





**Brighton & Hove
City Council**

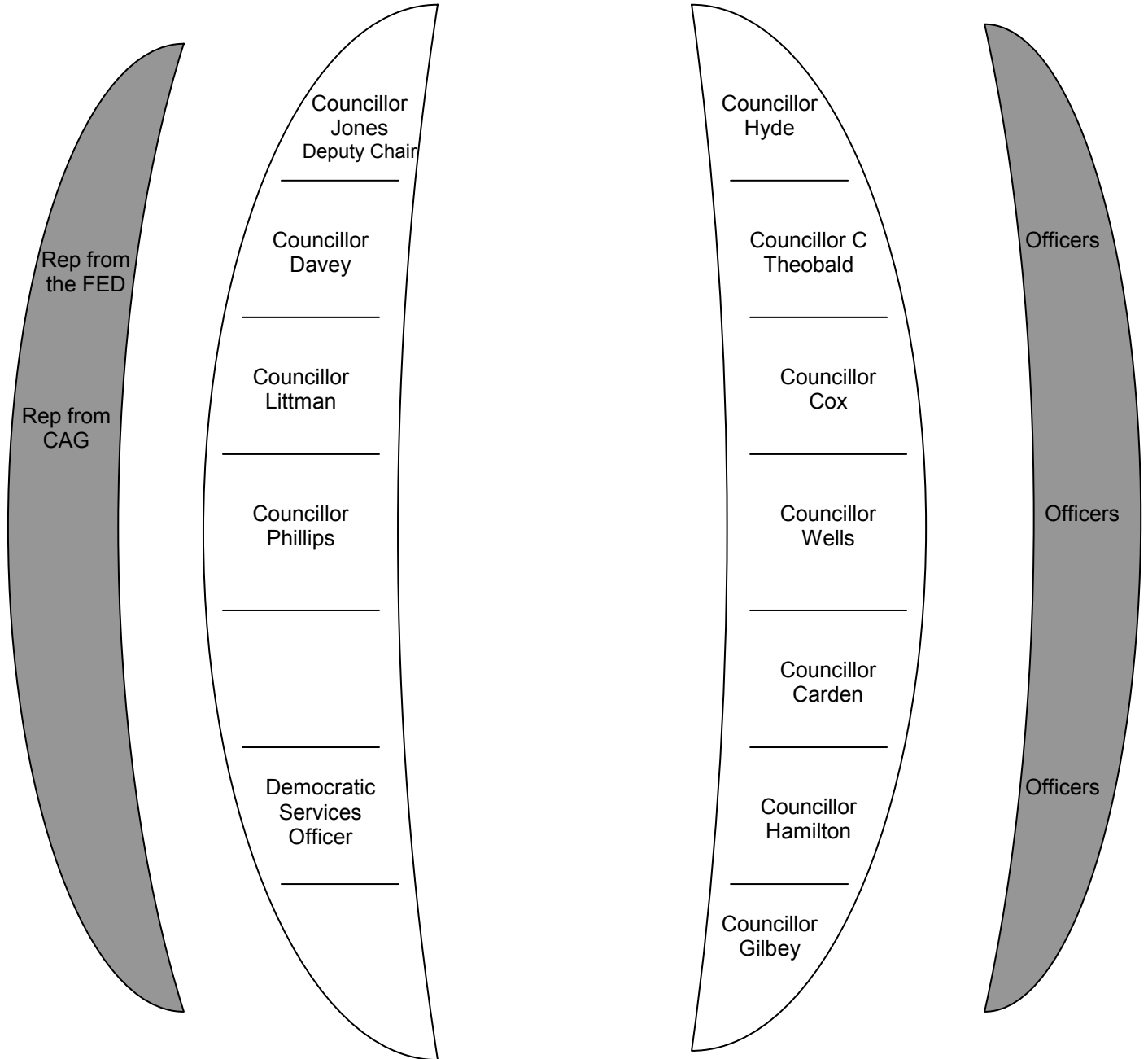
Planning Committee

Title:	Planning Committee
Date:	22 April 2015
Time:	2.00pm
Venue	Ronuk Hall, Portslade Town Hall
Members:	<p>Councillors: Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Gilbey, Hamilton, Littman, Phillips, C Theobald and Wells</p> <p>Co-opted Members: Jim Gowans (Conservation Advisory Group)</p>
Contact:	<p>Penny Jennings Democratic Services Officer 01273 29-1064/5 planning.committee@brighton-hove.gov.uk</p>

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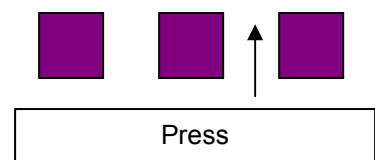
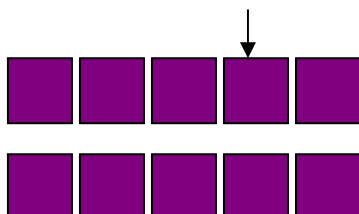
Democratic Services: Planning Committee

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



AGENDA

172 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

173 MINUTES OF THE PREVIOUS MEETING

1 - 14

Minutes of the meeting held on 1 April 2015 (copy attached).

174 CHAIR'S COMMUNICATIONS

175 PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 14 April 2015.

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

177 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

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

MAJOR APPLICATIONS

A BH2015/00320, Land South Side of Victoria Road, Portslade- Full Planning

15 - 40

Construction of part two part three storeys at showroom building set over two levels including provision of offices and car servicing facilities, car parking spaces and associated works.

RECOMMENDATION – GRANT

Ward Affected: South Portslade

MINOR APPLICATIONS

B BH2015/00575, 13, 14, 15, 16-17, 18, 19, 20 20-24, 21, 22 and Pugets Cottage North Street, Brighton - Full Planning

41 - 68

Demolition of building at 15 North Street and store to west of Puget's Cottage and creation of a new link lane, 'Puget's Lane', linking North Street to the previously consented 'Hannington's Lane'. Erection of new building at 15 North Street to provide 1no ground floor retail unit (A1) and 1no residential unit (C3) over including over part of 14 North Street. Alterations to rear of 16-17 North Street to provide 2no additional ground floor retail units (A1) and 3no residential units (C3) above accessed from the new lane. Restoration of Puget's Cottage, extension to existing historic paving through new lane, alterations to shop fronts along North Street elevation and other associated works.

RECOMMENDATION – REFUSE

Ward Affected: Regency

PLANNING COMMITTEE

- C BH2015/00576,15 and Pugets Cottage North Street, Brighton- Listed Building Consent 69 - 94**
Demolition of building at 15 North Street, exterior restoration of Puget's Cottage and retention and extension of existing historic paving.
RECOMMENDATION – REFUSE
Ward Affected: Regency
- D BH2015/01175, Saltdean Primary School, Chiltington Way, Saltdean, Brighton - Non Material Amendment 95 - 102**
Non material amendment to BH2014/03933 to change the design of the elevations of the two storey main extension.
RECOMMENDATION – GRANT
Ward Affected: Rottingdean Coastal
- E BH2015/01141, Saltdean Primary School, Chiltington Way, Saltdean, Brighton - Approval of Details Reserved by Condition 103 - 108**
Approval of details required by condition 10 of permission BH2014/03933.
RECOMMENDATION – GRANT
Ward Affected: Rottingdean Coastal
- F BH2014/03755, Land rear of Regency Court, Withdean Rise, Brighton - Full Planning 109 - 120**
Erection of 9no single garages.
RECOMMENDATION – GRANT
Ward Affected: Withdean

178 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

- 179 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 121 - 122**
(copy attached).
- 180 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 123 - 270**
(copy attached)

PLANNING COMMITTEE

181 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE **271 - 272**

(copy attached).

182 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES **273 - 274**

(copy attached).

183 APPEAL DECISIONS **275 - 316**

(copy attached).

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

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

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

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

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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

PLANNING COMMITTEE

democratic.services@brighton-hove.gov.uk.

Date of Publication - Tuesday, 14 April 2015

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 1 APRIL 2015****RONUK HALL, PORTSLADE TOWN HALL****MINUTES**

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

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

Officers in attendance: Jeanette Walsh (Planning and Building Control Applications Manager); Nicola Hurley (Planning Manager (Applications)); Steven Shaw (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Penny Jennings (Democratic Services Officer)

PART ONE**158 PROCEDURAL BUSINESS****158a Declarations of substitutes**

158.1 Councillor Robins was present in substitution for Councillor Hamilton and Councillor Randall was present in substitution for Councillor Phillips.

158b Declarations of interests

158.2 Councillor Cox referred to Item 163 on the agenda, relating to the request to vary the S106 dated 11 March 2008 signed in association with Application BH2007/02930, 50-52 New Church Road, Hove. He explained that as he had been involved in supporting the proposal before committee that day that he would leave the meeting during consideration of the report and would take no part in the discussion or voting thereon. Councillor Cox stated that he had received e mail correspondence in respect of Application A, BH2014/03012, Rose Hill Tavern, 70-71 Rose Hill Terrace, but confirmed that he remained of a neutral mind and would therefore take part in the discussion and decision making thereon. Councillor Cox also referred to Application C, BH2015/00169, 5-8 West Street, Rottingdean. He explained that his son worked for

Tesco Stores (not the application address), he remained of a neutral mind and would therefore take part in the discussion and decision making thereon.

- 158.3 Councillor Davey stated that as a Local Ward Councillor he had attended LAT and other community meetings at which Application A, BH2014/03012, Rose Hill Tavern, 70-71 Rose Hill Terrace, Brighton had been discussed, he had not however discussed the application or expressed a view about it and remained of a neutral mind. He would therefore take part in the discussion and decision making thereon.
- 158.4 Councillor Randall stated that in his capacity as Chair of Housing Committee he had been directly involved in supporting Application D, BH2015/00067, Car Park, Ardingly Street, Brighton. He would therefore leave the meeting during consideration of the application and would take no part in the discussion or voting thereon.

158c Exclusion of the press and public

- 158.5 In accordance with Section 100A of the Local Government Act 1972 (“the Act”), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.
- 158.6 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

158d Use of mobile phones and tablets

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

159 MINUTES OF THE MEETING OF 18 FEBRUARY 2015

- 159.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 18 February 2015 as a correct record.

160 MINUTES OF THE PREVIOUS MEETING

- 160.1 Councillor Jones referred to paragraph (14) on page 26 of the minutes stating that in order to read correctly the third line of the paragraph should read...”this was not a significant issue”.
- 160.2 **RESOLVED** – That subject to the amendment set out above, the Chair be authorised to sign the minutes of the meeting held on 11 March 2015 as a correct record.

161 CHAIR'S COMMUNICATIONS

- 161.1 There were none, although the Chair welcomed Members and the public to Portslade Town Hall which would serve as the venue for Planning Committee meetings until such

time as the current refurbishment of Hove Town Hall had been completed. The emergency evacuation arrangements were also explained.

162 PUBLIC QUESTIONS

162.1 There were none.

163 50-52 NEW CHURCH ROAD, HOVE - REQUEST FOR A VARIATION OF S106 DATED 11 MARCH 2008 SIGNED IN ASSOCIATION WITH APPLICATION BH2007/02930

163.1 The Committee considered a report of the Head of City Planning and Development requesting their consideration of a request for a variation to the s106 Planning Obligation Agreement.

163.2 It was explained that the application had been 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. The managing agents for the development had 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 was particularly troublesome for residents who work outside of the city and/or had child care commitments that required car ownership. They had also argued that the restriction was causing more car journeys and increasing parking demand outside the CPZ in neighbouring Wish ward, and restricting the types of jobs residents could have. Twenty five requests to vary the Obligation had been received, equating to one per resident.

163.3 It had also been noted that the site, whilst located on main bus routes along New Church Road, was not a highly sustainable location, with the city centre and mainline train routes set a considerable distance to the north and east. In consequence, alternative modes of transport were not as readily accessible as in more central parts of the city.

163.4 Advice had been sought from the Head of Law and his advice was set out in paragraph 6.7 of the report, it was considered reasonable to consider the application to vary in the context of whether the obligation was necessary. For the reasons set out it was not considered necessary for the car free restriction to remain and a variation to the s106 Obligation was therefore recommended.

163.5 Councillor C Theobald stated that in her view it would have been appropriate for on site parking to have been provided for the development. She was in agreement however, that residents should be permitted to apply for residents' parking permits and therefore supported the recommendation set out in the officer's report.

163.6 Councillor Hyde stated that she had been uncomfortable with the decision to restrict the ability of residents of the development to park on street and therefore supported the report recommendation.

- 163.7 Councillor Davey confirmed that he considered that the case to vary the existing s106 Obligation had been made and therefore happy to support the recommendation set out in the report.
- 163.8 A vote was taken and the 11 Members of the Committee who were present voted unanimously that the existing s106 Planning Obligation Agreement be varied as recommended.
- 163.9 **RESOLVED** – That the Committee resolves to allow the completion of a variation to the s106 planning agreement dated 11 March 2008 relating to 50-52 New Church Road, Hove to allow residents of the development to apply for residents’ parking permits.

Note: Councillor Cox left the meeting during consideration of the above application and took no part in the discussion or voting thereon.

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

- 161.1 There were none.

165 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A A BH2014/03012, Rose Hill Tavern, 70-71 Rose Hill Terrace, Brighton -Full Planning

Change of use of ground floor and basement from Public House (A4) to form two residential units(C 3), Reinstatement of railings and basement level window to front elevation and associated elevations.

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
- (2) The site related to a public house (The Rose Hill Tavern) located to the southern side of Rose Hill Terrace. It formed part of a terrace of similar two storey rendered dwellings with canted bay windows.
- (3) The main considerations in the determination of this application related 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. It is noted that the building had been 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 allowed community interest groups to prepare and submit a bid, if they wished, should the owner of the asset decide to dispose of the asset. Whilst ultimately this listing could not prevent the owner selling the asset to whomever they want, at whatever price they wanted, by providing for a moratorium on sale the legislation does offer an opportunity for community groups to make a bid for the asset.

- (4) It was acknowledged that the property was an Asset of Community Value and this fact is a material planning consideration of some weight. However, given that an exception to policy HO20 was evident and the proposal did not undermine the wider objectives of policy SA6 or the NPPF, the balance of the recommendation was 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, the application was therefore recommended for approval.

Public Speakers and Questions

- (5) Mr Boyle spoke on behalf of objectors. He referred to the inclusion of the site on the Council's List of Assets of Community Value and said this was very rare, only one other site in the city had been accorded this status and indicated its importance.
- (6) There was a large body of local support for the building as a community facility, rather than as a vertical drinking establishment, a petition containing 720 signatures, 28 objections and a local action group of 37 plus members indicated the level of support for this. Such a facility would be significantly different from the offer provided by the public houses and other establishments cited in the nearby London Road. The previous use had failed because it had been badly run.
- (7) Mr Bareham, representing the applicant's agents spoke in support of the application. Mr Bareham stated that a number of those who had indicated support for a community use were local residents. It was considered that there were a number of establishments providing similar facilities nearby. The scheme would provide much needed accommodation whilst preserving the external appearance of the building.
- (8) Councillor Jones sought clarification regarding the level of local support for the community use as there seemed to be conflicting information about that and a number of residents also appeared to support the site being used for housing. Mr Boyle explained that although he was not directly involved in dealing with Membership issues he was aware that a number of those living in the immediate vicinity of the site had expressed support for a community use.

Questions for Officers

- (9) Councillor Robins sought clarification of the position should the building be purchased for community use but failed subsequently. It was explained that would be matter for the then owners. Mr Boyle explained in answer to questions that in their view there were other successful models and that it was important to note that a community use would not be run on the same model as a commercially run public house, it could however still be financially viable. The former public house in Bevendean which now operated as a community resource was cited.
- (10) Councillor Gilbey enquired regarding any discussions which had taken place between the parties.

Debate and Decision Making Process

- (11) Councillor Randall stated that whilst noting with interest all that had been said, he considered that it was important to differentiate between this site and that in Bevendean which had been cited. The premises in Bevendean was located on an estate with no other provision in the immediate vicinity. He did nonetheless consider that a pub/community facility which sat at the heart of a community and provided a focus for it was a very important asset.
- (12) Councillor Robins concurred stating that once a community facility had gone it was gone forever. A good local pub was a very different thing from a commercial facility which catered largely to passing trade. It was important to provide housing but a balance had to be struck.
- (12) Councillor Davey stated that whilst recognising the need to provide housing in the city was paramount, this should not be irrespective of other considerations, it was important to seek to protect community cohesion too.
- (14) Councillor Gilbey sought clarification regarding marketing of the site which had taken place and considered it was important to protect recognised community assets where possible. Councillor C Theobald concurred in that view stating that to her knowledge the building had a number of unique features which would be lost from public view if this development was to go ahead.
- (15) In answer to further questions, the Planning and Building Control Applications Manager, Jeanette Walsh stated that whilst it was acknowledged that the building was an Asset of Community Value and that this had been given due weight as a material planning consideration. It was however, considered that an exception to policy H020 was evident and that the proposal did not undermine the wider objectives of policy SA6 or the NPPF, the balance of the recommendation was therefore considered to lie in favour of permission. The Legal Adviser to the Committee, Hilary Woodward explained that in coming to a decision on whether to uphold the listing of the building as an Asset of Community Value the judge at the First-tier Tribunal had not assessed, and was not required to have assessed, the listing against planning policy. The relevant legislation regarding Assets of Community Value was the Localism Act 2011 and its secondary legislation - not planning legislation.
- (16) Councillor Littman stated that whilst having listened carefully to all that had been said he was ultimately of the view that in this instance a sufficiently compelling case had not been made for loss of this asset for housing use, he was therefore unable to support the officer recommendation on this occasion. Councillors Davey and Randall concurred in that view.
- (17) Councillor Cox stated that he concurred with the officer view and supported the recommendation that planning permission be granted.
- (18) Councillor Mac Cafferty, the Chair stated that having visited the site the previous day he had had the opportunity to view the unique 1930's architecture within the building which in his view represented an important asset in its own right.

- (19) A vote was taken and Members voted on a vote of 7 to 3 with 2 abstentions that planning permission be refused.
 - (20) Councillor Littman proposed that the application be refused on the grounds set out below, this was seconded by Councillor Mac Cafferty, the Chair.
 - (21) A recorded vote was then taken and Councillors Mac Cafferty, the Chair, Davey, Gilbey, Robins, Littman, Randall, and C Theobald voted that planning permission be refused. Councillors Carden, Cox and Wells voted that planning permission be granted, Councillors Jones and Hyde abstained.
- 165.1 **RESOLVED** – That the Committee resolves that planning permission be **REFUSED** for the following reasons:

1. Notwithstanding the need for housing the Rose Hill Tavern is a community asset which is valued for its unique offer. The applicant has submitted no evidence to persuade the local planning authority that this type of community facility is provided for in the vicinity of the site or that it is re-provided elsewhere. The proposed development is therefore contrary to policy HO20 of the Brighton & Hove Local Plan 2005;
2. The approval of this application would have a detrimental impact on the reasonable range of public houses within easy walking distance for local residents and would represent a lost opportunity to enhance the sustainability of this community. The proposed development is therefore contrary to policy SA6 of the Brighton & Hove City Plan Part One (Submission Document).

