding a cycle parking scheme and a S106 Agreement to contribute £3,000 towards footway improvements in the local area and provide 2 year membership to the City Car Club for each first resident.

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
- 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 The main considerations in the determination of this application relate to the impacts of the proposed development upon the visual amenities of the area, the living conditions for future occupiers and the impact upon the amenities of the neighbouring properties. Issues including sustainability and transport must also be assessed.

8.2 Principle of Development:

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 provision target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (estimated to fall within the range 18,000 – 24,000 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 merits of the proposal are considered below.

Visual Amenities:

- 8.3 Local Plan 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 neighbourhoods in terms of height, scale, bulk and design. The NPPF states that good design is a key aspect of sustainable development and that development should function well and add to the overall quality of the area, respond to local character and reflect the identity of the local surroundings.
- 8.4 The site currently contains a detached two storey building, providing two flats, comprising a main hipped roof with a south-east facing cat-slide roof form and a two storey flat roof side extension.
- 8.5 Reigate Road provides an array of detached, semi-detached and short terraced properties. Purpose built flats are located to the north-west of the site (Hurst Court and Rush Lodge). The properties within the related section of Reigate Road comprise either two (some with roof accommodation) or three storeys. The streetscene provides a mix of hipped roofs, pitched roofs, barn-end hipped roofs, gable end hipped roofs and flat roof forms. The gaps between properties along Reigate Road are consistent elements of the street scene.
- 8.6 The proposed development would comprise a two storey, plus lower ground floor level, building. The site comprises a slight south-west to south-east slope and as a result the proposed development would be partially dug into the site to provide a lower ground floor level.
- 8.7 Pitched roofslopes would connect a central flat roof over the main section of the property, with a flat roof over the proposed rear projecting section. Two flat roof dormer windows would be inserted in the front roofslope with rooflights to the side roofslopes and two to the rear. The proposed development has been designed to have a symmetrical appearance with regards to the front and rear elevations with detailing, such as the inclusion of the proposed square bay windows, reflecting bay window features on other properties within the immediate vicinity of the site.
- 8.8 The roof of the proposed development would be slightly higher than the ridge of the existing property and that of no. 28. However, the increase in height would remain in keeping with the varied height of the properties in this section of Reigate Road and is therefore acceptable. The proposed development would also result in additional bulk and massing in relation to the existing property. It is not though considered that this would be of detriment to the visual amenities of the Reigate Road streetscene due to the gap that would be retained either side of the site and due to the varied nature of development along Reigate Road. In views along Reigate Road the additional bulk and massing of the development would be screened by the built form of nos. 24 and 28 Reigate Road.
- 8.9 A number of representations object to the formation of a basement level and associated lightwells. The front curtilage of properties along Reigate Road provide a mix of hard and soft landscaped areas, including off-street parking

areas and a mix of front boundary treatments, including brick walls, and or vegetation, fencing and open boundaries onto driveways.

- 8.10 The proposal includes the provision of a brickwork front boundary wall, with associated piers, either side of the proposed main entrance to the building. The design and height would be in keeping with neighbouring properties. The proposed lightwells would be set approximately 1.8m behind the front boundary wall, with vegetation to the lightwells and walls/railings to the perimeter. Due to the design of the lightwell perimeter and the set back from the front boundary it is considered that the lower ground floor level would not be apparent from most parts of Reigate Road. As a result this element of the proposal would not have an adverse impact on the character or appearance of the Reigate Road streetscene.
- 8.11 The proposed flat roofed dormer windows would be sited evenly within the front roofslope and their design, size and positioning is acceptable. Although it is noted that no other front dormer windows are present in the front roofslope of properties in the immediate vicinity of the site, due to the varied style, design and roof forms of properties along Reigate Road it is considered that the inclusion of front dormer windows would not have an adverse impact upon the visual amenities of the Reigate Road streetscene.
- 8.12 The proposed development would be finished with render elevations, tile hung square bays, tiled pitched roofs and brick boundary walls and piers. In principle these materials would be appropriate to Reigate Road and samples could be secured through condition.
- 8.13 For the reasons outlined the proposed height, bulk and massing than the existing property, given the design, finish materials, scale and height of the neighbouring properties located along Reigate Road, is considered appropriate to the surrounding context and would not compromise the quality of the local environment.

Impact Upon Amenity:

- 8.14 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.

Future occupiers

- 8.15 The provision of a mix of 1 and 2 bedroom units is considered acceptable, in accordance with policies of the Brighton and Hove Local Plan, with the proposed unit sizes acceptable.
- 8.16 The proposed lower ground floor level would provide two flats with accommodation partially below ground level. Since submission of the application the proposal has been amended to include an additional window in the living room of the proposed lower ground floor flats and this would increase light, ventilation and outlook to these units. It is noted that light and outlook to bedrooms within the roofspace would be provided by a front dormer window. As

these bedrooms relate to the proposed 2 bedroom residential units located across the first and second floor levels of the proposed development, and would not be the sole bedrooms, this is considered sufficient and would not create a poor standard of accommodation.

- 8.17 Local Plan policy HO5 requires new residential development to provide adequate private and usable amenity space for occupiers, appropriate to the scale and character of the development. The proposed two lower ground floor flats would have sole use of two small rear garden areas at the rear of the property and access to the front lightwell areas. A larger communal area would be provided towards the rear of the site for the upper flats. This provision is considered acceptable in respect of the above policy.
- 8.18 A boundary of approximately 1.2m in height would divide the proposed communal garden from the gardens areas associated with the lower ground floor flats. It would appear that this proposed boundary treatment would be formed of a fence however further details of such boundary treatment in addition to the boundary treatment between the proposed lower ground floor flat garden areas can be obtained via a condition. The proposed boundary treatment between the garden areas for the lower ground floor flats and the communal garden and the positioning of the proposed lower ground and ground floor rear windows would prevent overlooking and loss of privacy for the lower ground floor and ground floor flats from the proposed communal garden area.
- 8.19 Policy HO13 requires new residential dwellings to be built to Lifetime Homes Standards, which enables units to be adapted at a later date to meet the changing needs of occupants, without the need for major structural alterations. There are sixteen standards relating to Lifetime Homes and as the proposal is for a new build development all of the standards must be incorporated into the design (except the standard relating to communal staircases and lifts). The proposal would accord with Lifetime Homes standards and this could be secured through condition should the application be approved.

Neighbouring Amenities

- 8.20 The footprint of the proposed building would be larger than that existing at the rear, by approximately 3m with regards to the main section and by approximately 5.2m taking account of the proposed flat roof rear projecting section (which would be set in from the main part of the building by approximately 2m on either side).
- 8.21 The main part of the proposed building would extend beyond the existing rear building line of no. 24 by approximately 2m, and approximately 3m beyond the main rear building line of no. 28. No. 28 appears to have been extended in the past by way of a rear single storey extension on the south-eastern side. The rear elevation of this neighbouring extension would be located flush with that of the proposed main elevation of the new building.
- 8.22 In accordance with BRE Guidance the proposed development would not break a 45° line taken from the nearest first floor windows to either neighbouring properties. As a result of this and due to the distance between the development and the side boundaries, the design of the proposed building, which includes a

stepped form at the rear elevation and the orientation of the sun, it is not considered that the increased massing at the rear of the proposed property, in comparison to the existing building, would have a significant adverse impact upon the amenities of nos. 24 and 28 Reigate Road with regards to loss of sunlight/daylight or outlook.

- 8.23 It is noted that there are windows existing in the side elevation of nos. 24 and 28, facing the site. However, these windows are either obscured and/or do not appear to relate to habitable rooms. As a result it is not considered that the proposal would have a significant adverse impact upon these existing side windows.
- 8.24 The proposed side windows would be obscurely glazed and relate to either bathrooms or would be secondary windows. It is therefore considered that the window openings would not have an adverse impact upon neighbouring properties. The inclusion of obscured glazing could be ensured via a condition should the application be approved.
- 8.25 The primary views from the staggered rear elevation would be over the proposed garden areas of the proposed dwellings and beyond towards neighbouring properties located on Compton Road, only oblique views would be achievable towards the gardens of nos. 24 and 28 Reigate Road. A distance of approximately 6.4m would be retained between the north-western elevation of the proposed building and the boundary with these neighbouring properties. In an urban area such as this it is not considered that the resulting overlooking of neighbouring gardens would be unacceptable or result in such level of harm as to warrant refusal of the application.
- 8.26 The scale of the development would not be expected to lead to significantly harmful levels of noise or disturbance during construction works. In the event that complaints were received they would be best progressed through Environmental Health legislation. In respect of land stability and excavation works this would be addressed through the Building Regulations.

Sustainable Transport

- 8.27 Policy TR1 of the Brighton and Hove Local Plan requires developments to address the demand for travel which the proposal will create and requires the design of the development to promote the use of sustainable modes of transport on and off site, so that public transport, walking and cycling are as attractive as use of a private car. Policy TR7 requires that new development does not increase the danger to users of adjacent pavements, cycle routes and roads. Policy TR14 requires development to accord with the Council's maximum car parking standards, as set out in SPG04.
- 8.28 As the site currently comprises 2 residential units the proposed development, of 6 flats, would increase trip generation above existing levels. In order to comply with policies TR1 and QD28 of the Brighton and Hove Local Plan a contribution of £3,000 is sought towards footway improvements in the local area in the form of dropped kerbs and tactile paving. These could be located at the junctions of:-

- Reigate Road/Highcroft Villas;
- Reigate Road/Wincombe Road; and
- Reigate Road/The Drove.

- 8.29 The contribution would ensure that there would be an acceptable walking route between the proposed development and key locations such as public transport services and other local amenities. A s106 agreement would be required to secure the contribution.
- 8.30 SPG04 states that the maximum car parking standard for a residential development within a CPZ is 1 car parking per unit and 1 space per 5 units for visitors would be required. Due to the constraints of the site the applicant does not intend to provide any on-site car parking, as such the proposal accords with SPG04.
- 8.31 The Council's Transport Officer has stated that based on the local 2011 car ownership census data the proposed development could have 5 cars associated with it. While the applicant has not submitted any information in relation to the existing on-street parking levels, there is no evidence to suggest a harmful localised pressure which would be exacerbated by the proposal. However, in order to mitigate the potential increase in on-street parking it is recommended that the applicant fund 2 years membership to City Car Club for each first occupier of each unit, with existing City Car Club bays on Matlock Road, Hampstead Road and Preston Road. This would be secured via a S106 agreement.
- 8.32 SPG04 requires a minimum of 1 cycle parking space per residential unit plus 1 space per 3 dwellings for visitors would be required. As the proposal is for 6 flats the minimum level of cycle storage facilities required would be 6 spaces for residents and 2 for visitors. In order to be in line with Policy TR14 of the Brighton and Hove Local Plan, 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 section 8.2.22.
- 8.33 A cycle store within the rear communal garden of the proposed property. Whilst this arrangement is deemed acceptable no details of the proposed nature of the stands has been submitted and further details would be obtained via a condition.

Sustainability

- 8.34 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.
- 8.35 In order to comply with policy CP8 of the modified City Plan, the proposed development should be constructed to Code for Sustainable Homes Level 4. Since submission the applicant has confirmed that the development would meet Level 4. The submitted Checklist states that the proposed development would

include measures such as the use of locally sourced materials, timber certified from sustainable sources, natural materials and the re-use of/recycled materials.

- 8.36 The plans submitted show the provision of an area for the storage of refuse at the front of the proposed development, on the north-western side. It is considered that adequate space would also be provided in this location for the storage of recycling facilities. The provision of refuse and recycling facilities can be ensured via the attachment of a condition if overall the proposal is considered acceptable.
- 8.37 Policy SU13 of the Brighton and Hove Local Plan requires developments of the nature and scale proposed to be accompanied by a Waste Minimisation Statement to address the removal of any construction and demolition waste which will be produced as a result of the development. Such a statement has been submitted. It is acknowledged that the submitted statement lacks details such as the quantities of waste generated and the details of the proposed waste contractor however other measures are included such as the salvage of materials for re-use, controlled material ordering and the segregation of waste for collection.

Landscaping

- 8.38 The proposal would result in the provision of external amenity areas for both of the proposed lower ground floor flats at the front and rear of the property and a communal garden, at the rear of the property. The plans submitted appear to show hard landscaping to the proposed lower ground floor amenity areas and a lawn to the communal garden. The elevational plans also show the provision of vegetation to the proposed front lightwell areas although it is noted that such planting is not sown on the site plan.
- 8.39 As the submitted plans show there are several trees on site, comprising the following:-
- Large multi-stemmed Bay of some stature (rear garden)
 - Lilac (rear garden)
 - Dead tree, ivy clad (rear garden)
 - Fig (front garden)
- 8.40 The trees are considered to be of little arboricultural value and there is no objection to their loss. In order to secure appropriate replanting a landscaping scheme, to include replacement planting, would be secured by condition.

9 CONCLUSION

- 9.1 The proposed development would make an efficient and effective use of the site. The height, design and bulk of the proposed property would not compromise the quality of the local environment. The standard of accommodation proposed is considered acceptable and adequate private/shared usable amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, cycle storage waste management and refuse and recycling storage. In addition, subject to the compliance with conditions, it is considered

that the new residential properties would not have a significant adverse impact upon the amenities of neighbouring properties. The proposal accords with policies of the Brighton and Hove Local Plan and the Brighton & Hove Submission City Plan Part One., approval is therefore recommended.

10 EQUALITIES

10.1 The development is required to comply with Part M of the Building Regulations and the Lifetime Homes policy of the Brighton & Hove Local Plan.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- A financial contribution of £3,000 towards footway improvements in the local area, and
- Provides a 2 year membership to the City Car Club for each first resident.

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
Block and Site Location Plan	01	Rev. A	11 th November 2014
Existing ZARA Site Survey	02	-	11 th November 2014
Existing Ground Floor Plan	03	-	11 th November 2014
Existing First Floor Plan	04	-	11 th November 2014
Existing ZARA Street Elevation	05	Rev. A	2 nd December 2014
Existing Side (N-W) Elevation	06	-	11 th November 2014
Existing Rear (N-E) Elevation	07	-	11 th November 2014
Existing Side (S-E) Elevation	08	-	11 th November 014
Proposed Block Plan	10	Rev. C	12 th December 2014
Proposed Site Plan	11	Rev. D	12 th December 2014
Proposed Plans 1	12	Rev. E	22 nd January

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			2015
Proposed Plans 3	13	Rev. C	12 th December 2014
Proposed Street Elevation	14	Rev. C	12 th December 2014
Proposed Elevations 2	15	Rev. D	22 nd January 2015
Proposed Elevations 3	16	Rev. C	12 th December 2014
Proposed Elevations 4	17	-	22 nd January 2015
Proposed Elevations 5	18	-	22 nd January 2015

- 3) The windows in the side elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 4) Access to the flat roof of the rear projection of the development hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 5) All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.
- 6) The 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.
- 7) The development hereby permitted shall be undertaken in accordance with the Site Waste Management Statement received on the 11th November 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.

- 8) 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.

11.3 Pre-Commencement Conditions:

- 9) No development shall take place until samples of the following 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:
- a) samples of brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b) samples of all cladding to be used, including details of their treatment to protect against weathering
 - c) samples of all hard surfacing materials
 - d) samples of the proposed window and door treatments

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.

- 10) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments. The boundary treatments shall be provided in accordance with the approved details before the building is occupied.

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

- 11) 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 all 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 and Hove Local Plan.

- 12) The development hereby permitted shall not be commenced until full details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the

development hereby permitted and shall thereafter be retained for use at all times.

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

- 13) 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. The scheme shall include indications of all existing trees and hedgerows on the land that are to be retained along with measures for their protection during the course of the development.

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

- 14) 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 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.

11.4 Pre-Occupation Conditions:

- 15) 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) 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.

- 17) 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.

Reason: In the interests of the character and appearance of the development and the visual amenities of the area and to comply with policy QD1 of the Brighton & Hove Local Plan.

Informatives:

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

The proposed development would make an efficient and effective use of the site. The height, design and bulk of the proposed property would not compromise the quality of the local environment. The standard of accommodation proposed is considered acceptable and adequate private/shared usable amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, cycle storage waste management and refuse and recycling storage. In addition, subject to the compliance with conditions, it is considered that the new residential properties would not have a significant adverse impact upon the amenities of neighbouring properties.
2. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).
3. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.

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4. The application is advised that with respect to condition 13 the landscaping scheme should include details of the proposed planting, including species, to the lightwell/front boundary to ensure that such planting would not affect the amenities of the future occupiers of the proposed lower ground floor units with regards to levels of natural light achievable.



**Brighton & Hove
City Council**

Liz Arnold
Planning Officer
Environmental Services
Brighton and Hove City Council
Norton Road
HOVE BN3 3BQ

PLANNING COMMITTEE LIST
18 FEBRUARY 2015

COUNCILLOR REPRESENTATION

Dear Ms. Arnold,

BH2014/03799	26 Reigate Road Brighton
	Demolition of existing single dwelling and erection of two storey block of 6no flats (Amendments)
Application type:	Full planning
Development type:	New build - residential

We are writing as Withdean Ward Councillors to reflect continued concerns raised with us by residents regarding Application BH2014/03799 as detailed above.

Reigate Road is a quiet residential road comprised of detached, semi detached and terraced properties. There is one purpose built block of flats Hurst Court, 36 Reigate Road which comprises six flats and the adjacent property 38 Reigate Road which has been converted into four flats. Although we note that amendments have been proposed, we continue to have concerns about the application, as amended.

A number of residents living in the immediate vicinity of 26 Reigate Road have contacted us once again with continued concerns that the demolition of this property will inevitably cause, noise, dust pollution and considerable inconvenience to their existing lifestyle. The proposal to erect a two storey block comprising six flats including extra loft conversion will appear out of character with the amenity of the existing residential properties in Reigate Road. We also believe that this proposal would result in dominant over development of the site. The inclusion of two lower ground floor (basement) apartments will also alter the character of the road in a detrimental way.

Other concerns include extra cars that will inevitably mean greater car parking issues in the local Controlled Parking Zone (CPZ A) and more refuse and recycling bins.

Residents of Reigate Road and its immediate area and us as Withdean Ward Councillors are concerned that the application includes lower ground floor units and believe that there may be a possibility of flooding from surface water run off.

In addition, we consider that approval of such of a development may well lead to similar undesirable developments of this kind in the road, thus diminishing the existing character of Reigate Road.

We consider that this application is contrary to QD1, QD2, QD27 and SU4 of the Brighton and Hove Local Plan 2005

Should the officer recommendation be to approve this application we ask that the application be referred to the Planning Committee for determination and that a copy of our letter in full be included in the agenda for the relevant Planning Committee Meeting.

Yours sincerely,



Councillor Ken Norman

Withdean Ward Councillor



Councillor Ann Norman

Withdean Ward Councillor

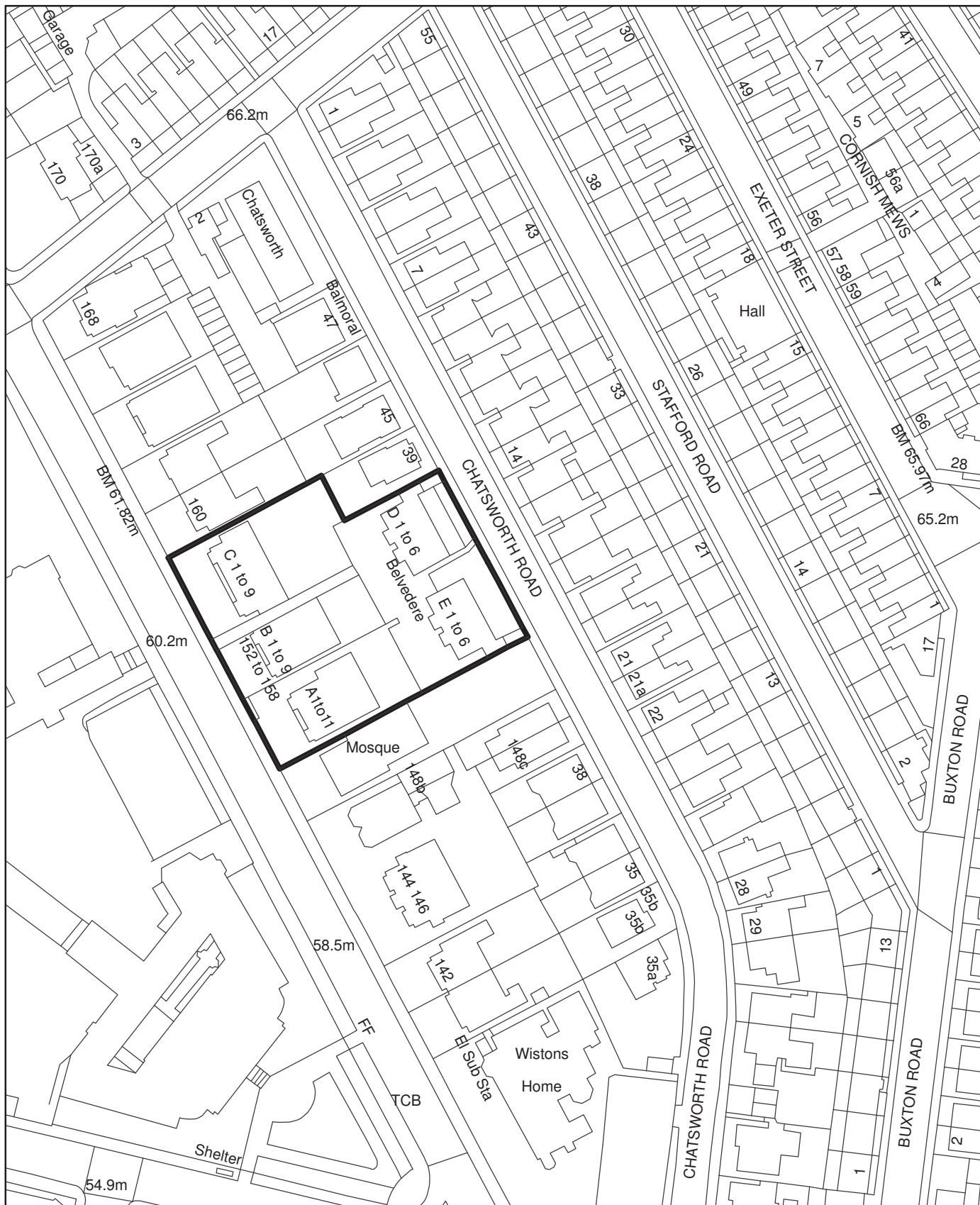
ITEM F

**Blocks A B & C Belvedere, 152-158 Dyke
Road, Brighton**

**BH2014/03968
Full planning**

18 FEBRUARY 2015

BH2014/03968 Blocks A, B & C Belvedere, 152-158 Dyke Road, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/03968	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Blocks A B & C Belvedere 152-158 Dyke Road Brighton		
<u>Proposal:</u>	Erection of additional storey to blocks A, B and C to create 5no two bedroom and 1no one bedroom flats (C3) (2no additional flats per block). Erection of bicycle store.		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	09 December 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	03 February 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, 2 Port Hall Road, Brighton BN1 5PD		
<u>Applicant:</u>	Windlesham Finance Company Ltd, Mr Michael Lovegrove C/O Lewis and Co Planning SE Ltd, 2 Port Hall Rd, Brighton BN1 5PD		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to 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 site comprises three three-storey purpose built blocks of flats located on the east side of Dyke Road, opposite BHASVIC. The blocks form buildings A, B & C of the Belvedere complex, with blocks D & E to the rear fronting Chatsworth Road. Communal gardens sit between these sets of buildings.
- 2.2 The site is bordered by substantial two storey pitched roof buildings to the north and south. The northern building adjacent forms residential flats whilst the southern building adjacent forms a mosque.

3 RELEVANT HISTORY

- 3.1 None relevant

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of an additional storey to blocks A, B & C comprising five two-bedroom flats and one one-bedroom flat. An associated building for cycle parking is also proposed to the rear of the communal gardens rear of block C.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Nineteen (19)** letters of representation have been received from the occupiers of **Flats A8 (x4), A9, C1, C5, C6, C7 (x2), C9, D3, D5 Belvedere; 4 The Croft Chatsworth Road; 18 Chatsworth Road; 15 Frith Road; 21 Furness House, Abbots Manor, London; 1 Hadleigh Close, London; and Unknown** objecting to the application for the following reasons:

- The extension will alter and jar with style and character of the existing blocks
- An additional storey would not be in keeping with the area which comprises two storey houses
- Tall buildings are not in keeping with the area
- Increased bulk and overbearing impact on adjacent buildings
- Overdevelopment
- Increased noise and disturbance from occupiers. There are existing noise issues between floors due to lack of soundproofing
- Increased noise and disturbance from construction works
- The buildings have not been designed to take the extra load of an additional storey
- Building works will infringe on privacy and will create dust and debris. The gardens will be unsafe
- Insufficient sound insulation between floors
- Loss of daylight and sunlight, including to the communal gardens
- Loss of light to common areas of the buildings
- Overshadowing
- Overlooking between buildings and from the terraces to the balconies below
- Loss of view
- Additional rent and maintenance costs for residents
- Insufficient bin storage
- Increased security issues
- No solar panels are proposed to help reduce bills or other sustainability measures
- Scaffolding will create a fire hazard by blocking escape routes
- There is no wheelchair access to the building and upper floors
- No affordable housing is proposed
- Insufficient parking, including disabled parking
- Stairways do not comply with building regulations for fire escapes
- Insufficient plans
- Insufficient bicycle storage for 47 apartments
- Improvements should be made to blocks D & E
- Loss of skylights to stairwells
- Breach of Protocol 1, Article 1 of the Human Rights Act and right to a peaceful enjoyment of permissions
- The development does not accord with the space standards set out in the Housing Act and does not support Priorities 1 & 3 of the Brighton & Hove Housing Strategy 2015.

- 5.2 **Councillor Kennedy** has objected. A copy of the letter is attached to this report.

Internal:

- 5.3 **Environmental Health:** Examined no comment

- 5.4 **Sustainable Transport:** No objection

No objection subject to a contribution of £4,500 towards sustainable transport infrastructure along Dyke Road, and a revised cycle store that provides for better access and easier storage.

- 5.5 **Access:** No objection

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:

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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
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO7	Car free housing
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD08 Sustainable Building Design

SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of adding an additional storey to each block, the impact on the appearance of each building and the wider street scene, impact on the amenities of adjacent occupiers, the standard of accommodation to be provided, and transport and sustainability matters.
- 8.2 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 provision target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (estimated to fall within the range 18,000 – 24,000 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 merits of the proposal are considered below.

8.3 Design and Appearance:

The Belvedere estate comprises five three-storey purpose built blocks of flats. Blocks A, B & C front Dyke Road, with blocks D & E to the rear fronting Chatsworth Road. Communal gardens sit in between, with access paths running through the site between each block.

8.4 There is no objection in principle to adding an additional storey to blocks A, B & C, subject to the resultant buildings sitting appropriately within the Dyke Road street scene and not harming the amenities of adjacent occupiers, including those within the existing development.

8.5 All three blocks are completed in brick with tile hung bay windows and UPVC windows. Blocks A & B are deeper than block C and include front balconies and rendered sections to the front and side elevations. The additional storeys to each block would be rendered and would all take broadly the same form, being inset 3m from the front elevation, between 1m and 2m from the side elevations, and set behind 1.2m high brick parapets. The rear elevations would be flush to the rear of each building and be completed in brick to match. Block C would have a projecting brick stairwell to the front owing to the existing internal configuration of the building.

8.6 In design terms the additional storeys would be suitably scaled and subordinate additions relative to each host building, with all fenestration broadly aligning with the main elevations to each building. Within the wider Dyke Road street scene the additional storeys would sit above the ridge line to both adjacent buildings but within the wider context would not be so dominate or out of scale as to warrant the withholding of permission. The east side of Dyke Road is varied in character with a mix of two storey pitched roof buildings, three storey flat roofed blocks of flats (including Belvedere), and three storey converted blocks of flats with additional accommodation at roof level. As such the consistency of building form and scale is varied. The additional storeys are set back 3m from the front of each block and largely disguised behind the 1.2m high brick parapets. The parapets would limit the visibility of the set back top floors within the street scene such that their additional height relative to the adjacent buildings would not be readily appreciable or harmful. In longer views the additional storeys would be set against taller buildings at 144-148 Dyke Road to the south, and opposite the substantial buildings that form BHASVIC. For these reasons the proposed additional storeys are considered to represent appropriately scaled and design additions that would not be harmful to the appearance of each block or the wider street scene, in accordance with policies QD1, QD2, & QD14 of the Brighton & Hove Local Plan.

8.7 To the rear, a covered cycle store is proposed along the rear boundary with 39 Chatsworth Road set 2.4m high on the boundary rising to 3m. The scale and position of this store would not harm the appearance of the site.

8.8 Standard of Accommodation:

The six units would comprise five two-bedroom flats and one, one-bedroom flat. The general size and layout of each flat is acceptable, with each room having

good access to natural light and ventilation. Each unit would have a private west facing balcony to comply with policy HO5, whilst a condition is attached to ensure the development meets lifetime homes standards in accordance with policy HO13.

- 8.9 Residents have identified that the building and upper floors are inaccessible for wheelchair users, and that the proposal fails to meet the space standards set out in the Housing Act. The Housing Act does not form adopted policy in local or national planning policy. The size of the units are considered acceptable when placed against development plan policy and would provide a good standard of accommodation for future occupiers. In this instance, given that the additional units are reliant on the existing building, it is considered appropriate to require that Lifetime Homes standards are met where reasonably possible.
- 8.10 **Impact on Amenity:**
Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.11 The main impact would be on the existing residents of the five Belvedere buildings and on the amenities of the flats within 160 Dyke Road adjacent to the north. The Mosque to the south would be largely unaffected as it extends further to the rear with no principal side facing windows.
- 8.12 The layout of the flats is such that there would be some degree of inter-overlooking between side facing bedroom and kitchen windows. This is though an existing common arrangement on all floors between blocks A, B & C therefore any harm would be no greater than established, with the separation between windows greater than on the lower floors given the set backs introduced from the sides. Likewise the greater massing of the additional parapet heights and additional storey would not reduce light to the existing side facing windows to a significant or harmful degree. Concern has been raised over overlooking between the proposed front terraces and the balconies below, however this is not considered to result in an unduly unusual or harmful arrangement for a residential block of flats such as this.
- 8.13 To the rear, block D & E are set at a separation of 20.6m from block A & B, and 27.2m from block C. This separation, which includes tall evergreen trees rear of block B, is sufficient to ensure that any overlooking potential is no greater than that which already exists between the blocks. Similarly the separation of 20m from block C to the rear of 39 Chatsworth Road is sufficient to ensure that any overlooking impact is not substantially greater than existing. The separations between blocks A, B & C and the buildings to the rear is sufficient to ensure that the additional storeys do not reduce light or outlook to an appreciable degree.
- 8.14 To the north, 160 Dyke Road has been subdivided into flats, with a maisonette within a rear outrigger. Block C is currently set close to the south side elevation of this building and imposes on light and outlook to all side windows, which include a main stairwell window, a habitable window in the side gable, and two habitable

windows within the outrigger. Given the close proximity, the additional parapet height of 1.1m would sit well above the majority of the side windows to 160 Dyke Road and as such would not have a significantly greater impact than that afforded by the existing arrangement. The additional storey would be inset 1.4m from the edge of the side parapet thereby ensuring the lower parapet bears the main impact. The gable window would be most impacted, however it would retain good light and would not be so impacted as to warrant the withholding of permission. The two windows in the outrigger would sit broadly level with the rear elevation to Block C, retaining angled aspect over the rear communal gardens.

- 8.15 Residents have identified that sound insulation between floors is poor and are concerned that an additional storey would create the same noise disturbance issues currently experienced. The Building Regulations require a standard of sound insulation between floors significantly in excess of the standard when the buildings were constructed in the 1950s. Such standards are considered appropriate in this instance to insure appropriate insulation of noise between the additional storey and residents below. Concern has also been raised at disturbance from construction works therefore it is considered reasonable in this instance to require a Construction and Environment Management Plan to be submitted to help mitigate any undue harm.
- 8.16 Subject to these conditions the proposed development would not result in a significant or harmful loss of amenity to existing residents, in accordance with policy QD27 of the Brighton & Hove Local Plan.
- 8.17 **Sustainable Transport:**
Policies TR1 and TR7 aim to ensure that proposals cater for the demand in traffic they create, and do not increase the danger to users of adjacent pavements, cycle routes and roads.
- 8.18 The site is within Controlled Parking Zone Q, in a sustainable location along public transport routes and within walking distance of the city centre and railway stations. The proposal will provide no onsite parking for the residential units however given that the development would form an extension to an existing residential development, it would be unreasonable to make the occupants ineligible for parking permits as would otherwise be required under policy HO7.
- 8.19 The Sustainable Transport officer has raised no objection to the proposal, identifying that an additional 6 units would likely result in 3 additional cars based on 2011 census data for the area.
- 8.20 The cycle store has been amended during the course of the application to provide horizontal racks rather than vertical racks. The plans detail provision for 18 bicycles however realistically only 9 bicycles will be accessible in the tandem arrangement proposed. This exceeds the requirement of 8 bicycle parking spaces as set out in SPGBH4 and is secured by condition.
- 8.21 In order to offset the travel demand the additional units would create, a contribution of £4,500 towards sustainable transport infrastructure along Dyke Road is sought. This is secured in the s106 heads of terms. Subject to the s106

contribution and the recommended conditions the proposal would accord with policies TR1, TR7, TR14 & TR19 of the Brighton & Hove Local Plan.

8.22 Sustainability:

Policy SU2 and SPD08 requires efficiency of development in the use of energy, water and materials and recommends that residential developments of this number should achieve Level 3 of the Code for Sustainable Homes (CSH). This is an appropriate mechanism given that the proposed dwellings would be stand alone additions atop the existing building.

8.23 The application is supported with a Sustainability Checklist which details that all 6 properties will meet level 3 of the Code for Sustainable Homes. This is secured by condition. No details of refuse and recycling facilities have been included with the application, with the design and access statement stating that existing open informal storage areas in the rear part of the site would be used. This is not considered an appropriate arrangement therefore details of more formalised refuse and recycling facilities are sought by condition.

8.23 Other matters:

Representations have been received stating that the scheme should provide affordable housing. The application is for six units, thereby falling below the thresholds set out in development plan policy whereby a proportion of affordable housing should be sought. Matters relating to means of fire escape are addressed separately under the Building Regulations.

8.24 The advice of the Head of Law has been sought on the assertion by an objector that the development would breach his human right of entitlement to the peaceful enjoyment of his possessions. The Head of Law has advised that successful reliance on this right in the European Court of Human Rights is very rare and particularly so when the breach complained of is in relation to a Member State's implementation of its town planning policy. It is not considered that the Courts would find that the development proposed by the application would be a breach of human rights.

9 CONCLUSION

9.1 The additional storeys to the three buildings would not substantially harm the character of the street or the amenities of adjacent residents, would provide a suitable standard of accommodation for future occupiers, and would meet the transport demand it would generate, in accordance with development plan policies.

10 EQUALITIES

10.1 The development is required to meet Lifetime Homes standards.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

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- A contribution of £4,500 towards sustainable transport infrastructure

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
Site and block plan	TA802/01	C	09/12/2014
Existing site survey	TA802/02	-	26/11/2014
Existing elevations	TA802/03	-	26/11/2014
	TA802/04	-	26/11/2014
Existing floor plans blocks A-C	TA802/05	-	26/11/2014
	TA802/06	-	26/11/2014
	TA802/07	-	26/11/2014
Existing elevations blocks A-C	TA802/08	-	26/11/2014
	TA802/18	-	26/11/2014
	TA802/19	-	26/11/2014
Existing elevations block A	TA802/09	-	26/11/2014
	TA802/20	-	26/11/2014
Existing elevations block B	TA802/10	-	26/11/2014
	TA802/21	-	26/11/2014
Existing elevations block C	TA802/11	-	26/11/2014
	TA802/22	-	26/11/2014
Existing floor plans block A	TA802/12	-	26/11/2014
	TA802/13	-	26/11/2014
Existing floor plans block B	TA802/14	-	26/11/2014
	TA802/15	-	26/11/2014
Existing floor plans block C	TA802/16	-	26/11/2014
	TA802/17	-	26/11/2014
Existing section block A	TA802/23	-	26/11/2014
Proposed floor plans blocks A-C	TA802/30	B	03/02/2015
	TA802/31	-	26/11/2014
	TA802/32	-	26/11/2014
	TA802/33	-	26/11/2014
Proposed elevations blocks A-C	TA802/34	B	03/02/2015
	TA802/41	B	03/02/2015
	TA802/42	B	03/02/2015
Proposed elevations block A	TA802/35	A	26/11/2014
	TA802/43	A	26/11/2014
Proposed elevations block B	TA802/36	A	26/11/2014
	TA802/44	A	26/11/2014
Proposed elevations block C	TA802/37	A	26/11/2014
	TA802/45	A	26/11/2014

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Proposed floor plans block A	TA802/38	-	26/11/2014
Proposed floor plans block B	TA802/39	-	26/11/2014
Proposed floor plans block C	TA802/40	-	26/11/2014
Proposed section block A	TA802/46	A	26/11/2014
Proposed bicycle store plans and elevations	TA802/47	A	03/02/2015

- 3) Other than amenity spaces to the front of the buildings as detailed on drawing nos TA802/33, TA802/38, TA802/39 and TA802/40 received on 26 November 2014, access to the flat roofs to the buildings shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a roof garden, terrace, patio or similar amenity area.
Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 4) 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.

11.3 Pre-Commencement Conditions:

- 5) 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
 - e) a plan showing construction traffic routes
- 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.
- 6) 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.

- 7) No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

11.4 Pre-Occupation Conditions:

- 8) 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.

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

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

- 10) 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.

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.

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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 additional storeys to the three buildings would not substantially harm the character of the street or the amenities of adjacent residents, would provide a suitable standard of accommodation for future occupiers, and would meet the transport demand it would generate, in accordance with development plan policies.

From: Amy Kennedy
Sent: 07 January 2015 11:22
To: Adrian Smith
Subject: BH2014/03968: Blocks A B & C Belvedere 152-158 Dyke Road

Dear Adrian

As ward councillor for Preston Park, I would be grateful if you could note my objection to Planning Application BH2014/03968: Blocks A B & C Belvedere 152-158 Dyke Road. I feel this scheme would result in inappropriate development if granted permission, for the following reasons:

1. The proposals represent over-development in terms of height, scale, bulk and design, contrary to Local Plan policies QD1 Design - quality of development, and QD2 Design - key principles for neighbourhoods;
2. The addition of an extra story to each existing block would result in significant noise disturbance, and loss of privacy and amenity, to neighbouring properties, contrary to Local Plan policy QD14 Extensions and Alterations;
3. The scheme would result in material nuisance and loss of amenity to existing residents, contrary to Local Plan policy QD27 Protection of amenity.

I would also respectfully request that this application be considered by the Planning Committee should the recommendation be to grant permission, and wish to reserve my right to speak at the meeting where this item is to be heard.

