





Brighton & Hove
City Council

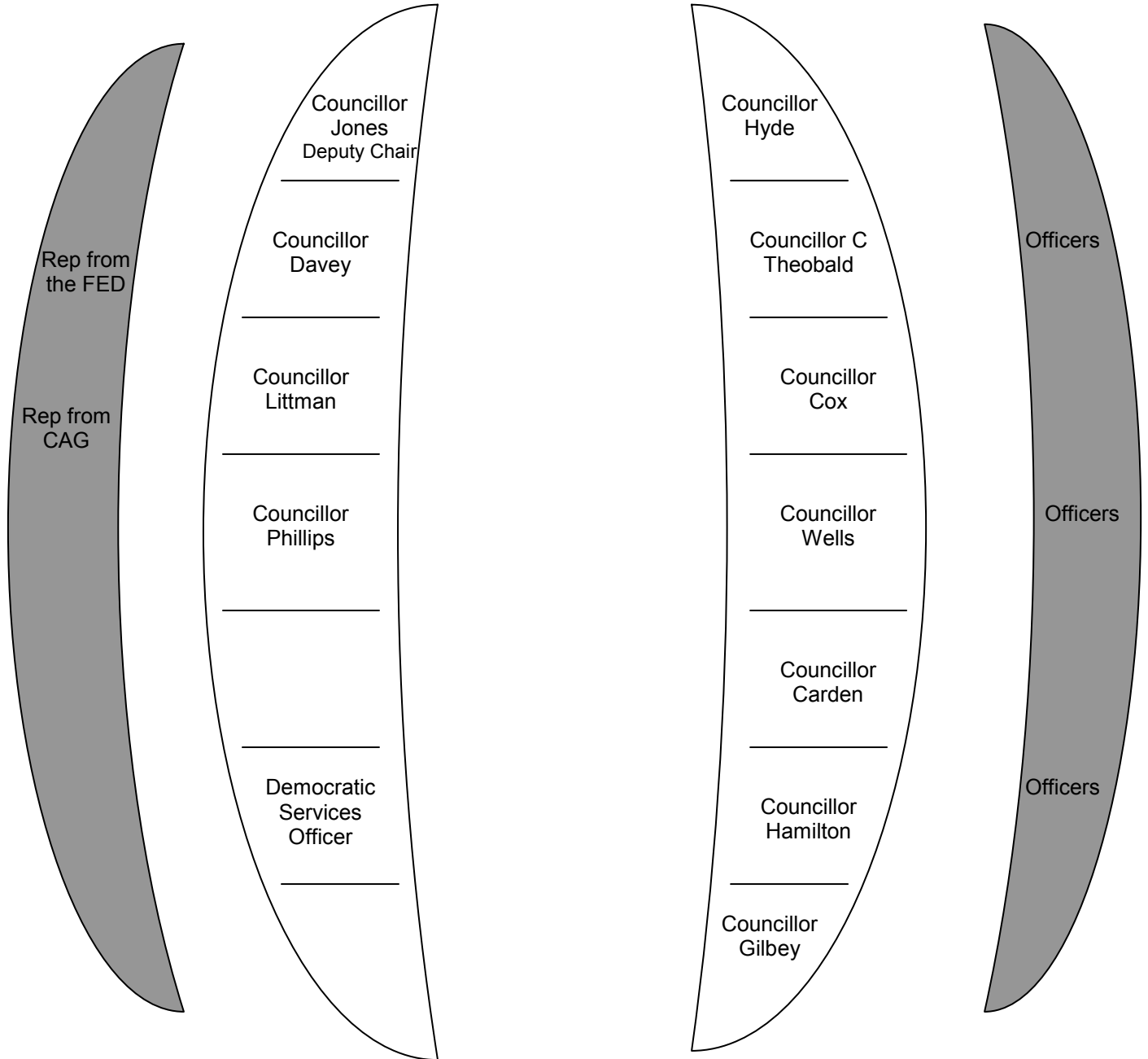
Planning Committee

Title:	Planning Committee
Date:	1 April 2015
Time:	2.00pm
Venue	Ronuk Hall, Portslade Town Hall
Members:	Councillors: Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Gilbey, Hamilton, Littman, Phillips, C Theobald and Wells Co-opted Members: Jim Gowans (Conservation Advisory Group)
Contact:	Penny Jennings Democratic Services 01273 29-1064/5 planning.committee@brighton-hove.gov.uk

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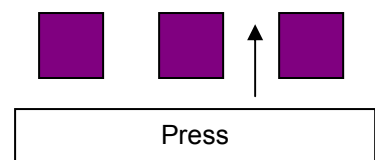
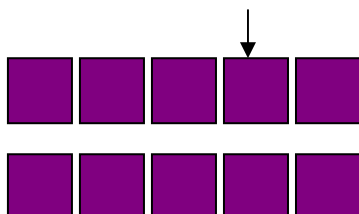
Democratic Services: Planning Committee

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



AGENDA

158 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

- 159 MINUTES OF THE MEETING OF 18 FEBRUARY 2015** 1 - 18
Minutes of the meeting held on 18 February 2015 (copy attached).
- 160 MINUTES OF THE PREVIOUS MEETING** 19 - 36
Minutes of the meeting held on 11 March 2015 (copy attached)
- 161 CHAIR'S COMMUNICATIONS**
- 162 PUBLIC QUESTIONS**
Written Questions: to receive any questions submitted by the due date of 12 noon on 25 March 2015.
- 163 50-52 NEW CHURCH ROAD, HOVE - REQUEST FOR A VARIATION OF S106 DATED 11 MARCH 2008 SIGNED IN ASSOCIATION WITH APPLICATION BH2007/02930** 37 - 44
(copy attached)
- 164 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**
- 165 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**
Please note that the published order of the agenda may be changed; major applications will always be heard first; however, the order of the minor applications may be amended to allow those applications with registered speakers to be heard first.
- MINOR APPLICATIONS**
- A A BH2014/03012, Rose Hill Tavern, 70-71 Rose Hill Terrace, Brighton -Full Planning** 45 - 66
Change of use of ground floor and basement from Public House (A4) to form 1no three bedroom flat (C3). Reinstatement of railings and basement level window to front elevation and associated alterations.
RECOMMENDATION – GRANT
Ward Affected: St Peter's & North Laine
- B B BH2014/04116, 31 Melbourne St, Brighton - Full Planning** 67 - 84
Erection of three storey block containing 3no self contained flats.
RECOMMENDATION – GRANT
Ward Affected: Hanover & Elm Grove
- C C BH2015/00169, 5-8 West St Rottingdean - Full Planning** 85 - 94

PLANNING COMMITTEE

Application for variation of condition 5 of application BH2005/06332 (Amendment to approved permission BH2004/02617/FP (reduction in floor area). Part single storey, part two storey retail unit) to state that the premises shall not be open for customers or in use except between the hours of 06:00 and 23:00.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Rottingdean Coastal

D BH2005/00067, Car Park, Ardingly Street, Brighton -Full Planning 95 - 108

Erection of three storey block containing 2no two bedroom and 2no one bedroom flats.

RECOMMENDATION – GRANT

Ward Affected: Queen's Park

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

INFORMATION ITEMS

167 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 109 - 110

(copy attached).

168 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 111 - 232

(copy attached)

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

(copy attached).

170 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 237 - 238

(copy attached).

171 APPEAL DECISIONS 239 - 266

(copy attached).

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

PLANNING COMMITTEE

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

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

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

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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 Penny Jennings, (01273 29-1064/5, email planning.committee@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Tuesday, 24 March 2015

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 18 FEBRUARY 2015****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

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

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

Officers in attendance: Jeanette Walsh (Planning & Building Control Applications Manager); Jon Puplett (Principal Planning Officer); Guy Everest (Principal Planning Officer); Pete Tolson (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Ross Keatley (Democratic Services Manager).

PART ONE**134 PROCEDURAL BUSINESS****134a Declarations of substitutes**

134.1 There were none.

134b Declarations of interests

134.2 Councillor Hyde declared an interest in respect of Application D, BH2014/03268 – King’s School Lower School, Mile Oak Road, Portslade as her grandson attended the school. She stated that she remained of an open mind, and would take part in the debate and decision in relation to the application.

134c Exclusion of the press and public

134.3 In accordance with Section 100A of the Local Government Act 1972 (“the Act”), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in

view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

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

134d Use of mobile phones and tablets

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

135 MINUTES OF THE PREVIOUS MEETING

135.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 28 January 2015 as a correct record.

136 CHAIR'S COMMUNICATIONS

136.1 By way of polite notice the Chair highlighted that the proceedings of the Committee were being viewed both by members of the public at the meeting and those watching on the webcast; the Committee were reminded that they should be seen to be attentive and engaged whilst applications were presented and discussed.

136.2 The Chair highlighted that during the works to Hove Town Hall the Committee would be relocated to Portslade Town Hall from 1 April 2015.

137 PUBLIC QUESTIONS

137.1 There were none.

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

138.1 **RESOLVED** – There were no additional requests for site visits in relation to matters listed on the agenda.

139 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2014/03300 - 119 Lewes Road, Brighton - Full Planning - 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.

(1) It was noted that this application had been the subject of a site visit prior to the meeting.

(2) The Principal Planning Officer, Jonathan Puplett, introduced the application and gave a presentation by reference to photographs, plans and elevational drawings. Attention was drawn to late amendments to the report: reason for refusal 1 had been deleted

and there was a minor amendment to reason for refusal 4 to include a reference to CP21 as well as QD21. The site was located on the eastern side of Lewes Road and currently was in use a hand car wash; immediately to the north there was vehicular to the cemetery, and the site at 112-113 Lewes Road was currently being developed for student accommodation. The site was located within the DA3 area as set out in the emerging City Plan; this was a strategic area and the main thrust of the policy was to promote and enhance the area for further education. The policy also recognised there was some poor development in the area, and new development needed to improve and enhance the public realm. In terms of HMO mapping the site was located within the Article 4 area, and there was a high concentration of HMOs in the immediate vicinity.

- (3) The application sought the demolition of the existing buildings on the site and the erection of purpose built student accommodation; the built form would run close to the boundary at the front of the site and be slightly more stepped in at the sides. The building stopped at the rear and stepped down to a two-storey element in line with the height of the properties on Gladstone Place; the fifth floor of the development was set in roof level. There had been a late representation from the University of Brighton stating they supported the accommodation and would seek to use it for their students, whilst there was no formal agreement this did address the concerns and reason for refusal 1 outlined in the report.
- (4) In relation to reasons for refusal 2 & 3 it was considered that the development did not address the principle of Policy DA3. The development was considered excessive, and the built form on the line of the pavement did not allow the opportunity for public realm improvements which a smaller building could deliver. In relation to reason 4 – neighbouring amenity – 14 objections had been received from Gladstone Place with concerns in relation to design and the nature of the development, and there were already problems with intensive car use in the street. HMO mapping had evidenced the concentration locally, and it was considered the development would worsen the situation for residents creating increased demands for parking. For the reasons outlined in the report the application was recommended for refusal.

Public Speakers and Questions

- (5) Mr Jim Tarzey spoke on behalf of the applicant and stated that this was a part of the city where high quality, high density development was encouraged – it was also a location where students wanted to live. The application had evolved during the pre-application stage, and the building needed to work whilst fitting in with the local area and wider context. The application proposed a 5-storey building where the fifth storey would be set back and it would respect the amenity of neighbouring properties. The site was located in a tall building corridor where there were nearby buildings of up to 6 storeys. The building stepped down for Gladstone Terrace, and this gave the scope for a greater frontage on the building. In terms of the operation of the building there was full written support from the University of Brighton, and the development would help to meet the current and future projected housing needs of the city. Work would be undertaken with the University management team to manage student behaviour appropriately and introduce control measures to prevent students parking vehicles in the surrounding streets. This type of accommodation was in demand; would free up existing HMOs and was in compliance with guidance.

- (6) In response to Councillor Davey the applicant confirmed they had experience of these types of schemes both nationally and elsewhere in the city, and the concerns and issues were often common. The accommodation would be let on the agreement that students were not allowed to bring cars with them, and this was enforced through the tenancy agreement. A system would also be in place to allow residents to liaise with the management.
- (7) In response to Councillor Hyde the applicant explained there was a partnership between the universities and the local authority which allowed for ongoing dialogue; whilst there nothing formally agreed at the site this would form part of ongoing negotiations as a scheme emerged.

Questions for Officers

- (8) In response to Councillor Davey the different policy context that had allowed the approval of the site at 112-113 Lewes Road was outlined, and it was highlighted that the policy position in terms of the emerging City Plan now placed significant weight on DA3 in terms of design. The objective of DA3 was to improve the street scene in the area, and provided a remit to push for high standards on all sites coming forward to achieve significant improvements.
- (9) In response to a further question from Councillor Davey it was explained that the article 4 direction had been considered by Officers due to the high number of representations, and the existing problems on Gladstone Road.
- (10) In response to Councillor Hyde it as confirmed that the site at Preston Barracks had been allocated in the City Plan to deliver student housing. Whilst the Presenting Officer did not have the detailed mapping around the recently granted site at Hollingdean Road; he was of the view that the streets surrounding the application site had a higher density of HMOs.
- (11) In response to Councillor Cox it was confirmed that each reason for refusal had to stand in its own right, and they were not numbered in terms of importance or significance.
- (12) In response to Councillor Gilbey the Presenting Officer explained that there was no detailed management plan in relation to the accommodation as the interest from the university had been expressed late in the application. The normal expectation would be to secure this through the S106 agreement, and this kind of detail would be sought if the application were being recommended for approval.
- (13) In response to a further question from Councillor Gilbey it was explained that any windows overlooking the rear gardens of Gladstone Place would be obscurely glazed and controlled through a condition were the Committee minded to approve the application. It was also confirmed that the roof terraces were the only usable areas of outside space.

- (14) It was confirmed for Councillor Mac Cafferty that the height of the building was below the threshold to be considered a tall building, and the height of the building did not form a reason for refusal.

Debate and Decision Making Process

- (15) Councillor Hyde explained that she had initially been surprised at the Officer recommendation in the report, but this had become much clearer from detail in the report and the site visit. She noted the Officer comments that a block of reduced scale and bulk could deliver a more in terms of public realm improvements. She noted the proposed building scale was significantly greater than Gladstone Place; she was also conscious of the nearby HMO density and the potential harm to nearby properties. For these reasons she would support the Officer recommendation.
- (16) Councillor Davey echoed the remarks made by Councillor Hyde in particular he agreed about the importance of the street scene and the public realm elements of any scheme coming forward. He also added that good management of the scheme under construction at 112-113 Lewes Road would help to ease resident's concerns.
- (17) Councillor C. Theobald stated that she was not against the principle of the scheme, but she felt the height and bulk were excessive for this location.
- (18) Councillor Hamilton stated that he had concerns in relation to the size of the rooms in the development; as well concerns about overdevelopment at the site; for these reasons he would support the Officer recommendation.
- (19) A vote was taken and the Officer recommendation that the Committee refuse the application was carried unanimously by the 12 Members present at the meeting.

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

Reasons for Refusal:

- i. 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.
- ii. 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.

- iii. 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 and policy CP21 of the Brighton and Hove City Plan Part 1 Submission Document.

Informatives:

- i. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
- ii. 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
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
CONTEXTUAL ELEVATIONS	122		01/10/2014
EXISTING ELEVATIONS	125		17/10/2014

- iii. 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.
- iv. 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.

B BH2014/03742 - Hove Business Centre, Fonthill Road, Hove - 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.

139.2 This item was withdrawn from the agenda.

C BH2014/03354 - 51 Barnett Road, Brighton - Full Planning - Change of use from three bedroom single dwelling (C3) to four bedroom small house in multiple occupation (C4).

- 1) The Principal Planning Officer, Jon Puplett, introduced the scheme with reference to photographs, plans and elevational drawings; there was also an additional condition in respect of refuse storage. The application sought change of use to a small HMO in C4 use, and permission was sought due to the article 4 direction affecting the ward. It was clarified that the scheme sought to turn the existing living room into a fourth bedroom, and HMO mapping showed that 4.5% of properties within the policy radius were in HMO use – this was below the 10% threshold and compliant with policy. The application was recommended for approval for the reasons set out in the report.

Debate and Decision Making Process

- 2) Councillor C. Theobald noted that she agreed with the comments of the three ward Councillors in the report, and she felt the HMO concentration was already too high.
- 3) Councillor Carden noted that the application fell within policy and could not see any reason to refuse. Officers also clarified how the article 4 direction operated.
- 4) Councillor Jones stated his view that the property should remain a family home, but in policy terms he could see no reason to refuse the application.
- 5) Councillor Cox stated that students had to be housed in the city, and a refusal would likely be lost at appeal.
- 6) Councillor Phillips noted that not all HMOs were occupied by students, and they also provided more affordable accommodation for working young people.
- 7) In response to the Chair the Senior Solicitor, Hilary Woodward, clarified that the article 4 direction removed permitted development to change to an HMO and instead the change of use had to be determined through a planning application. The Planning and Building Control Applications Manager, Jeanette Walsh, noted that there was an intention to review the methodology, and any change to the policy would be made by the Economic Development & Culture Committee.

- 8) Councillor Littman noted he could see no reason to refuse the application.
- 9) A vote was taken by the 12 Members present at the Committee and the Officer recommendation that planning permission be granted was carried with 8 in support and 4 abstentions.

139.3 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **GRANT** planning permission subject to conditions and informatives.

D BH2014/03268 - Kings School Lower School, Mile Oak Road, Portslade - Full Planning - Revised kitchen servery incorporating installation of ventilation system (Retrospective).

- 1) The Principal Planning Officer, Guy Everest, introduced the report with reference to plans, photographs and elevational drawings; it was also noted that the application included revisions to Condition 7. The application sought permission for a single storey kitchen building; the plant machinery had been in situ since September 2014, and was located approximately 6 metres from neighbouring properties. There had been some complaints in relation to noise; these had been confirmed by Environmental Protection, but no noise had been identified. In relation to use beyond the normal hours for the kitchen; there was the additional condition to manage this. The application was recommended for approval for the reasons set out in the report.

Questions for Officers, Debate and Decision Making Process

- 2) It was confirmed for the Chair that to use the facility at weekend would require an application to vary the planning consent.
- 3) Councillor Hamilton noted that he had received complaints about the site in his capacity as one of the local ward Councillors; he noted that were the Committee minded to grant the application then any future nuisance issues could be pursued through Environmental Protection.
- 4) A vote was taken by the 12 Members present and the Officer recommendation that permission be granted was carried on a vote of 11 in support in 1 abstention.

139.4 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **GRANT** planning permission subject to conditions and informatives, and the additional condition set out below:

Amended condition 2:

The ventilation system hereby permitted shall be only be in use between the hours of 08.00 and 16.00 Monday to Friday, and shall not be in use at any other time.

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.

E BH2014/03799 - 26 & 26A Reigate Road, Brighton - Full Planning - Demolition of existing detached dwelling and erection of two storey block of 6no flats.

- 1) It was noted that the application had formed the subject of a site visit prior to the meeting.
- 2) The Principal Planning Officer, Guy Everest, introduced the application and gave a presentation by reference to plans, photographs and elevational drawings; reference was also made to matters included on the Late List. The application site related to a detached two-storey building currently divided into ground and first floor flats. The proposals sought to demolish the existing building, and erect a new property with 6 flats spread out over four floors. The impact on neighbouring amenity was considered in the report, and the application would provide for six cycle parking spaces. The site was accessible and considered appropriate for car free housing, and there was an additional recommendation to this extent. As part of the s106 contributions £3k was sought towards footway works and access to the car club. Whilst the scheme represented an increase in bulk and density the application was considered acceptable for the reasons set out in the report.

Questions for Officers, Debate and Decision Process

- 3) Councillor Hyde stated that her concerns had been alleviated following the site visit, and she thought the design was appropriate.
- 4) Councillor C. Theobald stated her view that the design was good, but she was not sure if the road was suitable for flats, and she had concerns that existing properties could be overlooked.
- 5) Councillor Cox stated he supported the application, but did not believe the development should be car free as there was no waiting in the CPZ; Councillor Hyde seconded this position.
- 6) The Committee voted and agreed that the additional condition in relation to a car free development would not be added were they minded to approve the planning application.
- 7) Councillor Gilbey stated that from the site visit she thought the scheme was well designed; she noted there were other examples of blocks of flats in the road.
- 8) Councillor Phillips commented that the two bedrooms units would be able to accommodate families.
- 9) The Chair noted his view that the application complied with QD3, and was a good use of the site.
- 10) A vote was taken and the Officer recommendation that the Committee be minded to grant planning permission was carried on a vote of 11 in support with 1 abstention.

139.5 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to be **MINDED TO GRANT** planning permission subject to conditions and informatives.

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

1) The Principal Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans and elevational drawings. There was an additional condition in relation to the development being car free. The application site related to a residential site with five blocks of flats; consent was sought for additional flats which each unit containing a roof terrace at the front, and the internal layout would reach lifetime homes standards. The design and scale was considered acceptable, and the impact on amenity was outlined in the report. In relation to transport there would be new cycle storage in an accessible location at Block C with room for 9 cycles. The location was considered accessible in terms of transport; there was very limited parking on Dyke Road and it had been clarified that individual addresses could be made car free which would reduce the demand. Contributions were sought towards infrastructure improvements on Dyke Road, and the submitted construction plan would achieve code level 4 for sustainability – the conditions had been amended to reflect this. The application was recommended for approval, subject to a s106 agreement, for the reasons outlined in the report.

Public Speaker(s) and Questions

2) Mr James Endersby and Mr Richard Peakin spoke in opposition to the scheme in their capacity as local residents. They stated that the application would create ‘gross overlooking’ from the new balconies; the scheme would create a serious loss of amenity in terms of light to the stairwells to the extent they would require permanent artificial light. In relation to parking whilst the development would be car free those living there would still have visitors. The resident’s disagreed with the Legal Advisor’s position in relation to human rights considerations, and the residents had suggested a bond to protect resident’s from becoming insolvent. Residents had strong concerns in relation to the additional storey proposed in the application, and they were of the view that the scheme did not comply with policy QD27. There was concern that the construction would cause undue stress for residents, and it was noted that the additional flats would have no lift access for the disabled. Residents expressed concern in relation to property values, and highlighted the lack of communication from the developer.

3) In response to Councillor Davey the objectors explained that the overlooking would be caused by the setback parapet allowing direct views onto the balconies below.

4) In response to Councillor Cox the objectors clarified that the glazed element providing light to the stairwell would be lost in the development.

5) Councillor Kennedy spoke in her capacity as the local ward Councillor. She stated that she both wished to object to the scheme and supported what had already been said by the residents. She was of the view that the scheme represented over-development in

terms of the height and scale, and the scheme was contrary to policy. There were also concerns in relation to the loss of amenity and additional noise – both contrary to policy QD27. Councillor Kennedy acknowledged the difficult position for in the city in terms of housing, but she felt the potential harm to the existing residents would be too great.

- 6) Mr Simon Bareham spoke in support of the application in his capacity as the agent acting on behalf of the applicant. He stated that the application would make a positive addition to the supply of housing, and there was a full assessment on the visual impact of the scheme – the additional flats were considered to be well designed and comfortable. The large separation distances would help to protect privacy and outlook, and the resident's concern in relation to overlooking from the balconies were refuted. In relation to noise and sound insulation it was noted that the new units would comply with modern building regulations – as opposed to the lower standard of the existing buildings. The Officer report recommended a construction environmental management plan, and the plans were for high quality units of lifetime homes standards; all with their own private amenity space. In summary the Committee were invited to grant permission for the high quality scheme with no harmful impact.
- 7) In response to Councillor C. Theobald the agent explained that the new floor would be accessed by extended the existing staircases.
- 8) In response to Councillor Jones the agent explained that due to the positioning of the staircase in Block C the additional floor would sit slightly forward of the building line.

Questions for Officers

- 9) The Presenting Officer confirmed for Councillor Hyde that a person would need to stand very close to the edge of the new balcony to overlook the balcony below. The setback distance of three metres, excluding the bay window, for the new storey was also confirmed.
- 10) In response to a further question from Councillor Hyde it was clarified that the loss of light to the communal area did not warrant a reason for refusal on the basis of harm as it was not a habitual room or living space; the use of artificial light was also considered a common feature of communal areas. In response to further question from Councillor Jones it was reiterated that in terms of policy QD27 Officers were of the view that this did not form a strong enough reasons for refusal.
- 11) It was confirmed for Councillor Cox that there were currently 30 flats in the three blocks.

Debates and Decision Making Process

- 12) Councillor C. Theobald stated that she was not happy with the proposals in terms of noise and disturbance, and the scheme would not be fair on the existing residents. There would be: overlooking; a lack of parking, and the distance to the new floor without disabled access was unacceptable. On principle she did agree with this type of development, and for the reasons stated she would not support the Officer recommendation.

- 13) Councillor Phillips stated that she had listened to the concerns of residents, and felt that the proposals were appropriate in terms of scale and bulk. She knew these blocks well, and added that all developments would always cause a degree of noise and disturbance; for these reasons she would support the Officer recommendation.
 - 14) Councillor Davey stated that the decision was a difficult one, but he felt that he could not support the Officer recommendation as the impact on the existing residents would be too great.
 - 15) Councillor Hyde stated that the scheme would seriously affect daylight and sunlight, and the scheme did not meet policy QD27; however, she was mindful that refusal to this type of scheme was often lost at appeal.
 - 16) Councillor Littman noted that he similarly found this a difficult decision; he felt the look was appropriate, and his main concerns related to the impact on those currently living in the blocks. On balance he felt that he could not support the Officer recommendation.
 - 17) Councillor Jones noted he had been in a similar situation to the residents in a property he had lived, but there had been few issues once the works were uncompleted. He stated that at this point he remained undecided, but had concerns this could be over-development.
 - 18) The Chair stated that the Committee needed to balance the impact on the residents against the need to provide new homes within the city; he was of the view that the necessity for new homes should be afforded greater weight.
 - 19) Before the vote was taken the Planning & Building Control Applications Manager clarified that Committee could not give any material weight to the objector's comments in relation to property values. Also the construction impacts could not form material consideration unless there was an accompanying EIA.
 - 20) A vote was taken by the 12 Members present and the Officer recommendation that the Committee be minded to grant planning was carried on a vote of 7 in support; 4 against and 1 abstention.
- 139.6 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to be **MINDED TO GRANT** planning permission subject to conditions and informatives; the additional and amended conditions and additional informative set out below, and an additional condition in relation to the approval of the roof arrangements to enable the stairways to receive natural light (the full wording of the condition to be agreed by the Planning & Building Control Applications Manager).

Additional Condition 10

The internal layout of the new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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.

Additional Condition 11

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.

Additional Informative

The applicant is advised that the scheme required to be submitted by Condition 11 should include the registered address of the completed development; an invitation to the Council as Highway Authority (copied to the Council's Parking Team) to amend the Traffic Regulation Order; and details of arrangements to notify potential purchasers, purchasers and occupiers that the development is car-free.

Amended Conditions 6 & 8

to be amended to require Code for Sustainable Homes Level 4.

Amended Conditions 10

The internal layout of the new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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.

G BH2014/02984 - 26 Lewes Crescent, Brighton - Householder Planning Consent - Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place. (Part Retrospective).

- 1) The Principal Planning Officer, Guy Everest, gave a presentation in respect of application BH2014/02984 for householder planning permission and application BH2014/02985 for listed building consent with reference to plans, photographs and elevational drawings; there was an also an additional condition in relation of the application for householder planning in respect of the timeframe to complete the works. The application sought permission for changes to the rear boundary wall; the rear garden was lower than the street level and the scheme included a new staircase and storage below. Amendments had taken place following consultation with the Heritage Team and these include the fattening of the door arches and the additional black railing. Consent was also sought for black and white tiling on the front entrance steps

which would match that of the neighbouring property. Both applications were recommended for approval for the reasons set out in the report.

Public Speaker(s) and Questions

- 2) Mr Derek De Young spoke in objection to the scheme; he stated that the Kempton Society strongly objected to the scheme on a heritage basis. He noted that the property was one of the few in area that remained a single residence. There had been a temporary opening in the wall during works to the building, but the wall was original and fell within the curtilage of the Grade I listing; the works had also carried out without permission. Attention was drawn to a previous decision by the Planning Inspectorate, and the Committee were asked to refuse the application.
- 3) Councillor Hyde asked for further information in relation to the decision of the Planning Inspectorate that Mr De Young had made reference to, and he confirmed that the application was quite different from this, but had related to the treatment of Grade I listed property.
- 4) Mr James Breckell spoke in support of the application in his capacity as the architect for the scheme. He stated that the application had been considered by the CAG in October 2014; where the flatter door arches had been suggested – the scheme before the Committee was the result of the advice of the CAG and consultation with the Heritage Team. Mr Breckell stated he had worked on a similar scheme for the neighbouring building, and argued this gave some precedent for approval. There had already been planning permission for a temporary opening, and this had led to the discovery of evidence of a previous opening in the wall – all this evidence suggested that a rear gate was acceptable. It was also noted that there was no objection to the additional of the new tiles at the front of the property.
- 5) In response to Councillor Hyde the architect confirmed that the Heritage Team had no objection to the scheme that was before the Committee. Mr Breckell also confirmed that the changes proposed to the front steps would be of Victorian design.
- 6) In response to Councillor Gilbey the architect confirmed they had found evidence of a previous opening the rear wall; this did not appear to be a gate, but had in at some point been blocked up.
- 7) The architect confirmed for Councillor C. Theobald that the black railings had been suggested by the Heritage Team.

Debate and Decision Making Process

- 8) Councillor Davey stated he had confidence with the view of the Heritage Team, and would support the Officer recommendations.
- 9) Mr Gowans stated that the CAG had originally recommended refusal of the unamended scheme and in relation to interference with the original wall. He noted that had asked for amendments that were before the Committee, and the design was not more in-keeping. In response to the Chair it was confirmed by Mr Gowans that the CAG were now more comfortable with the amended scheme.

- 10) Councillor C. Theobald stated that she agreed with the principle of the door in the wall, but she preferred the unamended white wall of the stairwell.
- 11) A vote was taken in respect of the application for householder planning consent by the 12 Members present at the Committee, and the Officer recommendation that the application be granted was approved with 11 in support and 1 against.

139.7 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **GRANT** planning permission subject to conditions and informatives, and the additional condition set out below:

Additional Condition

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.

H BH2014/02985 - 26 Lewes Crescent, Brighton - Listed Building Consent - 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).

- 1) The presentation, consideration and debate on this application took is detailed at minute item 139H.
- 2) A vote was taken in respect of the application for listed building consent by the 12 Members present at the Committee, and the Officer recommendation that the application be granted was approved with 11 in support and 1 against.

139.8 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **GRANT** listed building consent subject to conditions and informatives.

I BH2014/03369 - 16 Fallowfield Close, Hove - Householder Planning Consent - 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.

- 1) The Principal Planning Officer, Guy Everest, introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. The application site related to detached bungalow in a residential cul-de-sac. The application proposed an additional storey; the building would have a hipped roof, and be rendered at first floor level. The materials would be consistent with those in the close, and additional floor was considered acceptable. The separation distance from the neighbouring properties and the position of the garage would reduce the impact of

the scheme, and there was no harm to neighbouring amenity. For the reasons set out in the report the application was recommended for approval.

Questions for Officers, Debate and Decision Making Process

- 2) It was confirmed for Councillor C. Theobald that there had been no objection from No. 70.
- 3) A vote was taken of the 11 Members present and the Officer recommendation that planning permission be granted was unanimously agreed.

139.9 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **GRANT** planning permission subject to conditions and informatives.

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

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

140.1 **RESOLVED** – There were no further requests for site visits in matters listed on the agenda.

141 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

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

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

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

143 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

144 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

145 APPEAL DECISIONS

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

The meeting concluded at 4.34pm

Signed

Chair

Dated this

day of

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 11 MARCH 2015****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Gilbey, Hamilton, Littman, K Norman, Phillips and Wells

Officers in attendance: Paul Vidler (Planning Manager – Major Applications); Nicola Hurley (Planning Manager – Applications); Sarah Collins (Principal Planning Officer); Pete Tolson (Principal Transport Officer); Martin Heath (Road Safety Manager); Steven Shaw (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Ross Keatley (Democratic Services Manager).

PART ONE**146 PROCEDURAL BUSINESS****A. Declarations of substitutes**

146.1 Councillor Randall was present in substitution for Councillor Davey, and Councillor K. Norman was present in substitution for Councillor C. Theobald.

B. Declarations of interests

146.2 There were none.

C. Exclusion of the press and public

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

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

D. Use of mobile phones and tablets

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

147 MINUTES OF THE PREVIOUS MEETING

- 147.1 Due to the late circulation of the minutes these would be deferred for agreement until the next meeting of the Committee on 1 April 2015.

148 CHAIR'S COMMUNICATIONS

- 148.1 The Chair highlighted that from 1 April 2015 the Committee would be moving to its temporary venue at Portslade Town Hall for the duration of the building works at Hove Town Hall.

149 PUBLIC QUESTIONS

- 149.1 There were none.

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

- 150.1 There were no further requests for site visits in matters listed on the agenda.

151 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2014/02883 - Land at Brighton Marina comprising Outer Harbour West Quay and adjoining land, Brighton Marina Village, Brighton - Removal or Variation of Conditions - Application for variation of condition 1 of application BH2012/04048, as amended by applications BH2013/00799, BH2013/03432 and BH2014/01970 (Original Permission - Major mixed use development comprising new engineered basement structure to create platform on Spending Beach and West Quay, 853 residential units in 11 buildings ranging from 6-40 storeys, Class A, D1, D2 and B1 uses, Lifeboat Station, 496 parking spaces, alterations to pontoons and moorings, new bridges, informal and formal recreation space and alterations to access arrangements) to allow for revisions to the approved scheme including reconfiguring the type and quantum of uses within blocks F1 and F2 incorporating alterations to shopfronts, revised landscaping, relocation of the bus waiting room and changes to the RNLI station. Total number of residential units and car parking spaces to remain unchanged. (Amended description)

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Principal Planning Officer, Sarah Collins, introduced the report by reference to plans, photographs and elevational drawings; reference was also made to matters in the Late List. The application was a minor material amendment to the consented scheme which had been granted in 2006 and amended in 2012. The applicant now sought to make changes to phase 1 of the development; for the purposes of the

application only the changes before the Committee were under consideration; all other aspects of the scheme had existing consent. The key changes related to the enlargement of the F1 and F2 building envelope on the eastern and northern façade. The residential entrances were proposed to be relocated to the eastern façade, as well as the amended location of stairs and the addition of flues to building F1.

- (3) The internal layout would be reconfigured, and the car park entrance would be 'straightened', but would remain in the same location. The reconfiguration of buildings F1 and F2 would provide additional commercial space. The yacht club had been relocated to the west jetty, and this had consent and was under construction. As part of the changes the harbour office would be removed from building F2; the other offices at the first floor level would be replaced by residential units as they were no longer going to be used by the Brighton Marina Company. To ensure the number of residential units remained the same three other residential units elsewhere in the development would be replaced with plant rooms. The bus and taxi waiting room in the northern end of building F1 would be relocated near to the West Quay pub; there were proposed changes to the RNLI building.
- (4) The scheme proposed a number of landscape changes including the removal of the raised stage in the performing arts area, and changes to the air intake and ventilation – cycle parking had also been slightly redesigned. A number of consultation responses from neighbours had been received in relation to potential flooding as it was believed the vehicular access was below sea level; it was confirmed that the application had been amended so that the access location was now the same as previously approved, and was not part of the considerations in relation to this application. The Principal Planning Officer confirmed that Officers were satisfied with the determination of the application as a minor material change given there was no changes to the amount of parking; the number of residential units and no change to height or scale. The proposed increase in retail space had been subject to a sequential test, and it had been considered appropriate by Officers in Planning Policy as the offices had not been developed and they were for a specific need. The changes in the application were also considered acceptable by transport officers. For the reasons outlined in the report the application was recommended to be minded to grant.

Public Speakers and Questions

- (5) Mr Robert Powell and Professor John Watts spoke in objection to the scheme. They stated that the ramped entrance to the car park was unacceptable; there was no space for barriers or machines and cyclists would also have to share the entrance for access to the cycle storage. The entrance also cut a hole in the tidal flood barrier which threatened the integrity of the sea defence. The entrance was also 'barely' wide enough for two vehicles to pass; this would create congestion at the base of the ramp and a revised traffic assessment would be needed. They were of the view that the public sewer was at capacity the proposed sewer would restrict the height of the car park entrance, and whilst an additional private sewer was conditioned this would be insufficient as it would still need to discharge into the main sewer. When the permission had been granted in 2006 the Local Planning Authority had not given consideration to the Brighton Marina Act. It was believed the 2006 Committee had been misinformed, and that parts of the development were illegal as they were outside the limits stated in the Act.

- (6) In response to Councillor Hyde the objectors confirmed there would no longer be an entrance to the car park below the tide level, but they still had concerns in relation to the configuration of the drainage.
- (7) Councillor Mears spoke in relation to the application in her capacity as one of the local Ward Councillors. She stated that the 2006 application had been the subject of a special meeting of the Committee, and the application had been very detailed given the complexity of the scheme. Councillor Mears had concerns in relation to the variation applications and noted that the affordable housing aspects had been changed leaving only shared ownership. She felt that the variations should be treated as a new application to give greater understanding of the whole scheme. If the Committee were minded to grant to application it was requested that careful consideration be given to safety to ensure the finalised development was an asset to the city.
- (8) Councillor Randall asked for more information in relation to the tankers referenced in Councillor Mears letter in the agenda. Councillor Mears explained that there was an existing issue in relation to sewer capacity, and tankers were used regularly to clear it.
- (9) Councillor Mears confirmed for Councillor Littman that the number of lifts was being halved.
- (10) Mr Peter Green and Mr Andrew Goodall spoke in support of the scheme as the applicants. They stated that the scheme had commenced and was currently built up to the podium; there were 100 people working on site and this would rise to 300 at the end of the build – they were employing 40% local staff and a number of apprentices. All the necessary conditions and parts of the s106 agreement up to this point of the build had been complied with, and the first phase was on track to be completed by October which included the affordable units. The yacht club was being handed over at the end of the month, and the proposed amendments before the Committee were to improve the final scheme. The restaurants at the Marina had been successful and the model was to build on this. The wider scheme was a major part of the Marina redevelopment; it was envisaged this would help to provide a world class leisure destination in the UK.
- (11) In response to a series of questions from Councillor Hyde the applicants explained that it had been agreed the main sewer could handle the additional waste; it had been recently enlarged; there was no need to clear it by tanker and the main sewage line did not breach the tidal barrier. The ramped access to the car park was part of the original planning application, and all parties had been satisfied with the transport analysis undertaken at that time. It was confirmed that one lift had been removed as part of the application; this complied with building regulations and there was provision in place for evacuation.
- (12) In response to Councillor Jones the applicants explained that over 40% of the scheme would be affordable housing; the changes to the type of affordable housing had been due to the withdrawal of Government grants; however, there was explicit wording within the s106 making this change permissible.

- (13) In response to Councillor Cox the applicants explained that the lift had been removed as it was primarily there to service the offices in the building; with the change of use it was no longer considered necessary and would be a maintenance cost saving for future occupiers.

Questions for Officers

- (14) In response to Councillor Wells it was clarified that there was an informative advising the applicant to contact Southern Water to connect to the main sewer.
- (15) In response to Councillor Littman the reference in the report to the removal of the lift was clarified.

Debate and Decision Making Process

- (16) Councillor Hyde noted she had some concerns from listening to the speakers; she noted particular concern with the removal of the lift, but was satisfied on the basis this would comply with building regulations. The amendments in terms of the size of the application were minor, and were not any major changes to the existing permission.
- (17) Councillor Hamilton noted he had been Chair of the Committee when the application had been granted in 2006; he noted the application before the Committee did not give cause to go back on the original permission.
- (18) A vote was taken of the 12 Members and the Officer recommendation that the Committee be minded to grant was carried on a vote of 9 in support with 3 abstentions.

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

B BH2014/03933 - Saltdean Primary School, Chiltington Way, Saltdean, Brighton - Council Development - Demolition of two existing single storey classroom blocks and erection of a new two storey teaching block with link corridor, new two storey classroom extension, hall extension, infill staff room extension and other associated works.