B BH2014/04116, 31 Melbourne Street, Brighton - Full Planning Erection of three storey block containing 3no self contained flats.

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
- (2) The Planning Manager (Applications), Nicola Hurley, introduced the application and gave a presentation by reference to site plans, floor plans, elevational drawings, showing the previous and currently proposed scheme and photographs showing views across the site from neighbouring locations.
- (3) It was noted that the site was situated to the west of the eastern length of Melbourne Street, and formed an open piece of land between the north elevation of 32 Melbourne Street which formed part of the historic terrace of properties and to the south of a recently constructed 3 storey modern apartment block (planning application BH2009/00655). The site had 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. The main considerations relating to the determination of this application were 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.

- (4) It was explained that in the current application, the proposed number of flats had been reduced to three, the design of the roof had been altered, there had been cladding and fenestration changes to the external elevations, and the upper floor and Juliet balconies had been removed.
- (5) It was considered that 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, minded to grant approval was therefore recommended.

Questions of Officers

- (6) Councillor Cox sought clarification regarding whether Councillors Daniels' letter which was appended to the report actually constituted an objection. It was explained that the letter had been considered as such.
- (7) Councillor Randall referred to the 136 Community Centre which was located adjacent to the application site referring the narrow alleyway between the two buildings enquiring whether that would provide a means of escape in the event of the community centre needing to be evacuated, also the access arrangements for accident/rescue service vehicles. Councillor Randall stated that whilst he had no objections to the proposed scheme he was aware that the community centre often hosted family friendly events which were attended by a number of children.
- (8) The Planning Manager (Applications), explained that as far as she was aware there were no rights of way/access between the two buildings, although that would be a landownership issue which fell outside the powers of the planning regime. The Planning and Building Control Applications Manager confirmed that this was the case. The Legal Adviser to the Committee, Hilary Woodward confirmed that there might be a private, rather public right of way and the Principal Transport Officer, Stephen Shaw confirmed that based on his experience that was likely to be the case. The Planning Manager (Applications), Nicola Hurley, confirmed that if a right of way existed, although this fell outside the remit of the Planning Committee, there were means by which this could be enforced. Access arrangements for emergency service vehicles would be the same as that for a number of terraced properties across the city. The Chair asked if Members required a brief recess in order to check on this matter but Members indicated that this was unnecessary.

Debate and Decision Making Process

- (9) Councillor Wells stated that as the site had been in use previously as a storage yard associated with a builders merchants he considered that it was unlikely that there would have been rights of way between it and any of the neighbouring buildings. He welcomed the scheme which he considered represented a good use of the site, and once completed an improvement on the previous use.
- (10) Councillor Hyde stated that although she had had reservations about the appropriateness of the scheme in the context of the neighbouring street scene, having had the opportunity to visit the site these had been dispelled completely. She

considered that the proposed form of development fitted in well and was happy to support the officer recommendation.

- (11) Councillor Gilbey concurred stating that the proposed scheme would be an improvement to the existing derelict site.
- (12) A vote was taken and the 12 Members present when the vote was taken voted unanimously that minded to grant approval be given.

165.2 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 7 of the report and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement and the Conditions and Informatives set out in section 11 of the report.

C BH2015/00169, 5-8 West St Rottingdean - Full Planning Application for variation of condition 5 of application BH2005/06332 (Amendment to approved permission BH2004/02617/FP reduction to 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.

- (1) The Planning Manager (Applications), Nicola Hurley introduced the application and gave a presentation by reference to the site plan and photographs of the store as built and in operation including views across the car park.
- (2) The application related to a part one, part two storey retail unit (A1) on the northern side of West Street, Rottingdean. The site lay opposite an existing public car park and some 40m to the west of Rottingdean High Street, a local shopping centre as defined in the Brighton & Hove Local Plan. The site adjoined 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 was mixed with both residential and commercial properties within the immediate vicinity. The site backed onto residential properties in Park Terrace and adjoined Victoria Mews which had access from West Street via a private road immediately to the west of the site. There was a row of terraced properties to the west of the supermarket on West Street.
- (3) It was 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 and approval was therefore recommended.

Public Speakers and Questions

- (4) Councillor Mears spoke in her capacity as a local ward Councillor setting out her objections to the proposals. Councillor Mears stated that Condition 5 had been imposed on the original planning permission 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. The situation in West Street and the surrounding area had not changed. Councillor Mears also expressed concern that the store had pre-empted their

application by beginning to open at 6.00am in contravention of their existing permission.

- (5) Ms L'Estrange spoke on behalf of the applicants in support of their application. She explained that an extension to the existing hours of operation was being sought for the convenience of local people. It was envisaged that there would be little additional footfall, 1 person per minute, and that in consequence no additional noise or other nuisance would result which could be detrimental to neighbouring residents. The proposal was similar to opening hours in place at comparable Tesco local stores.
- (6) In answer to questions, Ms L'Estrange responded that she was uncertain regarding the location of the trolley store, but confirmed that no other changes to the existing operation of the store were proposed, including later opening times, times at which trolleys could be moved and timing of deliveries to the store.

Debate and Decision Making Process

- (7) Councillor Wells concurred with the points made by Councillor Mears. He could not see that there had been a change in the circumstances of the stores mode of operation which meant this condition was no longer applicable. Neighbouring residents needed to be protected from disturbance at too earlier an hour. The Parish Council had also raised objections and clearly shared the concerns of residents.
- (8) Councillors Davey and Littman were in agreement that insufficient evidence had been given to vary the condition. Councillor Littman stated that careful consideration had been given to the fact that the store was located in a residential area when the original permission had been granted and that had also been reflected in the hours of operation which had been agreed, that remained the case and a compelling case to change that had not been made.
- (9) Councillor Robins stated that whilst stating that the change in hours would not lead to any increase in activity the applicants had also indicated the increased levels of footfall they envisaged, both statements could not be correct. Councillor Robins stated that he did not consider there would be any advantage for residents and was concerned that increased disturbance would result, he did not feel able to support the proposed change in hours. Councillor Gilbey was in agreement.
- (10) Councillor Randall stated that the company would not be requesting an earlier opening hour unless they thought it would generate more business which could give rise to increased nuisance at an earlier hour.
- (11) Councillor C Theobald stated that she considered that a 6.00am opening hour was too early and that the existing 7.00am opening hour was appropriate ensuring that residents were not disturbed at too early an hour.
- (12) Councillor Hyde stated that the person speaking on behalf of the applicants was clearly not familiar with this store or its mode of operation. She considered that an earlier commencement hour would inevitably give rise to increased noise which was unacceptable given that residential terraced housing was located close by. Councillor

Hyde stated that she could not support the proposed earlier opening time which in her view could have a more detrimental impact than a later closing time.

- (13) Councillor Mac Cafferty, the Chair, having heard and noted all that had been said enquired whether it would be possible to grant a temporary permission for a year which would enable the position to be monitored and an assessment made as to whether any nuisance had occurred.
- (14) The Planning Manager (Applications), Nicola Hurley, confirmed that as the store was already there and operating this would not involve any unreasonable outlay for the applicants. This option did not, however, receive support from the Committee and as there were no further questions or Members indicating that they wished to speak the Committee proceeded to the vote.
- (15) A vote was taken and Members voted on a vote of 10 with 2 abstentions that planning permission be refused.
- (16) Councillor Hyde proposed that planning permission be refused for the reasons set out below, this was seconded by Councillor Wells.
- (17) A recorded vote was then taken and Councillors, Mac Cafferty, the Chair, Jones, Hyde, Davey, Gilbey, Robins, Littman, Randall, C Theobald and Wells voted that planning permission be refused. Councillor Carden and Cox abstained.

165.3 **RESOLVED** – That the Committee resolves to **REFUSE** the proposed variation to extend the morning opening hours as it would have a detrimental impact on the amenities of adjoining residents by reason of increased noise and disturbance. The proposal is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

D **BH2015/00067, Car Park, Ardingly Street, Brighton -Full Planning** Erection of three storey block containing 2no two bedroom and 3 no one bedroom flats.

- (1) The Planning Manager (Applications), Nicola Hurley, gave a presentation by reference to site plans, floor plans, elevational drawings and photographs showing the site from various perspectives within the neighbouring street scene including the car park itself.
- (2) It was noted that the application site comprised 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 had a capacity of 13 vehicles.
- (3) It was considered that the proposed development represented 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 accorded with development plan policies, approval was therefore recommended.

Questions of Officers

- (4) Councillor Hyde stated that whilst she considered the proposed scheme to be acceptable overall she had concerns regarding the type of external render proposed, enquiring whether a wet finish was proposed, as this appeared to weather better than some other forms of render used. Councillor Wells concurred stating that there were new developments in the city (he cited the former Co-operative building in London Road, Brighton) where the render used was already showing signs of wear and discolouration.
- (5) Councillor C Theobald enquired whether it was envisaged that the loss of parking which would occur in consequence of the development would be problematic. She considered that available car parking in the vicinity was often fully used.
- (6) Councillor Davey enquired regarding the capacity of on-street parking in the vicinity of the site. The Principal Transport Officer, Steven Shaw, responded to both Councillors explaining that some, although not all of the car parking places would be re-provided, including some off-street spaces within the development itself. Currently, 1,681 permits for on-street spaces were in use as against a total number of 1,943 permits which were allowed. This represented an 86% usage rate.
- (7) The Planning and Building Control Applications Manager, Jeanette Walsh stated that If Members considered it appropriate a condition could be added to any permission granted requiring that a wet rather than textured rendered finish to be used. Members indicated that would be their wish.

Debate and Decision Making Process

- (8) Mr Gowans, CAG referred to the representation made by that group which in addition to concerns raised in relation to use of a rendered finish had also expressed disappointment that the scheme represented a missed opportunity as in their view the design was box like, with no style to the design of the fenestration and a better modern design solution should have been sought.
- (9) Councillor Wells, whilst concurring with the points made by CAG in respect of use of a rendered finish, considered that this could be dealt with by condition. The scheme would provide much needed housing and he supported it.
- (10) Councillor Davey concurred with all that had been said but was also in agreement that this scheme would provide much needed housing and that a balance also needed to be struck between that and loss of off-street parking. In this instance he considered that the proposed housing represented a greater priority.
- (11) Councillor Carden welcomed the proposed scheme stating that he hoped that there would be some on-site provision for those visiting residents of the completed scheme.
- (12) Councillors Cox and Gilbey also expressed their support for the proposed scheme.
- (13) A vote was taken and the 10 Members present when the vote was taken voted unanimously that planning permission be granted.

- 165.4 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the conditions and Informatives set out in section 11 of the report.

To reflect Members' request that a condition be included to secure implementation of a wet render system as part of the agreement of materials, condition 6 a) be amended, the existing text to be replaced with:

- a) samples of brick and wet render (including details of colour to be used)

An additional informative to be added stating that:

The applicant is advised that the details required by condition 6 are to be delegated for agreement to the Head of Development Control in consultation with the Chair, Deputy Chair and the Opposition Spokesperson.

Note: Councillors Randall and Robins were not present when the vote was taken.

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

- 166.1 There were none.

167 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

- 168.1 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.]

169 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

170 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

171 APPEAL DECISIONS

171.1 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 5.10pm

Signed

Chair

Dated this

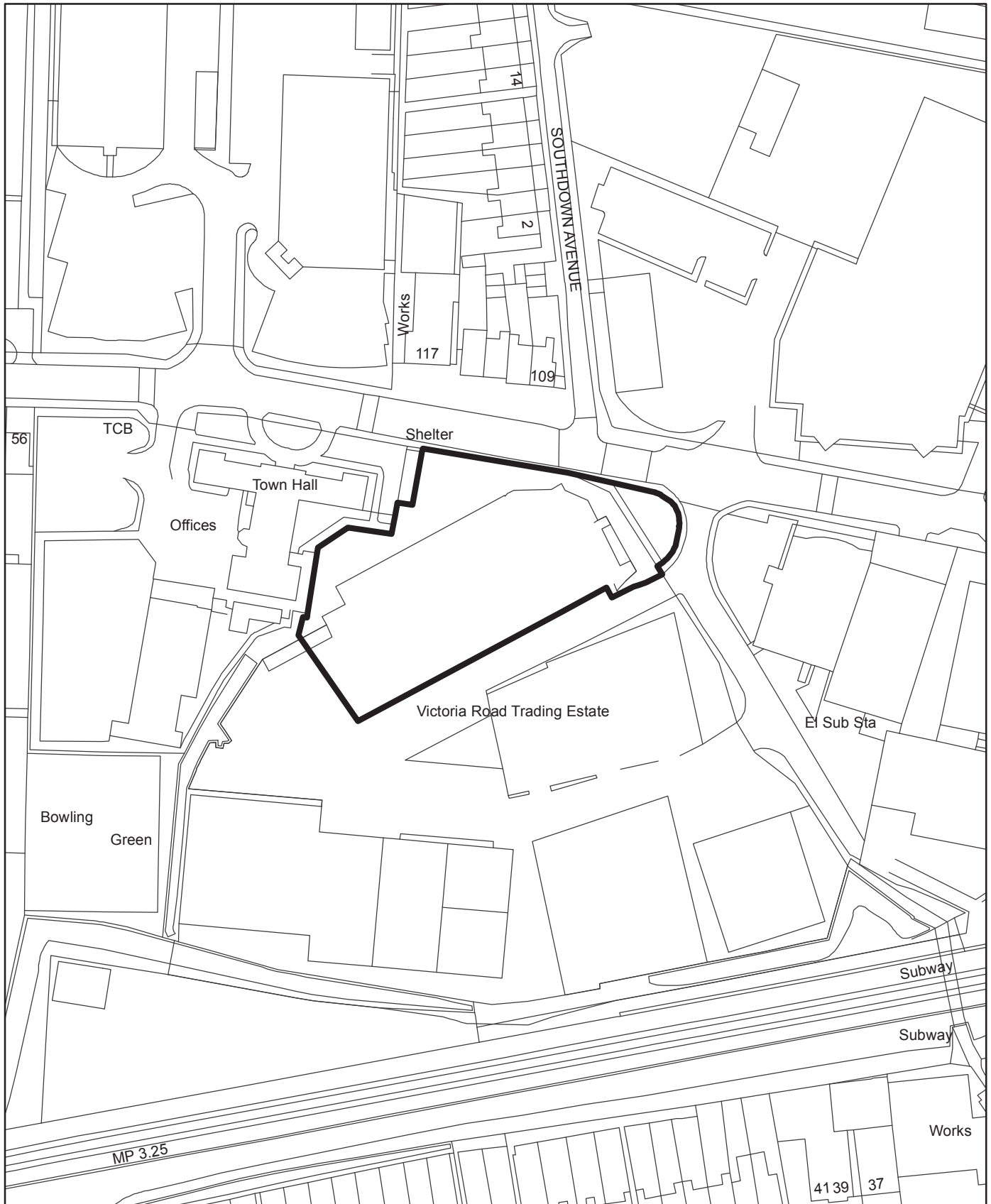
day of

ITEM A

Land south side of Victoria Road, Portslade

BH2015/00320
Full planning

22 APRIL 2015



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2015/00320	<u>Ward:</u>	SOUTH PORTSLADE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land South side of Victoria Road Portslade		
<u>Proposal:</u>	Construction of part two part three storey car showroom building set over two levels including provision of offices and car servicing facilities, car parking spaces and associated works.		
<u>Officer:</u>	Kathryn Boggiano Tel 292138	<u>Valid Date:</u>	06 February 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	08 May 2015
<u>Listed Building Grade:</u>			
<u>Agent:</u>	DMH Stallard, Gainsborough House, Pegler Way, Crawley, West Sussex, RH11 7FZ		
<u>Applicant:</u>	Endeavour Holdings Ltd, C/O DMH Stallard, Gainsborough House Pegler Way, Crawley, West Sussex, RH11 7FZ		

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 and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is within the Victoria Road Trading Estate in Portslade. The application site fronts onto Victoria Road to the east of Portslade Town Hall. The site is also accessed from the north via the internal access road for this part of the Industrial Estate. There are a number of car showrooms and vehicle repair garages in this part of Portslade. Other uses on the Industrial Estate include Boulder Brighton (climbing wall) and trade plumbing and hire businesses.
- 2.2 The previous building on the site was destroyed by a fire in 2000. Since then the site has been vacant. The majority of the site is covered in hard standing, although there is some vegetation on the embankment on the northern and western boundaries. The majority of the application site is set some two to three metres below the Victoria Road pavement level. Portslade Town Hall is also set at a higher ground level than the majority of the application site.
- 2.3 Green palisade fencing is present on the northern (Victoria Road) and eastern and western boundaries. This fencing is present on other areas of the industrial estate. Herras fencing is present on the southern boundary which fronts towards the internal Industrial Estate access road.
- 2.4 Although the surrounding area is mainly characterised by car show rooms and motor repair garages, there is also a parade of shops opposite the site with residential above (109 to 115 Victoria Road) with other residential properties

being present on Southdown Avenue and further to the east on the northern side of Victoria Road (3 to 49 Victoria Road and Victoria Court).

3 RELEVANT HISTORY

BH2007/01721: Outline application for redevelopment of existing industrial estate with car showroom and 2 x B1 units and 2 x B1/B2/B8 units. Approved 20/03/2008.

BH2008/02341: Proposed access to industrial estate and road layout within estate (Reserved matters to approval BH2007/01721). Approved 17/09/2008.

Unit 7b and 7c

BH2012/02225: Temporary change of use from (B8) warehouse to (D2) climbing wall centre for a period of 10 years. Associated alterations including addition of extract fans, an access door and ramp to West elevation and an access ramp to the front elevation. Approved 03/01/2013.

4 THE APPLICATION

4.1 Planning permission is sought for a part single part three storey building which would accommodate a car show room for the display and maintenance/repair of cars with office and administration space. Parking for display cars along with customer and staff parking is also proposed.

4.2 The accommodation within the building would comprise the following:

- Ground floor: Workshop (four bays), MOT bay, dry valet bay, wet valet bay, parts department, staff changing facilities and canteen and service reception.
- First floor: double height internal car showroom with administration and reception area, staff offices, W.Cs and kitchen facilities.
- Second floor: void over showroom, offices, meeting rooms, W.Cs, canteen and plant room.

4.3 There is a difference in levels across the site with the land decreasing in height down from Victoria Road to the internal access road to the south of the application site. Therefore the access from the internal access road is at the lower ground level and access from Victoria Road is at the upper ground (first floor) level. A decked area is proposed at pavement height to the north of the proposed building, which would permit cars to be displayed adjacent to Victoria Road. A ramp would be present on the eastern side to provide access to the decked area. Below the decked area customer parking is proposed.

4.4 There is also a piece of land adjacent to the corner of Victoria Road with the industrial estate access road which is within the ownership of the applicant and does not form adopted highway. It is also proposed to display cars for sale in this location.