Many thanks & best wishes
Amy

Amy Kennedy

Green Councillor for Preston Park Ward
Brighton & Hove City Council

ITEM G

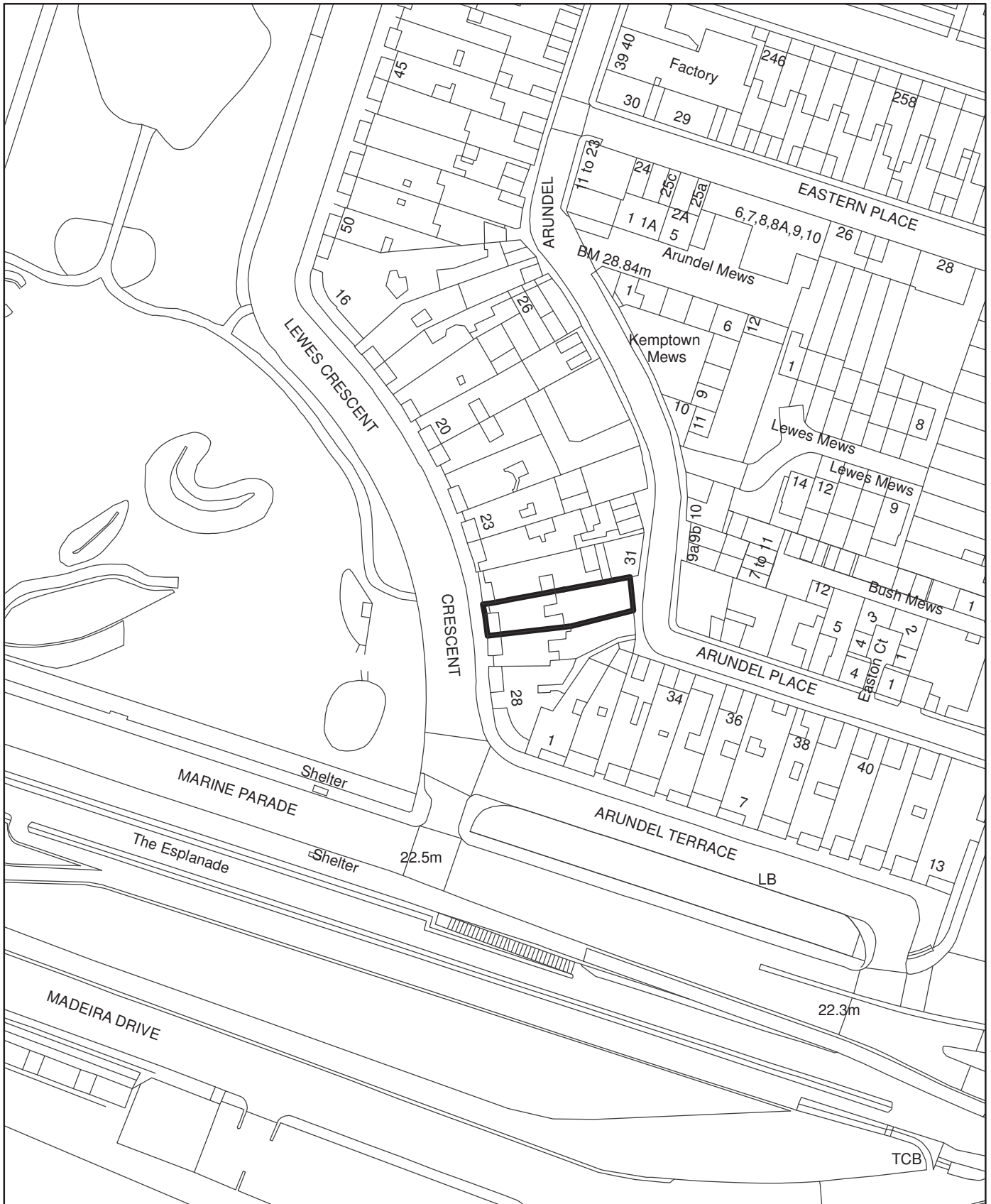
26 Lewes Crescent, Brighton

BH2014/02984

Householder planning consent

18 FEBRUARY 2015

BH2014/02984 26 Lewes Crescent, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/02984	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	26 Lewes Crescent Brighton		
<u>Proposal:</u>	Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place.		
<u>Officer:</u>	Andrew Huntley Tel 292321	<u>Valid Date:</u>	17 September 2014
<u>Con Area:</u>	Kemp Town Conservation Area	<u>Expiry Date:</u>	12 November 2014
<u>Listed Building Grade:</u>	Grade I		
<u>Agent:</u>	James Breckell Architects, The Adur Business Centre, Little High Street, Shoreham by Sea, West Sussex BN1 1YR		
<u>Applicant:</u>	Mr Doug Pearch, 26 Lewes Crescent, Brighton BN2 1GB		

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 This is a grade I listed building within the Kemp Town Conservation Area. It forms part of the architectural set piece of Sussex Square, Lewes Crescent, Chichester Terrace and Arundel Terrace. The building remains as a single dwelling house, whereas most of the properties in the Crescent have now been converted to flats. The layout of the building is thus relatively well preserved, as are many of its architectural features.
- 2.2 The main alteration to the layout is at third floor level, where some internal walls have been removed to create a large open space, and rooflights inserted into the inside planes of the butterfly roof. There have also been alterations to the basement, which has lost most of its historic integrity. The stair and stairwell survive, as do the proportions and some features of the principle rooms, including shutters, windows, cornices, ceiling rose and skirting boards.
- 2.3 The rear elevations of properties on Lewes Crescent are more irregular than the uniform front façade, as they were not designed to be 'seen' and as an indication of status in the same way. They are nevertheless visible in the streetscene from the rear mews roads, where they dominate the street in terms of scale. The relationship between these rear elevations (in representing the high status houses), the gardens and the mews properties/service buildings is important. The rear elevations have been altered and extended over time, but largely to designs that are traditional and in keeping with the area. No. 26 Lewes Crescent is significant in being one of only few properties that has not been significantly extended: There is only one single storey extension. This remains subservient in scale and materials to the host building.

3 RELEVANT HISTORY

BH2014/03878 - Application for Approval of Details Reserved by Conditions 2, 3, 4 and 5 of application BH2014/00593. Undetermined.

BH2014/03319 - Replacement of existing timber sliding sash single glazed windows and ceiling lights to second floor level (Part retrospective). Undetermined.

BH2014/03243 - Application for Approval of Details of Reserved by Condition 10 of application BH2014/00594. Undetermined.

BH2014/03226 - Application for Approval of Details Reserved by Conditions 4 and 9 of application BH2014/00594. Undetermined.

BH2014/03195 - Application for Approval of Details Reserved by Condition 11 of application BH2014/00594. Undetermined.

BH2014/02984 - Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place. Undetermined.

BH2014/02555 - Application for Approval of Details Reserved by Condition 9 of application BH2014/00594. Refused 22/09/2014.

BH2014/02229 - Application for approval of details reserved by condition 4 of application BH2014/00594. Refused 29/08/2014.

BH2014/02125 - Application for Approval of Details Reserved by Condition 8 of application BH2014/00594. Approved 26/08/2014.

BH2014/02124 - Application for Approval of Details Reserved by Condition 7 of application BH2014/00594. Approved 26/08/2014.

BH2014/02123 - Application for approval of details reserved by condition 6 of application BH2014/00594. Approved 22/08/2014.

BH2014/02122 - Application for Approval of Details Reserved by Condition 5 of application BH2014/00594. Approved 01/09/2014.

BH2014/00594 - Demolition of existing rear basement extension and erection of rear conservatory extension to basement and ground floor. Internal and external repair and restoration works, roof repairs including replacement of rooflights and alterations to internal layout. Approved 21.05.2014.

BH2014/00593 - Demolition of existing rear basement extension and erection of rear conservatory extension to basement and ground floor. Repair and restoration works and roof repairs including replacement of rooflights. Approved 20/05/2014.

4 THE APPLICATION

- 4.1 Planning permission is sought for the formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: One (1)** letters of representation have been received from **73 Edburton Avenue** objecting to the application for the following reasons:

- The portion of the wall being removed was meant to be temporary.

- Preference would be for a door at the southern end of the wall.
- Not been able to view any drawings.
- Concerns over safety as deliveries drive very close and would not see persons exiting the doorway. Can not accept responsibility for any vehicles being driven on the pavement past the workshop.

5.2 **CAG:** The Group recommend REFUSAL of the application due to the interference with a Grade I Listed Wall. Neil England undertook to prepare a written specification advising how the wall should be replaced and how the doorway (if permitted) should be constructed. The Group suggest that if the Officer recommends approval, the application should be heard by Committee, and the detailing of the gardeners shed, railings and steps must be agreed beforehand as they do not appear to be part of the application. Appendix attached at rear of report.

Internal

5.3 **Heritage:**

28.11.2014 Final comments (following receipt of amended plans)

The amended plans can be accepted, with the following conditions:

- Railings to rear to exactly match the design of those to the front lightwell.
- Render to be finished to exactly match the detailing of the remainder of the wall.
- Tiles to front steps to be laid in the traditional manner, with the tiles immediately abutting one another.

5.4 26.11.2014 Revised comments (following receipt of amended plans)

It appears that it is not possible to reinstate the Portland Stone to the front steps. In this case therefore, black and white checkerboard tiles with marble nosings are an acceptable traditional finish in principle. They are an improvement on the existing (subject to details). The black and white tiles should be placed in the traditional manner (abutting), the marble nosings would need to have an adequate overhang and large scale details would be required to ensure the detailing is appropriate.

5.5 The application for the opening and steps to the rear garden wall follows a previous application for a two storey building (incorporating garage) in this location. The previous proposal was considered unacceptable and the application was withdrawn. The creation of a single-width opening in the wall in this location is considered acceptable in principle in heritage terms, subject to appropriate detailing. The creation of steps and under-stair store of this size is also considered acceptable in principle, subject to appropriate detailing.

5.6 The proposed detailing has been amended in light of previous Heritage comments. The width of the opening to the wall and to the under-stair store have been amended to match the width of historic examples along Arundel Place such as number 10 Arundel Terrace. However, the proportions of the opening remain untraditional; the door is too tall in relation to its width. This

should be amended so that the openings match historic examples along Arundel Place such as number 10. A photograph of number 10 is attached.

- 5.7 The door should be a ledged and braced door (as proposed), with detailing and door furniture to match historic examples such as number 10 Arundel Terrace – i.e. brass door knob, v-shaped joints and painted finish. This should be indicated in the drawings, or could be conditioned.
- 5.8 The specification provided for the render to the wall is inadequate; it should identify exactly what mix is proposed for the wall at 26 Lewes Crescent, and what type of lime is to be used etc. It should be in line with English Heritage and/or council guidance on external renders. A copy of the council's guidance is attached.
- 5.9 The proposed steps are shown as York Stone, and have a simple black-painted railing. This is appropriate. The steps should, however, have an open string – i.e. no dwarf wall with the railings seated directly into the steps.
- 5.10 11.11.2014 Original comments
It is unclear from the Application Description whether replacement of tiles to the front steps is included in the proposal. It is shown on the plans and mentioned on the application form (but not within the description on the application form)
- 5.11 At a previous site meeting, it was understood that investigations were going to take place to establish whether it would be possible to reinstate the original Portland Stone steps. This would be the most appropriate solution for the front steps. Information should be submitted to show why this is not being proposed.
- 5.12 Provided suitable justification for the above is provided, black and white checkerboard tiles with marble nosings would be a traditional finish. This would be an improvement on the existing (subject to details) and therefore would be considered an acceptable alternative. The black and white tiles would need to be placed in the traditional manner (abutting), the marble nosings would need to have an adequate overhang and large scale details would be required to ensure the detailing is appropriate.
- 5.13 The application for the opening and steps to the rear garden wall follow a previous application for a two storey building (incorporating garage) in this location. The previous proposal was considered unacceptable and the application was withdrawn. The creation of a single-width opening in the wall in this location is considered acceptable in principle in heritage terms, subject to appropriate detailing. The creation of steps and under-stair store of this size is also considered acceptable in principle, subject to appropriate detailing.
- 5.14 The proposed detailing (and that now largely carried out on site) required amendment. The opening to the wall and to the under-stair store should match historic examples along Arundel Place such as number 10 Arundel Terrace. As such, the width of the opening should be c.1 metre wide (the proposed is less wide), and with a segmental arched brick lintel. The door should be a ledged

and braced door, with detailing and door furniture to match historic examples such as number 10 Arundel Terrace.

- 5.15 The render to the wall should be lime-based, and a specification provided for this. The exterior of the wall as a minimum should be painted white, to match the Article 4 Direction paint colour for Lewes Crescent.
- 5.16 The steps in the application are proposed to be York Stone, although those constructed on site have slate treads. Slate is inappropriate. York Stone or a rendered finish would be appropriate, to match the detailing of surviving basement stairs.
- 5.17 The proposal is for a solid rendered wall to the stair. This is not traditional for this area. This should be amended to a simple railing, with D-shaped handrail to match the detailing of surviving historic basement stairs. The railings should be painted black.

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:

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
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HE1	Listed Buildings
HE4	Reinstatement of original features on Listed Buildings
HE6	Development within or affecting the setting of conservation areas.

Supplementary Planning Guidance:

SPGBH2	External Paint Finishes & Colours
SPGBH11	Listed Building Interiors
SPGBH13	Listed Building – General Advice

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD09	Architectural Features
SPD12	Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to whether the alterations will have a detrimental impact on the character, architectural setting and significance of the Grade I Listed Building, the wider Kemp Town Conservation Area and the impact on neighbouring amenity.
- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - uses materials sympathetic to the parent building.

- 8.3 In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.
- 8.4 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.5 Policy HE1 states that proposals involving the alterations, extension, or change of use of a listed building will only be permitted where:
- a) the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and
 - b) the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.

Design and Character

- 8.6 The application has been amended in response to comments from the Council's Heritage Team. The amendments to the original submission include:
- Door to rear elevation has been amended to show the proportions of the historic 'example' door. Its overall height has been lowered by 200mm and a note is added for 'V' shaped joints, painted finish and a brass door knob.
 - The steps have been amended to have an open string, no dwarf wall and the balustrade fixed directly into the tread.
 - A render specification, to reflect Local Authority Guidance, has been submitted.
 - With regard to the steps at the front – an elevation of the marble nosing (at 1:50 scale) and a section showing the marble nosing overhang (at 1:10 scale is added) have been submitted.
- 8.7 The creation of a single-width opening in the wall in this location is considered acceptable in principle in heritage terms, as is the creation of the steps and store, subject to appropriate detailing.
- 8.8 The proposed detailing has been amended in light of comments from the Council's Heritage team. The width of the opening to the wall and under-stair store have been amended to match the width of historic examples, such as 10 Arundel Terrace, and the height has also been reduced by 200mm. The door shown is a ledged and braced door with detailing and door furniture to match historic examples, i.e. brass door knob, v-shaped joints and painted finish. This amended design is also more in keeping with the details referred to in the CAG comments.

- 8.9 The amended steps are now shown as York Stone, and have a simple black-painted railing seated directly into the steps, which is in keeping with the character and appearance of the listed building. The specification provided for the proposed render to the wall is in accordance with the Council's guidance on external renders and is therefore considered appropriate.

Amenity

- 8.10 The nature and siting of the proposal would not have a detrimental impact on neighbouring amenity and would not result in detrimental levels of overlooking, loss of privacy or sunlight/daylight. Therefore, the proposal is in accordance with Policies QD14 and QD27 of the Brighton and Hove Local Plan.

9 CONCLUSION

- 9.1 The proposed works would not have an adverse affect on the historic and architectural character and historic fabric of the Grade I listed building or the wider Kemp Town Conservation Area. Nor would the proposals have a detrimental impact on the amenity of neighbours. Therefore, the proposals are in accordance with Local Plan Policies QD14, QD27, HE1 and HE6 of the Brighton and Hove Local Plan.

10 EQUALITIES

- 10.1 None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

- 1) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Location Plan	30	A	05.09.2014
Proposed Block Plan	31	B	05.09.2014
Existing Basement Plan	32		05.09.2014
Proposed Basement Plan	33		05.09.2014
Existing Ground Floor Plan	34		05.09.2014
Proposed Ground Floor Plan	35	B	28.11.2014
Proposed Elevations and Section	36	B	28.11.2014
Existing Elevations & Section	37	A	17.09.2014

Informatives:

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

PLANNING COMMITTEE LIST- 18 FEBRUARY 2015

2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:- The proposed works would not have an adverse affect on the historic and architectural character and historic fabric of the Grade I listed building or the wider Kemp Town Conservation Area. Nor would the proposal have a detrimental impact on the amenity of neighbours.

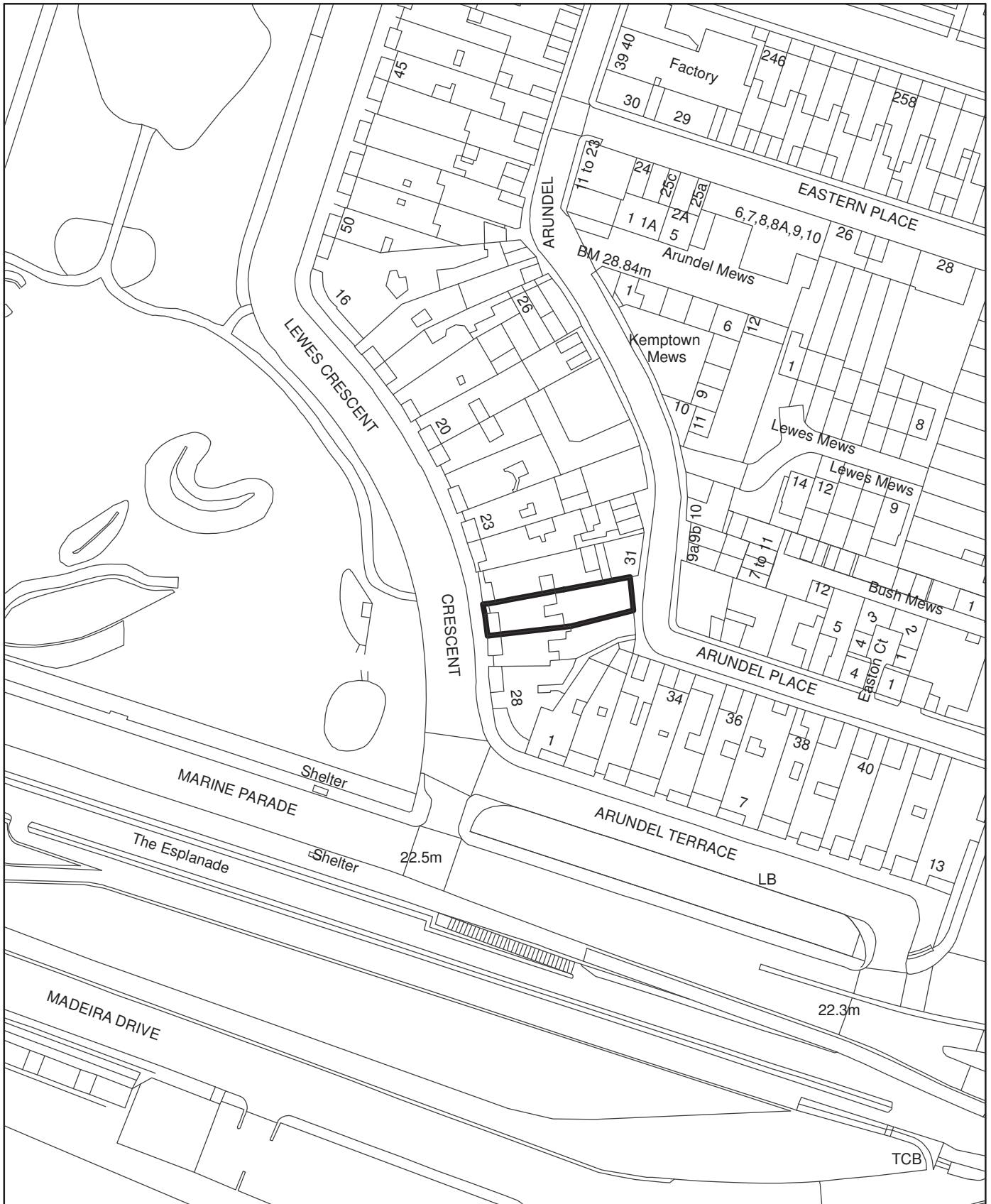
ITEM H

26 Lewes Crescent, Brighton

**BH2014/02985
Listed Building consent**

18 FEBRUARY 2015

BH2014/02985 26 Lewes Crescent, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/02985	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	26 Lewes Crescent Brighton		
<u>Proposal:</u>	Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place and replacement tiles to the front steps. (Part Retrospective)		
<u>Officer:</u>	Andrew Huntley	<u>Valid Date:</u>	17 September 2014
<u>Con Area:</u>	Kemp Town Conservation Area	<u>Expiry Date:</u>	12 November 2014
<u>Listed Building Grade:</u>	Grade I		
<u>Agent:</u>	James Breckell Architects, The Adur Business Centre, Little High Street, Shoreham by Sea, West Sussex BN1 1YR		
<u>Applicant:</u>	Mr Doug Pearch, 26 Lewes Crescent, Brighton BN2 1GB		

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** Listed Building Consent subject to the Conditions and Informatives set out in section 11

2 SITE LOCATION & DESCRIPTION

- 2.1 This is a grade I listed building within the Kemp Town Conservation Area. It forms part of the architectural set piece of Sussex Square, Lewes Crescent, Chichester Terrace and Arundel Terrace. The building remains as a single dwelling house, whereas most of the properties in the Crescent have now been converted to flats. The layout of the building is thus relatively well preserved, as are many of its architectural features.
- 2.2 The main alteration to the layout is at third floor level, where some internal walls have been removed to create a large open space, and rooflights inserted into the inside planes of the butterfly roof. There have also been alterations to the basement, which has lost most of its historic integrity. The stair and stairwell survive, as do the proportions and some features of the principle rooms, including shutters, windows, cornices, ceiling rose and skirting boards.
- 2.3 The rear elevations of properties on Lewes Crescent are more irregular than the uniform front façade, as they were not designed to be 'seen' and as an indication of status in the same way. They are nevertheless visible in the streetscene from the rear mews roads, where they dominate the street in terms of scale. The relationship between these rear elevations (in representing the high status houses), the gardens and the mews properties/service buildings is important. The rear elevations have been altered and extended over time, but largely to designs that are traditional and in keeping with the area. No. 26 Lewes Crescent is significant in being one of only few properties that has not

been significantly extended: There is only one single storey extension. This remains subservient in scale and materials to the host building.

3 RELEVANT HISTORY

BH2014/03878 (FP) - Application for Approval of Details Reserved by Conditions 2, 3, 4 and 5 of application BH2014/00593. Undetermined.

BH2014/03319 - Replacement of existing timber sliding sash single glazed windows and ceiling lights to second floor level (Part retrospective). Undetermined.

BH2014/03243 - Application for Approval of Details of Reserved by Condition 10 of application BH2014/00594. Undetermined.

BH2014/03226 - Application for Approval of Details Reserved by Conditions 4 and 9 of application BH2014/00594. Undetermined.

BH2014/03195 - Application for Approval of Details Reserved by Condition 11 of application BH2014/00594. Undetermined.

BH2014/02984 - Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place. Undetermined.

BH2014/02555 - Application for Approval of Details Reserved by Condition 9 of application BH2014/00594. Refused 22/09/2014.

BH2014/02229 - Application for approval of details reserved by condition 4 of application BH2014/00594. Refused 29/08/2014.

BH2014/02125 - Application for Approval of Details Reserved by Condition 8 of application BH2014/00594. Approved 26/08/2014.

BH2014/02124 - Application for Approval of Details Reserved by Condition 7 of application BH2014/00594. Approved 26/08/2014.

BH2014/02123 - Application for approval of details reserved by condition 6 of application BH2014/00594. Approved 22/08/2014.

BH2014/02122 - Application for Approval of Details Reserved by Condition 5 of application BH2014/00594. Approved 01/09/2014.

BH2014/00594 (LB) - Demolition of existing rear basement extension and erection of rear conservatory extension to basement and ground floor. Internal and external repair and restoration works, roof repairs including replacement of rooflights and alterations to internal layout. Approved 21.05.2014.

BH2014/00593 (FP) - Demolition of existing rear basement extension and erection of rear conservatory extension to basement and ground floor. Repair and restoration works and roof repairs including replacement of rooflights. Approved 20/05/2014.

4 THE APPLICATION

- 4.1 Listed Building Consent is sought for the formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place and replacement tiles to the front steps (Part Retrospective).

5 PUBLICITY AND CONSULTATIONS

External

- 5.1 **Neighbours: One (1)** letter of representation has been received from **8 Arundel Terrace** objecting the application for the following reasons:

- The design of the door opening is inappropriate.
- The only original garden door is that of 23 Lewes Crescent which has a flat brick arch opening and a framed, ledged and braced door and should be the model for any new door.

5.2 **CAG:** The Group recommend REFUSAL of the application due to the interference with a Grade I Listed Wall. Neil England undertook to prepare a written specification advising how the wall should be replaced and how the doorway (if permitted) should be constructed. The Group suggest that if the Officer recommends approval, the application should be heard by Committee, and the detailing of the gardeners shed, railings and steps must be agreed beforehand as they do not appear to be part of the application. Appendix attached at rear of report.

5.3 **English Heritage:** No comments.

Internal

5.4 **Heritage:** No objection.

28.11.2014 Final comments (following receipt of amended plans)

The amended plans can be accepted, subject to conditions:-

- Railings to rear to exactly match the design of those to the front lightwell.
- Render to be finished to exactly match the detailing of the remainder of the wall.
- Tiles to front steps to be laid in the traditional manner, with the tiles immediately abutting one another.

5.5 26.11.2014 Revised comments (following receipt of amended plans)

It appears that it is not possible to reinstate the Portland Stone to the front steps. In this case therefore, black and white checkerboard tiles with marble nosings are an acceptable traditional finish in principle. They are an improvement on the existing (subject to details). The black and white tiles should be placed in the traditional manner (abutting), the marble nosings would need to have an adequate overhang and large scale details would be required to ensure the detailing is appropriate.

5.6 The application for the opening and steps to the rear garden wall follows a previous application for a two storey building (incorporating garage) in this location. The previous proposal was considered unacceptable and the application was withdrawn. The creation of a single-width opening in the wall in this location is considered acceptable in principle in heritage terms, subject to appropriate detailing. The creation of steps and under-stair store of this size is also considered acceptable in principle, subject to appropriate detailing.

5.7 The proposed detailing has been amended in light of previous Heritage comments. The width of the opening to the wall and to the under-stair store have been amended to match the width of historic examples along Arundel Place such as number 10 Arundel Terrace. However, the proportions of the

opening remain untraditional; the door is too tall in relation to its width. This should be amended so that the openings match historic examples along Arundel Place such as number 10. A photograph of number 10 is attached.

- 5.8 The door should be a ledged and braced door (as proposed), with detailing and door furniture to match historic examples such as number 10 Arundel Terrace – i.e. brass door knob, v-shaped joints and painted finish. This should be indicated in the drawings, or could be conditioned.
- 5.9 The specification provided for the render to the wall is inadequate; it should identify exactly what mix is proposed for the wall at 26 Lewes Crescent, and what type of lime is to be used etc. It should be in line with English Heritage and/or council guidance on external renders. A copy of the council's guidance is attached.
- 5.10 The proposed steps are shown as York Stone, and have a simple black-painted railing. This is appropriate. The steps should, however, have an open string – i.e. no dwarf wall with the railings seated directly into the steps.

11.11.2014 Original comments

- 5.11 It is unclear from the Application Description whether replacement of tiles to the front steps is included in the proposal. It is shown on the plans and mentioned on the application form (but not within the description on the application form)
- 5.12 At a previous site meeting, it was understood that investigations were going to take place to establish whether it would be possible to reinstate the original Portland Stone steps. This would be the most appropriate solution for the front steps. Information should be submitted to show why this is not being proposed.
- 5.13 Provided suitable justification for the above is provided, black and white checkerboard tiles with marble nosings would be a traditional finish. This would be an improvement on the existing (subject to details) and therefore would be considered an acceptable alternative. The black and white tiles would need to be placed in the traditional manner (abutting), the marble nosings would need to have an adequate overhang and large scale details would be required to ensure the detailing is appropriate.
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- 5.15 The proposed detailing (and that now largely carried out on site) required amendment. The opening to the wall and to the under-stair store should match historic examples along Arundel Place such as number 10 Arundel Terrace. As such, the width of the opening should be c.1 metre wide (the proposed is less wide), and with a segmental arched brick lintel. The door should be a ledged

and braced door, with detailing and door furniture to match historic examples such as number 10 Arundel Terrace.

- 5.16 The render to the wall should be lime-based, and a specification provided for this. The exterior of the wall as a minimum should be painted white, to match the Article 4 Direction paint colour for Lewes Crescent.
- 5.17 The steps in the application are proposed to be York Stone, although those constructed on site have slate treads. Slate is inappropriate. York Stone or a rendered finish would be appropriate, to match the detailing of surviving basement stairs.
- 5.18 The proposal is for a solid rendered wall to the stair. This is not traditional for this area. This should be amended to a simple railing, with D-shaped handrail to match the detailing of surviving historic basement stairs. The railings should be painted black.

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

HE1 Listed Buildings

HE4 Reinstatement of original features on Listed Buildings

Supplementary Planning Guidance:

SPGBH11 Listed Building Interiors

SPGBH13 Listed Building – General Advice

Supplementary Planning Documents:

SPD09 Architectural Features

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to whether the alterations will have a detrimental impact on the character, architectural setting and significance of the Grade I Listed Building.
- 8.2 Policy HE1 states that proposals involving the alterations, extension, or change of use of a listed building will only be permitted where:
- a) the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and
 - b) the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.
- 8.3 The application has been amended in response to comments from the Council's Heritage Team. The amendments to the original submission include:
- Door to rear elevation has been amended to show the proportions of the historic 'example' door. Its overall height has been lowered by 200mm and a note is added for 'V' shaped joints, painted finish and a brass door knob.
 - The steps have been amended to have an open string, no dwarf wall and the balustrade fixed directly into the tread.
 - A render specification, to reflect Local Authority Guidance, has been submitted.
 - With regard to the steps at the front – an elevation of the marble nosing (at 1:50 scale) and a section showing the marble nosing overhang (at 1:10 scale) has been submitted.
- 8.4 The black and white checkerboard tiles with marble nosings are an acceptable traditional finish in principle and are a visual improvement on the existing tiles.

The amended plan shows large scale details of the overhang and is considered appropriate for the listed building. A suitably worded condition could be attached to ensure that the tile detailing matched that of No. 27 Lewes Crescent. Whilst it is accepted that the most traditional and optimum finish would be to use York stone, this is not a reason to refuse this application as what is being proposed is also traditional and would represent an improvement to the character and appearance of the listed building. Therefore, the proposals for the front steps are considered to be in accordance with policy HE1 of the Brighton and Hove Local Plan.

- 8.5 The creation of a single-width opening in the wall in this location is considered acceptable in principle in heritage terms, as is the creation of the steps and store, subject to appropriate detailing.
- 8.6 The proposed detailing has been amended in light of comments from the Council's Heritage team. The width of the opening to the wall and under-stair store have been amended to match the width of historic examples, such as 10 Arundel Terrace, and the height has also been reduced by 200mm. The door shown is a ledged and braced door with detailing and door furniture to match historic examples, i.e. brass door knob, v-shaped joints and painted finish. This amended design is also more in keeping with the details referred to in the CAG comments.
- 8.7 The amended steps are now shown as York Stone, and have a simple black-painted railing seated directly into the steps, in keeping with the character and appearance of the listed building. The specification provided for the proposed render to the wall is in accordance with the Council's guidance on external renders and is therefore considered appropriate.

9 CONCLUSION

- 9.1 The proposed works would not have an adverse affect on the historic and architectural character and historic fabric of the Grade I listed building. Therefore, the proposals are in accordance with Local Plan Policy HE1 of the Brighton and Hove Local Plan.

10 EQUALITIES

- 10.1 None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

- 1) The works hereby permitted shall be completed in accordance with the approved drawings within 3 months from the date of this consent.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.
- 2) The railings to rear shall exactly match the design and colour of those to the front lightwell.

PLANNING COMMITTEE LIST- 18 FEBRUARY 2015

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

- 3) The proposed render shall be finished to exactly match the detailing of the remainder of the boundary wall.

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

- 4) The proposed tiles to front steps to be laid to exactly match the detailing of the tiles to the front steps of 27 Lewes Crescent.

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

11.2 Informatives:

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

Plan Type	Reference	Version	Date Received
Location Plan	30	A	05.09.2014
Proposed Block Plan	31	B	05.09.2014
Existing Basement Plan	32		05.09.2014
Proposed Basement Plan	33		05.09.2014
Existing Ground Floor Plan	34		05.09.2014
Proposed Ground Floor Plan	35	B	28.11.2014
Proposed Elevations and Section	36	B	28.11.2014
Existing Elevations & Section	37	A	17.09.2014

2. This decision to grant Listed Building Consent has been taken:

- (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents: (Please see section 7 of the report for the full list); and
- (ii) for the following reasons:-
The proposed works would not have a detrimental impact on the historic and architectural character, appearance and the historic fabric of the Grade I listed building.

ITEM I

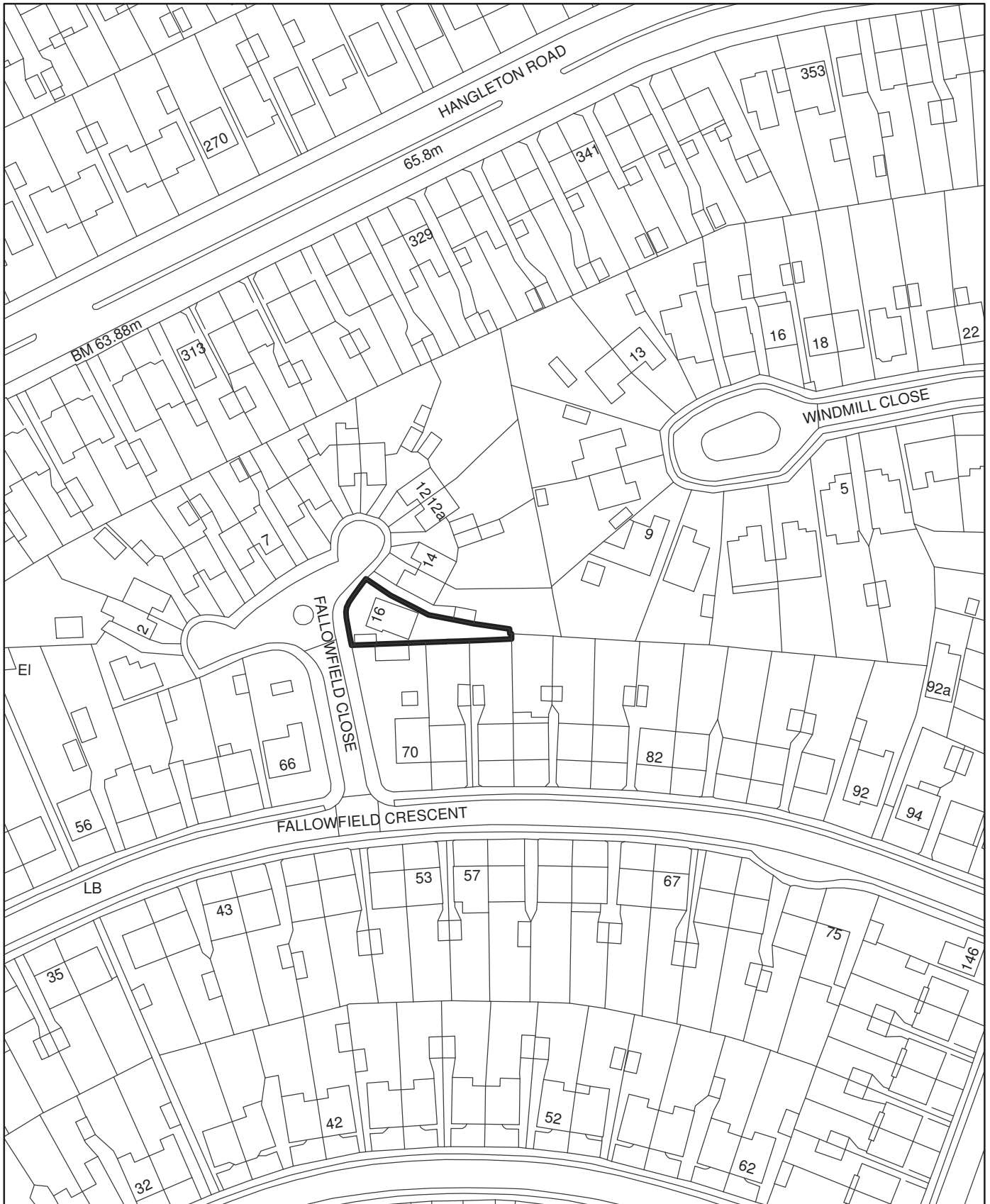
16 Fallowfield Close, Hove

BH2014/03369

Householder planning consent

18 FEBRUARY 2015

BH2014/03369 16 Fallowfield Close, Hove.



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2014/03369	<u>Ward:</u>	HANGLETON & KNOLL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	16 Fallowfield Close Hove		
<u>Proposal:</u>	Remodelling of existing chalet bungalow incorporating erection of single storey rear extension, erection of extension to front at first floor level, extensions and alterations to roof including raising of ridge height and installation of rooflights to facilitate creation of a two storey dwelling house with associated works.		
<u>Officer:</u>	Allison Palmer Tel 290493	<u>Valid Date:</u>	03 October 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	28 November 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Mel Humphrey, 39 Northease Drive, Hove BN3 8PQ		
<u>Applicant:</u>	Charlotte Standing, 16 Fallowfield Close, Hove BN3 7NP		

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 an existing chalet bungalow on the eastern side of Fallowfield Close, a cul-de-sac off Fallowfield Crescent comprising of 14 semi-detached two-storey houses with a bungalow (no. 16 being one of them) at each end. Adjoining properties on Fallowfield Crescent are predominantly semi-detached bungalows the majority of which have been extended in the form of rear extensions and / or loft conversions.

3 RELEVANT HISTORY

- 3.1 None.

4 THE APPLICATION

- 4.1 Planning permission is sought for the remodelling of the existing chalet bungalow, incorporating the erection of a single storey rear extension, erection of extension to front at first floor level, extensions and alterations to roof including raising of ridge height and installation of rooflights to facilitate the creation of a two storey dwelling house with associated works.

5 PUBLICITY & CONSULTATIONS

- External:**
5.1 **Neighbours:**

Nine (9) representations have been received from **6, 7, 8, 9** and **15 Fallowfield Close** and **70, 72, 74 and 76 Fallowfield Crescent** objecting to the application for the following reasons:-

- The proposal would change the original plan of Fallowfield Close;
- A house would spoil the appearance of the close and is an overdevelopment;
- Overlooking of adjoining properties;
- Loss of light and overshadowing;
- Loss of outlook;
- More cars and building works will increase traffic;
- Impact of building works.

5.2 **One (1)** representation has been received from **70 Fallowfield Crescent** supporting the application which would not only enhance the appearance of a tired bungalow but also the Close. The removal of a first floor dormer window would reduce overlooking which currently exists.

6 MATERIAL CONSIDERATIONS

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

6.2 The development plan is:

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

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

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

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

- QD14 Extensions and alterations
QD27 Protection of Amenity

Supplementary Planning Documents:

- SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the proposal on the character and appearance of the area, and the impact on amenity for occupants of adjoining properties.

Design:

- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - d) uses materials sympathetic to the parent building.
- 8.3 Planning permission is sought for the conversion of the existing bungalow into a two-storey dwellinghouse with hipped roof and single-storey rear section. Fallowfield Close is primarily characterised by two-storey semi-detached properties sited around the close. The application site and bungalow at no. 1 mark the entrance to the close and are parallel with the rear gardens of properties on Fallowfield Crescent. The bungalows, although not reflecting the dominant form and scale of properties in Fallowfield Close reflect the scale of properties on Fallowfield Crescent and allow a transition between the two streets.
- 8.4 The proposed building would incorporate projecting front bays and hipped roof forms which would help articulate the elevation and reflect characteristics of adjoining development. This approach is considered acceptable. The additional height would reflect the existing footprint / siting of the bungalow, and as such would be sited forward of the adjoining semi-detached pair. While this would increase the prominence of the building in short views from the north the relationship would not be uncommon. The existing properties on Fallowfield Close have a variable siting and orientation due to their siting around the cul-de-

sac. In this context the proposed height, coupled with the forward siting, would not appear out of keeping or harmful to the prevailing character or appearance of the area.

- 8.5 In views from Fallowfield Crescent, at the entrance into Fallowfield Close, the additional height and bulk would be viewed against the backdrop of adjoining development and would not appear incongruous or excessive in scale. The proposed materials, of brick to ground floor and render to first floor with a tiled roof, is reflective of surrounding development and would help integrate the resulting building in the street scene.
- 8.6 The single-storey rear extension would appear clearly subservient to the main building and would not be readily visible from the public realm. The rooflights to the northern elevation would be modestly sized and would be well contained within the roofslope.
- 8.7 It is acknowledged that the conversion of the bungalow to a two-storey dwellinghouse would be contrary to the original plan for Fallowfield Crescent, as indeed would any extensions to the related properties. However, the symmetry created by the bungalows to the east and west of the Close is not readily appreciated in views from the public realm and is most noticeable on plan form. The site is not within a Conservation Area and does not contain any heritage assets. On this basis, and taking into account the design considerations outlined above, there is no objection to the formation of a two-storey dwellinghouse on the site.

Amenity:

- 8.8 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.
- 8.9 There is no evidence to suggest that the development would create increased demand for on-street parking. The site is within an area with no parking restrictions and there do not appear to be any localised parking pressures which would be exacerbated by the proposal.
- 8.10 The nature and scale of the development would not be expected to generate materially harmful levels of noise or disturbance during construction works.

Fallowfield Crescent

- 8.11 The application site is sited to the north of immediately adjoining properties on Fallowfield Close, with the building a minimum of approximately 18 metres from the rear elevations of these adjoining properties. This siting and separation distance is considered sufficient to ensure the proposal would not cause a harmful loss of light or outlook for occupants of these properties.
- 8.12 The main height and bulk of the proposal would be in close proximity to the shared boundary with no. 70 Fallowfield Crescent. The rear garden of no. 70 features a detached garage structure which would provide a buffer to the

proposed two-storey dwellinghouse. This arrangement is considered sufficient to ensure the proposal would not appear overbearing from adjoining gardens on Fallowfield Crescent.

- 8.13 The development would include side facing windows at ground floor level which would front the boundary treatment, thus ensuring no harmful overlooking. The first floor window relates to a bathroom and would be obscurely glazed. This could be secured through condition and would prevent any harmful overlooking of adjoining properties. The rear windows at first floor level would provide only oblique views of adjoining properties, with the resulting views expected in a residential location such as this.