- (1) It was noted that the application had formed the subject of a site visit prior to the meeting.
- (2) The Planning Manager (Major Applications), Paul Vidler introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The application related to Saltdean Primary School which was currently split across the site into upper and lower schools; it was part two storey and the wider area was characterised by detached houses. The current intake of the school was 420 pupils with two classes in each of the seven years. As a result of an increase in school numbers there was a bulge class and two temporary classrooms had been provided on site to accommodate this. The intention was to increase the capacity to three classes per year, totalling 630 pupils, and four extensions were proposed to achieve this

across the site. The upper school would be linked with the lower through a two-storey extension that would be excavated into the site. The materials would be a mixture of matching brown brickwork and red cladding on certain elevations.

- (3) The scheme also proposed an extension to the hall which would be part brickwork and cladding. The third extension was a two-storey classroom extension, and the fourth was a small addition to the staffroom. Of main concern in the consultation had been the parking arrangements, and many of the letters of objection had not opposed the expansion, but were concerned with the parking, pick up and drop off arrangements. Currently there were two carparks on the site, and the changes to these would increase the number of spaces on site from 11 to 13 – two of which would be disabled spaces. If the parking standards in the SPG were applied to the school a maximum of 37 spaces (including 4 disabled spaces) would be required. A staff survey had been carried which showed 59% of staff drove to school and 6% car shared; however, parking behaviour was difficult to predict as there were a number of part-time staff. Based on this information it was estimated that 9 additional staff would need to park on the surrounding streets, and a parking survey had also been carried out showing there was capacity for 360 cars on the surrounding streets. Officers were of the view that there was sufficient capacity for the displaced parking, and for this reason there was no requirement to extend the size of the car park on site. To manage the increased demand on infrastructure there would be a number of improvements which were listed in the report. The transport impacts were considered acceptable and the report was recommended for approval for the reasons set out in the report.

Public Speaker(s) and Questions

- (4) Mr David Atkey spoke in objection to aspects of the scheme in his capacity as a local resident. He stated that local residents supported the expansion of the school and the reasons for it; the design was excellent and would meet local need. Objections related to the parking facilities, and the problems associated with 30-40 staff parking on street. There were existing problems for residents using their cars in the morning as well as issues with 'road rage' and other incidents. These problems would continue with the expansion of the school and the increased number of staff. It was felt that the option to encourage the use of sustainable transport was unrealistic; instead the car park should be increased to a capacity of 30 which would still be below the maximum level recommended by the SPG. It was noted that planning guidance stated adequate levels of parking should be sought.
- (5) Mr Michael Nix spoke in support of the application in his capacity as the Head of Education Planning & Contracts. He explained that the application sought to address the shortage of school places in the location and was part of the five year School Organisational Plan. The demand would continue to grow on the school; other nearby schools were also at capacity and it was not permissible to give priority to children living within the city as opposed to those from the part of Saltdean within the boundaries of East Sussex County Council. Consultation had been held during 2014, and following the notice period there had been approval given by the Children & Young People Committee pending planning approval. Officers had been mindful of the concerns in relation to parking and congestion; however, it was considered that the smaller car park took into account this impact and availability of parking on the surrounding streets. Any application to reduce the amount of outside space at the

school needed approval from the Secretary of State – this had already had to happen as part of the application, and a further application would make the scheme much more difficult to achieve. Council Officers would work with the school to make changes to the travel plan and keep this under review as the school continued to grow over the next seven years.

- (6) In response to a series of questions from Councillor Hyde it was explained by Mr Nix that he had not been closely involved with the design of the scheme, but colleagues had worked closely with the Planning Department and taking pre-application advice. In relation to parking matters the application needed to strike a balance between the needs of staff and the loss of the outside space; this had been done through the assessments with Officers in transport. The section 77 consent from the Secretary of State had been secured by demonstrating where additional outside space might be provided.
- (7) In response to Councillor Gilbey it was explained by Mr Nix that there were already two bulge classes at the school so it would continue to expand up to capacity over the next few years.

Questions for Officers

- (8) In response to Councillor Cox it was explained that the parking at Lustrells Vale had not been taken into account as part of the parking assessment; the parking was mentioned in the report by way of context.
- (9) In response to Councillor Jones the Principal Transport Officer, Pete Tolson, advised that traffic problems were common around most schools; this school had been engaged in a travel plan which would assist alternative ways to school.
- (10) In response to Councillor Gilbey it was not known if staff were using the car park at Lustrells Vale, but it was clarified the level of displacement parking was expected to be approximately nine cars.
- (11) In response to Councillor K. Norman it was clarified that the Road Safety Team had engaged with the school in relation to a travel plan, and a condition in the report required the plan to be submitted and approved before the extensions were completed. The Road Safety Manager, Martin Heath, explained that Officers would continue to work with school even once their travel plans were agreed. The plan would seek to challenge anti-social transport related behaviours, and the school would have access to the Council's enforcement services.
- (12) It was confirmed for Councillor Gilbey there was currently no home to school transport provided by the school.

Debate and Decision Making Process

- (13) Councillor Hyde stated that this was a very popular local school with good outside facilities and residents welcomed the expansion. She felt the issue of parking had not been properly listened to and there was a lost opportunity to improve the situation; she did not agree with the approximated level of displacement parking that had been put

forward by the assessment. The outer city location of the school would make it more difficult for staff to travel there by sustainable transport, and many would have to use their own transport. Councillor Hyde raised concerns in relation to the proposed red cladding, and felt it could make what was currently a very unobtrusive building much more prominent; there was also concern that the proposed materials would not match those currently on the site. Councillor Hyde proposed that were the Committee minded to approve the application then the discharge of the condition in relation to the materials should come back before the Committee for determination.

- (14) Councillor Littman stated that he supported the application and the expansion of the school – noting it was a popular and successful school. The concerns in relation to the parking were noted, but and he felt from reading the report this was a significant issue. He agreed with Councillor Hyde in relation to the issue with the red cladding, and felt this should be revisited.
- (15) Councillor Randall noted he agreed in relation to the cladding.
- (16) The Senior Solicitor, Hilary Woodward, explained that if Members were minded to grant the application then the Committee could resolve that the discharge of condition 10, in relation to the materials , come before the Committee for determination.
- (17) Councillor Hamilton stated that his concerns mostly related to the parking on the site, and he referenced a similar problem in his Ward with a much larger school. He felt teachers had to take an increased amount of materials to and from school each day and would be difficult for them to walk a distance or take public transport. On balance he would support the Officers recommendation, but reiterated that the proposed parking solution would not be sufficient.
- (18) Councillor K. Norman stated that he agreed with the comments of others on the Committee in relation to the cladding, and referenced ongoing problems regarding parking since the expansion of Westdene Primary School a few years back. On balance he felt these issues would not be fully resolved, but would support the Officer recommendation in principle.
- (19) Councillor Wells stated the parking would be insufficient.
- (20) Councillor Phillips noted that in her professional experience as a teacher it was normal for staff to not be able to park in the school car park.
- (21) Councillor Gilbey noted she was surprised of the colour of the red cladding that was passed around to the Committee. She stated there was a need for these schools places and she would support the application.
- (22) A vote was taken by the 12 Members present and the Officers recommendation that the Committee grant the application was unanimously carried.

151.2 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in

section 11; the amended condition and additional informative set out below, and that Condition 10 in the report be discharged by the Committee.

Amended Condition 7

The development hereby permitted shall be constructed in full accordance with the Construction Environmental Management Plan (CEMP) submitted on 11 March 2015 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure highway safety and that appropriate environmental protection is in place to safeguard neighbouring amenity in compliance with policies TR7, SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

Additional Informative

The Planning Committee has indicated that the red coloured cladding materials proposed in this application would not be acceptable and has resolved that the application to be submitted to discharge the requirements of Condition 10 be determined by the Planning Committee. The applicant is recommended to propose an alternative colour/shade of external cladding material.

- C BH2014/04147 - St Andrews C of E School, Belfast Street, Hove - Full Planning -**
Erection of two storey teaching extension and extensions to hall, kitchen and reception class with main entrance alterations and associated external works including alterations to parking and landscaping.
- (1) The Planning Manager (Applications), Nicola Hurley, introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The application site related to a detached school which was accessed from Belfast Street and externally finished in render and brick. There was a large playing field to the south of the school, and the surrounding area was a mixture of residential and commercial uses. Permission was sought for a two-storey extension which would allow the number of classes in each year to increase from two to three – a net increase of 188 places. The extensions would provide for eight additional classrooms; new lobby and PE store. The proposed materials would be two-tone cladding and brickwork to match the existing school. Issues raised during the consultation and in the late representations largely related to transport and safety concerns. There was also a late representation from Councillor Hawtree and letters from 38 Sackville Gardens and from a solicitor on behalf of local residents.
- (2) An update was provided on comments made by the nearby Tesco supermarket; the store had stated that should the car park change in future then the store might have to discourage parents from using it – it was clarified that the comment from the supermarket was neither in support nor objection to the scheme. The considerations related to the principal of the development; the impact of the appearance of the school; sustainability; intensification of use; transport and highways safety. The School Organisational Plan indicated there were sufficient places, but the distribution did not match the need; the areas of south and central Hove had some of the most significant shortages, and the proposal extension to the school would help to address this need.

- (3) The design was acceptable, and whilst the height and scale were large they were also considered acceptable. Whilst there would be harm caused through the moving of the temporary classrooms this was outweighed as the structures would be removed when the works were completed. Concerns had been raised about noise, but these were not considered significant, and the Transport Team had not objected and was satisfied with the retention of the two existing access points. The 33 car parking spaces on the site would be retained, and 18 spaces would be provided on Haddington Street public car park. The application was recommended for approval for the reasons set out in the report, and with the additional condition set out in the Late List.

Public Speaker(s) and Questions

- (4) Mr Jon Stanley spoke in objection to the scheme in his capacity as a parent with children at the school. He stated that the Committee should not let the pressure on school places in the area dictate their decision in relation to the application. Mr Stanley expressed several concerns in relation to: the exclusion of the comments from Tesco; lack of regard to policy; no change of use for the car park and lack of consideration of objections from local shops. Currently only 2% of children at the school cycled due to how dangerous the traffic currently was; this application, and the potential loss of the Tesco car park, would make the situation worse.
- (5) Councillor Hawtree spoke in his capacity as a local Ward Councillor and stated that the application was controversial, as had been the original building of the school. Reference was made to comments in the report that the design was 'not of a high standard'; however, the need for school places was acknowledged. The proposed footway measures were welcomed, and Councillor Hawtree noted he was in two minds in relation to the scheme.
- (6) Mr Michael Nix spoke in support of the application in his capacity as the Head of Education Planning & Contracts. He stated that the need for primary school places was set out in the report, and the area had already seen the expansion of other schools to meet demand. Despite additions and the reorganisation of schools in South Portslade there continued to be the need for bulge classes. St. Andrew's was a popular school, and one of the only ones that had not been expanded, and the Council had responded to the points raised during the consultation to help minimise the impact. As the proposals did not reduce the net outside space, and the school was confident the PE curriculum could be met then there was no need to apply to the Secretary of State. The issues with the traffic in the local narrow streets were acknowledged, but the Council would continue to work with the school to update the travel plan.
- (7) It was confirmed for Councillor Hamilton that the school currently had a bulge class.

Questions for Officers, Debate and Decision Making Process

- (8) It was confirmed for the Chair that the Police had not been consulted due to the scale of the scheme. It was also confirmed that the temporary recession measures were withdrawn at the end of January 2015.
- (9) A vote was taken by the 12 Members present and the Officer recommendation that the Committee grant the application was unanimously carried.

- 151.3 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 11, and the amended and additional conditions set out below:

Amended Condition 8

Prior to the installation of the brise soleil on the southern elevation of the development hereby permitted full details of the brise soleil including 1:20 scale elevational drawings and sections shall be 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.

Additional Condition:

The development hereby permitted shall not be commenced until a scheme detailing the full design and layout and changes to the proposed Haddington Street car park to provide a clear and logical pedestrian route to the rear of the parking spaces has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved works have been implemented.

Reason: To ensure the promotion of sustainable forms of travel and comply with policies TR1, TR7, TR8 and TR11 of the Brighton & Hove Local Plan.

- D BH2013/03955 - 32 - 34 Arundel Road, Brighton - Full Planning** - Demolition of existing shop and flat above and erection of three storey building with basement creating 4no two bedroom maisonettes.
- (1) The Planning Manager (Applications), Nicola Hurley, introduced the application by reference to photographs, plans and elevational drawings. The application site was located on the eastern side of the road and formed part of a terrace; planning permission had been refused in May 2013 for the demolition of the site and the construction of four two-bedroom maisonettes. The reasons for refusal had related to the objection from the Health & Safety Executive; the incongruous appearance, the standard of accommodation and lack of cycle parking. In relation to the current application the consultation responses were set out in the report, and the comments of the Health & Safety Executive were of importance. The wider considerations related to: the principle of demolition; the construction of four units; the hazardous site to the east; appearance; the standard of accommodation; amenity; transport and sustainability.
- (2) The site was located within the Black Rock gas site area, and was subject to consultation with the Health and Safety Executive.. Due to the creation of four units the Health and Safety Executive had advised against the development on the basis of density. Since the previous refusal there had been a prior approval for the demolition of the gasholders on the site; however, other gas apparatus, including mains, was still in use and the site remained a major hazard installation. In the previous scheme the design was considered incongruous and excessive – the main differences were now

minor and included changes to the front by narrowing the windows at street level, but this did not overcome the previous reason for refusal. Cycle parking was now proposed. There were still concerns with the size and standard of the accommodation, and for the reasons set out in the report the application was recommended for refusal.

Public Speaker(s) and Questions

- (3) Councillor Smith spoke in support of the application in his capacity a local Ward Councillor. He stated that other applications of lower density had been granted permission in the street, and he felt the approach of the Health and Safety Executive was inconsistent. The Council was currently under pressure to build on greenfield sites in the city, but it was important that brownfield sites, such as this, were utilised. The site had also been vacant for a number of years, and neighbours would welcome it coming back into use.
- (4) Mr Trevor Scoble was registered to speak in support of the application in his capacity as the agent; however, due to illness he was not able to attend the meeting, and a submission was read on his behalf. It stated that Mr Scoble has previously requested the application be deferred as the full information lodged in support of the application was not before the Committee for consideration. This information had only been part referenced in the Officer report under 8.9,' but there were further pieces of information that had not been referred to in the Officers report. Mr Scoble had requested a deferral of the application; following confirmation from the Case Officer that the planning condition referred to by the Health and Safety Executive could not be given as it relied on action from a third party. For these reasons Mr Scoble felt he could not respond properly to the Officer report. He asked that the Case Officer provide the 'missing' information to the Committee for their consideration.

Questions for Officers

- (5) In response to Councillor Wells the dimensions of the living rooms in the scheme were confirmed.
- (6) The Planning Manager (Applications) confirmed the situation in relation to the Health and Safety Executive's advice stating that where they objected the Local Planning Authority could not legally grant the application. Were the Committee minded to approve then the Health and Safety Executive would have to be informed. The health and Safety Executive would then consider whether to request the Secretary of State to call in the application decision.. In relation to the hazardous site there were still significant remedial works to be completed before development could be permitted.
- (7) In response to Councillor K. Norman it was clarified that the gas works site had not been decontaminated or fully decommissioned.
- (8) It was confirmed for Councillor Wells that the density of units on the site gave rise to the Health and Safety Executive's objection.

Debate and Decision Making Process

- (9) Councillor Jones stated he was surprised by the position of the Health and Safety Executive; however, due to the very small size of the proposed units he would support the Officer recommendation.
- (10) Councillor Hyde noted there was a mix of different styles and densities of dwellings in this area; she was not convinced about the strength of the design, and acknowledged comments that a lower density scheme might receive approval.
- (11) Councillor Randall felt the position of the Health and Safety Executive was inconsistent; he noted the rooms were very small in the proposal and felt the development would benefit more from being two properties.
- (12) Councillor Wells stated he would support the Officers recommendation due to the small size of the rooms.
- (13) A vote was taken by the 12 Members present and the Officer recommendation that permission be refused was carried on a vote of 10 in support with 2 against.

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

Reasons for Refusal

- i. The Health and Safety Executive have advised against the proposed development due to the density and scale of the development proposed and the proximity of the site to a Major Hazardous Installation in the form of the Black Rock gas holder site. The proposal is therefore contrary to policy SU12 of the Brighton and Hove Local Plan.
- ii. The proposed building by reason of its scale, height and design would have an incongruous and excessively prominent appearance when viewed in conjunction with the buildings to either side and the wider street scene. The proposal fails to demonstrate a high standard of design and architecture and fails to pay respect to the context of the site. The development is therefore contrary to policies QD1 and QD2 of the Brighton and Hove Local Plan.
- iii. The proposed residential units would provide an unacceptably poor standard of accommodation due to their cramped layouts and small room sizes. The proposed kitchen areas are particularly small in relation to the two-bedroom units proposed. The proposed development is therefore contrary to policy QD27 of the Brighton and Hove Local Plan which seeks to ensure an acceptable standard of amenity for future residents.

Informatives:

- i. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of

sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

E BH2014/04088 - Block B The Priory, London Road, Brighton - Full Planning - Erection of additional storey to form 2no three bedroom flats each with roof garden and associated cycle store.

(1) The Committee agreed to forego a presentation and moved directly to the vote. Of the 11 Members present the Officer recommendation that the Committee grant permission was carried on a vote of 8 in support, 2 against and 1 abstention.

151.5 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 11.

Note: Councillor Cox was not present during the vote in relation to this application.

F BH2014/01429 - 19 Hollingbury Park Avenue, Brighton - Full Planning - Change of use from residential dwelling (C3) to six bedroom small house in multiple occupation (C4). (Part retrospective).

(1) The Planning Manager (Applications), Nicola Hurley, introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The property was authorised for use as a family home, but was currently operating as 7-bedroom unauthorised HMO. The application sought permission for the change of use to become a 6-bedroom HMO. The considerations related to the principle of the change of use; amenity; the standard of accommodation; transport matters and sustainability. The property was also caught by policy CP21 in the draft City Plan, and the mapping exercise had been undertaken showing 5.1% to be in use as HMOs. Objections from neighbours related to the proposed use and intensification. Overall the standard of accommodation was acceptable, and the change of use was acceptable in this location. The cycle parking would be confirmed through condition, and the recommended condition that work should start in three years was withdrawn as the application was retrospective. For the reasons set out in the report for the application was recommended for refusal.

Public Speaker(s) and Questions

(1) Councillor Lepper spoke in objection to the application in her capacity as local Ward Councillor and local resident, and stated that residents in the area wished for the application to be refused, but noted that policy was clear on these types of application. The report noted that some of the room sizes were quite small. Since the house had been operating as an HMO there had been complaints in relation to noise and anti-social behaviour; these had been followed up with the letting agent. There was concern that despite the application the property would continue to operate as an unauthorised 7-bedroom HMO, and it was requested that this be properly enforced.

Questions for Officers

- (2) In response to Councillor Hamilton it was confirmed that the Local Planning Authority did not have a minimum standard for room size; there was a separate regime for HMO licensing, but this was not a consideration before the Committee.
- (3) In response to Councillor Phillips the Council's enforcement powers were highlighted.

Debate and Decision Making Process

- (4) Councillor Randall felt the application would lead to overcrowding, and was concerned this area would become the next part of the city to be targeted by student landlords – he would not support the Officer recommendation.
- (5) Councillor Wells felt this was too much in such a small space, and felt the property would be better suited to being a 5-bedroom dwelling; for these reasons he would not support the Officer recommendation.
- (6) Councillor Cox noted that until there was more purpose built student accommodation in the city this type of property would be needed for students to live in.
- (7) Councillor Gilbey noted she could not support the application as it had limited amenity space.
- (8) Councillor Jones noted he could not support the Officer recommendation.
- (9) Councillor Littman noted the standard of the accommodation was poor, and he would not support the Officer recommendation.
- (10) A vote was taken of the 12 Members present and the Officer recommendation that permission be granted was not carried on a vote of 10 against with 2 abstentions. Councillor Jones proposed reasons to refuse the application, and these were seconded by Councillor Littman. A short recess was then held to allow the Chair, Councillor Jones, Councillor Littman, the Planning Manager (Major Projects); the Planning Manager (Applications) and the Senior Solicitor to draft the reasons in full; these reasons were then read to the Committee and it was agreed they were representative of those put forward in the debate. A recorded vote was then taken and Councillors: Jones, Hyde, Carden, Randall, Gilbey, Hamilton, Littman, Phillips, K. Norman and Wells voted that permission be refused and Councillor Mac Cafferty abstained from the vote. **Note:** Councillor Cox left the meeting before the recorded vote took place.

151.6 **RESOLVED** – That the Committee has considered the Officer recommendation and the reasons for it, but resolves to **REFUSE** planning permission for the reason set out below:

- i. The proposed development by reason of the cramped and limited size of bedrooms, particularly at second floor level, represents an inadequate standard of accommodation for occupiers. In addition, the shared facilities provided will be under significant

pressure because of the number of individual occupiers. Accordingly the proposed development is contrary to Policy QD 27 of the Brighton & Hove Local Plan 2005.

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

152.1 There were no further requests for site visit in relation to matters

153 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

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

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

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

155 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

156 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

157 APPEAL DECISIONS

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

The meeting concluded at 5.36pm

Signed

Chair

Dated this

day of

50-52 New Church Road, Hove

**Request for a variation of s106 dated 11
March 2008 signed in association with
BH2007/02930**

1 APRIL 2015

BH2007/02930 50-52 New Church Road, Hove.



PLANNING COMMITTEE LIST- 1 APRIL 2015

Subject:	50-52 New Church Road, Hove	
	Request for a variation of s106 dated 11 March 2008 signed in association with BH2007/02930	
Date of Meeting:	1 st April 2015	
Report of:	Head of City Planning and Development	
Contact Officer:	Name: Adrian Smith	Tel: 290478
Wards Affected:	Westbourne	

1. PURPOSE OF THE REPORT:

- 1.1 To consider a request for a variation to the s106 Planning Obligation Agreement.

2. RECOMMENDATIONS:

- 2.1 That the Committee resolves to allow the completion of a variation to the s106 planning agreement dated 11th March 2008 relating to 50-52 New Church Road, Hove to allow residents of the development to apply for residents' parking permits

3. BACKGROUND INFORMATION:

- 3.1 Application BH2007/02930 granted planning permission for the redevelopment of the site to provide the following:
- A three storey building with fourteen bedrooms for short break accommodation;
 - A three storey building to form a house and five flats for people with learning disabilities; and
 - Two five-storey buildings providing a total of 25 affordable flats.
- 3.2 Limited parking was provided with the scheme, with 4 visitor spaces allocated to the 25 affordable units, and 2 parking spaces for the learning disability accommodation. The applicants offered the site as being car-free at the time of application and the proposal was considered on this basis.
- 3.3 Planning permission was granted subject to conditions and a Section 106 Obligation. The Obligation required an amendment the Traffic Regulation Order to ensure that residents of the affordable housing units would not be eligible for parking permits. It also required that the applicants provide two years free Car Club membership to all occupiers and associated space for two car club vehicles. A 'Green Travel Pack' was also included in the Obligation which required the applicants to advise the first residents of the development that they would be ineligible for parking permits.

4. PROPOSAL

- 4.1 The managing agents for 50-52 New Church Road have requested a variation of the s106 attached to application BH2007/02930 to remove the requirement for occupants of the development to be ineligible for parking permits.

5. CONSULTATION:

5.1 **Sustainable Transport:** No objection.

The Highway Authority has no objections to the proposed variation to the S106 agreement for the above development to allow residents of the 25 affordable units to have access to CPZ permits. The car free development was originally put forward by the developer and now the applicant has changed their mind and wishes to remove this requirement in the S106. The Highway Authority does not wish to object to this.

- 5.2 The original development was for 14 bedrooms short break accommodation; 1 house and five flats for people with learning disabilities; and 25 affordable flats. Six on-site car parking spaces are provided. It is understood that 2 of the spaces are associated with the flats for people with learning disabilities and 4 spaces were intended for the visitors of the 25 affordable flats.

- 5.3 The site is within Controlled Parking Zone R (Westbourne). As stated in the 2013/14 Parking Annual Report there are currently 693 permits available in this zone and only 83% of the available permits have been taken up. There has never been a waiting list in this CPZ. While the site does benefit from being in a sustainable location with good access to bus public transport, the site is out of the central area of the city and a short walk away from the Hove local centre.

- 5.4 When assessing the transport impact of the proposals to allow the residents to have access to CPZ permits the Highway Authority have taken 2011 Census car ownership data to forecast the likely car ownership associated with the site and therefore the likely increase in demand for on-street permits. By varying the S106 to allow residents CPZ permits is likely to result in between 13 and 17 additional cars parking on-street. Given the current level of on-street parking in the local area (as observed during site visits) the proposals are not considered to have a significantly negative impact upon on-street parking.

6. COMMENT:

- 6.1 The application was granted on 31 March 2008 following completion of a Section 106 agreement that, amongst other provisions, restricted the eligibility of residents of the affordable housing units for parking permits. This restriction was offered up by the applicants and supported by the Traffic Manager. The rationale for the restriction was based on the scheme providing only 6 parking spaces for the development, with four of these visitor spaces for the 25 affordable housing units.

- 6.2 The development was completed and occupied in 2009.

- 6.3 The managing agents for the development have requested the car-free restriction be dropped on the basis that it is inconveniencing residents who have to walk a considerable distance from their vehicles to their homes. This is particularly troublesome for residents who work outside of the city and/or have

child care commitments that require car ownership. They further argue that the restriction is causing more car journeys and increasing parking demand outside the CPZ in neighbouring Wish ward, and restricting the types of jobs residents can have. The managing agents state that 25 requests to vary the Obligation have been received, equating to one per resident.

- 6.4 Given that the site was offered and developed as a car-free development, and that occupiers would have been aware of this restriction at the time of purchase through the measures set out in the Obligation, it is not considered that the majority of the justifications put forward by the managing agents provide sufficient reason to relax the car-free restriction. However, matters relating to overspill parking are noted, with the nearest unrestricted roads at Wish Park approximately a 10 minute walk to the west. The Wish Park area is subject to heavy parking pressure.
- 6.5 The Councils' Sustainable Transport Team have re-examined the case for the site to be made car-free and concluded that such a restriction is no longer necessary to make the development acceptable. Sustainable Transport officers have identified that overspill parking from the development, based on 2011 Census data and the existing 6 spaces provided onsite, would likely be 10-11 vehicles. Officers note that the surrounding parking zone (zone R) has never had a waiting list in the 12 years it has been in place with current permits issued at 83% of capacity, whilst parking levels in surrounding streets are significantly below capacity. As such, the addition of 10 vehicles into surrounding streets would not result in appreciable or harmful increased parking pressure. Indeed it would likely reduce parking pressure in the nearby streets that sit outside the city's parking zones.
- 6.6 It is also noted that the site, whilst located on main bus routes along New Church Road, is not a highly sustainable location, with the city centre and mainline train routes are set a considerable distance to the north and east. As such, alternative modes of transport are not as readily accessible as in more central parts of the city.
- 6.7 Advice has been sought from the Head of Law on the proposed variation and the Senior Planning Solicitor has advised as follows:
- *“Section 106A of the Town and Country Planning Act 1990 provides that section 106 obligations may be modified or discharged either by agreement between the parties at any time or by formal application in accordance with statutory criteria. There is no statutory guidance on what tests should be applied by a local planning authority when determining the less formal type of application to discharge or modify but the test on the more formal application is whether the obligation serves a useful purpose. It would therefore seem to be appropriate that the “useful purpose” test could be applied to the current application.*
 - *Moreover, legislation introduced in 2010, namely the Community Infrastructure Levy Regulations 2010, Regulation 122, requires, inter alia, that a planning obligation may only be imposed when it is necessary to make the development acceptable in planning terms. Although the obligation in question is now of course being reconsidered as opposed to*

being “imposed” it would be reasonable to consider the application to vary in the context of whether the obligation is “necessary”.

- 6.8 For these reasons it is not considered necessary for the car-free restriction to remain and a variation to the s106 Obligation is therefore recommended.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

None identified.

7.2 Legal Implications:

Lawyer Consulted: Hilary Woodward

Section 106A of the Town and Country Planning Act 1990 provides that section 106 obligations may be modified or discharged either by agreement between the parties at any time or by formal application in accordance with statutory criteria. There is no statutory guidance on what tests should be applied by a local planning authority when determining the less formal type of application to discharge or modify but the test on the more formal application is whether the obligation serves a useful purpose. It would therefore seem to be appropriate that the “useful purpose” test could be applied to the current application.

- 7.3 Moreover, legislation introduced in 2010, namely the Community Infrastructure Levy Regulations 2010, Regulation 122, requires, inter alia, that a planning obligation may only be imposed when it is necessary to make the development acceptable in planning terms. Although the obligation in question is now of course being reconsidered as opposed to being “imposed” it would be reasonable to consider the application to vary in the context of whether the obligation is “necessary”.

7.4 Equalities Implications:

None identified.

7.5 Sustainability Implications:

None identified.

7.6 Crime & Disorder Implications:

None identified.

7.7 Risk and Opportunity Management Implications:

None identified.

7.8 Corporate / Citywide Implications:

None identified.

8. CONCLUSION

- 8.1 The applicant has applied to vary the signed s106 agreement as set out at 4.1 of this report.
- 8.2 The proposed amendments are considered to be acceptable for the reasons as detailed above.

- 8.3 Therefore, the recommendation is for the s106 agreement be varied to allow residents of the development to apply for residents' parking permits.

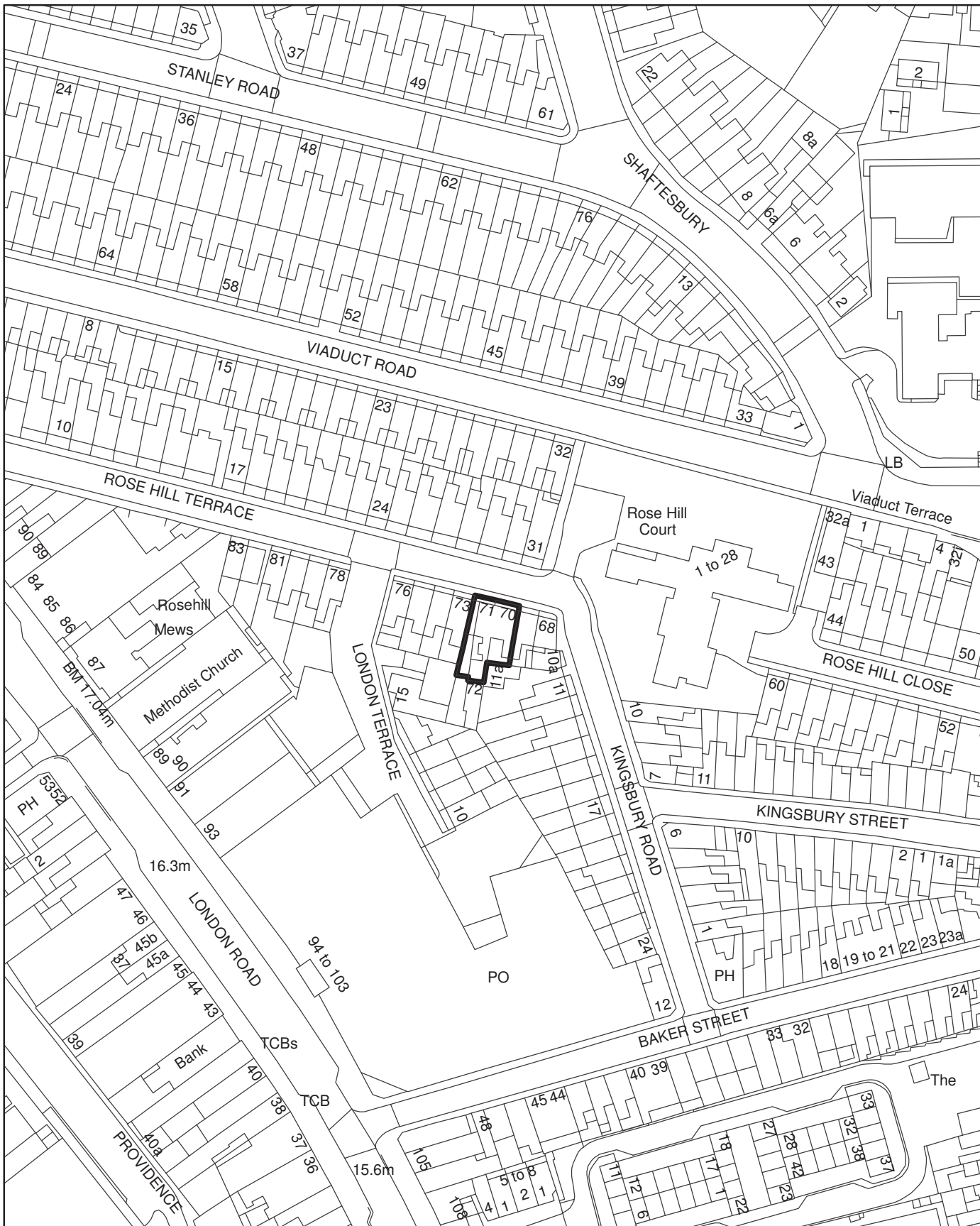
ITEM A

**Rose Hill Tavern, 70-71 Rose Hill Terrace,
Brighton**

**BH2014/03012
Full planning**

1 APRIL 2015

BH2014/03012 Rose Hill Tavern, 70-71 Rose Hill Terrace, Brighton.



N



Scale: 1:1,250

<u>No:</u>	BH2014/03012	<u>Ward:</u>	ST. PETER'S & NORTH LAINE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	The Rose Hill Tavern, 70-71 Rose Hill Terrace Brighton		
<u>Proposal:</u>	Change of use from Public House (A4) to form two residential units (C3). Reinstatement of railings and basement level window to front elevation and associated alterations.		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	17 September 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	12 November 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Eskay Architects, 62 Parkside, Shoreham by Sea BN43 6HA		
<u>Applicant:</u>	Evenden Estates, Ms Joanne Harris, 14 Middleton Avenue Hove BN3 4PJ		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The site relates to a public house (The Rose Hill Tavern) located to the southern side of Rose Hill Terrace. It forms part of a terrace of similar two storey rendered dwellings with canted bay windows.
- 2.2 There is a green-tiled frontage to the ground floor with two entrance doors and two stained glass windows. The building is rendered at first floor level, with non-original windows (replacing the original bay windows) and a large hanging pub sign and pitched roof with chimneys to party walls. The original lightwells to the front elevation have been covered over and railings removed. There is a modern, single storey toilet block extension to the rear.
- 2.3 The upper floors of the building have a separate entrance and form ancillary accommodation to the public house. It is noted that the commercial kitchen to the public house is located at first floor level.
- 2.4 The public house has been included on the Council's List of Assets of Community Value.
- 2.5 The property is a non-designated heritage asset.

3 RELEVANT HISTORY

BH2014/93/0681/FP - Rear extension to form games room and relocation of toilets. Approved 31 November 1993.

4 THE APPLICATION

4.1 Planning permission is sought for the change of use of the ground floor and basement from Public House (A4) to form two residential units (C3). Reinstatement of railings and basement level window to front elevation and associated external alterations including the insertion of patio doors, and rooflights to side and rear.

5 PUBLICITY & CONSULTATIONS

External:

5.1 **Neighbours: Twenty five (25)** representations have been received from **Save The Rose Hill Tavern Action Group, 30 Gerard Street, 47 Mehetabel Road, 13B Whippingham Road, 83 Southover Street, 109 Vale Road, 232 Burrage Road, Holly Tree Cottage Brookhill Road, 57 Stanley Road, 8 Agnes Street, 59 Connaught Avenue, 8 Carola Court Francis Street, 103 Ditchling Rise, 10 Deacons Drive, 41 Preston Road, 16 St Giles Close, 21 Anchor Field Ringmer, The Yews Lewes Road, 62 Gardner Road, 85 Kingsdown Parade Bristol, 16 Warwick Road Nottingham, 32 Belgrave Street, 42 Montpelier Street and 52 Horsted Court Kingscote Way (x2) objecting** to the proposal for the following reasons,

- the loss of an important community facility,
- the public house has been listed by CAMRA as having a historic pub interior of local importance,
- public house part of the local vernacular,
- such traditional public houses add to Brighton's unique character and the loss would have a detrimental impact on the tourist economy,
- a viability case has not been adequately demonstrated,
- the UK has lost 25% of its pub stock within the last 30 years,
- ACV registration is a material planning consideration,
- Opening of Open Market and Co-op development will provide opportunity for increased customers improving viability,
- The public house could be successfully be run as cooperative by the local community.

5.2 **No. 72 Rose Hill Terrace** has commented that they own part of the alley way to the side of the public house and state that they require access to their property via this alley at all times.

5.3 **Councillor Pete West** objects to the application. His objection is attached.

5.4 **Caroline Lucas MP** has commented that she considers that there is a strong argument for the decision to be made by the Planning Committee – thereby allowing the local community to have a greater say in the matter.

- 5.5 A representation has been received from **28 Rose Hill Terrace** supporting the application for the following reasons;
- Family has had to endure loud music, fights and foul language for a number of years,
 - There is little support from people who live in the vicinity of the building to retain the building as a public house with support for the Save the Rose Hill Tavern Action Group being from people who do not live in the immediate vicinity,
 - They were not consulted on the plans to apply for a ACV despite living opposite,
 - Proposed private residence does not fit in the with the Council's need for affordable housing.

Internal

Heritage Team:

- 5.6 The loss of this historic pub, its function and its historic interior is extremely regrettable. No assessment has been submitted on the historic, architectural and townscape significance of this non-designated heritage asset. Notwithstanding this, the retention of the pub frontage is appropriate, as this helps to maintain the building's townscape interest.
- 5.7 The reinstatement of the lightwell appears to be based on historic evidence, and has the potential to better reveal this historic feature. However, the pub frontage and lightwell would not have ever previously existed in combination. This leads to a contradiction in how the history of the building is read. It also will likely lead to a somewhat awkward junction between ground and basement level. Large scale details will be required to show an appropriate solution to this junction.
- 5.8 It is appropriate for the railings to the lightwell to exactly match those to number 68 Rose Hill Terrace. To this effect, however, it would be appropriate to also match the gate and historic examples of basement steps. It is unclear from the plans whether this is intended. This should be clarified.
- 5.9 It is proposed to 'reinstate' the window opening to the ground floor. However, the proportions of the proposed opening are not historic. It should be clarified why such a wide opening is proposed. The opening should be of traditional 'playing card' proportions. The window should be a timber hung sash window to match other surviving historic examples.
- 5.10 It is unclear what the current door is between the current enclosed lightwell and basement room. Its location suggests that this may be an original opening. Photographic information should be provided of the existing door. If the door is original, its retention would be appropriate. If the door is not original, the retention of the door opening with an appropriately designed timber door would nevertheless be appropriate.
- 5.11 It is appropriate that the 'walk-on glazing' retains the size of opening to the existing chute, as this forms an important part of the function of the pub.

- 5.12 Development of this building provides the opportunity to improve the appearance of the building; this would include the replacement of the first floor windows with more appropriate designs.

Mitigations and Conditions

- 5.13 As above.
Historic building recording at EH level 2 (photographic survey with basic plans) should be undertaken pre-commencement. A copy of the report should be deposited with the East Sussex HER.

Revised comments relating to amended plans submitted on 7 November 2014.

- 5.14 There is still no submitted assessment of the historic, architectural and townscape significance of this non-designated heritage asset.
- 5.15 The amended plans, however, address many of the concerns regarding detail of the design.
- 5.16 It is assumed that the photograph of the door in the email is that to the basement lightwell. This appears to be the original door and therefore should be retained. If beyond repair, it would need to be replicated on an exact like for like basis. Given that the drawings give the option of either retaining or replacing the door, it is unclear how the detailing of this can be secured procedurally. Either by condition or the text may need to be amended on the drawing to identify retention of the door.
- 5.17 Should this proposal be recommended for approval, the following conditions should be applied:
- 5.18 Historic building recording at EH level 2 (photographic survey with basic plans) should be undertaken pre-commencement. A copy of the report should be deposited with the East Sussex HER.
- 5.19 Following uncovering of the lightwell, large scale details of the junction between the tiled frontage and lightwell shall be submitted and approved.
- 5.20 The railings and gates shall exactly match the detailing to number 68 Rose Hill Tavern.
- 5.21 The door and window to the basement lightwell shall be retained or replaced on an exact like for like basis (see above comment).