4.5 On the Victoria Road frontage the building would comprise mainly glazed curtain walling with smaller areas of metal cladding around the building edge. Therefore the character of the building would typically represent that of a car

showroom function and the large areas of glazing would permit views into the building where the display cars would be located. The eastern elevation would feature a smaller area of glazing, but would be mainly metal clad. The rear elevation (south) would feature eight vehicular access doors at the lower ground level and openings at the second floor level.

- 4.6 The building would be operated by Rivervale Vehicle Contracts which is the car contract hire and leasing division of Rivervale Cars Limited. Rivervale Cars Limited also occupy the adjacent car showroom to the east (Unit 11). Within this building the business operates as Rivervale Mazda, MG, Mercedes-Benz and Skoda, with the focus being car sales. The company have been operating on the Industrial Estate since 2004 with the contract hire and leasing element operating since 2009 and which currently operates from Unit 8.
- 4.7 Car leasing has become more popular in recent years, however there is no room within the existing buildings for this part of the business to expand. Therefore, the applicant plans to use the proposed building exclusively for the car leasing part of the business with the car sales element continuing to operate within the existing car showroom building (Unit 11). Unit 8 would be vacated by Rivervale Vehicle Contracts and this would be marketed for a new business tenant.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: One** letter of comment has been received from the resident of **49 Victoria Road**. Although the resident states that they are pleased to see the site redeveloped by Rivervale they have concerns that there is not adequate parking for the expected additional staff. Victoria Road is very difficult to find a parking space during working hours by residents due to commuter and staff parking. In addition garages also park cars on the street. The car park at the children's play area is full. A residents' parking scheme is therefore needed for part of the street.
- 5.2 **Brighton & Hove Archaeological Society: Comment.** The application site is close to the sites of an Anglo-Saxon cemetery, a Roman cemetery and other Roman finds. Neolithic flintwork has also been recovered in the past. Therefore suggest that the County Archaeologist is consulted.
- 5.3 **County Archaeologist: No objection.** Historic 19th century maps record this site as a large gravel extraction quarry. Therefore do not consider that any significant archaeological remains are likely to be affected by these proposals.
- 5.4 **County Ecologist: No objection.**
Designated sites and Protected Species:
Given the location, scale and nature of the proposed development, there are unlikely to be any impacts on any sites designated for their nature conservation value. The site currently comprises hard standing with small areas of amenity grassland within an urban context and is likely to be of relatively low biodiversity value. The site is unlikely to support any protected species and therefore no

specific mitigation is required. If protected species are encountered during demolition/construction, work should stop and advice should be sought from an ecologist on how to proceed.

5.5 *Mitigation Measures/Enhancement Opportunities:*

The site offers opportunities for enhancement which will help the Council address its duties and responsibilities under the Natural Environment and Rural Communities Act and the NPPF. Opportunities include the use of species of known value to wildlife within the landscaping scheme, and the provision of bird boxes, in particular those suitable for sparrows and swifts. Advice on plant species of value to wildlife can be found in the Council's SPD 11, Annex 7 *Notes on Habitat Creation and Enhancement*. Where possible, native species of local provenance should be used.

5.6 As the proposed development includes flat roofs, consideration should be given to green roofs which would enhance biodiversity and provide multiple other benefits including reducing storm water run off, increasing roof lifespan, lessening the urban heat island effect, climate change mitigation and adaptation, and reducing sounds transfer.

5.7 **East Sussex Fire & Rescue:** Access for fire appliances is satisfactory.

5.8 **Environment Agency:** No objection subject to conditions requiring details of a surface water scheme to be agreed and a contaminated land discovery condition.

5.9 The Environment Agency have reviewed the Phase I Desk Study, Site Reconnaissance & Phase II Site Investigation Report as produced by Leap Environmental Ltd (Report Ref LP00837, dated December 2014) in respect of the proposed development. It is confirmed that there is sufficient information to demonstrate that based on the investigation findings, that there is limited risk to controlled waters from the proposed development. However, the Report did identify some potential on-site sources of contamination, although these were not found during the intrusive investigation. It is noted that the extent of the investigation is limited by the hardstanding (floor slab) that largely covers the site. It is therefore possible that areas of contaminated may be identified during the development.

5.10 The proposed site drainage is indicated to be by soakaway. The Environment Agency would not permit the infiltration of surface water into Made Ground. The Environment Agency would allow for the discharge to occur if infiltration to the Made Ground was prevented. Details of the drainage scheme must be provided for review. It is recommended that these details are secured by condition.

5.11 **Southern Water:** A public water distribution main pipe crosses the site. The exact location of this main pipe should be determined by the applicant. A formal application for connection to the foul sewer should be made by the applicant. The Council's technical staff should be asked to comment on the adequacy of the soakaways to dispose of surface water. The application contains a proposal for vehicle washing facilities. Areas used for vehicle washing should only be connected to the foul sewer after consultation with Southern Water. The

applicant is advised to discuss this matter further with Southern Water's Trade Effluent Inspectors.

5.12 **Sussex Police:** No objection. The developer should have regard to the principles of 'Secure by Design'.

5.13 **UK Power Networks:** No objection.

Internal:

5.14 **Arboriculturist:** No objection. There are no trees and no substantial vegetation on this site

5.15 **Environmental Health:** Comment. Potential land contamination and the understanding and assessment of this is relevant due to the site's historic uses and site setting. As such, a land contamination report has been submitted by LEAP Environmental. Environmental Health raise a number of questions regarding the site investigation which would need to be addressed through an amended contaminated land report. This can be dealt with by condition. Also recommend conditions to control noise from plant and machinery and details of odour control equipment if paint spraying is to be carried out

5.16 **Planning Policy:** Recommend approval. Victoria Road Industrial Estate is identified for employment uses under policy EM1 of the adopted Brighton & Hove Local Plan. Policy EM1 restricts future uses in these employment sites to the main employment uses of B1 and B2. B8 uses are only acceptable in small starter units. The proposed car show room including provision of offices and car servicing facilities is Sui Generis and therefore does not fall within these main employment generating use classes and would be contrary to the Local Plan policy EM1. However the Submission Brighton & Hove City Plan also has weight in the decision making process.

5.17 Through the City Plan Part 1, the site is also safeguarded under policy CP3.3 as a primary industrial estate protected for business, manufacturing and warehousing (B1, B2 and B8 use classes). However, policy CP3.3 does allow a more flexible approach than policy EM1, when dealing with applications for Sui Generis uses. Policy CP3.3 states that Sui Generis uses will be acceptable, provided that they generate employment which is quantitatively and qualitatively comparable to B1 and B2 uses, would not harm the continuation of existing uses within those classes and comply with other City Plan policies.

5.18 The proposed floor area of the building would be 1,218 square metres and includes car servicing workspace on the ground floor, car sales on the first floor and office/administrative space on the upper floor and external car display area and parking.

5.19 Applying the HCA/Offpat Employment Densities Guide 2010 (which provides guidance on the average number of staff (FTE) different uses can be expected to generate) the applicants have demonstrated that the proposal for 32.5 jobs is a higher number of jobs than would be expected to be generated from a B8 use; slightly more jobs than a B1 (c) use and would generate slightly less than a B2

use. It is not considered appropriate to compare the proposal against more intensive B1(a) office uses as these should be directed toward Central Brighton (in accordance with City Plan policy CP3.2).

- 5.20 It is noted from the Planning Statement that only 15.5 of the 32.5 jobs are new and these include 4 technicians, 2 accountants as well as additional administration and sales staff. However the proposal would allow the existing business within the Industrial Estate to relocate and expand. Unit 8 Victoria Road Industrial Estate which is currently used by the business would become available to rent for an alternative employment use.
- 5.21 The site, despite marketing (2002-2007) and the grant of outline planning permission (BH2007/01721) for redevelopment of existing industrial estate with car showroom and 2 x B1 units and 2 x B1/B2/B8 units, has remained undeveloped for a considerable number of years. It is regretted that the outline application for the redevelopment of the existing industrial estate with car showroom and a mix of industrial units and the opportunity for the wider refurbishment and reconfiguration of this part of the estate was not implemented and the permission has now lapsed.
- 5.22 It is acknowledged that there is a cluster of car dealerships/ MOT/car parts in this part of Victoria Road. The proposed use creates a mix of employment including sales and associated B1 office/administration functions as well as a number of new jobs in car servicing/ valeting (B2/B1). It is considered that the proposed Sui Generis use could generate an element of employment which is qualitatively comparable to B1 and B2 uses.
- 5.23 Therefore, it is considered that the applicant has demonstrated the merits of allowing an exception to Policy EM1 of the adopted Brighton & Hove Local Plan given:
- the information provided on the quantity and qualitative nature of jobs associated with this proposed sui generis use which includes car maintenance and office/administrative space and which relates to the relocation and expansion of an existing business within the industrial estate;
 - the length of time this site has remained undeveloped;
 - the compliance with CP3.3 of the Submission City Plan Part 1; to which weight can be attached.

5.24 **Sustainability:**

Comments dated 24.03.15

Insufficient information. Note that the Planning Statement includes a statement for the intention for the development to achieve BREEAM 'excellent' and 60% in energy and water sections. Whilst this is welcomed there is no other reference within the submission to how the scheme is addressing sustainability issues as set out in Local Plan Policy SU2 and Submission City Plan Policy CP8 in respect of energy and water efficiency, use of sustainable renewable energy technologies, sustainable materials, passive design, sustainable drainage, climate mitigation and adaptation etc.

- 5.25 The Local Planning Authority encourages applicants to consider these issues during early design processes in order to achieve the most cost effective and efficient solutions to mainstream sustainability throughout the development. In major developments it is important that at least some preliminary work is undertaken to ensure that the relevant BREEAM standard can be achieved, and that this is addressed early in order to secure the low cost measures and those credits that are available only when addressed at the outset. Undertaking a BREEAM pre-assessment and submitting some notes detailing how credits can be achieved would help demonstrate that the targeted score is achievable. At the moment there is insufficient information to demonstrate this.
- 5.26 **Sustainable Transport:** No objection. The amount of car parking proposed is within the SPG4 maximum and the provision of 2 disabled bays and 10 Sheffield cycle stands are above the required minimum. The dimensions and spacing of the proposed parking is acceptable. Although there is some scope for displaced parking this is limited and it would be disproportionate to require the funding of remedial measures such as funding for amendments to local parking regulations. The small number of vehicular trips which are likely to be generated will not have a material impact on the operation of the local highway network. No sustainable modes problems will arise from the trips generated by those modes. Information from the road safety team confirms that there is no pattern of accidents which could be worsened by the extra trips. The applicants have demonstrated that the swept paths which servicing vehicles will need to make within the site can be carried out in a forward gear. A travel plan is not required for the scale and nature of development proposed. Do not recommend any Section 106 requirements or conditions.

6 MATERIAL CONSIDERATIONS

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR4	Travel Plans
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU4	Surface water run-off and flood risk
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD5	Design – street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD25	External lighting
QD27	Protection of amenity
EM1	Identified employment sites (industry and business)
EM3	Retaining the best sites for industry

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

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

SPD11 Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development
CP3 Employment Land
CP8 Sustainable Buildings

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to:

- The principle of the use;
- Design and the impact on the character and appearance of the area;
- Impact on amenity;
- Transport impacts;
- Sustainability and ecology enhancements.
- Contaminated land and protection of ground water.

Principle of development:

8.2 As previously mentioned within section 4 of this report the building would be operated by Rivervale Vehicle Contracts which is the car contract hire and leasing division of Rivervale Cars Limited. Rivervale Cars Limited also occupies the adjacent car showroom to the east (Unit 11). The car leasing element of the business currently operates within Unit 8. Car leasing has become more popular in recent years, however there is no room within the existing buildings for this part of the business to expand. Therefore, the applicant plans to use the proposed building exclusively for the car leasing part of the business with the car sales element continuing to operate within the existing car showroom building (Unit 11). Unit 8 would be vacated by the applicant and this would then be marketed for a new business tenant.

8.3 Victoria Road Industrial Estate is an identified employment site as defined by policy EM1 of the Brighton & Hove Local Plan. Policy EM1 restricts future uses in these employment sites to the main employment uses of B1 and B2. B8 uses are only acceptable in small starter units. The proposed car show room use is Sui Generis and therefore does not fall within these main employment generating use classes.

8.4 The Submission Brighton & Hove City Plan also has weight in the decision making process. The site is also safeguarded under policy CP3.3 as a primary industrial estate protected for business, manufacturing and warehousing (B1, B2 and B8 use classes). However, policy CP3.3 does allow a more flexible approach than policy EM1, when dealing with applications for new Sui Generis uses. Policy CP3.3 states that Sui Generis uses will be acceptable, provided that they generate employment which is quantitatively and qualitatively comparable to B1 and B2 uses.

8.5 The proposed floor area of the building would be 1,218 square metres (GIA). Table 3 of the HCA/Offpat Employment Densities Guide 2010 provides guidance on the number of staff (FTE) different uses can be expected to

PLANNING COMMITTEE LIST- 22 APRIL 2015

generate. The Local Planning Authority uses this guidance when determining planning applications and estimating the likely employment generation of the use class proposed, compared to other business uses.

- 8.6 When this guidance is applied to the floor area of the proposed development, the following staff numbers (Full Time Equivalent FTE) would be expected to be generated.
- B1 (c) light industry: 1 FTE per 47 sqm (NIA);
 - B2 general: 1 FTE per 36 sqm (GIA);
 - B8 general: 1 FTE per 70 sqm (GEA);
 - B8 large scale and high bay warehousing 1 FTE per 80 sqm (GEA).
- 8.7 B1 (a) office uses generate higher employment than the above more industrial uses and the guidance states a range of between 1 FTE per 8 sqm to 1 FTE per 47 sqm (GIA), dependant on the particular type of office. The guidance does not give an employment figure for B1 (b) uses.
- 8.8 When the above ratios are applied to the floor area proposed as part of this development, it could be expected to provide in the region of 26 FTE for B1c, 34 for B2 and between 15 and 17 for B8. B1 (a) uses would be expected to generate in the range of between 26 and 152 FTE. The anticipated staff numbers vary significantly for B1(a) office use depending on the particular type of office, For example, a call centre would be expected to accommodate more staff within a given floor area than IT/data centre would.
- 8.9 Information has been provided by the applicant in relation to the current business arrangements and the existing and proposed staff numbers. Within the new building the developer has predicted that 32.5 FTE staff would be employed and the exact details are included below:

Staff type	FTE existing	FTE proposed
Management Team	6	6
Receptionist	0	1
Sales (Leasing)	4	8
Sales/Co-coordinator (Used)	1	2
Administration	3	5
Marketing/Social media	1	1
Accounts	0	2
Technicians	0	4
Collection & delivery driver	0	0.5
Valetors	2	3
Total	17	32.5

- 8.10 It is noted that although 32.5 jobs would be provided within the new building, only 15.5 of these are 'new' jobs for the Industrial Estate as 17 jobs are existing. However Unit 8 would be marketed for business use and therefore could

accommodate some 15 to 17 additional jobs. Therefore there could still be a net gain of 32.5 jobs provided on the Industrial Estate.

- 8.11 The proposal, when expected to generate 32.5 FTE jobs, would be likely to generate a significantly higher number of jobs than would be expected from a B8 use (15 to 17 FTE jobs). It would be likely to generate slightly more jobs than a B1 (c) use (26 FTE jobs) would and generate slightly less than a B2 use (34 FTE jobs). It is not considered to be appropriate to compare the proposal against more intensive B1 (a) office uses such as call centres etc., as these should be directed toward Central Brighton (in accordance with Submission City Plan policy CP3.2). Therefore it is considered that the proposal would generate jobs which are quantitatively comparable to uses within the B1 and B2 Use Classes which are appropriate to an Industrial estate setting.
- 8.12 It is acknowledged that this part of Victoria Road has become a cluster for car dealerships/ MOT/car parts. The proposed use creates a mix of employment including sales and associated B1 office/administration/accounting functions as well as a number of new jobs in car servicing/ valeting (B2/B1). It is therefore considered that the proposal could generate jobs which are qualitatively comparable to B1 and B2 Use Classes. A condition is recommended to require that the use of the lower ground floor plan remains in vehicle repair use, as this allows a variety of different jobs to be created.
- 8.13 Therefore, it is considered the proposal could generate employment which is qualitatively and quantitatively comparable to those jobs which could be generated by general business B1 and B2 Use Classes. Therefore the principle of the use is considered to be acceptable and would comply with the aims of policy CP3.3 of the City Plan.
- 8.14 The site has been vacant since 2000. It is noted that there was an earlier outline permission for the wider Industrial Estate which was for a new car showroom plus 2 x B1 units and 2 x B1/B2/B8 units (BH2007/01721) with new infrastructure including access road. This permission has since expired and was believed not to have been implemented as it was not viable. The site was actively marketed from 2000 to 2007, although it has not been actively marketed since the applicant (Endeavour Holdings) purchased the site in 2007. Policy CP3.3 of the Submission City Plan does not require evidence of either marketing or viability in order for Sui Generis Use Classes to be considered to be acceptable in principle. As previously stated the test is whether or not the proposal could generate employment which is comparable qualitatively and quantitatively comparable to B1 and B2 Use Classes. This proposal is considered to adequately demonstrate that the jobs created would be similar in nature and scale to those generated by a B1 or B2 Use Class and therefore marketing or viability information is not necessary.
- 8.15 Whilst policy EM1 does not permit Sui Generis uses within protected industrial sites, it is considered that policy CP3 of the Submission City Plan has significant weight in the decision making process. Given then long length of time the site has been vacant and as the proposal would create sufficient jobs and allow an

existing business on the Industrial Estate to expand, it is considered that an exception to policy EM1 can be justified.