Fallowfield Close

- 8.14 The immediate neighbour to the north-east, no. 15, is a two storey semi detached property separated a driveway between 3.2 and 5 metres in width. As a result of changes in ground level no. 15 is on higher ground than the application site.
- 8.15 The siting of the proposed extensions would not impact upon front or rear window openings of no. 15 and these are the key aspects for the property. While the side elevation of no. 15 incorporates ground and first floor side facing windows, which would be impacted upon by the proposal, these seemingly relate to non-habitable rooms or are secondary windows. On this basis the proposed extensions would not lead to such significant harm to living conditions for occupants of no. 15 as to warrant refusal of the application. The siting of the extensions would not impinge the rear garden area of no. 15.
- 8.16 The first floor rooflights, by reason of their angle within the roofslope, would not create potential for harmful downward overlooking to the adjoining property; with any views primarily over the blank side roofslope of no. 15. There are no windows proposed at ground or first floor levels.
- 8.17 While the proposed extensions would be visible from other properties within the Close, particularly those opposite, the considerable separation distances would prevent any significant harm to amenity.

9 CONCLUSION

- 9.1 The development would not detract from the character or appearance of the site or wider surrounding area and would not result in significant harm to neighbouring amenity.

10 EQUALITIES

- 10.1 None identified.

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.

PLANNING COMMITTEE LIST- 18 FEBRUARY 2015

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			03/10/2014
Block plan			03/10/2014
Planning statement			08/10/2014
Proposed elevations			03/10/2014
Proposed floor plans			03/10/2014
Existing floor plans			03/10/2014
Existing elevations			03/10/2014

- 3) 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 policy QD14 of the Brighton & Hove Local Plan.

- 4) The windows in the swouth elevation of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

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

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

11.2 Informatives:

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

PLANNING COMMITTEE LIST- 18 FEBRUARY 2015

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 development would not detract from the character or appearance of the site or wider surrounding area and would not result in significant harm to neighbouring amenity.

PLANNING COMMITTEE	Agenda Item 141 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
17 th February 2014	106 Lewes Road, Brighton	St Peter's and North Laine	Eight storey block of student accommodation.
18 th November 2014	15 North Street & Pugets Cottage, Brighton	Regency	Demolition of 15 North Street to be replaced with a new feature entrance building.
7 th October 2014	Brighton College, Eastern Road, Brighton	Queens Park	Demolition of existing swimming pool and old music school buildings and erection of a 5no storey new academic building with connections to the Great Hall and Skidelsky building, including removal of existing elm tree and other associated works.
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 2014	Hove Park Depot, The Droeway, 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 2014	City College, Wilson Avenue, Brighton	East Brighton	Additional accommodation
29 th October 2013	Hippodrome, Middle Street, Brighton	Regency	Refurbishment and Extension
17 th Sept 2013	One Digital, Hollingdean Road, Brighton	Hollingdean and Stanmer	Student accommodation development
27 th Aug 2013	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 28th February 2015**BRIGHTON AND 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****BH2014/03511****7 Denton Drive Brighton**

Demolition of existing outbuildings and erection of single storey rear extension and new entrance porch.

Applicant: Mr Iain Palmer

Officer: Mark Thomas 292336

Refused on 19/01/15 DELEGATED

1) UNI

The proposed extension due to its unduly excessive footprint, scale, depth and width, together with a form which would relate poorly to the property to be extended, would result in significant harm to the character and appearance of the recipient property and the wider street scene. As such, the proposed development would be contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12- design guide for extensions and alterations.

BH2014/03590**16 Brangwyn Avenue Brighton**

Roof extensions and alterations including raising of ridge height and eaves height and removal of pitched roof over existing first floor window to rear. Creation of dormer to rear and installation of rooflights.

Applicant: Mr & Mrs Eastham

Officer: Chris Swain 292178

Approved on 22/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 floor plans and elevations			22 October 2014
Site plan and proposed elevations and floor plans			22 October 2014

BH2014/03781

16 Beechwood Close Brighton

Erection of part single, part two storey rear extension to lower ground and ground floor level.

Applicant: Mr James Hickenbottom

Officer: Chris Swain 292178

Approved on 12/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 windows to the east facing side elevation shall be obscure glazed and non-opening and thereafter permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location and block plan	CH622/001		10 November 2014
Existing plans	CH622/002		10 November 2014
Existing elevations	CH622/003		10 November 2014
Existing elevations and sections	CH622/004		10 November 2014
Proposed plans	CH622/005		10 November 2014
Proposed elevations	CH622/006		10 November 2014
Proposed elevations and sections	CH622/007		10 November 2014

BH2014/03782

14 Overhill Drive Brighton

Creation of timber terrace to first floor rear with balustrading and handrail.

Applicant: Mr Iain Breeds

Officer: Robert Hermitage 290480

Refused on 14/01/15 DELEGATED

1) UNI

The proposed raised terrace, due to its position and height in close proximity to the adjacent property, would result in overlooking and loss of privacy to occupants of adjoining properties. The terrace, due to its position, size and use, would additionally result in a significant noise disturbance to adjacent properties. The proposal would therefore lead to a significant loss of amenity and is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan, and Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2014/03817

44 Beechwood Avenue Brighton

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

Applicant: Mr Mathew Norman

Officer: Robert Hermitage 290480

Approved on 20/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 windows to the southern elevation of the development hereby permitted shall be obscure glazed and, 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, non-opening. The windows shall be thereafter permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	01	-	12th November 2014
Proposed Plans and Elevations	02	-	12th November 2014

BH2014/03866

55 Greenfield Crescent Brighton

Certificate of Lawfulness for hip to gable roof extension, creation of rear dormer, the installation of front rooflight and side window.

Applicant: Ms Janaki Jayasuriya
Officer: Joanne Doyle 292198
Approved on 15/01/15 DELEGATED

BH2014/03870

3 Old Farm Road Brighton

Certificate of lawfulness for proposed single storey rear extension to replace existing conservatory.

Applicant: Mr & Mrs David Whittle
Officer: Robert Hermitage 290480
Approved on 12/01/15 DELEGATED

BH2014/03957

75 Carden Avenue Brighton

Erection of single storey side extension.

Applicant: Mark Tulley
Officer: Tom Mannings 292322
Approved on 22/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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
Single Storey Extension	PBP0121/02		25/11/14
Site Location Plan	PBP0121/03		25/11/14
Block Plan	PBP0121/04		25/11/14

BH2014/03958

17 Thornhill Avenue Brighton

Certificate of lawfulness for proposed single storey rear extension and loft conversion incorporating hip to barn end roof extension, 2no front rooflights, side window and rear dormer.

Applicant: Mr Stephen Burns
Officer: Joanne Doyle 292198
Approved on 28/01/15 DELEGATED

BH2014/04011

61 Vale Avenue Brighton

Creation of vehicle crossover and dropped kerb.

Applicant: Mr & Mrs Thomas Lowrie

Officer: Robert Hermitage 290480

Approved on 28/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

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	-	-	3rd December 2014
Block Plan	-	-	3rd December 2014
Existing Plan	-	-	3rd December 2014
Proposed Plan	-	-	3rd December 2014

BH2014/04067

19 Haywards Road Brighton

Erection of conservatory extension to rear to replace existing.

Applicant: Mrs C Stinson

Officer: Robert Hermitage 290480

Approved on 27/01/15 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of

the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	-	-	2nd December 2014
Block Plan	-	-	2nd December 2014
Existing Plans and Elevations	-	-	2nd December 2014
Proposed Plans and Elevations	-	-	2nd December 2014

BH2014/04262

38 Barrhill 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 4.4m, for which the maximum height would be 2.6m, and for which the height of the eaves would be 2.4m.

Applicant: Mr Andy Cockerell

Officer: Robert Hermitage 290480

Prior Approval is required and is refused on 23/01/15 DELEGATED

PRESTON PARK

BH2014/03375

St Andrews Day & Resource Centre St Andrews Road Brighton

Application for approval of details reserved by conditions 4, 6, 8, 9, 12 and 14 of application BH2013/03968.

Applicant: Natterjack Construction

Officer: Wayne Nee 292132

Split Decision on 19/01/15 DELEGATED

1) UNI

APPROVE the details pursuant to condition 14 subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 4, 6, 8, 9 and 12 are NOT APPROVED

2) UNI2

The details in relation to Condition 4 have not been approved as the proposed render sample is too rough in texture, and the tile sample with the dark red finish is not an appropriate colour as it would appear too stark and prominent within the context. Furthermore the proposed balustrade is too artistic and visually heavy. The details are therefore contrary to policies QD1 and HE6 of the Brighton & Hove Local Plan.

3) UNI3

The details in relation to Condition 6 have not been approved as the proposed revised locations for the cycle stores on Plots 1 & 2 are considered inappropriate as they would block the proposed pedestrian route. Furthermore the cycle store for properties 5 to 7 appears to be communal and there is a lack of detail of the

means of security to the cycle stores. The details are therefore contrary to policy TR14 of the Brighton & Hove Local Plan.

4) UNI4

The details in relation to Condition 8 have not been approved as a pedestrian route is not provided from the adopted highway into the site. The details are therefore contrary to policy TR7 and TR8 of the Brighton & Hove Local Plan.

5) UNI5

The details in relation to Condition 9 have not been approved as insufficient information has been submitted in relation to the intrusive investigation undertaken in October 2014 in relation to ground gas, asbestos, lead content in the soil, topsoil, and water services. The details are therefore contrary to policy SU11 of the Brighton & Hove Local Plan.

6) UNI6

The details in relation to Condition 12 have not been approved as it has not been justified that this position would not interfere with pedestrian access into the site. There is also insufficient information on how and when refuse and recycling would be dropped off and picked up at this point. The details are therefore contrary to policy SU2 of the Brighton & Hove Local Plan.

BH2014/03527

21 Sandgate Road Brighton

Demolition of existing rear extension and erection of part one, part two storey rear extension.

Applicant: Mr L Leishman

Officer: Tom Mannings 292322

Approved on 26/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed on the north or south facing side elevations of the extension hereby permitted without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date
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			Received
Existing Block Plan	05-1014f		20/09/14
Proposed Block Plan	05-1015g		20/09/14
Location Plan	05-1014h		20/09/14
Existing Layouts	05-1014		20/09/14
Proposed Ground & First Floor Layouts	05-1014a		20/09/14
Proposed Roof Plan	05-1014b		03/11/14
Section Through Proposed Work	05-1014c		20/09/14
Existing and Proposed Elevations	05-1014d		20/09/14

BH2014/03606

Flat 3 26 York Villas Brighton

Erection of single storey detached outbuilding to rear garden.

Applicant: Mr James H Vere-Nicholl

Officer: Chris Swain 292178

Approved on 26/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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	-	-	11 November 2014
Block plan	-	-	27 October 2014
Proposed elevations and plan	-	-	27 October 2014

BH2014/03772

Preston Lawn Tennis Club Preston Drove Brighton

Removal of 6no 10 metre high posts and installation of 6no 8 metre high posts in new locations. Installation of additional lamps to 3no existing posts.

Applicant: Preston Lawn Tennis Club

Officer: Sonia Gillam 292265

Approved on 20/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 floodlighting hereby approved shall only be in use between the hours of 16:00 and 22:00 daily.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			07/11/2014
Existing lighting scheme plan			07/11/2014
Proposed lighting scheme plan			14/11/2014
Proposed cross section through courts 1, 2, 3			25/11/2014
Proposed cross section through courts 4, 5, 6			25/11/2014

BH2014/03894

70 Stanford Avenue Brighton

Installation of front rooflight.

Applicant: Phil Jeffrey

Officer: Tom Mannings 292322

Approved on 14/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
New Roof Light	PBP0177/03		19/11/14
Site Location Plan	PBP0177/04		19/11/14
Block Plan	PBP0177/05		19/11/14

BH2014/03897

36 New England Road Brighton

Application for removal of condition 7 of application BH2014/02753, (Conversion, extension and reconfiguration of existing shop and four bedroom maisonette to form ground floor shop with office, first and second floor maisonette and three bedroom dwelling to rear with associated alterations), which states that the development shall not begin until 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 permit.

Applicant: Mr S Farmcombe
Officer: Adrian Smith 290478
Refused on 19/01/15 DELEGATED

1) UNI

The site is within a sustainable location in an area characterised by heavy on-street parking, therefore the application of condition 7 of planning permission BH2014/02753 to restrict occupiers of the development from being eligible for parking permits remains applicable and in accordance with policy HO7 of the Brighton & Hove Local plan and the National Planning Policy Framework.

BH2014/03946

Flat D5 Belvedere 152-158 Dyke Road Brighton

Replacement of existing single glazed timber windows with double glazed UPVC windows.

Applicant: Miss Natalie Jarraud
Officer: Chris Swain 292178

Approved on 26/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan, block plan and elevational drawings	1425-01	B	23 January 2015

BH2014/04080

14 Port Hall Road Brighton

Erection of single storey extension with balcony above and erection of first floor extension to side elevation. Erection of two storey side extension and other associated alterations.

Applicant: Mr & Mrs Paul Hewitt
Officer: Adrian Smith 290478

Refused on 28/01/15 DELEGATED

1) UNI

The proposed extensions represent an incongruous and unsympathetic series of additions that would substantially enlarge the building and result in an incongruous and jarring mix of building heights, roof forms, window designs and materials and lack an overall design cohesion and balance, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.

BH2014/04164

20 Ditchling Rise Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 3.5m, and for which the height of the eaves would be 2.3m.

Applicant: Alison Lacey

Officer: Robert Hermitage 290480

Prior Approval is required and is refused on 21/01/15 DELEGATED

REGENCY

BH2014/02130

1-2 Duke Street Brighton

Conversion of multi storey retail building (A1) to create a restaurant (A3) at ground floor and basement levels and 7no one and two bed flats (C3) to upper levels with associated works.

Applicant: Trustees of Elephant Pension Fund

Officer: Jason Hawkes 292153

Refused on 13/01/15 DELEGATED

1) UNI

The proposed change of use from retail (A1) to a restaurant (A3) would result in the number of non-retail units exceeding 25% on Duke Street and a non-retail frontage of three adjoining units measuring over 30m. As such, the proposal would have an adverse effect on the vitality and vibrancy of the Regional Shopping Centre and would undermine its retail function, contrary to policy SR4 of the Brighton & Hove Local Plan.

BH2014/02561

68-70 North Street Brighton

Display of 2no internally illuminated fascia signs, 2no projecting signs and 1no logo sign (part retrospective).

Applicant: Itsu Limited

Officer: Chris Swain 292178

Approved on 16/01/15 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.

BH2014/02562

68-70 North Street Brighton

Installation of new shop front (retrospective).

Applicant: Itsu Limited

Officer: Chris Swain 292178

Approved on 14/01/15 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing ground floor general arrangement	1293-E-01		12 August 2014
Site plan	1293-P-01		30 July 2014
Existing shopfront	1293-P-03		30 July 2014
Proposed shopfront	1293-P-04	B	30 July 2014
Proposed shopfront section	1293-P-05	A	30 July 2014

BH2014/03208

51 Ship Street Brighton

Conversion of first, second and third floor to create 9no residential units (C3) incorporating formation of ancillary storage in part of basement, separate entrance, revision of fenestration and associated works. (Part retrospective)

Applicant: Veerose Limited

Officer: Christopher Wright 292097

Approved on 16/01/15 DELEGATED

1) 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.

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 a satisfactory appearance to the development and the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

All existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. 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.

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 powder-coated aluminium cast-iron-effect 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

Notwithstanding drawing no. H2031.20, no works shall take place until full details of the proposed Internal wall insulation including 1:1 scale profiles showing both the sills and reveals of the windows affected, 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.

6) 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 development 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, 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 a schedule of all features to be removed, moved, replaced or reinstated has been submitted to and approved in writing by the Local Planning Authority. All replacement and reinstatement features must match exactly the original in materials and detail. Photographs/drawings/sections recording the features to be replicated must be submitted along with 1:1 scale

drawings of proposed items for approval by the Local Planning Authority.
Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.

8) UNI

No works shall take place until full details of the blocking up of the existing openings to the ground floor of the rear building, showing the retention of reveals, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and retained as such thereafter.

Reason: 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.

9) UNI

The external escape stairs hereby permitted shall be painted black within one calendar month of installation and shall be maintained as such thereafter.

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

BH2014/03224

52-53 Western Road Brighton

Display of 1no internally-illuminated fascia sign (retrospective).

Applicant: WHSmith

Officer: Andrew Huntley 292321

Refused on 27/01/15 DELEGATED

1) UNI

The proposed signage by reason of its 'box' design, size, bulk and method of illumination is considered inappropriate to the character and appearance of the building and out of character with the surrounding Regency Square Conservation Area. Therefore, the proposal is contrary to policies HE9 and QD12 of the Brighton and Hove Local Plan and the Supplementary Planning Document 07 'Advertisements'.

BH2014/03514

7 Bartholomews Brighton

Change of use of part of ground floor from retail (A1) to residential (C3) to convert the property into one single dwelling, including replacement ground floor window.

Applicant: Mr JV McPherson

Officer: Adrian Smith 290478

Approved on 14/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

No works shall take place until full details of all new sash window and its 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 window shall be a single glazed painted timber vertical sliding sash with concealed trickle vents. The works shall be carried out and completed fully in accordance with the approved details and retained as such

thereafter.

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

3) 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.

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	Plan 1	-	20/10/2014
Block plan	Plan 2	-	20/10/2014
Existing floor plans	JP/1027/3	-	20/10/2014
Proposed floor plans	JP/1027/4	-	20/10/2014
Existing and proposed front elevation	JP/1027/5	-	17/12/2014

5) UNI

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

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

BH2014/03515

7 Bartholomews Brighton

Change of use of part of ground floor from retail (A1) to residential (C3) to convert the property into one single dwelling with associated alterations to layout and replacement ground floor window.

Applicant: Mr JV McPherson

Officer: Adrian Smith 290478

Approved on 14/01/15 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 works shall take place until full details of the ground floor sash window to the front elevation and its 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 window shall be a single glazed painted timber vertical sliding sash with concealed trickle vents. The works shall be carried out and completed fully in accordance with the approved details and retained as such thereafter.

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

4) 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.

BH2014/03578

34-35 Western Road Hove

Application for approval of details reserved by condition 1 of application BH2014/01359.

Applicant: First Charterhouse Investment

Officer: Christopher Wright 292097

Approved on 19/01/15 DELEGATED

BH2014/03661

1 Dean Street Brighton

Alterations to enclose front porch.

Applicant: 163a Western Road (Brighton) Limited

Officer: Tom Mannings 292322

Approved on 21/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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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			Received
Location and Block Plan	AC/1DeanSt/0 2		30/10/14
Existing and Proposed Elevations and Plans	AC/1DeanSt/0 1	B	29/12/14

BH2014/03934

60 East Street Brighton

Display of internally illuminated fascia sign on replacement aluminium fascia board and internally illuminated hanging sign.

Applicant: Molton Brown

Officer: Joanne Doyle 292198

Approved on 21/01/15 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.

BH2014/03935

60 East Street Brighton

Display of internally illuminated fascia sign on replacement timber fascia board and internally illuminated hanging sign.

Applicant: Molton Brown

Officer: Joanne Doyle 292198

Approved on 21/01/15 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.

BH2014/03940

60 East Street Brighton

Replacement of existing roller shutter with collapsible security gate, replacement of tiles to front entrance and other associated alterations.

Applicant: Molton Brown

Officer: Joanne Doyle 292198

Approved on 21/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

No development shall take place until a 1:20 elevation showing the security gate in its closed position have been submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

Plan Type	Reference	Version	Date Received
Site Location Plan	6564_LP		24 Nov 2014
Block Plan	6564_BP		24 Nov 2014
Existing Shopfront Elevations	1814_100		22 Dec 2014
Proposed Storefront	1814_101		22 Dec 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.

BH2014/03953

The Black Lion 14 Black Lion Street Brighton

Installation of black metal gates to the entrance to the side courtyard/garden area. (Retrospective).

Applicant: North Laine Pub Company

Officer: Christopher Wright 292097

Approved on 26/01/15 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
Pre-Existing Ground Floor Plan, Part Front Elevation and Location Plan	01		1 Dec 2014
Existing Ground Floor Plan, Part Front Elevation and Location Plan	02		17 Dec 2014

ST. PETER'S & NORTH LAINE

BH2013/04287

Site J New England Quarter Fleet Street Brighton

Application for Approval of Details Reserved by Condition 20A of Application BH2012/01627.

Applicant: The Hyde Group

Officer: Maria Seale 292175

Approved on 09/01/15 DELEGATED

BH2014/00120

16 York Place Brighton

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

Applicant: Coastal Mangement Ltd

Officer: Chris Swain 292178

Refused on 23/01/15 DELEGATED

1) UNI

The proposed change of use to provide 4 bedrooms on the upper floors as a Class C4 House in Multiple Occupation has, as a result of the layout, over-subdivision of the rooms and the limited quality of shared communal space, created an overly cramped form of accommodation which fails to provide an acceptable standard of residential accommodation. The proposal is therefore detrimental to the residential amenity of occupiers and is contrary to policy QD27 of the Brighton and Hove Local Plan.

2) UNI2

The ground floor annexe comprises an unauthorised self-contained residential unit which is physically separated from the Class C4 use at upper floor levels of no. 16. The annexe provides unduly cramped living space with poor levels of outlook and natural light, creating oppressive living conditions and a poor standard of accommodation. The proposal is therefore detrimental to the residential amenity of occupiers and is contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2014/03225

1 Park Crescent Brighton

Internal alterations to layout, including forming openings in structural walls.

Applicant: Mr & Mrs Geilinger

Officer: Mark Thomas 292336

Approved on 23/01/15 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 joinery and plasterwork, including doors, architraves, skirtings and cornices, shall be reused or replicated on the new walls to bedroom 2 and bedroom 3 and new skirting in the first floor hallway and in bedroom 1 shall be reinstated to exactly matched the existing where the existing openings are infilled as hereby permitted.

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

BH2014/03454

51A Stanley Road Brighton

Insertion of rooflights to front and creation of dormers to rear.

Applicant: Adrian Hill

Officer: Robert Hermitage 290480

Approved on 21/01/15 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	477/02	-	14th October 2014
Proposed Plans and Elevations, Site and Block Plan	477/01	A	4th December 2014

BH2014/03621

Land to Rear of 67-81 Princes Road Brighton

Application for approval of details reserved by conditions 8, 9, 10, 12, 13, 14, 15, 16 and 17 of application BH2013/03782.

Applicant: Carelet Ltd

Officer: Adrian Smith 290478

Split Decision on 19/01/15 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 8, 12, 14, 15, 16i and 17 subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 9, 10, 13 & 16ii are NOT APPROVED

2) UNI2

The submitted plans relating to the gatehouse do not correlate with those approved under application BH2013/03782, therefore condition 10 has not been satisfied.

3) UNI3

Insufficient material samples have been submitted to satisfy condition 9, whilst the proposed fibre slate roof tile is considered inappropriate for a building in a conservation area.

4) UNI4

The submitted landscape plans do not correlate with the measures set out in the Ecology Design and Maintenance Plan, and do not provide sufficient screening of the development in long views into the Round Hill Conservation Area from the north, therefore condition 13 has not been fully satisfied.

BH2014/03804

54 Gardner Street Brighton

Installation of new shop front and box fascia over.

Applicant: Sandon Homes Ltd

Officer: Sonia Gillam 292265

Approved on 09/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed elevations, floor plans and sections	10	A	11/11/2014
Existing and proposed elevations, floor plans and sections	11	A	11/11/2014
Existing and proposed elevations, floor plans and sections	12	A	11/11/2014
Shop front detail	13	A	11/11/2014
Window and door detail	14	A	11/11/2014
Window and door detail	15	A	11/11/2014
Block plan	16	A	11/11/2014
Shop front and fascia detail	17	A	11/11/2014
Site location plan	18	A	14/11/2014

BH2014/03823

94-103 London Road and 6-11 & 12 Baker Street Brighton

Application for Approval of Details Reserved by Condition 25 (for gymnasium only) of application BH2014/01127.

Applicant: The Gym Ltd

Officer: Kathryn Boggiano 292138

Approved on 20/01/15 DELEGATED

BH2014/04037

36 Ditchling Rise Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.96m, for which the maximum height would be 3.77m, and for which the height of the eaves would be 3m.

Applicant: Mr Steve Foster & Mrs Sylvia Bluck

Officer: Tom Mannings 292322

Prior approval not required on 09/01/15 DELEGATED

BH2014/04137

9 London Road Brighton

Application for Approval of Details Reserved by Conditions 7, 9, 10, 11, 12 and 13 of application BH2014/01965.

Applicant: Mr Essy Sharanizadeh

Officer: Sonia Gillam 292265

Split Decision on 27/01/15 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 7 and 12 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 9, 10, 11 and 13 are NOT APPROVED

2) UNI2

Details of the full registered address of each property has not been submitted. This information is required in order to change the Traffic Regulation Order and register each property as car free. It is not therefore possible to approve details in respect of condition 9.

3) UNI3

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 not been submitted. It is not therefore possible to approve details in respect of condition 10.

4) UNI4

Full details of the proposed internal cycle parking provision have not been received. Notwithstanding this it is considered that the proposed external Wiggins bike rack is not deemed to be policy compliant as it only allows users to easily secure the front wheel of the bike. It is not therefore possible to approve details in respect of condition 11.

5) UNI5

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 not been submitted. This certificate can only be obtained when construction is complete. It is not therefore possible to approve details in respect of condition 13.

WITHDEAN

BH2014/02766

Land adjacent to 1 Woodside Avenue Brighton

Application for Approval of Details Reserved by Conditions 9, 12, 13, 14, 15, 16, 17 and 18 of application BH2014/00820

Applicant: Mr Bill Faust
Officer: Liz Arnold 291709
Approved on 22/01/15 DELEGATED

BH2014/02935

73 Preston Drove Brighton

Erection of second floor rear extension, canopy over rear door and render to front elevation.

Applicant: Mr & Mrs Guerinoni
Officer: Chris Swain 292178
Refused on 28/01/15 DELEGATED

1) UNI

The proposed rear extension by reason of its design, form and elevated position replacing an original roof pitch, would relate poorly to the original built form of the property, detracting significantly from the character and appearance of the building, harming the uniformity and rhythm of the wider terrace and detracting from the appearance and character of the Preston Park Conservation Area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2014/03238

9 Hillbrow Road Brighton

Erection of 2no dwelling houses with new access drive and associated parking. (Part retrospective)

Applicant: Highdown Construction Ltd
Officer: Paul Earp 292454
Approved on 22/01/15 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 layout	1318-2.01	K	12 December 2014
Site block and location plan	1318-2.02	C	7 October 2014
Plot 1 layout	1318-2.03	F	4 December 2014
Plot 2 layout	1318-2.04	F	4 December 2014
Plot 1 elevations	1318-2.06	C	4 December 2014
Plot 2 elevations	1318-2.07	C	4 December 2014
Detailed planting scheme	RCo111/02	2	25 September 2014
Planting layout	RCo111/01	3	25 September 2014
Sustainability checklist			25 September 2014
Waste Minimisation statement			25 September 2014
Biodiversity checklist			25 September 2014
Reptile mitigation report			25 September 2014

Detailed plant schedule	Ramsey & co	25 September 2014
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2) UNI

The development hereby approved shall be constructed in the materials submitted as part of this application which includes a zinc roof and sika 39 slates, monocouche rough render and Siberian larch timber cladding.

Reason: To ensure a satisfactory appearance to the development and to comply with policy QE1 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 extension, enlargement or other alteration of the dwellinghouses hereby permitted shall be carried out without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

5) UNI

The 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.

6) UNI

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

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

7) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved on Plot 1 (fronting Hillbrow Road) shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the residential unit built on Plot 1 has achieved a Code for Sustainable Homes rating of Code level 5 has been submitted to, and approved in writing by, the Local Planning Authority.

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

8) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential

unit hereby approved on Plot 2 (within the rear garden to 9 Hillbrow Road) shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the residential unit built on Plot 2 has achieved a Code for Sustainable Homes rating of Code level 4 (scoring 76 points or more in the overall Code assessment) 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.

9) UNI

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

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

10) UNI

The development hereby permitted shall 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.

11) UNI

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

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

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.

BH2014/03419

105 Tivoli Crescent North Brighton

Remodelling of existing bungalow incorporating roof extensions and alterations including raising of ridge height to allow for creation of first floor level, revised fenestration and associated works to facilitate creation of a two storey dwelling.

Applicant: Channel Site Services (Sussex) Ltd

Officer: Mark Thomas 292336

Approved on 26/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 cartilage of the dwellinghouse as provided for within Schedule 2, Part 1, Class A 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

No development shall take place until samples of the following 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:

- a) sample of render including details of the colour of the render/ paintwork
- b) sample of roof tiles to be used
- c) sample of the cedar cladding to be used, including details of their treatment to protect against weathering

Development shall be carried out in accordance with the approved details.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	ADC708/LP	-	10th October 2014
Block plan	ADC708/BP	-	10th October 2014
Existing plans	ADC708/01	-	10th October 2014
Existing elevations	ADC708/02	-	10th October 2014
Proposed plans	ADC708/03	-	10th October 2014
Proposed elevations	ADC708/04	-	10th October 2014
Existing contextual plan, elevations and roof plan	ADC708/05	Rev. A	3rd December 2014
Proposed contextual elevations and roof plan	ADC708/06	Rev. A	3rd December 2014
Levels survey plan	7806	-	3rd December 2014

16 Middle Road Brighton

Replacement of timber casement windows with double glazed timber sash windows and replacement front door to front elevation. (Retrospective)

Applicant: Pembroke & Nash Sash Windows

Officer: Joanne Doyle 292198

Approved on 12/01/15 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			17 Nov 2014
Proposed Window Detail			17 Nov 2014
Proposed Window Section-Glazing Bar			17 Nov 2014
Proposed Window Section-Glazing Bar			17 Nov 2014
Proposed Door Picture			03 Dec 2014
Proposed Window Section-Sash Detail			09 Jan 2014

BH2014/03881

Top Flat 30 Gordon Road Brighton

Installation of dormer and rooflight to rear elevation.

Applicant: Paxform Properties

Officer: Joanne Doyle 292198

Approved on 22/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location & Block Plan	152 01	B	27 Nov 2014
Existing First Floor & Roof Plan	152 02		19 Nov 2014
Existing South & East Elevation	152 03	A	27 Nov 2014
Existing West Elevation & Section	152 04	A	27 Nov 2014
Proposed 1st & 2nd Floor Plan	152 10		19 Nov 2014
Proposed Roof Plan & Section AA	152 11	A	27 Nov 2014
Proposed Elevations &	152 12	A	27 Nov 2014

Section BB			
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BH2014/03882

56 Windmill Drive Brighton

Erection of single storey rear extension to replace existing and associated raised decking with balustrade, screening and steps to garden level.

Applicant: Mr & Mrs Jenner

Officer: Robert Hermitage 290480

Approved on 14/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

The hereby approved decking shall not be brought into use until screening to the east and western (side) boundaries of the decking has been erected in accordance with drawing no. 1213 02B. The screening shall be retained as such thereafter.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans, Section and Elevations	1213 01	-	19th November 2014
Proposed Plans, Section and Elevations	1213 02	B	19th November 2014

BH2014/03922

46 Tongdean Lane Brighton

Demolition of existing concrete rear patio and erection of rear conservatory.

Applicant: Mr Roderick MacFie

Officer: Tom Mannings 292322

Refused on 15/01/15 DELEGATED

1) UNI

The proposed extension, by virtue of its scale, design and elevated position, represents a prominent and bulky addition which would not appear as a subservient addition to the main building. The extension would appear an incongruous addition to the detriment of the visual amenities of the property and the wider street scene, contrary to policy QD14 of the Brighton & Hove Local Plan, and to guidance within Supplementary Planning Document (SPD12): Design Guide for Extensions and Alterations.

BH2014/03962

Media House 26 North Road Preston Brighton

Prior approval of first and second floors for change of use from offices (B1) to form 2no self contained units (C3).

Applicant: Stone Chris Properties

Officer: Helen Hobbs 293335

Prior Approval is required and is approved on 23/01/15 DELEGATED

BH2014/04003

211 Preston Road Brighton

Prior approval for change of use of first floor offices (B1) to residential (C3) to form 1no flat.

Applicant: Alex Mackay & Barbara Mishon

Officer: Andrew Huntley 292321

Prior Approval is required and is refused on 22/01/15 DELEGATED

1) UNI

The applicant has failed to demonstrate that the application site was used for a use solely falling within Class B1(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 either immediately before the 30 May 2013 or when last in use. Accordingly, the proposed development is not permitted under Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") and the application is refused pursuant to paragraph N. (2A) of the aforesaid Part 3.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Block & Site Visit	TA 858 / 01		27.11.2014
Existing Plans	TA 858 / 02	B	27.11.2014
Proposed Plans	TA 858 / 10	C	27.11.2014

BH2014/04092

20 Windmill Drive Brighton

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr Paul Newman

Officer: Astrid Fisher 292337

Refused on 28/01/15 DELEGATED

1) UNI

The development is not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended. The eaves of the enlarged part of the dwellinghouse would exceed the eaves of the existing dwellinghouse (A.1(c)), the extension would extend beyond a wall forming a side elevation of the dwellinghouse and would have a width greater than half the width of the original dwellinghouse (A.1(h)(iii)), and the proposed material would not have a similar appearance to those used in the construction of the exterior of the existing dwellinghouse (A.3 (a)).

BH2014/04119

9 Gordon Road Brighton

Prior approval for the erection of a single storey rear extension, which would

extend beyond the rear wall of the original house by 4.77m, for which the maximum height would be 3.21m, and for which the height of the eaves would be 2.7m.

Applicant: Mrs Clare Morse-Brown

Officer: Joanne Doyle 292198

Prior Approval is required and is refused on 20/01/15 DELEGATED

BH2014/04151

51 Hampstead Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating a rear dormer and front rooflights with alterations to rear fenestration at basement and ground floor levels.

Applicant: Mr Hugh Thompson

Officer: Tom Mannings 292322

Approved on 27/01/15 DELEGATED

EAST BRIGHTON

BH2014/03444

155 Eastern Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating increase to ridge height, rear dormer and side rooflights.

Applicant: Mr P Forrest

Officer: Robert Hermitage 290480

Approved on 20/01/15 DELEGATED

1) UNI

The development is permitted under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2014/04132

Flat 1 4 Eastern Terrace Brighton

Application for approval of details reserved by condition 4 of application BH2014/02120.

Applicant: James Foley

Officer: Tom Mannings 292322

Approved on 23/01/15 DELEGATED

HANOVER & ELM GROVE

BH2014/03387

18 Wellington Road Brighton

Application for variation of conditions 28 and 29 of application BH2011/03796 (Application to extend time limit for implementation of previous approval BH2008/03248) to allow for changes to the wording of both conditions. Condition 28 to read as follows - "No development other than foundation earth works for the three storey extension shall commence until details of the following have been submitted to and agreed by the Local Planning Authority. A bat survey carried out between May and August. The findings of the bat surveys shall be accompanied by an appropriate bat mitigation and enhancement strategy which should provide assurance that the development will comply with wildlife legislation and address the provision of adequate artificial bat roosting structures, soft landscaping and the lighting proposals for the scheme as appropriate to ensure bat habitat is conserved and enhanced on the site. The scheme shall then be implemented in

accordance with the approved details."

Reason: To safeguard these protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan. Condition 29 to read as follows - "No development other than foundation earth works for the three storey extension shall commence until details of the following have been submitted to and agreed by the Local Planning Authority. A Swift survey has been carried out between May and August. The findings of the surveys shall be accompanied by an appropriate mitigation and enhancement strategy. The scheme shall then be implemented in accordance with the approved details." Reason: To safeguard these protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

Applicant: Baron Homes Corporation

Officer: Liz Arnold 291709

Approved on 22/01/15 COMMITTEE

1) UNI

The development hereby permitted shall be commenced on or before 5th April 2015.

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

2) UNI

No development shall commence until nature conservation enhancement as part of the site landscaping scheme has been submitted to and approved by the Local Planning Authority. This shall include the number and locations of bird and bat boxes to be erected and the details of the proposed green wall planting and artificial external lighting.

Reason: To ensure the protection and enhancement of the ecological interest of the site and to comply with policies QD17 and QD18 of the Brighton & Hove Local Plan.

3) UNI

Prior to the commencement of development drawings at 1:20 scale illustrating the detail and finishes of the ramps, and handrails, and details of the glazed link, must be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained thereafter.

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

4) UNI

The windows servicing the bath and shower rooms 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.

5) UNI

The windows on the west elevation of the new build block which adjoins the boundary with Ainsworth House and those within the east elevation of the extended block which adjoins the boundary with number 20 Wellington Road 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.

6) UNI

The lower half of the sash windows in the rear elevation at first and second story level servicing units labelled '13', '9' and the 'relatives room' on drawing number

0769-011C shall not be glazed otherwise than with obscured glass and shall be fixed shut and thereafter permanently retained as such.

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

7) UNI

No development shall take place until samples of the slate to be used in the construction of the external surfaces of the roofs of the development and the windows to be used in 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 of the Brighton & Hove Local Plan.

8) 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.

9) 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.

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

10) UNI

Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved in writing by the Local Planning Authority. The scheme shall then be approved in strict accordance with the approved details.

Reason: To enable the Local Planning Authority to control foul sewerage and surface water drainage in accordance with policies SU3, SU4 and SU5 of the Brighton & Hove Local Plan.

11) UNI

All showers within the wheelchair units (number 5, 6, 7, and 8) shall have level access.

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.

12) UNI

Notwithstanding the approved plans, prior to the commencement of development, details of the parking areas shall be submitted to and approved in writing by the Local Planning Authority. They shall include the provision of two designated disabled parking bays on the site near the main entrance. The parking areas shall be implemented in accordance with the approved details and thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: In the interest of highway safety and in accordance with policy TR1 and TR18 of the Brighton & Hove Local Plan.

13) UNI

Development shall commence until, detailed drawings, including levels, sections and constructional details of the proposed vehicle access and egress, surface water drainage, outfall disposal, have been submitted to and approved in writing by the Planning Authority and be subject to its approval. The scheme shall be implemented in strict accordance with the approved details.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large and in accordance with TR1 and TR7 of the Brighton & Hove Local Plan.

14) UNI

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

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car and to comply with policy TR14 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 policies SU2 and QD27 of the Brighton & Hove Local Plan.

16) UNI

Prior to the commencement of development, details of measures to ensure that the converted element of the development achieves an "Excellent" BREEAM rating and the remainder of the development achieves Level 4 of the Code for Sustainable Homes shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

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

17) UNI

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

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

18) UNI

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme for landscaping, which shall include permeable 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 accord with policy QD15 of the Brighton & Hove Local Plan.

19) UNI

All planting, seeding or turfing comprised in the approved details 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 accord with policy QD15 of the Brighton & Hove Local Plan.

20) UNI

No development shall commence until a scale plan showing the extent of the demolition proposed and a written methodology for the demolition has been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

Reason: To ensure satisfactory preservation of the existing building and to comply with policy QD14 of the Brighton & Hove Local Plan.

21) UNI

All existing external mouldings, including architraves, hood mouldings, cornices, eaves brackets and corner quoins, shall be retained unless they form part of the building to be demolished, as shown on a demolitions plan. All new mouldings shall exactly match the profile and detail of the existing mouldings.

Reason: To ensure satisfactory preservation of the existing building and to comply with policy QD14 of the Brighton & Hove Local Plan.

22) UNI

No development shall commence until 1:20 scale elevations of the entrance doors/fanlights to the existing and new buildings has been submitted to and approved in writing by the Local Planning Authority.

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

23) UNI

The existing chimney stacks shall be retained and restored in accordance with a specification of works to be submitted to and approved in writing by the Local Planning Authority.

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

24) UNI

The trees covered by a Tree Preservation Order shall all be protected to BS 5837 (2005) Trees on Development Sites during the development. A plan showing the line of protective fencing and a method statement on its construction should be submitted to and approved in writing by the Local Planning Authority prior to any development commencing and the protective fencing shall be completed prior to any demolition, use of the site for storage of materials, lifting of hard and soft surfaces within the site or other works in connection with the development which may affect the root systems of the existing trees on the site.

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

25) UNI

A Method Statement regarding the treatment of surfaces in the vicinity of tree roots of the Beech Trees at the rear of the site shall be submitted to and approved in writing by the Local Planning Authority. These trees shall be protected to BS 5837 (2005) Trees on Development Sites during the development.

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

26) UNI

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

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy WLP11 of the East Sussex and Brighton & Hove Waste Local Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

27) UNI

Scrub clearance and demolition shall not be undertaken during the bird nesting season, from the beginning of March and the end of August.

Reason: To protect nesting birds in accordance with policy QD18 of the Brighton & Hove Local Plan.

28) UNI

No development other than foundation earth works for the three storey extension shall commence until details of the following have been submitted to and agreed by the Local Planning Authority. A bat survey carried out between May and August. The findings of the bat surveys shall be accompanied by an appropriate bat mitigation and enhancement strategy which should provide assurance that the development will comply with wildlife legislation and address the provision of adequate artificial bat roosting structures, soft landscaping and the lighting proposals for the scheme as appropriate to ensure bat habitat is conserved and enhanced on the site. The scheme shall then be implemented in accordance with the approved details.