Sustainable Transport:

- 5.22 The Highway Authority has no objections to the proposals to convert the basement and ground floors of the existing A4 pub to a 3 bed flat. There would be 2 flats in total on-site.
- 5.23 The proposals are not considered to increase trip generation above existing permitted levels. The applicant is not proposing any off-street car parking spaces and couldn't due to site constraints. The Highway Authority has no objections to the proposed level of car parking. The applicant is also providing a

separate cycle store to the west of the building which further details should be secured via condition.

- 5.24 Conditions to secure cycle parking details and secure the development as car-free are recommended.

Environmental Health:

- 5.25 No objection subject to accordance with suggested conditions. The bedrooms of the flat above are directly above the living areas of the flat below, this may prevent sleep. The site was historically used as a laundry.
- 5.26 Suggested conditions relate to appropriate soundproofing of the building and contaminated land.

Planning Policy:

- 5.27 This is a balanced case between guarding against the loss of a valued community facility and meeting the city's housing requirements, albeit the provision of one residential unit.
- 5.28 Whilst the NPPF places a strong emphasis on the delivery of housing, especially where there is an absence of an identified 5 year housing supply, it also seeks "to guard against the unnecessary loss of valued facilities" (such as public houses). It is considered the facility is valued by the community (illustrated by the representations to the application and the community proposal for and subsequent inclusion on the list of Assets of Community Value).
- 5.29 It is a fine balance between the weight to place upon the social and economic benefits from the provision of one residential unit versus the weight to place upon retaining a valued community facility that lies within a development area in the emerging development plan especially when there is a lack of evidence to demonstrate policy HO20 is met. Any recommendation would require the consideration of detailed on-site matters/normal development control considerations and responses from other consultees. It is however considered, in view of the NPPF and the 'value' placed upon this facility by members of the community, further evidence should be submitted to demonstrate policy HO20 is met or an exception to policy can be justified. (It should be noted the outcome of the appeal against the inclusion of the premises on the list of Assets of Community Value could be a material consideration in due course.)

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);

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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:

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
HO5	Provision of private amenity space in residential development
HO7	Car free housing
HO13	Accessible housing and lifetime homes
HO20	Retention of community facilities
HE10	Buildings of local interest

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD08	Sustainable Building Design
SPD9	Architectural Features
SPD12	Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
CP12	Urban Design
CP15	Heritage
DA4	New England Quarter and London Road Area
SA6	Sustainable Neighbourhoods

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the change of use from public house to residential, the visual impact upon the building and the surrounding area, the standard of accommodation to be provided, the impact upon neighbouring amenity and transport, environmental health and sustainability issues.
- 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.
- 8.3 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.

Asset of Community Value

- 8.4 It is noted that the building was listed, at the request of the Save the Rose Hill Tavern Action Group, as an Asset of Community Value ("ACV") under provisions contained in the Localism Act 2011. Listing as an ACV allows community interest groups to prepare and submit a bid, if they wish, should the owner of the asset decide to dispose of the asset. Whilst ultimately this listing cannot prevent the owner selling the asset to whomever they want, at whatever price they want, by providing for a moratorium on sale the legislation does offer an opportunity for community groups to make a bid for the asset.
- 8.5 Section 88 of the Localism Act sets out the tests for deciding whether a building or land is an ACV. The building or land in question has to either currently have, or "in the recent past" have had, a non-ancillary actual use that furthers or furthered "the social wellbeing or social interests of the local community". In addition, in the case of a current use the determining local authority must be of the opinion that:

- 8.6 “it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community” [s88(1) (b)]
- 8.7 In the case of a use “in the recent past” the local authority must be of the opinion that:
- 8.8 “it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.”[s88 (2)(b)]
- 8.9 The Department for Communities and Local Government has produced non-statutory guidance. The *Community Right to Bid: Non-statutory advice note for local authorities*, paragraph 2.20 sets out that,
- the fact that the site is listed may affect planning decisions - it is open to the Local Planning Authority to decide whether listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.*
- 8.10 Whilst regard must be had to the development plan in the determination of the application it is considered that in this case the fact that the building is listed as an ACV is a material planning consideration of some weight as it reasonably demonstrates that the public house provides a valued community facility within the locality and in particular a demand that those facilities should be provided on the subject site.
- 8.11 The listing as an ACV is also relevant in this particular case as change of use to residential is proposed. Residential uses are normally exempt from being listed as Assets of Community Value and therefore, if permission were to be granted and implemented this would have an impact on the extent of the current listing.

Principle of development

- 8.12 This proposal involves the change of use of the public house to two self contained residential units. It is noted that both the National Planning Policy Framework and the emerging City Plan indicate that public houses can be considered to be community facilities.
- 8.13 Paragraph 70 of the NPPF states,
- *To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*

- *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- *ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and*
- *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

8.14 Chapter SA6, Sustainable Neighbourhoods of the City Plan states,

A sustainable community should have a reasonable range of shops, services, public houses and cafes within easy walking distance that serve day to day needs for local residents must be considered having regard to policy

8.15 Community facilities are protected under HO20 of the Brighton and Hove Local Plan which is fully consistent with the NPPF and will not be replaced by the City Plan Part 1. HO20 states,

8.16 *'Planning permission will not be granted for development proposals, including changes of use, that involve the loss of community facilities, including: hospitals, health centres, surgeries/clinics, museums, art galleries, exhibition halls, places of worship, day care centres, libraries, schools, crèches, public toilets, church and community halls, theatres and cinemas.*

8.17 *Exceptions may apply when:*

- a) the community use is incorporated, or replaced within a new development; or*
- b) the community use is relocated to a location which improves its accessibility to its users; or*
- c) existing nearby facilities are to be improved to accommodate the loss; or*
- d) it can be demonstrated that the site is not needed, not only for its existing use but also for other types of community use.*

8.18 *Where an exception (a-d) applies, a priority will be attached to residential and mixed use schemes which may provide 'live work' and, or starter business units to meet identified local needs.'*

8.19 The aim of the policy is to help ensure there are sufficient community facilities to meet needs. In respect of this proposal there is a lack of evidence to demonstrate that the exceptions in the criteria have been met. Whilst other facilities are detailed in the planning statement there is no evidence to indicate they have expanded or arisen to purposely replace this facility. No information has been submitted to demonstrate that the site is not needed, either for its existing use or for other types of community use. Notwithstanding this, the site is located close to London Road and there are a large number of public houses, cafes and restaurants within the immediate vicinity which could provide similar community uses. Whilst the loss of the facilities would be regrettable,

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considering the location of the public house it is considered that the local community would still be able to adequately meet their everyday needs.

- 8.20 In some cases, often in rural / suburban areas, where there is a lack of alternative community facilities a public house would serve an important community function and the loss of such a facility could be to the detriment of the community as a whole. In the case of the application property, the public house is one of many in the locality (the applicant has identified 10 other public houses within close proximity of the application site) and the community is also well connected to the community facilities of the wider city.
- 8.21 NPPF para 70 makes clear that in order to deliver the social, recreational and cultural facilities and services which a community needs planning policies and decisions should plan positively for community facilities (which includes public houses) to enhance the sustainability of communities and residential environments. It also seeks to “guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”.
- 8.22 The listing of the public house as an ACV by the Council reflects the fact that it is valued within the local community. The recent listing of the property is considered to be a material planning consideration in this instance and adds some weight to the significance of the property as a valued community asset.
- 8.23 In addition, the historical use, character and appearance of the building also serves to engender a strong sense of place within the local community.
- 8.24 It is acknowledged that the public house is a valued community facility that is not directly comparable to other A3 and A4 uses within the locality in regards to their historical character and social value. It is, of course, furthermore acknowledged that the Council as determining authority under the Localism Act considered that the Rose Hill Tavern met the statutory tests under that Act that enabled the building to be listed as an ACV. Notwithstanding this, it is not considered that the loss of this use would be of significant detriment to the local population’s ability to meet their day to day needs and as such the proposal is not considered to be contrary to the general thrust of policy HO20 and an exception to policy is considered to be appropriate in this instance.
- 8.25 The applicant submitted an additional statement on 16 January 2015 outlining additional information regarding the viability of the public house. In this document trading statements from Enterprise Inns Ltd have been provided for the past 10 years, indicating the poor performance of the public house. Further information regarding the small size of the pub, its poor location with low levels of footfall, lack of commercial standard kitchen and high levels of competition within the locality add weight to the argument that the use is unviable. It is noted that marketing material from the selling agent stating that it could not be sold as a going concern has not been submitted.
- 8.26 A statement received by the Save the Rose Hill Tavern Action Group disagrees with the viability argument set out by the applicant stating that the public house

was under resourced and badly neglected and states that a community run cooperative could run a successful public house in this location, especially considering the high density of the local population which is set to grow significantly as new development comes forward.

- 8.27 Notwithstanding the viability information submitted by the applicant, the criteria within policy H20 does not specifically allow for a change of use on the basis that the existing use is demonstrated to be unviable. Whilst it does provide additional context for this proposal and some weight is attached to the viability argument it is not considered to be a significant material consideration in the determination of this application.
- 8.28 It is considered in this particular case that the loss of the public house would not be contrary to HO20, and meets exception criteria (d). The proposal is not contrary to wider objectives in policy SA6 or the NPPF.
- 8.29 As a replacement use, the proposed residential use would be in compliance with the preferred alternative uses set out in policy HO20. It is also acknowledged that the Local Planning Authority is unable to demonstrate a five year housing supply and that the proposed residential unit would contribute, albeit in a limited way, to meeting the housing needs of the city and would be in keeping with the prevailing residential character of the immediate area surrounding the site.
- 8.30 The principle of the proposal is therefore considered to be acceptable.

Visual Impact

- 8.31 To the front of the property it is proposed to uncover the existing lightwell and steps down to the basement level. There is an existing timber door and timber sliding sash window at basement level. The existing timber door will be retained whilst a replacement timber window sash window is proposed at basement level. Railings to match No.68 Rose Hill Terrace are proposed.
- 8.32 The uncovering of the basement could potentially result in an awkward junction between the retained green tiles and the rendered elevation below. The specific detailing is to be secured by an appropriate planning condition.
- 8.33 The building is an undesignated heritage asset that has recently been nominated for local listing and as such the loss of its interior and its function as a public house is regrettable. Notwithstanding this, the external tiling and detailing to the front elevation would be retained and the building would still appear as a public house when viewed from the street. The proposals would preserve the historic character and appearance of the external facade of the building and as such the wider appearance and character of the streetscape.
- 8.34 A rooflight is proposed to the flat roof of the modern addition to the rear and the also another to the pitched roof of this addition. A set of timber French doors and replacement timber windows are proposed to the west facing elevation of the building whilst another set of French doors is proposed to the rear, serving the proposed third bedroom. These proposals are considered to be relatively minor in scope, with all new openings within in the modern additions to the rear and

would not result in any significant harm to the appearance and character of the building or the wider surrounding area.

- 8.35 Full details of materials and landscaping as well as the retention of the historic front façade are to be secured with suitably worded conditions.
- 8.36 For these reasons the proposal is considered to accord with policy QD14 and HE10 of the Brighton & Hove Local Plan and the Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

Standard of accommodation

- 8.37 The proposal would create one, three bedroom residential unit at ground and basement level and a further three bedroom unit at first floor level and within the loft space. It is considered that the proposed ground floor and basement unit would provide an acceptable standard of accommodation with adequate space within a layout including living area, kitchen dinner, bathroom and three bedrooms at ground floor level.
- 8.38 There would be good levels of natural light and outlook from the kitchen dinner and living area. The three bedrooms would have poor levels of outlook, particularly bedroom 3, to the rear which faces out onto a blank façade whilst additionally bedroom 3 would also have relatively poor levels of natural light, though these concerns are not so significant as to warrant refusal on these grounds.
- 8.39 The basement level, particularly the westernmost space has low ceiling heights and poor natural light and outlook levels and the rooms at this level are not considered adequate for primary living accommodation, such as living rooms, bedrooms or kitchen. The applicant has indicated that these spaces would be for either study or storage and are considered to be acceptable on this basis.
- 8.40 The upper floors are currently in use as self contained ancillary residential accommodation associated with the public house. The layout of these floors would be unchanged. Whilst it is noted that the living space and the bedroom within the loft provide somewhat cramped living conditions it is acknowledged that this is an existing residential layout, albeit ancillary to the main public house with an overall floor area that would be adequate for a single residential unit and as such the proposal is considered to be acceptable in this regard.
- 8.41 Policy HO5 requires the provision of private useable amenity space in new residential development. Two areas of external space are proposed for the ground and basement floor unit, one private area to the rear of bedroom 3 and a space to the side of the property that is also required for access to No.72 Rose Hill Terrace. Whilst these spaces are fairly modest they are considered to be adequate for the proposed development which is also centrally located and close to a number of public outdoor spaces. Similarly, whilst the upper residential unit has no outdoor space it again benefits from a location close to a number of public external amenity spaces.

- 8.42 Policy HO13 requires new residential development to be built to lifetime homes standards. As a conversion of an existing building the proposal should incorporate lifetime home standards in the design wherever practicable. It is recognised that the development seeks consent for a conversion within the envelope of the existing building and therefore it might not be possible to achieve all standards. As such the details shown on the plans and indicated in the Planning Statement are acceptable in this instance.
- 8.43 To conclude, the proposed standard of accommodation is considered to be acceptable.

Neighbouring amenity

- 8.44 Policy QD27 relates to protection of amenity and confirms that permission will not be granted where development 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.
- 8.45 There is not considered to be significant harm to the residential amenity currently enjoyed by adjoining properties. The footprint of the building would remain unaltered and there would not be any detrimental impact to neighbouring properties in regards to overshadowing, loss of light and outlook or an overbearing impact. The two rooflights proposed are at a high level and would not give rise to any harmful overlooking to adjoining properties. Views from the proposed window in the west facing elevation would be screened by the existing boundary wall and would not result in any loss of privacy to neighbouring occupiers.
- 8.46 It is noted that the existing public house use, if bought back into active use, has the potential to have a negative impact upon amenity by way of noise and disturbance, and that the proposed development is likely to have a reduced impact in this regard.
- 8.47 It is considered that the proposed development would not cause significant harm to neighbouring amenity. For the reasons outlined above the proposal is considered to accord with policy QD27 of the Brighton & Hove Local Plan.

Transport

- 8.48 It is not considered that the proposal would result in any increase in trip generation above existing levels. The applicant is not proposing any off-street car parking spaces and this is acceptable within this location. A cycle store is proposed to the side alley to the west of the building, details of which are to be secured by condition.
- 8.49 The Sustainable Transport Team does not object to the proposal.

Sustainability

- 8.50 Policy SU2 and the guidance set out in SPD08 require that all new developments demonstrate efficient use of energy water and materials. It is considered that the development could accord with the requirements of this

policy and a suitable condition requiring details of such measures can be secured by the imposition of an appropriate planning condition.

Environmental Health

8.51 Council records show that the building was used for a time as a laundry before it came into use as a public house and as such there is the potential for land contamination within the building and wider site. A condition is recommended requiring a desk top study to be submitted researching and documenting any potential land contamination at the site.

9 CONCLUSION

9.1 It is acknowledged that the property is an Asset of Community Value and this fact is a material planning consideration of some weight. However, given that an exception to policy HO20 is evident and the proposal does not undermine the wider objectives of policy SA6 or the NPPF, the balance of the recommendation is considered to lie in favour of a grant of permission. The development would be of an appropriate appearance, no significant harm to neighbouring amenity would be caused, and subject to compliance with conditions, matters relating to transport, sustainability and potential land contamination would be successfully addressed.

10 EQUALITIES

10.1 None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Location and block plan	CO/10	A	17 September 2014
Existing basement and ground floor plans	CO/01	A	8 September 2014
Existing first and second floor plans	CO/02	A	8 September 2014
Existing elevations	CO/03	A	8 September 2014
Proposed floor plans	CO/05	C	18 March 2015
Proposed elevations	CO/07	B	7 November 2014

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- 3) No cables, wires, aerials, pipework, meter boxes or flues shall be fixed to any elevation facing a highway. **Reason:** To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.
- 4) Subsequent to the uncovering of the front lightwell, largescale details of the junction between the tiled frontage and lightwell shall be 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 safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1, QD14 and QD27 of the Brighton & Hove Local Plan.
- 5) The railings and gates hereby permitted shall exactly match the detailing to No. 68 Rose Hill Tavern and shall be retained as such thereafter. **Reason:** To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1, QD14 and QD27 of the Brighton & Hove Local Plan.
- 6) The existing external door and window to the front basement lightwell shall either be retained, or replaced on an exact like for like basis. **Reason:** To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1, QD14 and QD27 of the Brighton & Hove Local Plan.
- 7) The existing green tiling to the front façade shall not be altered and shall be retained as existing. **Reason:** To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1, QD14 and QD27 of the Brighton & Hove Local Plan.
- 8) 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.
- 9) Access to the entirety of the flat roof over the existing ground floor rear extension 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.

11.2 Pre-Commencement Conditions:

- 10) Before works commence a Level 2 Record of the building(s), as set out in the English Heritage guidance 'Understanding Historic Buildings: A guide

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to good recording practice' (2006), shall be submitted to and approved in writing by the Local Planning Authority. A copy of the report should be deposited with the East Sussex HER. **Reason:** To provide a historical record of the interior and exterior of the building and comply with policy HE10 of the Brighton & Hove Local Plan.

- 11) No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times. **Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 12) The development hereby permitted shall not be commenced until details of sustainability measures to reduce the energy and water consumption of the development have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to occupation and thereafter be retained as such. **Reason:** To ensure that measures to make the development sustainable and efficient in the use of energy and water are included in the development and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.
- 13) 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) 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 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 adjoining occupiers and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 15) The development hereby permitted shall not be commenced until details of sustainability measures to reduce the energy and water consumption of the development have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to occupation and thereafter be retained as such. **Reason:** To ensure that measures to make the development sustainable and efficient in the use of energy and water are included in the development and to comply with

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policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

- 16) (i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:
- (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice;
and, unless otherwise agreed in writing by the Local Planning Authority,
 - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001;
and, unless otherwise agreed in writing by the Local Planning Authority,
 - (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.

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

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

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

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

11.3 Informatives:

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

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

The development would not result in a harmful loss of a community facility to the local neighbourhood. The development would be of an appropriate appearance, no significant harm to neighbouring amenity would be caused, and subject to compliance with conditions, matters relating to transport, sustainability and potential land contamination would be successfully addressed.
3. The applicant is advised that the condition above relating to land contamination has been imposed because the site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. To satisfy the condition a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of (i) (b) and (i) (c) of the condition. It is strongly recommended that in submitting details in accordance with this condition the applicant has reference to Contaminated Land Report 11, Model Procedures for the Management of Land Contamination. This is available on both the DEFRA website (www.defra.gov.uk) and the Environment Agency website (www.environment-agency.gov.uk).
4. The applicant is advised that the scheme required to be submitted by Condition 8 should include the registered address of the completed development; an invitation to the Council as Highway Authority (copied to the Council's Parking Team) to amend the Traffic Regulation Order; and details of arrangements to notify potential purchasers, purchasers and occupiers that the development is car-free.

From: Pete West
Sent: 27 October 2014 14:30
To: Jeanette Walsh
Subject: BH2014/03012 Rose Hill Tavern

Dear Jeanette,

In my capacity as a ward councillor I am receiving requests that the above application be determined by committee.

In particular it is suggested that the issue of whether the non-viability of the existing use has been adequately shown and this should be a matter explored and decided by members. Moreover as the pub is one of only two properties in the planning authority area which has ACV status it is a matter of considerable community interest and wider city significance and should be determined openly and democratically by members with opportunity for public participation.

I therefore kindly request that the matter is determined by committee. For clarity, I am requesting refusal.

With best regards

Pete West

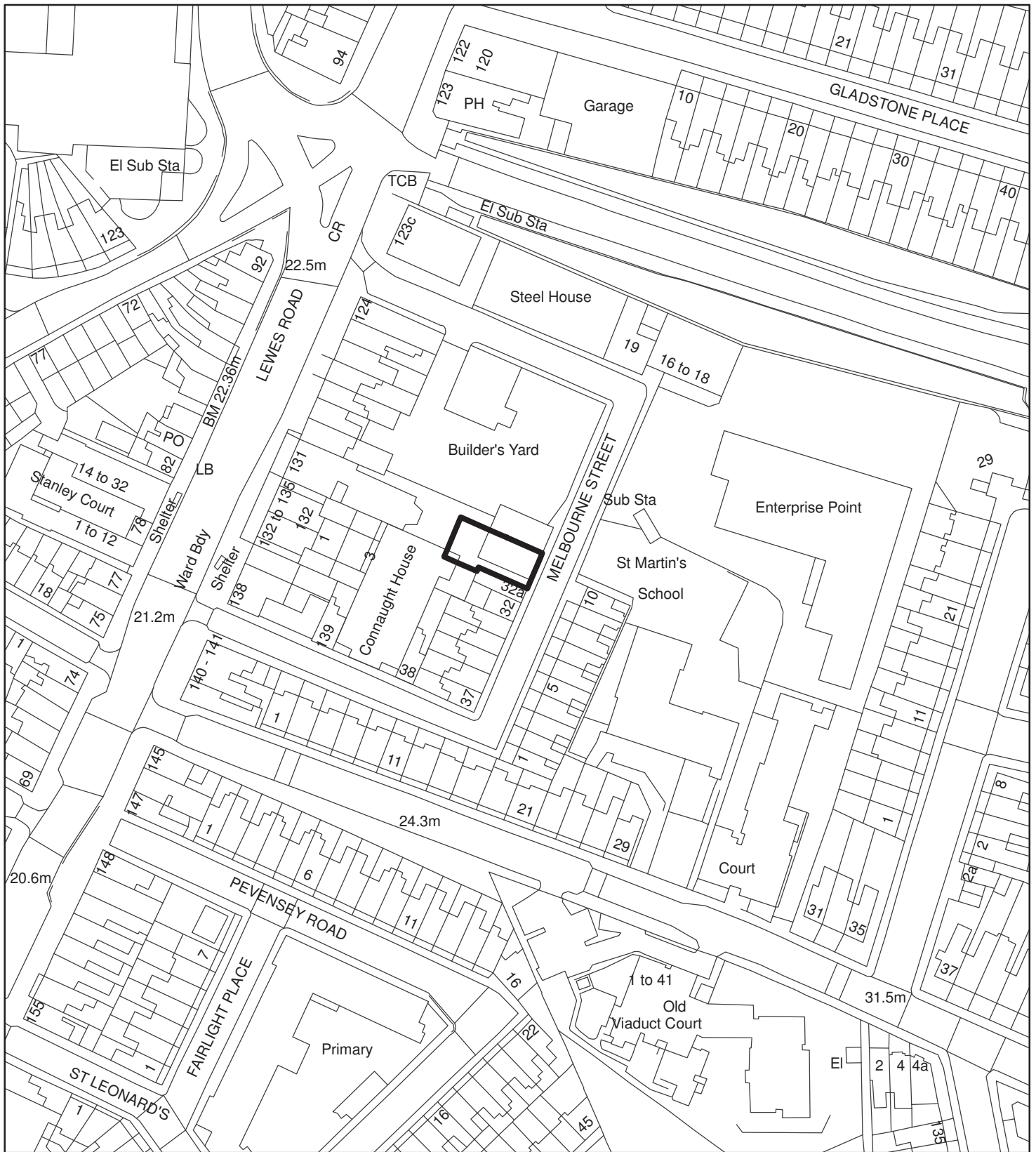
ITEM B

31 Melbourne Street, Brighton

**BH2014/04116
Full planning**

1 APRIL 2015

BH2014/04116 31 Melbourne Street, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/04116	<u>Ward:</u>	HANOVER & ELM GROVE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	31 Melbourne Street Brighton		
<u>Proposal:</u>	Erection of three storey block containing 3no self contained flats.		
<u>Officer:</u>	Wayne Nee Tel 292132	<u>Valid Date:</u>	16 December 2014
<u>Con Area:</u>	n/a	<u>Expiry Date:</u>	10 February 2015
<u>Listed Building Grade:</u>	n/a		
<u>Agent:</u>	Roger Fagg Architect Ltd, 14C Fourth Avenue Hove BN3 2PH		
<u>Applicant:</u>	Mr E Barakat, 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 site is situated to the west of the eastern length of Melbourne Street, and forms an open piece of land between the north elevation of 32 Melbourne Street which forms part of the historic terrace of properties and to the south of recently constructed 3 storey modern apartment block (planning application BH2009/00655). The site once formed part of the larger former Covers Yard site which last operated as a builders merchants and upon its closure was subdivided into a number of smaller sites.
- 2.2 In the wider context the site is set amongst a mixed industrial and residential street. The residential properties are predominantly of a traditional terrace design with similar distinctive features such as canted bay and bow windows as well as panelled doors. The properties mostly consist of painted rendered walls, although a notable exception is the end of terrace property immediately south (32 Melbourne Street) which consists of brickwork. St Martin's Primary School is situated opposite the site to the east.

3 RELEVANT HISTORY

BH2013/04046 Erection of three storey block containing 5no self-contained flats – Refused 30/01/2014 (Appeal dismissed 30/01/2014)

BH2013/02253 Erection of three storey block containing 5no self contained flats – refused 13/09/2013

BH2012/02826 Erection of three storey block containing 5no self contained flats – refused 02/11/2012(Appeal dismissed 19/06/13)

BH2012/00711 Erection of three storey block containing 5no self contained flats on vacant land. Refused 30/04/2012

BH2011/03216: Erection of three storey block containing 5no self contained flats on vacant land. Refused 19 January 2012.

BH2010/03279: Erection of 6no three bedroom residential houses and associated works. Approved 16th June 2011.

BH2010/00855: Erection of 4no 3 storey three bed dwelling houses, 2no two bed maisonettes and 1no (B1) Office Unit incorporating associated parking and cycle spaces. Withdrawn 20th October 2010.

BH2009/02187: Demolition of Connaught House and 38 Melbourne Street – approved 26th September 2009.

BH2009/00655: Demolition of existing yard buildings and erection of 3 storey terrace along eastern boundary of site, and 4 and 7 storey apartment building along northern boundary of the site, providing a total of 39 residential units, cycle and car parking to rear. Refused 8th July 2009. Allowed at appeal 18th August 2010.

BH2008/01461: The demolition of disused existing Connaught Church and adjacent vacant dwelling No.38 Melbourne Street and redevelopment of the site to provide 6 new build, low energy town houses. Withdrawn 14th August 2008.

BH2007/00884: Permission refused 5th July 2007 for demolition of yard buildings and No.38 Melbourne Street, erection of 3 storey and part 6 storey, and part 7 storey residential buildings, conversion of Connaught House to provide 5 office suites and 10 residential units, and use of 124 Lewes Road as retail and offices, providing a total of 54 residential units, and 11 car parking spaces. Appeal dismissed 27th June 2008.

BH2006/00902: Withdrawn application for the demolition of yard buildings, partial demolition of Connaught House and 38 Melbourne Street, erection of 7-storey and 3-storey residential buildings, creation of residential and office units within Connaught House, and use of 124 Lewes Road as retail and offices, totalling 58 residential units, including 48 affordable housing units, with 11 car parking spaces.

68/1279: Permission refused 23rd July 1968 for change of use of the Connaught Institute to a joinery works. Applicants were the Trustees of the Connaught Institute. Permission refused on neighbour amenity grounds.

68/1185: Permission granted 9th July 1968 for change of use of the Connaught Institute from meeting hall to storage or warehouse. Applicants were the Trustees of the Connaught Institute.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of three storey block containing 3no self contained flats.

The details of the proposal are as follows:

- Size: The three storey building footprint would cover approximately 84m².

- Layout: The ground floor would consist of a two bedroom flat; the first floor would consist of a two bedroom flat, and the second floor consisting of a one bedroom flat.
- Fenestration: All elevations of the building would include a variety of window styles and sizes.
- Materials: The building would consist of part brickwork and part white painted render, with a single ply/standing seam roof. The windows would consist of aluminium. The ground floor railings at the front would consist of metal.
- Amenity Space: Ground floor two bedroom flat to have sole use of rear garden space that would be accessed via the side passageway entered from Melbourne Street.
- Car parking: No car parking spaces are proposed.
- Cycle storage: Proposed at the rear of the property and accessed via the passageway.
- Refuse Storage: Proposed at the side/rear of the property and accessed via the passageway.

4.2 During the process of the application, minor alterations were made to the roof, minor alterations were made to the roof, fenestration and front elevation materials.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Four (4)** individual letters of representation have been received from **131 Lewes Road (x2), 145 Ditchling Rise, and Viaduct Lofts Melbourne Street** objecting to the application for the following reasons:

- Already over developed site and surroundings;
- Area cannot support more flats after Covers Yard development;
- Legal right of way over access from the side passageway;
- Impact on emergency exit from community centre on Lewes Road;
- Existing overloaded transport infrastructure and parking cannot support this;
- Increased noise and disturbance;
- Would increase air pollution.

5.2 **Councillor Emma Daniel** has objected to the application. Correspondence attached.

Internal:

Access Officer:

5.3 The proposals accord with Lifetime Homes standards. It is not clear if there would be weather protection over the main entrance.

Environmental Health:

5.4 31 Melbourne Street has had a long history of use including recently as a storage area for cement and concrete and prior to that, a garage. An above ground, bunded fuel storage tank was located in the site's area according to a desk top study and ground investigation report that has been provided (Report J8667, Soils Ltd, 25/02/2005). Historical maps show that there were once

terrace houses at the site's location which were then replaced with a single structure (probably the garage).

- 5.5 31 Melbourne Street is also adjacent to / part of a larger site that was once a Builders' Yard which was prioritised for further inspection under the contaminated land regime within the Environmental Protection Act 1990. Within this area there was also a sheet metal works.
- 5.6 There have been several site investigations for the whole site (once called Cover's Yard) including potentially several validation/verification reports for different parts of the site. There is a complex history of site investigation which is not sufficiently covered by the provision of the desk top study and ground investigation report quoted above. For example, it is known that some underground fuel storage tanks were discovered during works for a previous planning application.
- 5.7 With respect to this planning application and for future enquiries by the public, the pertinent contaminated land information should be: specific to this planning application; easily accessible; easy to read, and easy to understand.
- 5.8 Additionally, from the desk top study and ground investigation report provided, it is noted that it was undertaken in 2005 since when, there have been significant changes to guidance relating to contaminated land. It is also noted that one of the contaminants of concern, that should form part of a standard screening suite for site investigations was omitted from this investigation. Namely: asbestos, both as loose fibres and asbestos containing materials.
- 5.9 Therefore, all of the contaminated land information relating to this site should be reviewed, taking into consideration the specific site details such as the position of end receptors, water services, tanks and pipework (removed or left in place etc). Additionally, one borehole on the edge of the site is unlikely to constitute a sufficient site investigation for this planning application when considering its history.
- 5.10 Consequently, it is recommended that the full contaminated land condition is applied to this planning application and previous site investigations should be reviewed and updated for this plan.

Transport:

- 5.11 Recommended approval as the Highway Authority has no objections to this application subject to the applicant providing the recommended improvements detailed below. The Highway Authority's comments still stand from the previous application (BH2013/02253 and BH2013/04046).

Car Parking

- 5.12 The applicant is not proposing any on-site car parking spaces. SPG04 states that the maximum car parking standard for a house outside of a CPZ is 1 space per dwelling plus 1 car space per 2 dwellings for visitors. Therefore the maximum car parking standard for this development of 3 residential units is 3 for residents and 2 for visitors.

- 5.13 A previous application on this site (BH2011/03216) was refused as it did not provide for the forecast demand for travel that the proposals created. The Highway Authority were of the view that when taking into account existing parking demand and committed developments in the local area the immediate proximity of the site would be at capacity in terms of on-street parking availability. Therefore any overspill parking from the proposed development would cause vehicles to be parked inappropriately and dangerously. Therefore the previous application was deemed to be contrary to Local Plan policies TR1 Development and the demand for travel and TR7 Safe development. In order to try and address this reason for refusal the applicant re-submitted (BH2012/00711). The applicant's transport consultant suggested that some of the existing parking restrictions in the local area could be converted to parking spaces with no detriment to highway safety. This would therefore provide additional on-street parking spaces which could potentially be accommodated by vehicles from this development.
- 5.14 The provision of up to 8 additional on-street spaces would not fit well within the aspirations of the Council to promote sustainable travel. The site is also within an Air Quality Management Area (AQMA) and along the Lewes Road corridor which is subject to sustainable transport improvements through the Local Sustainable Transport Fund (LSTF). Therefore the addition of 8 additional on-street parking spaces in this location would not sit well within this area and would be contrary to the aspirations for the LSTF.
- 5.15 A potential solution that fits better within the Council's aspirations would be as follows:
- The applicant should provide 2 years membership for each residential unit to City Car Club. The nearest car club bay is on St Leonard's Road and there is soon to be a bay on Melbourne Street. This would reduce the likelihood of residents owning a car and help mitigate the forecast overspill car parking. This should be secured via a S106 agreement.
 - The applicant should contribute towards the implementation of Pedal Cycle Parking Spaces within the existing carriageway and where deemed necessary the inclusion of motorcycle parking spaces. The Highway Authority has consulted with Tracy Davison (Cycling Officer) and she is agreeable to the implementation of on-street cycle parking in this location.
 - The Highway Authority may consider the addition of one or two extra on-street parking spaces should it fit in with the wider design of the scheme to provide for sustainable trips. The applicant would be liable for all associated costs including the necessary amendment to the Traffic Regulation Order (TRO). The Highway Authority's view is that subject to providing the above improvements through a S106 agreement the potential overspill car parking and previous reason for refusal would be addressed.

Cycle Parking

- 5.16 SPG 4 states that a minimum of 1 cycle parking space is required for every dwelling plus 1 space per 3 dwellings for visitors. For this development of 3 flats the minimum parking standard is 3 cycle parking spaces (1 for each unit) and 1 space for visitors. In order to be in line with Policy TR14 of the Brighton &

Hove Local Plan 2005 cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The applicant is intending to provide 4 cycle parking spaces. These spaces are accessed through a passage way to the side of the property.

Access

- 5.17 The applicant is not intending any vehicular access to the site. Therefore the Highway Authority would look for the redundant vehicle crossover to the front of the property to be reinstated back to footway via the inclusion of the suggested Grampian condition (detailed below). The reinstatement of footway will ensure the development will be in accordance with policy TR8 (Pedestrian Routes) and TR7 (Safe Development) of the Brighton & Hove Local Plan, by providing short, safe, attractive and direct routes for walking.

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)

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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
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Design – street frontages
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

Supplementary Planning Guidance:

SPGBH4	Parking Standards
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Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development
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 relating to the determination of this application are the principle of development, the impact of the proposed development with respect to scale and design, neighbouring and future occupants' residential amenity, traffic implications, sustainability and biodiversity.

Background:

- 8.2 A previous planning application (BH2013/004046), for the erection of a three storey block containing 5no self contained flats, was refused for the following reasons:

- 8.3 *The proposed development, by reason of its design, scale, architectural detailing and height, would not sympathetically relate to either the modern development to the north of the site or to the traditional terraced properties to the south. The development would therefore fail to justify the loss of the visual gap which acts as a transition break between the two styles of development. As a result the proposed development would appear incongruent and overly dominant causing harm to the character of the street scene contrary to Brighton and Hove Local Plan policies QD1, QD2, QD3 and HO4.*
- 8.4 *The applicant has failed to demonstrate that the development will accord to Lifetime Homes Standards contrary to policy HO13 of the Brighton & Hove Local Plan.*
- 8.5 In this current application, the number of proposed flats has been reduced to three, the design of the roof has been altered, there have been cladding and fenestration changes to the external elevations, and the upper floor Juliet balconies have been removed.

Principle of Development:

- 8.6 The application site previously formed part of the wider former Covers Yard builders Merchants which operated as a single planning unit. A previous application which related to the remainder of the Covers Yard site to the rear (BH2009/00655) was allowed at appeal. Part of the consideration of this application related to the principle of the change of use from a Builders Merchants to C3 residential. The Inspector considered that the previous use operated as a sui generis use and the loss of the use was therefore not specifically protected by any Local Plan policy.
- 8.7 As the current application site formed part of the original planning unit which was in operation less than 10 years ago, the lawful use of the building is a builder's merchant (sui generis use). There is no policy protection of the existing use and so the principle of the change of use to C3 residential development is therefore considered acceptable.

Design and Appearance:

- 8.8 Local Plan policies QD1, QD2, QD3 and QD5 relate to the design quality of a development, the emphasis and enhancement of the positive quality of the local characteristics, making efficient and effective use of sites and presenting an interesting and attractive frontage particularly at street level. Policies QD3 and HO4 both seek to prevent the overdevelopment of sites that would result in 'town cramming'.
- 8.9 The Urban Characterisation Study identifies the site location as being within the central fringe area of the Lewes Road Corridor. The study describes this area as being comprised of 'an architecturally mixed retail and residential area of two to four storey buildings hard onto the street. Mainly late Victorian but with poor quality 20th Century infill. An uncoordinated public realm'.
- 8.10 The application site sits between the approved development that has recently been constructed to the north of the site (BH2009/00655) which is of a modern

design with mono pitched roofs and constructed in a mixture of modern materials, including Reglit glazing, aluminium windows, dark brick and white painted render. To the south of the site is the period terrace. The proposed building would be sited close to no. 32a Melbourne Street which is of a slightly different design to the rest of the terrace without a double height bay to the front and consists of external brickwork. The property appears to have been built some time after the rest of the terrace however it is still of a significant age. The remainder of the dwellings in the terrace are of the same design and are fully rendered.

- 8.11 The overall design approach to the scheme is similar to the previously unacceptable design. The appearance of the proposed block is unrelated to the properties to the south of the site, and bears more relation to the modern apartment blocks to the north. The proposed building is on the building line of the adjacent property to the north, and set back approximately 2m from the front building line of the end of terrace property to the south, which reduces its overall prominence within the street scene.
- 8.12 The existing gap between the new modern designed development to the north and the historic terrace to the south is approximately 9m, which is sufficient to provide clear separation from the more traditional properties. The visual gap acts as a transition break between the two styles of development. The proposed scheme would infill this important area of separation, narrowing the gap to only 1.3m.
- 8.13 The relationship of the proposed roof with the existing neighbouring building to the south is an improvement to that of the previously refused scheme. The roof would have a single form which would relate better to the prevailing pattern of roof forms on in this context. The roof height has been lowered on the south end so the roof at this point is lower than the ridge of the neighbouring roof. This has created a more substantial visual gap between the roofs, which relieves the dominance of the proposed building in respect of the traditional properties in close proximity. The result is an improved relationship between the proposed building and the neighbouring end of terrace property.
- 8.14 In the appeal decision of the previous application (BH2013/04046), the Inspector highlighted that the proposal would be visually different to the existing modern building it would be attached to. In terms of the detailing of the proposed building, the front elevation now relates more appropriately to the adjoining modern apartment blocks. The proposed width of the building from the front is only 0.2m wider than the individual apartment blocks which reduces its prominence on the street. Amendments received during the course of the application have altered the height of the roof to reflect the existing terrace and to incorporate fenestration detailing that is more reflective of the existing terrace. The frontage is similar to but not matching the apartment blocks. The ground and first floor tiled front wall would have a similar form to the aluminium and glazed entrances to the north. The proportions of the fenestration would also now relate more to the neighbouring fenestration.
- 8.15 Overall it is considered that the proposal would accord with the relevant design policies.

Impact on Amenity:

- 8.16 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.
- 8.17 The proposed building would abut the south elevation rendered wall of the modern apartment blocks to the north. The proposed upper floors would be set back in line with the rear elevations of no. 32A Melbourne Street to the south and the Covers Yard building to the north. The ground floor rear wall and garden boundary would be close to the private amenity space and ground floor rear windows of the apartment blocks to the north. Although this would enclose this area to an extent it would not be so significant as to warrant refusal of the application on this basis.
- 8.18 The proposed side (south) elevation windows would have the potential to overlook the rear garden of the terraced property to the south. As this window is a secondary bedroom window it could be conditioned to be obscure glazed and fixed shut should the application be acceptable in this respect. The rear elevation windows would have similar views to that of other rear windows of nearby properties.
- 8.19 Objections have been raised from residents concerning the loss of emergency access however this issue is not a material planning consideration but is instead a private legal matter, and so has not been assessed in the context of the planning application. Concerns have also been raised over potential air pollution, however it is considered that there is no evidence that would suggest that this proposal would significant impact on this matter.