Design

- 8.16 Policy QD3 of the Local Plan seeks the more efficient and effective use of sites and policies QD1 and QD2 require new developments to take account of their local characteristics with regard to their proposed design. In particular, policy QD2 requires new developments to be designed in such a way that they emphasise and enhance the positive qualities of the local neighbourhood, by taking into account local characteristics such as height, scale, bulk and design of existing buildings, impact on skyline, natural and built landmarks and layout of streets and spaces.
- 8.17 The character of the surrounding area is a mixture of industrial and residential with a cluster of car show rooms present on Victoria Road itself. Portslade Town Hall is of traditional design built with brick with a pitched roof over. Residential properties to the east on the north side of Victoria Road consist of two storey semi-detached properties, two storey terraced properties and a three storey block of flats. The car showrooms on Victoria Road are of varying design, with elevations which consist of areas of glazing and metal cladding in silver and light grey colours. The exception to these colours is the 'Mini' car showroom opposite the site which has glazing to the ground floor and a darker cladding material to the first floor.
- 8.18 The proposed car showroom would have double height curtain wall glazing to the front elevation facing Victoria Road with a small amount of metal cladding (metallic silver colour) framing this glazing. This would allow for an active street frontage and would permit views into the car showroom which would add interest. There would be a significant gap of nearly 15 metres between the front building line of the proposed building and the adjacent Portslade Town Hall. The height of the proposed building would be approximately 1.5 metres above the eaves of the Town Hall and 1.2 metres below the ridge height. Therefore, the siting and scale of the proposed building is considered to be acceptable. Given the number of car showrooms in the street, it is considered that the design and materials of the front elevation is also appropriate.
- 8.19 A smaller area of glazing would also be present to the side (eastern) elevation which would also be visible in views from Victoria Road. The rear workshop and valet building would be stepped in height and would be constructed of profiled metal cladding (colour dark grey) with individual metal 'up and over' doors serving the workshop and valet bays. The other areas of external wall on the side elevations would be constructed with Microrib horizontal cladding. The western facing side elevation would not contain any openings and would be a relatively blank façade, however, this elevation would not face towards any street scene or the internal Industrial Estate access road and therefore would not be particularly visible.
- 8.20 There is a difference in levels across the site with the land decreasing in height down from Victoria Road to the internal access road to the south of the application site. Therefore the access from the internal access road is at the

lower ground level and access from Victoria Road is at the upper ground (first floor) level. A decked area is proposed at pavement height to the north of the proposed building, which would permit cars to be displayed adjacent to Victoria Road. Below the decked area customer parking is proposed. There is also a piece of land adjacent to the corner of Victoria Road with the Industrial Estate access road which is within the ownership of the applicant and does not form adopted highway. It is also proposed to display cars for sale in this location.

- 8.21 The adjacent Rivervale car showroom to the east, located on the opposite side of the junction of Victoria Road with the Industrial Estate (Unit 11), also contains an area on the corner which is used for the display of cars. The corner within the application site is also currently used for the display of cars in connection with the Rivervale business.
- 8.22 There is a grassed embankment adjacent to the eastern most car showroom on Victoria Road (Lookers Garage), which is present at a higher ground level than the pavement. There are no soft landscaped areas in front of the Mercedes-Benz/Smart garage, but there is a small grassed area outside part of the existing Rivervale garage. On the opposite side of the road there is a grassed area outside the Chandlers garage however this is regularly used to display cars for sale. The Mini garage has a landscaped strip which includes a various shrub planting with a 'rockery' to prevent it being accessed by vehicles. A small hedge and small grassed verge is present on the frontage of the Ford and Volkswagen garages.
- 8.23 Due to the proposed building's siting and the proposal to include a decked area to be utilised for the parking of display cars, there are limited opportunities for soft landscaping. Two small soft landscaped strips are proposed on the street frontage which would measure 0.4 metres by 6 and 7 metres. It is recognised that there are limited opportunities for soft planting on the street frontage, and that the existing landscaping areas within the street have varying levels of success. Therefore it is considered that the opportunity should be taken to improve the materials of the hard surfacing present on the corner of the Industrial Estate access road and Victoria Road and on the pavement of Victoria Road itself. Negotiations with the applicant regarding this are on-going and an indicative landscaping plan has been requested. Further details regarding this will be reported via the List of Supplementary Information.
- 8.24 The green palisade fencing would be removed from the street frontages. Railings are proposed adjacent to the decked area and ramped access. It is unclear what fencing is proposed to the rear of the car parking area. All fencing/railings would be controlled though the recommended landscaping condition.
- 8.25 It is considered that there could be some soft planting incorporated into the lower rear car parking area. The applicant has also been asked to investigate this as part of an indicative landscape scheme and again these details will be reported to members via the List of Supplementary Information.

8.26 Subject to these additional soft and hard landscaping requirements, it is considered that the proposal would be appropriate in terms of its impact within the street scene and wider area and would not harm the character or appearance of the area.

Impact on Amenity:

8.27 Policy QD27 requires the Local Planning Authority to endeavour to protect the amenity of an area and to also ensure the future residents and occupiers of a development have adequate levels of amenity.

8.28 There nearest residential properties (first floor of 109 to 115 Victoria Road) would be approximately 24 metres away from the proposed built form of the building. Therefore there would be no harmful impact by reason of loss of light or outlook or from overlooking.

8.29 Portslade Town Hall has a 'T' shaped footprint. The nearest section of the Town Hall is part of the eastern facing elevation and this would be sited 15 metres from the tallest element of the proposed building. There is only one window in this section of the Town Hall and it is considered that this interface distance is acceptable. The rest of the eastern facing elevation would be 30 metres from the tallest element of the building.

8.30 The workshop element of the proposed building is nearer to the boundary, however this element is single storey and is set below the ground level of the Town Hall. The interface distances between the workshop element and the main elevation of the Town Hall is 6 metres and 24 metres. There are no windows at ground floor level on this section of the Town Hall and the windows present at first floor would be set above the roof level of the workshop element. There is a small rear single storey element of the Town Hall which would only be 4 metres from the proposed workshop element, however this would only be for a length of 1 metre. Therefore it is considered that the proposal would have an acceptable interface relationship with the Town Hall.

8.31 Policy SU9 and SU10 will not permit development which would cause pollution and or nuisance and policy SU10 requires new development to minimise the impact on noise on the occupiers of neighbouring properties. The site is within an Industrial Estate which is characterised by car showrooms and vehicle repair shops. As previously mentioned the nearest residential properties are located opposite the site at the first floor of 109 to 115 Victoria Road (approximately 24 metres away). The workshops are accessed and located at the rear of the building which would face towards the Industrial Estate rather than towards Victoria Road. An Acoustic Report has been submitted with the application. This shows that the dominant noise source is road traffic noise, and that the proposed development would not significantly impact on the noise levels at the residential units above. In addition, the main vehicle movements would be at the rear or at the lower level below the decked area. Given the mixed character of the area, and the site's location within an established Industrial Estate, it is not considered that the use of the site for a car showroom and vehicle repair workshop would be detrimental to the living conditions of nearby residents. The use is considered to be appropriate for its location.

- 8.32 The application did not include details of the proposed opening hours . This has been requested from the applicant and will be reported to members via the list of Supplementary Information. If necessary, additional conditions to control the hours of use and delivery hours will also be recommended at this stage.

Transport

- 8.33 Policy TR1 of the Local Plan requires development proposals to provide for the demand for travel which they create and maximise the use of public transport, walking and cycling. Policy TR7 will permit developments that would not increase the danger to users of adjacent pavement, cycle routes and roads. Policy TR8 would permit development proposals which provide for the needs of pedestrians by creating short, safe attractive and direct routes for walking. TR18 and TR19 relate to the provision of parking spaces for people with disabilities and parking standards in general which are set out in detail in SPG4 ‘ Parking Standards’.
- 8.34 There are 20 parking spaces proposed for car display, plus parking within the area on the corner of Victoria Road and the Industrial Estate access, 13 parking spaces for vehicle repairs, 16 parking spaces including two disabled spaces for customers, and 9 spaces for staff.
- 8.35 SPG4 requires a maximum of one space per 50 square metres of indoor and outdoor sales, plus one space per two employees for car sales. For vehicle repair one space per two employees plus three extra car parking spaces per workshop bay are required. 850 square metres are proposed for the indoor and outdoor sales and there would be five workshop bays (not including the valet bays). For the development as a whole this would equate to a maximum of 49 staff and customer parking spaces. 25 spaces are proposed for staff and customers along with 13 for service parking. This is below the maximum standard of 49.
- 8.36 The Council’s Sustainable Transport Team have commented that although there is some scope for displaced parking this is anticipated to be limited and would not be significant enough to warrant the funding of remedial measures such as amendments to local parking regulations. It is therefore considered that the level of parking provision is appropriate and complies with SPG4.
- 8.37 Two disabled parking spaces are proposed. SPG4 requires that a minimum of 1 space is provided. Therefore the disabled provision is above the minimum standard.
- 8.38 Parking for 20 cycles is proposed and this is in-excess of the standards within SPG4 which would require a minimum of 3 spaces.
- 8.39 The access arrangements are considered to be acceptable and the applicant has demonstrated the swept paths which servicing vehicles would need to make within the site can be carried out in a forward gear.

- 8.40 The Council's Sustainable Transport Team have commented that the proposal would not have a material impact on the local highway network and the small number of trips associated with the development would not warrant a contribution towards sustainable transport infrastructure.
- 8.41 There are two adopted footways adjacent to the proposed parking area on the corner of Victoria Road with the Industrial Estate access road. These would remain.
- 8.42 Therefore it is considered that the proposal provides for the transport demand which it would generate and would not jeopardise highway safety in the area.

Ground Conditions and Contamination & Surface Water Drainage:

- 8.43 Policy SU11 of the Local Plan states that proposals for the development of known or suspected polluted land or premises will help to ensure effective and productive use is made of brownfield sites. However, such proposals must ensure that an increase in contamination does not occur and remediation must be effective to ensure there is no harm to the environment and human health.
- 8.44 A desk top study has been carried out and along with initial site investigations. There is a risk of contaminants within the made ground. Conditions are therefore proposed to cover further site investigations and if necessary contaminated land remediation work.
- 8.45 The site sits above the principle aquifer for Brighton & Hove. Therefore a condition is also proposed to require the details of the surface water drainage to be agreed in order to prevent any pollution of ground water sources.

Sustainability & Ecology Considerations

- 8.46 The policy basis for sustainable design is policy SU2 of the adopted Local Plan. SPD 08 Sustainable Building Design offers guidance on achieving this. The policy permits developments which achieve high standards in the reduction in the use of energy, water and materials. Proposals are required to demonstrate measures to reduce fuel use and greenhouse emissions, the incorporation of renewable energy resources, reduction of water consumption, reuse of grey or rain water, and minimising energy use from use of raw materials. SPD 08 requires major non-residential developments to achieve 60% reduction in energy and water sections of the relevant BREEAM and to achieve overall BREEAM 'excellent'.
- 8.47 The scheme as originally submitted included a commitment to achieve a BREEAM excellent rating with a minimum of 60% in the energy and water considerations. However the application did not include any evidence as to how this could be achieved. The applicant has since submitted a BREEAM report which contains information on how the BREEAM credits may be achieved for this development. The applicant has re-iterated their commitment to achieve an excellent rating, although this would be dependent upon incorporating renewables within the scheme, for which a feasibility study needs to be carried out. Further comments from the Council's Sustainability Officer regarding this new information will be reported via the List of Supplementary Information.

- 8.48 Policy QD17 of the Local Plan requires development to minimise the impact on existing nature conservation features on site and also that new nature conservation features be provided as part of the design of the scheme. SPD 06, Nature Conservation & Development provides further guidance regarding this. NPPF paragraph 109 “the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and providing net gains in biodiversity where possible”.
- 8.49 The site currently has a very low ecological value. Conditions are recommended to require that the scheme incorporates ecological enhancements in the form of bird boxes and additional planting in the rear car park.
- 8.50 Although the County Ecologist did not object to the proposal, they recommended that a green roof was incorporated into the development. This has been discounted by the applicant due to the additional loading capacity needed with associated costs and as a feasibility study is to be carried out the siting of renewables on the roof.

9 CONCLUSION

- 9.1 It is considered the proposal could generate employment which is qualitatively and quantitatively comparable to those jobs which could be generated by general business B1 and B2 Use Classes. Therefore the principle of the use is considered to be acceptable and would comply with the aims of policy CP3.3 of the City Plan. An exception to policy EM1 of the Local Plan has been justified. The design, scale and siting of the building is appropriate in its setting and would not be harmful to the character and appearance of the area. Subject to landscaping conditions to improve the surfacing materials, the landscaping is considered to be appropriate. The scheme would not be harmful to the amenity of nearby residents and occupiers and would make adequate provision for car and cycle parking. Therefore approval is recommended.

10 EQUALITIES

- 10.1 Two disabled parking spaces would be provided as part of the scheme.

11 PLANNING CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

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Plan Type	Reference	Version	Date Received
Location plan	A(PL)00 000	A	6 February 2015
Site survey plan	A(10)00-100	A	6 February 2015
Proposed site plans	A(PL)00-100	A	6 February 2015
Proposed ground floor plan	A(PL)01-100	A	6 February 2015
Proposed first floor plan	A(PL)01-101	A	6 February 2015
Proposed second floor plan	A(PL)01-102	A	6 February 2015
Proposed elevations	A(PL)01-200	B	6 February 2015
Proposed sections	A(PL)01-300	B	6 February 2015

- 3) Unless otherwise agreed in writing the ground floor of the building hereby approved shall remain in vehicle workshop and valet use in accordance with the details shown on plan referenced Proposed Ground Floor Plan A(PL)01-100 A received on 6 February 2015.
Reason: In order to ensure that the vehicle workshop and valet use remains which increases the range of different jobs to be created on site and to comply with policy CP3 of the Brighton & Hove Submission City Plan Part One.
- 4) If, during demolition of the buildings, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants. The development shall be carried out in accordance with the approved details.
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) Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.
Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

- 6) The development shall be carried out in accordance with the details contained within the Site Waste Management Statement received on the 6 February 2015.

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.

11.2 Pre-Commencement Conditions:

- 7) 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 site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk

And if notified in writing by the local planning authority that the results of the site investigation are such that site remediation is required then,

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

Reason: This pre-commencement condition is imposed because it is necessary to safeguard the health of future occupiers of the site and to comply with policies SU3 and SU11 of the Brighton & Hove Local Plan.

- 8) The development hereby permitted shall not be occupied or brought into use until there has been submitted to, and approved in writing by, the local planning authority a written verification report by a competent person approved under the provisions of condition (7)b that any remediation scheme required and approved under the provisions of condition (7)b has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority the verification report 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 (7) b.”

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policies SU3 and SU11 of the Brighton & Hove Local Plan.

- 9) No development shall take place until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for

implementation and a maintenance programme for the surface water drainage infrastructure and shall include also include details regarding the water drainage of the vehicle washing facility. The scheme shall be implemented fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such thereafter.

Reason: This pre-commencement condition is imposed because it is necessary to ensure the existing infrastructure can facilitate the development and to reduce the risk of flooding and to ensure that no contamination of ground water sources shall occur and to comply with policies SU3 and SU15 of the Brighton & Hove Local Plan.

- 10) Unless otherwise agreed in writing, no development shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of BREEAM assessment within overall 'Excellent' for the development has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

Reason: This pre-commencement condition is imposed because it is necessary 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 policy CP8 of the Brighton & Hove Submission City Plan Part One.

- 11) No development above first floor slab level of the building hereby approved until there has been submitted to and approved in writing by the Local Planning Authority a scheme for hard and soft landscaping for the site and adjacent footways, which shall also include all parking areas including the ramp and decked parking area, rear parking area and parking area on the eastern corner along with adjacent footways. The landscape scheme shall include details of the materials of hard surfacing, fencing, railings and all other boundary treatments, gates, steps, walls and soft landscaping/planting proposals for 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.

- 12) No development above first floor slab level of the building hereby approved shall take place until a scheme for nature conservation enhancement, which details the location and specification of bird boxes has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details prior to the building first being brought into use and shall be retained as such thereafter.

Reason: To ensure that the scheme makes appropriate provision for ecological enhancements in the form of bat and bird boxes and to comply with policy QD18 of the Brighton & Hove Local Plan.

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- 13) No development shall take place on the external envelope of the building hereby approved until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
- 14) No development of the decked car parking area and ramped access shall take until all elevations of the structure have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained as such thereafter.
Reason: As insufficient information has been submitted regarding the proposal and to ensure the satisfactory appearance of the structure in accordance with policy QD2 of the Brighton & Hove Local Plan.
- 15) 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 including the decked car park and ramp, 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: This pre-commencement condition is imposed because it is necessary to safeguard the character and appearance of the area and to comply with policy QD2 of the Brighton and Hove Local Plan.
- 16) Prior to any spray painting of vehicles taking place within the application site, a scheme for the fitting of odour control equipment to the building along with a scheme for the sound insulation of such equipment shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to any spray painting of vehicles occurring on site, and such measures shall thereafter be retained as such.
Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

11.3 Pre-Occupation Conditions:

- 17) Unless otherwise agreed in writing with the Local Planning Authority, the building shall not be occupied until a BREEAM Education Building Research Establishment issued Post Construction Review Certificate confirming that the development as built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

- 18) The building, hereby approved shall not be first brought into use until a scheme for the storage of refuse and recycling including the elevations of the structures needed to accommodate such stores, 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 the building being first brought into use and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

- 19) The building hereby approved shall not be first brought into use until the new car and cycle parking areas as shown on plan referenced Proposed Site Plans A(PL)00-100 A received on 6 February, have been laid out and made available for the parking of vehicular cars (including the two disabled vehicle spaces) and for cycle parking. The new car parking and cycle parking areas shall not be used otherwise than for the parking of private motor vehicles and cycles belonging to the occupants of and visitors to the development hereby approved along with vehicles being repaired or sold in connection with 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.

- 20) The landscaping scheme required by condition 11 shall be fully implemented prior to the building hereby approved being first brought into use. Any new trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

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:

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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:-

It is considered the proposal could generate employment which is qualitatively and quantitatively comparable to those jobs which could be generated by general business B1 and B2 Use Classes. Therefore the principle of the use is considered to be acceptable and would comply with the aims of policy CP3.3 of the City Plan. An exception to policy EM1 of the Local Plan has been justified. The design, scale and siting of the building is appropriate in its setting and would not be harmful to the character and appearance of the area. Subject to landscaping conditions to improve the surfacing materials, the landscaping is considered to be appropriate. The scheme would not be harmful to the amenity of nearby residents and occupiers and would make adequate provision for car and cycle parking.
3. The applicant is advised that formal applications for connection to the public sewerage system and to the water supply are required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk
4. The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites (www.breeam.org). Details about BREEAM can also be found in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
5. The applicant is advised that the above conditions on land contamination have 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 conditions a site investigation shall be the very minimum standard accepted. Pending the results of the further site investigation, the applicant may have to satisfy the requirements condition 7b and condition 8. It is strongly recommended that in submitting details in accordance with these conditions 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).
6. The applicant is advised when developing a scheme for surface water drainage required by condition 9, that as the proposed site drainage was indicated to be by soakaway, the Environment Agency would not permit the infiltration of surface water into 'Made Ground'. The Environment Agency would allow for the discharge to occur if infiltration to the Made

PLANNING COMMITTEE LIST- 22 APRIL 2015

Ground was prevented. Details of the drainage scheme must be provided for review.