Reason: To safeguard these protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

29) UNI

No development other than foundation earth works for the three storey extension shall commence until details of the following have been submitted to and agreed by the Local Planning Authority. A Swift survey has been carried out between May and August. The findings of the surveys shall be accompanied by an appropriate mitigation and enhancement strategy. The scheme shall then be implemented in accordance with the approved details.

Reason: To safeguard these protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

30) UNI

The development hereby permitted shall be carried out in accordance with 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 & Block Plan	0769-001	Rev. B	16th December 2008
Site Survey	0769-003	Rev. A	21st October 2008
Existing Basement & Ground Floor Plan	0769-005	Rev. A	21st October 2008
Existing First & Second Floor Plan	0769-006	Rev. A	21st October 2014
Existing Elevations - North &	0769-007	Rev. A	21st October 2008

West			
Existing Elevations - South & East	0769-008	Rev. A	21st October 2008
Proposed Site Plan	0769-009	Rev. B	16th December 2008
Ground Floor Plan	0769-10	Rev. C	27th January 2009
Proposed First, Second and Basement Floor Plan	0769-11	Rev. C	27th January 2009
Proposed Elevations - North & West	0769-12	Rev. D	16th December 2008
Proposed Elevations - South & East	0769-13	Rev. D	16th December 2008
Proposed Site Sections	0769-014	Rev. A	30th October 2008
Photomontage & Bay Study	0769-016	Rev. A	21st October 2008

BH2014/03396

Land Rear of 5-11 Cromwell Street Brighton

Demolition of existing garages and erection of 2no dwellings accessed from Cromwell Street.

Applicant: Mr Charles Meloy

Officer: Wayne Nee 292132

Approved on 12/01/15 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

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the proposed boundary screening on site adjacent the rear boundary of no. 5 Cromwell Street. The boundary screening shall be installed in full as approved prior to first occupation of the development and shall thereafter be retained for use at all times.

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

3) UNI

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

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

4) UNI

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

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

5) UNI

The new dwelling(s) hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

6) UNI

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

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

7) UNI

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

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

8) UNI

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

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

9) UNI

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.

10) 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. The scheme shall show at least one replacement tree. The scheme shall be fully implemented before prior to the occupation of the development hereby permitted and shall thereafter be retained as such.

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

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.

12) UNI

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

13) UNI

(i) The development hereby permitted shall not be occupied until there has been submitted to the Local Planning Authority:

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

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

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

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

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

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (i) b."If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants.

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

14) UNI

No development shall take place until a scheme setting out highway works to implement an improved pedestrian site access which shall include the provision of dropped kerbs, tactile paving and a realigned kerb at the site access on Cromwell Street has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved highway works on Cromwell Street have been carried out in accordance with the approved scheme.

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

15) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan	156/PA/100	A	09 October 2014
Block plan	156/PA/101	A	09 October 2014
Existing site plan	156/PA/102	A	09 October 2014
Existing site sections and elevations	156/PA/103	A	09 October 2014
Site layout plan	156/PA/200	A	09 October 2014
Proposed ground floor	156/PA/201	A	09 October 2014
Proposed first floor	156/PA/202	A	09 October 2014
Proposed elevations and section	156/PA/203	A	09 October 2014
Proposed elevation and section	156/PA/204	A	09 October 2014
Proposed elevations and section	156/PA/205	A	09 October 2014
Typical section façade	156/PA/206	A	09 October 2014
Proposed site sections	156/PA/300	A	09 October 2014
Proposed site sections	156/PA/301	A	09 October 2014
Proposed site sections	156/PA/302	A	09 October 2014
Lifetime homes	156/PA/400	A	09 October 2014
Proposed site sections	156/PA/303		09 October 2014
Swept path analysis	CRST/001/001		09 October 2014
Swept path analysis	CRST/001/002		09 October 2014
Survey drawing	13413/S1		09 October 2014

BH2014/04017

50 Belgrave Street Brighton

Erection of single storey rear extension.

Applicant: M & C Such

Officer: Tom Mannings 292322

Approved on 21/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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
Block Plan, Site Plan Existing and Proposed Plans and Elevations			26/11/14

BH2014/04078

245 Elm Grove Brighton

Erection of single storey rear extension with timber steps to garden.

Applicant: L Turi

Officer: Tom Mannings 292322

Approved on 21/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

No development shall take place until a scheme for a solid screen along the eastern side of the timber decking (closest to the boundary with 247 Elm Grove) has been submitted to and approved in writing by the Local Planning Authority. The screen shall be implemented fully in accordance with the agreed details and retained as such thereafter.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Details			1/12/14
Proposed Plan			1/12/14

BH2014/04272

9 Hallett 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 6m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.8m.

Applicant: Mr Mohammed Sikdar

Officer: Luke Austin 294495

Prior approval not required on 27/01/15 DELEGATED

HOLLINGDEAN & STANMER

BH2014/00630

2 Dudley Road Brighton

Demolition of existing dwelling and erection of 7 no. three bedroom dwellings with access from Dudley Road, parking and associated landscaping. (Part retrospective).

Applicant: Griston Lahaise Cross LLP

Officer: Andrew Huntley 292321

Approved after Section 106 signed on 28/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

Access to the flat roofs (units 2 - 7) at second floor level hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

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

4) UNI

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 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

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.

8) 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 and Hove Local Plan.

9) 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.

10) UNI

No development shall take place until full details and sample elevations and sections at 1:20 scale of the windows (including cills and reveals), external doors, parapets and roofing detail 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 QD1 of the Brighton & Hove Local Plan.

11) UNI

No development shall take place until full details of the rainwater goods, soil and other waste pipes 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 QD1 of the Brighton & Hove Local Plan.

12) UNI

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

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

13) UNI

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

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

14) UNI

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

A completed pre-assessment estimator will not be acceptable.

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

15) UNI

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

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

16) UNI

Notwithstanding the submitted plans no development shall take place until full details demonstrating that the residential units would be built to Lifetime Homes standards has been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the agreed details prior to the first occupation of the residential units 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.

17) 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.

18) 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.

19) UNI

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

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

20) 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.

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
Location & Block Plan	TA 773 /01	A	26.02.2014
Existing Site Plan	TA 773 /02	B	26.02.2014
Existing Floor Plans	TA 773 /03	B	26.02.2014

Existing Elevations 1	TA 773 /04	A	26.02.2014
Existing Elevations 2	TA 773 /05	A	26.02.2014
Existing Elevation / Section AA	TA 773 /06	A	26.02.2014
Existing Rear Elevation & Section DD	TA 773 /07		26.02.2014
Proposed Block Plan	TA 773 /10	E	26.09.2014
Proposed Site Plan	TA 773 /11	J	26.09.2014
Proposed Unit 1 Floor Plans	TA 773 /12	H	26.09.2014
Proposed Typical Floor Plans	TA 773 /13	H	26.09.2014
Proposed Unit 1 Elevations	TA 773 /14	E	26.09.2014
Proposed Units 2 - 7 Elevations	TA 773 /15	E	26.09.2014
Proposed Units 2 - 7 Rear Elevations	TA 773 /16	D	26.09.2014
Proposed Detail Section	TA 773 /17	D	26.09.2014
Proposed Site Sections 1	TA 773 /18	G	26.09.2014
Proposed Site Sections 2	TA 773 /19	G	26.09.2014

BH2014/02022

Land adjacent to 1 Hollingdean Lane Brighton

Application for variation of condition 2 of application BH2011/03823 (Erection of 1no two storey 2 bed house and associated works) to permit internal and external material amendments.

Applicant: Janet O'Byrne

Officer: Jonathan Puplett 292525

Approved on 28/01/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before the 24th January 2016.

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

2) UNI

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

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

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could

cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The glazed screen to the roof terrace hereby approved shall be obscure glazed and thereafter shall be permanently retained as such.

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

5) UNI

The east facing side windows of the dwelling hereby permitted shall be obscure glazed and non-opening and thereafter shall be permanently retained as such.

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

6) UNI

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

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households a

7) UNI

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

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

8) UNI

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

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

9) UNI

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.

10) UNI

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

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

11) UNI

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

(a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that

the development will achieve Code level 4 have been submitted to the Local Planning Authority; and

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

12) UNI

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

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

13) UNI

No development shall commence until details of the construction of the green / brown roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a timescale for implementation, cross section, construction method statement and the seed/planting mix. The scheme shall then be carried out in accordance with the approved details and maintained 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 shall commence until measures for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The measures 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.

15) UNI

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

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

16) UNI

The roof terrace areas hereby approved shall not be brought into use until the screening around the terrace areas has been erected in accordance with the

approved plans and the requirements of Condition 4. The screening shall be retained as such thereafter.

Reason: To protect the privacy of residents of neighbouring properties and to comply with policy QD27 of the Brighton and Hove Local Plan.

17) UNI

The dwelling hereby approved shall not be occupied until the approved boundary screening between the garden of the new dwelling and the garden of the existing dwelling has been erected in accordance with the approved plans. The boundary screening shall be retained as such thereafter.

Reason: To protect the privacy of residents of neighbouring properties and to comply with policy QD27 of the Brighton and Hove Local Plan.

18) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the dwelling built has achieved a Code for Sustainable Homes rating of Code level 4 has been submitted to, and approved in writing by, the Local Planning Authority.

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

19) 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.

20) 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.

21) UNI

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

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

Plan Type	Reference	Version	Date Received
LOCATION AND SITE PLAN	P01		19/06/2014
EXISTING ELEVATION	P03	A	19/06/2014
EXISTING SECTION	P04	A	19/06/2014
EXISTING STREET SCENE	P05	A	19/06/2014
PROPOSED ROOF PLAN	P10	E	19/06/2014
PROPOSED FLOOR PLAN	P11	F	19/06/2014
PROPOSED FLOOR PLAN	P12	E	19/06/2014
PROPOSED ELEVATION	P13	E	19/06/2014
PROPOSED SECTION	P14	C	19/06/2014
PROPOSED ELEVATION /	P15	D	19/06/2014

SECTION			
PROPOSED ELEVATION / SECTION	P16	E	19/06/2014
PROPOSED ELEVATION / SECTION	P17	D	19/06/2014
PROPOSED STREET SCENE	P18	D	19/06/2014

BH2014/02936

19 Hollingbury Place Brighton

Erection of single storey rear extension.

Applicant: Sue Bird

Officer: Tom Mannings 292322

Approved on 13/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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			01/09/14
Proposed Extension	SB01	A	18/09/14

BH2014/03600

71 Stanmer Villas Brighton

Erection of extension at lower ground floor level.

Applicant: Invest Save

Officer: Allison Palmer 290493

Approved on 23/01/15 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing location & block plan & LGF & GF plan	1208-PA-001		24/10/2014
Existing FF & roof plan	1208-PA-002		24/10/2014
Existing elevations	1208-PA-003		24/10/2014
Existing section	1208-PA-004		24/10/2014
Proposed location & block plan & LGF & GF plan	1208-PA-010	B	15/01/2015
Proposed FF & roof plan	1208-PA-011	B	15/01/2015
Proposed elevations	1208-PA-012	B	15/01/2015
Proposed section	1208-PA-013	B	15/01/2015

BH2014/03981

Hollingdean Childrens Centre Brentwood Road Brighton

Application for variation of condition 3 of application BH2014/02362 (Installation of replacement fence to external play area and new gates) to allow the works to commence from December.

Applicant: Brighton & Hove City Council

Officer: Sue Dubberley 293817

Approved on 22/01/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before 13/10/2017.

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

2) UNI

As far as is practicable, the fence should be erected from outside the current perimeter fence in order to protect the existing planting. The pits for posts should be dug by hand, i.e. there shall be no trenching by digger, in order for any established roots in the vicinity to thrive post-development.

Reason: To protect the roots of the trees and native hedge planting which are in the vicinity of the proposed development in the interest of the visual amenities of the area and to comply with policy QD16 of the Brighton & Hove Local Plan.

3) UNI

No equipment shall be stored outside the development areas. If protected species are encountered during works, work shall cease and advice be sought from a suitably qualified and experienced ecologist.

Reason: To ensure reptiles are adequately protected in the interests of biodiversity and to comply with policies QD17 and QD18 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	001		04/12/2014

Existing block plan	002		15/07/2014
Proposed block plan	003		15/07/2014
Existing floor layouts	300		15/07/2014
Existing and proposed West and South elevations	300		15/07/2014
Existing and proposed North elevation	300		15/07/2014

BH2014/04023

6 Woodview Close Brighton

Erection of two storey side and rear extension.

Applicant: Mr & Mrs Mills

Officer: Wayne Nee 292132

Refused on 27/01/15 DELEGATED

1) UNI

The proposed extension by reason of its form, design, and proximity to the boundary would lead to the dwelling appearing overextended and of an unusual form and would result in the development having an adverse visual impact on the appearance and character of the existing property which would be obtrusive and highly visible in the street scene. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design guide for extensions and alterations.

BH2014/04104

18 Wigmore 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 5.8m, for which the maximum height would be 3.5m, and for which the height of the eaves would be 2.95m.

Applicant: Mrs Sazna Begum

Officer: Robert Hermitage 290480

Prior Approval is required and is refused on 16/01/15 DELEGATED

BH2014/04193

26 Waverley Crescent Brighton

Erection of single storey extension, creation of raised terrace with storage below and alterations to garage to rear.

Applicant: Mr Stuart Nevill

Officer: Tom Mannings 292322

Refused on 26/01/15 DELEGATED

1) UNI

The siting, length and bulk of the extension would cause a loss of light and outlook to the adjoining property 28 Waverley Crescent and would have an enclosing and overbearing impact when viewed from this property. As such the proposal is harmful to the residential amenity of this property and would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 'Extensions and Alterations'.

2) UNI2

The proposed raised terrace, by reason of its siting adjacent to the shared boundary with 28 Waverley Crescent and its height above ground level, would result in overlooking to the garden of 28 Waverley Crescent and would cause a loss of privacy which is harmful to their residential amenity. The incorporation of a privacy screen on the boundary would increase the bulk and height of the

development on the boundary and would exacerbate the adverse impacts described in reason for refusal 1. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 'Extensions and Alterations'.

BH2014/04194

26 Waverley Crescent Brighton

Certificate of lawfulness for proposed loft conversion incorporating side dormer and rear window and erection of single storey front extension.

Applicant: Mr Stuart Nevill

Officer: Tom Mannings 292322

Split Decision on 21/01/15 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2014/03523

73 Newick Road Brighton

Erection of two storey rear extension.

Applicant: Ms Ria Barney

Officer: Chris Swain 292178

Refused on 14/01/15 DELEGATED

1) UNI

The proposed rear extension, by reason of scale, siting and design, would result in an overly dominant, bulky and visually inappropriate addition which would detract from the appearance and character of the building and the wider surrounding area, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

2) UNI2

The proposal, by reason of its height, scale, design and close proximity to the shared boundary would result in a detrimental overbearing and visually dominant impact to the adjoining properties, No.71 and No.75 Newick Road and in addition, an unacceptable loss of light and outlook to No.75, detracting from the residential amenity currently enjoyed by this property, contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2014/03607

10 Canfield Road Brighton

Demolition of existing garages and erection of three storey three bedroom dwelling.

Applicant: Home & Coastal Developments Ltd

Officer: Wayne Nee 292132

Refused on 16/01/15 DELEGATED

1) UNI

The proposed development, by reason of its siting, scale, design and detailing, would appear a cramped, unsympathetic and unduly dominant addition to the street scene and would harm the established character and appearance of the area. The proposal would therefore fail to emphasise or enhance the positive qualities of the local neighbourhood and is contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

2) UNI2

The development, by virtue of its scale, mass, bulk and siting in close proximity to

shared boundaries, would appear overbearing, causing significant harm to amenity for occupants of no. 10 Canfield Road. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/03626

28 Coombe Terrace Brighton

Change of use from complementary treatment clinic (D1) to 1no one bed flat and 1no two bed flat including alterations to fenestration, cycle storage to rear and shared refuse and recycling provision to front.

Applicant: Jemma Sawyer & Katie Boaks

Officer: Sonia Gillam 292265

Approved on 20/01/15 DELEGATED

1) BH01.01

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

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

4) UNI

The hereby approved external alterations to the ground floor frontage, as indicated on the approved drawings, shall be completed prior to the first occupation of the ground floor residential unit.

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.

5) UNI

The development hereby permitted shall not be occupied until the sustainability measures detailed within the Sustainability Checklist received on the 24 October 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.

6) 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.

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 ground floor plan	01		24/10/2014
Existing first floor plan	02		24/10/2014
Existing elevations	03		24/10/2014
Site location plan and block plan	04		24/10/2014
Proposed first floor plan	12		24/10/2014
Proposed ground floor plan	15	A	15/12/2014
Proposed elevations	16	A	15/12/2014

8) UNI

No development shall commence until full details of means of alternative ventilations to the hereby approved residential units 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 the property and to comply with policy QD27 of the Brighton & Hove Local Plan and to safeguard the appearance and historic fabric of the building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

BH2014/03671

4 Coombe Terrace Brighton

Installation of new shop front to provide separate access to first floor flat. (Retrospective)

Applicant: Mr D Choudhury

Officer: Chris Swain 292178

Refused on 21/01/15 DELEGATED

1) UNI

The installed shop front, by reason of the design, proportions and the positioning of the additional door results in an unsympathetic alteration that detracts significantly from the appearance and character of the existing building, the Coombe Terrace street scene and the surrounding area. As such the proposal is contrary to policy QD10 of the Brighton & Hove Local Plan and Supplementary Planning Document on Shop Front Design (SPD02).

QUEEN'S PARK

BH2014/02712

Flat 2 6 Royal Crescent Brighton

Replacement of existing window and door with glazed timber sash and casement windows and door to rear elevation at ground floor level.

Applicant: Dr Kate Lankester

Officer: Chris Swain 292178

Approved on 26/01/15 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.

BH2014/02888

Ground Floor St James House High Street Brighton

Conversion of ground floor vacant kitchen (B1) and communal spaces to form 3no self contained flats incorporating formation of bicycle store.

Applicant: Brighton and Hove City Council

Officer: Wayne Nee 292132

Approved on 12/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

Notwithstanding the submitted plans the development hereby permitted shall not be occupied 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. The details shall make provision for a cycle ramp to improve access for future residents. The facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

4) UNI

Unless otherwise agreed in writing, no 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.

5) UNI

Unless otherwise agreed in writing, the residential units hereby approved shall not 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

The development hereby permitted shall be carried out in accordance with 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 site plan	0311.EXG.001	B	03 September 2014
Existing sections and elevations	0311.EXG.002		28 August 2014
Existing plans and elevations	0311.EXG.003		28 August 2014
Proposed plan	0311.PL.001	C	03 September 2014
Proposed sections and elevations	0311.PL.002		28 August 2014
Proposed plan sections and elevations	0311.PL.003		28 August 2014

7) UNI

No development shall commence until a scheme for the soundproofing of the building has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate independent (or otherwise resilient) wall linings to the transformer enclosure on the residential side. 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.

BH2014/03019

14 Camelford Street Brighton

Replacement of existing UPVC dormer window with timber window to front elevation.

Applicant: Claire Winchester

Officer: Robert Hermitage 290480

Approved on 26/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 shall be painted softwood 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
Site Plan	-	-	8th September 2014
Existing Dormer Window Elevation	-	-	22nd January 2015
Proposed Dormer Window Elevation	-	-	22nd January 2015
Existing Second Floor Plan	-	-	8th September 2014
Proposed Second Floor Plan	-	-	8th September 2014

BH2014/03020

14 Camelford Street Brighton

Internal and external alterations including replacement of existing UPVC dormer window with timber window, alterations to layout, fire precaution works and damp proofing works to basement.

Applicant: Miss Claire Winchester

Officer: Wayne Nee 292132

Approved on 27/01/15 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 proposed damp proofing works hereby approved shall be implemented in strict accordance with the product details submitted on 15 December 2014.

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

3) UNI

The proposed window hereby approved shall be painted softwood and shall be 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.

BH2014/03256

Warwick Mount Montague Street Brighton

Replacement of balcony handrails and of all windows and door with UPVC double glazed units. Installation of insulated rendering to all elevations, new coverings to roof and entrance foyer, new rooflight to foyer roof and alterations including repair and remedial works.

Applicant: Brighton & Hove City Council

Officer: Chris Swain 292178

Approved on 23/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

The hereby permitted insulated render panelling shall be Alsecco ALSACC52 - 1215 (light cream) as specified within the Planning Statement dated 26 September 2014 and the render sample received on 12 December 2014.

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

3) UNI

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

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	1264/OS		26 September 2014
Existing elevations and roof plan	1264/01		26 September 2014
Existing elevations and roof plan	1264/02		26 September 2014
Proposed elevations and roof plan	1264/03	A	15 December 2014
Proposed elevations and roof plan	1264/04	A	15 December 2014
Window details	No.001	A	27 November 2014

BH2014/03261

88a Queens Park Road Brighton

Erection of single storey rear extension.

Applicant: Ms Harriet Eaton

Officer: Lorenzo Pandolfi 292337

Approved on 26/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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
Proposed single storey rear extension	001d		17/11/2014

BH2014/03379

Flat 1 10 Dorset Gardens Brighton

Erection of single storey rear extension incorporating revised fenestration.

Applicant: Mr Joe Hague

Officer: Robert Hermitage 290480

Refused on 16/01/15 DELEGATED

1) UNI

The extension, by reason of the roof form and ridge height, would introduce a discordant feature which would fail to relate to the existing building and would introduce a sense of bulk to rear ground floor level which is not currently present. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2014/03430

12a Richmond Parade Brighton

Application for Approval of Details Reserved by Conditions 8, 9, 10 and 12 of application BH2014/00864.

Applicant: Mr E Derby

Officer: Sonia Gillam 292265

Split Decision on 20/01/15 DELEGATED

1) UNI

The details pursuant to conditions 9, 10 and 12 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 8 for the reason set out below.

1. Full details and samples of the materials to be used in the construction of the external surfaces of the development have not been received. Notwithstanding this it is considered that the samples that have been submitted are not of sufficient quality and/or durability to ensure a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan. It is not therefore possible to approve details in respect of condition 8.

BH2014/03575

103 Marine Parade Brighton

Internal alterations to layout at ground and first floor levels. (Part retrospective).

Applicant: Ms Sam Duncan

Officer: Chris Swain 292178

Approved on 22/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 internal partitions shall be scribed around all existing features including any skirting boards, dado rails, picture rails and cornices, and the existing

features shall not be cut into or damaged. Any new skirting boards and cornices shall be run around the new partitions to match exactly the originals in each respective part of the building.

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

3) UNI

All new and replacement rainwater goods, soil and other waste pipes and external vents shall be in cast iron and shall be painted to match the existing rear elevation 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.

BH2014/03625

23 Cuthbert Road Brighton

Installation of rooflights to front and rear.

Applicant: Mrs J Richards

Officer: Robert Hermitage 290480

Approved on 16/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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	-	-	27th October 2014
Existing Plans and Elevations	INT831/B	-	4th November 2014
Proposed Plans and Elevations	INT831	-	12th January 2014

BH2014/03647

29 Egremont Place Brighton

Conversion of existing dwelling into 2 no self contained flats and associated works.

Applicant: Mr S Simmonds

Officer: Adrian Smith 290478

Approved on 13/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 not be occupied until the sustainability measures detailed within the Design and Access statement received on the 18 November 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.

4) UNI

The replacement windows hereby approved at rear second floor level shall be painted timber vertical sliding sashes with no trickle vents to match the original sash windows to the building. The windows shall have concealed sash boxes recessed within the reveals and be set back from the outer face of the building to match the original sash windows to the building. 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.

5) UNI

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

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

6) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan and existing floor plans	215EP29/01	-	29/10/2014
Existing loft plan and rear elevation	215EP29/02	-	29/10/2014
Block plan and existing side elevations	215EP29/03	-	29/10/2014
Proposed floor plans	215EP29/04	-	29/10/2014
Proposed loft plan and elevations	215EP29/05	-	29/10/2014

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 policy HE6 of the Brighton & Hove Local Plan.

BH2014/03683

18B Freshfield Street Brighton

Replacement of rear/side windows with UPVC double glazed windows.

Applicant: Mr Nicholas Flach
Officer: Tom Mannings 292322
Approved on 22/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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			18/12/14
Window Drawings (1 Page)			03/11/14
Product Specification (14 Pages)			03/11/14
5 x Photos			03/11/14

BH2014/03698

136 Freshfield Road Brighton

Change of use from public house (A4) to 1 no. four bedroom dwelling and erection of 3 no. three bedroom dwellings (C3).

Applicant: Godfrey Investments Ltd
Officer: Adrian Smith 290478

Refused on 19/01/15 DELEGATED

1) UNI

Insufficient information has been submitted with the application to demonstrate that the site is not suitable for retention for its existing use or for alternative community uses, contrary to policy HO20 of the Brighton and Hove Local Plan.

2) UNI2

The proposed development, by virtue of its overall design and fenestration, represents a pastiche that fails to appropriately complement the appearance of the public house or surrounding street scene. The proposal therefore represents an inappropriate design standard that would fail to contribute positively to the appearance of the site and street scene, and to the setting of the Queens Park Conservation Area opposite, contrary to policies QD1, QD2 & HE6 of the Brighton and Hove Local Plan.

3) UNI3

The proposed development, by virtue of its scale on higher ground level, its proximity to the rear gardens to 1 & 3 Cuthbert Road, and the number of windows proposed in the rear elevations, would result in a loss of privacy and an enclosing and oppressive impact on the amenities of occupants of these properties contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2014/03707

19 Cuthbert Road Brighton

Erection of single storey rear infill extension.

Applicant: Mr Peter Davies
Officer: Robert Hermitage 290480

Approved on 14/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or rooflights other than those expressly authorised by this permission shall be constructed in the south-eastern (side) elevation of the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

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	dav10/14/3	C	6th January 2015
Block Plan	dav10/14/3	C	6th January 2015
Existing Plans and Elevations	dav10/14/3	C	6th January 2015
Proposed Plans and Elevations	dav10/14/3	C	6th January 2015

BH2014/03743

Brighton College Eastern Road Brighton

Alterations to south, part west and part east boundaries with erection of walls, gates railings and brick piers to replace existing and a new gate with associated landscaping.

Applicant: Brighton College

Officer: Andrew Huntley 292321

Approved on 20/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 and new service yard gate shown on the approved plans shall be painted black within one month of installation and shall be retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	516.D.00		06.11.2014
Block Plan	516.D.01		06.11.2014
Landscape Masterplan	516.D.02	A	06.11.2014
Proposed Railing Elevation	516.D.03	A	06.11.2014
Zone A - Typical Detail	516.D.04	A	13.11.2014
Zone B - Typical Detail 01	516.D.05	A	13.11.2014
Zone B - Typical Detail 02	516.D.06	A	13.11.2014
Zone B - Gate Details	516.D.07	A	13.11.2014
Zone C - Typical Detail 01	516.D.08	A	13.11.2014
Zone C - Typical Detail 02	516.D.09	A	13.11.2014
Zone D - Typical Detail	516.D.10	A	13.11.2014
Zone D - Gate Details	516.D.11	A	13.11.2014
Proposed Railing Detail	516.D.12	A	13.11.2014
Trees to be Removed	516.D.13	A	06.11.2014
Outline Planting Strategy	516.D.14	A	06.11.2014
Existing Boundary Full Elevation	516.D.15		14.11.2014
Existing Site	516.D.16		14.11.2014

4) 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.

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

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 commencement of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

6) UNI

No works shall take place until full details of the proposed finials including 1:1 section and 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 policies HE1 and HE6 of the Brighton & Hove Local Plan.

7) UNI

Notwithstanding the approved plans, the surviving historic double gates to Eastern Road shall be retained and repaired and no works shall take place until a method statement for the works of repair to the gates 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 method statement.

Reason: The loss of the historic gates would be harmful to the listed buildings and as insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

BH2014/03744

Brighton College Eastern Road Brighton

Alterations to south, part west and part east boundaries with erection of walls, gates, railings and brick piers to replace existing and a new gate with associated landscaping.

Applicant: Brighton College

Officer: Andrew Huntley 292321

Approved on 20/01/15 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 railings and new service yard gate shown on the approved plans shall be painted black within one month of installation and shall be retained as such thereafter.

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

3) UNI

Notwithstanding the approved plans, the surviving historic double gates to Eastern Road shall be retained and repaired and no works shall take place until a method statement for the works of repair to the gates 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 method statement.

Reason: The loss of the historic gates would be harmful to the listed buildings and as insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

No works shall take place until full details of the proposed finials including 1:1 section and 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.

BH2014/03927

46 Queens Park Rise Brighton

Erection of single storey side extension.

Applicant: Mark Fisher

Officer: Tom Mannings 292322

Approved on 21/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 Location Plan			20/11/14
Proposed Extension, Block Plan, Plan & Elevations	1410 01		4/12/14
Existing Block Plan, Plan & Elevations	1410 02		4/12/14

BH2014/04039

5 Madeira Place Brighton

Replacement of windows with timber framed windows to front elevation.

Applicant: Pinnacle Real Estate LLP

Officer: Tom Mannings 292322

Approved on 23/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

The windows hereby approved shall be single glazed painted timber casement and shall match the glazing pattern of the original casement 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.

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			11/12/14
Window Specification Sheet			28/11/14
Technical Details (2 Pages)			11/12/14

ROTTINGDEAN COASTAL

BH2014/02950

5B, 5C, 5E Lewes Crescent & 5 Rock Grove Brighton

External alterations to elevation fronting Rock Grove including removal of existing fire escape, replacement of existing railings and gate with new boundary wall incorporating iron gates and railings, and installation of new windows and door to porch.

Applicant: 5 Lewes Crescent Management Co Ltd

Officer: Wayne Nee 292132

Refused on 16/01/15 DELEGATED

1) UNI

The proposed boundary wall and railings, by virtue of their design, detailing and the associated loss of historic fabric, would be an unsympathetic addition which would have a significantly harmful impact on the architectural and historic character and appearance of the Grade I Listed Building, the wider street scene and Kemp Town Conservation Area. The proposal is therefore contrary to policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

Notwithstanding inaccuracies on the existing plans, the rear porch structure, by virtue of its design and detailing, would detract from the architectural appearance and historic character of the Grade I Listed Building, the wider street scene and Kemp Town Conservation Area. The proposal is therefore contrary to policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan.

BH2014/02951

5B, 5C, 5E Lewes Crescent & 5 Rock Grove Brighton

External alterations to elevation fronting Rock Grove including removal of existing fire escape, replacement of existing railings and gate with new boundary wall incorporating iron gates and railings, and installation of new windows and door to porch.

Applicant: 5 Lewes Crescent Management Co Ltd

Officer: Wayne Nee 292132

Refused on 16/01/15 DELEGATED

1) UNI

The proposed boundary wall and railings, by virtue of their design, detailing and the associated loss of historic fabric, would be an unsympathetic addition which would have a significantly harmful impact on the architectural and historic character and appearance of the Grade I Listed Building. The proposal is therefore contrary to policy HE1 of the Brighton & Hove Local Plan.

2) UNI2

Notwithstanding inaccuracies on the existing plans, the rear porch structure, by virtue of its design and detailing, would detract from the architectural appearance and historic character of the Grade I Listed Building. The proposal is therefore contrary to policy HE1 of the Brighton & Hove Local Plan

BH2014/03173

6 Cliff Road Brighton

Application for Approval of Details Reserved by Conditions 4 and 5 of application BH2012/00890

Applicant: Mr Mohammad Jafari

Officer: Sue Dubberley 293817

Approved on 15/01/15 DELEGATED

BH2014/03376

13 Tremola Avenue Saltdean Brighton

Roof alterations including hip to gable roof extension, creation of 2no dormers to front and 2no dormers and insertion of rooflight to rear. Creation of terrace to ground floor front, creation of pitched roof to existing single storey rear extension, revised fenestration and other associated works.

Applicant: Mr Stanley Medcalfe

Officer: Joanne Doyle 292198

Approved on 12/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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

Unless otherwise agreed in writing by the Local Planning Authority the applicant shall reinstate the redundant vehicle crossover to the northern frontage of the site back to a footway, by raising the existing kerb and footway, within 3 months of the new crossover to the south of the frontage being formed.

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

3) UNI

The reinstated front boundary wall, to the northern section of the frontage, shall match in height and material the immediately abutting wall to the frontage of the application site.

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

4) UNI

The two upper floor windows proposed to the south side elevation of the property 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.

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	P/01		07 Oct 2014
Block Plan	P/02	A	07 Oct 2014
Frontage Plan	P/03		07 Oct 2014
Existing Elevations	P/04		07 Oct 2014
Existing and Proposed Roof	P/05	A	07 Oct 2014

Plan			
Existing Floor Plan	P/06	B	07 Oct 2014
Proposed Ground Floor Plan	P/07	C	07 Oct 2014
Proposed First Floor Plan	P/08	E	07 Oct 2014
Proposed Elevations	P/09	F	07 Oct 2014
Existing and Proposed Sections	P/10	B	07 Oct 2014

6) UNI

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

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

BH2014/03609

44 Cranleigh Avenue Rottingdean Brighton

Erection of single storey extension to front, side and rear. Roof alterations including hip to barn end roof extensions, dormers and rooflights to side elevations and erection of detached garage to rear.

Applicant: Mr T Monk

Officer: Kathryn Boggiano 292138

Approved on 16/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 first floor dormer windows in the southern facing elevation of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			27/10/2014
Block Plan			27/10/2014
Proposed Extensions and Loft Conversions	10316-13	C	17/11/2014

BH2014/03711

White Horse Hotel High Street Rottingdean Brighton

Conversion of existing function room, bar and toilets to create 6no additional guest rooms. Partial removal of brick wall, alterations to paved area and associated alterations to north elevation. Erection of structure within existing canopy to create BBQ area to south east elevation.

Applicant: Greene King Pub Company

Officer: Wayne Nee 292132

Approved on 28/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 canopy roller shutter hereby approved shall match in colour to that of the external walls of the existing building.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan	n/a		04 November 2014
Existing external canopy	2623.12.00		04 November 2014
Existing site plan	2623.04.01		04 November 2014
Proposed site plan	2623.06.00		04 November 2014
Existing external canopy	2623.13.00		04 November 2014

5) UNI

The painted render of the canopy blockwork walls hereby approved shall match in colour and texture to that of the existing building.

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

BH2014/03735

68 Saltdean Vale Saltdean Brighton

Erection of a single storey side extension and alterations including hip to gable roof extension to rear, front and side dormers and side rooflights.

Applicant: Edward Start

Officer: Christopher Wright 292097

Approved on 28/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

The rooflights to the north facing (side) roof slope of the development hereby permitted shall not be glazed otherwise than with obscured glass and shall 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 dormer window on the south facing elevation of the roof of the development hereby permitted shall be obscure glazed and, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, non-opening. The window shall thereafter be permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			4 Nov 2014
Block Plan			4 Nov 2014
Proposed Ground Floor Extension, Alterations and Conversion	MCA/SV/001	Rev J	20 Jan 2015

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 policy QD14 of the Brighton & Hove Local Plan.

BH2014/03751

Down House The Green Rottingdean Brighton

Demolition and reconstruction of pillar and part of flint wall.

Applicant: Donna MacPherson

Officer: Robert Hermitage 290480

Approved on 16/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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
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Site Plan	-	-	6th 2014	November
Block Plan	-	-	6th 2014	November
Existing and Proposed Plans and Elevations	-	-	19th 2014	November
Photograph Depicting Extent of Work	-	-	6th 2014	November
Photograph Depicting Existing Wall	-	-	6th 2014	November

3) UNI

All new flintwork and works of making good of the flintwork shall match the original flint walls in the type of flints, coursing, density of stones, and the mortar's colour, texture, composition, lime content and method of pointing and the pointing of the brick dressings shall match the colour, texture, lime content and style of the original brick pointing.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1, HE3, HE4 and HE6 of the Brighton & Hove Local Plan.

4) UNI

No development or other operations shall commence on site in connection with the development hereby approved until a detailed Arboricultural Method Statement has been submitted regarding protection of the tree along with construction of the wall in the vicinity of its rootplate.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policy QD16 of the Brighton & Hove Local Plan.

5) UNI

The flint cobbles, coping, bricks and lime mortar should be retained and re-used where possible. Where new materials are required, a sample should be provided before reconstruction commences.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1, HE3, HE4 and HE6 of the Brighton & Hove Local Plan.

6) UNI

No development shall take place until a sample panel of flintwork has been constructed on the site and approved in writing by the Local Planning Authority. The flintwork comprised within the development shall be carried out and completed to match the approved sample flint panel.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1, HE3, HE4 and HE6 of the Brighton & Hove Local Plan.

BH2014/03752

Down House The Green Rottingdean Brighton

Demolition and reconstruction of pillar and part of flint wall.

Applicant: Donna MacPherson

Officer: Robert Hermitage 290480

Approved on 16/01/15 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 development shall take place until a sample panel of flintwork has been constructed on the site and approved in writing by the Local Planning Authority. The flintwork comprised within the development shall be carried out and completed to match the approved sample flint panel.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1, HE3, HE4 and HE6 of the Brighton & Hove Local Plan.

3) UNI

All new flintwork and works of making good of the flintwork shall match the original flint walls in the type of flints, coursing, density of stones, and the mortar's colour, texture, composition, lime content and method of pointing and the pointing of the brick dressings shall match the colour, texture, lime content and style of the original brick pointing.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1, HE3, HE4 and HE6 of the Brighton & Hove Local Plan.

4) UNI

The flint cobbles, coping, bricks and lime mortar should be retained and re-used where possible. Where new materials are required, a sample should be provided before reconstruction commences.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1, HE3, HE4 and HE6 of the Brighton & Hove Local Plan.

BH2014/03827

23 Bazehill Road Rottingdean Brighton

Erection of single storey rear extension.

Applicant: Mr & Mrs Mike Sexton

Officer: Tom Mannings 292322

Approved on 19/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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	BR1		12/11/14
Block Plan	BR2		12/11/14
Plan and Elevations	BR3	B	12/11/14
Proposed Section BB	BR4	A	12/11/14
Elevations	BR6		12/11/14
Existing Plan and Elevations	BR8		12/11/14

BH2014/03867

14 The Rotyngs Rottingdean Brighton

Conversion of existing garage into habitable living space with replacement of existing garage door with windows.

Applicant: Miss Hayes

Officer: Paul Earp 292454

Approved on 23/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			18 November 2014
Block Plan			18 November 2014
Existing ground floor layout and elevations	Page 1		18 November 2014
Proposed ground floor layout and section	Page 2		18 November 2014
Proposed elevation	Page 3		18 November 2014

BH2014/03911

26 The Cliff Brighton

Roof alterations incorporating extensions with glazed gable end to rear and to link parts of roof, solar panel relocated from rear to side and rooflights to side and flat roof.

Applicant: Mr & Mrs M Browne

Officer: Mark Thomas 292336

Approved on 16/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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	E01	-	20th November

			2014	
Existing first floor plan	E02	-	20th 2014	November
Existing elevations	E04	-	20th 2014	November
Existing sections	E05	-	20th 2014	November
Existing roof plan	E07	-	20th 2014	November
Proposed first floor plan	PL02	-	20th 2014	November
Proposed roof plan	PL03	-	20th 2014	November
Proposed elevations	PL04	-	20th 2014	November
Proposed section and side elevation	PL05	-	20th 2014	November

BH2014/03924

4 New Barn Road Rottingdean Brighton

Application for Approval of Details Reserved by Conditions 3, 5 and 6 of application BH2014/00881

Applicant: Mr Marios Kakos

Officer: Andrew Huntley 292321

Split Decision on 27/01/15 DELEGATED

1) UNI

APPROVE the details pursuant to condition 5 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 3 and 6 are NOT APPROVED for the reason(s) set out below.

1. Condition 3 is not discharged as the proposed materials are of a poor match in relation to the existing brickwork and would harm the character and appearance of the host building and wider area. Therefore, the materials submitted are unacceptable and contrary to Local Plan Policy QD14.

2. Condition 6 is not discharged as no details as to the proposed nature of the cycle parking stands have been provided. Therefore, the proposal is contrary to Local Plan Policy TR14.

BH2014/03969

16 Tumulus Road Saltdean Brighton

Certificate of lawfulness for proposed erection of a single storey rear extension to replace existing.

Applicant: Mr & Mrs Malyan

Officer: Astrid Fisher 292337

Approved on 26/01/15 DELEGATED

BH2014/03992

1 & 3 The Cliff Brighton

Application for Approval of Details Reserved by Condition 10 of application BH2011/03634

Applicant: Sussex Transformations Ltd

Officer: Andrew Huntley 292321
Approved on 22/01/15 DELEGATED

BH2014/04024

Flat 7 15 Sussex Square Brighton

Internal alterations to layout of flat.