Standard of Accommodation:

- 8.20 Local Plan policy HO13 states that proposals for conversions and changes of use to provide residential accommodation will be expected to demonstrate that wherever it is practicable, Lifetimes Homes criteria have been incorporated into the design. The proposed units appear to meet many of the Lifetime Homes criteria, however, it does not appear that there would be weather protection over the main entrance. The development meeting all Lifetime Homes criteria can be conditioned.
- 8.21 In general the proposed dwelling would benefit from acceptable levels of natural light, outlook and privacy.
- 8.22 Brighton and Hove Local Plan policy HO5 requires the provision of private and useable external amenity space with new residential development. The ground floor flat would have access to the rear garden which is considered comparable to the neighbouring garden areas in the location. The upper floor flats would have no amenity space. However given the character of this form of development and the surrounding context the provision for these proposed flats is considered to be acceptable in this instance and it is not considered that

refusal of the application could be sustained on this ground alone. The scheme is therefore considered to adequately accord to policies HO5 and QD2.

Sustainable Transport:

- 8.23 Brighton & Hove Local Plan policy TR1 requires that new development addresses the travel demand arising from the proposal. Policy TR7 requires that new development does not increase the danger to users of adjacent pavements, cycle routes and roads. Policy TR14 requires the provision of cycle parking within new development, in accordance with the Council's minimum standard, as set out in BHSPG note 4. Policy TR19 requires development to accord with the Council's maximum car parking standards, as set out in BHSPG note 4. The site is within reasonable access to public transport and the site is not within a Controlled Parking Zone (CPZ).
- 8.24 The Local Highways Authority are of the view that when taking into account existing parking demand and developments currently under construction in the local area, the local highways network within the immediate proximity of the site would be at capacity in terms of on-street parking availability.
- 8.25 The applicant has agreed to enter in to a legal agreement to secure the provision of 2 years membership to City Car Club for each of the first occupiers of the residential units, a contribution towards the implementation of on-street cycle and potentially motorcycle parking spaces, re-instatement of the vehicle crossing, and an amendment to the TRO to provide additional on-street parking spaces.
- 8.26 Policies TR14 and SU2 require all new residential developments to have secure, covered cycle storage and refuse and recycling storage. The proposal makes provision for refuse storage. Cycle storage is also shown on the plans at the rear however further information of this and of refuse storage would be required through planning condition.
- 8.27 The proposal therefore, subject to this agreement, accords with Local Plan Policies TR1, TR7, TR19, and QD28.

Sustainability:

- 8.28 Policy SU2 of the Brighton & Hove Local Plan, including SDP08 'Sustainable Building Design', requires new development to demonstrate a high level of efficiency in the use of water, energy and materials.
- 8.29 Proposals for new build residential development of this size on previously developed land should include a completed sustainability checklist, should achieve Level of the Code for Sustainable Homes, and should meet all Lifetimes Homes Standards.
- 8.30 In accordance with SPD08 the applicant submitted a sustainability checklist which details commitment to achieving Code Level 3 of the Code for Sustainable Homes which meets the minimum requirements of the SPD. Subsequently the applicant has agreed that the proposed development would achieve Code Level 4. Subject to conditioning to ensure code level, it is considered that the proposal is in line with the requirements of SPD08.

Land Contamination:

8.31 The Council’s Environmental Health team have expressed concern over the previous use of the site and therefore the potential for contaminated land exists. A full land contamination condition is required.

9 CONCLUSION

9.1 As amended, the proposed residential development would be of an appropriate appearance, no significant harm to future occupiers or neighbouring amenity would be caused, and subject to compliance with conditions matters relating to transport and sustainability would be successfully addressed.

10 EQUALITIES

10.1 The proposed development would meet all relevant Lifetime Homes criteria.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- Contribution of £8,000 towards sustainable transport improvements and provide each of the first occupiers of the residential units with 2 years membership to City Car club.

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 plan	RFA/MS/PA /001		16 December 2014
Existing east elevation and site plan	RFA/MS/PA /002		08 December 2014
Proposed site plan	RFA/MS/PA /010		08 December 2014
Proposed floor plans	RFA/MS/PA /011	A	09 March 2015
Proposed elevations	RFA/MS/PA /012	A	09 March 2015

- 3) The first floor window in the south elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of

PLANNING COMMITTEE LIST- 1 APRIL 2015

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

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

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

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

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

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

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

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

a) built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

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

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

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

- 5) 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.

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

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

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

- 7) 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.

- 8) 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.

- 9) 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.

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

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

11.3 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The proposed residential development would be of an appropriate appearance, no significant harm to future occupiers or neighbouring amenity would be caused, and subject to compliance with conditions matters relating to transport and sustainability would be successfully addressed.

Subject: Re BH2014/04116- 31 Melbourne Street, Brighton- Planning Application Neighbourhood ref : 1729235

Follow Up Flag: Follow up

Flag Status: Red

Re BH2014/04116- 31 Melbourne Street, Brighton- Planning Application Neighbourhood ref : 1729235

Officer- Wayne Nee

Dear Wayne,

I am emailing to request that this application does come forward to committee to decide upon. Residents directly affected by the scheme have requested that I object to the scheme on the grounds of over-development. They will lose amenity due to the pressure on a small area which has already recently experienced development.

Please can you assure me that this objection has been noted and is in time to ensure the application comes before committee?

Sincerely
Cllr Emma Daniel
Hanover and Elm Grove

ITEM C

5-8 West Street, Rottingdean

BH2015/00169
Removal or variation of condition

1 APRIL 2015

<u>No:</u>	BH2015/00169	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Removal or Variation of Condition		
<u>Address:</u>	5-8 West Street Rottingdean Brighton		
<u>Proposal:</u>	Application for variation of condition 5 of application BH2005/06332 (Amendment to approved permission BH2004/02617/FP (reduction in floor area). Part single storey, part two storey retail unit) to state that the premises shall not be open for customers or in use except between the hours of 06:00 and 23:00.		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	22 January 2015
<u>Con Area:</u>	Adjoining Rottingdean	<u>Expiry Date:</u>	19 March 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	GL Hearn, 280 High Holborn London W1CV 7EE		
<u>Applicant:</u>	Tesco Stores Ltd, c/o GL Hearn 280 High Holborn London W1CV 7EE		

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 part one, part two storey retail unit (A1) on the northern side of West Street, Rottingdean. The site lies opposite an existing public car park and some 40m to the west of Rottingdean High Street, which is a local shopping centre as defined in the Brighton & Hove Local Plan. The site adjoins the Rottingdean Conservation Area via a short section of the rear boundary with the majority of the Conservation Area sited to the north east of the site. The prevailing character of the area is mixed with both residential and commercial properties within the immediate vicinity. The site backs onto residential properties in Park Terrace and adjoins Victoria Mews which has access from West Street via a private road immediately to the west of the site. There is a row of terraced properties to the west of the supermarket on West Street.

3 RELEVANT HISTORY

BH2014/02901 - Application for variation of condition 5 of application BH2004/02617/FP (Demolition of existing buildings. Erection of single storey building for class A1 retail use) to state that the premises shall not be open for

customers or in use except between the hours of 06:00 and 23:00. Withdrawn 1 December 2014.

BH2007/01658 - Retention of existing open plant well and air conditioning equipment recessed within the roof structure (Retrospective). Approved 13 July 2007.

BH2005/06332 - Amendment to approved permission BH2004/02617/FP (reduction in floor area). Part single storey, part two storey retail unit. Approved 18 January 2006.

BH2004/02617/FP - Demolition of existing buildings. Erection of single storey buildings for A1 (retail) use. Approved 8 December 2004.

BH2003/02748/FP - Demolition of existing buildings and erection of single storey building for class A1 (retail) use. Revised application. Refused 16 October 2003 on grounds that the design and materials would be out of character and context with surrounding development and detract from the setting of Rottingdean conservation area. Appeal dismissed 16 March 2004.

BH2002/01890/FP - Demolition of existing garage showroom and erection of single storey building for retail (class A1) use. Provision of 1.4m wide footway along part of the north side of West Street. Refused 22 May 2003.

4 THE APPLICATION

- 4.1 Planning permission is sought for the variation of condition 5 of application BH2005/06332 (Amendment to approved permission BH2004/02617/FP (reduction in floor area). Part single storey, part two storey retail unit) to state that the premises shall not be open for customers or in use except between the hours of 06:00 and 23:00. This increases the opening hours by one hour in the morning. The premises are proposed to be open 06:00-23:00. Current conditions restrict opening hours 07:00-23:00.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Two (2)** letters of representation have been received from **No.1** and **No.3 Victoria Mews** objecting to the application for the following reasons:

- There is constant traffic at 7am, increasing the opening hours to 6am would increase this harm,
- The loading bay is always full of cars,
- The loading bay needs to be repainted.

- 5.2 The **Rottingdean Parish Council** objects to the proposal for the following reasons;

- Impact upon adjoining residential from additional noise from deliveries and customer vehicles,
- The two examples cited in the Planning Statement relating to other Tesco stores are not considered to be valid comparisons,
- Local residents have stated that Tesco's is already opening outside their existing lawful opening hours,
- Issues should be settled by planning conditions.

- 5.3 **Councillor Mary Mears** objects to the application. Letter attached.

Internal:

- 5.4 **Environmental Health:** No objection

The acoustic report submitted does not address the issue of noise from customers. This shop fronts a main road with a car park opposite. There are no activities at the rear, adjacent to residential houses. In any event, it is unlikely that nuisance will arise from an extra hour in the morning.

- 5.5 **Sustainable Transport:** No objection

The proposal to vary to opening hours from 0700-2300 to 0600-2300 is not considered to have a significant transport impact above those already permitted.

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
QD27	Protection of Amenity
SU9	Pollution and noise control
SU10	Noise nuisance

Brighton & Hove City Plan Part One (submission document)

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

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main consideration in the determination of this application relates to how the proposed variation in condition 5 of planning approval **BH2005/06332** would impact upon the amenity of neighbouring occupiers.

Impact on Amenity:

- 8.2 The original application granted permission for a part one, part two storey retail unit. Condition 5 of the original application stated;
- 8.3 *The premises shall not be open for customers or in use except between the hours of 0700 and 2300. Reason: To safeguard the amenities of the locality and to comply with policy QD27 of the Brighton & Hove Local Plan-Second Deposit Draft 2001.*
- 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 The application proposes an increase in opening hours by an hour in the morning, from 7am to 6am. The hours of operation in the evening would be unchanged.
- 8.6 It is not considered that the proposed hours would result in any significant detrimental impact to the residential amenity of adjoining occupiers. Whilst it is likely that there would be an increase in both pedestrian and vehicular movements between the hours of 06.00 and 07.00 the front entrance of the supermarket is sited at the far eastern end of the front elevation, more than 25m from the residential properties to the west on West Street and there is not considered to be a significantly harmful impact as regards to noise disturbance to these properties. Victoria Mews and Park Terrace are sited behind the store, accessed to the west of the store and similarly it is not considered that additional pedestrian and vehicular movements between 06.00 and 07.00 are likely to result in any significant harm to amenity.
- 8.7 The conditions relating to deliveries and the movement of roll cages, trolleys and other wheel based equipment will remain unchanged and as such the existing

controls on these activities which have a greater potential for noise disturbance will remain in place to protect residential amenity.

- 8.8 The applicant has submitted figures outlining average customer numbers from 06.00-07.00 at two other stores at East Wittering and Bognor Regis. These retail units are outside the Brighton and Hove City Council boundary and as such outside the control of the Local Planning Authority. Notwithstanding this, there is also insufficient information to adequately assess these sites and they are not considered to set a precedent to grant planning permission for the proposed hours at the application site and the current application will be determined on its own merits.
- 8.9 The submitted acoustic report does not address the noise from customers, focusing on refrigeration and air conditioning noise within the plant area. Notwithstanding the deficiencies within the report there is not considered to be any significantly increased noise disturbance to adjoining properties.
- 8.10 The Environmental Health Team has assessed the application and has no objection to the proposal.
- 8.11 It is considered that the proposed hours strike an acceptable balance between protecting the amenity of nearby residential occupiers and supporting the local economy within this mixed residential and commercial area and it is not considered that the proposed extension of opening hours from 06.00 to 23.00 would result in any significant increased noise disturbance to the detriment of the amenity of neighbouring residential occupiers.
- 8.12 The Sustainable Transport Team has no objection to the proposal.

Conditions:

- 8.13 It has not been deemed necessary to attach all the conditions from the original consent. Conditions relating to drainage, land contamination, construction of the western footpath and materials have all been discharged and the development implemented. A subsequent application relating to the plant was approved in 2007 and as such the conditions relating to the plant in the original application have also been omitted.

9 CONCLUSION

- 9.1 To conclude, it is not considered that the proposed extension of opening hours by one hour from 06.00 to 23.00 would result in any significant increased noise disturbance to the detriment of the amenity of neighbouring residential occupiers.

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			28 January 2015
Existing permitted roof plan	P05	A	23 November 2005
Existing permitted site plan	P06	A	23 November 2005
Existing plan & elevations	P07		23 November 2005
Existing permitted elevations	P08	A	23 November 2005
Proposed site plan	P14		23 November 2005
Proposed elevations	P15		23 November 2005
Proposed roof plan	P16		23 November 2005

- 2) The two existing cycle stands sited to the front elevation of the building shall be retained for use at all times. **Reason:** To ensure the provision of on-site bicycle parking facilities and to comply with policy TR14 of the Brighton & Hove Local Plan.
- 3) The premises shall not be open for customers or in use except between the hours of 0600 and 2300. **Reason:** To safeguard the amenities of the locality and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 4) No deliveries associated with the development hereby permitted shall take place between the hours of 20.00 – 07.15 Mondays to Saturdays and between the hours of 16.00 – 08.00 on Sundays and Bank Holidays. **Reason:** To safeguard the amenities of the locality and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 5) The existing refuse and recycling storage facilities shall be retained for use at all times. **Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 6) The threshold to the main customer entrance to the premises shall be flush and retained thereafter. **Reason:** In order to provide satisfactory access for people with disabilities and people with prams and pushchairs to comply with policy QD10 of the Brighton & Hove Local Plan.
- 7) Movement of roll cages, trolleys and other wheel based equipment in the external yard and service area shall not take place other than between the hours of 0700 and 2200. **Reason:** To safeguard the amenities of the

PLANNING COMMITTEE LIST- 1 APRIL 2015

occupiers of adjoining 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
 - (ii) for the following reasons:-
The proposed extension to the opening hours will not result in any significantly increased harm to the amenity of neighbouring occupiers.

Dear Chris Swain.

Re Application for Variation of Condition 5 BH2015/00169.
Tesco Stores West Street Rottingdean.

As a councillor for Rottingdean Coastal Ward I wish to object to the above application for a variation of condition 5 for the following reasons

Currently Condition 5 of the original planning permission BH2004/02617/FP Restricts the hours that the store can trade to between 07.00 and 23.00 hours. These hours were imposed as a result of very considerable widespread concerns over the impact of the store on residential property in West Street, and other addresses in close proximity, particularly in the morning and late at night.

Tesco Stores Ltd has now lodged an application for Variation of Condition 5 to permit opening an hour earlier 7days a week from 06.00 to 23.00 daily.

Condition 5 was attached to the planning permission for the reasons stated. The situation in West Street and surrounding area has not changed.

I was concerned that Tesco Stores Ltd had decided to pre-empt their application and commenced opening at 06.00 from the 22/09/14 in contravention of their current planning permission.

Should the decision be minded to grant this application under delegated powers.

I wish the application to go to the planning committee and reserve my right to speak.

Kind regards.

Mary.

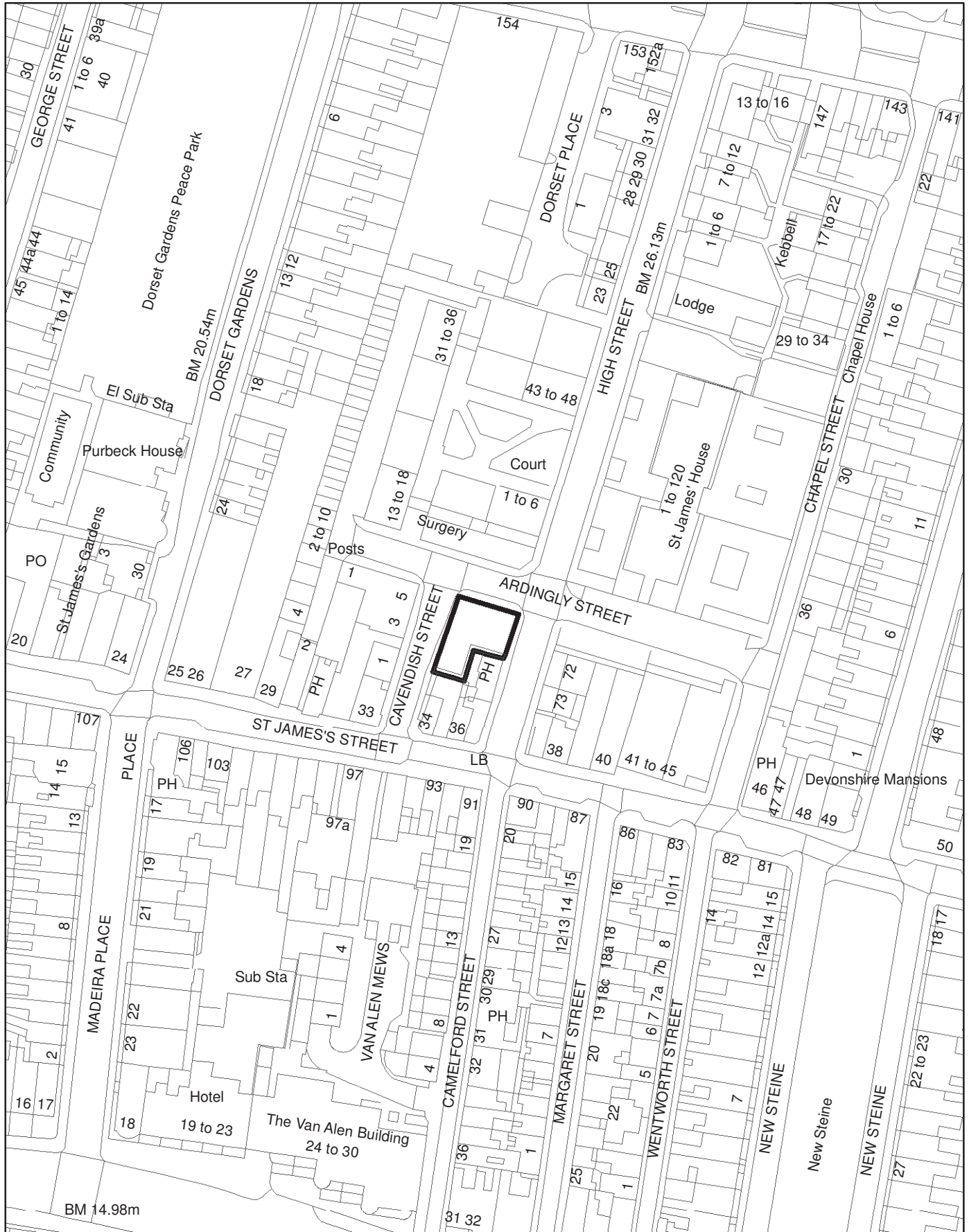
ITEM D

Car Park, Ardingly Street, Brighton

BH2015/00067
Full planning

1 APRIL 2015

BH2015/00067 Car Park, Ardingly Street, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

PLANNING COMMITTEE LIST- 1 APRIL 2015

<u>No:</u>	BH2015/00067	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Car Park Ardingly Street Brighton		
<u>Proposal:</u>	Erection of three storey block containing 2no two bedroom and 3no one bedroom flats.		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	15 January 2015
<u>Con Area:</u>	adjacent East Cliff	<u>Expiry Date:</u>	12 March 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Brighton & Hove City Council, Kings House Grand Avenue Hove BN3 2LS		
<u>Applicant:</u>	Brighton and Hove City Council, Ms Jaine Jolly Kings House Grand Avenue Hove BN3 2LS		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises an open car park on the northern part of a quadrant bounded by Cavendish Street, Ardingly Street and High Street to the west, north and east respectively, and by St James Street to the south. The car park has a capacity of 13 vehicles.
- 2.2 The southern part of the quadrant sits within the East Cliff Conservation Area and is occupied by two and three storey rendered buildings in both residential and commercial use. One half of the southern site boundary abuts the Ranelagh Public House which forms a three storey building fronting High Street. The other half abuts 2 & 2A Cavendish Street which forms a two storey residential building.
- 2.2 More modern 3 storey brick blocks of flats sit to the north of the site, which include a surgery at ground floor level, with a further 16 storey block of flats to the northeast. Two and three storey commercial uses sit opposite to the east and west, partially set within the Conservation Area.

3 RELEVANT HISTORY

3.1 None relevant

4 THE APPLICATION

4.1 Planning permission is sought for the erection of a three storey part brick part rendered building comprising 2 two-bedroom flats and 3 one-bedroom flats. The application has been amended during the course of the submission to reduce the first floor element fronting Cavendish Street.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Four (4)** letters of representation have been received from **5 & 12 Ardingly Court; Ardingly Court Surgery; and 1a Cavendish Street,** objecting to the application for the following reasons:

- Insufficient parking
- Overlooking and loss of privacy
- Overshadowing
- Additional traffic disrupting access to the surgery
- Loss of commercial parking bay and parking for customers may result in business opposite closing
- Loss of parking bays for use by the surgery to provide home visits
- Part of the building should incorporate an expanded surgery as it is oversubscribed

5.2 **Conservation Advisory Group: Objection**

The Group recommend refusal of the application, and feel the design is extremely disappointing. The use of white render has already proved unsatisfactory on many modern buildings in Brighton. The design is box-like and there is no style to the design of the fenestration. The Group believe it is a sad, missed opportunity and feel the design should show respect to the neighbouring buildings, especially the adjoining public house. If the application is recommended for approval, the Group request that the application is heard at committee.

Internal:

5.3 **Environmental Health: No comment**

5.4 **Heritage: No objection**

The development of the car park is considered welcome in principle, and this proposal is of an appropriate scale and reflects the existing pallet of materials. Being just outside the boundary of the conservation area it will affect its setting, however it is not considered harmful. It is not clear from the application what type of render finish is proposed, and self coloured systems have not generally had a successful history in Brighton and Hove, it is therefore considered that a painted wet render system is preferable, where smooth textures and avoidance of expansion joints can be achieved.

5.5 Sustainable Transport: No objection

Recommend approval as the Highway Authority has no objections to this application. The existing car park comprises 13 spaces which are leased by the Council to local residents/businesses. At the request of the Highway Authority the applicant has provided further details as to where the existing car parking spaces are to be provided. It is the intention that 8 car parking spaces will be provided in the car park located behind St James House on High Street. This shall include the provision of 3 spaces for the Ardingly Court doctors surgery.

5.6 Therefore in light of the alternative car parking provision being provided and as there is on-street car parking in the immediate vicinity of the site the Highway Authority has no objections in principle to the loss of the car parking.

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
QD15	Landscape design
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
HE6	Development within or affecting the setting of conservation areas.

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

CP8 Sustainable buildings

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the design of the proposed building and its impact on the surrounding area including the setting of the adjacent East Cliff Conservation Area, the impact on the amenities of adjacent occupiers, the standard of accommodation to be provided, 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.
- 8.3 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.

8.4 Design and Appearance:

The site as existing comprises an open hardstanding currently used as a public car park. Historical maps indicate that the site formerly comprised residential terraces fronting High Street and Cavendish Street that extended to Eastern Road to the North. These terraces were subsequently demolished circa 1966 and replaced with Ardingly Street and an estate of three storey block of flats (Ardingly Court), leaving the application site vacant. The buildings that remain to the south are rendered two and three storey structures that form the northern part of the East Cliff Conservation Area. The modern blocks of flats to the north are of a more utilitarian appearance, completed in brick.

8.5 The proposed building would be three storeys in height and consume the entire footprint of the site, with the exception of a 1.6m gap to 2 & 2a Cavendish Street to the south. The ground floor would be completed in brick with the upper floors rendered to complement the other buildings in the quadrant. This mix of materials suitably articulates the building within its context. The Conservation Advisory Group have raised objection to the use of render and the design of the aluminium windows. Within the context of the site there are a variety of materials and window designs, ranging from traditional sashes to the south to more modern plastic casements and aluminium frames elsewhere. The use of render is appropriate within the setting of the East Cliff Conservation Area and suitably reflects the historic use of this material. Final details are requested by condition to ensure a suitable appearance. Similarly modern aluminium windows of the design proposed are common additions in the area and in historic parts of the city generally. As such no harm is identified. The Heritage officer has raised no objection to these aspects of the proposal, subject to the use of a painted wet render system.

8.6 In terms of scale, the building would sit on the northern, eastern and western footways fronting the site with no relief. Within a city centre location such as this where the majority of buildings are set directly on the footway in a similar manner, no harm is identified and the building would make an efficient and effective use of this otherwise vacant and poor quality site. The building would align with the building lines to the south and would relate appropriately to both adjacent buildings within the quadrant. A brick recess has been included in the design to ensure the junction between the proposed building and the Ranelagh public house adjacent is sensitively treated, whilst the 7.7m first floor separation (as amended) to 2 & 2a Cavendish Street is sufficient to ensure the building does not have an overbearing presence. The Conservation Advisory Group have raised objection to the box-like massing of the building however as described, within the context of the site the overall design, scale and massing of the building is not considered harmful. The Heritage officer has again raised no objection to these aspects of the proposal.

8.6 For these reasons the proposed building is considered a suitably scaled and designed addition to the site that would make an efficient and effective use of

the site without harming the surrounding street scene or the setting of the adjacent East Cliff Conservation Area, in accordance with policies QD1, QD2, QD3 & HE6 of the Brighton & Hove Local Plan.

8.7 Standard of Accommodation:

All five dwellings are of a good size with good access to natural light and ventilation, with each dwelling having access to a balcony to comply with policy HO5. Although the ground floor units would have windows opening directly onto the footway, on balance given the benefit of the proposal in providing additional housing stock and given the density of development generally in the area, this arrangement is not considered so harmful as to warrant the refusal of permission. The application states that all units would be constructed to meet Lifetime Homes standards and this is secured by condition. For these reasons the proposed dwellings are considered to provide for a suitable standard of accommodation in accordance with policies QD27, HO5 & HO13 of the Brighton & Hove Local Plan.

8.8 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.

8.9 The application is supported by a Daylight and Sunlight Study which demonstrates that the proposed building would not have a significantly harmful impact on the amenities of adjacent occupiers opposite the site to the north, east or west, give their separation across public roads of 19m, 10m and 14.5m respectively. This separation is sufficient to ensure that its impact in terms of overlooking and outlook would be consistent with that established in the area.

8.10 The main concern is the impact on the amenities of the adjacent occupiers within the quadrant. There are no side facing windows to 2 & 2a Cavendish Street and no amenity space therefore this property would be largely unaffected. To the south, rear facing bedroom and kitchen windows at 36 St James Street are suitably recessed from the site such that no significant loss of privacy or outlook would occur.

8.11 The main concern is with regard the rear upper floor windows and first floor terrace to the flat above the Ranelagh public house. As existing the terrace overlooks the car park with a westerly and northerly aspect. The proposed building would sit directly on its northern boundary to a height of 6m reducing this outlook accordingly. As submitted, the rear first floor wing fronting Cavendish Street would have blocked the remaining outlook to the west and resulted in overlooking from the terrace above. Amended plans have been received removing this first floor wing and setting the terrace to a lower level. As a result the private terrace and west facing windows to the Ranelagh public house would retain suitable outlook, daylight and sunlight from the west. Whilst the additional massing along the northern boundary would oppress outlook and reduce some light, on balance this is not considered sufficient to withhold

permission given the position of the massing to the north of the terrace and the amendments that retain the open westerly aspect. For these reasons the proposal is considered to accord with policy QD27 of the Brighton & Hove Local Plan.

Sustainable Transport:

- 8.12 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.
- 8.13 The existing car park comprises 13 spaces which are leased by the Council to local residents and businesses. An objector has identified that 3 of these bays are used by doctors of the surgery opposite to enable them to undertake home visits. This has been confirmed by the applicants. The application details that all existing car park leases will be offered a space to lease in alternative car parking premises nearby. It has been confirmed that 8 new spaces are to be provided in the adjacent car park on High Street behind St James House, including 3 bays to be used by doctors from the surgery. A condition is attached to ensure that this provision is satisfied before works commence. Whilst all 13 bays will not be re-provided, this is considered acceptable in this town centre location given the presence of further public parking adjacent at St James House, and is accepted by Sustainable Transport officers.
- 8.14 The owner of a florist at 1 Cavendish Street has raised concern at the impact of the loss of the parking on deliveries and pick-ups for his business. It is noted that there is a loading bay adjacent on St James Street whilst there would be no other loss of loading bays on the site. Although parking is difficult in the area, as above there remains public parking both on street and at St James House to the north east. There is therefore no indication that the loss of the 13 parking spaces would wholly prejudice the ability of any business in the area to otherwise function.
- 8.15 The application proposes no onsite parking for occupants. Given the high levels of parking in the area and sustainable location of the site within a town centre close to shops, public transport routes and employment, it is considered necessary to ensure that the development is made car-free in accordance with policy HO7. This is secured by condition. In terms of cycle parking, dedicated provision is set out in a store fronting Cavendish Street. Final details are secured by condition. The development of five dwellings would not result in an appreciable increase in trip generation therefore a contribution towards sustainable transport infrastructure is not sought. The applicants are proposing alterations to improve the kerbline around the northern part of the site to improve pedestrian access and retain suitable vehicular passing. These alterations are welcomed to offset the potential impact on the development and are secured by condition. The proposal therefore accords with policies TR1, TR7 & TR14 of the Brighton & Hove Local Plan.

Sustainability:

- 8.16 Policy SU2 and SPD08 requires efficiency of development in the use of energy, water and materials and recommends that residential development of this nature

on previously developed land should achieve Level 3 of the Code for Sustainable Homes. However, policy CP8 of the submission City Plan Part One requires such development to meet Level 4 and this is the level now being sought as the advanced stage of the emerging Plan ensures it carries greater weight than SPD08.

- 8.17 The application is supported with a Sustainability Checklist which details that the development will meet Level 4 of the Code for Sustainable Homes. This is sufficient to meet the requirements of policy CP8 and is secured by condition. Acceptable refuse and recycling facilities are provided in a storeroom on the eastern frontage and are secured by condition. Subject to the recommended conditions the proposed development would meet the sustainability criteria set out in policy SU2 and SPD08.

9 CONCLUSION

- 9.1 The proposed development represents a suitably scaled and designed addition that would not harm the appearance of the site or adjacent East Cliff Conservation Area or the amenities of adjacent occupiers, and would provide for an acceptable standard of accommodation for future residents. The proposal would not result in additional transport demand in the area and would re-provide parking bays for doctors to the surgery opposite. The development accords with development plan policies.

10 EQUALITIES

- 10.1 A neighbouring resident who has self identified as Trans has raised concern that overlooking may be more pronounced given her gender status. There is no evidence that the development would give rise to unusual or excessively pronounced overlooking potential, particularly given the separation across a public street.

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
Existing site plan and block plan	P_001	-	12/01/2015
Proposed site plan and block plan	P_002	A	16/03/2015
Proposed floor plans and roof	P_003	A	16/03/2015

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plan	P_004	A	16/03/2015
	P_005	A	16/03/2015
	P_006	A	16/03/2015
	P_007	A	16/03/2015
Proposed elevations	P_008	B	16/03/2015
	P_009	A	16/03/2015
	P_010	A	16/03/2015
Proposed external works	P_011	A	16/03/2015

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

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

- 4) Other than the dedicated balcony areas detailed on the submitted plans, access to the flat roofs 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.

- 5) 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.

11.2 Pre-commencement conditions:

- 6) 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 and render (including details of the type of render and the colour to be used)
- b) details 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 & HE6 of the Brighton & Hove Local Plan.

- 7) Unless otherwise agreed in writing by the Local Planning Authority, no development above ground floor slab level shall take place until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code

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level 4 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policies SU2 of the Brighton & Hove Local Plan and CP8 of the submission City Plan Part One

- 8) No development above ground floor slab level shall take place 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) No development above ground floor slab level shall take place until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

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

- 10) No development shall take place until a scheme setting out highway works to implement changes to the kerb line at the corner of Cavendish Street and Ardingly Street and at the corner of High Street and Ardingly Street which includes the provision of dropped kerbs and tactile paving and to reinstate the dropped kerb around the site to footway has been submitted to and approved in writing by the local planning authority. No part of the building hereby approved 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.

- 11) No development shall commence until a scheme setting out the full details of the re-provision of the existing car parking spaces on the Ardingly car park, including the provision of 3 spaces for the Ardingly Court doctors surgery, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available prior to any works commencing on site.

Reason: To ensure that a suitable parking provision is provided for the operational needs of existing businesses and to comply with policies TR1 and QD27 of the Brighton & Hove Local Plan.

11.3 Pre-occupation conditions:

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

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and CP8 of the submission City Plan Part One.

- 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.

11.4 Informatives:

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

The proposed development represents a suitably scaled and designed addition that would not harm the appearance of the site or adjacent East Cliff Conservation Area or the amenities of adjacent occupiers, and would provide for an acceptable standard of accommodation for future residents. The proposal would not result in additional transport demand in the area and would re-provide parking bays for doctors to the surgery opposite. The development accords with development plan policies.
3. The applicant is advised that the scheme required to be submitted by Condition 9 should include the registered address of the completed development; an invitation to the Council as Highway Authority (copied to the Council's Parking Team) to amend the Traffic Regulation Order; and

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details of arrangements to notify potential purchasers, purchasers and occupiers that the development is car-free.

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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
10 th March 2015	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 Droveaway, Hove	Hove Park	Demolition of existing buildings and construction of a new two storey primary school building with brise soleil solar shading, solar panels and windcatchers with associated external hard and soft landscaping
18 th February 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 01 April 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

BH2014/03532

4 Midhurst Rise Brighton

Erection of a single storey rear extension.

Applicant: Mr Nick Lynch

Officer: Joanne Doyle 292198

Approved on 20/02/15 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	CH642/001		20 Sep 2014
Existing Floor Plans	CH642/002		20 Sep 2014
Existing Elevations & Sections	CH642/003		20 Sep 2014
Proposed Floor Plans	CH642/004		20 Sep 2014
Proposed Elevations & Sections	CH642/005		20 Sep 2014

BH2014/03775

16 Overhill Drive Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, side window and rear dormer.

Applicant: Barry Sinclair

Officer: Joanne Doyle 292198

Approved on 23/02/15 DELEGATED

BH2014/03959

5 Northfield Way Brighton

Installation of dormer to replace existing rooflights to front elevation.

Applicant: Mr Mark Morgan

Officer: Joanne Doyle 292198

Approved on 05/03/15 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 Floor Plan & Elevations	457/02		25 Nov 2014
Site Location Plan Block Plan Proposed Floor Plans & Elevations	457/01	A	27 Jan 2015

BH2014/04094

Patcham Service Station London Road Brighton

Display of externally illuminated freestanding information signs and externally illuminated and non illuminated projecting signs.

Applicant: Esso Petroleum Co Ltd

Officer: Robert Hermitage 290480

Approved on 06/03/15 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.

BH2014/04369

43 Lyminster Avenue Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, front rooflights and rear dormer.

Applicant: Jill Lownie

Officer: Astrid Fisher 292337

Approved on 23/02/15 DELEGATED

BH2015/00005

18 Brangwyn Court Brangwyn Way Brighton

Replacement of existing timber windows and door with UPVC units.

Applicant: Mrs Annette Green

Officer: Astrid Fisher 292337

Approved on 06/03/15 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		05 Jan 2015
Window Details	02		05 Jan 2015
Window Details	03		05 Jan 2015
Window Details	04		05 Jan 2015
Annotated Photograph	05		05 Jan 2015

BH2015/00028

15 Keymer Road Brighton

Erection of a part one part two storey side extension.

Applicant: Rebecca Ellett

Officer: Guy Everest 293334

Approved on 11/03/15 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 commence until details, including scaled elevation and layout plans, of the proposed access from the approved rear single door and double doors to the garden have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure a satisfactory appearance to the development, safeguard the amenities of neighbouring occupiers and to comply with policies QD1, QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

3) UNI

The first floor window in the northern (rear) elevation of the extension hereby permitted shall be obscure glazed and non-opening, unless the part of the window which can be opened is more than 1.7 metres above the floor of the room in which the window is installed and 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, Existing Floor Plans & Elevations	01		06/01/2015
Block Plan, Proposed Floor Plans & Elevations	02	A	27/01/2015

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.

BH2015/00069

19 Bengairn Avenue Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension , creation of rear dormer and installation of 2no front rooflights.

Applicant: Mr Grant Crossley

Officer: Robert Hermitage 290480

Approved on 20/02/15 DELEGATED

BH2015/00274

22 Baranscraig 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 4m, for which the maximum height would be 3.9m, and for which the height of the eaves would be 2.95m.

Applicant: Mr J Beer

Officer: Astrid Fisher 292337

Prior approval not required on 27/02/15 DELEGATED

BH2015/00296

34 Hartfield 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 4m, for which the maximum height would be 2.85m, and for which the height of the eaves would be 2.6m.

Applicant: Mr M Bishop Lynham

Officer: Haydon Richardson 292322

Prior approval not required on 27/02/15 DELEGATED

PRESTON PARK

BH2014/04111

13 Sandgate Road Brighton

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

Applicant: Mr & Mrs Joe Aliferis

Officer: Joanne Doyle 292198

Approved on 09/03/15 DELEGATED

BH2014/04308

43 Springfield Road Brighton

Certificate of lawfulness for proposed outbuilding in rear garden.

Applicant: Mr Peter Aston

Officer: Chris Swain 292178

Approved on 05/03/15 DELEGATED

BH2015/00006

211 Preston Drove Brighton

Erection of single storey rear extension.

Applicant: Mr & Mrs Gavin & CeCe Finch

Officer: Luke Austin 294495

Approved on 27/02/15 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 and Proposed Elevations, Plans and Sections	12/14/211PD - 001	-	05/01/2015

BH2015/00097

22c Stafford Road Brighton

Roof alterations including rooflights to front and rear roof slopes.

Applicant: Mr Laurence Read

Officer: Astrid Fisher 292337

Approved on 26/02/15 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	01		14 Jan 2015
Block Plan	02		14 Jan 2015
Existing and Proposed Plans to First and Second Floor	03	A	30 Jan 2015

BH2015/00161

Flat 3 5 Preston Park Avenue Brighton

Application for approval of details reserved by condition 4 of application BH2013/03162.

Applicant: Mr D Golding

Officer: Adrian Smith 290478

Approved on 05/03/15 DELEGATED

BH2015/00227

57 Hamilton Road Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.83m, for which the maximum height would be 3.4m, and for which the height of the eaves would be 2.53m.

Applicant: Linda Bennett

Officer: Luke Austin 294495

Prior approval not required on 23/02/15 DELEGATED

REGENCY

BH2014/01437

5B Regency Square Brighton

Conversion of drinking establishment (A4) into 1no two bedroom flat (C3) with alterations to side and rear.

Applicant: Mrs H Claxton

Officer: Helen Hobbs 293335

Approved on 11/03/15 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 French doors hereby approved shall be inward-opening painted timber doors without trickle vents and with architraves, glazing bar dimensions and mouldings and from mouldings to match exactly those of the original windows and with a masonry step. The doors shall be set back from the outer face of the building and recessed into the reveals to the same depth as the original windows.

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

3) UNI

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

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

4) 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.

5) UNI

All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

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

6) UNI

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

A completed pre-assessment estimator will not be acceptable.

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

7) UNI

The residential unit hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

8) UNI

The development hereby permitted shall 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, 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 and Hove Local Plan.

9) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan	ADC654/LP		2nd May 2014
Block plan	ADC654/BP		2nd May 2014
Floor plans as existing	ADC654/01		2nd May 2014
Floor plans as proposed	ADC654/02	F	5th February 2015
Elevations as existing	ADC654/03		2nd May 2014
Elevations as proposed	ADC654/04	H	19th February 2015
Window joinery details	ADC654/05	D	11th February 2015
Door joinery details	ADC654/06	D	19th February 2015

10) UNI

The windows and doors shall be set in plain reveals with no 'drip mouldings'.

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

BH2014/01438

5B Regency Square Brighton

Conversion of drinking establishment (A4) into 1 no two bedroom flat (C3) with alterations to side and rear.

Applicant: Mrs H Claxton

Officer: Helen Hobbs 293335

Approved on 11/03/15 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 new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

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

3) UNI

The windows and doors shall be set in plain reveals with no 'drip mouldings'.