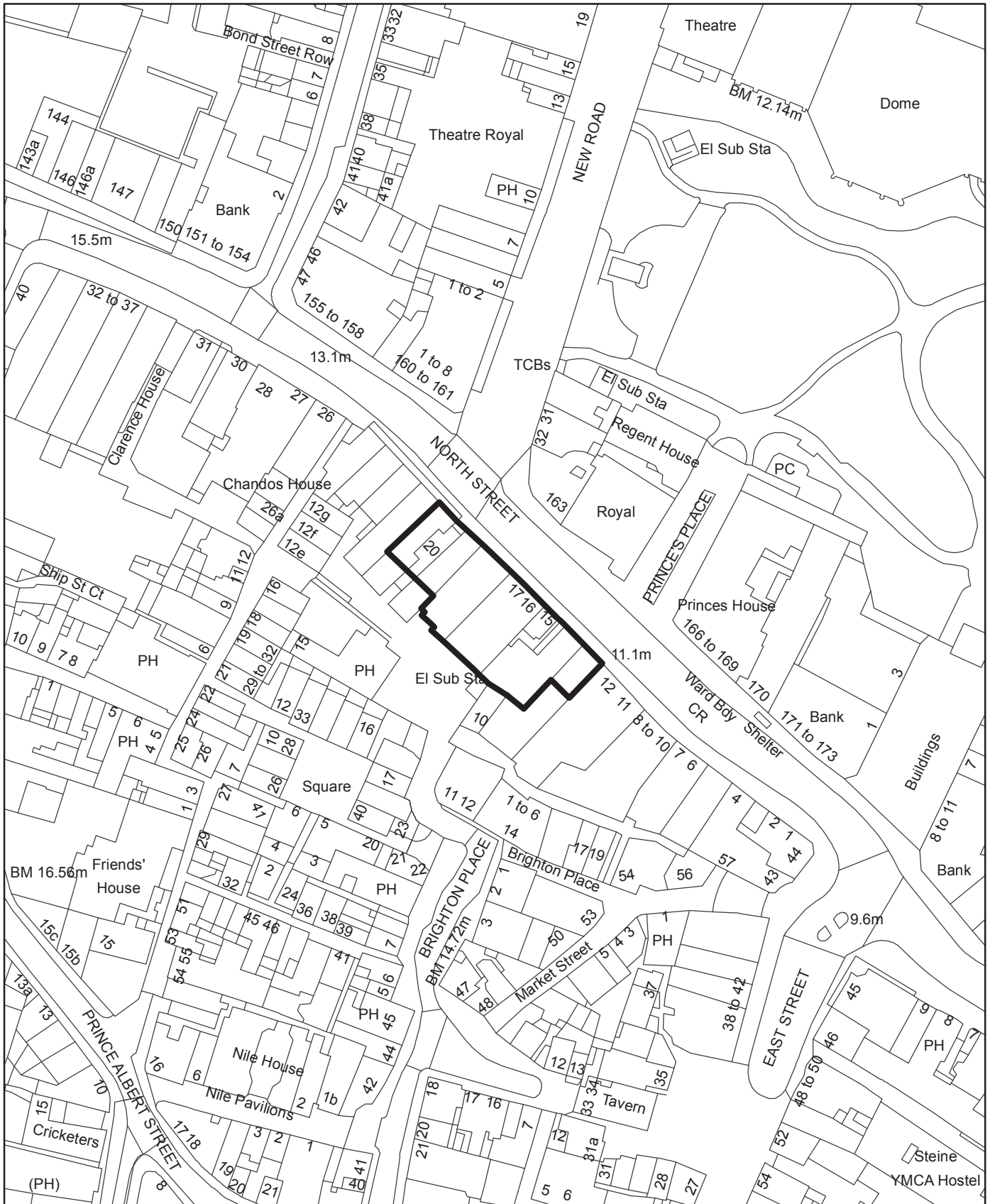
ITEM B

**13, 14, 15, 16-17, 18, 19, 20, 20-24, 21 22 and
Pugets Cottage North Street, Brighton**

**BH2015/00575
Full planning**

22 APRIL 2015

BH2015/00575 13, 14, 15, 16-17, 18, 19, 20, 20-24, 21, 22 and Puget's Cottage North Street, Brighton



Scale: 1:1,250

<u>No:</u>	BH2015/00575	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Full Planning		
<u>Address:</u>	13 14 15 16-17 18 19 20 20-24 21 22 and Pugets Cottage North Street Brighton		
<u>Proposal:</u>	Demolition of building at 15 North Street and store to west of Puget's Cottage and creation of a new link lane, 'Puget's Lane', linking North Street to the previously consented 'Hannington's Lane'. Erection of new building at 15 North Street to provide 1no ground floor retail unit (A1) and 1no residential unit (C3) over including over part of 14 North Street. Alterations to rear of 16-17 North Street to provide 2no additional ground floor retail units (A1) and 3no residential units (C3) above accessed from the new lane. Restoration of Puget's Cottage, extension to existing historic paving through new lane, alterations to shop fronts along North Street elevation and other associated works.		
<u>Officer:</u>	Jason Hawkes Tel 292153	<u>Valid Date:</u>	23 February 2015
<u>Con Area:</u>	Old Town	<u>Expiry Date:</u>	20 April 2015
<u>Listed Building Grade:</u>	15 North Street and Puget's Cottage are Grade II Listed		
<u>Agent:</u>	Morgan Carn Partnership, Blakers House, 79 Stanford Avenue, Brighton, BN1 6FA		
<u>Applicant:</u>	West Register (Property Investments) Ltd, Mr Joss Brushfield, 280 Bishopsgate, London, EC2M 4RB		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site mainly relates to two separate buildings at 15 North Street and Puget's Cottage, which is to the rear of 15 North Street. The first building at 15 North Street is located on the south side of North Street directly opposite the Chapel Royal Church on North Street, a Grade II* listed building. 15 North Street includes three floors and a basement level. The building is used as a Class A1 retail unit by Timpsons and includes a modern shopfront and fascia. Two original timber windows are above the shopfront. The immediate adjacent buildings at 14 and 16 North Street are significantly taller than no.15. No.14 is two-storeys taller and no.16 is one-storey taller than no.15. No.15 is separated from 14 North Street by a small twitten. The building is currently in need of substantial repairs. It was noted on site that the roof is currently being supported internally to stop it from collapsing.

- 2.2 In September 2013, 15 North Street was listed by English Heritage as Grade II. The listing stated that the principal reasons for the designation are for the following reasons:
- Architectural interest. This is a small circa 1770 property constructed to local materials with original openings to the upper floors.
 - Interiors. The building retains the original staircase from first to second floor, panelling of various patterns, room partitions, doors and door architraves, cupboards and fireplace with cast iron range.
 - Plan form. The original plan of one large and one smaller room on each floor with rear staircase survives, modified only by the addition of a rear mid 19th century staircase extension.
 - Historic interest and rarity. Documented in commercial use by 1700, early and rare both nationally and locally.
 - Subsidiary features: The 1830s or earlier brick paving and gully in the enclosed yard or twitten is a rear pre-1840 example of street furniture.
 - Group value. Groups with two listed properties on the other side of North Street and with Puget's Cottage.
 - Degree of survival. Substantially intact externally, the original plan form is readable and many interior fittings survive.
- 2.3 The listing of the building includes brick paving to the alleyway and to the rear circa 1830.
- 2.4 Puget's Cottage is directly to the rear of 15 North Street. The building is called Puget's Cottage due to its close proximity to the former Puget's School to the rear (now demolished). The building is completely enclosed to all sides and can only be accessed via 14 North Street. The building is two-storeys with a gambrel roof. Due to its location, Puget's Cottage cannot be seen in its entirety from any public location. Internally, the ground floor plan form of the cottage has been completely lost. The former ground floor wall of the cottage has been removed. The former ground floor of Puget's Cottage now forms part of the shop floor for 14 North Street. At first floor level, the internal arrangement of the former cottage remains. The upper floor is in use as a flat. The north west facing elevation, part of north east elevation and part of south east elevation of the Cottage remain intact and can be seen from adjacent properties. These elevations include inappropriate ducts, piping and vents. The most prominent elevation facing north west includes window openings and has a mix of brick flint finish.
- 2.5 Puget's Cottage was also listed by English Heritage in September 2013. The listing stated that the principal reasons for the designation are for the following reasons:
- Architectural interest. Contains a significant proportion of late C17 or early C18 fabric heightened and extended in the later C18 and with some later C18 or early C19 sash windows. The two phases of the building show the transition of the ancient town into the fashionable seaside resort.
 - Interior features: late C17 or early C18 good quality first floor cornices and joinery.

- Plan form: readable externally and to some extent internally.
 - Historic interest and rarity: a very rare survival of an old town building which pre-dates the mid C18 and later development of Brighton as a seaside resort. The curved external wall of the property is a rare survival of the local strip field system, which was superseded by later grid development;
 - Group Value: group value with 15 North Street and the paved yard.
- 2.6 This application also includes the properties at 13, 14, 16-17, 18, 19, 20, 20-24, 21 and 22 North Street. These buildings all include retail units with shopfronts onto North Street. None of these buildings are listed. A number of the buildings include residential properties to the upper floors.
- 2.7 All of the buildings are within the Old Town Conservation Area and are part of the Regional Shopping Centre (prime frontage). The site is also within an Archaeological Notification Area.

3 RELEVANT HISTORY

BH2015/00521: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for approval of details reserved by conditions 19 and 20 of application BH2013/00710. Under consideration.

BH2014/03736: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for Approval of Details Reserved by Conditions 34 and 35 of application BH2013/00710. Approved 20/03/2015.

BH2014/00920: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for Approval of Details Reserved by Condition 9 of application BH2013/00710. Under consideration.

BH2014/00918: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for Approval of Details Reserved by Conditions 11, 13 and 15 of Application BH2013/00710. Approved 20/03/2015.

BH2014/01118: 21-23 and 37-40 Brighton Square. Demolition of existing buildings at 21, 22, 23 and 37 Brighton Square. Conversion and extension of existing dwellings at 38, 39 and 40 Brighton Square to create additional 8no residential units (C3) and 2no restaurant units (A3) with associated works. Erection of four storey building fronting Brighton Place comprising 1no retail unit (A1) and offices (B1) above, with revised access from Brighton Place to existing underground car park. Under consideration.

BH2014/01117: 11-16 Brighton Square. Erection of single storey rear extensions to units at 11-16 Brighton Square with infill of rear access way. Replacement of existing external access stair to rear of 16 Brighton Square. Under consideration.

BH2014/00966: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for Approval of Details Reserved by Conditions 10, 14, 16, 17, 18, 21, 22, 24 & 25 of application BH2013/00710. Approved 27/03/2015.

BH2014/00919: Pugets Cottage Rear of 15 North Street. Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2013/03589. Split decision 12/05/2014.

BH2013/03589: Puget's Cottage Rear of 15 North Street. Alterations incorporating reinstatement of South facing gable wall and blocking up of first floor doorway. Approved 10/03/2014.

BH2013/00715: 17-19 21-23 and 37-40 Brighton Square. Demolition of existing buildings at 21, 22 and 23 Brighton Square and demolition of existing two storey apartments at 37, 38, 39 and 40 Brighton Square. Conversion of existing A1 and A3 units to create new A3 units at ground floor level to East of Brighton Square with new car park access. Construction of a 26no room boutique hotel above new A3 units with entrance at ground floor level and bedroom accommodation to 3no floors above. Erection of new 4no storey building on site of 22 Brighton Square providing A1 retail at ground floor level and 3no flats above. Reconfiguration works to lane connecting Brighton Place to Brighton Square and other associated works. Approved 25/03/2014.

BH2013/00712: 7-10 13-16 26-28 and 33-36 Brighton Square. Removal of existing roof structures to 7no two storey maisonettes within Brighton Square and creation of additional floors to each dwelling to create 7no three storey town houses. Formation of new entrance stair and lift and escape stair access connecting basement to first floor level. Remodelling works to residential façade, installation of new shop fronts to existing retail A1 and A3 units at ground floor level and remodelling and renovation works to square. Approved 25/03/2014.

BH2013/00711: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Demolition of existing building at 11 Brighton Place and demolition of existing stores and first floor structures to rear of North Street shops. Approved 10/03/2014.

BH2013/00710: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Creation of new shopping lane extending from Meeting House Lane to Brighton Place. Demolition of existing ground floor stores and first floor structures at rear of North Street shops. Adaptation and extension of existing shops on North Street to create 8 shop units to north side of new lane, reconfiguration of North Street shops. Construction of 7 new 2 storey flats over shops around a courtyard. Construction of 6 new shops to south side of new lane with 2 floors of offices over. Adaptation of 12D Meeting House Lane to provide additional shop front onto lane. Blocking up of openings in end wall of Puget's Cottage following demolition of adjoining structures (Amended description). Approved 10/03/2014.

BH2013/00716: 17-19 21-23 and 37-40 Brighton Square. Demolition of existing buildings at 21, 22, 23, 37, 38, 39 and 40 Brighton Square. Approved 25/03/2014.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of 15 North Street (a Grade II listed building). Demolition is required to facilitate the creation of a new link lane. This will link North Street to the previously consented Hannington's Lane. 15 North Street would be replaced with a three-storey feature building. The scheme includes the restoration of Puget's Cottage and an extension to the historic paving through the new lane. The restoration works include the demolition of a store attached to the north west elevation of the cottage. The

proposed works to Puget's Cottage are external only and involve replacement and new windows, roof repairs, removal of inappropriate pipework and vents.

- 4.2 The new lane would include 4 additional retail units. One of the units would be in the ground floor of the new feature entrance building onto North Street. The other two would be formed utilising the existing space to the rear of 16-17 North Street. Due to differences in ground levels, Puget's Lane would include stairs. The proposed first floor and second floors of the feature entrance building would form a two bedroom maisonette. The proposed maisonette would utilise part of the existing floor area of the first and second flats above 14 North Street.
- 4.3 The scheme would also include a maisonette and two flats above the retail units fronting the new lane to the rear of 16-17 North Street. The lane requires a two-storey addition to the rear of 16-17 North Street. These flats would be accessed via the new lane and would benefit from a communal outside amenity at first floor level.
- 4.4 The proposal includes alterations to the facades of 13, 14, 16-17, 18, 19, 20, 20-24, 21 & 22 North Street. The alterations include new shopfronts and fascias to nos. 13, 16-17 and 21 North Street. The proposal also includes replacement windows to the front elevations of nos.13 and 16-20 North Street.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Three (3)** letters of representation have been received from **93 Mackie Avenue, Threeways, Ovingdean Road & Montpelier Hall, Montpelier Terrace** objecting to the application for the following reasons:
- Both properties were listed for a reason as they form part of old Brighton which form an important listed 'micro site'. To demolish one or more parts of this listed structure would abrogate the whole reason for protecting this micro site.
 - The fenestration and door proposed to Puget's Cottage are inappropriate in their design.
 - The passageway from North Street dates from 1832 and should remain untouched.
 - An alternative route should be planned via 16 North Street.
- 5.2 **Seventy two (72)** letters of representation have been received from **Gars Chinese Restaurant, 19 Prince Albert Street, Centurion Group, 11 Prince Albert Street, Baron Homes Corporation Ltd, 10 Prince Albert Street, John A Tuffin & Co LLP, 12-13 Ship Street, Flat 3, St Nicholas Lodge, 6 Hangleton Way, 27 Bramble Rise (x2), Rugby Court, Seafield Cottage, Seafield Road, 15 Railway Street, 63 Sandringham Drive, 48 & 94 Hanover Street, 35 Langridge Drive, 6 Croft Road, The Coach House, Stanford Avenue, Hassocks, 27 Cawthorne House, Dyke Road, 36 Edburton Avenue, 139 Preston Drove, 47 John Street, 37 Chesham Road, 37 Devonshire Place, 19 Meeting House Lane, 11 Prince Albert Street, 7 The Meadows, Ditchling Common, 48 Hanover Street, 34 Roundhouse Crescent, 6 Clermont Terrace (x2), 20 Withdean Crescent, 27 Camelford Street, 209 Osbourne Road (x2), Flat 2, 48 Dyke Road, 1 The Chambers,**

Ship Street Gardens, 91 Upper North Street, 109 Hangleton Way, 24 Islingword Place, 5 Applesham Avenue, 63 Overhill Drive, 78A The Drove Way, 154 Ladysmith Road, 38 Osborne Road, 6 Gloucester Street, 8 Mortimer Road, 25 & 45 Cranleigh Road, 9 The Cedars, Bromley Road, 33 St George's Road, Little Tanyard, Tanyard Lane, Chelwood Gate, 79 Wichelo Place, Flat 34, Napier House, Wellington Road, 26 North Road, 35 Fourth Avenue, 16 Steine Gardens, 5 Visage, 54 Palmeira Avenue, 38 Barcombe Road, 33 St Georges Road, 6 Cuthbert Road, 51 Colliers Way, Reading, 7 Stratford Way, Reading, 2 Hilltop, 31 St James Avenue, 8 Heene Terrace, Flat 42 Belbourne Court, Bread Street, 14 Tremola Avenue, 101 Islingword Road, 25 Foundry Street, Flude Commercial, 19 New Road, 2/3 Pavilion Buildings and Crickmay Surveyors 339 Kingsway supporting the application for the following reasons:

- The proposed link lane is the final part of the masterplan for this important regeneration scheme. This is the only viable location for the link lane.
- The application provides an elegant and aesthetically pleasing solution to the streetscape and a gateway entrance into the Brighton Square and Hannington's Lane regeneration scheme.
- The scheme would provide substantial public benefits in accordance with the requirements of the NPPF such as the formation of a new permeability for footfall, an improved and enhanced vista for the Grade II* Listed Building at the Chapel Royal, increased retail capacity, an unfettered vista and accessibility of Grade II Listed Building Puget's Cottage, synergy with the consented North Street improvement works and improved capacity to the prospective gateway entrance to the Royal Pavillion and Dome Estate.
- The listing of the building was a mistake and it is neither of historic or architectural interest. It also stands in the way of a proposal to reveal a much more interesting building at Puget's Cottage.
- The scheme would encourage tourism to the area and increase shopping footfall.

5.3 **Brighton & Hove Archaeological Society:** Object. The proposed development will be affecting one of the oldest known buildings in Brighton and this development also lies in the centre of Old Brighton. The Society opposes the application on the grounds that 15 North Street has only recently been listed by English Heritage. Much of the building is original and together with Puget's Cottage forms a microsite of great importance.

5.4 **Brighton & Hove Economic Partnership:** Support. The application for the demolition of 15 North Street and the creation of a link lane is supported. The restoration of Puget's Cottage is particularly supported. The scheme would enhance the permeability of the Lanes and ensure this area continues to be a thriving commercial area.

5.5 **Brighton & Hove Heritage Commission:** Object.

5.6 **Conservation Advisory Group:** Object. The Group recommend refusal of the application due to the proposed demolition of 15 North Street, which is part of a

Grade II Listed 'microsite' and is of significant historical interest. The Group feel the proposed column with black tiles is inappropriate to the area and suggest that the link lane could be created at nos.16, 17 or 18 North Street at ground floor level.