Applicant: Mr & Mrs Sattin

Officer: Allison Palmer 290493

Approved on 28/01/15 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 pipework, ventilation grills or flues shall be fixed to or penetrate any external elevation, 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

The pipework/services/ventilation should not mark or penetrate through any joists.

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 size of the new opening hereby approved between the hall and passageway to the bedroom shall be the same size as the dimensions of the existing doorways present in the hallway of the flat. The opening shall have a surrounding architrave which shall match in size and profile to those existing architraves which are present in the hallway of the flat.

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 profile of the moldings of the architraves and the profiles of the door panels of the two new timber doors to the bedroom (that to the en-suite and that forming the entrance to the bedroom) hereby approved, shall match those of the existing doors present in the hallway of the flat. The two new doors shall be of timber construction.

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

BH2014/04153

1 & 3 The Cliff Brighton

Application for approval of details reserved by conditions 14 and 16 of application BH2011/03634.

Applicant: Sussex Transformations Ltd

Officer: Andrew Huntley 292321

Approved on 22/01/15 DELEGATED

BH2014/04253

132 Longhill Road Brighton

Demolition of 132 Lonhill Road

Applicant: Mr Alan Walder

Officer: Andrew Huntley 292321
Prior approval not required on 19/01/15 DELEGATED

BH2014/04256

28 Nevill Road Rottingdean Brighton

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Ms Louise Ramsay

Officer: Liz Arnold 291709

Approved on 20/01/15 DELEGATED

BH2014/04269

1 Tumulus Road Saltdean Brighton

Certificate of lawfulness for proposed loft conversion incorporating dormer to north elevation and rooflights to south elevation with alterations to fenestration. Conversion of one garage into utility room with associated alterations.

Applicant: Mrs Thomas

Officer: Tom Mannings 292322

Approved on 21/01/15 DELEGATED

BH2014/04270

1 Tumulus Road Saltdean Brighton

Extension to existing terrace with glazed balustrade.

Applicant: Mrs Thomas

Officer: Tom Mannings 292322

Approved on 22/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	1509/1773		18/12/14
Proposed Extension to Front Facing Terrace	1509/1844		18/12/14

BH2014/04301

1 & 3 The Cliff Brighton

Application for Approval of Details Reserved by Conditions 8 and 11 of application BH2011/03634.

Applicant: Sussex Transformations Ltd

Officer: Andrew Huntley 292321

Approved on 22/01/15 DELEGATED

WOODINGDEAN

BH2014/03230

Toby Inn 104 Cowley Drive Brighton

Extensions and alterations to existing building including rooms in roof to facilitate

change of use from public house (A4) to short term lets (Sui Generis) comprising of 16no self contained rooms and 2no self contained studios.

Applicant: Tim Martin Interiors Limited

Officer: Wayne Nee 292132

Refused on 22/01/15 DELEGATED

1) UNI

The local planning authority is not satisfied that the applicant has demonstrated an exception to policy HO20 where the priority use identified in policy is for residential and mixed use schemes. This application does not fall within the preferred criteria. This application is therefore contrary to policy HO20 of the Brighton & Hove Local Plan 2005 and CP1 of the Brighton & Hove City Plan (submission document).

BH2014/03638

404 Falmer Road Brighton

Erection of a single storey detached out building in rear garden.

Applicant: Miss Yi Chieh Chi

Officer: Robert Hermitage 290480

Refused on 28/01/15 DELEGATED

1) UNI

The proposed outbuilding by virtue of its size, siting and design would result in an incongruous appearance and would harm the character and appearance of the property. The proposal is therefore considered contrary to Policy QD14 of the Brighton and Hove Local Plan and the guidance provided by Supplementary Planning Document 12 (SPD12: Design Guide for Extensions and Alterations).

BH2014/03819

26 Batemans Road Brighton

Erection of single storey side extension and creation of parking space to front garden area.

Applicant: David Elliott

Officer: Joanne Doyle 292198

Approved on 15/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 Block Plan Existing & Proposed Floor	1362014/01		12 Nov 2014

Plans Elevations & Sections			
Existing Ground Floor Plan Existing & Proposed Ground Side Elevations- Parking Space	1362014/03		20 Nov 2014

BH2014/03857

2 Connell Drive Brighton

Erection of single storey side extension.

Applicant: Craig Wells

Officer: Joanne Doyle 292198

Approved on 09/01/15 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Site Location Plan			14 Nov 2014
Proposed Site Location Plan			14 Nov 2014
Existing Block Plan			14 Nov 2014
Proposed Block Plan			14 Nov 2014
Existing Floor Plan Roof Plan & Elevations	C764		14 Nov 2014
Proposed Floor Plan Roof Plan & Elevations	C764 A		14 Nov 2014

BRUNSWICK AND ADELAIDE

BH2014/00233

32 Brunswick Terrace Hove

Internal fire precaution works including emergency lighting, call points and heat and smoke detectors.

Applicant: Corkwood Services Ltd

Officer: Christopher Wright 292097

Refused on 19/01/15 DELEGATED

1) UNI

Notwithstanding the drawings submitted, insufficient information has been provided in respect of the exact siting and position of the works for a full evaluation of the impact of the works on the character and special interest of the Listed Building interior to be undertaken. As such the proposal is contrary to

policy HE1 of the Brighton & Hove Local Plan.

BH2014/03390

1 Brunswick Road Hove

Change of use from office (B1) to 1no one bedroom flat (C3) at ground floor level.

Applicant: Ridgewood Estates Limited

Officer: Andrew Huntley 292321

Approved on 13/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

No development shall commence until full details of means of ventilation of the residential unit has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of the property and to comply with policy QD27 of the Brighton & Hove Local Plan and to safeguard the appearance and historic fabric of the building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	028(P)001	(A)	08.10.2014
Block Plan	028(P)002		08.10.2014
Existing Plan	028(P)003		08.10.2014
Proposed Plan	028(P)020		08.10.2014
Proposed Doors	028(P)021		08.10.2014
Existing Elevations	028(P)200		08.10.2014

BH2014/03417

27 Palmeira Avenue Hove

Demolition of existing building and erection of new residential building containing 4no one and two bed maisonettes and 4no one and two bed flats with associated landscaping and cycle storage.

Applicant: Mr & Mrs M Smith

Officer: Jason Hawkes 292153

Refused on 14/01/15 DELEGATED

1) UNI

The development, by virtue of its scale, bulk, footprint and design to the rear of the building and site, would represent an overly dominant addition that would relate poorly to adjacent properties and would fail to respect the local context. The development would fail to emphasise and enhance the positive qualities of the local neighbourhood and is contrary to policies QD1, QD2 and HO4 of the Brighton and Hove Local Plan.

2) UNI2

The development, by virtue of its scale in close proximity to the boundaries of the 29 Palmeira Avenue and 30 & 31 Salisbury Road, would result in an increased sense of enclosure and a loss of outlook for occupants of these properties. The rear ground floor windows would also result in harmful overlooking for occupants of 31 Salisbury Road. The proposal would result in significant harm to neighbouring amenity and is contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The development, by reason of the small and enclosed outdoor amenity areas and the internal layout, which would fail to incorporate Lifetime Homes standards in the design, would fail to meet the needs of future occupants and would be detrimental to their living conditions. The proposal is therefore contrary to policies HO5 and HO13 of the Brighton & Hove Local Plan.

BH2014/03613

91 Lansdowne Place Hove

Application for Approval of Details Reserved by Condition 2 of application BH2014/02764.

Applicant: Swan Lane Estates Ltd

Officer: Wayne Nee 292132

Approved on 28/01/15 DELEGATED

BH2014/03634

Flats 5 & 6 22 Palmeira Square Hove

Internal alterations to layout of 2no flats to create 1 flat. Replacement of existing timber windows with timber sash and casement windows to rear elevation.

Applicant: Mr F Inglis

Officer: Christopher Wright 292097

Approved on 14/01/15 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 doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. 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.

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

3) UNI

No works shall take place until full details of 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 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.

BH2014/03635

Flats 5 & 6 22 Palmeira Square Hove

Replacement of existing timber windows with timber sash and casement windows to rear elevation.

Applicant: Mr F Inglis

Officer: Christopher Wright 292097

Approved on 14/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

No works shall take place until full details of all new 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 fully in accordance with the approved details and retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			28 Oct 2014
Block Plan			28 Oct 2014
Floor Plans Survey	14-005-101-E		28 Oct 2014
Floor Plans (Proposed)	14-005-301-H		16 Dec 2014
Box Sash - Section	14-005-304-A		28 Oct 2014

BH2014/03667

Flat 11 Hannah House 12-13 Brunswick Terrace Hove

Internal alterations to layout of flat. (Retrospective)

Applicant: Mr Bradley Gaines

Officer: Tom Mannings 292322

Approved on 14/01/15 DELEGATED

BH2014/03706

Flat 6 29 Brunswick Square Hove

Conversion of existing flat into 1no one bedroom and 1no two bedroom flats (C3).

Applicant: Mr Alexander Hole

Officer: Andrew Huntley 292321

Refused on 12/01/15 DELEGATED

1) UNI

The proposal would result in the loss of an existing family sized small unit of

residential accommodation from the City's housing stock. The existing flat is unsuitable for conversion into smaller units of accommodation by virtue of an original floor area of less than 115 sq metres. Furthermore, the proposed development would not provide a unit with two bedrooms and a standard of accommodation suitable for family occupation. The proposal is therefore contrary to policy HO9 of the Brighton & Hove Local Plan.

2) UNI2

The proposed flats would not provide an acceptable standard of accommodation. Flat 6 has one very small bedroom (Bedroom 2) and a second (Bedroom 1) with no window which would only gain light and outlook through a small rooflight and an internal window. The proposed second flat has very small habitable rooms and overall is of a small size significantly below that which would normally be considered acceptable. The scheme therefore results in an inadequate habitable space and is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/03812

2 Western Road Hove

Alterations to shop front including new entrance door to flat above and relocation of ATM machine.

Applicant: Mr Samuel Philips

Officer: Sonia Gillam 292265

Approved on 12/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 entrance door and frame surround hereby approved shall be constructed of timber and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD10 and HE6 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			17/11/2014
Block plan			17/11/2014
Existing and proposed elevations and floorplans	2260/14/01		11/11/2014

BH2014/03838

Land rear of 31 & 33 Brunswick Place Hove

Demolition of existing garages and erection of 2no two storey houses.

Applicant: Mr Joe Knoblauch

Officer: Liz Arnold 291709

Approved on 16/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

Reason: The Local Planning Authority considers that further development could cause detriment to the 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

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

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

4) UNI

All 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

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, including boundary walls, 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.

6) UNI

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

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

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

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

approved and in accordance with the approved programme.

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

9) UNI

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 and Hove Local Plan.

10) 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 residents parking permit.

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

11) UNI

No development shall take place until a scheme setting out highway works to implement a continuous footway on Farm Road in front of the development site, which links into the existing footway has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved highway works have been carried out in accordance with the approved scheme.

Reason: To ensure that suitable footway provision is provided to and from the development and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.

12) UNI

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

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

13) 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.

14) 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 the 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.

15) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit 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.

16) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, 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.

17) UNI

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

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

18) UNI

Unless otherwise agreed in writing with the Local Planning Authority the measures set out in the Waste Minimisation Statement submitted on the 13th November 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.

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	
Location Plan	001	Rev. C	13th 2014	November
Existing Site Plan	002	Rev. C	13th 2014	November
Proposed Site/Roof Plan	003	Rev. F	13th 2014	November
Proposed Site Plan Showing Line of Street Frontage	008	Rev, B	13th 2014	November
Existing GAs	100	-	13th 2014	November
Proposed Floor Plans	110	Rev. H	18th 2014	December
Proposed Elevations	111	Rev I	18th 2014	December
Proposed Section A-A	112	Rev. E	13th 2014	November

BH2014/03880

Flat 56 Embassy Court Kings Road Brighton

Internal alterations to layout of flat and replacement of internal doors.

Applicant: Mrs Cynthia Greenwood

Officer: Helen Hobbs 293335

Refused on 23/01/15 DELEGATED

BH2014/03886

29 Brunswick Street East Hove

Application for Approval of Details Reserved by Condition 4 of application BH2014/00602.

Applicant: Mr I Woodhouse

Officer: Helen Hobbs 293335

Approved on 14/01/15 DELEGATED

BH2014/03986

Ground Floor Flat 47 Brunswick Road Hove

Removal of existing sunroom and replacement with single storey rear extension, revised fenestration and other associated alterations.

Applicant: Mr Jon Moore

Officer: Helen Hobbs 293335

Approved on 21/01/15 DELEGATED

1) BH01.05

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

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

2) UNI

No works shall take place until full details of all windows, rooflights and doors 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 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.

BH2014/03987

Ground Floor Flat 47 Brunswick Road Hove

Removal of existing sunroom and replacement with single storey rear extension, revised fenestration and other associated alterations.

Applicant: Mr Jon Moore

Officer: Helen Hobbs 293335

Approved on 23/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

No works shall take place until full details of all windows, rooflights and doors 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 fully in accordance with the approved details and retained as such thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed floor plans	0251-14-01	-	26th November 2014
Existing and proposed elevations	0251-14-02	-	26th November 2014
Site plan	0251-14-03	-	28th November 2014
Block plan	0251-14-04	-	28th November 2014
Proposed elevations	0251-14-07	-	26th November 2014

BH2014/04029

8 Cross Street Hove

Erection of three storey extension with terrace above, alterations to fenestration and other associated alterations.

Applicant: Mr David Rose

Officer: Sonia Gillam 292265

Approved on 26/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

Notwithstanding the submitted plans, the fenestration (bi-fold door and window) to the rear top floor shall be white / pale cream in colour and thereafter permanently retained as such.

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

3) UNI

The external finishes of the development hereby permitted shall match in material and colour those used in 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 QD14 and HE6 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed front elevation	CS03		01/12/2014
Existing rear elevation	CS04		01/12/2014
Proposed rear elevation	CS05	a	22/01/2015
Existing section	CS06		01/12/2014
Proposed section	CS07	a	23/01/2015
Existing basement and ground floor plans	CS08		01/12/2014
Existing first and second floor plans	CS09		01/12/2014
Proposed basement and ground floor plan	CS10		11/01/2015
Proposed first and second floor plan	CS11	a	23/01/2015
Sash window detail	CS12		01/12/2014
Existing and proposed roof plan	CS13		01/12/2014
Site location plan	CS01		01/12/2014
Block plan	CS02		01/12/2014

5) UNI

No development shall take place until full details of the proposed front door, including large 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: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2014/04048

Brighton & Hove Progressive Synagogue 6 Lansdowne Road Hove

Non Material Amendment to BH2011/02971 to re position the security door to the north elevation as shown on elevation drawings.

Applicant: Mrs Myra Bianco

Officer: Christopher Wright 292097

Approved on 15/01/15 DELEGATED

CENTRAL HOVE

BH2014/03553

Flat 3 5 Clarendon Villas Hove

Installation of rooflights to front and rear roof slopes.

Applicant: Jenny Hacker

Officer: Mark Thomas 292336

Approved on 23/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed floor plans	PBP0209/02	-	21st September 2014
Existing and proposed elevations	PBP0209/01	-	21st September 2014

BH2014/03677

7 Vallance Court Hove Street Hove

Formation of additional floor incorporating balustraded roof terrace.

Applicant: Ms M Kerr

Officer: Sonia Gillam 292265

Approved on 27/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

Access to the section of the roof terrace to the east of the extension hereby approved, as shown on the roof plan on drawing no. 2651-04revB, shall be for maintenance or emergency purposes only and the area shall not be used as a roof garden, terrace, patio or similar amenity area.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed staircase plans	2651-01	A	31/10/2014
Existing plan and elevations	2651-03		31/10/2014
Proposed elevations	2651-04	B	06/01/2015
Proposed elevations	2651-05		31/10/2014
Proposed elevations	2651-06		31/10/2014
Plan showing zone of visibility	2651-07		31/10/2014
Proposed elevations	2651-08	A	06/01/2015

BH2014/03798

Hove Central Library 182-186 Church Road Hove

Installation of 2no wall-mounted LED screens on ground floor.

Applicant: BHCC Libraries

Officer: Helen Hobbs 293335

Minded to Grant National Planning Casework Unit (Secretary of State) on 19/01/15

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

Any required cabling shall be run in concealed positions and should avoid internal decorative detailing.

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

BH2014/03995

4A Blatchington Road Hove

Display of internally illuminated projecting sign and externally illuminated fascia sign.

Applicant: Basilico Ltd

Officer: Tom Mannings 292322

Approved on 21/01/15 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.

BH2014/04074

40 Albany Villas Hove

Erection of rear extension at lower ground floor level with associated excavation and creation of a roof terrace.

Applicant: Mr & Mrs Houlbrook

Officer: Helen Hobbs 293335

Approved on 28/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 policies QD14 and HE6 of the Brighton & Hove Local Plan.

3) UNI

Prior to the first use of the terrace hereby approved, full details of the proposed privacy screen to the northern side of the terrace including height, appearance and material and finish shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details prior to the first use of the terrace hereby approved, and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

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	E01		3rd December 2014
Lower and ground floor plans	E02		3rd December 2014
First and second floor plan	E03		3rd December 2014
Third and tower roof floor plan	E04		3rd December 2014
Existing front and rear elevation	E05		3rd December 2014
Existing side elevation	E06		3rd December 2014
Existing section	E07		3rd December 2014
Rear garden	E08		3rd December 2014
Site block plan	P01		3rd December 2014
Lower and ground floor plans	P02		3rd December 2014
Ground floor plan	P03		3rd December 2014
Elevations	P04		3rd December 2014
Elevation	P05		3rd December 2014

GOLDSMID

BH2014/02550

103 Holland Road Hove

Conversion of existing basement level of dwelling (C3) to 1 no two bedroom flat (C3).

Applicant: Mr Jugal Sharma

Officer: Helen Hobbs 293335

Refused on 20/01/15 DELEGATED

1) UNI

The proposed basement flat would suffer from poor levels of natural light and outlook, by reason of its basement location, lack of windows, and location of veranda above, creating a poor standard of accommodation. The proposal would therefore be contrary to policies SU2 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development would fail to provide adequate amenity space appropriate to the scale of the development. The resulting accommodation would fail to provide for the needs of future occupants and is therefore contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

3) UNI3

The proposed flat by virtue of its basement positioning and rear outlook, would be significantly overlooked by the occupiers of the ground and first floor levels of the existing property. The scheme would therefore result in an inappropriate standard of accommodation, to the detriment of the amenity of future occupiers of the proposed flat. The proposal would therefore be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI4

It has not been demonstrated that adequate provision of refuse and cycle storage would be provided on site for the future occupiers. The proposal is therefore contrary to policy HO9 of the Brighton & Hove Local Plan.

BH2014/02605

Ground Floor Flat & First Floor Flat 13 Cromwell Road Hove

Internal alterations to layout of ground and first floor flats and installation of new extract terminals. (Part retrospective)

Applicant: FCH Enterprises LLP

Officer: Mark Thomas 292336

Approved on 22/01/15 DELEGATED

BH2014/03211

Flat 1 60 The Drive Hove

Erection of timber outbuilding to rear garden.

Applicant: Mr Trevor Roberts

Officer: Helen Hobbs 293335

Approved on 12/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

The outbuilding hereby permitted shall be used solely as ancillary residential

accommodation in connection with the enjoyment of the main property as a single dwellinghouse and it shall at no time be occupied as a separate unit of accommodation.

Reason: To enable the Local Planning Authority to retain control over subdivision of the site and in order to protect the amenities of adjacent properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

No development or other operations shall commence on site in connection with the development hereby approved, until a detailed Construction Specification/Method Statement for foundation design has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.

Reason: To ensure the adequate protection of the protected trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1, QD16, HE1 and HE6 of the Brighton & Hove Local Plan.

4) UNI

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

Reason: To ensure the adequate protection of the protected trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1, QD16, HE1 and 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 plan			10th November 2014
Block plan			29th October 2014
Proposed outbuilding			23rd September 2014
Existing garden plan			10th November 2014
Proposed cabin			10th November 2014
Front elevation			29th October 2014
Side elevation 1			17th November 2014
Side elevation 2			17th November 2014

Rear view			10th November 2014
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6) 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 policies HE1 and HE6 of the Brighton & Hove Local Plan.

BH2014/03212

Flat 1 60 The Drive Hove

Erection of timber outbuilding to rear garden.

Applicant: Mr Trevor Roberts

Officer: Helen Hobbs 293335

Approved on 12/01/15 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 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.

BH2014/03499

52A Denmark Villas Hove

Replacement of existing windows to front and door to rear with double glazed timber windows and door.

Applicant: Miss Sally Anderson

Officer: Mark Thomas 292336

Refused on 13/01/15 DELEGATED

1) UNI

The submitted drawings are inconsistent, as well as failing to demonstrate that the proposed windows and doors would relate appropriately to the existing units and those elsewhere on the recipient property. As such, it has not been adequately demonstrated that the proposed development would preserve the character and appearance of the recipient property or the Conservation Area. The proposed development would, therefore, be contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and SPD09: Architectural Features and SDP12: Design Guide for Extensions and Alterations.

BH2014/03548

58A Livingstone Road Hove

Erection of part one part two storey rear extension and loft conversion incorporating rear dormer and front rooflights.

Applicant: The Lioncare Group

Officer: Chris Swain 292178

Refused on 15/01/15 DELEGATED

1) UNI

The proposed dormer, by reason of its size, proportions, design and excessive cladding would result in a bulky and unsympathetic alteration that would detract from the appearance and character of the building and harm the visual amenity of the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

2) UNI2

The proposed rear first floor extension, by reason of its height, form, design and detailing would result in an incongruous and unsympathetic alteration that would detract from the appearance and character of the building and would harm the visual amenity of the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

3) UNI3

The proposed rooflights, by reason of their number and siting, would result in an unsympathetic alteration to the front roofslope that would detract from the appearance and character of the building and would harm the visual amenity of the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2014/03802

Flat 2 68 Denmark Villas Hove

Replacement double glazed UPVc doors and windows to rear ground floor extension.

Applicant: Ms Angela Stretton

Officer: Tom Mannings 292322

Approved on 13/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 and doors hereby approved shall be a white PVCU framed, double glazed 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
Site Location Plan			11/11/14
Product Specification Sheet (2 pages)			11/11/14
Annotated Rear Elevation			11/11/14

BH2014/03803**108 Goldstone Road Hove**

Certificate of lawfulness for existing rear dormer.

Applicant: Mr Thomas Kozdon**Officer:** Joanne Doyle 292198**Approved on 19/01/15 DELEGATED****BH2014/03860****77B Lorna Road Hove**

Installation of basement window to front elevation.

Applicant: Miss Nicky Pearce**Officer:** Mark Thomas 292336**Approved on 19/01/15 DELEGATED****1) BH01.01**

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

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

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

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

Plan Type	Reference	Version	Date Received
Design and access statement	-	-	24th November 2014
Site location plan	TWP14-LR-00 3	-	24th November 2014
Existing and proposed elevations and floor plans	TWP14-LR-00 1	-	24th November 2014
Existing and proposed elevations and proposed floor plan	TWP14-LR-00 2	-	24th November 2014

BH2014/03970**6 Hovedene 95 Cromwell Road Hove**

Replacement of balcony incorporating replacement of timber framed doors with aluminium framed bi-fold doors.

Applicant: Oliver Gatting**Officer:** Helen Hobbs 293335**Approved on 28/01/15 DELEGATED****1) BH01.01**

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

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

No works shall take place until full details of the proposed doors including 1:20 scale sample elevation drawings, and sections drawings of the door frames have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved

details and retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan			3rd December 2014
Photographs			21st November 2014
Existing internal elevation			21st November 2014
Existing elevation			21st November 2014
Proposed elevation			26th January 2015
Proposed door details			21st November 2014

BH2014/03977

21 Shirley Street Hove

Erection of single storey rear infill extension.

Applicant: Miss Hannah Bastick

Officer: Christopher Wright 292097

Approved on 21/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 walls of the development hereby permitted shall match in material, colour, style, bonding and texture of 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 glazing to the roof 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 property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site and Block Plan	14-017-100-#		26 Nov 2014

Floor Plans and Elevations (Existing)	14-017-101-#		26 Nov 2014
Floor Plans and Elevations (Proposed)	14-017-301-#		26 Nov 2014

HANGLETON & KNOLL

BH2012/03425

Garage Court Adjacent to Chichester Close Hove

Installation of entrance gates, security cameras and lighting. (Part retrospective)

Applicant: Three Coats Ltd

Officer: Christopher Wright 292097

Refused on 19/01/15 DELEGATED

1) UNI

Based upon the information submitted it is considered that the proposed CCTV cameras have the potential to harm neighbouring amenity by way of loss of privacy, and the proposed security lights have the potential to cause light nuisance. The applicant has failed to demonstrate that such harmful impacts would not occur. The proposed development is therefore considered to be contrary to policies QD25 and QD27 of the Brighton & Hove Local Plan.

BH2014/03592

5 Spencer Avenue Hove

Change of use from domestic yard (C3) to commercial yard with storage of building materials and skip (B8). (Retrospective)

Applicant: M.A Construction

Officer: Sue Dubberley 293817

Refused on 23/01/15 DELEGATED

1) UNI

The use of the site as a commercial yard for the storage of building materials is incompatible with the residential area in which it is located by virtue of its visual impact and the associated noise and vehicle movements created by the use. The development is therefore contrary to policies SU10 & QD27 of the Brighton & Hove Local Plan.

BH2014/03686

11 St Helens Drive Hove

Erection of single storey side extension.

Applicant: Mr Mike Mckernan

Officer: Mark Thomas 292336

Approved on 09/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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	RP-01	-	3rd November 2014
Block plan	RP-02	-	3rd November 2014
Existing and proposed ground floor plans	RP-03	Rev. 1	3rd November 2014
Existing and proposed front and rear elevations	RP-04	Rev. 2	5th January 2015
Existing and proposed side elevation	RP-05	Rev. 1	3rd November 2014

BH2014/03754

Hove Polyclinic Nevill Avenue Hove

Installation of external lift to south elevation and alterations to fenestration to east and south elevations.

Applicant: Sussex Partnership NHS Foundation Trust

Officer: Christopher Wright 292097

Approved on 15/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

The hereby approved windows shall match the colour of the existing windows, and the hereby approved lift enclosure shall comprise powder-coated aluminium sheets of a colour to match the existing window frames.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			13 Jan 2014
Site Plan (Lift and Window Alterations)	JHB/14/379	A13.01.15	13 Jan 2014
Existing and Proposed Elevations (Lift and Window Alterations)	JHB/14/379	A12.01.15	13 Jan 2014

BH2014/03820

253 Old Shoreham Road Hove

Display of 3 no externally illuminated fascia signs, 1 no non-illuminated projecting sign, 1 no non-illuminated externally applied composite panel and 2 no

non-illuminated externally applied composite panels to existing totem sign.

Applicant: Southern Co-operative

Officer: Helen Hobbs 293335

Split Decision on 12/01/15 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 first floor fascia sign (S2), by virtue of its size, positioning at first floor level

and illumination would be unduly prominent, and would significantly detract from the character and appearance of the recipient building and the wider street scenes. As such, sign S2 would be contrary to policy QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document (SPD) 07: Advertisements.

BH2014/03824

253 Old Shoreham Road Hove

Display of 1no non-illuminated totem sign.

Applicant: Southern Co-operative

Officer: Helen Hobbs 293335

Refused on 16/01/15 DELEGATED

1) UNI

The totem sign, by reason of its excessive size and siting would form a visually intrusive and incongruous feature, to the detriment of the visual amenity of the curtilage of the site, adjoining street scenes and the surrounding area. As such the proposal is contrary to policy QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document 07, Advertisements.

BH2014/03905

37 Holmes Avenue Hove

Erection of single storey rear extension.

Applicant: Mr & Mrs Love

Officer: Tom Mannings 292322

Approved on 15/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan, Block plan, Existing & Proposed Floor Plans & Elevations	2727-01	A	20/11/2014

BH2014/03907

37 Holmes Avenue Hove

Certificate of Lawfulness for proposed extension to existing side dormer.

Applicant: Mr & Mrs Love

Officer: Tom Mannings 292322

Approved on 15/01/15 DELEGATED

BH2014/03926**89 Lark Hill Hove**

Erection of single storey rear extension. (Retrospective)

Applicant: John Harbour**Officer:** Robert Hermitage 290480**Approved on 23/01/15 DELEGATED****1) BH01.01**

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Block and Site Plan, and Proposed Plans and Elevations	477/01	A	16th January 2015
Existing Plans and Elevations	477/02	-	20th November 2014

BH2014/03936**5-7 The Parade Hangleton Road Hove**

Display of internally illuminated fascia and projecting sign and non-illuminated vinyl.

Applicant: Co-operative Food Group**Officer:** Robert Hermitage 290480**Approved on 26/01/15 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

Within three months of the date of this decision, the existing projecting oval-shaped "Post Office" sign located to the left of the fascia sign should be removed and any damage incurred by its removal repaired.

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

9) UNI

The advertisements hereby approved shall not be illuminated later than 10:00pm or after the premises are closed to the public (whichever is the earlier) and shall not be illuminated before 07:00am on any day.

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

BH2014/04036

41 Amberley Drive Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 3m.

Applicant: Mr N Shakir

Officer: Chris Swain 292178

Prior approval not required on 09/01/15 DELEGATED

BH2014/04122

90 Hallyburton Road Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.0, for which the maximum height would be 3.492m, and for which the height of the eaves would be 2.88m.

Applicant: Mrs Joy Lamb

Officer: Robert Hermitage 290480

Prior approval not required on 16/01/15 DELEGATED

NORTH PORTSLADE

BH2014/03764

85 Mile Oak Road Portslade

Application for Approval of Details Reserved by Condition 13ii of application BH2013/00380.

Applicant: Downsview Developments Ltd

Officer: Paul Earp 292454

Approved on 28/01/15 DELEGATED

BH2014/03985

45 Oakdene Crescent Portslade

Erection of a single storey rear extension.

Applicant: Mr M Morris

Officer: Mark Thomas 292336

Approved on 22/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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	-	-	26th November 2014
Block plan	-	-	26th November 2014
Existing and proposed plans and elevations	14/975/01	-	26th November 2014

BH2014/04002

319 Mile Oak Road Portslade

Prior approval for change of use from retail (A1) and residential (C3) to 1no residential dwelling (C3).

Applicant: Mrs Meredy Harris

Officer: Chris Swain 292178

Prior Approval is required and is approved on 21/01/15 DELEGATED

BH2014/04212

108 Heathfield Crescent Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.0m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.7m.

Applicant: Greg Barnes

Officer: Christopher Wright 292097

Prior approval not required on 23/01/15 DELEGATED

SOUTH PORTSLADE

BH2013/00756

79 North Street Portslade

Demolition of existing industrial building and erection of part three, part four storey building comprising 4no two bedroom and 2no one bedroom flats and office block to East on first, second and third floors with courtyard car park on ground floor.

Applicant: North Street Capital Ltd

Officer: Guy Everest 293334

Approved after Section 106 signed on 16/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 commercial (Class B1) use hereby permitted shall not be open to customers except between the hours of 08:00 and 19:00 on Mondays 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.

3) UNI

No commercial deliveries or waste collection shall occur 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.

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 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 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.

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

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 programme shall specify that 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 unless otherwise agreed in writing.

Reason: So as to ensure the implementation of the entire scheme and to comply with policies EM1 of the Brighton & Hove Local Plan and policy DA8 of the Brighton & Hove Submission City Plan Part One.

9) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development above ground floor slab level 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.

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development above ground floor slab level shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM Shell and Core 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.

11) UNI

Notwithstanding the submitted plans no development above ground floor slab level shall commence until details of 10 secure cycle parking spaces 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) UNI

No development shall commence above ground floor slab level 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.

13) UNI

No development shall take place above the ground floor slab level 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.

14) UNI

No development shall take place above the ground floor slab level until elevations and sections at a scale of 1:20 of the balconies and associated balustrading, the windows and their reveals, the solar shading structures and overhanging roof form have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details and be maintained as such thereafter.

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

15) UNI

No development shall take place above the ground floor slab level until a scheme for the soundproofing of the residential units has been submitted to and approved in writing by the Local Planning Authority. The measures shall include details of glazing specifications and shall outline how internal noise levels will comply with the levels in British Standard 8233:2014. The development shall be implemented in strict accordance with the approved details prior to the occupation of the

development and shall thereafter be retained as such.

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

16) UNI

No development shall take place above the ground floor slab level until details of the ventilation strategy for the building has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of future occupants of the development, ensure the efficient use of resources and to comply with policies SU2, SU10 and QD27 of the Brighton & Hove Local Plan.

17) UNI

Notwithstanding the submitted plans no development shall take place above the ground floor slab level until details of compliance with Lifetime Homes standards have been submitted to and approved prior to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

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

18) 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 u

19) UNI

The residential development shall not be occupied until an additional noise survey and report has been submitted to and approved in writing by the Local Planning Authority, demonstrating how the residential units have been glazed and ventilated so that internal noise levels comply with the levels in British Standard 8233:2014. If the additional noise survey and report shows that the levels in the British Standard 8233:2014 are not met then an additional report detailing the mitigation measures to be installed including a further test carried out to demonstrate compliance with the levels in the British Standard 8233:2014 shall be submitted to and approved in writing prior to first occupation of the residential units.

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

20) UNI

The residential development shall not be occupied until an additional noise survey and report has been submitted to and approved in writing by the Local Planning Authority, demonstrating that noise levels from the lifts comply with the levels in British Standard 8233:2014. If the additional noise survey and report shows that the levels in the British Standard 8233:2014 are not met then an additional report detailing the mitigation measures to be installed including a further test carried out to demonstrate compliance with the levels in the British Standard 8233:2014 shall be submitted to and approved in writing prior to first occupation of the residential units.

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

21) UNI

Prior to the occupation of the development the redundant vehicle crossover to Church Road shall be reinstated back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

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

22) UNI

The development hereby approved shall not be occupied until details of refuse and recycling storage facilities for the commercial and residential units have 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.

23) UNI

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

24) UNI

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.

25) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			07/03/2013
Block Plan	SNP		07/03/2013
As Existing	SNP 4/3	A	07/03/2013
As Proposed (Floorplans)	SNP 5/1	C	13/03/2014
As Proposed (Elevations & Sections)	SNP 5/2	C	13/03/2014

BH2014/02986

44 Station Road Portslade

Display of externally illuminated fascia and hanging signs and graphic sign applied to glazing. (Retrospective)

Applicant: Papa Johns

Officer: Joanne Doyle 292198

Approved on 12/01/15 DELEGATED

1) 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.

2) 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.

3) 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.

4) 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.

5) 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.

6) 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.

BH2014/03853

22 Newtimber Drive Portslade

Erection of single storey rear extension to replace existing conservatory.

Applicant: Mrs A Levy

Officer: Mark Thomas 292336

Approved on 13/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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	-	-	17th November 2014
Block plan	-	-	17th November 2014
Existing and proposed plans and elevations	14/971/	-	17th November 2014

BH2014/03908

46 St Andrews Road Portslade

Removal of existing extensions and creation of lightwell and raised patio to ground floor flat. Demolition of existing garage and erection of single storey dwelling.

Applicant: Park Avenue Estates Ltd

Officer: Helen Hobbs 293335

Refused on 15/01/15 DELEGATED

1) UNI

The proposed detached dwellinghouse would represent an overdevelopment of the site incongruous with the prevailing character and appearance of surrounding development, and would significantly reduce the important open aspect currently visible between the properties on St. Andrew's Road and those on Norway Street. This harm is considered to outweigh the benefit provided by the additional residential unit. The proposal is therefore contrary to polices QD1, QD2 and QD3 of the Brighton and Hove Local Plan.

2) UNI2

The proposed detached dwellinghouse, by reason of its height and massing along shared boundaries, would result in overmassing along shared boundaries creating an increased sense of enclosure for occupiers of adjoining properties. This harm is considered to outweigh the benefit provided by the additional residential unit. The proposal is therefore contrary to polices QD14 and QD27 of the Brighton and Hove Local Plan.

BH2014/04006

1 Benfield Crescent Portslade

Certificate of lawfulness for proposed conversion of 2no flats into a single dwelling house.

Applicant: Landbond Properties

Officer: Robert Hermitage 290480

Approved on 20/01/15 DELEGATED

BH2014/04100

34 Shelldale Road Portslade

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

Applicant: Mr Wei Li

Officer: Tom Mannings 292322

Approved on 20/01/15 DELEGATED

BH2014/04319

53 St Andrews Road Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.3m, for which the maximum height would be 3.9m, and for which the height of the eaves would be 2.7m.

Applicant: Mrs Claire Connell

Officer: Joanne Doyle 292198

Prior approval not required on 28/01/15 DELEGATED

HOVE PARK

BH2014/00577

215 Nevill Road Hove

Application for Approval of Details Reserved by Conditions 4, 5, 8, 9, 10 and 11

of application BH2013/00528.

Applicant: Mr C Durrant
Officer: Christopher Wright 292097
Split Decision on 28/01/15 DELEGATED

1) UNI

The details pursuant to conditions 8 and 9 subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 10 and 11 are NOT APPROVED for the reason(s) set out below.

1. The requirements of condition 10 have not been met in full because the following details are required: details of the protection of existing trees and their root protection zones; details of plant sizes at time of planting; method of planting/specification.

2. There are fundamental differences in respect of the drawings approved under ref: BH2013/00528 and the proposed ground levels submitted in response to condition 11. In particular, the relationship between the application site and adjoining properties is materially different with the proposed ground levels and roof levels raising additional design and amenity issues beyond those considered as part of the existing planning permission. The details reserved by condition 11 cannot therefore be discharged.

BH2014/01953

46 Hove Park Way Hove

Removal of existing garage and erection of a single storey rear extension.

Applicant: Mr & Mrs Neil Myers
Officer: Benazir Kachchhi 294495

Approved on 16/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan			16 June 2014
Block plan			16 June 2014
Proposed Site Plan	130201. P12		16 June 2014
Site Plan Survey	130201. S12		16 June 2014
Ground Floor Plan Survey	130201. S1		16 June 2014
First Floor Plan Survey	130201. S2		16 June 2014
Roof Plan Survey	130201. S4		16 June 2014

Front Elevation Survey	130201. S5		16 June 2014
Rear Elevation Survey	130201. S6		16 June 2014
Side Elevation Survey	130201. S7		16 June 2014
Side Elevation Survey	130201. S8		16 June 2014
Section A-A Survey	130201. S9		16 June 2014
Section B-B Survey	130201. S10		16 June 2014
Section C-C Survey	130201. S11		16 June 2014
Proposed ground floor plan	130201. P1	A	05 August 2014
Proposed first floor plan	130201. P2	A	05 August 2014
Proposed roof plan	130201. P4	A	05 August 2014
Proposed front elevation	130201. P5	A	05 August 2014
Proposed rear elevation	130201. P6	A	05 August 2014
Proposed side elevation	130201. P7	A	05 August 2014
Proposed side elevation	130201. P8	A	05 August 2014
Proposed Section A-A	130201. P9	A	05 August 2014
Proposed Section B-B	130201. P10	A	05 August 2014
Proposed Section C-C	130201. P11	A	05 August 2014

BH2014/02569

The British Engineerium The Drove Way Hove

Application for Approval of Details Reserved by Conditions 2, 3 and 4 of application BH2012/03462.

Applicant: The British Engineerium Ltd

Officer: Mark Thomas 292336

Approved on 14/01/15 DELEGATED

BH2014/02647

The British Engineerium The Drove Way Hove

Application for Approval of Details Reserved by Conditions 2i, 2ii, 2iii and 2iv of application BH2007/04028

Applicant: The British Engineerium Ltd

Officer: Mark Thomas 292336

Approved on 14/01/15 DELEGATED

BH2014/02648

The British Engineerium The Drove Way Hove

Application for approval of details reserved by conditions 2i, 2ii, 2iii and 2iv of application BH2007/04031.

Applicant: The British Engineerium Ltd

Officer: Mark Thomas 292336

Approved on 14/01/15 DELEGATED

BH2014/03153

The British Engineerium The Drove Way Hove

Installation of access gate within existing boundary wall.

Applicant: The British Engineerium

Officer: Liz Arnold 291709

Approved on 22/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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

Unless otherwise agreed in writing by the Local Planning Authority the new access hereby approved shall not be used on days that the Hove Park Miniature Railway is in operation.

Reason: In the interests of highway safety, and to safeguard the amenities of the neighbouring premises and to comply with policies TR7 and QD27 of the Brighton & Hove Local Plan.

3) UNI

No vehicles exceeding 7m in length shall enter the premises via the new access from Hove Park.

Reason: In the interests of highway safety, to restrict the size of vehicles accessing the site and to comply with policy TR7 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	1905/124	Issue A	18th	September 2014
Plan as Existing	1905/136	Issue A	18th	September 2014
Elevations as Existing	1905/137	Issue A	18th	September 2014
Plan as Proposed	1905/138	Issue C	4th	November 2014
Elevations as Proposed	1905/139	Issue C	4th	November 2014
Block Plan	1905/140	Issue A	18th	September 2014

5) UNI

No works shall take place until a sample of the flintwork and mortar and a method statement for the works hereby approved have been submitted to an 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 and HE6 of the Brighton & Hove Local Plan.