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

4) UNI

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

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

5) UNI

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

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

BH2014/02942

Basement Flat 1 13 Montpelier Street Brighton

Internal alterations to layout of flat and installation of new window layout at rear.

Applicant: Mrs Sarah McBrearty

Officer: Helen Hobbs 293335

Approved on 26/02/15 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 additional vent to the rear of the building shall be painted to match the background wall adjacent 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

All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

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

4) UNI

The windows hereby approved shall be painted timber windows with no trickle vents and shall match exactly the subcill, masonry cill and reveal details to the original sash windows to the building, and shall be set back from the outer face of the building with reveals to match exactly the original sash boxes to the building.

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

5) UNI

The windows and doors shall be set in plain reveals with no 'drip mouldings'.

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

BH2014/02943

Basement Flat 1 13 Montpelier Street Brighton

Installation of new window layout at rear.

Applicant: Mrs Sarah McBrearty

Officer: Helen Hobbs 293335

Approved on 26/02/15 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 additional vent to the rear of the building shall be painted to match the background wall adjacent 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

The windows and doors shall be set in plain reveals with no 'drip mouldings'.

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

4) UNI

All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

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

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Site and block plan	14-012-101-#	-	2nd September 2014

Plans and elevations	14-012-301-	B	10th November 2014
Window and door details	14-012-302-	B	5th February 2015
Window details	14-012-304-	A	5th February 2015

6) UNI

The windows hereby approved shall be painted timber windows with no trickle vents and shall match exactly the subcill, masonry cill and reveal details to the original sash windows to the building, and shall be set back from the outer face of the building with reveals to match exactly the original sash boxes to the building.

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

BH2014/03207

51 Ship Street Brighton

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

Applicant: Veerose Limited

Officer: Christopher Wright 292097

Approved after Section 106 signed on 09/03/15 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 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 policies HE1 and HE6 of the Brighton & Hove Local Plan.

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

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

6) UNI

No works shall take place until full details of the glazing systems to both the first floor level of the Ship Street façade, and the rear properties overlooking the light-well accessed via Clarence House have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

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

7) UNI

No development shall take place until full details of the ventilation systems to be installed have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: To safeguard the amenities of the occupiers of the development and to comply with policies SU10 and QD27 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 works shall take place until full details of the proposed new replacement windows and their reveals and cills, including 1:20 scale sample elevations and 1:1 scale joinery profile sections 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.

10) UNI

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

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

11) UNI

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.

12) 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.

13) UNI

Notwithstanding the information submitted, no development shall commence until full details of how the first floor flats will be protected against airborne sound transmission from activities associated with the ground floor unit, (e.g. kitchen, toilets and public areas for example) have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of the property and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan and to ensure a satisfactory appearance to the development and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

14) UNI

Unless otherwise agreed in writing none of the residential units hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

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 Location Plan	H2031.01		23 Sep 2014
Block Plan	H2031.02		23 Sep 2014
Existing Elevations (A-D)	H1976.08.01	H	23 Oct 2014
Existing Elevations (E-I)	H1976.08.02	H	23 Oct 2014
Existing Basement Layout	H2031.03.01	B	23 Sep 2014
Proposed Basement Layout	H2031.03.02	C	23 Oct 2014
Existing and Proposed Ground Floor Layout - Ship Street Entrance Area and Hallway	H2031.04	A	23 Sep 2014
Existing and Proposed Ground Floor Layout - Rear Communal Entrance Area	H2031.05	A	23 Sep 2014
Existing First, Second and Third Floor Layout - Demolition & Removals	H2031.06	B	23 Dec 2014
Proposed First, Second and Third Floor Layout	H2031.07	A	23 Sep 2014
Proposed First Floor Layout Plan - West Block	H2031.08	A	23 Sep 2014
Proposed First Floor Layout	H2031.09	A	23 Sep 2014

Plan - East Block			
Proposed Second Floor Layout	H2031.10	A	23 Sep 2014
Proposed Third Floor Layout Plan	H2031.11	A	23 Sep 2014
Existing Roof Layout and Proposed Roof Space Layouts	H2031.12	A	23 Sep 2014
External Areas - External Area Location Plan and External Area (1)	H2031.13	B	23 Dec 2014
External Area (3)	H2031.14	A	23 Sep 2014
External Area (4)	H2031.15		23 Sep 2014
External Areas (2) and (5)	H2031.16		23 Sep 2014
Building Regulations Notes	H2031.17		23 Sep 2014
Proposed Floor Finishes	H2031.18	A	23 Dec 2014
Proposed Ceiling Finishes	H2031.19	A	23 Dec 2014
Proposed Insulation to Inside Face of External Walls - First, Second and Third Floors	H2031.20		23 Sep 2014
External Maintenance & Repair Proposed Elevations A-D & Roof Plan	H1976.CO4	F	23 Sep 2014
External Maintenance & Repair Proposed Elevations E-I & Roof Plan	H1976.C05	D	23 Sep 2014
Gate to Bin Store	A4/SS/G01		23 Sep 2014

BH2014/03360

19 Market Street Brighton

Certificate of lawfulness for existing use of first floor as a self contained flat.

Applicant: Baron Homes Corporation

Officer: Guy Everest 293334

Approved on 06/03/15 DELEGATED

BH2014/03623

Unit 11-13 Churchill Square Brighton

Erection of extension to retail unit (A1) at first floor level with associated raising of roof height, new shop front, installation of roller shutter and associated alterations.

Applicant: Kleinwort Benson (Channel Islands) Corporate Services & Kleinworth

Officer: Helen Hobbs 293335

Approved on 03/03/15 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	(PL)0101	A	07/11/2014
Existing upper car park plan	(PL)102		07/11/2014
Existing lower mall plan	(PL)103		07/11/2014
Existing upper mall plan	(PL)104		07/11/2014
Existing first floor plan	(PL)105		07/11/2014
Existing roof plan	(PL)106		07/11/2014
Existing elevations	(PL)107		07/11/2014
Existing section	(PL)108		07/11/2014
Proposed upper car park plan	(PL)110		07/11/2014
Proposed lower mall plan	(PL)111		07/11/2014
Proposed upper mall (ground floor)	(PL)112		07/11/2014
Proposed first floor plan	(PL)113		07/11/2014
Proposed roof plan	(PL)114		07/11/2014
Proposed elevations	(PL)115	B	24/02/2015
Proposed section	(PL)116		07/11/2014
Existing shop front	TAL/0040-E-S F-East	A	07/11/2014
Proposed shop front	TAL/0040/P-S F-West	H	24/02/2015
Proposed shop front	TAL/0040/P-S F-East	H	24/02/2015
Proposed shop front	TAL/0040/P-S F-CIRCULAR	C	07/11/2014

BH2014/03670

Garage to Rear of 26 Russell Square Brighton

Demolition of existing garage and erection of 1no one bedroom residential dwelling (C3).

Applicant: Mr Peter Woodger

Officer: Wayne Nee 292132

Refused on 24/02/15 DELEGATED

1) UNI

The proposed development, by reason of its siting, scale, and massing, would appear an overly cramped and unsympathetic development resulting in the overdevelopment of the site. Furthermore, by reason of its design and detailing, the proposed building would lack relief and articulation on the front elevation, and would include fenestration consisting of unsympathetic modern materials. In addition the proposed bike stand and clothes line attached to the front elevation are considered to be visual clutter on the principal elevation of the building. As a result the proposed development would cause harm to the character and appearance of the Regency Square Conservation Area, and thus be contrary to policies QD1, QD2, QD3 and HE6 of the Brighton and Hove Local Plan.

2) UNI2

The proposed residential dwelling, by reason of its layout and absence of adequate natural light, ventilation and outlook, would provide an unsatisfactory standard of residential accommodation which would fail to meet the likely needs of future occupiers. This harm is considered to outweigh the benefit provided by the additional residential unit. The proposed development is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

3) UNI3

The development, by virtue of its scale and siting in close proximity to shared

boundaries, would appear overbearing, causing significant harm to amenity for occupants of surrounding neighbouring properties on Russell Square. In addition, there would also be a loss of amenity by virtue of loss of privacy and overlooking to the neighbouring flats at no. 27 Russell Square. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/04004

12 Dukes Lane Brighton

Display of internally illuminated fascia signs.

Applicant: Oasis

Officer: Jason Hawkes 292153

Approved on 02/03/15 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.

BH2014/04188

17a Dukes Lane Brighton

Installation of front and rear dormers, rear rooflight and associated roof alterations.

Applicant: Mrs J Benson

Officer: Robert Hermitage 290480

Approved on 10/03/15 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 windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such thereafter.

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

3) UNI

The external finishes of the roof extension to the rear elevation, excluding the dormer windows, shall match in material, colour and texture those of the existing front roofslope of the building.

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

4) UNI

The front 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.

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	01	-	11th December 2014
Proposed Plans and Elevations	02	-	5th January 2015
Third Floor Plans and Roof Plan	03	-	11th December 2014
Location and Block Plan	05	-	11th December 2014

6) UNI

The roof extension hereby approved shall be built only in conjunction with the roof extension approved under planning application BH2014/04189 in relation to the adjacent property 18A Dukes Lane and shall not be erected as a single entity in isolation from that adjacent development but shall be implemented jointly and

simultaneously with the same.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/04189

18a Dukes Lane Brighton

Loft conversion incorporating front and rear dormers, rear rooflight and associated roof alterations.

Applicant: Mr Rob Gluckman

Officer: Robert Hermitage 290480

Approved on 10/03/15 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 front rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	01	-	11th December 2014
Proposed Plans and Elevations	02	-	5th January 2015
Third Floor Plans and Roof Plan	03	-	11th December 2014
Location and Block Plan	05	-	11th December 2014

4) UNI

The roof extension hereby approved shall be built only in conjunction with the roof extension approved under planning application BH2014/04188 in relation to the adjacent property 17A Dukes Lane and shall not be erected as a single entity in isolation from that adjacent development but shall be implemented jointly and simultaneously with the same.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

5) UNI

The external finishes of the roof extension to the rear elevation, excluding the dormer windows, shall match in material, colour and texture those of the existing front roofslope of the building.

Reason: To ensure a satisfactory appearance to the development and to comply

with policy HE6 of the Brighton & Hove Local Plan.

6) UNI

All new 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.

BH2014/04211

Land at and adjacent to West Pier and 62-73 Kings Road Arches Kings Road Brighton

Demolition of existing arches at 62-73 Kings Road Arches and replacement with supporting structure to link to rear of the i360 heritage centre approved under BH2006/02369.

Applicant: Marks Barfield Architects

Officer: Kathryn Boggiano 292138

Approved on 20/02/15 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 to arches numbered 14 and 15 within the Structural Condition Appraisal received 11 December 2014, until a scheme which details the physical measures involved in the restoration of these aforementioned arches has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include details of how the internal walls and roof and southern facing façade shall be restored. The existing render finish and moulded architraves on the south façade must be retained and notwithstanding the approved plans the new doors and infilling of the blocked opening shall be positioned at the back (north) of the openings so that the depth of the reveals is retained. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

Reason: To ensure the satisfactory preservation of the two arches which will remain as part of the scheme and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

If any additional features are discovered during demolition of the arches numbered 1 to 13 within the Structural Condition Appraisal received 11 December 2014, other than those features specifically recorded within the HOP Historic Building Record received 16 February 2015, then an additional Historic Building Record shall be submitted and agreed in writing by the Local Planning Authority within 28 days of commencement of development of the replacement structure. The additional Historic Building Record shall be carried out in accordance with the details contained within English Heritage's 2006 Document Understanding Historic Buildings - A Guide to Good Recording Practice for Level 3 Recording.

Reason: To ensure that the heritage asset is accurately recorded and to comply with policy HE2 of the Brighton & Hove Local Plan.

BH2014/04237

7-8 Prince Albert Street Brighton

Display of 4no internally illuminated fascia signs, 2no externally illuminated hanging signs, 2no internally illuminated wall mounted menu boxes and non-illuminated high level lettering and logo sign.

Applicant: Gondola Group Ltd
Officer: Mark Thomas 292336
Split Decision on 02/03/15 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

GRANT advertisement consent for the fascia signs and projecting signs shown on drawings no. 455347/4A and 455347-5A and the wall mounted sign shown on drawing no. 455347-4A subject to Conditions and Informatives.

1) UNI

REFUSE advertisement consent for the wall mounted menu sign shown on drawing no. 455347-5A and high level lettering and logo sign shown on drawings no. 455347/4A and 455347-5A.

2) UNI2

The proposed painted sign (item 1) would be unduly prominent due to an inappropriately coloured painted background. The menu board to the Prince Albert Street elevation (item 2) would relate poorly to the recipient property being wider than the pilaster to which it would be affixed. For these reasons the painted sign and menu board would result in significant harm to the character and appearance of the Grade II Listed Building and the Old Town Conservation Area, contrary to policy HE9 of the Brighton and Hove Local Plan.

BH2014/04238

12 Dukes Lane Brighton

Alterations to existing shopfront including replacement of existing doors with full height glazing and extension of stall riser.

Applicant: Oasis

Officer: Mark Thomas 292336

Approved on 02/03/15 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 shopfront hereby permitted shall match in material, colour, style, bonding and texture those of the existing shopfront.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD10 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	-	-	16th December 2014
Existing floor plan	7715/01	-	5th January 2015
Proposed floor plan	7715/02	-	5th January 2015
Existing elevation	11611_SF00	-	16th December 2014
Proposed elevation	11611-SF01	-	16th December 2014
Proposed elevation	7715/P	-	5th January 2015
Proposed section	7715/03	-	5th January 2015

BH2014/04257

7-8 Prince Albert Street Brighton

Repainting of building and installation of illuminated fascia and projecting signs and awnings to replace existing and illuminated menu boxes.

Applicant: Gondola Group Ltd

Officer: Andrew Huntley 292321

Refused on 03/03/15 DELEGATED

1) UNI

The proposed high level painted panel (item 1) would not be a suitable colour for traditional stucco render and the proposed menu board to the Prince Albert Street elevation (item 2) would be wider than the pilaster to which it would be affixed. These proposed signs would have an adverse effect on the architectural and historic character or appearance of the Grade I Listed Building and are therefore contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2014/04268

32 Montpelier Crescent Brighton

Alteration to layout of ground floor to create 2no flats incorporating revised fenestration. (Part Retrospective)

Applicant: Mike Stimpson Properties

Officer: Liz Arnold 291709

Refused on 09/03/15 DELEGATED

1) UNI

The conversion has resulted in the loss of a unit of residential accommodation suitable for family occupation. There is no justification for the failure to provide a unit of accommodation suitable for family occupation and the development is therefore contrary to policy HO9 of the Brighton & Hove Local Plan.

BH2014/04274

Grand Hotel 97 Kings Road Brighton

Replacement of existing windows and doors with double glazed timber windows and doors to south west turret.

Applicant: The Grand Hotel

Officer: Mick Anson 292354

Approved on 26/02/15 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 and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the Listed Building.

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

3) UNI

The windows hereby approved shall have no trickle vents and the frames shall be set back in reveals to exactly match the existing profile of the windows frames and openings.

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 except in respect of the external door handles of Door Types C and D (Drawing no. 0001 Rev A) which shall not be installed.

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

Plan Type	Reference	Version	Date Received
6th Floor Bay Window Existing Threshold Detail	1034 - 01		18.12.14
Door Threshold Detail	1034 - 02		
		18.12.14	
Existing West Elevation	1034 - 03		05.01.15
Existing South Elevation	1034 - 04		05.01.15
South West Turret Elevations	1034 - 05		05.01.15
Location Plan	1034 - 06		05.01.15
Site Plan	1034 - 07		05.01.15
Door Threshold Detail	1034 - 11		05.01.15
Window Types	0001	Rev A	04.01.15
Section Details	0003	Rev A	04.01.15
Section Details	0004	Rev A	04.01.15

BH2014/04275

Grand Hotel 97 Kings Road Brighton

Replacement of existing windows and doors with double glazed timber windows and doors to south west turret.

Applicant: Mr Kris Legg

Officer: Mick Anson 292354

Approved on 26/02/15 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 new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the Listed Building.

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

3) UNI

The windows hereby approved shall have no trickle vents and the frames shall be set back in reveals to exactly match the existing profile of the windows frames and openings.

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 except in respect of the external door handles of Door Types C and D (Drawing no. 0001 Rev A) which shall not installed.

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

BH2014/04297

51-53 West Street Brighton

Replacement of one existing air condenser unit and installation of 2no additional air condenser units to rooftop of building.

Applicant: Mitie

Officer: Christopher Wright 292097

Approved on 20/02/15 DELEGATED

1) UNI

Noise associated with the proposed air conditioning condenser units 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(A) below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS4142:1997.

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan at 1:1250 scale			19 Dec 2014
As Existing Plans	001		19 Dec 2014
As Proposed Plans	002		19 Dec 2014
Daikin information sheet			5 Jan 2015

BH2014/04333

40 Duke Street Brighton

Erection of three storey extension to replace existing single storey extension with new flat roof to existing corridor extension. Installation of new shop front and external alterations.

Applicant: Fabrica Gallery

Officer: Liz Arnold 291709

Approved on 02/03/15 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 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, glazing, 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 strict accordance with the approved details.

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

3) UNI

Before works commence a full photographic record of the following features shall be submitted to and approved in writing by the local planning authority:

- a) The flint boundary wall to the northern boundary of the site;
- b) The existing ground floor stained glass window to the north aisle at the

western end, which is present on the north side of the west facing elevation,
 c) The existing first floor window to the north aisle at the western end, which is present on the north side of the west facing elevation.

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

4) UNI

No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the programme of archaeological work has been completed in accordance with the approved Written Scheme of Archaeological Investigation

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan.

5) UNI

Before works commence a specification of works for the demolition and rebuilding of the flint wall to the northern and western boundary, to include the proposed mortar mix, shall be submitted to and approved in writing by the local planning authority and the works shall be implemented in strict accordance with the agreed details.

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

6) 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 the satisfactory appearance to the development, to preserve the listed building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

7) UNI

Before works commence to rebuild the northern boundary a sample panel of flintwork shall be 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 the satisfactory appearance to the development, to preserve the listed building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

8) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plan	Existing (10)000	Rev. B	5th January 2015
Existing Floor Plans	Ground Floor (20)000	Rev. A	22nd December 2014
Existing Floor Plans	First Floor	Rev. A	22nd December

	(20)001		2014	
Existing Floor Plans	Roof Plan (20)002		22nd December 2014	
Proposed Floor Plans	Ground Floor (21)000	Rev. C	6th February 2015	
Proposed Floor Plans	First Floor (21)001	Rev. B	22nd December 2014	
Proposed Floor Plans	Second Floor (21)002	Rev. B	22nd December 2014	
Proposed Floor Plans	Roof (21)003	Rev. B	22nd December 2014	
Existing Elevations	(30)000	Rev. A	22nd December 2014	
Existing Elevations	South Elevation (30)001		22nd December 2014	
Existing Elevations	West Elevation (30)002		22nd December 2014	
Existing Elevations	North Elevation (30)003		22nd December 2014	
Proposed Elevations	East Elevation (31)000	Rev. B	22nd December 2014	
Proposed Elevations	South Elevation (31)001	Rev. B	19th February 2015	
Proposed Elevations	West Elevation (31)002		22nd December 2014	
Proposed Elevations	North Elevation (31)003		22nd December 2014	
Existing Sections	Section AA (40)000		22nd December 2014	
Existing Section	Section CC (40)001		22nd December 2014	
Proposed Sections	Section AA (41)000		22nd December 2014	
Proposed Sections	Section BB (41)001		22nd December 2014	
Proposed Section	Section CC (41)002		22nd December 2014	
Detail Sections	Movement of Nave Window (50)000		22nd December 2014	
Detail Sections	Proposed Door to Artist Resource (50)001		22nd December 2014	
Door Jamb Detail	Proposed Door to Artist Resource (50)002		22nd December 2014	
Details	Connections Between		22nd December 2014	

	Extension and Extg Bldg (50)003		
Detail Sections	Shopfront Window (50)004	Rev. A	6th February 2015

9) UNI

Before works commence to remove the ground floor stained glass window to the north aisle, present on the north side of the west facing elevation, a method statement and specification of works for the removal, safe storage and reinstatement and restoration of the window at first floor level shall be submitted to and approved in writing by the local planning authority and the works shall be implemented in strict accordance with the agreed details.

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

BH2014/04334

40 Duke Street Brighton

Erection of three storey extension to replace existing single storey extension with new flat roof to existing corridor extension. Installation of new shop front. Internal alterations to layout and external alterations.

Applicant: Fabrica Gallery

Officer: Liz Arnold 291709

Approved on 02/03/15 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

Before works commence a full photographic record of the following features shall be submitted to and approved in writing by the local planning authority:

- a) The flint boundary wall to the northern boundary of the site;
- b) The existing ground floor stained glass window to the north aisle at the western end, which is present on the north side of the west facing elevation,
- c) The existing first floor window to the north aisle at the western end, which is present on the north side of the west facing elevation.

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

3) UNI

Before works commence to remove the ground floor stained glass window to the north aisle, present on the west facing rear elevation a method statement and specification of works for the removal, safe storage and reinstatement and restoration of the window at first floor level shall be submitted to and approved in writing by the local planning authority and the works shall be implemented in strict accordance with the agreed details.

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

4) UNI

Before works commence details of the proposed secondary glazing shall be submitted to and approved in writing by the local planning authority and the works shall be implemented in strict accordance with the agreed details.

Reason: To ensure the satisfactory preservation of this listed building and to

comply with policy HE1 of the Brighton & Hove Local Plan.

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

6) UNI

Before works commence to rebuild the northern boundary a sample panel of flintwork shall be 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 the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

7) UNI

Before works commence details of the proposed treatment of the facing brickwork where it is to form an internal elevation shall be submitted to and approved in writing by the local planning authority and the works shall be implemented in strict accordance with the agreed details.

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

8) UNI

Notwithstanding the note on drawing no. 2045/(21)000/B no paint covering shall be applied to the brick pavers to the corridor west of the former chancel.

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

9) 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) samples of brick, glazing, 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 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.

10) UNI

Before works commence a specification of works for the demolition and rebuilding of the flint wall to the northern and western boundary, to include the proposed mortar mix, shall be submitted to and approved in writing by the local planning authority and the works shall be implemented in strict accordance with the agreed details.

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

BH2015/00063

Crown House 21 Upper North Street Brighton

Prior approval for change of use of first, second, third, fourth and fifth floors from offices (B1) to residential (C3) to form 45no residential units.

Applicant: Brighton Developments Limited
Officer: Christopher Wright 292097
Prior Approval is required and is approved on 05/03/15 DELEGATED

ST. PETER'S & NORTH LAINE

BH2013/03926

The Astoria 10-14 Gloucester Place Brighton

Demolition of existing Grade II listed building and construction of new building consisting of 3no storeys in height at rear and 6no storeys in height at front (including basement) incorporating retail/café/restaurant (A1/A3) on the ground floor fronting Gloucester Place and community rooms (D1) on the ground floor fronting Blenheim Place with offices (B1) above and to the rear, together with 6no residential units (C3) on the fifth floor.

Applicant: H30 Media Ltd
Officer: Adrian Smith 290478

Approved after Section 106 signed on 05/03/15 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

Unless otherwise agreed in writing by the Local Planning Authority, none of the retail/café/restaurant development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the retail/café/restaurant development built has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.

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

3) UNI

Prior to first occupation the windows within the west elevation of the three storey element 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 policy QD27 of the Brighton & Hove Local Plan.

4) UNI

Unless otherwise agreed in writing by the Local Planning Authority, 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 development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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

6) UNI

The restaurant and café uses hereby permitted as shown on drawing no. P-401 received on 18 November 2013 shall not be open to customers except between the hours of 07:00 and 00:00 daily.

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

7) UNI

The third floor roof terrace as shown on drawing no.P-404 received on 18 November 2013 shall not be used except between the hours of 08:00 and 22:00 daily.

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

8) UNI

No loading or unloading of vehicles shall take place to the premises except between the hours of 07.00 and 19.00 Mondays to Saturdays and 08.00 and 18.00 on Sundays.

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

9) UNI

No intoxicating liquor shall be sold or supplied within the A3 units except to persons who are taking meals on the premises and who are seated at tables. 'Meals' means food that has been cooked or prepared and purchased within the premises. Any bar area shall be ancillary to the approved A3 restaurant use.

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

10) UNI

Any noise from all plant or machinery shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB(A) below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997.

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

11) UNI

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of the protection of controlled waters as the site overlies a principal aquifer and to comply with policy SU3 of the Brighton & Hove Local Plan.

12) UNI

Unless otherwise approved in writing by the Local Planning Authority, no plant or equipment shall be erected or installed on the roofs except where specifically shown on the drawings hereby approved.

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

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

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.

15) 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.

16) UNI

No development shall commence until a scheme to protect the residential dwellings from noise disturbance has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of glazing and ventilation systems in accordance with the recommendations set out in the 7th Wave Acoustics Planning Noise Assessment received on 18 November 2013, and be implemented in full prior to the first occupation of the residential properties and retained as such thereafter.

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

17) UNI

In the event the ground floor units are occupied in A3 use, the use shall not commence until a scheme for the fitting of odour control equipment and associated sound insulation to the building has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details prior to the occupation of the unit(s) 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.

18) UNI

No development shall take place until details of any 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 be retained as such thereafter.

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.

19) UNI

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

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.

20) 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.

21) 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.

22) UNI

No development shall commence until details, including sections, of measures to preclude overlooking from the roof terrace over the three storey element have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and thereafter retained as such.

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

23) UNI

No development shall take place until sample elevations at 1:20 scale showing all the architectural elements of each elevation of the development, including gates, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details.

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

24) UNI

No development shall take place until details at 1:20 scale of all balustrading or railings to the roofs have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details.

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

25) UNI

Notwithstanding the approved drawings, no development shall commence until details of the cradle equipment to be fitted to the roof of the six storey element for maintenance of the façade have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such.

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

26) 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 include the provision of sparrow, swift and bat boxes and 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 policies QD17 and QD18 of the Brighton & Hove Local Plan.

27) UNI

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

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies SU3, SU4 and SU5 of the Brighton & Hove Local Plan.

28) 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.

29) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no office development shall commence until a BRE issued 'Office' Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all office 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.

30) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no retail/café/restaurant development shall commence until a BRE issued 'Retail Shell and Core' Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all retail/café/restaurant 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.

31) UNI

Prior to first occupation of the development a Travel Plan (a document setting out a package of measures tailored to the needs of the site and aimed at promoting sustainable travel choices and reduce reliance on the car) for the development shall be submitted to and approved by the Local Planning Authority. The Travel Plan shall be approved in writing prior to first occupation of the development and

shall be implemented as approved thereafter. The Travel Plan must be reviewed on an annual basis by undertaking a travel survey and updating the travel plan where appropriate.

Reason: To seek to reduce traffic generation by encouraging alternative means of transport to private motor vehicles in accordance with policies TR1 and TR4 of the Brighton & Hove Local Plan.

32) 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.

33) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the office development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the office development built has achieved a BREEAM Office rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

34) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan and block plan	P-001	-	18/11/2013
Existing site plan	P-002	A	06/12/2013
Existing elevations and sections	P-003	A	06/12/2013
Existing elevations	P-004	-	18/11/2013
Existing landscaping/tree plan	P-005	-	18/11/2013
Proposed site plan	P-300	-	18/11/2013
Proposed floor plans	P-400	-	18/11/2013
	P-401	-	18/11/2013
	P-402	A	18/11/2013
	P-403	A	18/11/2013
	P-404	-	18/11/2013
	P-405	-	07/03/2014
	P-406	-	07/03/2014
	P-407	-	18/11/2013
Proposed landscaping/tree plan	P-409	-	18/11/2013
Proposed elevations	P-301	A	28/07/2014

	P-500 P-501 P-502 P-503 P-504 P-505 P-506	A A A A	18/11/2013 28/07/2014 18/11/2013 07/03/2014 18/11/2013 06/12/2013 06/12/2013
Typical bay study	P-601	-	18/11/2013
Proposed sections	P-507 P-508 P-509 P-510 P-511		18/11/2013 18/11/2013 18/11/2013 18/11/2013 18/11/2013
Mechanical services	50BG01 500001 500101 500201 500301 500401 500501 500601 50ZZ01 50ZZ02 50ZZ03	P1 P2 P2 P2 P2 P2 P2 P2 P1 P1 P1	18/11/2013 18/11/2013 18/11/2013 18/11/2013 18/11/2013 18/11/2013 18/11/2013 18/11/2013 18/11/2013 18/11/2013 18/11/2013

BH2013/03927

The Astoria 10-14 Gloucester Place Brighton

Demolition of existing Grade II listed building.

Applicant: H30 Media Ltd

Officer: Adrian Smith 290478

Approved on 05/03/15 COMMITTEE

1) UNI

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

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

2) UNI

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

3) UNI

No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Such a scheme must include a full photographic record of the building.

Reason: To ensure that a suitable record of the building is secured and to accord with policy HE2 of the Brighton & Hove Local Plan.

BH2014/03074

1 Buckingham Place Brighton

Application for Approval of Details Reserved by Conditions 4, 5 and 8 of application BH2012/02313.

Applicant: Mr A Ribot

Officer: Sue Dubberley 293817

Approved on 11/03/15 DELEGATED

BH2014/03490

14A-16 Oxford Place & 23 Ditchling Road Brighton

Demolition of existing garage and workshops at 14A-16 Oxford Place and erection of 3 storey college building (D1). Erection of replacement garage fronting Oxford Place associated with 23 Ditchling Road.

Applicant: Zise Ltd

Officer: Adrian Smith 290478

Refused on 10/03/15 DELEGATED

1) UNI

The proposed development, by virtue of its scale, massing and design and roof terrace, would have a significant and harmful impact on the amenities of adjacent occupiers by way of oppressing outlook, loss of light and loss of privacy, contrary to policies HO19 and QD27 of the Brighton & Hove Local Plan.

BH2014/03848

60 Shaftesbury Road Brighton

Erection of single storey rear extension.

Applicant: Mr John Burns

Officer: Helen Hobbs 293335

Approved on 27/02/15 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
Location Plan	BUR11/14/1		17/11/14
Block Plan	BUR11/14/1		17/11/14
Existing Layout	BUR11/14/1		17/11/14
Proposed Layout	BUR11/14/1		17/11/14
Existing Elevations	BUR11/14/1		17/11/14
Proposed Elevations	BUR11/14/1		17/11/14

BH2014/03988**86 Shaftesbury Road Brighton**

Erection of single storey rear infill extension and replacement of existing rear ground floor window with wider window.

Applicant: Mr David Martin

Officer: Robert Hermitage 290480

Approved on 26/02/15 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 serving the infill extension hereby approved 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

Unless otherwise agreed in writing with the Local Planning Authority, the rear doors hereby approved shall be in a painted softwood finish.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	-	-	26th November 2014
Block Plan	-	-	26th November 2014
Existing Floor Plan	001	-	26th November 2014
Existing Rear and Side Elevations	002	-	26th November 2014
Proposed Floor Plans	101	A	8th December 2014
Proposed Elevations	102	A	8th December 2014

BH2014/04314**24 Buckingham Street Brighton**

Conversion of existing dwelling into 1no two bedroom maisonette and 2no one bedroom flats including a loft conversion with rear dormers and front rooflight.

Applicant: Mr Jim Cheek

Officer: Adrian Smith 290478

Refused on 03/03/15 DELEGATED

1) UNI

Policy HO9 of the Brighton and Hove Local Plan seeks to retain smaller family dwellings. The proposed second floor and roof level flat, by virtue of its limited size, layout and headroom, represents a cramped and sub-standard form of residential accommodation unsuitable for family occupation, contrary to policies HO9 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed first floor flat, by virtue of its limited size and restricted layout, represents a cramped and sub-standard form of residential accommodation, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/04347

Flats 1-20 1-3 Blenheim Place Brighton

Replacement of existing timber framed doors and windows with new timber framed units.

Applicant: Hyde Housing

Officer: Chris Swain 292178

Approved on 23/02/15 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 and location plan	1353/BP/OS		23 December 2014
Elevational drawings (1)	1353/BP/01		23 December 2014
Elevational drawings (2)	1353/BP/02		23 December 2014
Window schedule	1353/BP/03		23 December 2014
Typical joinery sections and profiles			
Typical window picture			23 December 2014

BH2014/04348

Flats 1-16 24 North Place Brighton

Replacement of existing windows with timber windows and replacement of communal entrance door and windows with aluminium door and windows.

Applicant: Hyde Housing

Officer: Robert Hermitage 290480

Approved on 23/02/15 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 and Block Plan	1353/NP/OS	-	23rd December 2014
Flats 1-12 Elevational	1353/NP/01	-	23rd December

Photographs			2014	
Flats 13-16 Elevational Photographs	1353/NP/02	-	23rd December 2014	
Window Details	1353/NP/03	-	23rd December 2014	
Window Internal and External Views	-	-	23rd December 2014	
1:2 and 1:10 Scale Sash Window Details	-	-	23rd December 2014	
1:2 and 1:10 Scale Casement Window Details	-	-	23rd December 2014	

BH2014/04370

26 Princes Road Brighton

Insertion of rooflights to front and rear roofslopes and alterations to fenestration with excavation to rear.

Applicant: Mr & Mrs M Waite

Officer: Luke Austin 294495

Approved on 06/03/15 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 front 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

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

Reason: In the interests of the character and appearance of the building and the visual amenities of the area and to comply with policy QD14 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	SC1013/101	-	31/12/2014
Block Plan	SC1013/102	-	31/12/2014
Existing Plans	SC1013/103	-	31/12/2014
Existing Elevation	SC1013/104	-	31/12/2014
Existing Section	SC1013/105	-	31/12/2015
Proposed Plans Amendment	SC1013/106	C	23/02/2015
Proposed Elevations Amendment	SC1013/107	C	23/02/2015
Window Details Additional	SC1013/109	-	23/02/2015
Window Details Additional	SC1013/110	-	23/02/2015
Window Details Additional	SC1013/111	-	23/02/2015

Proposed Floor Plan Amendment	Section/Ground	SC1013/112	-	03/03/2015
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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: In the interests of the character and appearance of the building and the visual amenities of the area and to comply with policy QD14 of the Brighton & Hove Local Plan.

BH2015/00074

1 Guildford Road Brighton

Replacement of existing UPVC windows with sliding sash windows.

Applicant: Hermione Huxley

Officer: Robert Hermitage 290480

Refused on 09/03/15 DELEGATED

1) UNI

The replacement windows to the front elevation, by virtue of their material and detailing, represents a harmful alteration that fails to preserve the character or appearance of the building within the street scene and the wider West Hill Conservation Area. The proposal is thereby contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, Supplementary Planning Document 9 Architectural Features, and Supplementary Planning Document 12 Design Guide for Extensions and Alterations.

WITHDEAN

BH2014/03564

35 Clermont Terrace Brighton

Conversion of existing garage/store to form 1 no. two bedroom dwelling house (C3).

Applicant: Mr Leslie Ironside

Officer: Sue Dubberley 293817

Approved on 09/03/15 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 or other alteration of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A, B, C & E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

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

3) UNI

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

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

4) UNI

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.

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 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) UNI

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

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

7) UNI

The development hereby permitted shall be carried out in accordance with 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	287/P/01	A	27/02/2015
Site plan	287/P/02	A	25/02/2015
Existing drawings	287/P/03		22/10/2014
Proposed conversion	287/P/04		22/10/2014

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) 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 HE6 of the Brighton & Hove Local Plan.

BH2014/03581

Kingsmere London Road Brighton

Application for approval of details reserved by condition 9 of application BH2012/03673.

Applicant: Anstone Properties

Officer: Joanne Doyle 292198

Approved on 03/03/15 DELEGATED

BH2014/03674

64 Wayland Avenue Brighton

Remodelling of property incorporating first floor extension, alterations to form garage with balustraded roof terrace over and new driveway, revised fenestration and associated works.

Applicant: Ms Fallowfield

Officer: Guy Everest 293334

Approved on 09/03/15 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 sample elevations and sections at a scale of 1:20 of the windows and doors, including their reveals, balustrades, and parapet roof detail and rooflight 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, QD2 and QD14 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	E01		31/10/14
Existing Plans	E02		31/10/14
Existing Sections	E03		31/10/14
Existing Elevations	E04		31/10/14
Site / Block Plan	P01		31/10/14

Proposed Plans	P02	b	16/02/14
Proposed Elevations	P03	a	16/02/14
Proposed Elevations	P04	a	16/02/14

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.

BH2014/03682

22 Westdene Drive Brighton

Erection of single storey front porch and creation of timber decking.

Applicant: Mr & Mrs Kjell-Ake Berglund

Officer: Joanne Doyle 292198

Approved on 09/03/15 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			03 Nov 2014
Block Plan	SJW 01a		25 Feb 2015
Existing Ground Floor Plan & Roof Plan	SJW 02		03 Nov 2014
Proposed Ground Floor Plan & Roof Plan	SJW 03c		25 Feb 2015
Existing Elevations	SJW 04		03 Nov 2014
Proposed Elevations	SJW 05a		25 Feb 2015

BH2014/04187

308 Dyke Road Brighton

Variation of condition 2 of application BH2014/01009 (Demolition of existing garages and erection of 1no three bedroom house with off street parking.) to allow for alterations to proposed scheme including enlargement of basement level and revised fenestration.

Applicant: Mr Jonathan Stern

Officer: Jason Hawkes 292153

Approved on 02/03/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before the 8th August 2017.

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

2) UNI

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

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

3) UNI

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.

4) UNI

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

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

5) 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.

6) UNI

No development shall commence until full details of existing and proposed ground levels (referenced as Ordnance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

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

7) UNI

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

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

8) UNI

No development shall 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 and residential amenities of the area and to comply with policies QD1, QD15 and QD27 of the Brighton & Hove Local Plan.

9) 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.

10) 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.

11) 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.

12) 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.

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

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.

15) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that 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 a written Waste Minimisation Statement, in accordance with Supplementary Planning Document 03: Construction and Demolition Waste, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

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

17) 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.

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

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

Plan Type	Reference	Version	Date Received
Block & Site Location Plan	TA868/01	-	11th December 2014
Existing ZARA Survey	TA868/02	-	11th December 2014
Existing Elevations	TA868/03	-	11th December 2014
Existing Sections AA & BB	TA868/04	-	11th December 2014
Proposed Site Plan	TA868/10	-	11th December 2014
Proposed Floor Plans	TA868/11	-	11th December 2014
Proposed Contextual Elevations	TA868/12	-	11th December 2014
Proposed Front Elevations & Section BB	TA868/13	-	11th December 2014
Proposed Side Elevation & Section AA	TA868/14	-	11th December 2014
Proposed Side Elevation & rear Elevation	TA868/15	-	11th December 2014
Proposed Side Elevation & Section CC	TA868/16	-	11th December 2014

BH2014/04206

3 Glen Rise Close Brighton

Demolition of existing garage and erection of single storey rear extension and two storey side extension with associated roof extensions and rooflights to front and rear.

Applicant: Mr & Mrs Hunter

Officer: Christopher Wright 292097

Approved on 02/03/15 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 other openings other than those expressly authorised by this permission shall be constructed in the southerly facing flank wall of the development hereby permitted without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan	ADC714/LP		15 Dec 2014
Block Plan	ADC714/BP	A	2 Feb 2015
Plans as Existing	ADC714/01		15 Dec 2014
Plans as Proposed	ADC714/04		15 Dec 2014
Elevations as Proposed	ADC714/05		15 Dec 2014

BH2014/04230

1-79 Mandalay Court London Road Brighton

Replacement of existing aluminum windows with UPVC windows to common stairways.

Applicant: Dudley Investments Ltd

Officer: Mark Thomas 292336

Approved on 06/03/15 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 plan, location plan and block plan	11,689	-	9th January 2015
Proposed section	-	-	9th January 2015

BH2014/04271

10 Dyke Road Avenue Brighton

Certificate of lawfulness for proposed demolition of existing rear extension and erection of single storey rear extension.

Applicant: Mrs Carolina Rodriguez

Officer: Helen Hobbs 293335

Refused on 02/03/15 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, in that the extension would protrude beyond the rear elevation of the dwellinghouse in excess of 4m.

BH2014/04279

10 Dyke Road Avenue Brighton

Enlargement of existing cloakroom and alterations to front entrance including alterations to fenestration and cladding.