- 5.7 **Councillor Jason Kitcat:** Support (email attached).
- 5.8 **East Sussex County Council Archaeologist:** No objection. Although it is likely that major development of this area in the 20th Century has destroyed much of the archaeological remains relating to this site, there is potential for some areas of survival, especially in relation to more deeply buried stratigraphy. A condition is therefore recommended requiring the submission of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation has been submitted to and approved in writing by the Local Planning Authority.
- 5.9 **Hove Civic Society:** Support. If demolition is approved the Society believe it should be a condition that Puget's Cottage is restored as proposed in the application and the condition of 15 North Street is fully recorded before demolition. The Society is convinced that the proposed route will substantially enhance the viability of the Hannington's Lane development and that the new building proposed to replace 15 North Street is well designed.
- 5.10 **Regency Society:** Support. The Society is mindful of the fact that the building in North Street has recently been listed. However, it is believed that the benefits for the proposal outweigh the loss of the listed building. If demolition is allowed, it should be on condition that Puget's Cottage is restored as proposed. The creation of an opening will also contribute to the commercial viability of the new Hannington's Lane. The new building to North Street is well designed.

Internal:

- 5.11 **Access Consultant:** Comment. The scheme requires amendments in order to fully meet Lifetime Homes requirements.
- 5.12 **Heritage:** Object. The proposal to demolish 15 North Street and to lose the brick twitten must be regarded as causing substantial harm in accordance with paragraph 133 of the NPPF. The applicant must either demonstrate that the four tests under paragraph 133 have been met or that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. The applicant has chosen to argue the latter case and this is considered to be the appropriate approach given that the building is in use. The applicant has also argued that the condition of the building is a factor in seeking its demolition but this is not strictly relevant to the public benefits test.
- 5.13 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the local planning authority shall have special regard to the desirability of preserving a listed building or its setting when considering an application for Listed Building Consent. 'Preserving' has been held by the courts to mean doing no harm. There is therefore a statutory presumption, and a strong one, against granting consent for any works which would cause harm to

a listed building or its setting. This presumption can be outweighed but only by material considerations powerful enough to do so. Section 66 of that Act imposes a similar duty when considering applications for planning permission whilst section 72 imposes an equivalent duty in respect of conservation areas and their setting.

- 5.14 Turning to the case made by the applicant in respect of substantial harm vs substantial public benefits, that case rests partly on a belief that 15 North Street is less significant and less important than Puget's Cottage and that it does not justify its grade II listing. However, this is factually and legally incorrect. Both buildings are grade II listed and both lie adjacent within the Old Town conservation area. They were both listed at the same time and the listings are very recent (September 2013). Therefore they are of equal significance in policy terms and the assessment of significance is up-to-date. The applicant further asserts, in the Heritage Statement, that the value (significance) of 15 North Street lies mainly in its historical or evidential value. However, the list entry makes clear that the building has architectural and historic interest, in respect of its exterior, its materials, its plan form, its internal features, the brick twitten and yard and its documented early commercial use. The list entry also makes clear that it has rarity value in a national as well as local context. In addition, it has group value with Puget's Cottage.
- 5.15 The main claimed public benefit of the scheme is the creation of the new pedestrian lane, which would link North Street to the previously-approved Hannington Lane, and linked to this the opening up of the north and west elevations of Puget's Cottage to public view where the building would front onto the new lane. These elevations would be repaired and restored, inserting timber sash windows and a timber panelled door into historic openings and removing the clutter of modern pipework and flues. There do not appear to be any specific proposals for internal restoration works and the future usage of the building is unclear, so its long term future is not resolved by the proposals.
- 5.16 The formation of a new lane with flanking retail units and the creation of greater permeability through The Lanes would certainly be a public benefit here, although that is tempered by the fact that the new lane would require a flight of several steps at its end, thereby limiting its accessibility. Steps are not a feature of the historic lanes of Old Town. There would be some regeneration benefits to this lower part of North Street arising from the formation of a new entrances to The Lanes, but this benefit would be modest given that this is already prime commercial frontage and likely to be in commercial demand. The previously-approved Hannington Lane scheme would make Puget's Cottage more visible and whilst this proposal would open it up much more to public view, the historic evidence suggests that this building was always tucked away behind the North Street frontage, so opening it up in this manner would not better reveal its true significance. Restoration of the building could and should be carried out anyway, in conjunction with bringing the vacant parts of the building back into use.
- 5.17 The proposed new building is undoubtedly of high quality and in its design and materials would be a fitting addition to the street scene. On North Street the

application also proposes new matching oriel windows to the first floor level on 13 North Street; a new traditional shop front to number 13; a new shop fascia across numbers 13-14; new sash windows to blind openings at second floor level at 16-19 North Street and a new shop front at number 16/17. The proposed new sash windows in the second floor blind openings to 16-19 North Street would not in fact be practicable or appropriate as there is no floorspace behind the elevation where the blind windows are. An elevation drawing (numbered 1139-P-227C) has been submitted showing a roof extension to this building but there are no floor plans or sections providing any further detail. The new windows to 16-19 must therefore be disregarded as a public benefit. The other works would certainly collectively enhance the North Street frontage but these heritage and townscape benefits are not in themselves dependent upon the demolition of 15 North Street.

- 5.18 It has also been argued that the creation of the new lane would open up a new vista of the Chapel Royal tower from the south and would therefore enhance the setting of the Chapel Royal. However, such a vista has not historically existed and the Chapel Royal was not designed with such a view in mind. Therefore this could not be demonstrated to enhance the particular significance of the Chapel Royal's setting.
- 5.19 In conclusion, it is considered that whilst there are some public benefits (of those put forward) that would directly arise from the demolition of 15 North Street, these are not substantial public benefits and therefore they cannot outweigh the substantial harm resulting from the complete loss of the heritage asset. Nor can these benefits be regarded as powerful enough to set aside the statutory presumption in favour of the preservation of the listed building, 15 North Street and Puget's Cottage are both partly listed for group value in relation to each other. It therefore follows that the demolition of 15 North Street would cause harm to the significance and setting of Puget's Cottage. In addition, 15 North Street is a listed building that contributes positively to the character and appearance of the Old Town conservation area and its demolition would therefore fail to preserve the architectural and historic interest of the conservation area.
- 5.20 **Sustainable Transport:** No objection. The proposal is acceptable on highway and transport grounds subject to the inclusion of appropriate cycle storage for the new units and requiring the development to be car free.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);

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

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD10	Shopfronts
QD14	Extensions and alterations
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
HE1	Listed Building Consent
HE2	Demolition of a listed building
HE3	Development affecting the setting of a listed building
HE4	Reinstatement of original features on listed buildings

- HE6 Development within or affecting the setting of conservation areas
- HE12 Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

- SPGBH04 Parking Standards
- SPGBH11 Listed Building Interiors
- SPGBH13 Listed Building – General Advice

Supplementary Planning Documents:

- SPD02 Shop Front Design
- SPD03 Construction & Demolition Waste
- SPD08 Sustainable Building Design
- SPD09 Architectural Features

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development
- CP15 Heritage

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to whether the principal of the uses is acceptable, whether the demolition of the Grade II Listed Building at 15 North Street is appropriate and thoroughly justified, whether the proposed alterations to Puget's Cottage are appropriate in the context of the character, architectural setting and historic significance of the Grade II Listed Building, whether the other alterations proposed including the alterations to the North Street frontages preserve or enhance the character and appearance of the Conservation Area and whether the proposal is appropriate in respect of residential amenity, highway and transport considerations, standard of accommodation and sustainability.

Context of 15 North Street and Puget's Cottage:

- 8.2 No. 15 North Street, together with the attached brick paving to the yard or twitten, and Puget's Cottage are both grade II listed buildings and the whole application site lies within the Old Town Conservation Area.
- 8.3 15 North Street is a small single bay building with a shop at ground floor and flat above. It was probably built in the 1770s and may have been built on part of the garden of an earlier property situated to the south-west. It may have been built as a residence originally but it was already in commercial use by 1799 and continued to be in use by genteel trades associated with Brighton's growing expansion and prosperity as a resort. The ceiling of the ground floor was raised for a commercial use. It was originally three storeys, with one large front room and a smaller rear room to each floor, and a mansard roof of two parallel ranges. Circa 1820 the mansard roof was removed from the front range and probably in the 1850s the ground to first floor flight of the staircase was re-sited at the rear in a purpose built addition to provide more ground-floor accommodation for trading.

- 8.4 The front wall is constructed of timber but hung with mathematical tiles, c1820, which have been painted. The other walls are rendered, probably over bungaroosh. The front elevation has a parapet with brick modillion cornice, reduced in depth by the later hanging of mathematical tiles. The second floor has a mid 19th century sash with vertical glazing bars in a c1830 surround. The first floor has a 20th century window in an earlier surround. The ground floor has a late 19th or early 20th century shop front with a heightened fascia. The rear elevation has a flat-roofed dormer in the mansard roof and the projecting flat-roofed staircase extension has a 4 pane mid 19th century sash window and a plain entrance below. The narrow passage attached on the south-east and south-west sides has c1830 or earlier brick paving and gully.
- 8.5 The list entry gives the reasons for listing as:
- Architectural interest: a small circa 1770 property constructed of local materials with original window openings to the upper floors;
 - Interiors: retains the original staircase from first to second floor and re-sited original staircase between ground and first floor, panelling of various patterns, room partitions, doors and door architraves, cupboards and fireplace with cast iron range;
 - Plan form: the original plan of one large and one smaller room on each floor with rear staircase survives, modified only by the addition of a rear mid C19 staircase extension;
 - Historic interest and rarity: documented in commercial use by 1799, early and rare both nationally and locally;
 - Subsidiary features: the 1830s or earlier brick paving and gully in the enclosed yard or twitten is a rare pre-1840 example of street furniture;
 - Group value: groups with two listed properties on the other side of North street and with Puget's Cottage;
 - Degree of survival: substantially intact externally, the original plan form is readable and many interior fittings survive.
- 8.6 Puget's Cottage pre-dates 15 North Street, dating to the late 17th or early 18th century. It is an unusual and characterful building with a gambrel roof, which has again seen much change, particularly at ground floor level where it is now wholly open to the adjoining retail premises. It was probably originally a detached property built to the south-west and at right angles to North Street but some time before 1876 had become attached to an 1830s adjoining building, 14 North Street. The north-west part is late 17th or early 18th century, heightened in the later 18th century when it was also doubled in size by being extended to the south-west.
- 8.7 The unusual kink or curve in the external wall where it was extended reflects the shape of a strip field known locally as a 'paul piece', which pre-dated the development of Brighton as a seaside resort and so the shape shows the earlier origin of the property. The ground and first floor of the north-east side, the two lower floors of the northern half of the south-west side and the lower part of the northern half of the south-west side are constructed of large cobbles,

incorporating some pieces of ironstone, with brick quoins, including some reused 16th century bricks, set in lime mortar. The upper parts of these walls and the remaining sides of the building are in brick laid in English garden wall bond. The mansard roof is tiled with end brick stacks, the southern one rendered.

8.8 The list entry gives the reasons for listing as:

- Architectural interest: contains a significant proportion of late C17 or early C18 fabric heightened and extended in the later C18 and with some later C18 or early C19 sash windows. The two phases of the building show the transition of the ancient town into the fashionable seaside resort;
- Interior features: late C17 or early C18 good quality first floor cornices and joinery;
- Plan form: readable externally and to some extent internally;
- Historic interest and rarity: a very rare survival of an old town building which pre-dates the mid C18 and later development of Brighton as a seaside resort. The curved external wall of the property is a rare survival of the local strip field system, which was superseded by later grid development;
- Group Value: group value with 15 North Street and the paved yard.

8.9 The Old Town Conservation Area represents the original extent of Brighton as the fishing village of Brighthelmstone and is an area of generally small scale buildings set in a tight knit urban grain, with a mix of architecture, predominantly late 18th and 19th century, and mix of town centre uses. North Street was built on the line of an older drovers road between Brighthelmstone and Steyning and formed the northern limit of the town. Much of North Street was incrementally redeveloped on a larger scale during the 19th century and into the 20th century. Both of the listed buildings described above are rare survivals of vernacular buildings that pre-date the rapid expansion of Brighton as a seaside resort. Both properties contribute positively to the special architectural and historic interest of the conservation area.

8.10 There are a number of other listed buildings in the vicinity of the site, but most notably the grade II* listed Chapel Royal of 1793-95 (extensively remodelled 1876-1896); the grade II listed 163 North Street (offices of 1904); and the grade II listed 166-169 North Street, offices of 1935-36 by Goodhart-Rendel. These three buildings all lie on the north side of North Street and fall within the Valley Gardens Conservation Area.

Background & Proposal:

8.11 In March 2014, planning permission was granted for several permissions (including planning permission and conservation area consent) for the creation of a new lane, called Hannington's Lane in the former Hannington's service yard to the rear of North Street. Permission was also granted for the regeneration of Brighton Square with a link from the Hannington's Lane to Brighton Square.

- 8.12 The original scheme included a link lane between North Street and Hannington's Lane. The link lane was omitted from the original proposal following the spot listing of 15 North Street and Puget's Cottage in September 2013. The scheme was then granted with 2014 with the link lane removed from the proposal.
- 8.13 The applicants are now seeking consent for the link lane which they feel is an important element of the Hannington's Lane scheme. The proposal would require the demolition of the listed building at 15 North Street and the construction of a feature entrance building. The new building would be three storeys tall and would include a curved corner with feature tiles. The new lane proposed would include three additional retail units and three residential units above accessed from the new lane. Due to differences in ground levels and the limited size of the proposed lane, Puget's Lane would have to include steps leading to the new Hannington's Lane.
- 8.14 To justify the demolition of the listed building, the applicant has put forward a number of measures which they consider offer substantial public benefits. The application also includes options which were considered and dismissed. The options put forward by the applicant are as follows:
- Option 1: Retention of 15 North Street with no access from North Street to the new Hannington's Lane. The applicant has commented that this is not feasible as it leaves Hannington's Lane disconnected from North Street with no guarantee of improved footfall. The applicant has stated that without the link lane there is diminished incentive to regenerate North Street.
 - Option 2: Removal of the ground floor accommodation of 15 North Street to create a walk through undercroft retaining the upper floors of the existing building. The applicant has commented that this is not a feasible option as it involves the removal of a third of the listed building, removes the retail element of the building, severely compromise the structural integrity of the building, due to the major works required this option is not viable and the proposal would encourage anti-social behaviour.
 - Option 3: Retention of 15 North Street and the partial demolition of 14 North Street and existing single-storey storeroom on the western side of Puget's Cottage. The applicant has commented that this option is not feasible as it would require major demolition and renovation, loss of existing retail use, loss of access to Puget's Cottage, loss of residential access, creates a blind alley with 'dead space', compromises the structure of Puget's Cottage and unbalances the existing pair at 13 and 14 North Street.
 - Option 4: Demolition of end bay of 16 North Street and single-store to west of Puget's Cottage. The applicant has commented that this option is not feasible as it would result in 15 North Street falling down (the two buildings are currently attached), the loss of retail use, creates 'dead space', loss of residential use, result in the need to gate the alleyway and would create a blank wall to the retained side of no.16.
 - Option 5: Demolition of 15 North Street and the single story storeroom on the western side of Puget's Cottage and construction of feature entrance

building. The applicant has stated that this is the most feasible option as it retains retail and residential uses at nos.14 & 16, reveals Puget's Cottage, results in the restoration of a Grade II Listed Building at Puget's Cottage, results in a physical link to Chapel Royal vista from Brighton Place and contributes to wider regeneration.

8.15 The public benefits offered by the applicant as part of this proposal are as follows:

- **Puget's Cottage restoration works.** The works are to the external façade of the building. These works include the removal of inappropriate soil pipes, extract vents and redundant ducts, the replacement of inappropriate brickwork with matching brickwork, roof repairs, fascia to be made good, replacement windows and removal of existing store to the side of the building to expose original brick work.
- **North Street road reconfiguration.** The streetscape improvements put forward would improve the environment for pedestrians and upgrade the facilities for bus passengers by widening pavements, relocating and constructing new bus stops and shelters, planting new trees, installing new seating and benches and developing a new pelican crossing. The works to North Street have been approved by the Environment Transport & Sustainability Committee and are currently underway. The works are to the southern part of North Street between East Street and Ship Street and are envisaged to take about 6 months to complete. The works are funded by the Royal Bank of Scotland.
- **North Street south elevation works.** This includes the reinstatement of upper storey windows, new shop frontages and fascia's, the removal of out of keeping signage and clutter. The works would be to North Street are to nos.13 – 21. The proposals would improve the appearance of these buildings and the surrounding area giving them a uniform appearance.
- **Economic benefits.** The creation of the link lane from North Street would significantly improve the Hannington's Lane scheme as well generally improving footfall and be economically beneficial for the overall area.

Design and Loss of Listed Building:

8.16 Section 12 of the National Planning Policy Framework relates to Conserving and Enhancing the Historic Environment. Paragraph 132 is part of this Section and states the following:

8.17 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites,

battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

8.18 Paragraph 133 goes on to say the following:

8.19 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.'

8.20 The proposal to demolish 15 North Street, and to lose the brick twitten, must be regarded as causing substantial harm in accordance with paragraph 133 of the NPPF. The applicant must either demonstrate that the four tests under paragraph 133 have been met or that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. The applicant has chosen to argue the latter case and this is considered to be the appropriate approach given that the building is in use. The applicant has also argued that the condition of the building is a factor in seeking its demolition but this is not strictly relevant to the public benefits test.

8.21 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the local planning authority shall have special regard to the desirability of preserving a listed building or its setting when considering an application for Listed Building Consent. 'Preserving' has been held by the courts to mean doing no harm. There is therefore a statutory presumption, and a strong one, against granting consent for any works which would cause harm to a listed building or its setting. This presumption can be outweighed but only by material considerations powerful enough to do so. Section 66 of that Act imposes a similar duty when considering applications for planning permission whilst section 72 imposes an equivalent duty in respect of conservation areas and their setting.