BH2014/03206

5 Onslow Road Hove

Erection of single storey front extension, two storey side extension, part one part two storey rear extension, roof alterations incorporating rear dormer, revised fenestration, revisions to front boundary wall and associated works (amended drawings).

Applicant: Mr Marc Woodward

Officer: Robert Hermitage 290480

Approved on 14/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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	(10)000	-	23rd September 2014
Existing Ground Floor Plan	(20)000	-	23rd September 2014
Existing First Floor Plan	(20)001	-	23rd September 2014
Existing Loft Plan	(20)002	-	23rd September 2014
Existing Roof Plan	(20)003	-	23rd September 2014
Proposed Ground Floor Plan	(21)000	F	14th November 2014
Proposed First Floor Plan	(21)001	D	14th November 2014
Proposed Second Plan	(21)002	D	14th November 2014
Proposed Roof Plan	(21)003	C	14th November 2014
Existing Street Elevation	(30)000	-	23rd September 2014
Existing North Elevation	(30)001	-	23rd September 2014
Existing East Elevation	(30)002	-	23rd September 2014
Existing South Elevation	(30)003	-	23rd September 2014
Existing West Elevation	(30)004	-	23rd September 2014
Proposed Street Elevation	(31)000	A	14th November 2014
Proposed North Elevation	(31)001	E	14th November 2014
Proposed East Elevation	(31)002	D	14th November 2014
Proposed South Elevation	(31)003	E	7th January 2015
Proposed West Elevation	(31)004	A	23rd September 2014

BH2014/03253

Pavilion & Avenue Tennis Club 19 The Drove way Hove

Demolition of coaches building and extension and alterations to physiotherapy building including creation of first floor with pitched roof, two storey side extension and associated alterations.

Applicant: Pavilion & Avenue Tennis Club

Officer: Adrian Smith 290478

Approved on 28/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

The development hereby permitted shall not be occupied until the sustainability measures detailed within the email received on the 19 December 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.

3) UNI

The access between 1 and 3 The Drove way shall only be used for emergency purposes and maintenance and for the parking of two vehicles, as detailed on approved drawing no. 14203/06 received on 25 September 2014, belonging to members of staff. The access shall not be used for any other purposes associated with the tennis club without the prior consent of the Local Planning Authority.

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

4) UNI

Prior to the first use of the parking bays and turning area, as detailed on approved drawing no. 14203/06 received on 25 September 2014, directional signs shall be installed granting priority to vehicles entering the site. The signs shall be retained as such thereafter.

Reason: in the interests of highway safety and to comply with policy TR7 of the Brighton & Hove Local Plan.

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan	14203/10	-	25/09/2014
Existing site plan	14203/04	-	25/09/2014
Existing floor plans and elevations	14203/10	-	10/10/2014
Existing buildings	14203/01	-	25/09/2014
Proposed site plan, floor plans and elevations	14203/06	-	25/09/2014

6) UNI

The building hereby permitted shall not be used for organised social events, meetings and the serving of hot food or alcoholic drink.

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

BH2014/03427

10 Hove Park Road Hove

Creation of dormers to side and rear, insertion of rooflights and photovoltaic panels, alterations to roof to existing rear extension and revised fenestration.

Applicant: Mr & Mrs M Harker

Officer: Robert Hermitage 290480

Approved on 12/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 second floor windows to the western (side) elevation of the dormer window hereby permitted shall be obscure glazed and, 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, non-opening. The windows shall thereafter be permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	01	-	10th October 2014
Proposed Plans and Elevation	02	A	18th December 2014

BH2014/03703

51 Cobton Drive Hove

Erection of single storey side and rear extension and side and rear alterations including replacement of rear window with doors.

Applicant: Mr James Brace

Officer: Christopher Wright 292097

Approved on 14/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 policy 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 shall be constructed on the north-westerly facing flank elevations of the extension hereby approved without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of the neighbouring property, 53 Cobton Drive, 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 Site Location Plan	001		4 Nov 2014
Existing Site Location Plan (Block Plan)	002		4 Nov 2014
Existing Ground, First & Roof Floor Plan	003		4 Nov 2014
Existing Front & Rear Elevation	004		4 Nov 2014
Existing Side Elevation & Long Section AA	005		4 Nov 2014
Proposed Site Location Plan	006		7 Jan 2015
Proposed Ground, First & Roof Floor Plan	007		4 Nov 2014
Proposed Front & Rear Elevation	008		4 Nov 2014
Proposed Side Elevation & Long Section AA	009		4 Nov 2014
Proposed Rear Elevation & Short Sections	010		4 Nov 2014
Proposed Front Elevation Detail Drawing	35		22 Dec 2014
Proposed Right Side Elevation Detail Drawing	36		22 Dec 2014
Front Sketch Visual	37		22 Dec 2014
Rear Sketch Visual	38		22 Dec 2014

BH2014/03792

Unit 12 St Josephs Business Park St Josephs Close Hove

Certificate of lawfulness for proposed trade counter within existing warehouse.

Applicant: Smart Lines Ltd
Officer: Guy Everest 293334
Refused on 22/01/15 DELEGATED

1) UNI

The submitted details fail to demonstrate that the trade counter, on the balance of probability, would not result in a material change of use for which planning permission would be required. The proposed use would not therefore be lawful under Section 55(2) of the Town and Country Planning Act (1990), as amended.

BH2014/03888

267 Dyke Road Hove

Erection of rear infill extension to ground floor, side extension to first floor, roof extension incorporating rooflights to sides and associated alterations.

Applicant: Mr Simon Cheesman
Officer: Adrian Smith 290478

Approved on 23/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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	318/100	P1	19/11/2014
Block plan, existing and proposed floor plans and elevations	318/09	P3	20/01/2015
Floor usage plan	318/10	P1	19/11/2014

BH2014/04335

3 Kelly Road Hove

Certificate of lawfulness for proposed room to rear garden.

Applicant: Ms C King
Officer: Astrid Fisher 292337

Approved on 28/01/15 DELEGATED

WESTBOURNE

BH2014/01939

Autumn Lodge Rest Home 35-39 Rutland Gardens Hove

Erection of first floor rear extension, replacement of existing link with three storey link between buildings and loft conversion incorporating dormers to front and rear

and rooflight to front.

Applicant: Mr Christian Bravery
Officer: Jason Hawkes 292153
Approved on 28/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

The new window facing Rutland Gardens in the link extension shall be a painted softwood, double hung vertical sliding sash window with concealed trickle vents and shall be retained as such.

Reason: In the interests of the character and appearance of the building and the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			16th June 2014
Block Plan			16th June 2014
Ground Floor Plan Survey as Existing	S1		16th June 2014
First Floor Plan Survey as Existing	S2		16th June 2014
Second Floor Plan Survey as Existing	S3		16th June 2014
Roof Plan Survey as Existing	S4		16th June 2014
Front (West) Elevation Survey as Existing	S5		16th June 2014
Side (North) Elevation Survey as Existing	S6		16th June 2014
Rear (East) Elevation Survey as Existing	S7		16th June 2014
Side (South) Elevation Survey as Existing	S8		16th June 2014
Elevation A-A Survey as Existing	S9		16th June 2014
Elevation B-B Survey as Existing	S10		16th June 2014

Existing			
Section C-C Survey as Existing	S11		16th June 2014
Ground Floor Plan as Proposed	P1	B	27th November 2014
First Floor Plan as Proposed	P2	B	27th November 2014
Second Floor Plan as Proposed	P3	B	27th November 2014
Roof Plan as Proposed	P4	B	27th November 2014
Front (West) Elevation as Proposed	P5	B	27th November 2014
Side (North) Elevation as Proposed	P6	B	27th November 2014
Rear (East) Elevation as Proposed	P7	B	27th November 2014
Side (South) Elevation as Proposed	P8	B	27th November 2014
Section A-A as Proposed	P9	B	27th November 2014
Section B-B as Proposed	P10	B	27th November 2014
Section C-C as Proposed	P11	B	27th November 2014
Section D-D as Proposed	P12	B	27th November 2014
Section E-E as Proposed	P13	B	27th November 2014
Section F-F as Proposed	P14	B	27th November 2014
Section G-G as Proposed	P15	B	27th November 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.

BH2014/02500

191 Kingsway Hove

Application for Approval of Details Reserved by Conditions 3, 5 and 6 of application BH2014/00703.

Applicant: Spences Two

Officer: Adrian Smith 290478

Approved on 19/01/15 DELEGATED

BH2014/02542

121D Portland Road Hove

Installation of dormer with Juliet balcony to replace existing to front elevation. (Part Retrospective).

Applicant: Mr Howard Hamilton
Officer: Joanne Doyle 292198
Approved on 26/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

Access to the flat roof fronting the front dormer shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location & Block Plan	M 47/01	-	29 Jul 2014
Original Floor Plans	M 47/02	-	29 Jul 2014
Original Front & East Side Elevations	M 47/03	-	29 Jul 2014
Original Rear & West Side Elevations	M 47/04	-	29 Jul 2014
Proposed Floor Plans	M 47/20	-	25 Nov 2014
Proposed Front & East Side Elevations	M 47/21	-	25 Nov 2014
Proposed Rear & West Side Elevations	M 47/22	-	25 Nov 2014

BH2014/02571

36 Walsingham Road Hove

Conversion and part demolition of detached garages to form 1no. one bedroom single-storey dwelling (C3) with associated extension and alterations (amended design).

Applicant: Investsave
Officer: Jason Hawkes 292153
Refused on 14/01/15 DELEGATED

1) UNI

The scale and siting of the development, through the formation of an additional curtilage of limited size, represents a cramped overdevelopment of the site which would create an awkward relationship with the main building and would appear incongruous and harmful to the prevailing character and appearance of the area.

The development would fail to preserve or enhance the established character and appearance of the Sackville Gardens Conservation Area and would fail to emphasise and enhance the positive qualities of the local neighbourhood. The proposal is therefore contrary to policies QD1, QD2, QD3 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The development would provide an unsatisfactory standard of accommodation for future occupants due to a small and cramped outdoor amenity area, which would be overlooked from a first floor window of 36 Walsingham Road, and inadequate natural light and outlook to a bedroom. The proposal is therefore contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

BH2014/03075

130 Cowper Street Hove

Demolition of existing light industrial unit (B1) and erection of 1no three bedroom house (C3).

Applicant: R & R Valeting

Officer: Jonathan Puplett 292525

Approved on 12/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A - 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 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.

4) UNI

No cables, wires, aerials, meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation visible from the public realm, 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 QD1 of the Brighton & Hove Local Plan.

5) UNI

The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct

run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

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

6) UNI

(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 appr

7) 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.

8) UNI

No development shall take place until samples of the following 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:

a) A sample of the proposed render (painted in the proposed colour)

b) A sample of the proposed roof tile

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

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

9) UNI

No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) Proposed front elevation to 1:20 scale which shows all proposed detailing to match that of the adjoining dwelling at no. 128 Cowper Street.
- b) Full details of all windows and doors including 1:20 sample elevations and 1:1 sections.

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

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

10) 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.

11) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping. The scheme shall include the following:

- a. details of all hard surfacing;
- b. details of all boundary treatments;
- c. details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.

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

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.

13) 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.

14) 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.

15) UNI

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

16) 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.

17) UNI

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

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

18) UNI

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

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

Plan Type	Reference	Version	Date Received
LOCATION PLAN			12/09/2014
BLOCK PLAN			03/10/2014
EXISTING AND PROPOSED ELEVATIONS, FLOORPLANS AND SECTIONS	01	B	06/01/2015

BH2014/03648
24 Westbourne Villas Hove

Demolition of existing conservatory and erection of single storey extensions, creation of 2no dormers and of 2no rooflights to the rear and installation of 2no rooflights to the front.

Applicant: Mr & Mrs Seaborne

Officer: Mark Thomas 292336

Approved on 27/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

3) UNI

The first floor window to the northern elevation shall be obscure glazed and, 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, non-opening. The window shall be retained as such thereafter.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Proposed ground floor plan, site location and block plans	3518.PL.05	-	29th October 2014
Proposed first and second floor plans and elevations	3518.PL.06	Rev. A	9th January 2015
Proposed side elevation	3518.PL.07	Rev. A	18th November 2014
Proposed front elevation	3518.PL.08A	-	9th January 2015
Existing plans	3518.EX.01	-	29th October 2014
Existing elevations	3518.EX.02	Rev. A	26th November 2014

BH2014/03765

12 Aymer Road Hove

Installation of side gate, extending and capping of central pier, replacing coping on front boundary wall and associated landscaping.

Applicant: Mrs Elaine Wolf

Officer: Helen Hobbs 293335

Approved on 09/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 brickwork to the brick pier hereby permitted shall match in brick type, colour, texture and brickbond, including matching mortar mix, and method of pointing to that of the existing wall and piers. This detail shall thereafter be maintained as such.

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

3) UNI

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:

1. Yorkstone entrance steps
2. New capping to brick pier

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 development hereby permitted shall be carried out in accordance with 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	240107-SO		14th November 2014
Block plan	140107-PO		10th November 2014
Elevations - existing	Plan A		10th November 2014
Elevations - proposed	Plan B		10th November 2014
Ground plan	Plan C		10th November 2014
Ground plan - proposed	Plan D		10th November 2014
Wall capping	Plan E		12th November 2014

5) UNI

No development shall take place until a sample of the stone for the front entrance steps and coping detail to the walls 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.

BH2014/03773

78 Walsingham Road Hove

Replacement of rear external timber stairway with steel spiral stairway.

Applicant: Mrs Ann Roberts

Officer: Mark Thomas 292336

Approved on 09/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 staircase shown on the approved plans shall be painted black 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
Site location and block plan	005	-	7th November 2014
Existing elevations	001	-	7th November 2014
Existing elevations	002	-	7th November 2014
Proposed elevations and roof plan	003	-	7th November 2014
Proposed elevations	004	-	7th November 2014

BH2014/03858

153 Kingsway Hove

Application for approval of details reserved by conditions 3, 4 and 5 of application BH2013/02137.

Applicant: Martin Ailion

Officer: Christopher Wright 292097

Split Decision on 28/01/15 DELEGATED

1) UNI

The details pursuant to condition 5 subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 4 are NOT APPROVED for the reason set out below.

1. The details pursuant to condition 4 are not hereby approved because the cycle parking spaces would not be sheltered and would not allow for the convenient securing of both frame and wheels of bicycles.

BH2014/03904

135 Westbourne Street Hove

Application for Approval of Details Reserved by Condition 8 of application BH2014/00598.

Applicant: Mr P Bond

Officer: Paul Earp 292454

Approved on 15/01/15 DELEGATED

BH2014/03943

171 Westbourne Street Hove

Certificate of lawfulness for proposed single storey side and rear extensions and loft conversion incorporating 2no front rooflights and rear dormer.

Applicant: Clair Denman

Officer: Robert Hermitage 290480

Approved on 19/01/15 DELEGATED

BH2014/03960

88 Wordsworth Street Hove

Erection of single storey rear extension.

Applicant: Mike Smethurst

Officer: Tom Mannings 292322

Approved on 20/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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
Extension			25/11/14

WISH

BH2014/03049

4 Berriedale Avenue Hove

Removal of existing extensions and erection of single storey rear extension with raised decking.

Applicant: Mr & Mrs Hitchens

Officer: Lorenzo Pandolfi 292337

Approved on 20/01/15 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

The hereby approved raised decking shall not be brought into use until screening to the northern boundary of the site has been erected in accordance with the approved drawings. The screen shall be retained as such thereafter.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans & Location Plan	GA01		03/11/2014
Existing Elevations & Block Plan	GA02	A	03/11/2014
Existing Elevations	GA03	A	03/11/2014
Proposed Plans	GA04	A	03/11/2014
Proposed Elevations	GA05	A	03/11/2014
Proposed Elevations	GA06	A	03/11/2014

BH2014/03746

236 New Church Road Hove

Creation of dormers to side and rear and installation of 3no rooflights to front.

Applicant: D Fraser

Officer: Tom Mannings 292322

Approved on 26/01/15 DELEGATED

1) BH01.01

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

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

2) UNI

The hereby approved accommodation at second floor level shall only be used in connection with and ancillary to the accommodation at first floor level. The second floor shall not be occupied as a self-contained residential unit.

Reason: The second floor would not provide an adequate standard of accommodation for future occupants, to protect the amenity of future occupants and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

The second floor windows in the western (side) elevation of the development hereby permitted shall be obscure glazed and shall thereafter be permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			6/11/14
Proposed Loft Conversion	01	A	22/12/14
Proposed Loft Conversion	02		6/11/14

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 policy QD14 of the Brighton & Hove Local Plan.

BH2014/03903

3 Brittany Road Hove

Certificate of lawfulness for proposed single storey side and rear extension and loft conversion incorporating gable end roof extension, front rooflight, side window and rear dormer.

Applicant: Mr & Mrs Lewis

Officer: Robert Hermitage 290480

Split Decision on 19/01/15 DELEGATED

1) UNI

The proposed rear extension projects beyond an original side wall to the dwellinghouse with a width greater than half the width of the existing dwellinghouse. This aspect of the proposal is therefore not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2014/03937

20 Kingsthorpe Road Hove

Erection of first floor rear extension with roof terrace above and glass balustrading.

Applicant: Ms Ayiesha Adderly

Officer: Tom Mannings 292322

Approved on 19/01/15 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Survey Plans and Elevations	0149-MS100		24/11/14
Proposed Plans including Location and Block Plans	0149-A100	B	24/11/14
Proposed Elevations and Section AA	0149-A200	B	24/11/14

BH2014/03971

39 Coleman Avenue Hove

Erection of single storey rear extension.

Applicant: R & S Galloway

Officer: Helen Hobbs 293335

Approved on 15/01/15 DELEGATED

1) BH01.01

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

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

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan			20th November 2014
Existing and proposed	01		20th November 2014

BH2014/04049

5 Chelston Avenue Hove

Erection of part single, part two storey rear extension and erection of single storey side extension to replace existing.

Applicant: Mr & Mrs N Howell

Officer: Tom Mannings 292322

Refused on 23/01/15 DELEGATED

1) UNI

The proposed rear extension at first floor level, by virtue of its scale, bulk, height and detailing would form an overly dominant addition which would not appear subservient to the existing building and would result in an over-extended and contrived appearance to the property. The proposed development is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document SPD12: Design guide for extensions and alterations.

2) UNI2

The proposed development, by virtue of its height, level of projection and siting in close proximity to the boundary with the neighbouring property, no. 7 Chelston Avenue, would result in an unneighbourly form of development, which would appear overbearing and result in a material loss of outlook to this dwelling. As such, the proposal would adversely impact on the residential amenity of the occupiers of this property contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and the Supplementary Planning Document SPD12: Design guide for extensions and alterations.

BH2014/04050

14 Portland Avenue Hove

Certificate of lawfulness for proposed erection of single storey rear and single storey side extensions to replace existing with associated alterations.

Applicant: Mr & Mrs M & J Wingate

Officer: Mark Thomas 292336

Approved on 20/01/15 DELEGATED

BH2014/04076

29 Welbeck Avenue Hove

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension with Juliet balcony to rear with dormers and rooflights to side elevations.

Applicant: Mr Russell Donald

Officer: Robert Hermitage 290480

Approved on 23/01/15 DELEGATED

BH2014/04077

14 Park Avenue Hove

Certificate of Lawfulness for proposed single storey rear and side extensions.

Applicant: Mr Gary Howell

Officer: Mark Thomas 292336

Approved on 23/01/15 DELEGATED

BH2014/04105

13 St Heliers Avenue Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.8m, and for which the height of the eaves would be 2.6m.

Applicant: Mr Sanjay Pradham

Officer: Robert Hermitage 290480

Prior approval not required on 16/01/15 DELEGATED

BH2014/04124

12 Brittany Road Hove

Certificate of lawfulness for proposed single storey side extension.

Applicant: Richard Dimond

Officer: Robert Hermitage 290480

Refused on 26/01/15 DELEGATED

Withdrawn Applications

PLANS LIST 18 February 2015**PATCHAM**

**Application No: BH2015/00041
52 Windmill Drive, Patcham, Brighton**

2no Elm -UP1 & UP2 Very minor crown lift and removal of 2 lower epicormic branches on UP1. Also removal of 2 dead branches.

Applicant: Steve Griffiths
Approved on 20 Jan 2015

ST. PETER'S & NORTH LAINE

**Application No: BH2014/04012
24 Wakefield Road Brighton**

Fell 8no Sycamores T1-6 North boundary T7 & T8 East boundary. (Although trees are visible from the adjoining footpath, thus have a moderate level of public amenity value, their location immediately adjacent to built structures renders long-term retention unfeasible.)

Applicant: Iain Palmer
Approved on 14 Jan 2015

**Application No: BH2014/04287
94 Centurion Road, Brighton**

Fell 1no Malus Sp. (Although the tree is clearly visible from a public space, thus has amenity value, its location renders the possibility of long-term retention unfeasible.)

Applicant: Mr Peter Fuller
Approved on 14 Jan 2015

**Application No: BH2015/00050
Land behind 67 - 81 Princes Road, Brighton**

Fell 1no Silver Birch and 1no sapling. (Trees have no public visibility.)

Applicant: Ian Navichas
Approved on 20 Jan 2015

WITHDEAN

Application No: BH2015/00163
243 Preston Road, Brighton

Purple Beech (T57) - crown lift light growth to 4.5m over drive to allow vehicle access; Yew (T55) - prune back max. 1m over drive.

Applicant: Mr S Toomey
Approved on 20 Jan 2015

Application No: BH2015/00164
243 Preston Road, Brighton

Fell one Crab Apple. (No public amenity value - poor specimen.)

Applicant: Mr S Toomey
Approved on 20 Jan 2015

EAST BRIGHTON

Application No: BH2015/00109
1 Belle Vue Gardens, Brighton

2no Sycamore G1 - Pollard at original pollard knuckles at approx 3.5m

Applicant: Carlos Daly
Approved on 20 Jan 2015

ROTTINGDEAN COASTAL

Application No: BH2015/00096
Land at Longhill Close, Ovingdean, Brighton

1no Ash & 1no Maple - reduce crown by a maximum of 2-2.5m.

Applicant: Mr D Teale
Approved on 14 Jan 2015

Application No: BH2015/00157
20 Rowan Way, Rottingdean

1no Quercus ilex - remove long over-extended limb on south side, raise crown over garden to give minimum clearance of 3.5m, crown clean, raise crown over road to 5.5m.

Applicant: Mr Duncan Lock
Approved on 29 Jan 2015

NEW APPEALS RECEIVED**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****GOLDSMID**

BH2014/01135

4 Granville Road Hove

Conversion of existing four bedroom House in Multiple Occupation (C4) and one bedroom flat to form 5no one bedroom flats (C3) with associated alterations including loft conversion incorporating rear dormer, rear and front rooflights and alterations to fenestration.

APPEAL LODGED

08/01/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS**

Brighton

DEVELOPMENT DESCRIPTION**APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOLLINGDEAN & STANMER**

BH2013/04337

University of Sussex Refectory Road

Outline application with some matters reserved for demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping.

APPEAL LODGED

09/01/2015

Planning Committee

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****WITHDEAN**

BH2014/02523

43 Hillcrest Brighton

Roof alterations incorporating side hip to gable extension, rooflights to front elevation, enlargement of existing rear dormer and installation of solar panels to roof of garage. (Retrospective)

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
20/01/2015
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

WOODINGDEAN
BH2014/02107
84 Bexhill Road Brighton
Erection of a two storey front extension and
a part one part two storey rear extension
including rear dormer.

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
23/01/2015
Delegated

**Brighton & Hove
City Council****INFORMATION ON HEARINGS / PUBLIC INQUIRIES
18th February 2015**

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

University of Sussex, Refectory Road, Falmer, Brighton

Planning application no: BH2013/04337

Description: Outline application with some matters reserved for demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping.

Decision: Planning Committee

Type of appeal: Public Inquiry

Date: TBC

Location: TBC

APPEAL DECISIONS

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<p>C – 19 SUDELEY STREET, BRIGHTON – EAST BRIGHTON</p> <p>Application BH2014/01754 – Appeal against refusal to grant planning permission to remove pitch roof to rear outrigger to create roof terrace. APPEAL ALLOWED - (Delegated Decision)</p>	293
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<p>E – 76 BARCOMBE ROAD, BRIGHTON – MOULSECOOMB & BEVENDEAN</p> <p>Application BH2014/00924 - Appeal against refusal to grant planning permission for erection of a two storey pitched roof extension to the rear of the property. Ground floor to increase size of kitchen and provide dining area. First floor to increase size of bedroom. APPEAL DISMISSED - (Delegated Decision)</p>	303
<p>F – 58 BEATTY AVENUE, BRIGHTON – HOLLINGBURY & STANMER</p> <p>Application BH2014/01483 - Appeal against refusal to grant permission for a first floor side extension. APPEAL DISMISSED - (Delegated Decision)</p>	307

G – 37 RUSHLAKE ROAD, BRIGHTON, – HOLLINGBURY & STANMER **309**

Application BH2014/00427 - Appeal against refusal to grant permission for change of use from C3/C4 dwelling house to Sui Generis HMO with associated external alterations. **APPEAL DISMISSED** (Delegated Decision)

H – 409 DITCHLING ROAD, BRIGHTON – HOLLINGBURY & STANMER **311**

Applications (A) BH2014/01920 and (B) 01921 – Appeal against (A) refusal to grant planning permission for demolition of an existing double garage and the provision of a three bed detached house and (B) change of use from existing games room into a single detached dwelling and the formation of underground garage to the rear. **APPEAL(A) DISMISSED/ (B) ALLOWED** (Delegated Decision)

I – 16, MILL RISE, BRIGHTON – WITHDEAN **315**

Application BH2014/02688 – Appeal against refusal to grant permission to a to erect roof extension including new roof dormer. **APPEAL DISMISSED** (Delegated Decision)

J – 101 GREEN RIDGE, BRIGHTON – WITHDEAN **323**

Application BH2014/01686 – Appeal against refusal to grant permission for erection of a front/side extension with pitched roof, side lights and associated works. **APPEAL DISMISSED** (Delegated Decision)

K – 1 BARROWFIELD DRIVE, HOVE – HOVE PARK **325**

Application BH2014/02873 – Appeal against refusal to grant permission for replacement of a part block, part fence boundary with a painted, painted, rendered block wall. **APPEAL DISMISSED** (Delegated Decision)

L – PLOT 2, 4 BARROWFIELD DRIVE, HOVE – HOVE PARK **329**

Application BH2014/02487 – Appeal against refusal to grant permission for erection of 4 bedroom detached dwelling house on land previously designated as plot 2 Barrowfield Close **APPEAL DISMISSED** (Delegated Decision)

M – 10 HOLLAND ROAD, HOVE – BRUNSWICK & ADELAIDE **331**

Application BH2014/00119 – Appeal against refusal to grant permission for provision of one car parking space in front garden, including removal of section of front wall. **APPEAL DISMISSED** (Delegated Decision)

N – 55 ST AUBYNs, HOVE – CENTRAL HOVE 335

Application BH2014/00973 – Appeal against refusal to grant permission for roof conversion to form a flat. **APPEAL DISMISSED** (Delegated Decision)

O – FLAT 4, 61 GOLDSTONE VILLAS, HOVE – GOLDSMID 339

Application BH2014/02830 – Appeal against refusal to grant permission for conversion of the roof space to create a bedroom to flat No 4. **APPEAL ALLOWED** (Delegated Decision)

P – 20 KINGSTHORPE ROAD, HOVE – WISH 343

Application BH2014/02486 – Appeal against refusal to grant permission for floor infill extension, rear second floor roof terrace and two front dormers to loft conversion. The loft conversion rear dormer has been granted a certificate of lawfulness (BH2014/01598). **APPEAL ALLOWED** (Delegated Decision)

Q – 22 LENNOX ROAD, HOVE – WISH 347

Application BH2014/00650 – Appeal against refusal to grant permission for rear dormer window and single front roof light to existing of 3No first floor flat. **APPEAL DISMISSED** (Delegated Decision)

R – 126 STAPLEY ROAD, HOVE – HANGLETON & KNOLL 351

Application BH2014/02414 – Appeal against refusal to grant permission for erection of a PVCu conservatory and brick extension to replace existing extension at rear of property. **APPEAL ALLOWED** (Delegated Decision)

S – ELECTRICITY SUBSTATION TO REAR OF 59 LINCOLN ROAD, PORTSLADE – SOUTH PORTSLADE 353

Application BH2014/00387 – Appeal against refusal to grant permission for change of use from an electrical substation to storage unit. **APPEAL ALLOWED** (Delegated Decision)



Appeal Decision

Site visit made on 19 December 2014

by **P K Jackson B ARCH RIBA**

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

Decision date: 2 January 2015

Appeal Ref: APP/Q1445/D/14/2223083

49 Wivelsfield Road, Saltdean, Brighton, BN2 8FP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms L Kirkcaldy against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01125 dated 7 April 2014 was refused by notice dated 7 July 2014.
 - The development proposed is erection of hip to barn end roof extension, rear dormer with balcony and widening of vehicular crossover.
-

Decision

1. The appeal is allowed and planning permission is granted for hip to barn end roof extension, rear dormer with balcony and widening of vehicular crossover at 49 Wivelsfield Road, Saltdean, Brighton, BN2 8FP in accordance with the terms of the application, Ref BH2014/01125 dated 7 April 2014, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No development shall take place until details of the materials to be used in the construction of the external surfaces of the extensions and alterations 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.
 - 3) Otherwise than set out in these conditions, the development shall be constructed in accordance with the following approved plan: 599/02.

Main issues

2. The main issues in this case are:
 - The effect of the proposed development on the character and appearance of the area; and
 - The effect of the proposed first floor rear extension on the living conditions of adjacent occupiers, in terms of overlooking.

Reasons

Character and appearance

3. The appeal property lies at the northern edge of a large area of housing on hilly land behind Saltdean. Open downland lies behind the house and it also enjoys extensive views towards the sea. Whilst houses on the south side of Wivelsfield Road remain much as they were built, as modest detached bungalows, many houses on the higher northern side have been substantially altered and extended, sometimes incorporating prominent, high and significant hard landscaping features between the houses and the road. In particular, No. 47 has a wide rear roof extension with large rear glazed windows, outside platform and front facing rooflights. Nos. 51-57 on the other side of the appeal property are 2 storey properties of a distinctly different style with roof ridges at 90 degrees to the road. There are more varied extensions at the rear. The result is that the character of the north side of Wivelsfield Road is very varied and somewhat eclectic compared with the bulk of the traditional dwellings nearby. Despite these changes, the feeling of spaciousness in the street as a whole remains unaffected.
4. In this context, the proposed rear alteration and front rooflights would not appear out of keeping. Whilst not complying with the letter of the guidance in SPD12 *Design Guidance for Extensions and Alterations*, Supplementary Planning Guidance (SPG) provided by the Council, the particular circumstances present at this site indicate that an exception should be made. The Council indicates that 'cabrio' style rooflights are discouraged but there is one at No. 47 and it is difficult to see how, even if used from time to time and opened such as to project above the roof plane, another one could seriously detract from the character of the road or the area generally. There is nothing 'odd' about its proposed location in the roof plane, which would be in proportion to the ground floor fenestration and the roof as a whole. The new rear 'dormer' would be set back from the roof verge and eaves and would be very hard to see from the street; it would not appear out of place in this row of appreciably altered dwellings. I conclude on this matter that the conflict with the advice in SPG is not so significant as to suggest that permission should be refused. The potential visibility of the rear dormer from the South Downs National Park is of little consequence, given the sloping row of houses and the greater prominence of No. 47.
5. The proposal would not conflict with the design quality aims of policy QD14 *Extensions and Alterations* of the Brighton and Hove Local Plan of 2005 (LP), which remains the statutory development plan for the purposes of the Act. The LP is now of some age but there is nothing in the National Planning Policy Framework (NPPF) to indicate that this policy should attract any less weight.

Living conditions

6. The introduction of doors and glazing into the rear dormer together with a long balcony would increase the likelihood of overlooking being possible into adjoining rear gardens, but there is already a very significant degree of overlooking of the appeal property from Nos. 47 and 51. The new bedroom windows would not add any more mutual overlooking than is already common locally and is considered acceptable in many other residential areas. The balcony would be very narrow and as an adjunct to bedrooms, would be unlikely to be used for a great deal of time. The balustrade end panel is shown to be open on the application drawings but would be small and would not prevent the occupiers of No. 51 from enjoying their rear garden. There would not be an unacceptable perception of increased overlooking. Existing fences

would largely prevent any significant oversight of the most private areas immediately adjacent to the houses. The amenity protection aims of policies QD14 and QD27 would also be met.

Conclusion

7. The proposed alterations to the drive and access to the dwelling are not controversial. Planning conditions are necessary to ensure that the materials used are sympathetic to those existing and that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning.
8. For all the above reasons, I conclude that the appeal should be allowed.

Paul Jackson

INSPECTOR



Appeal Decision

Site visit made on 5 January 2015

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 26 January 2015

Appeal Ref: APP/Q1445/A/14/2228097

Land to the rear of 23 Falmer Road, Rottingdean, Brighton BN2 7DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Stuart MacRorie against Brighton & Hove City Council.
 - The application Ref BH2014/00723 is dated 6 March 2014.
 - The application sought planning permission for the erection of a single storey 2no. bedroom detached dwelling house with associated parking and landscaping without complying with a condition attached to planning permission Ref BH2012/03676, dated 13 August 2013.
 - The condition in dispute is No 3 which states that: Within three months of the date of the permission hereby approved, a Final/Post Construction Code certificate issued by an accreditation body confirming that the dwelling has achieved a Code for Sustainable Homes rating of Code level 4 shall be submitted to, and approved in writing by, the Local Planning Authority.
 - The reason given for the condition is: To ensure that the development is sustainable and makes efficient use of energy, water and materials to comply with Policy SU2 of the Brighton and Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey 2no. bedroom detached dwelling house with associated parking and landscaping at Land to the rear of 23 Falmer Road, Rottingdean, Brighton BN2 7DA in accordance with application Ref BH2014/00723 made on the 6 March 2014 without compliance with condition number 3 previously imposed on planning permission Ref BH2012/03676, dated 13 August 2013, but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect and subject to the following new condition:
 - 1) Within one month of the date of this decision a Final/Post Construction Code Certificate, issued by an appropriate accreditation body, confirming that the dwelling has achieved Code for Sustainable Homes Level 3 shall be submitted to and approved in writing by the local planning authority.

Procedural Matters

2. The appeal is made on the basis that the Council did not issue its decision within the prescribed period. This reflects the Council's concern that the proposal should be dealt with by way of a full planning application because the dwelling has already been constructed and the condition in question has already been breached. However, I am satisfied that it can properly be dealt with under the provisions of the Act quoted above (Section 73A(2)(c) specifically) and I have determined the appeal accordingly.
3. The proposal seeks not to comply with a condition requiring the dwelling to be constructed to Level 4 of the Code for Sustainable Homes (the Code). The Council states at Section 8 of its appeal statement that it considers a reduction to Code Level 3 justifiable in this case. I have had regard to its position in making my decision.

Main Issue

4. The main issue is whether the disputed condition is necessary and reasonable to ensure that the dwelling achieves an appropriate standard of environmental sustainability.

Reasons

5. A detached dwelling has been constructed on land to the rear of No 23 Falmer Road as a result of planning permission granted by the Council under Ref BH2012/03676¹. However, while condition No 3 of that permission required it to achieve Code Level 4, the appellant states that it has in fact only achieved Code Level 3. The reason given for the failure to comply is that because additional costs were incurred during construction, it is now not financially viable to install the solar panels which would be necessary to achieve the higher Code level. I have been provided with some figures, but I do not have sufficient evidence about the profits and costs of the project overall to be able to determine whether or not this reason is valid.
6. Nevertheless, the Government's expectations around energy efficiency in new dwellings are set out in Part L of the Building Regulations and, at present, they equate to those of Code Level 3. Whilst it is legitimate in principle for local planning authorities to seek higher standards, the Council's basis for doing so is guidance in its Supplementary Planning Document (SPD)² rather than policy in its adopted development plan. Policy SU2 of the Brighton and Hove Local Plan 2005 makes no reference to any specific standards.
7. The SPD has been subject to public consultation and it is a material consideration in my decision. However, the Council has more recently sought to include local Code Level standards in Policy CP8 of its emerging City Plan. The Inspector appointed to examine it has raised initial concerns in respect of the effect of these standards upon the viability of development in the City generally. In particular, she questions whether a local requirement more onerous than the national standards provided by Building Regulations is justified³.

¹ This permission was granted as a result of a successful application to make a minor material amendment to a previous permission granted under Ref BH2010/03462.

² Sustainable Building Design Supplementary Planning Document, June 2008 (SPD 08).

³ Letter to Brighton and Hove City Council, from Inspector Laura Graham, dated 13 December 2013.

8. The Council states that it is modifying its proposed policy in response, but I have not seen the changes and they have not yet been formally proposed to, or examined by, the Inspector. Having regard to paragraph 216 of the National Planning Policy Framework (the Framework), I therefore give very limited weight to the City Plan policy in my decision. Moreover, the Inspector's initial concerns cast doubt upon the local standards presently included in the SPD and I cannot be satisfied that it is not being used to add unnecessarily to the financial burdens of development (paragraph 153 of the Framework). Consequently, the weight that I give to the provisions of the SPD is also much reduced.
9. In light of the above, I consider that there is no robust basis in policy or locally adopted guidance for requiring the dwelling in this case to be constructed to a higher Code level than that required nationally. I acknowledge the concerns expressed by interested parties that the 'eco-home' status of the development was significant in the Council's initial decision to grant planning permission. However, there is no evidence before me to suggest that this was the determining factor. Nor does the energy efficiency of the dwelling have any direct link with the other concerns raised in respect of tree felling, light pollution or vehicular access.
10. Therefore, on the basis that national standards provide sufficient safeguards, I conclude that the disputed condition is not necessary to ensure that the dwelling achieves an appropriate level of environmental sustainability. Nor is it reasonable given my findings in relation to the Council's local policy position. In reaching my decision, I have had regard to the three appeal decisions referred to by the appellant which consider similar issues⁴. In each case, the Inspector's conclusions support my own.

Conclusion and Conditions

11. For the reasons given above I conclude the appeal should succeed. I will grant a new planning permission without the disputed condition but substituting another as set out in my formal decision above. The new condition is necessary to provide a mechanism for confirming that the dwelling has achieved the Code level claimed. As the dwelling is complete to the extent that it is occupied, I see no reason why it should take three months to obtain the necessary certification and I have reduced the suggested timeframe for compliance accordingly.
12. Having regard to the advice in the Planning Practice Guidance, the other conditions imposed by the Council in granting permission under Ref BH2012/03676 remain relevant in the present case. However, the wording of the formal decision provides for the fact that the development has been constructed and that some of the conditions have already been discharged.

Louise Phillips

INSPECTOR

⁴ Appeal Refs APP/Q1445/A/09/2119295 (and Costs); APP/Q1445/A/12/2172383; and APP/Q1445/A/13/2198904.



Appeal Decision

Site visit made on 9 December 2104

by Mr Kim Bennett BSc Dip TP MRTPI

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

Decision date: 17 December 2014

Appeal Ref: APP/Q1445/D/14/2227620
19 Sudeley Street, Brighton, East Sussex BN2 1HE

- 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 Tempest against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01754, dated 28 May 2014, was refused by notice dated 29 August 2014.
 - The development proposed is the removal of pitch roof to rear outrigger to create roof terrace.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of a pitch roof to rear outrigger to create a roof terrace and alteration to rear window at 19 Sudeley Street, Brighton, East Sussex BN2 1HE in accordance with the terms of the application, Ref BH2014/01754, dated 28 May 2014, 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: EO2 and PO2.
 - 3) The roof terrace hereby permitted shall not be used until the privacy screening on either side of the terrace as shown on drawing No PO2 has first been erected. The screening shall thereafter be maintained in that form.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property.

Reasons

3. The appeal property is an end of terrace house located on the south side of Sudeley Street. At the rear there is a two storey outrigger with a mono pitch roof. Originally, the adjoining property to the east, No 18, would have had a similar outrigger but at some stage it was altered to provide a roof terrace similar to what is currently proposed. Beyond No 18, No 17 also has a roof
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terrace but this is positioned on top of a three storey outrigger. To the south of the property is an enclosed courtyard forming part of Cavendish Court, a four storey block of modern flats on the corner of St. Georges Road and Paston Place. The site is included within East Cliff Conservation Area.