Applicant: Mrs Carolina Rodriguez

Officer: Helen Hobbs 293335

Approved on 27/02/15 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	P1415-01		18th December 2014
Block plan	P1415-02		18th December 2014
Existing plans and elevations	P1415-03		18th December 2014
Proposed plans and elevations	P1415-03		18th December 2014

BH2014/04290

23 Friar Crescent Brighton

Certificate of lawfulness for proposed single storey rear extension and loft conversion incorporating hip to barn end roof extension and rear dormer.

Applicant: Sebastian Jager

Officer: Luke Austin 294495

Refused on 20/02/15 DELEGATED

1) UNI

The plans submitted are not accurately scaled. Therefore, insufficient information has been submitted in order to determine whether the scheme can be classed as permitted development under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995, as amended. Notwithstanding this, the eaves of the proposed single storey rear extension would appear to measure above 3 metres. 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.

BH2014/04337

50 Valley Drive Brighton

Erection of two storey rear extension with associated roof extensions incorporating rooflights to rear and side elevations.

Applicant: Mr Nick Knight

Officer: Helen Hobbs 293335

Refused on 03/03/15 DELEGATED

1) UNI

The proposed extension, by virtue of its overall size, level of projection, height and proximity to the boundary would represent an overbearing and un-neighbourly form of development that would result in material overshadowing and loss of light and outlook, particularly in relation to the side facing window at

first floor level within the west elevation of No.48 Valley Drive. The proposed development is therefore contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

BH2015/00051

29 Friar Crescent Brighton

Erection of first floor rear extension with pitched roof, new balcony to rear, conversion of attic space, insertion of rooflights to front and side elevations and revised fenestration.

Applicant: Mr & Mrs Plant

Officer: Mark Thomas 292336

Refused on 05/03/15 DELEGATED

1) UNI

The proposed extension, by virtue of its form and its excessive height and bulk and its would result in the property having an overextended appearance with an extension which would relate poorly to the recipient property. 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.

BH2015/00255

36 Maldon 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 4.95m, for which the maximum height would be 3.7m, and for which the height of the eaves would be 2.95m.

Applicant: Ms Gillian Churchill

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 26/02/15 DELEGATED

1) UNI

The proposed rear extension would be partially constructed in the adjoining site, no. 34 Maldon Road, and is therefore not permitted under Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

EAST BRIGHTON

BH2014/03414

Flat 3 159 Marine Parade Brighton

Replacement of 3no timber sash windows and internal alterations to layout.

Applicant: Mr Michael Doyle

Officer: Paul Earp 292454

Approved on 02/03/15 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 windows and door joinery details are to match existing historic examples.

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

BH2014/03456**15 Marine Square Brighton**

Replacement of existing metal fire escape at the rear.

Applicant: Parade Properties Ltd

Officer: Joanne Doyle 292198

Approved on 02/03/15 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 fire escape 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

The development hereby permitted shall be carried out in accordance with 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	0655 003		10 Oct 2014
Existing Floor Plan & Elevations	0655 001		10 Oct 2014
Proposed Floor Plan & Elevations	0655 001		10 Oct 2014
Existing Rear Fire Escape	0655 004		07 Nov 2014
Existing Rear Fire Escape	0655 005		07 Nov 2014
Proposed Rear Fire Escape	0655 006		07 Nov 2014
Proposed Rear Fire Escape	0655 007		07 Nov 2014
Existing & Proposed Part Floor Plans	0655 008		07 Nov 2014

4) UNI

Any existing fixings embedded in the masonry which are not to be re-used for the replacement fire escape must be removed in their entirety from the structure and the masonry made good to match the existing.

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

BH2014/03457**15 Marine Square Brighton**

Replacement of existing metal fire escape at the rear.

Applicant: Parade Properties Ltd

Officer: Joanne Doyle 292198

Approved on 02/03/15 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 fire escape 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

Any existing fixings embedded in the masonry which are not to be re-used for the replacement fire escape must be removed in their entirety from the structure and the masonry made good to match the existing.

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

BH2014/03498

32 Sudeley Street Brighton

Erection of single storey rear extension with roof terrace above and installation of 1no dormer to rear and a side window. Conversion of basement to self contained flat incorporating excavation to extend at basement level and alterations including new front entrance door and steps.

Applicant: Mr M Irwin and Ms T O'Hara

Officer: Wayne Nee 292132

Refused on 24/02/15 DELEGATED

1) UNI

The proposal is contrary to policy HO9 of the Brighton & Hove Local Plan, which seeks to retain small family dwellings and which only permits the conversion into two or more residential units of a dwelling with an original floor area of more than 115m sqm or with more than 3 bedrooms as originally built. The existing dwelling has 2 bedrooms as originally built, and the original internal floor area equates to approximately 109sqm. Consequently this property is not of sufficient size to be considered suitable for further subdivision. As such the principle of the development is unacceptable and contrary to the above policy.

2) UNI2

The proposed basement studio flat would provide a poor standard of accommodation, which would fail to meet the likely needs of future occupants, by reason of inadequate outlook, natural light and ventilation. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposed rear dormer, by reason of its proportions, roof form and design, would relate poorly to the existing building and wider terrace row appearing an incongruous addition which would harm the appearance of the building and the roofscape of this part of the East Cliff Conservation Area. Furthermore, the side window opening would fail to relate to fenestration elsewhere in the building and represents an unsympathetic and harmful addition. The development is therefore contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

4) UNI4

The proposed first floor roof terrace, by virtue of its height, projection and proximity to the neighbouring boundaries, would result in a significant loss of privacy to occupiers of adjoining rear gardens and would create additional potential for noise and disturbance to immediately adjoining neighbouring properties. The associated screening would harm the established character and appearance of the building and wider terrace row. The development is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2014/03876

Sussex House 1 Abbey Road Brighton

Installation of commemorative plaque next to entrance from Abbey Road.

Applicant: Blind Veterans UK

Officer: Sonia Gillam 292265

Approved on 09/03/15 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.

BH2014/04330

6 Chichester Close Chichester Place Brighton

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

Applicant: Tracey Hoad

Officer: Astrid Fisher 292337

Approved on 09/03/15 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			19th January 2015
Floor Plan			22nd December 2014
Window Specification Details			06th January 2015
Window Details			22nd December 2014

BH2014/04368

61 Bennett Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating rear dormer, front rooflights and enlargement of first floor rear window.

Applicant: Mr Iain Kelly

Officer: Joanne Doyle 292198

Approved on 03/03/15 DELEGATED

1) UNI

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

BH2015/00019

23 Rock Grove Brighton

Internal alteration incorporating installation of metal balustrade to mezzanine. (Retrospective).

Applicant: Ms Carolyn Griffith

Officer: Robert Hermitage 290480
Approved on 23/02/15 DELEGATED

BH2015/00090

11 Rock Grove Brighton

Formation of mansard roof to rear elevation with rooflights and windows to rear.

Applicant: Mr Stephen Perry
Officer: Astrid Fisher 292337

Refused on 04/03/15 DELEGATED

1) UNI

The proposal would lead to the loss of half of the roof form, and its replacement with a non-traditional mansard-style roof. This would substantially alter the historic roofscape and lead to an unbalanced roof form which neither preserves nor enhances the appearance of the existing dwelling or the conservation area. The proposal is therefore contrary to policy HE6, QD14 and SPD12 of the Brighton & Hove Local Plan and Supplementary Planning Document 09, Architectural Features.

2) UNI2

In longer views, the property is visible from the higher windows of buildings in Chichester Terrace and Lewes Crescent, where it is viewed as part of the roofscape to the Kemp Town and East Cliff conservation areas. Immediate to the site, the increased bulk and untraditional form cause harm to the setting of the listed properties in Kemp Town Place. This is especially the case as the roofline to 11 Rock Grove rises slightly higher than that to the neighbouring listed buildings. It will lead to an awkward junction with the adjoining roofs to 1 Kemp Town Place and 12 Rock Grove. The proposal is therefore contrary to policy HE3 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 09, Architectural Features.

BH2015/00128

66 Cowfold Road Brighton

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Liduina van der Sman
Officer: Robert Hermitage 290480

Approved on 20/02/15 DELEGATED

HANOVER & ELM GROVE

BH2014/03300

119 Lewes Road Brighton

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.

Applicant: McLaren (119 Lewes Road) Ltd
Officer: Jonathan Puplett 292525

Refused on 19/02/15 COMMITTEE

1) UNI

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.

2) UNI2

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.

3) UNI3

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 and policy CP21 of the Brighton and Hove City Plan Part 1 Submission Document.

BH2014/03944

21 Elm Grove Brighton

Installation of 1no rooflight to front elevation and 2no rooflights to rear elevation.

Applicant: Julian Ridge

Officer: Chris Swain 292178

Approved on 20/02/15 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 plans and elevations	PBP0204/01	A	22 January 2015
Site plan	PBP0204/02		24 November 2014
Block plan	PBP0204/03		24 November 2014

BH2015/00029

Top Floor Flat 47 Whippingham Road Brighton

Installation of rooflights to front and rear elevations.

Applicant: Jerry Laurence

Officer: Robert Hermitage 290480

Approved on 03/03/15 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 and shall not project above 150mm from the plane of the roof.

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
Existing and Proposed Floor Plans and Elevations, and Site Plan	LA/01	-	6th January 2015

BH2015/00093

215 Queens Park Road Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.04m, for which the maximum height would be 3.83m, and for which the height of the eaves would be 2.95m.

Applicant: Ester Clayton-Smith

Officer: Joanne Doyle 292198

Prior approval not required on 24/02/15 DELEGATED

HOLLINGDEAN & STANMER

BH2014/02743

Land Adjoining 19 Hawkhurst Road Brighton

Erection of two storey three bedroom detached dwelling.

Applicant: Mr David Tristram

Officer: Chris Swain 292178

Approved on 10/03/15 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

No extension, enlargement or other alteration of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A and B 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 window servicing the first floor bathroom shall not be glazed otherwise than with obscured glass 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.

5) 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.

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

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

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

8) UNI

Notwithstanding the submitted plans no development shall take place until details demonstrating the dwelling hereby permitted will be constructed to Lifetime Homes standards have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

9) 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.

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 4 as a minimum for the residential unit 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

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the 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.

12) 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.

13) UNI

The development hereby permitted shall be carried out in accordance with 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 as existing	1.00		26 August 2014
Site, block and location plans	1.01		26 August 2014
Floor plans as proposed	1.02	A	25 February 2015
Elevations as proposed	1.03	A	26 August 2014
Sections and street scene as proposed	1.04	A	26 August 2014

14) UNI

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

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

BH2014/03354

51 Barnett Road Brighton

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

Applicant: Mr Lee Bolingbroke
Officer: Christopher Wright 292097

Approved on 19/02/15 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 a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			18 Nov 2014
Existing and Proposed Floor Plans	477/01		18 Nov 2014

BH2014/04098

104 Rushlake Road Brighton

Certificate of lawfulness for proposed erection of a single storey side extension to replace existing.

Applicant: Mr Jay Dearling
Officer: Joanne Doyle 292198

Approved on 11/03/15 DELEGATED

BH2015/00003

44 Coldean Lane Brighton

Certificate of lawfulness for proposed erection of part single storey and part two storey rear extension and extension of roof above.

Applicant: Mr & Mrs T Fraser
Officer: Joanne Doyle 292198

Refused on 04/03/15 DELEGATED

BH2015/00014**131 Hollingdean Terrace Brighton**

Erection of a single storey rear extension.

Applicant: Mr D Hoy**Officer:** Robert Hermitage 290480**Approved on 09/03/15 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	-	-	5th January 2015
Block Plan	-	-	5th January 2015
Existing and Proposed Plans and Elevations	10465-1	-	5th January 2015

BH2015/00235**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 not required on 05/03/15 DELEGATED****MOULSECOOMB & BEVENDEAN****BH2014/03317****20 Dartmouth Crescent Brighton**

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

Applicant: Ms Helen Bayliss**Officer:** Chris Swain 292178**Approved on 24/02/15 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
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Site plan			3 October 2014
Block plan			3 October 2014
Existing plans			20 January 2015
Proposed plans			20 January 2015

2) UNI

Within two months of the date of the granting of this planning permission details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved and a timetable for the implementation of said facilities shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved and to the timetable specified and the cycle parking facilities shall thereafter be retained for use at all times.

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

3) UNI

Within two months of the date of the granting of this planning permission a scheme for the storage of refuse and recycling and a timetable for the implementation of said scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved and to the timetable specified 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.

BH2014/03461

40 Colbourne Avenue Brighton

Change of use from a 5 bedroom small house in multiple occupation (C4) to a 9 bedroom house in multiple occupation (sui generis) with associated erection of single storey side and rear extensions.

Applicant: Mr Karl Scobie

Officer: Sue Dubberley 293817

Refused on 25/02/15 DELEGATED

1) UNI

The proposed change of use to provide 9 bedrooms as a Sui Generis House in Multiple Occupation would, as a result of over-subdivision of the rooms and lack of a suitable shared communal space create a cramped form of accommodation which would fail to provide an acceptable standard of accommodation. The proposed development is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

2) UNI2

The proposal represents over intensification of the use of the property which was originally built as a modest 3 bed family dwelling. The occupation of the property with 9 bedrooms would result in a material increase in noise and disturbance that would cause harm to neighbouring amenity. The proposed development is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

3) UNI3

The proposed extension would wrap around the corner of the building relating poorly to the existing dwelling and detracting from the original plan of the building. The footprint of the extension would create an overly dominant extension resulting in the recipient property having an overextended appearance, detracting from the character and appearance of the recipient dwelling, contrary to policy QD14 of the Brighton & Hove Local Plan, and to guidance within Supplementary Planning Document (SPD12): Design Guide for Extensions and Alterations.

BH2015/00089

26 Bevendean Crescent Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, rear dormer and side rooflight. Removal of existing conservatory and erection of single storey side and two storey rear extension.

Applicant: Mr Oliver Dorman

Officer: Luke Austin 294495

Refused on 25/02/15 DELEGATED

BH2015/00217

55 Chailey Road Brighton

Erection of single storey front extension and extension of existing driveway.

Applicant: Mr & Mrs I Martin

Officer: Luke Austin 294495

Approved on 10/03/15 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 hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

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

4) UNI

Notwithstanding the approved plans, the front boundary fence and hedgerow shall be retained.

Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policy QD14.

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, Block Plan and Existing Floor Plans, Elevations and Section	01		23/01/2015
Proposed Floor Plans, Elevations and Section	02		23/01/2015

QUEEN'S PARK

BH2013/04318

45 Grand Parade Brighton

Application for Approval of Details Reserved by Conditions 9, 10, 11 and 12 of application BH2012/00244.

Applicant: Mr Gary Abelwhite

Officer: Andrew Huntley 292321

Approved on 26/02/15 DELEGATED

BH2014/03748

15 Freshfield Place Brighton

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

Applicant: Mr Robin Tyler

Officer: Joanne Doyle 292198

Approved on 23/02/15 DELEGATED

ROTTINGDEAN COASTAL

BH2014/02984

26 Lewes Crescent Brighton

Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place (Part retrospective).

Applicant: Mr Doug Pearch

Officer: Andrew Huntley 292321

Approved on 19/02/15 COMMITTEE

1) UNI

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) UNI

The development hereby permitted shall be carried out in accordance with 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

BH2014/02985

26 Lewes Crescent Brighton

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)

Applicant: Mr Doug Pearch

Officer: Andrew Huntley 292321

Approved on 19/02/15 COMMITTEE

1) UNI

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) UNI

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.

3) UNI

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) UNI

The railings to rear shall exactly match the design and colour of those to the front lightwell.

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

BH2014/03516

16 Westmeston Avenue Saltdean Brighton

Erection of conservatory to rear with raised decking and storage area below.

Applicant: Mr Greg Redwood

Officer: Robert Hermitage 290480

Approved on 25/02/15 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 brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the details approved under condition 4, and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan

3) UNI

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

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan (excluding the hatched area)	-	-	20th October 2014
Block Plan (excluding the hatched area)	-	-	20th October 2014
Existing Floor Plan	-	-	20th October 2014
Existing and Proposed Elevations	-	-	9th February 2015
Proposed (Lower Ground) Floor Plan	-	-	31st October 2014
Proposed (Ground) Floor Plan	-	-	9th February 2015

5) UNI

The external brickwork to 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.

BH2014/03997

40 Arundel Place Brighton

Application for approval of details reserved by conditions 1i, 1a, 1b and 1c of application BH2014/01115.

Applicant: Creative Developments

Officer: Christopher Wright 292097

Approved on 02/03/15 DELEGATED

BH2014/04030

Beacon Mill Nevill Road Rottingdean Brighton

Roof alterations including hip to barn end roof extensions, raising of ridge height, creation of 3no dormers to front, installation of 5no rooflights to rear and other associated alterations.

Applicant: Mrs Helen Byrne

Officer: Liz Arnold 291709

Refused on 24/02/15 DELEGATED

1) UNI

The proposed development by reason of the resulting mass, bulk and height would appear overly prominent and an incongruous structure in what is effectively a backland location. The proposal would be of detriment to the visual amenities of the Sheep Walk and Nevill Road streetscenes and the wider area especially the setting of the Rottingdean Conservation Area, the setting of the Beacon Listed Windmill and the setting of the South Downs National Park and would result in the dwelling being unduly prominent in strategic views into and out of these important neighbouring areas. As such the proposal is therefore contrary to policies QD1, QD2, QD4, QD14, NC7, NC8 and HE6 of the Brighton and Hove Local Plan and Supplementary Planning Document 12 Design Guide for Extensions and Alterations.

BH2014/04063

Badgers Walk Ovingdean Road Brighton

Conversion of part of existing detached garage into habitable accommodation.

Applicant: Mr Peter McDonnell

Officer: Liz Arnold 291709

Approved on 05/03/15 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 vehicle access to the ancillary accommodation hereby approved shall be permitted through the Site of Nature Conservation Importance at any time, nor should any storage of materials, machinery or equipment required for the conversion of the garage to habitable accommodation, be permitted within the Site of Nature Conservation Importance. All construction vehicle access to and from the proposed building shall be via the garden area of Badgers Walk.

Reason: To ensure an adverse impact on the Site of Nature Conservation Importance is avoided in accordance with policy NC4 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	-	-	2nd December 2014
Proposed Alteration	2271/01	Rev. B	2nd December 2014

5) UNI

The accommodation hereby approved shall only be used as ancillary accommodation in connection with the use of the main property as a single dwelling house and shall at no time be converted or sold as a self-contained unit.

Reason: In order to protect the amenities of neighbouring properties and in accordance with policies QD27 of the Brighton & Hove Local Plan.

BH2014/04133

28 Chorley Avenue Brighton

Erection of front extension with terrace above at lower ground level.

Applicant: Mr & Mrs Hopper

Officer: Luke Austin 294495

Approved on 02/03/15 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 Plans	2736-02	-	08/12/2014
Existing and Proposed Floor Plans and Elevations	2736-01	-	08/12/2014

BH2014/04318

68 Tumulus Road Saltdean Brighton

Erection of single storey side extension to form habitable accommodation with associated alterations.

Applicant: Mr Darren Phillips

Officer: Robert Hermitage 290480

Approved on 06/03/15 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 extension hereby permitted shall solely be used as ancillary accommodation to the main dwelling house.

Reason: For the avoidance of doubt, to protect neighbouring amenity and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

No extension, enlargement or other alteration of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Class A, and Part 2, 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 for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

5) UNI

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

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

Plan Type	Reference	Version	Date Received
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Existing Floor Plans	284TR68/01	-	22nd 2014	December
Existing Roof, Location and Block Plans	284TR68/02	-	22nd 2014	December
Existing Elevations	284TR68/03	-	22nd 2014	December
Proposed Floor Plans	284TR68/04	-	16th 2015	February
Proposed Elevations	284TR68/05	-	16th 2015	February
Side Elevation and Sections	284TR68/06	-	16th 2015	February

BH2014/04320

68 Tumulus Road Saltdean Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to barn end roof alterations, front rooflight, rear dormer with Juliet balcony and associated works.

Applicant: Mr Darren Phillips

Officer: Robert Hermitage 290480

Approved on 04/03/15 DELEGATED

BH2014/04345

40 Arundel Place Brighton

Creation of ground floor balcony with metal access stairs, first floor roof terrace to rear and replacement of existing UPVC windows and doors with aluminum window and doors.

Applicant: Creative Developments Ltd

Officer: Christopher Wright 292097

Approved on 24/02/15 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
Block & site location plans	TA870/01		23 Dec 2014
Existing ground floor plan	TA870/02		23 Dec 2014
Existing first floor plan	TA870/03		23 Dec 2014
Existing west elevation	TA870/04		23 Dec 2014
Existing side (south) elevation	TA870/05		23 Dec 2014
Existing rear (east) elevation	TA870/06		23 Dec 2014
Existing front (north) elevation	TA779/07		23 Dec 2014
Proposed ground floor plan	TA870/10		23 Dec 2014
Proposed first floor plan	TA870/11	A	19 Feb 2015
Proposed west elevation	TA870/12		23 Dec 2014

Proposed elevation	side (south)	TA870/13		23 Dec 2014
Proposed elevation	rear (east)	TA870/14	A	19 Feb 2015
Proposed elevation	front (north)	TA870/15	A	19 Feb 2015

BH2015/00004

61 Westfield Avenue North Brighton

Certificate of lawfulness for proposed dormer roof extension to rear.

Applicant: Mr A Jeffery

Officer: Luke Austin 294495

Approved on 20/02/15 DELEGATED

BH2015/00027

36 Shepham Avenue Saltdean Brighton

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension, dormers to side elevations, rooflights to front and side elevations and associated works.

Applicant: Mr & Mrs Vernon

Officer: Robert Hermitage 290480

Approved on 09/03/15 DELEGATED

BH2015/00033

Unit 3 Bush Mews 5 Arundel Road Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 1 no self contained dwelling.

Applicant: Mr Vincent Goldstein

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 02/03/15 DELEGATED

WOODINGDEAN

BH2014/03285

44 Farm Hill Brighton

Demolition of existing garage and erection of part two storey, part single storey side extension to create annex.

Applicant: Mr J Saunders

Officer: Wayne Nee 292132

Approved on 20/02/15 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

No extension, enlargement or other alteration of the side extension hereby permitted as provided for within Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 1995, as

amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment 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 annexe extension hereby approved shall only be used as ancillary accommodation in connection with the use of the main property as a single dwelling house and shall at no time be converted to a self-contained unit.

Reason: In order to protect the amenities of neighbouring properties and in accordance with policies QD27 of the Brighton & Hove Local Plan.

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
Proposed	223400-05	D	12 January 2015
Existing	223400-02	C	14 October 2014
Site plan	223400-01	B	11 February 2015

BH2014/03351

13 Channel View Road Brighton

Alterations to roof including raising of ridge height, barn end roof extension, front dormer incorporating balcony, insertion of rear window and 4no. side facing rooflights.

Applicant: Mr Mike Webb

Officer: Andrew Huntley 292321

Approved on 19/02/15 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

The rooflights in the east and west side elevations of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

3) UNI

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

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

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			16.10.2014
Existing Plans & Elevations & Proposed Roof Plan	AS/14/221/		30.09.2014
Proposed Plans & Elevations	As/14/22		30.09.2014

BH2014/03405

26 Falmer Gardens Brighton

Roof alterations including hip to barn end roof extensions, dormers and rooflights to front and rear elevations.

Applicant: Mr & Mrs Morgan

Officer: Tom Mannings 292322

Approved on 19/02/15 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

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 Plan and Elevations			
Location Plan	1282014/01		09/10/14
Proposed Floor Plans, Elevations And sections A-A & B-B			
Block Plan	1282014/02		09/10/14

BH2014/03950

59 Crescent Drive North Brighton

Erection of two storey rear extension.

Applicant: Ms Sophia Nikolaidis

Officer: Chris Swain 292178

Approved on 10/03/15 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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed in the west and east facing 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 first floor windows in both the east and west facing side elevations of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			24 November 2014
Block plan			1 December 2014
Existing ground and first floor plans	001		24 November 2014
Existing elevations	002	A	24 November 2014
Proposed ground floor plans	101	A	24 November 2014
Proposed first floor plan	102	A	24 November 2014
Proposed elevations	103	B	11 December 2014

BH2014/04354

Land at the Rear of 59 Foxdown Road Brighton

Demolition of existing double garage and erection of 1no two storey dwelling (C3) with off street parking accessed from Larch Close.

Applicant: Mrs Mears

Officer: Adrian Smith 290478

Refused on 03/03/15 DELEGATED

1) UNI

The proposed dwelling, by virtue of its limited plot size and forward position relative to 59 Foxdown Road and 1 Larch Close, represents a harmful overdevelopment of the site that would have a dominating impact on the Larch Close street scene, contrary to policies QD1, QD2 & QD3 of the Brighton & Hove Local Plan.

2) UNI2

The proposed dwelling, by virtue of its elevated position set in close proximity to 57 & 59 Foxdown Road, would have an oppressive and overbearing impact on the amenities of the occupiers of these properties resulting in loss of privacy and a general harmful loss of amenity contrary to policy QD27 of the Brighton & Hove Local Plan.

BRUNSWICK AND ADELAIDE

BH2014/03176

Palmeira Mansions 29 Church Road Hove

Alterations to facilitate change of use from offices (B1) to lower ground and ground floor maisonette, two flats on first and second floor (C3), refurbishment of existing third and fourth floor maisonette incorporating revised fenestration on lower ground floor and provision of bin and bicycle store.

Applicant: Anstone Properties Ltd

Officer: Jason Hawkes 292153

Approved on 11/03/15 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 external finishes of the works hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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

3) UNI

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

No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of all new doors and windows 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.

5) UNI

No works shall take place until full details of the proposed boiler flues 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

The smoke detectors, fire alarm call points, fire alarms, emergency lighting fittings and control boxes shall be located in unobtrusive positions in the corners of rooms and their electrical cabling systems shall not be surface mounted but concealed within the floors, ceilings and walls, except where otherwise approved, and the walls, floors and ceilings made good to the satisfaction 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.

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

8) UNI

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

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

BH2014/03889

17-19 Holland Mews Hove

Application for Approval of Details Reserved by Condition 7 of application BH2013/03253.

Applicant: Brighton Mews Developments Limited

Officer: Jason Hawkes 292153

Approved on 09/03/15 DELEGATED

BH2014/03948

Flat 14 42 Brunswick Terrace Hove

Internal alterations to layout of flat.

Applicant: Ms Lowri Marno

Officer: Jason Hawkes 292153

Approved on 20/02/15 DELEGATED

BH2014/04143

38 - 42 Brunswick Street West Hove

Change of use of unit 1 from light industrial unit (B1) to music college (D1), with alterations including replacement of front roller shutter with door and window, installation of plant to roof and change of roof coverings to all units.

Applicant: BIMM

Officer: Wayne Nee 292132

Refused on 09/03/15 DELEGATED

1) UNI

The proposal would result in the loss of a light industrial unit (Class B1). The applicant has failed to demonstrate that the light industrial unit is genuinely redundant for such a use. The proposal is therefore contrary to policy EM3 of the Brighton & Hove Local Plan, and Policy CP3 of the Submission City Plan.

CENTRAL HOVE

BH2014/02836

Land Rear of 33 Sackville Road Hove

Installation of 6no solar photovoltaic panels to the side roof slope.

Applicant: Mr & Mrs Colasurdo

Officer: Robert Hermitage 290480

Approved on 20/02/15 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
Pre-existing Roof Plan	EX02	-	30th September 2014
Existing Roof Plan	PL02	-	30th September 2014
Proposed Roof Plan	PL02	A	30th September 2014

BH2014/03022

13 Wilbury Road Hove

Application for Approval of Details Reserved by Condition 3, 5 and 6 of application BH2013/04367.

Applicant: Haydon Investment Management Ltd

Officer: Mark Thomas 292336

Split Decision on 02/03/15 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 3 & 5 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 6 are NOT APPROVED

2) UNI2

The submitted sample for the proposed windows represents an unacceptable use of a material (aluminium) which would appear incongruous in this location. Furthermore, material samples have not been provided for the proposed renderwork or rainwater goods. For the reasons outlined, the details submitted pursuant of condition 6 of BH2013/04367 are unacceptable, and would represent significant harm to the character and appearance of the recipient property and the wider Conservation Area contrary to policy HE6 of the Brighton & Hove Local Plan.

BH2014/03293

Flat 3 18 St Catherines Terrace Hove

Roof alterations to form additional accommodation by raising ridge height and provision of windows to front and rear.

Applicant: Mr E Sarling

Officer: Paul Earp 292454

Refused on 02/03/15 DELEGATED

1) UNI

The proposed roof alterations would raise the height of the ridge and would result in development which would be prominent in the street scene. The development would harmfully change the profile of the building and the terrace, to the detriment of the character and appearance of the Cliftonville Conservation Area. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document 9, Architectural

Features, and 12, Design Guide for Extensions and Alterations.

BH2014/03521

Flat 11 Kings Court 9 Kings Gardens Hove

Replacement of single glazed steel dormer window with double glazed aluminum window.

Applicant: Professor Rosalind Eyben

Officer: Joanne Doyle 292198

Approved on 20/02/15 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 hereby approved window shall have a mid / dark grey finish 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.

BH2014/03522

Flat 11 Kings Court 9 Kings Gardens Hove

Replacement of single glazed steel dormer window with double glazed aluminum window.

Applicant: Professor Rosalind Eyben

Officer: Joanne Doyle 292198

Approved on 20/02/15 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 window shall have a mid / dark grey finish and shall be retained as such thereafter.

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

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	902/04		20 Sep 2014
Block Plan	902/03		20 Sep 2014
Proposed Southern Elevation Of New Replacement Window	902-01		30 Oct 2014
Proposed New Replacement Window Drawing	902-02		20 Sep 2014
Window Specifications			30 Oct 2014

BH2014/03616**36 Blatchington Road Hove**

Change of use at first floor from travel agent (A1) to a self-contained flat (C3)

Applicant: Ms Carol James

Officer: Jason Hawkes 292153

Approved on 26/02/15 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 sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

3) UNI

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

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

4) UNI

The development hereby permitted shall 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.

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	S01		28th October 2014
Block Plan	S02		28th October 2014
Plan on Ground Floor as Existing & Proposed	S12		28th October 2014
Plan on First Floor as Existing	S13		28th October 2014
Plan on First Floor as Proposed	E14	C	11th November 2014

6) 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.

BH2014/03898

Medina House 9 Kings Esplanade Hove

Demolition of existing building and erection of a part 3 part 4 storey block of 8no two bedroom flats with basement car parking and cycle storage and relocation of on-street parking bays.

Applicant: Globe Homes

Officer: Adrian Smith 290478

Refused on 04/03/15 DELEGATED

1) UNI

Medina House is a locally listed heritage asset that contributes positively to the character and appearance of the Cliftonville Conservation Area by virtue of its architectural and historic interest. It has not been demonstrated that the building is beyond economic repair, that there are no viable alternative uses for the building, or that the proposed redevelopment would preserve the area's character and produce substantial benefits to outweigh its loss. Consequently the demolition of Medina House would result in substantial harm that would fail to preserve or enhance the character or appearance of the Cliftonville Conservation Area, contrary to policies HE8 and HE10 of the Brighton & Hove Local Plan, the Medina House Planning Brief September 2013, and section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

2) UNI2

The proposed development, by virtue of its design including the scale of the front bays, their projection over the footway, and palette of materials, represents an excessively dominant form of development out of keeping with its surrounds. The proposed development would fail to contribute positively to the character and local distinctiveness of the area, thereby failing to preserve or enhance the character or appearance of the Cliftonville Conservation Area, contrary to policies QD1, QD2, QD4, HE6, HE8 and HE10 of the Brighton & Hove Local Plan, the Medina House Planning Brief September 2013, and section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

BH2014/04057

111 Church Road Hove

Erection of extension to rear at ground floor level, conversion of first floor retail (A1) to form 1no one bedroom flat (C3), alterations to shop front and associated works.

Applicant: Mr P Davis

Officer: Jason Hawkes 292153

Approved on 02/03/15 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

sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

3) UNI

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

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

4) UNI

No development shall commence until an Arboricultural Method Statement outlining protection measures for the Sycamore tree within the site during construction works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details to protect the root protection area of trees adjoining the site during construction works. The scheme shall be implemented in accordance with the agreed details.

Reason: To protect the existing trees in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall 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

No development shall take place until samples of all 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. Notwithstanding the submitted details, the rear extension shall be finished in unpainted render. Development 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 & HE6 of the Brighton & Hove Local Plan.

7) UNI

No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of all new external doors and windows 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.

8) UNI

No works shall take place until full details of the proposed bin store including 1:20 scale sample elevations 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.

9) 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	A01		10th December 2014
Block Plan	A02		10th December 2014
Existing Plans	A03.1	A	10th February 2015
Existing Elevations	A04		2nd December 2014
Existing Elevations	A05		2nd December 2014
Existing Elevations	A06		2nd December 2014
Existing Sections A-A	A07		2nd December 2014
Proposed Plans	D01.1	F	10th February 2015
Proposed Elevation	D03		10th December 2014
Proposed Side Elevation	D04		2nd December 2014
Proposed Section A-A	D05	A	5th February 2015
Proposed Section C-C	D06		2nd December 2014
Shop Front Elevation	D07	B	19th January 2015
Shop Front Sections	D08	B	19th January 2015
New Internal Doors	D09	B	19th January 2015
New Sash Window	D10	B	19th January 2015
New External Window for Extension	D11		12th December 2014
New External Door for Extension	D12		12th December 2014
New External Ventilation Grill & Sealed Internal Door	D13	C	5th February 2015
New External Door to Flat	D14	A	19th January 2015

10) 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.

BH2014/04058

111 Church Road Hove

Erection of extension to rear at ground floor level, conversion of first floor retail (A1) to form 1no one bedroom flat (C3), alterations to shop front and associated works.

Applicant: Mr P Davis

Officer: Jason Hawkes 292153

Approved on 02/03/15 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 the proposed bin store including 1:20 scale sample elevations have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

3) UNI

No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of all new doors and windows 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.

4) UNI

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

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

5) UNI

No development shall take place until samples of all 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. Notwithstanding the submitted details, the rear extension shall be finished in unpainted render. Development 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.

BH2014/04249

32 Third Avenue Hove

Conversion of roof space to form two bedroom flat incorporating rooflights to North elevation and dormers to South Elevation.

Applicant: Mr G Jasper
Officer: Christopher Wright 292097

Approved on 25/02/15 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

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 which fronts the highway, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall not be occupied until the sustainability measures detailed within the Sustainability Checklist received on the 31st 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.

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

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

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

7) UNI

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

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

8) UNI

The development hereby permitted shall be carried out in accordance with 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	AL-300		17 Dec 2014
Existing Ground & First Floor Plans	AL-301		17 Dec 2014
Existing Roof Space & Roof Plan	AL-302		17 Dec 2014
Existing Elevations	AL-303		17 Dec 2014
Proposed Ground & First Floor Plans	AL-304		17 Dec 2014
Proposed Second Floor & Roof Plans	AL-305		17 Dec 2014
Proposed Elevations	AL-306		17 Dec 2014
Existing Contextual Elevations	AL-307		17 Dec 2014
Proposed Contextual Elevations	AL-308		17 Dec 2014

9) 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 policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2014/04340

5, 7 & 9 Sackville Road Hove

Replacement of existing windows with timber framed windows to front elevation and UPVC to side and rear elevations.

Applicant: Hyde Housing

Officer: Haydon Richardson 292322

Approved on 23/02/15 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 elevation Images and Layout	BH2014/04340		23/12/14
Proposed Windows	BH2014/04340		23/12/14
Written plan proposal	BH2014/04340		23/12/14

Proposed Window Designs	BH2014/04340		23/12/14
Block and site plan	BH2014/04340		23/12/14

BH2015/00132

Flat 19 Bath Court Kings Esplanade Hove

Replacement of existing aluminium windows and sliding doors with new aluminium units.

Applicant: Ms Pen Jiggins

Officer: Haydon Richardson 292322

Approved on 10/03/15 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			19/01/15
Block Plan			19/01/15
Proposed Lounge Doors	01-A	A	19/01/15
Proposed Kitchen Window	02	A	19/01/15
Proposed Seaward Bedroom Window	03	A	19/01/15
Proposed Side Bedroom Window	04	A	19/01/15

GOLDSMID

BH2014/03311

1 Nizells Avenue Hove

Demolition of existing dwelling and erection of new residential building containing basement car park, 6no two bedroom flats, 1no three bedroom flat and 2no three bedroom houses (C3) with associated landscaping works.

Applicant: Owen Property

Officer: Nicola Hurley 292114

Refused on 19/02/15 DELEGATED

1) UNI

The proposed development by reason of its footprint, positioning in the site, scale, height, and poor design detailing would appear as an overly dominant form that would have a detrimental impact on the setting of the Osmond Gardens/Road frontage, representing an incongruous feature. The proposed development is therefore contrary to policies QD1 and QD2 of the Brighton and Hove Local Plan.

2) UNI2

The proposed development by reason of its position in the plot, limited separation distance between the dwellinghouses and the western boundary of the site and fenestration pattern would result in an unneighbourly development by reason of increased building bulk and overlooking and loss of privacy. The development is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2014/03389

Derby Court & Warwick Court Davigdor Road Hove

Creation of additional floor to Derby Court and Warwick Court to create 6no additional flats.

Applicant: Brighton & Hove Securities Ltd

Officer: Mark Thomas 292336

Refused on 06/03/15 DELEGATED

1) UNI

The proposed development by virtue of the width of the additional storeys, their form and their height would not appear as suitably subservient additions to the recipient buildings, and would fail to respect the characteristics, building lines and topography of the surround area and buildings. Consequently the proposal represents a dominant addition out of keeping with its surroundings, to the detriment of the character of the area and the visual appearance of the host building and wider street scene. As such the proposed development would be contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development, by virtue of their width, scale, bulk, positioning and height would have an overbearing impact on occupiers of the upper floors (west facing) of Richmond Court in terms of an increased sense of enclosure, overshadowing and loss of outlook, and on occupiers of residential properties on Colbourne Road and Osmond Road in terms of overlooking/ loss of privacy. As such, the proposed development would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2014/03485

Clarendon House, Conway Court, Ellen House, Livingstone House & Goldstone House Clarendon Road Hove

Installation of insulated rendering to all elevations, new coverings to roof and replacement of existing windows and doors with double glazed UPVC units. Installation of windows and louvered smoke vents to existing open stairwells to Clarendon House, Ellen House and Goldstone House and alterations including repair and remedial works.

Applicant: Brighton & Hove City Council

Officer: Jonathan Puplett 292525

Refused on 05/03/15 DELEGATED

1) UNI

The main blocks of the development are at present of a primarily brick finish and the muted tones of the buildings, notwithstanding the scale of the buildings, reduce their prominence and visual impact. The application site is in a very sensitive location forming part of the setting of the Hove Station Conservation Area and the Grade II* Listed St Barnabus Church. The buildings form a significant element of the built environment due to their scale and the fact that the development is a large site which runs along the entire north side of Clarendon Road. The proposal to clad the main blocks of the development to create a white rendered appearance would significantly increase the prominence of these blocks. The resultant appearance would be unduly prominent and would harm the character of the area and the setting of heritage assets in the immediate vicinity of the site. Furthermore, the proposed through colour render has the potential to discolour and deteriorate over time. The proposed development is therefore contrary to policies QD1, QD2, QD3, QD14, HE3 and HE6 of the Brighton and Hove Local Plan.

2) UNI2

The built forms on the application site consist of multi-storey blocks, low rise link buildings, and ancillary structures (e.g. garages, walls and hard landscaping. The

site as a whole forms a planned development of buildings which in general sit comfortably alongside one another as they are of similar design style and materials. The ancillary structures and landscaping on the site are of a character and materials in keeping with the main buildings. The proposed cladding to main the main blocks, and leave all other elements of the built development on the site as it is, would result in a disjointed appearance with contrasting materials and finishes. Such a proposal does not represent a comprehensive scheme for the remodelling of the development; which would in general be sought where significant changes to a planned development are proposed. For these reasons the result appearance would not be appropriate or of a high standard; the proposed development therefore contrary to policies QD1, QD2, QD3, QD14, HE3 and HE6 of the Brighton and Hove Local Plan.

BH2014/03701

Sussex County Cricket Club Eaton Road Hove

Erection of single storey buildings and conversion of existing kiosk to create 6no office units (B1) in North- East corner of ground.

Applicant: Sussex County Cricket Club

Officer: Jason Hawkes 292153

Approved on 25/02/15 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

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.

4) UNI

The buildings hereby permitted shall be used only as a spectating facility during cricket matches and as office space at all other times, and for no other purposes (including any other purposes in Classes D2 and B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

5) UNI

No development shall commence until details of disabled car parking provision for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

6) 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.