8.22 Policy HE2 of the Local Plan sets out the three criteria which must all be met when considering the demolition of a listed building:

- a. clear and convincing evidence has to be provided that viable alternative uses cannot be found, through, for example the offer of the unrestricted freehold of the property on the market at a realistic price reflecting its condition and that preservation in some form of charitable or community ownership is not possible;

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- b. the redevelopment would produce substantial benefits for the community which would decisively outweigh the resulting loss from demolition or major alteration; and
 - c. the physical condition of the building has deteriorated, through no fault of the owner / applicant for which evidence can be submitted, to a point that the cost of retaining the building outweighs its importance and the value derived from its retention. A comprehensive structural report will be required to support this criterion.
- 8.23 This policy is not entirely consistent with paragraph 133 of the NPPF as it in effect combines the two alternative options for making a case that are provided by the NPPF. Given that the NPPF is much more recent policy greater weight should therefore be given to it than policy HE2. Criterion b of HE2 is the equivalent of the 'substantial public benefits' test of the NPPF. The applicant has made no case in respect of criterion a, but it would be difficult to do so given that the building is in use. With regard to criterion c, the applicant has provided a brief report from a structural engineer, which concludes that significant structural works are required to the building and that "if the building is to be brought into safe use, this would necessitate the demolition and reconstruction of it to revise details on structural grounds". However, this brief report has not been written on the basis that saving the building is desirable and consequently options that may retain much historic fabric have not been explored. For example, the report states that "all internal partitions will require removing and replacing with new" but the historically significant timber partitioning on the first floor could simply be dismantled and reassembled.
- 8.24 It should be further noted that paragraph 130 of the NPPF makes clear that where there is evidence of deliberate neglect then the deteriorated state of the heritage asset should not be taken in to account in any decision. In this case the building was first inspected by a structural engineer on 13 August 2012 but no action has been taken since that date to address the issues raised.
- 8.25 Turning to the case made by the applicant in respect of substantial harm vs substantial public benefits, that case rests partly on a belief that 15 North Street is less significant and less important than Puget's Cottage and that it does not justify its grade II listing. However, this is factually and legally incorrect. Both buildings are Grade II listed and both lie adjacent within the Old Town conservation area. They were both listed at the same time and the listings are very recent (September 2013). Therefore they are of equal significance in policy terms and the assessment of significance is up-to-date. The applicant further asserts, in the Heritage Statement, that the value (significance) of 15 North Street lies mainly in its historical or evidential value. However, the list entry makes clear that the building has architectural and historic interest, in respect of its exterior, its materials, its plan form, its internal features, the brick twitten and yard and its documented early commercial use. The list entry also makes clear that it has rarity value in a national as well as local context. In addition, it has group value with Puget's Cottage.
- 8.26 The main claimed public benefit of the scheme is the creation of the new pedestrian lane, which would link North Street to the previously-approved

Hannington Lane, and linked to this the opening up of the north and west elevations of Puget's Cottage to public view where the building would front onto the new lane. These elevations would be repaired and restored, inserting timber sash windows and a timber panelled door into historic openings and removing the clutter of modern pipework and flues. There do not appear to be any specific proposals for internal restoration works and the future usage of the building is unclear, so its long term future is not resolved by the proposals.

- 8.27 The formation of a new lane with flanking retail units and the creation of greater permeability through The Lanes would certainly be a public benefit here, although that is tempered by the fact that the new lane would require a flight of several steps at its end, thereby limiting its accessibility. Steps are not a feature of the historic lanes of Old Town. There would be some regeneration benefits to this lower part of North Street arising from the formation of a new entrances to The Lanes, but this benefit would be modest given that this is already prime commercial frontage and likely to be in commercial demand. The previously-approved Hannington Lane scheme would make Puget's cottage more visible and whilst this proposal would open it up much more to public view, the historic evidence suggests that this building was always tucked away behind the North Street frontage, so opening it up in this manner would not better reveal its true significance. Restoration of the building could and should be carried out anyway, in conjunction with bringing the vacant parts of the building back into use.
- 8.28 The proposed new feature building is undoubtedly of high quality and in its design and materials would be a fitting addition to the street scene. On North Street the application also proposes new matching oriel windows to the first floor level on 13 North Street; a new traditional shop front to number 13; a new shop fascia across numbers 13-14; new sash windows to blind openings at second floor level at 16-19 North Street and a new shop front at number 16/17. The proposed new sash windows in the second floor blind openings to 16-19 North Street would not in fact be practicable or appropriate as there is no floorspace behind the elevation where the blind windows are. The new windows to 16-19 must therefore be disregarded as a public benefit. The other works would certainly collectively enhance the North Street frontage but these heritage and townscape benefits are not in themselves dependent upon the demolition of 15 North Street.
- 8.29 It has also been argued that the creation of the new lane would open up a new vista of the Chapel Royal tower from the south and would therefore enhance the setting of the Chapel Royal. However, such a vista has not historically existed and the Chapel Royal was not designed with such a view in mind. Therefore this could not be demonstrated to enhance the particular significance of the Chapel Royal's setting.
- 8.30 The public benefits offered include the works to the public highway at North Street. The streetscape improvements put forward would improve the environment for pedestrians and upgrade the facilities for bus passengers by widening pavements and relocating and constructing new bus stops. These works have been approved by the Council and are currently being undertaken. The works would undoubtedly improve the street scene but would not be seen

as substantial public benefit to justify the demolition of 15 North Street. As the works have commenced, they cannot be offered up as a proposed public benefit. Additionally, whilst the works would improve the streetscape, the works would also result in increased footfall which would partly benefit the viability of the existing retail units. The works to the public highway in North Street do not meet the public benefits test in paragraph 133 as they are not dependent upon the demolition of 15 North Street.

- 8.31 The scheme would undoubtedly make the Hannington's Lane scheme more accessible, visible and viable with a clear and prominent access directly from North Street. However, this is not in itself a public benefit, especially given that consent has been given for Hannington's Lane without the proposed lane from North Street. Without the proposed lane, the applicant has not put forward an argument that Hannington's Lane would be unviable.
- 8.32 In addition, 15 North Street is a listed building that contributes positively to the character and appearance of the Old Town conservation area and its demolition would therefore fail to preserve the architectural and historic interest of the Conservation Area.

Principal of Uses:

- 8.33 The site is within the prime frontage of the Regional Town Centre as defined by policy SR4 of the Brighton & Hove Local Plan. The aim of the policy is to retain a clear predominance of Class A1 uses within the centre. 15 North Street is currently used as a retail store (Class A1) by Timpsons. This proposal would replace 15 North Street with a smaller Class A1 retail unit (measuring 19.8m²). The scheme would also include two additional Class A1 retail units within the proposed lane (measuring 57.2m² and 55.9m²). These units would be formed through the use of the shop floor area of 16-17 North Street. The proposal would leave a floor area of 76m² for 16-17 North Street. With the replacement and additional retail units proposed, the scheme is in accordance with the objectives of policy SR4. The proposal would also retain a viable retail unit at 16-17 North Street.

Standard of Accommodation:

- 8.34 The scheme results in the formation of a four residential units in the upper floors of the proposal. The smallest unit would be a maisonette (35m²) to the upper floors of the proposed entrance building to the new lane. This unit would use some of the existing space used by the flats above 14 North Street. These flats are significantly large and can accommodate the loss of space without compromising their floor layout. The other units proposed would be above the retail units within the proposed Puget's Lane. These units would be a 2 bedroom maisonette and two one bedroom flats. The flats would be accessed via a stairway from the lane. These flats would have outlook over the lane and to a communal amenity area to the rear. Overall, the proposal would provide a suitable standard of accommodation with adequate light and outlook for habitable rooms.
- 8.35 The scheme does not include any new refuse facilities for the proposed flats or for the commercial uses. If approved, a condition could be recommended

requiring the submission of details of facilities for refuse and recycling to be submitted for the approval of the Local Planning Authority prior to commencement of works.

- 8.36 Policy HO5 requires the provision of private outdoor amenity space for residential development. The proposed flat fronting North Street would not benefit from an outside amenity space. Due to the restrictions of the site, it has not been possible to provide a private amenity area for this unit. The other residential units proposed would have access to a communal amenity area at first floor level to the rear of North Street. This area has already been approved as part of the application for the new Hanningtons Lane. The communal area would provide an adequate outside amenity space for the proposed flats.
- 8.37 Policy HO13 requires new residential development to be built to a lifetime homes standards. The scheme does not comply with the standards to some respects. The Access Officer has commented that the amendments required are mainly internal. If recommended for approval, a condition could be recommended requiring the residential units to comply with Lifetime Homes through the submission of amended plans to be submitted and approved by the Local Planning Authority in writing.

Impact on Amenity:

- 8.38 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.
- 8.39 In terms of residential amenity, the scheme is considered acceptable. The proposed uses for residential and commercial (Class A1) uses would not have a significant impact on the amenity of any adjacent properties. Additionally, the external alterations would not significantly affect the amenity of any adjacent properties.
- 8.40 The nearest existing residential properties are in the upper floors of the 14 North Street to the front and rear, including within the upper floors of Puget's Cottage. The scheme would result in proposed flats directly opposite the flat within Puget's Cottage. The side elevation of Puget's Cottage includes small windows at first and second floor level. The scheme would not result in any significant overlooking or loss of privacy of these windows. The Hannington's Lane scheme includes residential units at upper levels which would be in close proximity to the proposed units in this scheme. Given the orientation of the scheme, these units would not significantly affected by this proposal for a new lane.

Highway Considerations:

- 8.41 Brighton & Hove Local Plan policy TR1 requires new development to address the related travel demand, and policy TR7 requires that new development does not compromise highway safety.

- 8.42 The Sustainable Transport Manager has raised no objections to the scheme. The proposal is not considered to be significantly above the demand generated by the existing development.
- 8.43 The scheme does not include any proposed cycle parking. The Sustainable Transport Manager has commented that cycle storage should be included for the new residential and commercial units. If recommended for approval, a condition could be recommended requiring the submission of details of proposed cycle parking for the proposal to be agreed by the Local Planning Authority.
- 8.44 Policy HO7 states that planning permission will be granted for car-free housing in good locations with good access to public transport and local services and where it can be demonstrated that the proposed development will remain genuinely car-free over the long term. This is a good location for public transport and services. Given this, it is appropriate for the proposed flats to be car free. If approved, a condition could be imposed requiring the submission of a scheme to be approved by the Local Planning Authority to ensure the new flat is car free.

Sustainability:

- 8.45 Policy SU13 and Supplementary Planning Document 03 on Construction and Demolition Waste seek to reduce construction waste and require a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme in order to reduce the amount of waste being sent to landfill. Adequate information has been submitted with the application to demonstrate how these requirements have been met.
- 8.46 Policy SU2 of the Brighton and Hove Local Plan requires new development to demonstrate a high level of efficiency in the use of water, energy and materials. SPD8 also requires development for three or more new residential units to meet Level 4 of the Code for Sustainable Homes. The submitted Sustainability Checklist confirms that this standard would be met. If recommended for approval, a condition could be recommended that certificates are submitted for the four flats to show compliance with this standard at the Design and Post Construction phases of development. A condition could also be recommended requiring details of sustainability measures for the proposed commercial units.
- 8.47 Brighton & Hove Local Plan policy SU13 requires the minimisation and re-use of construction waste. Further detail of the information required to address this policy is set out in SPD03 Construction and Demolition Waste. If approved, a suitable statement could be required by condition to be submitted for the approval of the Local Planning Authority prior to commencement of works.

Provision of Housing:

- 8.48 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.

- 8.49 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 above.

Other Considerations:

- 8.50 The scheme would connect North Street to the new Hannington's Lane to the rear of the North Street. If approved, a Section 106 could be required to ensure the development is constructed in conjunction with the development of the Hannington's Lane scheme.
- 8.51 The new lane proposed as part of this application would include steps. This is not ideal and would limit suitable access to the lane from North Street. However, the steps are required due to the differences in ground levels between North Street and the new lane proposed to the rear. Additionally, due to the restraints of the site, it would not be possible to provide an access ramp for the proposed lane without substantial alterations. Furthermore, it should be noted that the new Hannington's Lane includes a level access from Meeting House Lane which would provide suitable access for all users.

9 CONCLUSION

- 9.1 It is considered that whilst there are some public benefits that would directly arise from the demolition of 15 North Street, these are not substantial public benefits and therefore they cannot outweigh the substantial harm resulting from the complete loss of the heritage asset. Nor can these benefits be regarded as powerful enough to set aside the statutory presumption in favour of the preservation of the listed building,
- 9.2 Number 15 North Street and Puget's Cottage are both partly listed for group value in relation to each other. It therefore follows that the demolition of 15 North Street would cause harm to the significance and setting of Puget's Cottage. In addition, 15 North Street is a listed building that contributes positively to the character and appearance of the Old Town Conservation Area and its demolition would therefore fail to preserve the architectural and historic interest of the conservation area.
- 9.3 The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance and is also appropriate in terms of highway safety and sustainability.

- 9.4 The scheme would result in additional residential units. However, the provision of housing does not outweigh the harm resulting from the loss of a substantial heritage asset.

10 EQUALITIES

- 10.1 The new dwellings are required to comply with Part M of the Building regulations and the Council's Lifetime Homes requirements. Steps are proposed within the new lane (see Section 8).

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reason for Refusal:

- The substantial harm resulting from the complete loss of the listed building at 15 North Street has not been justified through substantial public benefits that are dependent upon that loss. 15 North Street and Puget's Cottage are both partly listed for group value in relation to each other. The demolition of 15 North Street would cause harm to the significance and setting of Puget's Cottage. In addition, 15 North Street is a listed building that contributes positively to the character and appearance of the Old Town Conservation Area and its demolition would therefore fail to preserve the architectural and historic interest of the conservation area. The scheme is therefore contrary to policies HE1, HE2, HE3 and HE6 of the Brighton & Hove Local Plan, CP15 of Brighton & Hove City Plan Part One and paragraph 133 of the National Planning Policy Framework.

11.2 Informatives:

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

Plan Type	Reference	Version	Date Received
Site Location Plan	1139-P-200	B	23 rd February 2015
Block Plan	1139-P-201	B	23 rd February 2015
Existing Basement Plan	1139-P-202	B	23 rd February 2015
Existing Ground Floor Plan	1139-P-203	B	23 rd February 2015
Existing First Floor Plan	1139-P-204	B	25 th March 2015
Existing Second Floor Plan	1139-P-205	B	23 rd February 2015

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Existing Roof Plan	1139-P-206	B	23 rd February 2015
Demolition Ground Floor Plan	1139-P-253	C	23 rd February 2015
Demolition First Floor Plan	1139-P-254	C	23 rd February 2015
Demolition Second Floor Plan	1139-P-255	C	23 rd February 2015
Proposed Site Plan	1139-P-210	D	23 rd February 2015
Proposed Basement Plan	1139-P-211	D	23 rd February 2015
Proposed Ground Floor Plan	1139-P-212	D	19 th March 2015
Proposed First Floor Plan	1139-P-213	F	10 th March 2015
Proposed Second Floor Plan	1139-P-214	E	23 rd February 2015
Proposed Roof Plan	1139-P-215	E	23 rd February 2015
Areas Covered by Walkway Agreement	1139-P-217	B	23 rd February 2015
Existing & Proposed Elevation 1	1139-P-220	E	23 rd February 2015
Existing & Proposed Elevation 3	1139-P-222	D	23 rd February 2015
Existing & Proposed Elevation 4	1139-P-223	F	23 rd February 2015
Existing & Proposed Elevation 8	1139-P-227	C	10 th March 2015
Existing & Proposed Elevation 10	1139-P-229	E	23 rd February 2015
Existing & Proposed Elevation 16	1139-P-235	B	23 rd February 2015
Existing & Proposed Ground Plan Overlay	1450-SK-05		25 th March 2015



PLANNING COMMITTEE LIST
22 APRIL 2015

COUNCILLOR REPRESENTATION

From: Jason Kitcat
Sent: 06 March 2015 4:19 PM
To: Jeanette Walsh; Jason Hawkes
Subject: Protect: BH2015/00575 & BH2015/00576 protect

Planning applications BH2015/00575 and BH2015/00576 – Pugents Cottage,
North Street, Brighton

I am writing as Ward Councillor for Regency to register my support for the above
planning applications and request that they be determined at Planning
Committee.

Regards
Jason

Cllr Jason Kitcat
Leader of Brighton & City Council
Green city councillor for Regency Ward

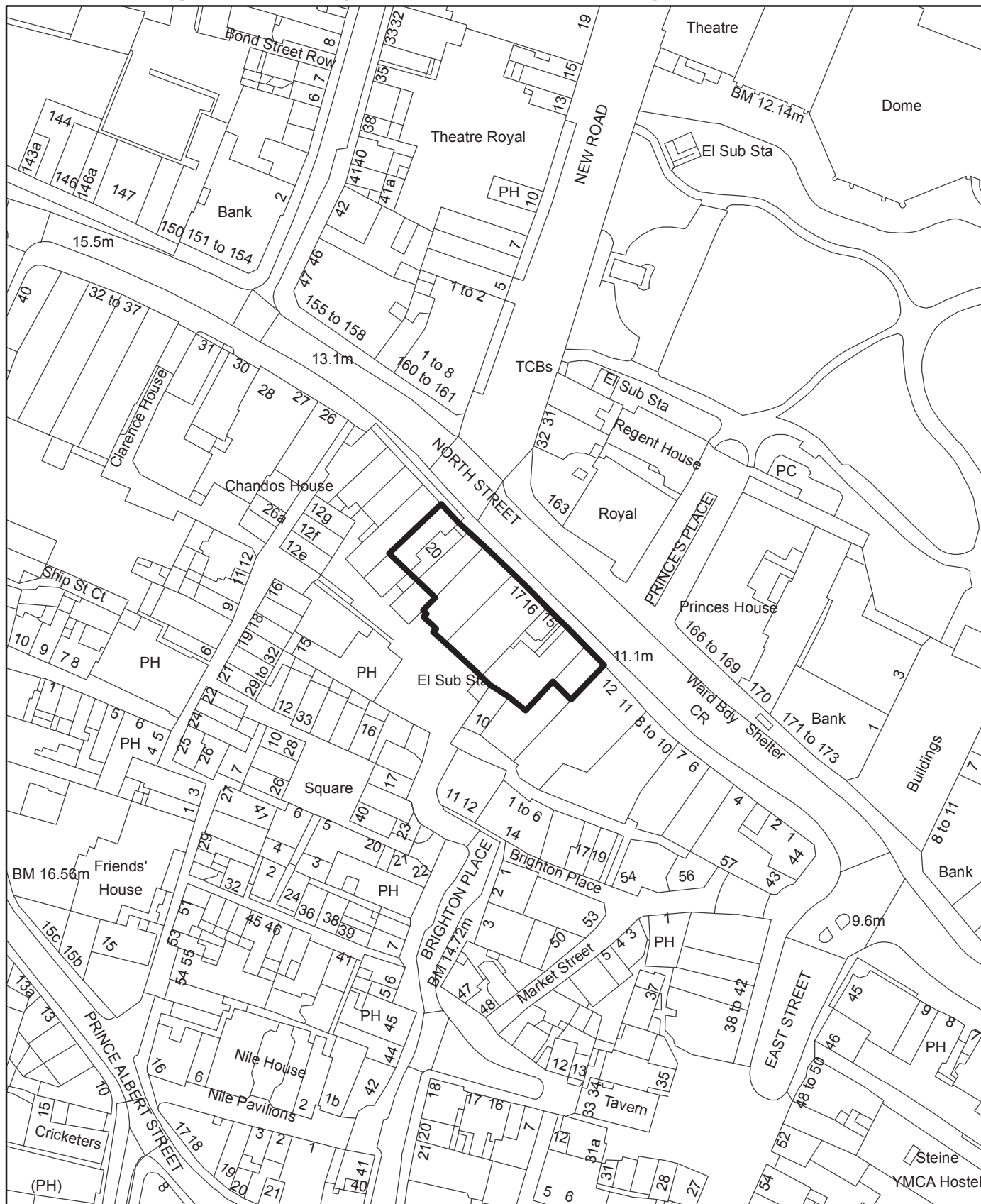
ITEM C

**15 and Pugets Cottage North Street,
Brighton**

**BH2015/00576
Listed building consent**

22 APRIL 2015

15 and Pugets Cottage North Street, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/00576	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	15 and Pugets Cottage North Street Brighton		
<u>Proposal:</u>	Demolition of building at 15 North Street, exterior restoration of Puget's Cottage and retention and extension of existing historic paving.		
<u>Officer:</u>	Jason Hawkes Tel 292153	<u>Valid Date:</u>	23 February 2015
<u>Con Area:</u>	Old Town	<u>Expiry Date:</u>	20 April 2015
<u>Listed Building Grade:</u>	Grade II		
<u>Agent:</u>	Morgan Carn Partnership, Blakers House, 79 Stanford Avenue, Brighton, BN1 6FA		
<u>Applicant:</u>	West Register (Property Investments) Ltd, Mr Josh Brushfield, 280 Bishopsgate, London, EC2M4RB		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site mainly relates to two separate buildings at 15 North Street and Puget's Cottage, which is to the rear of 15 North Street. The first building at 15 North Street is located on the south side of North Street directly opposite the Chapel Royal Church on North Street, a Grade II* listed building. 15 North Street includes three floors and a basement level. The building is used as a Class A1 retail unit by Timpsons and includes a modern shopfront and fascia. Two original timber windows are above the shopfront. The immediate adjacent buildings at 14 and 16 North Street are significantly taller than no.15. No.14 is two-storeys taller and no.16 is one-storey taller than no.15. No.15 is separated from 14 North Street by a small twitten. The building is currently in need of substantial repairs. It was noted on site that the roof is currently being supported internally to stop it from collapsing.
- 2.2 In September 2013, 15 North Street was listed by English Heritage as Grade II. The listing stated that the principal reasons for the designation are for the following reasons:
- Architectural interest. This is a small circa 1770 property constructed to local materials with original openings to the upper floors.
 - Interiors. The building retains the original staircase from first to second floor, panelling of various patterns, room partitions, doors and door architraves, cupboards and fireplace with cast iron range.
 - Plan form. The original plan of one large and one smaller room on each floor with rear staircase survives, modified only by the addition of a rear mid 19th century staircase extension.