4. The Council considers that the property is part of a group of properties with rear outriggers and that the removal of the pitched roof would have an adverse impact upon the host property. However, as referred to above, that is already the case with the adjoining two properties to the east. Additionally, the rear of the property is not prominent, being largely enclosed by Cavendish Court and there are only glimpsed views from St. Georges Road. Although I note that there is no record of permissions for the roof terraces of either No 17 or 18, the proposal needs to be judged in the context of whether there would be any additional harm arising having regard to the existing character of the area. In my view that would not be the case here for the reasons given.
5. Reference is made to the proposal being contrary to advice within the Council's SPD 12 – Design Guide for Extensions and Alterations 2013 (SPD) which says that consent will not be granted to remove a pitched roof to form a roof terrace. In relation to Conservation Areas there is also a presumption against alteration of the main roof. However, whilst I do not consider the rear outrigger to be part of the main roof, the SPD also allows for some flexibility to the above approach where alterations have already been carried out and a proposal would recreate some sense of unity and coherence or where the alteration would not harm group value. I consider that would be the case in this instance given the adjoining roof terraces and in particular that of No 18 which also has a two storey outrigger. In that context the proposal would therefore provide some coherence in appearance between the two properties.
6. The Council is additionally concerned that the replacement of the rear window with doors would result in a loss of a traditional opening and an incongruous appearance. I noted from my site visit that the existing window is PVCu as opposed to timber, and therefore there has already been some loss of traditional character. In that respect a replacement timber framed opening would be preferable. I also note that the width of the opening would remain as existing and that the full length nature of the doors would not be readily apparent unless being viewed from higher level vantage points. On balance, I do not regard the proposed alteration as being harmful to the overall character of the host property, particularly in view of the fact that all the original windows to the rear of the property have at some stage been changed to PVCu.
7. Although I have been referred to other examples of roof terraces having been refused in Sudeley Street, I have no details before me and am therefore unable to determine how similar or not they might be. In any event such proposals normally turn on site specific issues of the particular case and they have not therefore been decisive in reaching my findings above. I also note reference to a previous refusal for a roof terrace on the appeal property in 2005. Again I have no evidence as to how comparable that was, although I note at that time the Council did not raise an objection to the removal of the mono pitched roof in terms of its impact on the host property, but was primarily concerned about loss of privacy.

8. Because of the Conservation Area designation I have had special regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. In that respect, the Council has not expressed any concerns with regard to impact on the Conservation Area itself is concerned. I have reached a similar finding and in view of the alterations to other nearby properties in respect of roof terraces, I am satisfied that the proposal would preserve the character of this part of the Conservation Area.
9. Given the proposed screening to either side of the roof terrace, the Council raises no objections in respect of loss of amenity or privacy to occupiers of adjoining properties and I see no reason to take a different view.
10. In the light of the above, the proposed roof terrace and alterations to the rear window would not harm the character or appearance of the host property. It would therefore be consistent with Policy QD14 of the Brighton & Hove Local Plan 2005 in that it would be well designed in relation to the property to be extended, adjoining properties, and to the surrounding area, and would not result in loss of privacy or amenity to neighbouring properties. There would also be no conflict with the SPD in view of alterations and other roof terraces nearby.
11. A condition requiring the development to be carried out in accordance with the approved plans is necessary in the interests of good planning. A condition preventing use of the terrace until the proposed screening measures are in place, is also necessary in order to protect adjoining residential amenity.
12. Accordingly, subject to the above conditions, the appeal should be allowed and planning permission granted.

Kim Bennett

INSPECTOR



Appeal Decision

Site visit made on 13 January 2015

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 28 January 2015

Appeal Ref: APP/Q1445/A/14/2228623
146 Islingword Road, Brighton BN2 9SH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Nigel Hughes against Brighton & Hove City Council.
 - The application Ref BH2013/03755, is dated 9 November 2013.
 - The development proposed is the demolition of a single storey commercial building and its replacement with a domestic dwelling house.
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Application for Costs

1. An application for costs was made by Mr Nigel Hughes against Brighton & Hove City Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for the demolition of a single storey commercial building and its replacement with a domestic dwelling house at 146 Islingword Road, Brighton BN2 9SH in accordance with the terms of the application, Ref BH2013/03755, dated 9 November 2013, and the plans submitted with it, subject to the conditions set out in the schedule at the end of this decision.

Procedural Matter

3. The appeal was lodged on the basis of the Council failing to determine the application within the prescribed period. Despite being prompted on two occasions the Council has not submitted any statement in connection with the appeal and therefore in the absence of any decision notice I have no information as to the Council's position in relation to the appeal. I have therefore determined the appeal based on the planning merits of the case as I see them and the information that is before me.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the area and whether it would preserve or enhance the character or appearance of the Conservation Area; the effect of the proposal on the setting of the nearby listed buildings; whether the proposal would provide satisfactory
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accommodation for future occupants; and the effect of the proposal on the living conditions of occupiers of nearby residential properties.

Reasons

Character and appearance and impact on Conservation Area and setting of listed buildings

5. The appeal site comprises a compact rectangular area of land on the corner of Islingword Road and Hannover Mews. It is currently occupied by a single storey flat roofed building which was used for commercial purposes but appears to have been vacant for some time. Adjoining on the north west side is a small electricity substation and beyond that a parking area for a terraced row of almshouses. The latter are Grade II listed dating from the C18. To the south east is a terrace of 2 and 3 storey properties whilst to the rear of those is Hannover Mews, a modern 2 storey residential development. Hannover Mews itself is a private road. The character of the surrounding area is mixed with a variety of storey heights and architectural styles. The site lies just within the Valley Gardens Conservation Area.
6. Evidence within the application submission suggests that there is little commercial demand for the existing unit and that it has suffered from vandalism and graffiti in recent times. In its current state it detracts from the character of the surrounding Conservation Area. The site is in a sustainable location with good access to nearby facilities and public transport and a residential use would be a beneficial alternative use consistent with Policy SS1 of the Brighton & Hove Draft City Plan Part 1 2012.
7. From a design point of view the limited size of the site dictates a taller building in order to provide a satisfactory level of accommodation. Although it would appear as a detached and narrow fronted 3 storey building, it would take its design references from surrounding buildings and would relate well in terms of scale to the adjacent building on the south east side of Hannover Mews, No 145 Islingword Road. The design would be well proportioned and carefully detailed in order to relate to the character of nearby properties and I note no objections have been raised by the Council's Conservation Officer. I also note that provision is made to retain a small section of historic flint wall adjoining the north west boundary. On detailed points, I agree that a yellow brick would be more appropriate to the area than a red brick and that clarification is required in respect of rainwater goods. However such matters could be controlled through conditions. Because of its Conservation Area location, I have had special regard to the desirability of preserving or enhancing the character or appearance of the area. However in view of the above comments, I am in no doubt that the proposal would enhance the character of this part of the Conservation Area.
8. In view of the proximity of the nearby listed almshouses I have also had special regard to the desirability of preserving the buildings or their setting. In that respect the site is well separated from the almshouses by the adjacent car park, and although the proposed building would be taller than the existing one, I consider that because of the distance involved and the improved townscape advantages, the setting would be preserved.
9. In view of the above, the proposal would be compliant with Policies HE3, HE6, QD1, QD2 and QD3 of the Brighton & Hove Local Plan 2005 (LP) in that it would

enhance the character of the Valley Gardens Conservation Area, would preserve the setting of the nearby listed almshouses, would be well designed and would make efficient use of the site.

Standard of accommodation

10. The proposal would provide a good standard of accommodation for a one bedroom unit, consistent with Policy H03 of the LP. Although no amenity space would be provided as required by Policy H05 of the LP there is open space nearby, as well as the sea front a short distance away. It is also unlikely to be occupied by a family and I therefore consider in this instance it would be acceptable. Similarly no parking is provided on site as recommended by the Council's Supplementary Planning Guidance note 4, but given its sustainable location, the small scale nature of accommodation and the provision of cycle storage I do not consider that would be necessary for this particular proposal. I also note that the Highway Authority has raised no objections in that respect.
11. A noise assessment submitted with the application concluded that the proposal could be satisfactorily mitigated from traffic noise consistent with Policies SU9 and SU10 of the LP. The building is also intended to achieve level 4 of the Code for Sustainable Homes and as such would be consistent with the provisions of Policy SU2 of the LP and the Council's Supplementary Planning Document on sustainable building design. Although a Lifetime Homes Standard could not be achieved in accordance with Policy HO13 of the LP, I agree with the appellant that the constraints of the site make that impractical and that it would be outweighed by other benefits of developing the site as previously indicated. Finally, any potential contamination arising from the nearby substation could be controlled through a suitable condition and would thereby be compliant with Policy SU11 of the LP.

Amenity considerations

12. There would be adequate distance from adjoining residential sites in terms of any potential impact and obscure glazing is proposed on the north west elevation in order to avoid any overlooking into the nearby almshouses. Although concerns have been raised in respect of nuisance from the proposed refuse and cycle store, I do not consider that would be the case given that it would be directly opposite the blank flank wall of No 145 Islingword Road and given the limited extent of accommodation involved. Accordingly the proposal would be consistent with Policy QD27 of the LP in that amenity interests would be protected.

Other matters

13. Representations received from local residents of Hannover Mews appear to welcome the principle of redevelopment of the site but raise concerns about practical difficulties associated with construction and potential blocking of the private road. However such matters could be controlled through consideration of a Construction Management Plan which could be secured through a condition and which I note the appellant is agreeable to.
14. Although Policy QD28 of the LP makes reference to Planning Obligations to secure various objectives, it is not clear from the evidence before me as to whether the current proposal would be applicable in that respect. In any event,

on 28 November 2014, the National Planning Guidance was changed to make it clear that local authorities should not request contributions for affordable housing or tariff style obligations from developments of 10 units or less. In the absence of any information from the Council in respect of that issue I therefore do not consider it would be appropriate in this case.

15. Proposals to deal with Waste Management are set out in the Design & Access Statement and are consistent with Policy SU13 of the LP. I note that the appellant advises that specific details will be provided at a later stage which can be secured through an appropriate condition.

Conclusion

16. The proposed development would provide a good alternative use of the site and in a sustainable location. The proposed design would enhance the character of this part of the Conservation Area and would also preserve the character of the nearby listed buildings. A good standard of accommodation would be provided which would also safeguard living conditions of occupiers of nearby properties. The proposal would thereby be in accordance with the majority of policies in the LP or in those instances where it would not, there are material considerations which outweigh compliance with the policies concerned as set out above.

17. Conditions requiring the development to be built in accordance with the approved plans and for further details of samples, larger scale architectural details, rainwater goods, provision of refuse and cycle provision, sound insulation, confirmation of sustainable code level, a Construction Waste Management Plan, and a contamination study are all necessary in the interests of good planning and to ensure a high standard of design. A condition restricting permitted development rights is necessary having regard to the very limited extent of the site. A condition to ensure windows in the north west elevation are obscure glazed is necessary to protect residential amenity. Finally, a condition requiring a Construction Management Plan is necessary to ensure building works do not prejudice access to, and amenity of, adjoining residential sites.

18. Accordingly, having regard to the reasons and policy considerations set out above and subject to the conditions specified, the appeal should be allowed and planning permission granted.

Kim Bennett

INSPECTOR

Schedule of 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: site location plan; 2227/13/01A; 2227/13/02A; and 2227/13/03A.
- 3) Notwithstanding details shown on drawing no 227/13/02A, the development hereby permitted shall not commence until samples and colours of materials (including colour of render paintwork and colourwash) and all rainwater

goods 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. The development shall be carried out in accordance with the approved details.

- 4) The development hereby permitted shall not commence until full details and sample elevations and sections at no less than 1:20 scale of the windows (including cills and reveals), external doors, parapet and stucco/brickwork 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.
- 5) The refuse and cycle storage areas shown on drawing no 2227/13/02A shall be provided before the development is first occupied and shall thereafter be kept available at all times for their approved use.
- 6) The development hereby permitted shall not commence until full details of sound insulation relating to walls, glazing and ventilation, to accord with recommendations set out in the Noise Impact Assessment Report undertaken by Impact Acoustics dated 12 May 2014 (Report no IMP4316-1), 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 prior to first occupation of the development.
- 7) The residential unit hereby approved shall not be occupied until a final/post construction code certificate issued by an accreditation body confirming that the development has achieved a Code for Sustainable Homes rating of Code Level 4 has been submitted to and approved in writing by the local planning authority.
- 8) The 3 windows in the north west elevation shown on drawing no 2227/13/03A shall be obscured glazed prior to the first occupation of the development hereby permitted and shall thereafter be retained in that form.
- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking, re-enacting or modifying that Order), the development hereby permitted shall not be enlarged, extended or otherwise altered.
- 10) The development hereby permitted shall not commence until details of a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The said plan shall include details to demonstrate minimum disruption to adjoining residential properties including how construction shall ensure continued access to Hannover Mews, storage of building materials, hours of operation and any other on site management measures to be adopted. The development shall be carried out in accordance with the approved plan.
- 11) The development hereby permitted shall not be commenced until a Construction Waste Management Plan has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plan.
- 12) The development hereby permitted shall not commence until the following has been submitted to and approved in writing by the local planning authority:

- (a) A desk top study documenting all of the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Reports 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 a scheme shall include the nomination of a competent person to oversee the implementation of the works.

Should remedial works be required, the development hereby permitted shall not be occupied until confirmation by a competent person has been submitted to and approved in writing by the local planning authority confirming that the remedial works have been fully implemented in accordance with the approved scheme. Unless otherwise agreed in writing by the local planning authority, such confirmation shall comprise: as built drawings of the implemented scheme; photographs of the remediation works in progress; and certificates or other evidence demonstrating that imported and/or materials left in situ is free from contamination.



Costs Decision

Site visit made on 13 January 2015

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 28 January 2015

Costs application in relation to Appeal Ref: APP/Q1445/A/14/2228623 Land at 146 Islingword Road, Brighton, BN2 9SH

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Nigel Hughes for a full award of costs against Brighton & Hove City Council.
 - The appeal was made against the failure to determine an application within the prescribed period for the demolition of a single storey commercial building and its replacement with a domestic dwelling house.
-

Decision

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

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
 3. The appellant's claim is based on the grounds that the application took an unreasonable period to be processed and that he was unable to gain any firm indication as to a likely determination date despite apparent assurances from the Council on repeated occasions that a decision was imminent. The Council has chosen not to submit any response to the costs claim, despite being prompted to do so on two occasions and I have therefore reached my conclusions based on the available evidence before me.
 4. The application was validated in November 2013 with an 8 week deadline for determination expiring in January 2014. It would seem that the Council requested successive amendments/clarification in January, April and July 2014, but in an email dated 31 July from the case officer, he indicated to the appellant that he had written the case up for approval subject to an amendment of the red line application site. Despite not agreeing that such an amendment was necessary, the amended site plan was forwarded. However in the absence of any subsequent decision and despite repeated enquiries, the appellant sent emails dated 16 October 2014 to both the case
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officer and the Head of Development requesting reasons as to the further delay in the issuing of a decision. It would seem there was no response to either email. Instead, an email dated 20 October 2014 was sent by a different officer and advising that a decision would be made that day. A second email confirmed it would be made on the following day. In the further absence of receiving a decision, the appellant sent an additional email to the Head of Development on 24 October 2014. Again it would appear that no reply was received. In the continuing absence of a decision, the appellant appealed against the non-determination of the application on 9 November 2014.

5. Aside from the subsequent late requests for further amendments or points of clarification, it would seem that the Council was in a position to determine the application at the end of July 2014 subject to amendments of the red line site. This seems to have arisen from the change in the roof design requested in April 2014 and therefore should have been picked up at that stage if it was an issue. Notwithstanding, there is no evidence before me as to why a decision was not forthcoming soon after the amended site plan was submitted. Furthermore, despite requests to the case officer and the Head of Development, no replies or reasons were forthcoming. Even when a new officer provided an assurance that the decision would be issued in October 2014, no such decision was received.
6. In the light of the above, I can fully appreciate the appellant's frustration that having complied with repeated requests for amendments over a prolonged period and having been apparently repeatedly assured that the application would be approved, no decision was issued. The PPG advises that examples of the type of behaviour which may give rise to a procedural award against a local authority include a lack of co-operation with the other party or parties, and delay in providing information or other failure to adhere to deadlines.
7. In the absence of any reasons or mitigating circumstances put forward by the Council, I find on the evidence before me that the appellant's grievances are fully justified and fall into the above mentioned categories.
8. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has been demonstrated and that a full award of costs is justified.

Costs Order

9. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Brighton & Hove City Council shall pay to Mr Nigel Hughes, the costs of the appeal proceedings; such costs to be assessed in the Senior Courts Costs Office if not agreed. The proceedings concerned an appeal more particularly described in the heading of this decision.
10. The applicant is now invited to submit to Brighton & Hove City Council to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties

cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Kim Bennett

INSPECTOR



Appeal Decision

Site visit made on 13 January 2015

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 19 January 2015

Appeal Ref: APP/Q1445/D/14/2228769
76 Barcombe Road, Brighton BN1 9JR

- 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 Simon Timpson against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/00924, dated 12 March 2014, was refused by notice dated 20 August 2014.
 - The development comprises a two storey pitched roof extension to the rear of the property. Ground floor to increase size of kitchen and provide dining area. First floor to increase size of bedroom.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The construction of the extension is largely complete, but the exterior requires decoration and finishing. There is a window in the third floor gable which is not shown on the proposed plans, but I am required to determine the appeal on the basis of the development applied for rather than that which has been built.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the host building.

Reasons

4. The appeal property is at the northern end of a two-storey terraced block in a road composed of similar semi-detached and terraced houses. It has a gabled, two storey projection to the front with eaves at the same height as those of the main house and a ridgeline set below that of the main roof. This design feature is common in the area.
5. The development comprises a rear extension adjacent to the boundary with No 75 to provide more kitchen/dining space beneath a larger first floor bedroom. Like the front projection, it has a gable-end design. However, the ridge is at the same height as that of the main roof and the eaves are higher, abutting the roofslope at about a metre up. This results in an awkward relationship with the roof of the existing terrace and makes the extension appear a full three storeys tall against a two-storey building. Whilst the

window openings align horizontally with those in the main rear elevation, they do not match them in terms of style. Nor indeed do they match each other.

6. Overall the extension represents an incongruous addition to the appeal property which takes no account of its scale or design, or of that of the wider terrace. I therefore conclude that it is significantly harmful to the character and appearance of the host building, contrary to Policy QD14 of the Brighton and Hove Local Plan. Amongst other things, this requires extensions to be well designed, styled and detailed in relation to the property to be extended. I acknowledge the appellant's concern that enforcement action would be excessive now that the extension is occupied, but this is a matter for the Council which has no bearing upon my decision.

Conclusion

7. For the reasons given above, I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR



Appeal Decision

Site visit made on 12 January 2015

by **S J Papworth DipArch(Glos) RIBA**

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

Decision date: 15 January 2015

Appeal Ref: APP/Q1445/D/14/2228813
58 Beatty Avenue, Brighton BN1 9EP

- 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 Blee against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01483, dated 7 May 2014, was refused by the Council by notice dated 16 September 2014.
 - The development proposed is first floor side extension.
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Decision

1. I dismiss the appeal.

Reasons

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the building and the streetscene. The Brighton & Hove Local Plan Policy QD2 concerns design generally and Policy QD14 on extensions and alterations requires proposals to be well designed, sited and detailed in relation to the property, adjoining properties and the surrounding area. Supplementary Planning Document 12, '*Design Guide for Extensions and Alterations*', gives guidance on two storey extensions and side extensions, the latter if poorly designed can harm the appearance of the streetscene by excessive infilling of the rhythm of spaces between buildings, or by over-extending buildings in a disproportionate and unbalanced manner.
3. The appeal property is one of a pair of semi-detached two storey houses, and the other, number 56, already has a two storey side extension, although the roof design of that addition is not well integrated with that of the original building due to the use of false pitches and their truncation at the outer end. The original building displays symmetry in window arrangements, but this effect is substantially reduced by the difference in slab levels and the roof arrangement, so that the asymmetry introduced by number 56 having a two storey side extension and number 58 only a single storey one does not cause visual harm.
4. This asymmetrical arrangement, and particularly that caused by the differing roof arrangements, could allow for a successful side extension that exceeds the Design Guide principle of not being more than half the width of number 58, as the building that could be referred to in this case appears as numbers 56 and 58 combined. In addition, the appellant's view is concurred with that it would not be desirable to demolish part of the existing ground floor extension just to meet this requirement. In principle, and taking account of the separation

distance to number 60 and the forward location of the appeal property, a two storey side extension of the width proposed would not appear out of place or to overwhelm the proportions of the existing building, 56 and 58 as a whole.

5. However, the roof of the proposed extension has three unacceptable aspects to its design. Firstly, the false pitch resembles that used at number 56 and although it does not have the particularly unattractive truncated end, the perimeter pitches with a flat roofed centre area would appear poorly proportioned and out of place when seen from higher viewpoints to the north and west, and the fact of something similar being in place next door is not justification for this device being used on the appeal property.
6. Secondly, it appears to be the case from the floor plans and roof plan that the front part of the extension would be set back from that of the original house, and that the roof eaves would be similarly set back. Whilst such a device would be a welcome way of signalling the addition in plan and elevation as far as the masonry wall is concerned, and this follows the line of the existing ground floor addition, the set-back in the eaves would introduce a small area of slope remaining to the original side roof, as indicated on the elevation drawings but not as shown on the roof plan. This would appear fussy and poorly integrated with the design and layout of the original roof, where the step down on number 56 relative to 58 results in a larger slope and an attractive layout. Such a small area would risk appearing poorly detailed, needing to accommodate the ridge and valley gutter in too close a proximity.
7. Lastly, to the rear there would be a step forward of the new roof slope relative to the original roof and there is some ambiguity and uncertainty in the drawings as to how this would be resolved. This junction would be plainly seen in public views from Kenwards and risks introducing a further area of poor detailing and clashes of architectural and weathering materials.
8. In conclusion, the existing side extension to number 56 does not provide justification for a too-similar treatment at the appeal property and the resulting arrangement of roof slopes and weathering details would cause visual harm to the character and appearance of the area contrary to the aims of Development Plan policies and Design Guidance previously referred to. The proposal would not be of the standard of design sought in section 7 of the National Planning Policy Framework which states that good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR



Appeal Decision

Site visit made on 2 December 2014

by Timothy C King BA(Hons) MRTPI

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

Decision date: 6 January 2015

Appeal Ref: APP/Q1445/A/14/2226527

37 Rushlake Road, Brighton, BN1 9AE

- 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 Panteli against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/00427, dated 10 February 2014, was refused by notice dated 11 June 2014.
 - The development proposed is '*Change of use from C3/C4 dwelling house to Sui Generis HMO with associated external alterations.*'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Although the description of the development indicates that the appeal property is currently in use as a Class C3/C4 dwellinghouse, and I note that there is a permissible change between these two Classes, my site visit confirmed that the property falls within Class C4, being a dwellinghouse used by between three and six residents as a house in multiple occupation (HMO). The property currently has six separate bedrooms and the proposal, which would involve the creation of two additional bedrooms by way of reconfiguring both the ground and first floor layouts, would involve a material change in planning terms causing the use to move outside the parameters Of Class C4 due to the resulting 'large' HMO.

Main Issues

3. The main issues in this appeal are:
 - 1) whether the proposed development would provide for a satisfactory standard of accommodation for both existing and future occupiers of the property; and
 - 2) the effect of the proposal on the living conditions of neighbouring occupiers.
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Reasons

Living conditions (occupiers of the appeal property)

4. The appeal property is a two storey detached dwellinghouse at the corner of Rushlake Road and the cul-de-sac, Rushlake Close. The two nearest properties are No 35 Rushlake Road, sited close beyond the common hedged boundary, and No 1 Rushlake Close, which is distanced further, is apparently under the control of the appellant and, I understand, similarly let as student accommodation.
5. The dwelling, originally a small family house, currently has four bedrooms on the ground floor, a kitchen/living room and small bathroom, with the first floor having two bedrooms, a small bathroom and separate wc. Whilst I consider the bedrooms are reasonably sized I noted, at my site visit, that the kitchen/living room area is somewhat restricted in terms of space. Indeed, the fact that this is the only internal communal space available for the students to sit in and interact together makes for a rather intensive arrangement.
6. Notwithstanding the above, the appeal proposal seeks to alter both the ground and first floor layouts by creating an additional bedroom on each floor. This would necessitate some of the existing bedrooms being reduced in size. A flank window would be installed to light the additional first floor bedroom and the scheme would also necessitate enlarging both the two existing ground floor flank windows. The need for additional natural lighting in such a building, and the resultant layout showing a single door demarcating one of the ground floor bedrooms from the living room, would tend to confirm my view that the proposed partitioning would amount to a rather awkward arrangement, compounding the current situation.
7. The appellant claims that the eight resultant bedrooms would exceed the minimum room sizes as set out in an appendix to the guidance 'The Licensing & Management of Houses in Multiple Occupation & Other Houses (Miscellaneous Provisions) (England) Regulations'. This might be the case but the fact that any such minimum standards are exceeded does not automatically confirm the acceptability of the proposal.
8. The explanatory text to Policy HO14 of the Brighton & Hove Local Plan (LP) expounds on the Council's approach to HMOs and mentions that it is important to ensure that an adequate supply of HMO accommodation is retained. Indeed, its continuation as a small HMO, under Class C4, would represent a level of use more proportionate to its internal floorspace whereas the intensification to the level proposed would put further pressure on the property's limited communal facilities. Although I am satisfied that the level of private garden provision would be adequate I consider that the proposal would be inappropriate in the circumstances, particularly given that LP Policy QD27 indicates clearly that planning permission will not be granted where, amongst other things, it would cause material nuisance and loss of amenity to the existing occupiers.
9. On the first main issue I conclude that the proposal would not provide for a satisfactory standard of accommodation for the property's occupiers and the

proposal would thereby conflict with the aims and requirements of LP Policy QD27.

Living conditions (neighbouring occupiers)

10. Although certain other properties within the immediate locality are being let for student accommodation the Council has not raised concerns as to a local over-concentration of properties in such use. However, it does consider that the proposal would give rise to a material increase in noise and disturbance. I have not, though, been presented with any firm evidence or information from the Council's Planning or Environmental Health sections to show that the use of local properties for student living are currently giving rise to unacceptable levels of noise and disturbance.
11. On this matter I have had regard to the representations received from interested parties, including a photograph showing household waste awaiting collection outside the appeal property. The photograph, in isolation, is only a snapshot and not clear evidence of any ongoing and persistent problem, and is not sufficiently compelling so as to indicate that the existing degree of use is already unneighbourly and would worsen from increased intensification. I am also mindful that the dwelling is detached and separated from its nearest neighbours. Further, I note that the property has a hard-surfaced driveway and am satisfied that, along with an apparent availability of kerbside parking space, there would be no disturbance or inconvenience caused by the appeal property's occupiers having use of private motor vehicles.
12. On the second main issue I thereby conclude that the living conditions of neighbouring occupiers would not be harmed by the proposal and, to this particular end, there would be no conflict with LP Policy QD27.

Other matters

13. The appellant makes reference to LP Policy QD14 but this Policy is concerned with external physical alterations to existing buildings and, primarily, extensions thereto. In this instance the only external alterations would relate to the provision of additional window space, and the Council has not raised any objections to this installation. The internal layout reconfiguration would not in itself constitute development, although the creation of two additional bedrooms and a resultant increase in the level of occupation would constitute a material change in planning terms. In this respect LP Policy QD14 is of little relevance to the appeal proposal.
14. Finally, the appellant also refers to the National Planning Policy Framework to support his case insofar as it advises that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. However, as I have found the proposal to be in conflict with the LP (the Council's development plan) this point does not help the appellant's case.

Conclusion

15. Although I have found that the proposal would not necessarily be harmful to the living conditions of neighbouring occupiers I have also concluded that the use of this modest family-sized house to the intensity proposed would not make

for a satisfactory standard of accommodation for its various occupants, and I consider this as the overriding factor. For the above reasons, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

Timothy C King

INSPECTOR



Appeal Decisions

Site visit made on 12 January 2015

by **S J Papworth DipArch(Glos) RIBA**

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

Decision date: 27 January 2015

Appeal A: APP/Q1445/A/14/2229119

409 Ditchling Road, Brighton, East Sussex BN1 6XB

- 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 B Atkinson against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01920, dated 23 May 2014, was refused by the Council by notice dated 19 August 2014.
 - The development proposed is the demolition of an existing double garage and the provision of a three bed detached house.
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Appeal B: APP/Q1445/A/14/2229121

409 Ditchling Road, Brighton, East Sussex BN1 6XB

- 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 B Atkinson against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01921, dated 23 May 2014, was refused by the Council by notice dated 26 August 2014.
 - The development proposed is change of use of existing games room into a single detached dwelling and the formation of an underground garage to the rear.
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Decision Appeal A

1. I dismiss the appeal.

Decision Appeal B

2. I allow the appeal and grant planning permission for change of use of existing games room into a single detached dwelling and the formation of an underground garage to the rear at 409 Ditchling Road, Brighton, East Sussex BN1 6XB in accordance with the terms of the application, Ref BH2014/01921, dated 23 May 2014, subject to conditions 1) to 14) on the attached schedule.

Main Issues

3. These are;
 - In Appeal A only, the effect of the proposed new building on the character and appearance of the area.
 - In both Appeal A and Appeal B the effect of the proposed sub-division of the plot on the character and appearance of the area.

Reasons

Planning Policy and Preliminary Findings

4. The Council have cited saved policies of the Brighton & Hove Local Plan 2005, and Policy QD1 seeks a high standard of design that makes a positive contribution to the visual quality of the environment. Policy QD2 looks to development to emphasise and enhance the positive qualities of the local neighbourhood and Policy QD3 seeks the efficient and effective use of sites, but appropriate to the locality and the prevailing townscape, with special attention being paid to the design and quality of spaces between buildings. Policy HO4 is referred to only with respect to Appeal A and the effect of the new building and states that in accordance with the aims of Policy QD3 to make full and effective use of land, higher densities than are typical in an area will be permitted where it can be demonstrated that there are high standards in design and architecture, among other things.
5. The two proposals are not mutually exclusive and both could be developed independently. A result of both developments proceeding would be a consequently smaller dwelling at 409 remaining on a smaller plot between two new curtilages. The appellant queries the Council's consideration of a cumulative effect and the linking of the two appeals. Whilst it is the case that each proposal will be considered on its merits, it is also correct to consider the possibility in each case of the other proposal also going ahead and the effect that this would have on the density and grain of development in the area.
6. The site is within the built-up area of Brighton and has a frequent bus service passing to the town centre, and to a suburban shopping centre. Whilst on the urban fringe with open space opposite, the site is in a sustainable location and the provision of additional housing with either or both proposals would assist the stated aim in paragraph 47 of the National Planning Policy Framework to boost significantly the supply of housing. The Council confirm that they are not at present able to demonstrate a five year supply of housing land as defined in the footnote to that paragraph, in which case paragraph 49 says that relevant policies for the supply of housing should not be considered up-to-date, and that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 states that this presumption means approving development proposals that accord with the Development Plan without delay, and where the Plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Character and Appearance, New Building

7. Ditchling Road is a wide highway with the open grass area to the further side, and a built-up western side occupied by sizeable detached houses in spacious plots, particularly from the appeal site northwards. To the south there are smaller plots and smaller dwellings including bungalows, but the open verges at the junction with Surrenden Road impart a spacious feel to the area, as does the grass area opposite so that the appeal property is very much a part of the low density development to the north. Surrenden Road has a different character due to the development being closer together and on both sides of the road, but the wide verge alongside the appeal property extends along the south side of that road also.

8. The existing dwelling is a large building that extends across the plot and to the north end of the main two storey building there is a double garage with a lower eaves level and a dormer window lighting a room in the lowered roof that would be removed to provide the site for Appeal A. The part of the building that is the subject of Appeal B is to the south. The composition along the street frontage is of the main two storey house with bay windows either side of the front entrance, and two balancing but different lower parts at either end. The removal of the double garage and making good of the flush return wall would not however upset the appearance and balance of the front elevation where the bay windows would remain the dominant feature.
9. The proposed new dwelling in Appeal A would occupy a central location within the newly formed plot between a boundary with the truncated 409 and the existing boundary with the verge to Surrenden Road. It would have a fully-hipped roof form that would echo aspects of the existing house design, but it would however be shorter with a lower eaves line and, due to the less deep plan form, a lower roof generally. The result would be a building form that would appear out of place alongside the existing dwelling, and poorly related to the spacious qualities of the streetscene at the junction with Surrenden Road. There would remain some trees and other vegetation to the boundary with the road verge, but the vehicle entry would allow an uninterrupted view of the building and the effect would be of an uncharacteristically small dwelling cramped on its plot and at odds with the dominant character and appearance of large dwellings on generous plots with space around buildings.
10. The proposed development would fail to make a positive contribution to the visual quality of the area and would not represent good design in relation to its surroundings; it would therefore not reach the standard sought in Policies QD1 and QD3. Whilst the addition of the dwelling would make better use of the site, the result would not be of the quality sought in Policies HO4 and QD3. The design would not satisfy the requirements of section 7 of the Framework and in particular, the statement at paragraph 56 that the Government attaches great importance to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Character and Appearance, Plot Sub-division

11. Looking first at Appeal A for the new building, the shortcomings identified in the previous main issue stem largely from the restricted plot width, whereas the depth would not be dissimilar to others in the area and along Surrenden Road. The arrangement of vegetation at the boundary and trees on the verge would limit the extent to which the size of plot would be obvious, and there would be no real harm. As a result, whilst there are failings in the ability of the plot to contain a dwelling that would be in character with its surroundings, the plot size as such would not appear out of place such that the aims of Policies QD1, QD2 and QD3 would be compromised.
12. Turning to Appeal B, the Council's concerns are solely over the size and character of the resulting plot sub-division, as the building exists as a part of the main house. There would be the removal of the short link with the main house but this is a recessive feature and the resulting gap, significantly less than that proposed between the main house and the new dwelling in Appeal A, would maintain a visual link so that the appearance what becomes two

buildings would be little altered. The roadside appearance on Hollingbury Copse would be improved with the removal of the dominant garage door and its replacement with the entry door and windows, introducing an appropriate residential frontage.

13. At the south end of the original plot the character and appearance of the adjoining area is markedly different from that just described to the north, with not only the smaller plots and smaller dwellings south along Ditchling Road, but into the *cul-de-sac* of Hollingbury Copse there is a tightening of the urban grain with limited frontage widths around the hammerheads, albeit the plots widen to the rear. Immediately to the west of the appeal site the frontages are the rear vehicle garages to properties on Surrenden Road, and to the south is a modern property. Within this changed character the formation of the proposed plot, new vehicle entry and earth-sheltered garage would not adversely alter the grain of development or the appearance of garages and boundary treatments.
14. Representation had been made as to other adverse effects such as to parking and highway safety, but the Council raise no concerns on these matters and correspondence from the highway authority at the time of the original application concluded that as the *cul-de-sac* has limited traffic and an informal layout, it would be unreasonable to refuse permission on highway grounds.
15. It is concluded that the formation of the proposed new plot in either case would be acceptable in its effect on the character and appearance of the area and whilst in Appeal A the resulting building would appear out of place, a sub-division in Appeal B to change the use of an existing building would bring benefits to the appearance of the Hollingbury Copse frontage and would not appear out of place or cramped. The proposals would satisfy the requirements of the Development Plan policies cited in respect of the sub-division of the plot.

Planning Balance

16. As set out above, the Council cannot demonstrate a five year supply of housing land, and the acceptable proposal in Appeal B would add to the supply of housing in a sustainable location. However, there are design shortcomings in Appeal A which would cause serious harm to the character and appearance of the area, and render the proposal contrary to Development Plan policies which remain consistent with the Framework with regard to the need for good design.
17. With regard to the presumption in favour of sustainable development, paragraph 7 of the Framework details the three dimensions to such development: economic, social and environmental. The proposals would aid the first dimension in building work and additional residents in the urban area making use of shopping facilities, entertainment and employment, and the social dimension would be aided by providing the supply of housing required to meet the needs of present and future generations, but the proposal in Appeal A would not create a high quality built environment and as a result would not aid the third dimension.
18. The balance lies in Appeal B being acceptable, sustainable development, whereas Appeal A would cause unacceptable harm and notwithstanding the lack of a five year supply of housing land, the adverse impacts in Appeal A would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, and in particular the statement on the

importance attached to the design of the built environment and good design being a key aspect of sustainable development indivisible from good planning.

Conditions

19. The Council suggested conditions covering matching materials, use and retention of the parking area, provision of the new access to the highway, details of cycle parking, refuse and recycling facilities, a requirement for a landscaping scheme and its implementation, and another requiring hard-standings to be porous. These are all reasonable and necessary to ensure the quality of the development. A requirement for the dwelling to be designed to Lifetime Homes standards is justified with reference to Policy HO13, and conditions ensuring that the building meets the BREEAM standard of 'Pass' is reasonable in this refurbishment and re-use proposal, in line with Policy SU2 and Supplementary Planning Document '*Sustainable Building Design*'.
20. It is further suggested that permitted development rights for extensions, enlargements, alterations and provisions within the curtilage be removed, and in view of the reasoning for the permission, this would be reasonable, not with a view to necessarily preventing such works, but to allow proper consideration of the effects on the character and appearance of the area and the remaining plot size. Lastly a condition is required naming the drawings, because otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.

Conclusions

21. The proposed new building to form a dwelling to the north would cause harm to the character and appearance of the area. The proposal would not accord with the environmental dimension of sustainable development and the adverse effects would significantly and demonstrably outweigh the benefits including the provision of a single additional dwelling in an area of housing need. For the reasons given above it is concluded that Appeal A should be dismissed.
22. The proposed change of use in Appeal B would make use of an existing building and the sub-division of the plot to provide its amenity space would not cause harm to the character and appearance of the area to the south of the site, where density is greater and the grain of urban development is of smaller plots and less space between buildings. The benefits of increased housing provision can be provided without demonstrable harm, and the proposal would be in accordance with the stated policies of the Development Plan and national planning policy. For the reasons given above it is concluded that Appeal B should be allowed.

S J Papworth

INSPECTOR

Schedule of Conditions Appeal B, change of use of existing games room into a single detached dwelling and the formation of an underground garage to the rear

- 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: unnumbered Site Plan, drawings 1362/01A, 02E and 03.
- 3) No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A to 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.
- 4) The external finishes of alterations to the building as a result of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
- 5) 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.
- 6) The new dwelling hereby permitted shall be constructed and fitted out to Lifetime Homes standards prior to the first occupation and these provisions shall be retained as such thereafter.
- 7) No development shall commence until a details of the new crossover and access to be constructed have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.
- 8) 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.
- 9) 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.
- 10) 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, 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.

- 11) 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.
- 12) The development shall not 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 has been submitted to and approved in writing by the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.
- 13) The development hereby approved shall not 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.
- 14) 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.



Appeal Decision

Site visit made on 9 December 2014

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 16 December 2014

Appeal Ref: APP/Q1445/D/14/2227804
16 Mill Rise, Brighton, BN1 5GD

- 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 Michael Jordan against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02688, dated was refused by notice dated 26 September 2014.
 - The development proposed is erection of roof extension including new front dormer.
-

Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. No 16 Mill Rise comprises a semi-detached bungalow located on the south west side of the road, and almost opposite its junction with Bramble Rise. It has been extended in the past by means of a roof conversion which has a large rear facing dormer and altered roof profile. The area has a mixed character from a design point of view, with a variety of bungalows and houses and I observed a number of front dormer windows within roof spaces. However, No 16 forms part of a row of similar designed bungalows on the south west side of this section of the road with relatively few alterations to the front roof slopes. Mill Rise rises steeply towards the north west and consequently there are a variety of roof lines as a result of the changing topography.
4. The appellant suggests that the pair of bungalows of which No 16 forms part, is not symmetrical because of the previous additions. The proposal is also considered to be consistent with advice in the Council's Supplementary Planning Document SPD12 – Design Guide for Extensions and Alterations 2013 (SPD) in that the dormer would not be higher than the ridge and would be no wider than the ground floor window below.
5. I acknowledge the latter point in terms of the height of the dormer, and agree that the property is already somewhat unbalanced as a result of the previous extension. However, the design of the original main roof for both properties is still very much in evidence and the main hipped feature on No 16, which sits

slightly forward of the main hipped roof of No 18, is a distinctive roof form on this part of the road and similar in style to those bungalows to the south east. The loss of that feature and its replacement with a largely gable end, together with a large dormer window, would in my view unbalance the pair of bungalows still further. The result would be a top heavy roof form, out of proportion with the modest scale nature of the pair of semi-detached bungalows, which would appear over dominant and out of place in the street scene and cause visual harm as a result.

6. As noted above, I acknowledge that other front dormers are prevalent in the area, but these generally respond better to the roof forms of which they form part in terms of size and proportion. Even where that is not the case, it is not a good reason to allow a further proposal which in itself causes visual harm, and I note that the SPD says that inappropriate extensions should not necessarily act as a precedent.
7. In the light of the above, I consider that the proposal would be contrary to Saved Policy QD14 of the Brighton & Hove Local Plan 2005 in that it would not be well designed in relation to the property. It would also be contrary to the SPD in that it would unbalance the semi-detached pair of bungalows and the dormer would not be kept as small as possible or would be set appropriately in the roof slope.
8. Accordingly, for the above reasons and policy guidance referred to, the appeal should be dismissed.