7) UNI

Access to the flat roof of the buildings hereby permitted shall be for maintenance or emergency purposes only and the flat roofs shall not be used for spectating or for any other purpose.

Reason: In order to protect adjoining residential uses from overlooking and noise disturbance and to comply with policy QD27 of the Brighton & Hove Local Plan.

8) UNI

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

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

9) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	AD-60	A	3rd November 2014
Site Layout	AD-61	A	3rd November 2014
Units 1-3 Plans & Elevations	AD-62		3rd November 2014
Units 4-5 Plans & Elevations	AD-63		3rd November 2014
Units 6 Plans & Elevations, Existing & Proposed	AD-64		3rd November 2014
Site as Existing	AD-65		3rd November

			2014
Post 2010 Development Plan	AL-800	C	3rd November 2014

10) UNI

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

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

BH2014/03955

Flat 32 Richmond Court 28 Osmond Road Hove

Installation of door and window to North elevation.

Applicant: Ms Monique Wong

Officer: Helen Hobbs 293335

Approved on 11/03/15 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			5th December 2014
Existing and proposed floor plan	GA00		25th November 2014
Existing and proposed elevations	GA01		25th November 2014

BH2014/04031

Flat 3 35 Bigwood Avenue Hove

Replacement of existing single glazed timber windows with double glazed UPVC windows at first floor level.

Applicant: Ms Jessica Siddall

Officer: Helen Hobbs 293335

Refused on 11/03/15 DELEGATED

1) UNI

The introduction of uPVC replacement windows of an unsympathetic design, material and opening arrangement, would cause harm to the character and appearance of the existing property and the street scene, contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12

BH2014/04190

58 Cromwell Road Hove

Loft conversion incorporating front and rear rooflights to form additional residential accommodation, internal alterations to layout and landscaping to form disabled access.

Applicant: Crime Reduction Initiatives (CRI)

Officer: Sonia Gillam 292265

Approved on 06/03/15 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 rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan and block plan	1402_005	P1	11/12/2014
Existing floor plans	1402_010	P3	11/12/2014
Existing floor plans	1402_011	P1	11/12/2014
Existing elevations and sections	1402_020	P1	11/12/2014
Proposed floor plans	1402_110	P3	23/02/2015
Proposed floor plans	1402_111	P3	23/02/2015
Proposed elevations and sections	1402_120	P3	23/02/2015

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 and to comply with policy HE6 of the Brighton & Hove Local Plan

BH2014/04226**Flat 4 59 Palmeira Avenue Hove**

Replacement of 2no windows into doors and replacement of existing door into window to rear.

Applicant: Mr J Cramer

Officer: Robert Hermitage 290480

Approved on 02/03/15 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
Proposed Window Sections and Details	-	-	5th January 2015
Proposed Door Sections and Details	-	-	5th January 2015
Site Location & Existing & Proposed Plans and Elevations	1975/PA/01	-	5th January 2015

BH2014/04305**15 Hove Park Villas Hove**

Erection of single storey extension, alterations to fenestration at ground floor rear and other associated alterations.

Applicant: Mr & Mrs Keith Mattacks

Officer: Joanne Doyle 292198

Approved on 02/03/15 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	141004/SO		22 Dec 2014
Block Plan	141004/PO		22 Dec 2014
Ground Floor Plan As	141004/S1		22 Dec 2014

Existing			
Ground Floor Plan As Proposed	141004/P1	A	05 Jan 2015
First Floor Plan As Existing	141004/S2		22 Dec 2014
First Floor Plan As Proposed	141004/P2		05 Jan 2015
Second Floor Plan As Existing	141004/S3		22 Dec 2014
Second Floor Plan As Proposed	141004/P3		05 Jan 2015
Roof Plan As Existing	141004/S4		22 Dec 2014
Roof Plan As Proposed	141004/P4		05 Jan 2015
Front Elevation As Existing	141004/S5		22 Dec 2014
Front Elevation As Proposed	141004/P5		05 Jan 2015
Side (South) Elevation As Existing	141004/S6		22 Dec 2014
Side (South) Elevation As Proposed	141004/P6		05 Jan 2015
Rear Elevation As Existing	141004/S7		22 Dec 2014
Rear Elevation As Proposed	141004/P7		05 Jan 2015
Side (North) Elevation As Existing	141004/S8		22 Dec 2014
Side (North) Elevation As Proposed	141004/P8		05 Jan 2015
Section A-A As Existing	141004/S9		22 Dec 2014
Section A-A As Proposed	141004/P9		05 Jan 2015
Section C-C As Existing	141004/S10		22 Dec 2014
Section C-C As Proposed	141004/P10		05 Jan 2015

BH2014/04325

Flat 1 55 The Drive Hove

Internal alterations to layout of flat. (Retrospective)

Applicant: Mr Roy Holm

Officer: Liz Arnold 291709

Refused on 09/03/15 DELEGATED

1) UNI

The subdivision of the hallway, to provide a new bathroom and the installation of internal pipework and boxing, through the new study, have had a significant adverse impacts on the historic plan form and historic character of the Listed Building. There are no substantial public benefits which would outweigh this identified harm and the proposal is thereby contrary to policies HE1 & HE4 of the Brighton & Hove Local Plan, and Supplementary Planning Guidance Note 11 'Listed Building Interiors'.

BH2015/00012

3C Lansdowne Road Hove

Application for Approval of Details Reserved by Conditions 4 and 15 of application BH2012/03223.

Applicant: Andrew Wilson Partnership

Officer: Jason Hawkes 292153

Refused on 09/03/15 DELEGATED

BH2015/00064

Flat 5 69 Denmark Villas Hove

Application for Approval of Details Reserved by Conditions 6 and 8 of application

BH2011/03676.

Applicant: Landgate New Homes
Officer: Jason Hawkes 292153
Approved on 06/03/15 DELEGATED

BH2015/00103

Land rear of 37 & 38 Cromwell Road Hove

Non material amendment to BH2014/01165 to amend the fenestration sizes and locations.

Applicant: Maureen Wheeler
Officer: Helen Hobbs 293335
Refused on 20/02/15 DELEGATED

1) UNI

1. The proposed revisions to the scheme approved under application BH2014/01165 are considered material and warrant the submission of a further application for planning permission to enable the Local Planning Authority to fully assess the revised proposals.

BH2015/00167

Sussex County Cricket Club Eaton Road Hove

Erection of permanent camera gantry on main pavilion roof.

Applicant: Sussex County Cricket Club
Officer: Paul Earp 292454
Approved on 11/03/15 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 gantry shall be painted white to match the façade of the building within one month of installation and maintained as such at all times.

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 Plan	AD101		20 January 2015
Proposed elevations and plan	AD100	B	20 January 2015
Existing elevations and plan	AD102		20 January 2015

BH2015/00189

28 Denmark Villas Hove

Insertion of 2no rooflights to side.

Applicant: Mr & Mrs Dalley
Officer: Astrid Fisher 292337
Approved on 11/03/15 DELEGATED

1) UNI

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

Reason: To ensure a satisfactory appearance to the development and to comply

with policy HE6 of the Brighton & Hove Local Plan.

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Block and Location Plans	224.100.b		22 Jan 2015
Existing First and Second Floor	224.02.a		22 Jan 2015
Existing Section a.a and Side Elevation	224.103.a		22 Jan 2015
Proposed First and Second Floor plans and Roof Plan	224.106.c		22 Jan 2015
Proposed Section and Side Elevation	224.107.c		22 Jan 2015

HANGLETON & KNOLL

BH2014/03369

16 Fallowfield Close Hove

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.

Applicant: Charlotte Standing

Officer: Allison Palmer 290493

Approved on 19/02/15 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

The development hereby permitted shall be carried out in accordance with 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) UNI

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.

4) UNI

The windows in the south 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) 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 policy QD14 of the Brighton & Hove Local Plan.

BH2015/00002

Mill View Hospital Nevill Avenue Hove

Erection of weldmesh security fence to garden areas.

Applicant: Sussex Partnership NHS Foundation Trust

Officer: Liz Arnold 291709

Approved on 03/03/15 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	-	-	2nd January 2015
East Elevation Existing and Proposed	JHB/14/397/1	-	2nd January 2015
South and West Elevations Existing and Proposed	JHB/14/397/2	-	2nd January 2015

BH2015/00016

8 Steyning 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 6m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Mr Emil Botros

Officer: Luke Austin 294495

Prior Approval is required and is refused on 20/02/15 DELEGATED

1) UNI

The proposed rear extension, by reason of its height and depth and close proximity to the side boundaries would result in a significantly overbearing impact and a loss of light to the rear windows of the two adjoining properties, no.6 and no.8 Steying Avenue, to the detriment of their amenity and contrary to Policy QD14 and QD27 of the Brighton & Hove Local Plan and the guidance contained in SPD12, Extensions and Alterations.

BH2015/00083

25 Egmont Road Hove

Erection of two storey rear extension with associated roof extensions and alterations.

Applicant: Andrew Stanley

Officer: Mark Thomas 292336

Refused on 11/03/15 DELEGATED

1) UNI

The submitted plans are inaccurate and there are inconsistencies between the different plans with regard to the dimensions and design of the proposal. Notwithstanding this, the proposal, by reason of its siting, height, scale, massing and design, would be an incongruous and bulky addition which would be harmful to the character and appearance of the host property and the row of terraces. The proposal, also by reason of its siting, height, scale, massing and design would be overbearing to the adjoining property 27 Egmont Road and would be harmful to their residential amenity. As such the proposal is contrary to Brighton & Hove Local Plan policies QD14, QD27 and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

BH2015/00102

Hangleton Library West Way Hove

Replacement of existing metal doors and windows with UPVc doors and windows.

Applicant: Brighton and Hove City Council

Officer: Luke Austin 294495

Approved on 06/03/15 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	-	-	15/01/2015
Block Plan	-	-	15/01/2015
Existing/Proposed Elevations	K088-04	-	15/01/2015
Existing/Proposed Plans	K088-03	-	15/01/2015
Proposed Windows/Doors to be Replaced	K088-05	-	15/01/2015
Product Survey	-	-	20/01/2015
Technical Specification	-	-	20/01/2015

BH2015/00138**264 Hangleton 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 5.5m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.5m.

Applicant: Mr Nashaat Abdelmassih

Officer: Luke Austin 294495

Prior Approval is required and is refused on 23/02/15 DELEGATED

BH2015/00262**82 Hangleton Road Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.2m, for which the maximum height would be 4m, and for which the height of the eaves would be 3.6m.

Applicant: Luke Fisher

Officer: Luke Austin 294495

Prior Approval is required and is refused on 23/02/15 DELEGATED

BH2015/00275**70 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 5m, for which the maximum height would be 3.1m, and for which the height of the eaves would be 3m.

Applicant: Ms Rachel Grant

Officer: Astrid Fisher 292337

Prior approval not required on 27/02/15 DELEGATED

NORTH PORTSLADE**BH2014/04082****49 Drove Road Portslade**

Erection of replacement fence to front and side boundary.

Applicant: Mr Oliver Egan

Officer: Luke Austin 294495

Approved on 27/02/15 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			06/01/2015
Block Plan			06/01/2015
Proposed Block Plan			03/12/2014
Line of Proposed Fence			06/01/2015
Line of Existing Fence			06/01/2015
Sample Panel for Proposed			03/12/2014

Fence			
Overall View of Existing Fence			06/01/2015
Sections of Proposed Fence and Existing Fence (3 Pages)			06/01/2015

BH2015/00054

1 Village Close Portslade

Insertion of rooflight to front, side and rear.

Applicant: Mrs Becky Fishburn

Officer: Helen Hobbs 293335

Approved on 06/03/15 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
Loft conversion	PBP0241/01		9th January 2015
Site plan	PBP0241/02		8th January 2015
Block plan	PBP0241/02		9th January 2015

BH2015/00297

21 Stonery Close Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.4m, and for which the height of the eaves would be 2.95m.

Applicant: Mrs Parveen Akhter

Officer: Haydon Richardson 292322

Prior approval not required on 27/02/15 DELEGATED

SOUTH PORTSLADE

BH2014/03268

Kings School Lower School Mile Oak Road Portslade

Revised kitchen servery incorporating installation of ventilation system. (Retrospective)

Applicant: Rusell Education Trust

Officer: Sonia Gillam 292265

Approved on 19/02/15 XXXX

1) UNI

The ventilation system hereby permitted shall be only be in use between the hours of 08.00 and 16.00 Monday to Friday, and shall not be in use at any other time.

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Site 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

BH2014/03326

Chandlers Garage Victoria Road Portslade

Display of 2no internally illuminated fascia signs, 1no internally illuminated fascia sign with fibreglass Mini, 1no internally illuminated pylon sign, retention of existing non-illuminated fascia sign and relocation of existing non-illuminated dealership fascia sign.

Applicant: Barons & Chandlers
Officer: Mark Thomas 292336

Approved on 24/02/15 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.

BH2014/03341

Chandlers Garage Victoria Road Portslade

Remodelling of showroom including revised windows and doors, new ramp to front elevation and alterations to colour finish of existing retail area metal faced cladding panels, roof overhang fascia and soffits.

Applicant: Barons & Chandlers

Officer: Mark Thomas 292336

Approved on 19/02/15 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	-	-	6th October 2014
Existing floor plan	JWJN X36 001	Rev. A	6th October 2014
Proposed floor plan	JWJN X36 002	Rev. O	6th October 2014
Proposed elevations	JWJN X36 004	Rev. D	6th October 2014
Existing elevations	JWJN X36 005	Rev. A	6th October 2014
Existing block and site layout plan	JWJN X36 010	-	6th October 2014
Proposed block and site layout plan	JWJN X36 011	-	6th October 2014
Existing and proposed site layout plan	JWJN X36 012	-	6th October 2014

BH2014/03424

20, 22 & 25 Carlton Terrace Portslade

Certificate of lawfulness for proposed inclusion of MOT vehicle testing facility on site.

Applicant: MRB Workshop Services

Officer: Helen Hobbs 293335

Approved on 19/02/15 DELEGATED

1) UNI

On the balance of probability the existing use of the relevant part of the site falls

within a Class B2 use. An MOT vehicle testing facility constitutes a Class B2 use and as such the inclusion of such a facility would not amount to a material change of use. The proposed use would not therefore constitute development as defined by Section 55 of the Town & Country Planning Act 1990, as amended.

BH2014/03760

Kings School Mile Oak Road Portslade

Application for Approval of Details Reserved by Condition 4 of application BH2013/01620.

Applicant: Rusell Education Trust

Officer: Jason Hawkes 292153

Approved on 25/02/15 DELEGATED

BH2014/03961

194A Old Shoreham Road Portslade

Conversion of ground floor flat (C3) into 1no two bedroom and 1no one bedroom flats (C3) with associated erection of a single storey rear extension and alterations to fenestration.

Applicant: Mr Dark

Officer: Christopher Wright 292097

Refused on 03/03/15 DELEGATED

1) UNI

The proposed development is not considered acceptable in principle as the floor area of the existing residential unit is less than 115 square metres and it does not have more than three bedrooms. As such the proposal does not meet the requirements of policy HO9 of the Brighton & Hove Local Plan.

2) UNI2

The internal layout of each of the two flats would be contrived and impractical and is considered further evidence that due to the size of the existing unit and notwithstanding the extension proposed, it is not appropriate for further sub-division to form an additional residential unit. As such the development would not provide a satisfactory standard of accommodation for future occupants and is thereby contrary to policies QD27 and HO13 of the Local Plan.

BH2014/04020

Flat 1 79 Trafalgar Road Portslade

Installation of windows and railings to front basement entrance. Installation of side window and enlargement of lightwell to rear on ground floor.

Applicant: Mrs O Olorenshaw

Officer: Christopher Wright 292097

Approved on 27/02/15 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			27 Nov 2014
Block Plan			27 Nov 2014
Proposed adjustment to existing ground and basement maisonette	13/888/02		27 Nov 2014
Proposed adjustment to existing ground and basement maisonette	13/888/06		9 Feb 2015

BH2014/04021

Flat 2 79 Trafalgar Road Portslade

Installation of rear dormer and rooflight.

Applicant: Mrs O Olorenshaw

Officer: Christopher Wright 292097

Refused on 27/02/15 DELEGATED

1) UNI

The proposed rear dormer and rooflight would, by reason of the siting, design, form and scale, relate poorly to the character and appearance of the recipient property, and would dominate the rear roof slope giving it a cramped and over-developed appearance that would be detrimental to visual amenity. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12: Design Guidance for Extensions and Alterations.

BH2015/00076

11 Benfield Crescent Portslade

Erection of single storey rear extension.

Applicant: Alex Wheatley

Officer: Robert Hermitage 290480

Approved on 11/03/15 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, and Site and Block Plan	-	-	13th January 2015
Proposed Plans and	-	-	9th March 2015

Elevations			
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BH2015/00088

6 Park Crescent Portslade

Erection of single storey rear extension.

Applicant: Ms Nicola Perry

Officer: Helen Hobbs 293335

Refused on 11/03/15 DELEGATED

1) UNI

1. The proposed development, by virtue of its height, design and siting directly adjacent to the boundary with the neighbouring property, no. 8 Park Crescent, would result in an unneighbourly form of development, which would appear overbearing and result in a material loss of outlook, heightened sense of enclosure and loss of light to this dwelling. As such, the proposal would adversely impact on the residential amenity of the occupiers of this property contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and the Supplementary Planning Document SPD12.

BH2015/00091

43 Benfield Way Portslade

Certificate of Lawfulness for proposed single storey rear extension.

Applicant: Mrs Lydia Cloherty

Officer: Luke Austin 294495

Refused on 23/02/15 DELEGATED

BH2015/00115

44 Station Road Portslade

Application for approval of details reserved by condition 5 of application BH2014/01888.

Applicant: Papa Johns (GB) Ltd

Officer: Sonia Gillam 292265

Approved on 11/03/15 DELEGATED

HOVE PARK

BH2014/02568

The British Engineerium The Drove Way Hove

Application for Approval of Details Reserved by Conditions 3,4, 5, 6 and 7 of application BH2012/03239.

Applicant: The British Engineerium Ltd

Officer: Mark Thomas 292336

Approved on 02/03/15 DELEGATED

BH2014/03747

BHASVIC 205 Dyke Road Hove

Application for variation of condition 2 of application BH2013/03816 (Construction of a new 3no storey teaching block located on the existing upper car park between College House and the main building on Dyke Road, provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras and creation of a new landscaped area.) to allow for the addition of a guardrail system to the roof for access to plant and photovoltaic panels. (Retrospective).

Applicant: BHASVIC

Officer: Paul Earp 292454

Approved on 24/02/15 DELEGATED

BH2014/04175

80 Nevill Avenue Hove

Certificate of lawfulness for the proposed erection of a single storey rear extension to replace existing and a loft conversion incorporating hip to gable roof extension, dormer to rear, window to side elevation and front rooflights.

Applicant: Mr & Mrs Tony & Julia McKernan

Officer: Christopher Wright 292097

Split Decision on 02/03/15 DELEGATED

1) UNI

GRANT a lawful development certificate for the proposed single storey rear extension and the two rooflights on the front roof slope as development permitted under Schedule 2, Part 1, Classes A and C of the Town and Country Planning (General Permitted Development) Order 1995 as amended.

REFUSE a lawful development certificate for the proposed rear dormer roof extension and hip to gable roof extension for the following reason:

The development is not permitted under Schedule 2, Part 1 Class B of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic metres.

BH2014/04252

12C Woodlands Hove

Erection of single storey extension with roof terrace above.

Applicant: Mr Dave Hampton

Officer: Astrid Fisher 292337

Approved on 03/03/15 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

For building regulations a 1.1m high balustrade will be required for safety.

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 other than those expressly authorised by this permission shall be constructed in the side elevations of the extension hereby approved without planning permission obtained from the Local Planning Authority. Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plans	CH639/001		17th December 2014
Existing Plans & Elevations	CH639/002		17 December 2014

Existing Elevations & Sections	CH639/003		17 December 2014
Proposed Plans & Elevations	CH639/004	A	20 January 2015
Proposed Elevations & Sections	CH639/005	A	20 January 2015
Design and Access Statement	CH639		17th December 2014

5) UNI

The external finishes of the extension hereby permitted shall match in material, colour, style, bonding and texture to 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.

BH2014/04254

12C Woodlands Hove

Certificate of lawfulness for proposed front and rear dormers and 2no rooflights.

Applicant: Mr Dave Hampton

Officer: Astrid Fisher 292337

Approved on 23/02/15 DELEGATED

BH2014/04367

55 Woodland Drive Hove

Remodelling of existing dwelling including alterations and raising of roof height to facilitate creation of an additional storey. Erection of porch and canopy and creation of garage at lower ground floor level to front elevation. Alterations and enlargement of existing rear patio, creation of access steps to either side of dwelling, revised fenestration and associated works.

Applicant: Mr & Mrs Chambers

Officer: Helen Hobbs 293335

Refused on 24/02/15 DELEGATED

1) UNI

The proposed development, by reason of its scale, detailing and resulting bulk, would create an unduly dominant and incongruous appearance which would appear at odds with the prevailing character of the Woodland Drive street scene. The proposal would therefore fail to emphasise or enhance the positive qualities of the local neighbourhood and would be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

BH2015/00024

49 Tongdean Avenue Hove

Erection of part one part two storey rear extension, installation of dormers to rear elevation and revised fenestration. (Part retrospective)

Applicant: Ms A Page

Officer: Christopher Wright 292097

Approved on 10/03/15 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 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 other openings except for those expressly authorised by this permission shall be constructed on the north-westerly and south-easterly facing flank 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.

3) UNI

The first floor level en-suite window on the north-west facing flank elevation of the two storey part of the rear extension hereby permitted shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

4) UNI

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

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

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans & Elevations	TDA.001	B	13 Jan 2015
Proposed Plans & Elevations	TDA.002	J	13 Jan 2015

6) UNI

Notwithstanding the painted render walls at first floor level, shown on the drawings hereby approved, 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.

BH2015/00073

22 Queen Victoria Avenue Hove

Certificate of lawfulness for proposed single storey side and rear extension and loft conversion incorporating hip to gable roof extension, front rooflight and rear dormer.

Applicant: Mrs Ros Morris

Officer: Astrid Fisher 292337

Split Decision on 23/02/15 DELEGATED

1) UNI

GRANT a lawful development certificate for the proposed rear dormer and front rooflights for the following reason:-

1. The rear dormer and front rooflights are permitted under Schedule 2, Part 1, Classes B & C of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

1) UNI

REFUSE a lawful development certificate for the single-storey rear extension and lower ground floor excavation for the following reasons:-

2) UNI2

1. The single-storey rear extension is not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended, as the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3m in height on the side extension, contrary to A.1 (g), furthermore the enlarged part of the dwelling house would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse, contrary to A.1 (h) (iii).

3) UNI3

2. The excavation at lower ground floor level amounts to an engineering operation that falls within the definition of development set out in section 55(1) of the Town and Country Planning Act (1990) and is not permitted by the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2015/00082

199-201 Old Shoreham Road Hove

Erection of 1no three bedroom detached dwelling.

Applicant: Alfred Haagman

Officer: Mick Anson 292354

Refused on 11/03/15 DELEGATED

1) UNI

The proposed development, by virtue of the proposed plot size, the reduced existing plot sizes and siting of the new dwelling proposed would result in a form of development which would be out of character with the street scene and surrounding area. The proposed development would be contrary to policies QD1; QD2 and QD3 of the Brighton and Hove Local Plan.

2) UNI2

The proposed development, by reason of its scale, bulk, massing and positioning would cause an unacceptable degree of harm to the amenity of the neighbouring properties at 197, 199 & 201 Old Shoreham Road, in terms of outlook and enjoyment of the private gardens and would thus be contrary to policies QD1 and QD27 of the Brighton and Hove Local Plan.

3) UNI3

The proposed development fails to provide sufficient outdoor amenity space for future occupiers thus contrary to policy HO5 of the Brighton and Hove Local Plan.

BH2015/00174

20 Orchard Gardens Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.35m, for which the maximum height would be 2.9m, and for which the height of the eaves would be 2.5m.

Applicant: Mark & Kirsty Boyle

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 23/02/15 DELEGATED

BH2015/00294

20 Orchard Gardens Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.65m, for which the maximum height would be 2.9m, and for which the height of the eaves would be

2.5m.

Applicant: Mark and Kirsty Boyle

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 27/02/15 DELEGATED

WESTBOURNE

BH2014/02924

104 Portland Road Hove

Conversion of attic space into residential accommodation incorporating pitched roof, installation of windows and rooflights and removal of rear dormer.

Applicant: Mr A Patel

Officer: Joanne Doyle 292198

Approved on 25/02/15 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 upper floor window to the western side elevation shall not be glazed otherwise than with obscured glass 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 Location Plan			08 Sep 2014
Existing Floor Plans Elevations & Section	576 01		29 Aug 2014
Proposed Block Plan Floor Plans Elevations & Section	576 02	A	03 Feb 2014

BH2014/03450

3-4 Westbourne Grove Hove

Construction of mansard roof with rooflights and dormers to create second floor and conversion of first floor to facilitate creation of 2no two bedroom maisonettes to upper floors. Alterations at ground floor level including alterations to windows and doors to front and rear to allow for creation of access to maisonettes above.

Applicant: Mr Kevin Tanner

Officer: Wayne Nee 292132

Refused on 04/03/15 DELEGATED

1) UNI

The existing commercial uses have not been demonstrated as being unviable or

detrimental to the amenities of the area. The proposal would therefore result in the loss of employment generating uses which have not be demonstrated to be genuinely redundant, contrary to policy EM6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed roof extensions would, by reason of their design, detailing, bulk and massing, have an incongruous and unduly dominant appearance in relation to the form and character of the buildings to be extended, and would be detrimental to visual amenity and the character of the prevailing townscape. The proposal is thereby contrary to policies QD1, QD2, QD3 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guidance for alterations and extensions.

3) UNI3

The proposed development would, by reason of the height and bulk of the proposed roof extensions, and the position of the rear facing first floor windows, give rise to overlooking and an overbearing impact that would be detrimental to neighbour amenity and thereby contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2014/03558

35 Sackville Gardens Hove

Erection of a single storey rear infill extension and installation of rooflight to rear roof slope. Erection of a single storey detached out building in rear garden.

Applicant: Mr Simon Wright

Officer: Wayne Nee 292132

Approved on 25/02/15 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 rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan	01	A	21 October 2014
Existing block plan	02	A	21 October 2014
Proposed block plan	03	A	21 October 2014
Proposed site plan	04	A	21 October 2014
Existing ground floor plan	05		30 October 2014
Existing second floor plan	06		30 October 2014
Existing east elevation	07		30 October 2014
Existing south elevation	08		30 October 2014

Existing west elevation	09		30 October 2014
Proposed ground floor plan	10	A	21 October 2014
Proposed south elevation	13		21 October 2014
Proposed west elevation	14		21 October 2014
Proposed south elevation	15		30 October 2014
Proposed summer house	25		30 October 2014
Proposed second floor plan	11	D	09 February 2015
Proposed east elevation	12	C	09 February 2015
Proposed east elevation	16	C	09 February 2015

BH2014/04007

59 Coleridge Street Hove

Application for variation of condition 2 of application BH2014/01873 (Change of use of rear of site from workshops (B2) and rear unit (B1) and garage to front to 2no two bedroom residential units (C3) and offices (B1), incorporating single storey extension and associated alterations) to allow the reinstatement of bay window and removal of shopfront at ground floor.

Applicant: Mr D Golding

Officer: Christopher Wright 292097

Approved on 20/02/15 DELEGATED

1) 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.

2) 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 unde

3) UNI

None of the residential units hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'Pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

4) UNI

The development hereby permitted shall be commenced before the expiration of 1 August 2017.

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

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
Block and Site Location Plans	TA791/01		27 Nov 2014
Existing Ground Floor Plan	TA791/02		27 Nov 2014
Existing First Floor Plan	TA791/03		27 Nov 2014
Existing Ground Floor Plan (part 1 of 2)	TA791/04		27 Nov 2014
Existing Ground Floor Plan (part 2 of 2)	TA791/05		27 Nov 2014
Existing First Floor Plan (part 1 of 2)	TA791/06	A	27 Nov 2014
Existing First Floor Plan (part 2 of 2)	TA791/07		27 Nov 2014
Existing Section AA	TA791/08		27 Nov 2014
Existing Section BB	TA791/09		27 Nov 2014
Existing Section CC	TA791/10		27 Nov 2014
Existing Section DD	TA791/11		27 Nov 2014
Existing Section EE	TA791/12		27 Nov 2014
Existing Front Elevation	TA791/13		27 Nov 2014
Proposed Ground Floor Plan	TA791/20	B	16 Dec 2014
Proposed First Floor Plan	TA791/21		27 Nov 2014
Proposed Ground Floor Plan (part 1 of 2)	TA791/22	B	16 Dec 2014
Proposed Ground Floor Plan (part 2 of 2)	TA791/23	A	27 Nov 2014
Proposed First Floor Plan (part 1 of 2)	TA791/24	A	27 Nov 2014
Proposed First Floor Plan (part 2 of 2)	TA791/25	A	27 Nov 2014
Proposed Section AA	TA791/26		27 Nov 2014
Proposed Section BB & FF	TA791/27	B	16 Dec 2014

Proposed Section CC	TA791/28	B	16 Dec 2014
Proposed Section DD	TA791/29	A	27 Nov 2014
Proposed Section EE	TA791/30	A	27 Nov 2014
Proposed Front Elevation	TA791/31	B	16 Dec 2014
Proposed Section CC	TA791/32	B	16 Dec 2014

6) UNI

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

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

7) UNI

The first floor level windows in the west facing elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.55 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

8) UNI

Access to the flat roofs over 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.

9) UNI

The new dwellings hereby permitted shall be constructed to Lifetime Home standards prior to their first occupation and shall be retained as such thereafter.

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

10) UNI

The 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.

11) UNI

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

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

12) UNI

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent similar re-enactment, the hereby approved office buildings, as identified on drawing no. TA791/20 B, shall be used for Class B1 (business) use and no other use without the prior written consent of the Local Planning Authority to whom a planning application must be made.

Reason: For the avoidance of doubt and to enable the Local Planning Authority to control the future use of the premises, and to retain an adequate level of employment on the site, in compliance with policies EM3, EM4 and QD27 of the Brighton & Hove Local Plan and CP3 of Brighton & Hove Submission City Plan Part One.

13) UNI

The hereby permitted residential dwellings shall not be occupied until the office buildings, as identified on drawing no. TA791/20 B, have been built and fitted out to shell and core standard and made available for use.

Reason: To ensure the provision and retention of office accommodation on the site and to comply with policy EM6 of the Brighton and Hove Local Plan.

14) UNI

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

A completed pre-assessment estimator will not be acceptable.

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

15) UNI

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

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

16) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, boundary treatments (including the proposed bollards) and planting 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.

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 and retained as such thereafter.

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

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 policies QD1 and QD17 of the Brighton & Hove Local Plan.

19) UNI

No development shall commence until a scheme for soundproofing between the rearmost office building and adjoining residential unit (unit 4) has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

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.

BH2014/04341

10 Sackville Road Hove

Replacement of existing windows with timber to front elevation and UPVC to side and rear elevations.

Applicant: Hyde Housing

Officer: Haydon Richardson 292322

Approved on 23/02/15 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 windows to the front elevation of the building including their sub sills shall be white painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

Reason: In the interests of the character and appearance of the building(s) and the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

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
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Existing Front and side elevation Images and Layout	1353/SC/01		23/12/14
Proposed Front and side elevation Windows	1353/SC/03	A	20/2/15
Written plan proposal	1353/SA		23/12/14
Existing rear and side elevation images and layout	1353/SC/02		23/12/14
Block and site plan	1353/SC/05		23/12/14
Proposed rear elevation windows	1353/SC/04		23/12/14
Window designs and barring patterns			23/12/14

WISH

BH2014/03753

37 Grange Road Hove

Removal of existing single storey extension and erection of part single, part two storey rear extension.

Applicant: Mr D Parker

Officer: Helen Hobbs 293335

Refused on 06/03/15 DELEGATED

1) UNI

The proposed ground floor infill extension, by virtue of its height, depth, positioning and proximity to the shared boundary with no. 35 Grange Road as well as the land level changes, would have an overbearing impact on occupiers of this neighbouring property, resulting in a loss of outlook, overshadowing and an increased sense of enclosure. As such, the proposed development would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan, and Supplementary Planning Document (SPD) 12: design guide for extensions and alterations.

2) UNI2

The proposed roof form and detailing of the second floor extension, would fail to relate to the main features of the property forming an incongruous addition, to the detriment of the character and appearance of the existing property and the surrounding area. As such, the proposed development would be contrary to policy QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document (SPD) 12: design guide for extensions and alterations.

BH2014/04145

20 Saxon Road Hove

Erection of part one part two storey rear extension, installation of rear dormer, rooflights to side and front and associated alterations.

Applicant: Daniel Levy

Officer: Christopher Wright 292097

Approved on 27/02/15 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 on the south facing side elevation of the development hereby permitted shall be obscure glazed and shall be retained as such thereafter.

Reason: To safeguard the privacy of the occupiers of the neighbouring property,

18 Saxon Road, and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The first floor window on the south facing side elevation of the development hereby permitted shall be obscure glazed and, unless the part(s) 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 be retained as such thereafter.

Reason: To safeguard the privacy of the occupiers of the neighbouring property, 18 Saxon Road, and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plans	2014/08/01		9 Dec 2014
Existing Floor Plans	2014/08/02		9 Dec 2014
Existing Elevations	2014/08/03	A	4 Feb 2015
Proposed Ground Floor Plan - Option 2	2014/08/05		9 Dec 2014
Proposed First Floor Plan	2014/08/07		9 Dec 2014
Proposed Attic Floor Plan	2014/08/08		9 Dec 2014
Proposed Roof Plan	2014/08/09		9 Dec 2014
Proposed Sections	2014/08/10		9 Dec 2014
Proposed Elevations	2014/08/11	A	4 Feb 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.

BH2014/04251

33 Woodhouse Road Hove

Erection of single storey side and rear extension. (Retrospective)

Applicant: Ms Deborah Tallon

Officer: Joanne Doyle 292198

Refused on 10/03/15 DELEGATED

1) UNI

The development by reason of its projection beyond the side and rear walls of the original dwellinghouse creates a large footprint which, together with its wrap around form and extensive rear fenestration, fails to respond to the existing form and character of the building. The resulting mass appears unduly bulky and visually dominant in relation to the existing building, and the development is therefore contrary to policy QD14 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2) UNI2

The development results in loss of light and outlook for occupiers of 35 Woodhouse Road to the detriment of their residential amenity. The development is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local

Plan.

BH2015/00008

18 Welbeck Avenue Hove

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, installation of 2no front rooflights, side window and creation of rear dormer.

Applicant: Andy Taylor

Officer: Astrid Fisher 292337

Approved on 27/02/15 DELEGATED

BH2015/00139

27 St Heliers Avenue Hove

Erection of single store rear extension.

Applicant: Mr & Mrs Irvine

Officer: Luke Austin 294495

Approved on 06/03/15 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 Plan, Existing Floorplans, Section and Elevations	1256-01	-	19/01/2015
Block Plans, Proposed Floor Plans, Section and Elevations	1256-02	-	19/01/2015

BH2015/00260

7 Alpine 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 4.695m, for which the maximum height would be 3.547m, and for which the height of the eaves would be 2.605m.

Applicant: Ms Jasmin Robertson

Officer: Luke Austin 294495

Prior approval not required on 23/02/15 DELEGATED

Withdrawn Applications

BH2015/00043

21 Portland Villas Hove

Certificate of Lawfulness for proposed single storey rear extension and loft conversion incorporating insertion of rooflights to side and rear.

Applicant: Pacaus Developments Ltd

Officer: Astrid Fisher 292337

WITHDRAWN ON 03/03/15

PLANNING COMMITTEE

Agenda Item 112b

Brighton & Hove City Council

PLANS LIST 1 April 2015

PATCHAM

Application No: **BH2015/00398**

6 Windmill View, Brighton

1no group of Elm trees (G1) - crown reduction of all trees by 2 metres to previous pruning points.

Applicant: Mr Stephen Duance

Approved on 25 Feb 2015

PRESTON PARK

Application No: **BH2015/00306**

44 & 46 Rugby Road, Brighton

Fell Pear Tree - T2. (This tree has no public visibility, thus no public amenity value.)

Applicant: Dr Sian Harris

Approved on 24 Feb 2015

Application No: **BH2015/00307**

44 & 46 Rugby Road, Brighton

1no Bay Tree T1 - Crown reduction 50%, 1no Cherry Tree T3 - Crown reduction 30%

Applicant: Dr Sian Harris

Approved on 24 Feb 2015

WITHDEAN

Application No: **BH2015/00178**

Woodside Lodge, Tivoli Crescent, Brighton

Sycamore T2 - reduce all growth back to the previous points; 1no Sycamore T4 & 1no Ash T5- reduce back to previous points; 1no Sycamore T6 - reduce height by 1m, sever ivy, remove worst of foliage; 1no Sycamore T7 - reduce back to previous points, sever ivy in adjacent tree; 1no Sycamore T9 - reduce height by 1.5m, sever

ivy and remove worst of foliage; 1no Sycamore T10 - reduce back to previous points, sever ivy and remove worst of foliage; 1no Sycamore T13 - reduce back to previous points; 3no Sycamore T14, T15 & T17 & 1no Ash T16 - reduce back to previous points, sever ivy and remove worst of foliage; 3no Sycamore T18, T19 & T20 - reduce back to previous points.

Applicant: Mr G O'Flanagan
Approved on 25 Feb 2015

Application No: BH2015/00434
1 Withdean Close, Brighton

Ash (T1) - reduce by 2-3m; Elm (T2) - reduce by 3-4m.

Applicant: Mr J Hatch
Approved on 25 Feb 2015

Application No: BH2015/00435
1 Withdean Close, Brighton

Fell one ivy-covered tree.

Applicant: Mr J Hatch
Approved on 25 Feb 2015

HANOVER & ELM GROVE

Application No: BH2015/00332
Brighton General Hospital, Elm Grove, Brighton

2no Walnut (T20 & 22) - lift over building to give a clearance of approx. 1.5m; Sycamore (T21) - lift over bike shed to give a clearance of 2m; Monterey Pine (T24) - lift over building to give a clearance of approx. 1.5m; sever Ivy at base on all trees behind H BLOCK; 9no Elm & 2no Sycamore (T111-123) (Pankhurst Ave frontage) - reduce back to previous reduction points.

Applicant: Mr Carlos Daly
Approved on 25 Feb 2015

HOLLINGDEAN & STANMER

Application No: BH2015/00390
133 Stanmer Park Road, Brighton

Fell 1no Ash T1. (Present location of tree is not sustainable in the long-term. Any loss of amenity is minimal.)

Applicant: Mr Matt Haynes
Approved on 25 Feb 2015

Application No: **BH2015/00392**
133 Stanmer Park Road, Brighton

1no Ash T2 - reduce by 50% to pollard point.

Applicant: Mr Matt Haynes
Approved on 25 Feb 2015

QUEEN'S PARK

Application No: **BH2015/00366**
Carn Court, North Drive, Brighton

3no Sycamores (east of the building) and a Group of Sycamores, Beech, Elms and Ash (west of the building): Reduce all stems and branches by 2.5m to reduce encroaching branches.

Applicant: Mr Kevin Baker
Approved on 24 Feb 2015

ROTTINGDEAN COASTAL

Application No: **BH2015/00114**
Northend House The Green, Brighton

1no Silver maple- Reduce in height by approx. 1m and prune back laterals all around by approx. 2m. Remove epicormic growth and dead wood. 1no T3 Sycamore (top left boundary). Sever Ivy at base.

Applicant: Ben Macdonald
Approved on 24 Feb 2015

Application No: **BH2015/00183**
Lewes Crescent & Sussex Square, Brighton

T6 Sycamore – reduce east side 1-2m; T9 Sycamore – reduce by 1m east side to balance and reduce chance breakage at cavity; T11 Sycamore – reduce low branch by 2m; T14 Sycamore – remove excess epicormic growth; T23 Quercus ilex – lift to 5m; T25 Sycamore – reduce by 2m over east side; T26 Sycamore – reduce by 2m over road; T27 Sycamore – reduce by up to 4m on east; T29 Sycamore – reduce by up to 2m over road; T31 Sycamore – reduce by 2m over road; T33 Sycamore – thin by 20% southern stems; T42 Sycamore – reduce lowest limb by 2-3m; T47 Quercus

ilex – formative prune; T58 Sycamore – reduce by 3m on north-east of crown; T60 Elm – remove lowest branch to origin on north; T67 Elm – lift to 6m, reduce by 2m from road to north; T68 Sycamore – reduce by 2m north; T78 Sycamore – reduce and re-shape mainly sides crown by up to 4m; T79 Sycamore – reduce by up to 3.5m, roughly above border edge; T81 Sycamore – reduce back by up to 4m, reduce large NE limb back to approx. 5m; T84 Quercus ilex – reduce longest limbs by 1m to reduce weight; T100 Elm group – remove smallest stem; T106 Sycamore – remove northern limb to origin, re-shape crown to south-west, north-west reduce up to 1.5m; T107 Quercus ilex group – reduce by 2m; T110 Elm – remove smaller ingrown stem; T112 Quercus ilex – remove secondary branch with squirrel damage to north; T113 Quercus ilex – reduce height by 2m; T122 Quercus ilex – remove dead stems; T129 Quercus ilex – reduce northern stem by 2m; T183 Sycamore – lift to 2.5m; T194 Quercus ilex – formative prune; T196 Quercus ilex – clear tree from hedge; T197 Cupressus macrocarpa – reduce southern limb.

Applicant: Mr Duncan Armstrong
Approved on 24 Feb 2015

Application No: BH2015/00184
Lewes Crescent & Sussex Square, Brighton

Fell 1no Quercus ilex (T115), Fell 1no Leylandii (T173). (These trees are in such poor condition that they are not sustainable in the long-term, thus no amenity value.)

Applicant: Mr Duncan Armstrong
Approved on 24 Feb 2015

Application No: BH2015/00229
Northend House The Green, Brighton

Fell 1no Whitebeam T2, Fell 2no Holm Oak T4, Fell 1no Sycamore T5, Fell 1no Group Wild Cherry. (None of the trees have any public amenity value.)

Applicant: Ben Macdonald
Approved on 24 Feb 2015

CENTRAL HOVE

Application No: BH2015/00440
Flat 2, 11 Medina Villas, Hove

Fell one Leylandii in back left corner of garden and one small Bay near to the side gate.

Applicant: Mr G Place
Approved on 25 Feb 2015

NEW APPEALS RECEIVED**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****MOULSECOOMB & BEVENDEAN**

BH2014/00331

Willow Surgery 50 Heath Hill Avenue
BrightonApplication for variation of condition 2
of application BH2012/03818
(Demolition of existing surgery and
residential accommodation and
erection of new surgery and student
accommodation comprising of 19
rooms) to permit internal alterations
and changes to fenestration to
increase accommodation to 24
rooms.

APPEAL LODGED

19/02/2015

Planning Committee

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****BRUNSWICK AND ADELAIDE**

BH2014/03706

Flat 6 29 Brunswick Square Hove
Conversion of existing flat into 1no
one bedroom and 1no two bedroom
flats (C3).

APPEAL LODGED

25/02/2015

Delegated

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

BH2014/03422

4 Challoners Cottages Falmer Road
Rottingdean BrightonReplacement of existing double
glazed UPVC windows with UPVC
sash windows to front elevation.

APPEAL LODGED

04/03/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****REGENCY**

BH2014/03224

52-53 Western Road Brighton

DEVELOPMENT DESCRIPTION

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

APPEAL STATUS

APPEAL LODGED

APPEAL RECEIVED DATE

05/03/2015

APPLICATION DECISION LEVEL

Delegated

WARD

SOUTH PORTSLADE

APPEAL APP NUMBER

BH2014/03540

ADDRESS

21 Gladstone Road Portslade

DEVELOPMENT DESCRIPTION

Erection of two storey rear extension and roof alterations and extension including rooflights to front elevation.

APPEAL STATUS

APPEAL LODGED

APPEAL RECEIVED DATE

09/03/2015

APPLICATION DECISION LEVEL

Delegated

WARD

WISH

APPEAL APP NUMBER

BH2014/03313

ADDRESS

141 New Church Road Hove

DEVELOPMENT DESCRIPTION

Demolition of existing garage and erection of two storey two bedroom house.

APPEAL STATUS

APPEAL LODGED

APPEAL RECEIVED DATE

11/03/2015

APPLICATION DECISION LEVEL

Delegated

WARD

SOUTH PORTSLADE

APPEAL APP NUMBER

BH2014/03908

ADDRESS

46 St Andrews Road Portslade

DEVELOPMENT DESCRIPTION

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.

APPEAL STATUS

APPEAL LODGED

APPEAL RECEIVED DATE

10/03/2015

APPLICATION DECISION LEVEL

Delegated

WARD

CENTRAL HOVE

APPEAL APP NUMBER

BH2014/02637

ADDRESS

40 Albany Villas Hove

DEVELOPMENT DESCRIPTION

Erection of single storey detached garage to replace existing with associated alterations. Installation of new railings and gates to front and rear boundaries and widening of vehicular access.

APPEAL STATUS

APPEAL LODGED

APPEAL RECEIVED DATE

11/03/2015

APPLICATION DECISION LEVEL

Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

ROTTINGDEAN COASTAL
BH2014/03475
1 Saltdean Drive Saltdean Brighton
Demolition of existing house and
erection of four storey building
containing 4no two bedroom flats,
1no three bedroom maisonette and
1no three bedroom penthouse
apartment.
APPEAL LODGED
11/03/2015
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

MOULSECOOMB & BEVENDEAN
BH2014/03671
4 Coombe Terrace Brighton
Installation of new shop front to
provide separate access to first floor
flat. (Retrospective)
APPEAL LODGED
10/03/2015
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

HOVE PARK
BH2014/03797
65 Dyke Road Avenue Hove
Remodelling of existing house
incorporating front and rear
extensions and rear terrace at ground
and first floor level.
Replacement of existing roof with
extension to create second floor level.
Erection of new perimeter wall and
front boundary wall rendered with
timber panels.
APPEAL LODGED
09/03/2015
Delegated



INFORMATION ON HEARINGS / PUBLIC INQUIRIES

1st April 2015

**Brighton & Hove
City Council**

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: 10:00am 20th October 2015

Location: Brighton Town Hall, Bartholomew Square, Brighton BN1 1JE

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Appeal Decision

Site visit made on 28 January 2015

by R W Allen B.Sc (Hons) PGDip MRTPI

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

Decision date: 18 February 2015

Appeal Ref: APP/Q1445/A/14/2219751

20A Braemore Road, Hove, East Sussex BN3 4HB

- 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 Katerina Barrett against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/00157, dated 17 January 2014, was refused by notice dated 22 April 2014.
 - The development proposed is conversion of existing first floor 2 bedroom flat and roof above to form one 2 bedroom flat and one 1 bedroom flat.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing first floor 2 bedroom flat and roof above to form one 2 bedroom flat and one 1 bedroom flat at 20A Braemore Road, Hove, East Sussex BN3 4HB, in accordance with the terms of the application, Ref BH2014/00157, dated 17 January 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 approved drawings 109/01A; 109/02; 109/03; 109/04; 109/05; 109/10C; 109/12A; 109/13A and 109/14A.
 - 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.
 - 4) Prior to occupation of the development hereby approved the roof light window located on the north facing hipped roof as shown on the approved drawing 109/13A shall be fitted with obscured glazing and shall be non-opening unless the parts of the of the roof light to be opened would be more than 1.7 metres above the floor level, and shall thereafter be retained.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and the wider street scene.

Reasons

3. The appeal site is a semi-detached two-storey property converted into two flats, located within a residential street characterised by similar dwellings. At my site visit, I saw many of the dwellings in the immediate and wider vicinity, not least the adjoining property No 18 Braemore Road (No 18), have been altered and extended, including the addition of dormer windows and roof lights to the front, side and rear roof slopes.
4. The Council's Supplementary Planning Document 12 entitled Design Guide for Extensions and Alterations (SPD12), adopted June 2013, says dormer windows are inappropriate in design where they occupy the full width of the roof, and that they should be kept as small as possible and clearly be subordinate and set well off the sides, ridge and eaves of the roof. The supporting structure it says should be kept to a minimum and avoid both heavy appearances and large areas of cladding, the rule of thumb being the dormer should not be substantially larger than the window. In respect of roof lights, SPD12 says they should be kept to as few and as small as possible, should relate well to the scale and proportions of the elevation below, and should align or centre with windows below where possible.
5. The proposed dormer window would not occupy the full width of the roof. It would sit centrally within the roof slope, and would be evenly aligned between the two first floor windows which would sit beneath it. Its overall height would be well below the main ridge and would be set above the eaves level with gaps to the sides. The dormer would comprise three separate areas of glazed panels and the surrounding structure would be higher and wider than those panels. Nonetheless that would not be to a substantial extent. I find overall that the development would be a subordinate structure within the roof space, that it would not be harsh in its appearance, and that it would not be overly large or unduly prominent against the host property.
6. The proposed roof lights would not align directly with the first floor windows below. However, I find they would not be so large or numerous to result in a cluttered appearance or harm the existing roof slopes, a good proportion of which would be retained.
7. Having regard to its location on the rear roof slope and to the matters discussed above, I find the development would have little impact on the character and appearance of the area, and that the continuity of the built form would not be interrupted by the development. There would be no conflict with Policies QD2 and QD14 of the Brighton and Hove Local Plan 2005 which seek to ensure that development is well designed, sited and detailed in relation to the property to be extended. Furthermore I find that it would satisfy the guidance in SPD12.

Other Matters

8. I have noted the concerns of the occupiers of No 18 in respect of the intensification of the use of the site. I can appreciate that the quantum of flats that would be contained within the appeal building may well not be duplicated elsewhere in the vicinity. However, I have already found there would be no harm from the physical alterations to the property, and no evidence is before me that the level proposed would be so obviously incongruous and harmful, that it would lead to a noticeable departure from the area's character and

appearance. I have carefully considered the representations before me in respect of living conditions and parking. The proposed flank window would have the potential to overlook the neighbouring property at No 22 Braemore Road however this aspect can be controlled by condition. The Council has not objected to the development on these grounds and based on evidence before me I have no reason to disagree.

Conditions

9. I have considered the conditions suggested by the Council against paragraph 206 of the National Planning Policy Framework and consider they meet these tests. I have specified the approved plans for the avoidance of doubt and in the interests of proper planning, and a condition relating to materials is necessary in the interests of the character and appearance of the area. I have also imposed an obscure glazing and non-opening condition for the north elevation flank roof light in order to protect the living conditions of the neighbour at No 22 Braemore Road.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

R Allen

INSPECTOR



Appeal Decision

Site visit made on 2 March 2015

by **S J Papworth DipArch(Glos) RIBA**

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

Decision date: 6 March 2015

Appeal Ref: APP/Q1445/D/14/2223488
69 Seafield Road, Hove, East Sussex BN3 2TN

- 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 Janet Bray against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01471, dated 7 August 2014, was refused by notice dated 1 July 2014.
 - The development proposed is replacement of existing single glazed wooden windows with upvc double glazed units to front elevation.
-

Decision

1. I allow the appeal and grant planning permission for replacement of existing single glazed wooden windows with upvc double glazed units to front elevation at 69 Seafield Road, Hove, East Sussex BN3 2TN in accordance with the terms of the application, Ref BH2014/01471, dated 7 August 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) The windows shall be of a double-hung vertical sliding sash configuration.

Reasons

2. The site is within the Old Hove Conservation Area, and the boundary runs along the centre of the road so that the terrace of properties opposite is in the Cliftonville Conservation Area. The main issue in this appeal is the effect of the proposed replacement windows on the character and appearance of the conservation areas. Policy QD14 of the Local Plan states requirements for alteration to existing buildings including that they are well designed and detailed in relation to the property, adjoining properties and the surrounding area, using materials sympathetic to the parent building. Policy HE6 concerns conservation areas and seeks a high standard of design and detailing reflecting the character or appearance of the area, the use of materials which are sympathetic to the area, and the retention of features which contribute to the character or appearance of the area.
3. Supplementary Planning Document 09 '*Architectural Features*' has been referred to but in the Introduction it appears that it relates to 'historic buildings' and the appeal property does not fall within any of the four types of building as set out. Supplementary Planning Document 12 '*Design Guide for Extensions and Alterations*' is less restricted in its application and in section 3.4 on replacement windows states that poor window design and placement can

disrupt the general appearance of buildings and the rhythm of the streetscene, particularly on large blocks of flats and more traditional building forms where the continuity of fenestration is a key design element, neither of which apply here. The guidance continues to state that plastic, aluminium and timber windows tend to have different frame dimensions and light-reflecting qualities therefore care should be had to the use of materials, particularly on street elevations.

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, in this case the conservation areas, great weight should be given to the asset's conservation.
5. The dwelling is within a terrace of similar, but not identical, modern properties, which were originally constructed with timber windows. They are not historic buildings and the use of timber sash windows is said by the Council to be an acknowledgment of the materials used in the terrace of dwellings on the other side of the road, which are historic buildings. To that extent it is correct that double-hung vertical sliding sash windows should remain on the appeal property. The terrace on the east side is striking for its length and uniformity of fenestration, at least below gutter level, and the Council refer to an Article 4 Direction being in place. The appeal terrace is subject to a restriction of permitted development rights from the time of its planning permission.
6. The appeal terrace displays some variation in the treatment of the upper floor oriel windows between triangular ones to the ends and flat fronted to the middle including the appeal property, and there is a top floor of mansard and near-vertical modern rooflights. There is also variation in wall finish of face brickwork and render. In all, the terrace exhibits a form that reflects the historic buildings opposite, but deviates in its detailing, so that it stands as an appropriate modern intervention in the Old Hove Conservation Area and within the setting of the Cliftonville area.
7. These timber oriel windows risk rotting through not being detailed within masonry reveals, as the bays opposite, but being fully exposed, and the replacement of the other windows would keep all those on the single dwelling matching. Provided the configuration of sash windows is retained, and this can be secured by condition, the replacement with upvc on this modern building, with its existing variety of planes and fenestration, would not erode the character and appearance of either designated heritage asset, but would bring about an improvement in the thermal efficiency of the building. On this last point, the Council have referred to a poor pay-back period for double glazing, which similar to the costs of the timber equivalent that they refer to, is of limited weight if the effect is acceptable and the appellant is willing to undertake the work. Where timber windows need replacing in any event, as appears to be the case here, the economics of then using double glazed units improves, as acknowledged in the Council's reference to the Building Research Establishment findings.
8. The use of upvc may have some limited effect on the terrace as an entity, as a single example of such windows, since the Council say that there is no record

of number 71 having permission, but the level of harm to the wider conservation area would be very low in the category of 'less than substantial', a differentiation required between paragraphs 133 and 134 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The improvement to the thermal insulation is sufficient in the particulars of this case to outweigh the very limited effect that would result, as even if the financial payback to the appellant through reduced energy costs is limited, the saving in energy use is of public benefit in reducing reliance on fossil fuels and the emission of greenhouses gases.

9. Both the Council and the appellant have referred to previous appeal decisions. In the Council's reference to Clifton Street, the difference between the buildings there compared with the appeal terrace is such as to not require that recent Decision (Ref APP/Q1445/A/14/222204, 27 October 2014) to be copied to the appellant for comment, but it has been taken into account.
10. The proposal would accord with the aims of Development Plan policies which seek to preserve the character and appearance of conservation areas, and with the requirement of the 1990 Act that special attention be paid to that matter. The wider conservation area, in each case, would be conserved as sought in section 12 of the Framework, and for the reasons given above it is concluded that the appeal should be allowed.

S J Papworth

INSPECTOR



Appeal Decision

Site visit made on 11 February 2015

by **R Allen B.Sc (Hons), PGDip, MRTPI**

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

Decision date: 24 February 2015

Appeal Ref: APP/Q1445/D/14/2229832
43 Hillcrest, Westdene, Brighton, BN1 5FP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Antony Davies against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/02523 was refused by notice dated 30 September 2014.
 - The development proposed is roof extensions to property and erection of solar panels on garage (retrospective).
-

Decision

1. The appeal is allowed and planning permission is granted for roof extensions to property and erection of solar panels on garage (retrospective) at 43 Hillcrest, Brighton, BN1 5FP in accordance with the terms of the application, Ref BH2014/02523, dated 28 July 2014 subject to the following condition:
 - 1) The window located on the first floor flank wall serving a bathroom shown on the approved drawing 0007 First Floor Plan shall be fitted with obscured glazing and shall thereafter be retained.

Procedural Matter

2. I note the appeal scheme is retrospective but there is an apparent discrepancy between what has been built and the submitted plans. The appeal drawings "007 Side Elevation" and "009 Rear Elevation" show the rear dormer window as being sited slightly lower than the ridge height of the main roof. However at my site visit, I found the dormer window ran flush with ridge such that the dormer window appeared to me to be a little larger than shown on the drawings. It is not clear to me whether both parties have based their cases on the dormer window as built, or as shown on the drawings. In reaching my decision, I have considered the appeal against the submitted drawings, but have had regard to the development as built, and I am satisfied neither party is caused any injustice by me taking this approach in determination of this appeal.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the wider street scene.

Reasons

4. The appeal property lies within a residential street of tightly-knit and modestly-sized semi-detached bungalows. Some two-storey dwellings lie further along

- the street. Roof forms of the bungalows are generally shallow pitched with low eaves and ridge heights, which include a mix of gabled and hipped ends, dormer windows and roof lights. The property is set back and higher than the road, with a narrow shared driveway to the side leading to the rear garage.
5. I found from my site visit that the gabled roof to the appeal property was only noticeable when viewed directly outside the property, with its existence becoming less apparent from wider distances along the street. Although I saw that the symmetry had changed between the site itself and its neighbour No 41 Hillcrest, the relatively low scale and height of the overall roof form persuades me that the alteration is relatively insignificant, and that it has not harmed or unbalanced the pair of bungalows. Nor does it appear incongruous within the wider street scene.
 6. At the rear, I found that dormer windows of varying sizes were not an uncommon presence on rear roof slopes, and indeed the adjoining pair of bungalows Nos 45 and 47 Hillcrest have full height and width dormer windows which appear almost identical in size and design to the scheme as built at the appeal property.
 7. Policy QD14 of the Brighton and Hove Local Plan 2005 (LP) says planning permission for extensions or alterations, including the formation of rooms in the roof, will only be granted where proposed development is well designed, sited and detailed in relation to the property, adjoining property and the surrounding area. The Council's Supplementary Planning Document 12 entitled Design Guide for Extensions and Alterations 2013 (SPD12), says dormer windows are inappropriate in design where they occupy the full width of the roof, and that they should be kept as small as possible and clearly be subordinate and set well off the sides, ridge and eaves of the roof. The supporting structure it says should be kept to a minimum and avoid both "heavy" appearances and large areas of cladding, the rule of thumb being the dormer should not be substantially larger than the window.
 8. The dormer window as shown on the submitted drawings would occupy almost the full width and height of the main roof, and the three windows would align poorly with those on the ground floor. I find it would be an unattractive feature, would dominate the rear roof slope and would appear excessively large against the host property. As such the dormer window would not accord with requirements of LP Policy QD14 or satisfy the guidance in SPD12. The dormer as built does not alter my findings.
 9. However, it seems to me that SPD12 would only ever likely have limited application as a dormer window, both as shown on the submitted drawings and as built, would normally fall under permitted development under Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO). The GPDO allows for dormer windows to be built in such a fashion provided that it would not exceed the highest part of the existing roof, which neither the appeal scheme as shown or as built would do, or that it would not exceed 50cu.m in volume.
 10. The appellant asserts that the roof alteration taken in isolation would fall to be considered as permitted development. It is not clear if he is referring to the scheme as shown or as built, however given that there is only a limited difference in size between the two, I find it likely both would apply, and the Council has not disputed or contested any of these points. It is because of the

existence of the pitched roof to a previous kitchen extension that cumulatively the development marginally exceeds the permitted volume allowed by the GPDO. Again there is no dispute on this point from the Council.

11. The appellant further asserts that if the appeal were to fail, his intention is to replace the kitchen pitched roof with a flat roof to remove the additional volume and allow the development to comply with the GPDO. Faced with the more complicated alternative of modifying the main roof structure and dormer window, I find this would not be a particularly onerous task, and that it would be highly probable that the applicant would indeed take that course of action. It follows that the roof alteration and dormer window addition would remain, such that to dismiss the appeal on the harm that I have found would be a somewhat futile exercise. I have attached significant weight to this fallback position.
12. In applying the planning balance, I find the dormer window to be excessively large, unattractive and poorly related to the host dwelling such that it would not accord with LP Policy QD14 or the guidance in SPD12. However the fallback position is a material consideration which outweighs LP policy QD14 and the SPD such that the balance lies in favour of the scheme.
13. SPD12 says roof lights should be kept to as few and as small as possible, should relate well to the scale and proportions of the elevation below, and should align or centre with windows below where possible. The proposed roof lights are large in number and do not align directly with the ground floor windows below. However, I find they are not so large or numerous to result in a cluttered appearance or harm the existing roof slopes, a good proportion of which would be retained.
14. The solar panels mounted on the garage roof are largely unseen from the road such that I found they had little bearing on the character and appearance of the street scene.

Other Matters

15. I note the comments of the occupiers of the neighbouring property at No 45 Hillcrest in respect to privacy should the kitchen flat roof be implemented. However as I am allowing the appeal, I have not considered this issue further.

Conditions

16. I have considered the conditions suggested by the Council against paragraph 206 of the National Planning Policy Framework. I have imposed a condition requiring the side window, serving a bathroom, be obscured glazed in the interests of protecting living conditions of the neighbour at No 45 Hillcrest. However as the scheme is retrospective, I find imposing conditions relating to time limits, materials and approved drawings to be unnecessary and as such I have not imposed them.

Conclusion

17. For the reasons given above I conclude that the appeal should be allowed.

R Allen

INSPECTOR



Appeal Decision

Site visit made on 11 February 2015

by R W Allen B.Sc (Hons) PGDip MRTPI

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

Decision date: 24 February 2015

Appeal Ref: APP/Q1445/A/14/2221272

112 Carden Avenue, Brighton, BN1 8NE

- 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 Williams against the decision of Brighton and Hove City Council.
 - The application Ref BH2013/03400, dated 5 October 2013, was refused by notice dated 9 June 2014.
 - The development proposed is demolition of existing garages and construction of new three bedroom dwelling with lower ground floor partially sunk into the ground with access from existing driveway off Carden Avenue. Associated external alterations.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garages and construction of new three bedroom dwelling with lower ground floor partially sunk into the ground with access from existing driveway off Carden Avenue and associated external alterations at 112 Carden Avenue in accordance with the terms of the application, Ref BH2013/03400, dated 5 October 2013, subject to the 9 conditions set out in the attached schedule.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and
 - The effect of the proposed development on the living conditions of Nos 112 and 110 Carden Avenue.

Reasons

Character and appearance

3. The appeal site relates to the end part of the rear garden of No 112 Carden Avenue, which is a semi-detached two-storey dwelling located at the end of a row of similarly-designed road frontage properties with long, narrow rear gardens. The site is occupied in part by two single-storey detached garages which are separately accessed via an unmade road from the north, located between the rears of Nos 114 to 128 Carden Avenue and to the side of No 130 Carden Avenue. The garden gently inclines in level from the rear elevation to the garages. The wider area comprises a mix of property styles and ages, the north of the appeal site comprising smaller properties and plot sizes.

4. I saw from my site visit that the appeal site fell at a transition point between the two distinct character areas either side of it. In its current form, the appeal site clearly reads as part of the area to the south, and the appeal proposal would have the effect of altering the character of the site such that it would align more closely with the area to the north. However, as the appeal site would also be accessed from within this area, I do not find this would be inappropriate or that it would undermine the character and appearance of the wider area.
5. The street scene is varied with no particular uniformity in either design or height. Aside from some glimpsed views between No 114 and 112, and No 110 and 108 Carden Avenue, the proposed development would not be seen from public vantage points in the street. The proposed design is unassuming nonetheless it would integrate and assimilate well with its surroundings.
6. I find the proposed development would not harm the character and appearance of the area, and that it would accord with Policies QD1, QD2 and QD3 of the Brighton and Hove Local Plan 2005 (with saved policies 2008) (LP) which say, amongst other things, that development must demonstrate a high standard of design and make a positive contribution to the visual quality of the environment, that it should be designed to emphasise and enhance the positive qualities of the local neighbourhood taking into consideration height, scale, bulk, design, topography, and should make effective and efficient use of land incorporating an intensity appropriate to the locality.

Living conditions

7. I note the proposed development would be on raised ground and be sited closer towards the occupiers of the neighbouring properties at Nos 112 and 110 Carden Avenue. However, I find sufficient distance would exist between the two so as not to cause harm to outlook and dominance. The introduction of a boundary fence would have the desired effect of screening much of the proposed development thereby would reduce any potential impact on privacy to the occupiers of the adjoining properties caused from the proposed habitable room windows on the western elevation.
8. I therefore find the proposed development would not harm the living conditions of Nos 112 and 110 Carden Avenue, that it would accord with LP Policy QD27 which says planning permission not be permitted where it would cause material nuisance or loss of amenity to existing and/or proposed users, residents or occupiers.

Other Matters

9. I note concerns regarding the condition of the unmade access road, that the any condition of approval should require it to be resurfaced. However no evidence is before me that such a condition would meet the tests of Paragraph 206 of the National Planning Policy Framework (the Framework), such that I have given this matter little weight in my decision. Equally, no evidence is before me as to the implications of the proposed development on parking displacement. In both case, the Council has not raised them as an issue and based on the evidence before me I have no reason to disagree.

Conditions

10. I have considered the conditions suggested by the Council against paragraph 206 of the Framework, and made changes necessary to comply with those requirements. I have specified the approved plans for the avoidance of doubt and in the interests of proper planning, and conditions relating to materials, site levels and storage of waste are necessary to ensure the appearance of the development is satisfactory. I have added a boundary condition, and removed permitted development rights to the property, in the interests of protecting the living conditions of occupiers of adjoining neighbours, although Class D (porches) restriction recommended by the Council is onerous and unnecessary. A condition requiring the development to accord with the principles of Lifetime Homes is necessary to accord with the requirements of LP Policy H013.
11. A condition requiring the proposed development to adopt the principles of sustainable development and design is necessary in accordance with the Framework, LP Policy SU2 and the Council's Sustainable Building Design Supplementary Planning Document (SPD). However I found no evidence in the Council's submissions requiring development of this scale to achieve Code Level 5 of the Code for Sustainable Homes. I have therefore imposed a suitably worded condition which I find reasonable for this scale of development, and which would have the same desired effect of meeting the tests of the LP Policy SU2 and the SPD.
12. No evidence is before as to the appeal site's sensitivity to nature conservation interest, such that I the location and scale of the development does not warrant such a condition. Equally, no evidence is before me for the need for a porous substance condition. Conditions relating to landscaping and cycle storage are unnecessary having regard to the scale of the development proposed.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

R Allen

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 drawings: Location and Block Plan; 01A; 02A; 03B; 04A and 05.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until full details of existing and proposed ground levels within the site, and on land adjoining, showing spot heights, cross-sections, and finished floor levels of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those approved details.
- 5) No development shall take place until details of the facilities for the storage of household waste and recycled materials has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those approved details and shall thereafter be retained.
- 6) No development shall take place until details of the boundary treatment have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those approved details and thereafter be retained.
- 7) The dwelling hereby approved shall be constructed to Lifetime Homes standard prior to its first occupation and shall thereafter be retained.
- 8) No development within Classes A, B, C and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any Order revoking or re-enacting that Order shall be carried out on the site without the prior written approval of the Local Planning Authority.
- 9) No development shall take place until a sustainable building statement, setting out how the building hereby approved will contribute to energy efficiency, water conservation and carbon savings has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be carried in accordance and thereafter shall be retained.

Appeal Decision

Site visit made on 3 March 2015

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 9 March 2015

Appeal Ref: APP/Q1445/D/14/2222048
22 Morecambe Road, Brighton, BN1 8TL

- 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 Neil Milsom against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01073, dated 14 April 2014, was refused by notice dated 9 June 2014.
 - The development proposed is a two storey rear extension plus an additional basement room. Associated external alterations including new external steps to rear.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. A certificate of lawful development was granted for a single storey rear extension to the appeal property in 2006¹ and the main structure is largely complete. The Council states that this extension would not have constituted permitted development following amendments made to the General Permitted Development Order² in 2008, and that it cannot be sure the works commenced before this time. Either way, I have determined the appeal on the basis that planning permission is sought for the development now shown on the plans and so this matter carries very limited weight in my decision.
3. I am further advised that the basement proposed as part of the current scheme has already been excavated, although it is blocked off for safety reasons. The commencement of this aspect of the development likewise has no bearing upon the outcome of the appeal.

Main Issues

4. The main issues are the effect of the proposed development upon the character and appearance of the host dwelling and wider area; and upon the living conditions of neighbouring occupiers at Nos 21 and 23 Morecambe Road in respect of light and outlook.

¹ Council Ref BH2006/01921.

² Town and Country Planning (General Permitted Development) Order, 1995 (as amended).

Reasons

Character and Appearance

5. The appeal property is a semi-detached house with a pitched roof in a road composed of similar dwellings. It presently has an unfinished extension at ground floor level as explained above. This already represents a substantial addition, being deep, almost the full width of the rear elevation and quite tall. The ground floor level within the extension is the same as that in the main house, while the garden slopes quite steeply away from the building. This accentuates its height.
6. It is now proposed to deepen the existing ground floor extension by 1.2m and to construct a first floor level above it at the depth of the original. Part of the first floor would be set in from the boundary with the attached dwelling, No 23 Morecambe Road, to take account of its closest bedroom window. The ground floor projection would have a sloping glass roof, while the first floor element would be finished with a flat roof which would adjoin the roof of the main building above the eaves. The development would include a basement with steps down into the garden.
7. Taking account of the depth now proposed, the new extension would approximately double the footprint of the existing dwelling. This, combined with the height of the first floor level, would result in a very large addition, out of proportion with the original building. Furthermore, the flat roof would relate poorly to the height and shape of the main roof; and the cut-away corner adjacent to the neighbouring dwelling would look awkward. Overall the design would be purely functional and the extension would dominate the semi-detached pair and detract from its balanced appearance. The flat roof proposed might well preserve the ridgeline of the existing building, but little else of its present character would remain.
8. For these reasons, I conclude that the proposed development would be significantly harmful to the character and appearance of the host dwelling, contrary to Policy QD14 of the Brighton and Hove Local Plan. Amongst other things, this requires extensions to be well designed, sited and detailed in relation to the property to be extended and to adjoining properties. Nevertheless, given that the extension would not be visible from the street, its effect upon the character and appearance of the wider area would be very limited.
9. In reaching the above conclusion, I have taken account of the planning permission granted for a similar scheme at No 15 Haywards Road. However, the decision notice confirms the Council's view that the extension would relate poorly to the existing house and would not accord with the provisions of the Local Plan. The favourable outcome was in part due to there being number of similar developments in the area.
10. Whilst Haywards Road is adjacent to Morecambe Road, I did not see any similar extensions in the immediate vicinity of the appeal site and, in my view, the former example is not one which should readily be repeated. The appellant has also drawn my attention to the presence of a two storey rear extension at No 24 Morecambe Road, but from what I could see, this has a pitched roof which complements the design of the main house. Therefore, these other developments do not alter my findings in relation to the scheme before me.

Living Conditions

11. The proposed extension would be a sizeable structure almost up to the shared boundary with the attached property, No 23 Morecambe Road. Its combined height and depth would be overbearing when viewed from the adjacent ground and first floor rooms of the neighbouring house and from the decking outside. Whilst the stepped design of the first floor level demonstrates consideration for the occupiers, this would not offset the overall effect and, in my view, it would only make the outlook from the bedroom window more peculiar.
12. In respect of light, given that the rear of the dwellings face south, any significant overshadowing would be limited to the early morning and this alone would not be detrimental to living conditions so as to warrant the dismissal of the appeal. However, the loss of outlook I have found would be unacceptable.
13. The neighbouring dwelling to the east, No 21, is separated from the appeal property by a shared access drive, although the nature of the gated access suggests that this is no longer used by vehicles. No 21 has a conservatory extension to the rear, which is close to but angled away from the boundary. The boundary is marked by a close-boarded fence so that only the tops of the conservatory windows are visible above it.
14. The proposed extension would have a side door facing towards the conservatory and, given the ground floor height, it would be possible to look from it into some of the windows. However, the principal window of the extension would face the garden and it seems unlikely that occupants would spend much time looking out of the side door. In any case, if the proposal were otherwise acceptable, a condition could be imposed that any glazing in the door should be obscured.
15. In respect of the effect of the extension on No 21 more generally, while it would be substantial relative to the neighbouring property, it would be sufficiently far from the boundary that it would not result in a loss of light or outlook detrimental to living conditions. Nonetheless, this does not alter my findings in relation to the effect of the development upon No 23.
16. Consequently, I conclude that the proposed development would harm the living conditions of neighbouring occupiers at No 23 Morecambe Road in respect of outlook. Thus it would conflict with Policies QD14 and QD27 of the Local Plan in terms of their provision related to neighbouring amenity.

Other Matters

17. I acknowledge that the appeal property is in an accessible location and that the additional accommodation proposed would be of benefit to the appellant. However, these matters do not outweigh my conclusions in respect of the main issues of the appeal.

Conclusion

18. For the reasons given above, I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR

Appeal Decision

Site visit made on 3 March 2015

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 9 March 2015

Appeal Ref: APP/Q1445/D/14/2221897

31 West Drive, Brighton BN2 0QU

- 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 Nick Davey, against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01153, dated 10 April 2014, was refused by notice dated 9 June 2014.
 - The development proposed is the installation of a frameless glass balustrade on the roof of the existing house to form a roof terrace.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and wider area, including whether it would preserve or enhance that of the Conservation Area within which it is situated.

Reasons

3. The appeal property is a two-storey, end of terrace house of a contemporary style at the junction of West Drive and Tower Road within the Queen's Park Conservation Area. The park itself lies immediately opposite to the south. The 1970s terrace to which it is attached has a stepped roofline which follows the upward slope of Tower Road away from the park. The two pairs of semi-detached houses to the north of the terrace also have progressively higher ridgelines and the road terminates in a distinctive decorative tower, known as the "Pepperpot". The relationship of the buildings to the topography of the area is important.
4. The appeal property has a flat roof and large windows and it is finished in white render. Its modern appearance differs markedly from that of the more conventional pitched roof terrace adjacent to it. Nevertheless, its present proportions reflect those of the adjoining buildings, as well as their height relative to the lie of the land. The roof of the appeal property sits slightly below the eaves of the neighbouring house and its ground and first floor windows are also lower accordingly. It is the lowest building in the terrace and, being at the lowest point on the slope, it establishes the scale and pattern of development in the road.

5. The property already has a glass balustrade forming a balcony at first floor level and it is proposed to install another on the roof to create a terrace for "sitting out". The neighbouring terraced house, which has been renovated, has a similar balcony at first floor level and, although they are of a different style, many of the older, more traditional houses in the Conservation Area also have balconies, including those on West Drive. Whilst the proposed roof terrace would be an unusual feature, this would not be fundamentally problematic given that the appeal property is of a different style to its neighbours.
6. However, notwithstanding that it would be transparent and set back from the main elevations of the house, the new balustrade would be clearly visible in Tower Road and looking east on West Drive towards the rear of the terrace. It would project beyond the roofslope of the adjoining house and thereby increase the overall height of the building relative to its neighbour and in the street scene generally. Whilst this might not be particularly conspicuous if the terrace were empty, the effect would be enhanced significantly if garden furniture and other associated equipment were to be placed on the roof. This would draw undue attention to the appeal property and detract from its presently complementary relationship with the wider terrace. The disruption to the scale and proportions of the latter would be harmful in the street scene.
7. In reaching my decision, I have taken account of the structure providing access for plant maintenance which is already present on the roof. However, this is relatively small, it is contained within the roofslope of the neighbouring property and, while it is made of glass, it is unlikely that it could provide significant storage. I have also had regard to the appellant's statement that the roof of the building is already used for sitting out without the benefit of a balustrade, but it seems to me that domestic items are less likely to be left outside when they could fall off or blow away. In respect of the suggestion that a condition could be imposed to require the terrace to be kept clear when not in use, I am not satisfied that this would be either reasonable or enforceable.
8. Therefore, I conclude that the proposed development would be detrimental to the character and appearance of the host building and wider area and that it would fail to preserve that of the Conservation Area. It would thus conflict with Policies QD14 and HE6 of Brighton & Hove Local Plan, which seek to protect the character and appearance of the area. Whilst the harm to the Conservation Area would be less than substantial, this would not be outweighed by any public benefits of the development.

Conclusion

9. For the reasons above, I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR



Appeal Decision

Site visit made on 26 February 2015

by Timothy C King BA(Hons) MRTPI

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

Decision date: 11 March 2015

Appeal Ref: APP/Q1445/D/15/3002193

31 Westfield Avenue North, Saltdean, Brighton, BN2 8HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Gant against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02962, dated 2 September 2014, was refused by notice dated 20 October 2014.
 - The development proposed is '*Single storey front and rear extensions.*'
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Decision

1. For the reasons that follow I dismiss the appeal insofar as it relates to the single storey front extension. I allow the appeal, however, insofar as it relates to the remainder of the application and grant planning permission for a single storey rear extension at 31 Westfield Avenue North, Saltdean, Brighton, BN2 8HS in accordance with the terms of the application Ref BH2014/02962, dated 2 September 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 Nos 14-1214-01, 14-1214-02, Block Plan and Site Location Plan.
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Main Issue

2. The Council raises no objections to the proposed single storey rear extension and I see no reason to disagree with this approach. In the circumstances, I will base my decision on the merits of the proposed front addition. Accordingly, the main issue in this appeal is the effect of the proposed extension on the character and appearance of the surrounding area.

Reasons

3. The appeal property is a bungalow sited off a quiet residential street. The dwelling is typical of the immediate vernacular, characterised by small detached bungalows of a common design. Typical such features include hipped
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roof arrangements, shallow half-frontage projections incorporating a small porch and a short, truncated roof ridge rather than it rising to a pyramidal point. Although some of the dwellings have been modified to varying degrees the latter feature, amongst the style of bungalows mentioned, appears to remain largely inviolate. Further, although the land slopes up towards the east the bungalows are of common height and, with regard to Nos 29-35, have a roughly comparable front building line. All these factors provide for a general feel of uniformity.

4. The proposed front extension would involve bringing forward the main frontage by some 1.125m, with an additional half-width porch projection to a similar depth, thereby replicating the existing arrangement. The proposal would also involve raising the height of the roof by some 0.5m which would effectively dispense with the characteristic flat-roofed feature.
5. Policy QD14 of the Brighton and Hove Local Plan (LP), which stresses the importance of residential extensions relating well to neighbouring properties and the surrounding area is taken further by the Council's Supplementary Planning Document 12 'Design Guide for Extensions and Alterations' (SPD).
6. The latter document indicates that the original design of the building, its setting and general character should be the primary influence on the design of any extension or alteration. To this end they should play a subordinate role respectful of the design, scale and proportions of the host building whilst having regard to the existing building and roof lines and the form and design thereof.
7. Whilst I consider that the front extension and heightened roof might represent an acceptable form of development in a different setting, given the particular circumstances I have mentioned, certain implications in terms of the bungalow's physical appearance would arise from the proposal which would impact on the neighbouring visual rhythm.
8. In this regard I conclude that the bungalow's original design and its relationship with the neighbouring properties would be harmed which would, in turn, be harmful to the character and appearance of the surrounding area. Further, the proposal would conflict with the objectives of LP Policy QD14 and relevant advice contained within the SPD.
9. The appellants, somewhat aggrieved at the decision, indicates that, despite approaches made to discuss the proposal, Council officials failed to make contact or enter into a dialogue in this regard. However, even were this to be the case, there is no indication that the Council's decision would have been different.
10. Those elements of the proposed alterations that I have found to be unacceptable are severable from the remainder of the proposal. Therefore, for the reasons given above, I conclude that the appeal should succeed in relation to the single storey rear extension. However, in relation to the single storey front extension, I conclude that the appeal should be dismissed.
11. As regards conditions, I am imposing one relating to the statutory time limit and a requirement for the use of matching materials to ensure a satisfactory appearance. Also, for the avoidance of doubt, and in the interests of good

planning, I have imposed a condition which requires that the development be built in accordance with the approved plans.

Timothy C King

INSPECTOR