K Bennett

INSPECTOR

Appeal Decision

Site visit made on 24 December 2014

by Harold Stephens BA MPhil DipTP MRTPI FRSA

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

Decision date: 2 January 2015

Appeal Ref: APP/Q/1445/D/14/2228236

101 Green Ridge, Brighton BN1 5LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs G Modern against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/01686 was refused by notice dated 28 August 2014.
 - The development proposed is a front/side extension with pitched roof, side roof lights and associated works.
-

Decision

1. The appeal is dismissed.

Main Issues

2. I take the view that the main issues in this appeal are:
 - (i) the effect of the proposal on the character and appearance of the existing property and the street scene; and
 - (ii) the implications for neighbours' living conditions particularly in terms of loss of light, privacy and outlook.

Reasons

3. The appeal relates to a detached bungalow on the north side of Green Ridge. The bungalow has already been extended to the side and in the roof in 2003. The proposal seeks to further extend the south-east corner of the property to enable the conversion of the existing garage to a utility room and an extension of the existing front bedroom at ground floor with a study in the roof space.
4. The development plan for the area includes the saved policies of the Brighton and Hove Local Plan 2005 (LP). Policy QD14 (Extensions and Alterations) and Policy QD27 (Protection of Amenity) are relevant in this case. The Council's Supplementary Planning Guidance SPD12: Design Guide for Extensions and Alterations, adopted in 2013, is a material consideration. The National Planning Policy Guidance Framework (NPPF) published on 27 March 2012 is also a material consideration. I have also taken into account the Brighton and Hove City Plan Part One (submission document) which is an emerging development plan. Given the stage of preparation of this plan limited weight may be given to Policy SS1 which applies the presumption in favour of sustainable development.

Issue (i) the effect of the proposal on character and appearance

5. The appeal site is within an established residential area situated on a prominent bend on Green Ridge close to its junction with Millcroft. The original built form of the bungalows on Green Ridge is similar although not entirely uniform in style and appearance many have been altered with a variety of side extensions, roof alterations and side dormers. The appeal dwelling has an existing side addition which is subservient to the main dwelling due to it being set down from the ridge and being set back from the front building line.
6. The proposal is to extend the property so that the front elevation of the existing side extension (currently a garage) would be increased by some 2.5m and be flush with the front porch. The side of the property would be built up matching the existing eaves height and a new roof added which would follow the pitch of the existing front projection ending with a north-south central ridge. This ridge although raised by 1.1m would remain lower than the existing north-south ridge of the property and the same height as the existing east west ridge to which it is attached. A window would be inserted within the new gable front and roof lights would be positioned in the side roof slopes. The fenestration on the eastern elevation would also be altered.
7. I accept that the barn-hipped gable end would remain a feature and that the extension would be set down from the main ridge. I also accept that more accommodation is needed for a growing family. However, the extension would appear unduly dominant and would not form a subservient addition to the existing property. The considerable scale and bulk that would be created at roof level would clearly unbalance the property and result in an overdevelopment of this modest bungalow, as well as relating poorly to the main roof form. Furthermore, the detailing of the extension compounds the inappropriate nature of the extension with, for example, the introduction of the window at the top of the gable.
8. Given the overall design, size and bulk of the extension the appeal proposal would result in an overextended appearance and dominate the existing property. It would appear as an incongruous addition on a prominent site close to a road junction. In my view the proposal would not relate well to the design of the existing property and the wider area. It would therefore be in conflict with criterion (a) of Policy QD14 of the LP and to the guidance within SPD 12 and the NPPF, notably section 7 which requires good design. It would be an overdevelopment of the site, particularly when viewed westwards from the junction of Green Ridge and Millcroft, and as such would significantly harm the character and appearance of the existing property and the street scene. On the first issue the appeal must fail.

Issue (ii) Impact of the proposals on living conditions

9. With regard to the impact of the proposal on neighbours' living conditions the property most likely to be affected is No 103 Green Ridge. At my visit I saw that both dwellings are detached and are set away from the shared boundary. In my view due to this separation, the proposed extension would not result in any significant harm in terms of loss of light, outlook or overbearing impact. The proposed window to be inserted in the new gable front (underneath the barn-end) and the roof lights would not result in any significant loss of privacy or overlooking due to their positioning. The proposed new windows to the side elevation would be obscure glazed and would therefore minimise any impact.

I conclude on the second issue that the proposal would not offend aforementioned planning policies and would not significantly harm the living conditions of neighbouring properties.

10. Although the proposal would not cause significant harm to neighbours' living conditions under the second issue, the harm that would be caused to the character and appearance of the existing property and the street scene under the first issue is sufficient on its own to warrant dismissal of this appeal.

Other Matters

11. I have taken into account all other matters raised including the Planning Statement submitted with the application and the points made about house prices in the area and local schools. I appreciate that the Appellant works from home and seeks to create an office space in the loft area. I am aware that an alternative scheme was considered which would be set back from the front wall but was not pursued because it would not enhance the host dwelling or the street scene. I appreciate that the materials to be used in the extension would match those of the host dwelling. However, for the reasons given, I cannot agree that the proposal would create a pleasing and sympathetic appearance within the street scene. Nor can I accept that the proposal is sustainable development under the provisions of paragraph 14 of the NPPF. The proposal is in conflict with the development plan and the adverse impacts which I have described significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole.
12. Reference was made to other properties within the area where extensions have been approved by the Council. At my visit I looked at the various properties shown in the accompanying photographs including those at No 84 and No 97 Green Ridge. I do not have all the relevant details about these properties. However, none of these developments persuaded me that the appeal proposal would be appropriate in this situation. Suffice it to say that each decision must be considered on its own merits and in accordance with the provisions of the development plan and any other material considerations. Planning conditions would not overcome the harm that I have described. None of the points raised are sufficient to outweigh the conflict with the development plan and the NPPF. None of these matters changes my overall conclusion that the appeal should be dismissed.

Harold Stephens

INSPECTOR



Appeal Decision

Site visit made on 20 January 2015

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 23 January 2015

Appeal Ref: APP/Q1445/D/14/2229437

1 Barrowfield Drive, Hove, East Sussex BN3 6TQ

- 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 Amir Solehi against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02873, dated 20 August 2014, was refused by notice dated 10 October 2014.
 - The development comprises the replacement of a part block, part fence boundary with a painted, rendered block wall.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The wall in question has already been constructed. I understand that the appellant misread the details of a previously approved scheme in completing it, but this has no bearing on my decision. Furthermore, I must determine the appeal on the basis of the development applied for and it is not for me to suggest alternative design solutions.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the host property and wider area.

Reasons

4. The appeal property occupies a corner plot at the junction of Dyke Road Avenue and Barrowfield Drive. The wall subject to appeal is on the bend, occupying most of the Dyke Road Avenue frontage and extending into Barrowfield Drive. It is long and tall and thus it is very prominent in the street scene.
5. Dyke Road Avenue comprises houses of various ages, sizes and styles. The road is busy with traffic and I observed many solid front boundary treatments, including high walls and fences. Most of the walls I saw incorporate some form of decoration or detailing which affords them a thoughtfully designed and often attractive appearance. Whilst the appellant has drawn my attention to some of the plainer examples, the majority still have pillars, some colouring and/or capping.

6. By contrast, the wall at the appeal site is a continuous mass of rendered blockwork. It has no pillars or other design feature to commend it visually and it appears already to be suffering from damp. It has a purely functional appearance which is completely at odds with the more considered solutions I have described.
7. Moreover, the cream/grey coloured finish contrasts most unfavourably with the appearance of the host property itself as a red brick, tile hung dwelling of a traditional style. Similar properties are found all along Barrowfield Drive, which is a narrow side street with a leafy feel. The front boundaries are mainly marked by low-level solid structures and significant hedging or other vegetation so that landscaping prevails at the roadside. The appeal property retains a short stretch of complementary picket fencing and planting on Barrowfield Drive, but it is not sufficient to offset the harmful effect of the wall.
8. I therefore conclude that the development as proposed and constructed is significantly detrimental to the character and appearance of the host property and wider area. Thus it conflicts with Policy QD14 of the Brighton and Hove Local Plan, which, amongst other things, requires development to be well designed and detailed in relation to the host property and surrounding area; and to use materials sympathetic to the parent building.

Conclusion

9. For the reasons given above, I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR



Appeal Decision

Site visit made on 2 December 2014

by R J Marshall LLB DipTP MRTPI

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

Decision date: 19 December 2014

Appeal Ref: APP/Q1445/A/14/2225655

4, Barrowfield Close, Hove, East Sussex, BN3 6TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs J T Platt against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02487, dated 23 July 2014, was refused by notice dated 8 September 2014.
 - The development proposed is erection of 4 bedroom detached dwelling house on land previously designated as plot 2 Barrowfield Close.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. The appellants did not turn up for the site visit. However, they were contacted by the Planning Inspectorate and with the agreement of the 2 main parties I conducted an unaccompanied visit.

Main Issue

3. The main issues in this appeal are: **first**, the effect of the proposed development on the character and appearance of the surrounding area; and **second**, if harm arises whether that would be outweighed by housing land supply considerations.

Reasons

Character and appearance

4. The appeal site lies in an attractive low-density residential area of Brighton. It is at the top end of the relatively short cul-de-sac, Barrowfield Close. From its junction with Tongdean Avenue this Close runs uphill to a small turning circle around which are located 5 houses. They are attractive properties of varied design. They are generally well set back from the highway which gives this part of the Close an attractively spacious appearance. The appeal site, a fairly wide and lengthy parcel of land, lies to the side of No. 4 Barrowfield Close, the most southerly house in the cul-de-sac. At the entrance to the cul-de-sac are 2 houses, both of which are located closer to the highway than most of the other properties in the Close. There is a recently permitted extant permission for the house at No. 4 to be replaced by a much larger house. This would have its

main front elevation in line with the front of the existing house with the exception of 2 short projections. It would, however, extend much deeper into the plot.

5. The proposed house is a predominantly 2 storey property with a conventional front elevation with a hipped roof. As such the front elevation would be entirely in keeping with other houses in the cul-de-sac. I see no harm in the design of a lengthy single-storey side element given that neighbouring properties and hedgerows both on and off the site would largely screen it. The displacement of windows in the side elevations is not so random as to be unacceptable.
6. Unlike some locally I see no harm in principle to some form of development on the appeal site. Its width and depth makes it a fairly logical infill site. Moreover, sufficient space would exist between the proposed house and the existing house at No. 4 for the 2 properties not to be seen too much as one overall mass. The hipped roof design of the proposed house, which would reduce the bulk of the roof, and the variation in building heights would assist in this regard. However, I share local concerns about the possibility if the house recently permitted at No. 4 was constructed in addition to the scheme on appeal. In these circumstances the relatively close location of 2 lengthy side elevations would make for an over-intensive form of development.
7. Of even greater concern is the degree of forward projection of the proposed house towards the highway. It would be substantially further forward of the adjoining house No. 4, which itself is the forward-most house around the cul-de-sac head. As such it would stand out intrusively and detract from the current spacious character and appearance of this part of the road. With this degree of projection the lengthy 2 storey side elevation would be intrusive in views both up and down the cul-de-sac. The views of it from the top end of the road would remain sufficiently pronounced, even were the recently permitted house at No. 4 constructed, for the proposed development to remain intrusive from this viewpoint.
8. The appellant says that the location of the proposed house would be acceptable given that it would not come forward of No. 45 Tongdean Avenue, one of the 2 houses to either side of the road at the bottom end of the cul-de-sac. However, these 2 houses in the lowest part of the road appear set apart from the other houses in the Close. It is thus against the setting of the 5 houses at the top of the cul-de-sac that the proposed development should be assessed, as I have done above.
9. Although not an issue for the Council I share local concerns about the substantial area of dropped kerb that the proposed plans appear to show. It seems likely that as a result much of the highway grass verge forward of the site would be removed. The appellant has not suggested otherwise. Loss of the verge would detract from the informal layout of the cul-de-sac to the further detriment of its character and appearance.
10. In 1979 outline planning permission was granted for a house on the appeal site slightly forward of the location now proposed. Over the years the permission was renewed, the last time being in 2001. However, these decisions are now quite dated and in light of the stress in the National Planning Policy Framework (the Framework) on the need for good design and for new development to respond to local character I consider the Council to have been justified in

refusing the current application. That the Council made no specific reference to harm through the forward location of a house more recently refused permission on the appeal site, and is alleged to have offered no feedback on the current proposal, does not alter my view on this.

11. As correctly recognised by the Council the appeal site is sufficiently removed and well screened from the Tongdean Conservation Area for the proposed development to have no impact at all on its setting. However, this does not lessen the harm identified to the more immediate setting of the site referred to above.
12. It is conceded that the proposed development would detract from the character and appearance of the surrounding area. It would be contrary to Policies QD1 and QD2 of the Brighton and Hove Local Plan (2005) which require new development to make a positive contribution to the character and appearance of areas and take into account local characteristics.

Land supply

13. The Council concedes that, against the only current full objectively assessed need for housing, it does not have a 5-year housing land supply. An absence of a 5-year housing land supply runs contrary to a key aim of the Framework which is to boost significantly the supply of housing.
14. Absence of a 5 year supply of housing land brings into play paragraph 49 of the Framework. This says that in such circumstances relevant Policies for the supply of housing should not be considered up to date. In turn paragraph 14 of the Framework provides that when a development plan is out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
15. The Framework promotes sustainable development. There are 3 dimensions to this, economic, social and environmental. The provision of new housing in an urban area where it is required clearly meets the economic and social dimensions. In part also, given the general sustainability of building in urban areas, it would meet the environmental dimension. However, this dimension also requires the protection and enhancement of the built environment. The proposed development would fail to achieve this for the reasons given. The degree of harm is such that when assessed against the policies of Framework as a whole, the adverse impacts of the proposal would significantly and demonstrably outweigh the limited benefits that would occur from the provision of just a single house. Therefore, the imperative to grant permission in paragraph 14 of the Framework in the absence of a 5-year housing land supply does not apply.

Other matters

16. Local residents raise matters of concern beyond those of the Council. On increased traffic generation the erection of a single dwelling should not increase traffic movements to an unacceptable degree. The provision of only one parking space for a development of this size accords with Council standards. Whilst this could potentially result in some overflow parking on the highway the Close appears wide enough to accommodate this without unduly impeding other traffic. The Council's highway department has no objection to the

proposal and no contrary professional view has been provided. The proposed access would require the re-location of a street light. Had I been minded to allow the appeal this could have been dealt with under other legislation. However, lack of harm on these matters does not make the proposal acceptable given my findings on the main issues.

Conclusion

17. For the reasons given above the appeal should be dismissed.

R J Marshall

INSPECTOR



Appeal Decision

Site visit made on 24 November 2014

by Michael Lowe BA(Hons) BTP MPA MRTPI

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

Decision date: 2 January 2015

Appeal Ref: APP/Q1445/A/14/2225789

10 Holland Road, Hove, East Sussex BN3 1JJ

- 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 Brighton & Hove Jewish Housing Association Ltd against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/04352, dated 19 December 2013, was refused by notice dated 24 March 2014.
 - The development proposed is provision of one car parking space in front garden, including removal of section of front wall.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on the character and appearance of the surrounding Brunswick Town Conservation Area.

Reasons

3. The site is located within the Brunswick Town Conservation Area (CA). The undoubted focus of the area is the imposing Regency architecture which is particular evident when viewed along the seafront. This is complemented by the generous amounts of landscaping which include the impressive gardens found within Brunswick Square, Palmeira Square and Adelaide Crescent and which also permeates throughout other parts of the CA.
4. The site is part of a row of two storey mid-twentieth century houses that are dominated to a degree by the much larger Victorian town houses opposite. At my site visit I noted that the frontages at Nos 8, 12, 14, 16/18 and 20 Holland Road have been hard surfaced and are now used for parking. This parking visually dominates these frontages and provides a rather hard, harsh appearance to the street scene.
5. Despite this, the remaining low brick walls with contrasting decorative coping represent a consistent and attractive feature along the frontages of these properties including the appeal site where two matching sections of wall provide a significant degree of pleasing symmetry and enclosure. The appeal site frontage is attractively landscaped, well maintained and provides some pleasant landscape relief in contrast with the neighbouring parking areas.

6. In considering this appeal I am required to pay regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. This duty is reflected within saved policy HE6 of the Brighton & Hove Local Plan July 2005 (LP) which seeks to preserve or enhance the character or appearance of conservation areas through the retention and protection of trees, gardens, spaces between buildings and other open areas which contribute to the character or appearance of the area. It also explains that the removal of boundary walls and formation of car hardstandings will be resisted.
7. The Council has also produced supplementary planning document 09 – architectural features December 2009 (SPD09) which states that permission will not be granted for the demolition or partial demolition of a boundary wall. It also advises that poorly considered alterations to boundaries or their partial or complete removal can have a substantially harmful impact and is one of the biggest threats to the character of historic areas. It continues that the demolition of front walls to create off-street parking spaces in front garden areas can disrupt the rhythm and alter the scale and enclosure of the street. Finally it argues that the loss of gardens to hard impervious parking areas is harmful visually and environmentally.
8. Supplementary planning document 12 – design guide for extensions and alterations June 2013 (SPD12) also states that the loss of original boundary walls that contribute to the character of the area will be resisted. I acknowledge that these two pieces of guidance do not carry the same weight as adopted policies of the Development Plan, however in this case they clearly follow the same lines of concern as saved policy HE6 and provide helpful additional detail to inform consistent and sensitive decision making within the Council’s conservation areas. I therefore consider they should be given significant weight in this decision and clearly the advice they both present relates directly towards the appeal proposal.
9. The proposed loss of part of the frontage wall and the resultant removal of landscaping would represent a significant and harmful erosion of character from the appeal site. I recognise that the appeal scheme incorporates shrubs to screen the proposed car parking space, however due to the limited size of these areas they would be insufficient to mitigate effectively against the removal of these distinctive and positive elements of character within the street scene. Their replacement with car parking would add further harm to the street as the parking would dominate the existing front garden and upset the existing attractive setting the existing wall and landscaping provide not just to the appeal site but also to the wider street. This would therefore be harmful to the character and appearance of the CA.
10. To a degree the proposal would blend into the frontage car parking that has taken place along neighbouring frontages, however this is a negative harmful feature of the CA which has a dominant, cluttering effect across these otherwise attractive properties and this does not therefore represent a desirable precedent.
11. Although the harm caused would be significant in terms of the immediate context of the proposal, it would be less than substantial in the context of the Conservation Area as a whole. In these circumstances, paragraph 134 of the Framework requires the harm to be weighed against any public benefit. The

proposal would allow the Scheme Manager to park more conveniently and for longer than the current arrangement of on-street car parking. In addition, the proposal would also allow access for a mobility scooter of one of the tenants of the association, for storage and recharging. It has not been demonstrated by the appellant that many other options to solve these issues have been explored and it strikes me that these issues are relatively transitory when weighed against the likely permanent harm to the CA that would result from the proposal. These public benefits do not therefore outweigh the harm to the CA that I have identified.

12. I therefore conclude that the proposed development would harm the character and appearance of the CA. It would thereby conflict with saved policy HE6 of the LP, SPD09 and SPD12. Consequently, it would also fail to preserve or enhance the character or appearance of the CA.

Other Matters

13. In 2007, the Council granted planning permission¹ for the frontage parking arrangements. Whilst this decision was made in the same policy context as the current appeal, for the reasons I have outlined above, this does not represent a desirable precedent and does not provide sufficient justification for further harmful development to occur. I also note that SPD09 and SPD12 have both been adopted since this decision, and which provide further guidance and impetus towards the protection of the CA.
14. For the above reasons, and having taken all matters before me into consideration, the appeal is dismissed.

Michael Lowe

INSPECTOR

¹ BH2007/00991



Appeal Decision

Site visit made on 2 December 2014

by **R J Marshall LLB DipTP MRTPI**

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

Decision date: 29 December 2014

Appeal Ref: APP/Q1445/A/14/2226069
55, St Aubyns, Hove, East Sussex, BN3 2TJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Porter against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/00973, dated 25 March 2014, was refused by notice dated 21 May 2014.
 - The development proposed is roof conversion to form a flat.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this appeal are **first**, the effect of the proposed development on the character and appearance of the Old Hove Conservation Area in which the site lies and the Cliftonville Conservation Area which adjoins the site; and **second**, if any harm arises whether it is outweighed by housing land supply and other considerations.

Reasons

Character and appearance

3. No. 55 St Aubyns is a tall and attractive terraced property with a stucco frontage and bay windows. It lies within a terrace of similar properties. The appeal property has been subdivided into flats and it is proposed to construct a studio flat in the loft space. To provide light to this area, and sufficient space, a small hipped roof dormer window and a small roof light would be formed in the front roof slope of the property. A much larger flat roof dormer would be created in the rear roof slope. This would be almost the full width of the property and in height would extend from just above the eaves line to not far below the ridge height of the roof.
4. The appeal building fronts onto St Aubyns. This road is in the Old Hove Conservation Area which contains roads with similar houses to the appeal property along with roads of red brick Edwardian detached and semi-detached houses. The appeal building backs onto Seafield Road. This road is in the Cliftonville Conservation Area. Houses on the eastern frontage of this road face onto the rear elevations of houses in St Aubyns. They are stucco houses not dissimilar to those in St Aubyns but at a lower height. The rear elevations of

the St Aubyns properties are fairly mixed in design but not unattractive in those cases where the rear roofslopes remain unaltered or contain only small dormers.

5. The Council would seem to have no in principle objection to the proposed additional living space. Nor, given the small size of the front dormer window and roof light, does it object to these physical changes to the building. All that I saw supported the Council's stance on this. In particular I consider that the proposed front dormer does not have so marked a horizontal aspect as to be out of keeping with the vertical proportions of the property.
6. The rear dormer would, however, be so large and bulky as to detract substantially from the character and appearance of the back elevation of the appeal property. It would be clearly seen from Seafield Road and detract both from the Conservation Area in which the site lies and the Cliftonville Conservation Area. Regrettably there are quite a large number of other similar box type dormers in the rear elevations of houses in St Aubyns, including on adjoining houses to the north, and on the front elevations of houses in Seafield Road. They detract from the character and appearance of the 2 Conservation Areas and adding to this harm should be avoided. Fortunately a significant number of properties remain free of such structures.
7. It is concluded that the proposed development would harm the character and appearance of the Old Hove Conservation Area in which the site lies and the Cliftonville Conservation Area which adjoins the site. It would thus fail to meet the statutory test that in such areas new development should preserve or enhance their character or appearance. There would be conflict with Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan 2005 which seek to protect the character of areas.

Housing land supply and other considerations

8. The appellant says that the Council does not have a 5-year housing land supply, and no evidence has been supplied to the contrary. An absence of a 5-year housing land supply runs contrary to a key aim of the National Planning Policy Framework (the Framework) which is to boost significantly the supply of housing.
9. Absence of a 5-year supply of housing land brings into play paragraph 49 of the Framework. This says that in such circumstances relevant Policies for the supply of housing should not be considered up to date. In turn paragraph 14 of the Framework provides that when a development plan is out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. In this case there would be economic benefits arising from the construction of the flat and social benefits from the provision of additional residential accommodation. However, with the small scale of the proposed development these benefits would be small. They would be substantially outweighed by the harm that would be caused to the Conservation Areas.
10. It is concluded that housing land supply and other considerations do not outweigh the harm to the Conservation Areas.

Other matters

11. Concerns raised by some locally go beyond those of the Council. However, turning to these there is no substantial evidence that the limited size of the proposed flat should stand against the proposal especially as the Council has adopted no space standards. A development of this limited size is unlikely to add greatly to off street parking demands. Life time homes standards would not be met. However, that may often be the case in conversions of properties such as this and I consider the Council correct to take a pragmatic approach on this. I note residents' concerns over noise from other flats, especially with regard to the relationship of the proposed accommodation to adjoining bedrooms. However, the Council considers concerns over noise being transmitted to other flats to be a matter dealt with under Building Regulation consent and no evidence has been provided to the contrary. There is no substantial evidence to support concerns that the proposal would result in an overly populated building and a fire hazard. However, lack of harm in these respects does not make the proposal acceptable given my findings on the main issues.

Conclusion

12. It is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR



Appeal Decision

Site visit made on 5 January 2015

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 13 January 2015

Appeal Ref: APP/Q1445/A/14/2228411

Flat 4, 61 Goldstone Villas, Hove, East Sussex BN3 3RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs U Pascoe against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02830, dated 21 August 2014, was refused by notice dated 23 October 2014.
 - The development proposed is the conversion of the roof space to create a bedroom to flat No 4.
-

Decision

1. The appeal is allowed and planning permission is granted for the insertion of rooflights to the front and rear roof slopes at Flat 4, 61 Goldstone Villas, Hove, East Sussex BN3 3RW in accordance with the terms of the application, Ref BH2014/02830, dated 21 August 2014, 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: Drawing No 14470-01.
 - 3) Notwithstanding condition 2, the rooflights hereby permitted shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Procedural Matters

2. The description of development in the heading to this letter is taken from the application form. I have amended it in my formal decision at paragraph 1 to use the description given on the decision notice and appeal form. The latter more accurately describes the development for which planning permission is sought.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area, including whether it would preserve or enhance that of the Conservation Area.

Reasons

4. The appeal property is the top floor flat in a converted house forming part of a three storey terrace. It lies within the Hove Station Conservation Area, a designated heritage asset, which is characterised by similar terraced villas such as those found in Denmark Villas to the east. The street scene in Goldstone Villas itself is mixed, including commercial premises at ground floor level on the west side and a number of more modern residential and business properties throughout.
5. It is proposed to insert one conservation-style rooflight in the front roofslope and two in the rear roofslope to serve a new bedroom and en-suite bathroom. The front rooflight is not contentious for the parties and I consider that it would be a relatively discrete addition to the building. I also note that a few properties in the same terrace have similar rooflights and that several in the mixed use terrace opposite have front dormer window additions of various styles.
6. The rear elevation and roofslope of the terrace of which the appeal property is part is visible from Denmark Mews, a development of relatively modern houses of a sympathetic style accessed from Denmark Villas. From here I observed various additions to the rear of the terrace, including a three storey metal fire-escape to the appeal property itself; a two-storey, flat roofed extension to No 59 adjacent to the south; a substantial, flat roofed box dormer almost filling the roofslope of No 63 adjacent to the north; and a metal balcony spanning two properties further to the north at third floor level. All of these features are, in my view, prominent and discordant additions to the original building.
7. The proposed development on the rear roofslope of No 61 would consist of three small rooflights, two of which would be vertically aligned so that they would appear as one larger window. The double rooflight would be aligned with the windows on the lower floors of the appeal property, whereas the single one would be offset slightly to the south.
8. The Council's Supplementary Planning Document (SPD)¹ advises that "*rooflights (particularly to street elevations) should be kept as few and small as possible and should relate well to the scale and proportions of the elevation below, including aligning with windows where possible...*" (page 17). However, the three rooflights proposed would not take up a disproportionate area of the roofslope and the slight misalignment of the small single one would not be jarring. Indeed a very similar arrangement has been approved by the Council (Ref BH2011/00659) and installed on the neighbouring dwelling at No 59. Moreover, in the context of the much more obtrusive development at the rear of the terrace I have described above, the impact of the proposed rooflights would be insignificant.
9. For the reasons above, I conclude that the proposed development would not be harmful to the character and appearance of the area. It would also preserve that of the wider Conservation Area so that the significance of the heritage asset would not be compromised. Thus I find no conflict with either Policy QD14 or HE6 of the Brighton and Hove Local Plan, 2005.

¹ Design Guide for Extensions and Alterations Supplementary Planning Document – SPD12, adopted 20 June 2013.

Other Matters

10. In reaching my decision, I have taken account of the concerns expressed by interested parties about light emanating from the proposed rooflights at night. However, given the slope of the roof, light spill would mainly be upwards and not detrimental to the living conditions of neighbouring occupiers in lower floor flats.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed.

12. I have considered the conditions suggested by the Council in light of the advice in the Planning Practice Guidance. In addition to the standard commencement condition, I have imposed a condition to require the development to be carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of proper planning. A condition to control the particular appearance of the rooflights installed is required to preserve the character and appearance of the Conservation Area.

Louise Phillips

INSPECTOR



Appeal Decision

Site visit made on 20 January 2015

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 29 January 2015

Appeal Ref: APP/Q1445/D/14/2229520

20 Kingsthorpe Road, Hove, East Sussex BN3 5HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Ayiesha Adderley against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02486, dated 23 July 2014, was refused by notice dated 29 September 2014.
 - The development proposed is described as a rear first floor infill extension, rear second floor roof terrace and two front dormers to loft conversion. The loft conversion rear dormer has been granted a certificate of lawfulness (BH2014/01598).
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor rear extension with roof terrace above and glass balustrade; the conversion of the existing garage into habitable living space and replacement of the garage door with a window; and the creation of dormers to the front and rear roof slopes at 20 Kingsthorpe Road, Hove, East Sussex BN3 5HR in accordance with the terms of the application, Ref BH2014/02486, dated 23 July 2014, 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: 0149-A100 and 0149-A200.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The description of development in the heading to this letter is taken from the application form. However, I have used the description given on the decision notice in my formal decision because it more accurately describes the totality of the proposal.
3. I note that a Lawful Development Certificate has previously been granted for a loft conversion including a rear dormer and for the conversion of the garage into habitable accommodation (Ref BH2014/01598). This is a material consideration in my decision but I have nonetheless treated these elements of

the scheme as part of the current appeal against the refusal of planning permission.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the host property and wider area, having particular regard to the front and rear dormers.

Reasons

5. The appeal property is a two-storey house with a flat-roofed garage on the north side of Kingsthorpe Road. It lies between, and is attached to, substantial commercial buildings of different styles and it is bound to the rear by a railway line and cemetery beyond. Whilst the house shares many of the characteristics of the terraced properties on Grange Road running perpendicular to the south, its immediate setting is dominated by its larger scale neighbours.
6. The appeal scheme comprises several elements as described above and neither the garage conversion nor the first floor rear extension is controversial for the parties. I have taken account of these aspects of the proposal in considering its overall effect, but I agree that they could be accommodated without detriment to the character and appearance of the building or wider area.
7. Turning to the rear dormer, this would be of a flat-roofed, box type design which would fill much of the roofslope. Whilst it would represent a rather bulky addition, near views of the roof from within the property's own garden are limited by its small size. Looking up, the eastern side of the dormer would be largely hidden behind the roof of an existing two-storey rear projection and the western side would be viewed against the taller and deeper side elevation of the adjacent commercial building. Whilst it might be possible to see it from further away to the north, these views would be across a railway line and onto principally commercial development. In this context, the dormer would not cause any significant harm. Likewise the balcony to which it would provide access would have no adverse impact.
8. Two separate dormers are proposed on the front roofslope, again with a flat-roofed design. Whilst the Council is concerned that they would not be as small as possible as required by its Supplementary Planning Document (SPD)¹, they would be set down from the ridge and would occupy approximately half the depth of the relatively shallow roofslope. The windows themselves would only be as wide as the first floor windows with which they would align and the surrounds would be proportionate. Consequently, I do not consider that they would be excessively large.
9. I appreciate that the appeal property is visible from Grange Road and that none of the similar properties therein have front dormers. However, the effect of adding such features to one house in a continuous terrace would be quite different to adding them to this one, which stands alone between significantly different buildings.
10. Therefore, while the development as a whole would alter the appearance of the existing building considerably, I conclude that it would not be harmful to its character and appearance, or to that of the wider area. Thus it would not

¹ Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

conflict with Policy QD14 of the Brighton and Hove Local Plan, or with the purpose of the SPD guidance.

Conclusion and Conditions

11. For the reasons given above, I conclude that the appeal should be allowed. I have considered the conditions suggested by the Council in light of the advice in the Planning Practice Guidance.
12. In addition to the standard commencement condition, I have imposed a condition to require the development to be carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of proper planning. The condition requiring the materials used to construct the development to match those of the existing building is necessary to protect the character and appearance of the building itself and of the wider area.

Louise Phillips

INSPECTOR



Appeal Decision

Site visit made on 2 December 2014

by R J Marshall LLB DipTP MRTPI

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

Decision date: 31 December 2014

Appeal Ref: APP/Q1445/A/14/2226266
22 Lennox Road, Hove, East Sussex BN3 5HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss R Johnson against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01650, dated 20 May 2014, was refused by notice dated 13 August 2014.
 - The development proposed is rear dormer window and single front roof light to existing first floor flat.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is an attractive 2 storey Victorian style terraced house. It lies within an area containing many similar types of houses. As with most houses nearby the appellant's house has a 2 storey extension to the rear which is most likely part of the original house. On the appellant's property, along with some others the extension has a flat roof.
4. The appeal building is converted into 2 flats. The appellant occupies the top flat which contains a kitchen, bathroom, bedroom and living room. It is proposed to provide an additional bedroom with an en-suite bathroom above this in the roofspace. To provide the necessary light and space a small roof-light is proposed in the front roofspace and a large dormer to the rear. The rear dormer would extend almost the full width of the property and in height it would extend from around gutter level to approximately ridge height.
5. The Council has no objection to the proposed roof-light. Correctly so as it is sufficiently small and unobtrusive as to have no material impact on the roofslope. The same cannot be said of the proposed dormer window at the rear. This is so substantial that it would be a structure of excessive bulk and would create an unacceptably top heavy appearance to the building.

6. Being at the rear of the property the proposed dormer window would not be seen from public vantage points. Nor given the screening effect of the existing 2 storey extension would it be greatly visible from many gardens at the rear of the terrace. However, it would be seen from the first floor rear windows of nearby houses in the terrace at the rear of the appeal site. The existence of such viewpoints would be sufficient to cause the proposed dormer to detract from the character and appearance of the appeal building and surrounding area.
7. The appellant refers to the High Court judgement *Boroughs Day v Bristol City Council* in support of his view that the dormer would not be sufficiently visible to warrant refusal. However, this decision was determining whether a proposal constituted development under the Planning Acts. It thus has limited if any material relevance to the case before me.
8. The appellant has referred to there being quite a large number of full width dormers in the area. Indeed there are some close to the appeal site and I saw one possibly under construction further afield. However, no evidence has been given on the planning background to these cases. And in any event, from the appellant's submission, substantial areas remain free of such development including houses in the immediate vicinity to the north of the appeal site and most of the terrace to the rear. Thus the existence of these dormers does not justify the proposal before me.
9. I fully appreciate the appellant's wish for improved living accommodation. I have taken account also of the presumption in favour of sustainable development in the National Planning Policy Framework. This document sets out 3 dimensions to sustainable development: economic, social and environmental. The appellant is correct to assert that in some respects the proposal would accord with elements of all 3 of these dimensions. However, by harming the character and appearance of the area it would conflict with the environmental role's requirement that new development should protect the built environment. I find this decisive.
10. It is concluded that the proposed development would harm the character and appearance of the surrounding area. It would conflict with Policy QD14 of the Brighton and Hove Local Plan 2005 which requires extensions to properties to be well designed and sited in relation to the property to be extended and have regard to the character of the area.

Conclusion

11. For the reasons given above the appeal should be dismissed.

R J Marshall

INSPECTOR



Appeal Decision

Site visit made on 17 December 2014

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 7 January 2015

Appeal Ref: APP/Q1445/A/14/2225692

Electricity Substation to the rear of 59 Lincoln Road, Portslade BN41 1LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R Raggio, Urban East Anglia Properties Limited, against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/00387, dated 4 February 2014, was refused by notice dated 9 April 2014.
 - The development proposed is the change of use from an electrical substation to a storage unit.
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use from an electrical substation to a storage unit at Electricity Substation to the rear of 59 Lincoln Road, Portslade BN41 1LL in accordance with the terms of the application, Ref BH2014/00387, dated 4 February 2014, 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: Drawing No 01 – Proposed Storage Unit, by Robert Saunders Partnership, dated May 2014.
- 3) No development shall take place until a site investigation has been carried out to identify all previous uses of the site as well as all potential contaminants which may be associated with those uses. A conceptual model of the site shall be prepared, indicating the sources, pathways and receptors (including off-site receptors) associated with the potential contaminants and any unacceptable risks shall be highlighted.

The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remedy the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Before development begins, the site shall be remedied in accordance with the approved measures and a verification plan, setting out the data to be collected to demonstrate that the works are complete and identifying any requirements for monitoring,

maintenance or contingency action shall be submitted to and approved in writing by the local planning authority.

- 4) If, during the course of development, any contamination is found which has not been identified in the site investigation referred to in Condition No 3, additional measures for the remedy of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remedy of the site shall incorporate the approved additional measures.
- 5) No development shall take place until details of the finish to be applied to the roller shutter have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6) The development shall not, at any time, be connected to the water supply or have water infrastructure applied to it.

Procedural Matters

2. I have taken the address of the site from the appeal form whereas the application form gives it as St Aubyn's Crescent. Both are accurate and clearly refer to the same piece of land, but the Council uses the former address on the decision notice. I have done the same for consistency.
3. The description of development describes the proposal as a change of use, but for clarity, it includes the construction of a new building. I have determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

5. The site is located between the rear gardens of No 59 Lincoln Road (although it is not clear that the proposed development would be associated with that property) and No 54 Gladstone Road which have their western boundaries with St Aubyn's Crescent. It consists of a fenced compound with a 'frontage' to St Aubyn's Crescent that once contained an electricity substation. The substation equipment has now been removed. The proposed development would replace the compound with a single storey, flat roofed storage building to be accessed from St Aubyn's Crescent via a roller shutter.
6. The introduction of a building at the edge of the pavement would be at odds with the established pattern of development in the area which is given by lines of terraced houses set back from the highway. It would also be the only building to face this particular stretch of St Aubyn's Crescent. However, given that it would be flanked to the north by the tall boundary hedging of No 54 Gladstone Road and to the south by close-boarded fencing on the side boundary of No 59 Lincoln Road, it would form part of a continuous and largely opaque frontage. Thus in near views on St Aubyn's Crescent, the departure from the otherwise strong building lines would not be readily perceived.
7. Moreover, while it might be possible to see the roof of the building in longer views from the north and south, the existing open views across the site are

only available at first floor level. This is due to the boundary treatments already described, as well as a fence across the plot of No 59 Lincoln Road which acts as a barrier from the south. Therefore the single storey structure proposed would not have any significant effect on the spacious appearance of this corner. Nor would it be prominent or intrusive in the street scene.

8. Turning to materials, the building would be constructed in block and be finished in render. Render is the prevalent treatment on the houses in all three roads referred to above and so the development would not stand out in this respect. The metal roller shutter proposed for the St Aubyn's Crescent elevation has the potential to appear harsh in this residential setting if untreated, but a door which does not open over the highway is required for reasons of road safety. On balance, and given the presence of similar garage doors in nearby Gladstone Road, I consider that it would be possible to achieve a suitable finish.
9. For the reasons above, I conclude that the proposed development would not be harmful to the character and appearance of the area. Thus it would not conflict with the aims of Policy QD1, QD2 or QD14 of the Brighton and Hove Local Plan 2005 in this regard. In reaching this conclusion, I have taken account of a previous appeal decision for this site, which upheld the Council's refusal of planning permission for a domestic garage/storage unit¹. Whilst the Inspector gave significant weight to the unoccupied frontage on St Aubyn's Crescent and to the operative building lines in the area, the proposal was for a two storey building with a pitched roof which would have had quite a different effect to the scheme before me.

Other Matters

10. In reaching my decision, I have had regard to the previous Inspector's findings that a garage on this site could be detrimental to highway safety. Whilst the current proposal is for a storage unit rather than a garage, vehicles would be likely to attend. However, since the last appeal, the appellant has commissioned evidence to assess the effects of the proposal on the highway². The Council's specialist is satisfied that it would have no detrimental impact given the small number of trips it would generate. As the development would be sited in a relatively quiet residential area and that double yellow lines control parking close to the junctions, I have no reason to disagree.
11. I acknowledge that a nearby occupier has observed people trying to gain access to the existing fenced compound with a crowbar. The entrance to the proposed building would benefit from a high degree of natural surveillance and if a secure unit were provided, it may be that criminal activity would reduce.
12. Consequently, these other matters do not outweigh nor alter my conclusion in respect of the main issue of the appeal.

Conclusion and Conditions

13. For the reasons given above, I conclude that the appeal should be allowed. In considering the conditions to be attached, have had regard to the advice in the Planning Practice Guidance.

¹ Appeal ref APP/Q1445/A/08/2075693.

² Statement by Reeves Transport Planning, dated September 2014.

14. I have imposed the standard commencement condition and another to require that the development is carried out in accordance with the approved plans. The latter is for the avoidance of doubt and in the interests of proper planning.
15. The Council has suggested a condition which would require the site to be assessed for potential contaminants and for remediation to take place if any are found. Having regard to the previous use of the site as an electricity substation, and to the advice of the Council's specialist, I am satisfied that such a condition is necessary. For the same reason, the Council's suggested condition that the site should not be connected to the water supply is also appropriate.
16. Whilst the Council has not suggested it, I have imposed a condition to require details of the intended finish for the roller shutter to be submitted to the Council for approval. As explained in my decision, this is necessary to protect the character and appearance of the area.

Louise Phillips

INSPECTOR