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- Historic interest and rarity. Documented in commercial use by 1700, early and rare both nationally and locally.
 - Subsidiary features: The 1830s or earlier brick paving and gully in the enclosed yard or twitten is a rear pre-1840 example of street furniture.
 - Group value. Groups with two listed properties on the other side of North Street and with Puget's Cottage.
 - Degree of survival. Substantially intact externally, the original plan form is readable and many interior fittings survive.
- 2.3 The listing of the building includes brick paving to the alleyway and to the rear circa 1830.
- 2.4 Puget's Cottage is directly to the rear of 15 North Street. The building is called Puget's Cottage due to its close proximity to the former Puget's School to the rear (now demolished). The building is completely enclosed to all sides and can only be accessed via 14 North Street. The building is two-storeys with a gambrel roof. Due to its location, Puget's Cottage cannot be seen in its entirety from any public location. Internally, the ground floor plan form of the cottage has been completely lost. The former ground floor wall of the cottage has been removed. The former ground floor of Puget's Cottage now forms part of the shop floor for 14 North Street. At first floor level, the internal arrangement of the former cottage remains. The upper floor is in use as a flat. The north west facing elevation, part of north east elevation and part of south east elevation of the Cottage remain intact and can be seen from adjacent properties. These elevations include inappropriate ducts, piping and vents. The most prominent elevation facing north west includes window openings and has a mix of brick flint finish.
- 2.5 Puget's Cottage was also listed by English Heritage in September 2013. The listing stated that the principal reasons for the designation are for the following reasons:
- Architectural interest. Contains a significant proportion of late C17 or early C18 fabric heightened and extended in the later C18 and with some later C18 or early C19 sash windows. The two phases of the building show the transition of the ancient town into the fashionable seaside resort.
 - Interior features: late C17 or early C18 good quality first floor cornices and joinery.
 - Plan form: readable externally and to some extent internally.
 - Historic interest and rarity: a very rare survival of an old town building which pre-dates the mid C18 and later development of Brighton as a seaside resort. The curved external wall of the property is a rare survival of the local strip field system, which was superseded by later grid development;
 - Group Value: group value with 15 North Street and the paved yard.
- 2.6 All of the buildings are within the Old Town Conservation Area and are part of the Regional Shopping Centre (prime frontage). The site is also within an Archaeological Notification Area.

3 RELEVANT HISTORY

BH2015/00521: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for approval of details reserved by conditions 19 and 20 of application BH2013/00710. Under consideration.

BH2014/03736: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for Approval of Details Reserved by Conditions 34 and 35 of application BH2013/00710. Approved 20/03/2015.

BH2014/00920: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for Approval of Details Reserved by Condition 9 of application BH2013/00710. Under consideration.

BH2014/00918: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for Approval of Details Reserved by Conditions 11, 13 and 15 of Application BH2013/00710. Approved 20/03/2015.

BH2014/01118: 21-23 and 37-40 Brighton Square. Demolition of existing buildings at 21, 22, 23 and 37 Brighton Square. Conversion and extension of existing dwellings at 38, 39 and 40 Brighton Square to create additional 8no residential units (C3) and 2no restaurant units (A3) with associated works. Erection of four storey building fronting Brighton Place comprising 1no retail unit (A1) and offices (B1) above, with revised access from Brighton Place to existing underground car park. Under consideration.

BH2014/01117: 11-16 Brighton Square. Erection of single storey rear extensions to units at 11-16 Brighton Square with infill of rear access way. Replacement of existing external access stair to rear of 16 Brighton Square. Under consideration.

BH2014/00966: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Application for Approval of Details Reserved by Conditions 10, 14, 16, 17, 18, 21, 22, 24 & 25 of application BH2013/00710. Approved 27/03/2015.

BH2014/00919: Pugets Cottage Rear of 15 North Street. Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2013/03589. Split decision 12/05/2014.

BH2013/03589: Puget's Cottage Rear of 15 North Street. Alterations incorporating reinstatement of South facing gable wall and blocking up of first floor doorway. Approved 10/03/2014.

BH2013/00715: 17-19 21-23 and 37-40 Brighton Square. Demolition of existing buildings at 21, 22 and 23 Brighton Square and demolition of existing two storey apartments at 37, 38, 39 and 40 Brighton Square. Conversion of existing A1 and A3 units to create new A3 units at ground floor level to East of Brighton Square with new car park access. Construction of a 26no room boutique hotel above new A3 units with entrance at ground floor level and bedroom accommodation to 3no floors above. Erection of new 4no storey building on site of 22 Brighton Square providing A1 retail at ground floor level and 3no flats above. Reconfiguration works to lane connecting Brighton Place to Brighton Square and other associated works. Approved 25/03/2014.

BH2013/00712: 7-10 13-16 26-28 and 33-36 Brighton Square. Removal of existing roof structures to 7no two storey maisonettes within Brighton Square and creation of additional floors to each dwelling to create 7no three storey town houses. Formation of new entrance stair and lift and escape stair access connecting basement to first floor level. Remodelling works to residential

façade, installation of new shop fronts to existing retail A1 and A3 units at ground floor level and remodelling and renovation works to square. Approved 25/03/2014.

BH2013/00711: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Demolition of existing building at 11 Brighton Place and demolition of existing stores and first floor structures to rear of North Street shops. Approved 10/03/2014.

BH2013/00710: 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place. Creation of new shopping lane extending from Meeting House Lane to Brighton Place. Demolition of existing ground floor stores and first floor structures at rear of North Street shops. Adaptation and extension of existing shops on North Street to create 8 shop units to north side of new lane, reconfiguration of North Street shops. Construction of 7 new 2 storey flats over shops around a courtyard. Construction of 6 new shops to south side of new lane with 2 floors of offices over. Adaptation of 12D Meeting House Lane to provide additional shop front onto lane. Blocking up of openings in end wall of Puget's Cottage following demolition of adjoining structures (Amended description). Approved 10/03/2014.

BH2013/00716: 17-19 21-23 and 37-40 Brighton Square. Demolition of existing buildings at 21, 22, 23, 37, 38, 39 and 40 Brighton Square. Approved 25/03/2014.

4 THE APPLICATION

- 4.1 Listed building consent is sought for the demolition of 15 North Street. The demolition is required to facilitate the creation of a new link lane. This will link North Street to the previously consented Hannington's Lane. 15 North Street would be replaced with a three-storey feature building. The scheme includes the restoration of Puget's Cottage and an extension to the historic paving through the new lane. The restoration works include the demolition of a store attached to the north west elevation of the cottage. The proposed works to Puget's Cottage are external only and involve replacement and new windows, roof repairs, removal of inappropriate pipework and vents.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Two (2)** letters of representation have been received from **Threeways, Ovingdean Road and Montpelier Hall, Montpelier Terrace** objecting to the application for the following reasons:

- Both properties were listed for a reason as they form part of old Brighton which form an important listed 'micro site'. To demolish one or more parts of this listed structure would abrogate the whole reason for protecting this micro site.
- The fenestration and door proposed to Puget's Cottage are inappropriate in their design.
- The passageway from North Street dates from 1832 and should remain untouched.
- An alternative route should be planned via 16 North Street.

Fifty Five (55) letters of representation have been received from **Centurion Group, 11 Prince Albert Street, Baron Homes Corporation Ltd, 10 Prince Albert Street, The Coach House, Stanford Avenue, Hassocks, 19 West Drive, 5 Applesham Avenue, 24 Islingword Place, 109 Hangleton Way, 91 Upper North Street, 1 The Chambers, Ship Street Gardens, Flat 2, 48 Dyke Road, 209 Osbourne Road (x2), 278 Camelford Street, 20 Withdean Crescent, Seafield Cottage, Seafield Road, 6 Clermont Terrace (x2), 34 Roundhouse Crescent, 48 Hanover Street, 7 The Meadows, 11 Prince Albert Street, 19 Meeting House Lane, 37 Devonshire Place, 16 Steine Gardens, 7 Stratford Way, Reading, 51 Colliers Way, Reading, 6 Cuthbert Road, 45 Cranleigh Road, 33 St Georges Road, 38 Barcombe Road, 5 Visage, 54 Palmeira Avenue, 16 Steine Gardens, 35 Fourth Avenue, 26 North Road, Flat 34, Napier House, Wellington Road, 79 Wichelo Place, Little Tanyard, Tanyard Lane, Chelwood Gate, 33 St George's Road, 9 The Cedars, Bromley Road, 24 Islingword Place, 45 Cranleigh Road, 94 Hanover Street, 8 Mortimer Road, 6 Gloucester Street, 38 Osborne Road, 154 Ladysmith Road, 78A The Droveway, 63 Overhill Drive, 25 Foundry Street, 101 Islingword Road, 14 Tremola Avenue, F42 Belbourne Court, Bread Street, 8 Heene Terrace, 31 St James Avenue and 2 Hilltop** in support of the application for the following reasons:

- The proposed link lane is the final part of the masterplan for this important regeneration scheme. This is the only viable location for the link lane.
- The application provides an elegant and aesthetically pleasing solution to the streetscape and a gateway entrance into the Brighton Square and Hannington's Lane regeneration scheme.
- The scheme would provide substantial public benefits in accordance with the requirements of the NPPF such as the formation of a new permeability for footfall, an improved and enhanced vista for the Grade II* Listed Building at the Chapel Royal, increased retail capacity, an unfettered vista and accessibility of Grade II Listed Building Puget's Cottage, synergy with the consented North Street improvement works and improved capacity to the prospective gateway entrance to the Royal Pavillion and Dome Estate.
- The listing of the building was a mistake and it is neither of historic or architectural interest. It also stands in the way of a proposal to reveal a much more interesting building at Puget's Cottage.
- The scheme would encourage tourism and shopping to the area.

5.2 Ancient Monuments Society: Comment. This is considered a difficult case. The listing of no.15 has made the applicants go through the exercise of examining in some depth 5 options on how to create the breach in North Street. The Society considers Options 2 and 5 as serious candidates. Option 2 is the removal of the ground floor of 15 North Street to create a walkthrough undercroft while retaining the upper floor. Option 5 is the demolition of 15 North Street and the construction of a feature entrance building. In purely visual terms, Options 5 is satisfactory. The combination of the circular tower, partly subsumed in walling with Regency echoes borrowed from its neighbours. However, Option 2 also brings advantages in purely historic building terms. Option 2 would create a rather oppressive new approach into the Lanes and the

upper floors would appear to 'float' over a blank space. The Society does not oppose either Option 2 or 5.

- 5.3 **Brighton and Hove Archaeological Society:** Object. The building was only recently listed and is by far the oldest in North Street with its origins in the 18th century. Much of the building is original and together with Puget's Cottage and the side passageway forms a grade II listed microsite of great importance to the history of Brighton.
- 5.4 **Brighton and Hove Heritage Commission:** Object.
- 5.5 **Brighton Society:** Comment. It is highly likely that a substantial part of the building fabric of 15 North Street dates back to the 18th century, when Brighthelmstone was beginning to expand northwards from the fishing community. The front elevation includes mathematical tiles, a process popular in the 19th century to give the appearance of a brick building. A thorough investigation of the building would bring forth valuable information on the age and construction history. The building will require strengthening if it is retained or it may be demolished if the Planning Committee agrees to the applicant's latest proposals. Whichever decision is made, there will be a unique opportunity to carry out a detailed archaeological survey of the fabric of the building.
- 5.6 **Conservation Advisory Group:** Object. The Group recommend refusal of the application due to the proposed demolition of 15 North Street, which is part of a Grade II Listed 'microsite' and is of significant historical interest. The Group feel the proposed column with black tiles is inappropriate to the area and suggest that the link lane could be created at nos.16, 17 or 18 North Street at ground floor level.
- 5.7 **Councillor Jason Kitcat:** Support (email attached)
- 5.8 **Council for British Archaeology:** Object. The CBA strongly objects to the proposal for the demolition of 15 North Street.
- 15 North Street is Grade II listed; in the CBA's view, the proposal does not provide a clear and convincing justification for its demolition, as required by National Planning Policy Framework (NPPF, 2012) paragraph 132.
 - NNPPF paragraph 133 states that substantial public benefits are necessary in the case of total loss of a listed building; the CBA does not consider that the proposal demonstrates this requirement and therefore the proposal should be refused.
- 5.9 15 North Street was built in the late eighteenth century, as a shop with accommodation above. It is recorded as in commercial use by 1799 and therefore constitutes a rare survival both locally and nationally. Its significance lies in its substantially intact exterior, readable plan form and survival of many interior fittings. Puget's Cottage is a late seventeenth-century house, which was substantially altered in the late eighteenth century. It constitutes a very rare survival and is one of the oldest houses in Brighton, an Old Town building

predating the mid-eighteenth century development of Brighton as a seaside resort. Both properties have significance in their contribution towards the survival of the legibility of the historic street layout in the area, preserving the early, narrow plot width which has largely been lost in the North Street area and, moreover, both are rare survivals of once-common building types.

- 5.10 NPPF Paragraph 133 states that where a proposal will lead to total loss of significance of a designated heritage asset, it should be demonstrated that this loss is necessary to achieve substantial public benefits which outweigh the harm or loss. In the CBA's view, the proposal does not successfully demonstrate sufficient public benefit to justify the loss of a nationally important Grade II listed building. The proposal for a new access to The Lanes area is not considered to be of substantial public benefit to justify the loss. Contrary to the assertion made in the proposal documents that the proposal will improve North Street and the Old Town Conservation Area, the CBA considers that the loss of 15 North Street will in fact cause substantial harm to North Street and to the character of the Old Town Conservation Area.
- 5.11 The CBA considers that the applicant underplays the significance of 15 North Street, which with a Grade II listing, meets national assessment criteria. The listing highlights its exterior, which is substantially intact, the retention of its readable plan form, and the survival of many interior features, as well as constituting a rare survival of an early commercial building, both locally in Brighton, and nationally. The CBA disagrees with the applicant's suggestion that loss is justified as the building is not a fine building; its significance lies in its character as a traditional commercial unit and its survival within the local context of loss of traditional street layout. Furthermore, the CBA do not consider that the building detracts from the appearance of the area; it contributes to the mixed character, representing an earlier phase of development. This evidential value is of great significance and of increasing rarity and should be protected.
- 5.12 The CBA considers that proposals for the external refurbishment of Puget's Cottage are beneficial for the Grade II listed building; however the CBA does not support the assertion that its significance is greater than 15 North Street, justifying the demolition of number 15 to allow increased visibility. The two buildings are listed at Grade II and are therefore of equal significance. Moreover, their current positioning and relationship is reflective of the traditional and piecemeal development in the area, and preserves the early, narrow plot width and layout.
- 5.13 Overall, the CBA finds the application for listed building consent for the demolition of 15 North Street wholly unacceptable and contrary to the NPPF. The applicant does not demonstrate the public benefit required to justify the total loss of the building, and fails to recognise or respond to the national significance of the Grade II listed building. We recommend its refusal.
- 5.14 **English Heritage:** Object. 15 North Street is a rare survival of a vernacular building that pre-dates the rapid expansion of Brighton as a seaside resort. Although the building is now in poor condition, sufficient of it survives to warrant its designation at grade II. English Heritage is not persuaded that the

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requirements set out in NPPF paragraph 133 for total loss of a designated heritage asset have been fulfilled. English Heritage therefore object to the granting of listed building consent.

- 5.15 English Heritage previously supported the proposals for a new Lane in this part of Brighton, because of the perceived benefits to the character and appearance of the Conservation Area. English Heritage did not at the time of the original application raise a formal objection to the loss of 15 North Street which was subsequently spot listed in September 2013 along with the building behind it, referred to as Puget's Cottage.
- 5.16 In summary 15 North Street is a small single bay building with a shop at ground floor and flat above it dating from the 18th century but with some later alterations. It is a modest vernacular building, clad in the locally distinctive mathematical tiles. Internally, the original plan form is legible, and while the building is altered, surviving features such as an 18th century stair, panelling and mouldings remain.
- 5.17 Puget's Cottage pre-dates 15 North Street dating to the late 17th or early 18th century. It is an unusual and characterful building with a gambrel roof, which has again seen much change particularly at ground floor level where it is now open to the adjoining 14 North Street. Both buildings are a relative rarity in Brighton where many of the vernacular buildings of old Brighthelmstone have either been lost or heavily altered. For their architectural and historic interest therefore the buildings are deemed worthy of their statutory designation at grade II.
- 5.18 The proposals would result in the complete demolition of 15 North Street and therefore a total loss of its significance. A new twitten would be created (Puget's Lane) from North Street to the already consented Hannington's Lane and this would bring with it an opportunity to repair the fabric and improve the setting of Puget's Cottage. A number of further benefits are identified in the heritage statement including improvements to the setting of Chapel Royal, improved public access to the Old Town and a number of regenerative or commercial benefits.
- 5.19 Under the National Planning Policy Framework (NPPF) it is a core planning principle to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations (Para. 17). When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. No other planning concern is given a greater sense of importance in the NPPF. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to a grade II listed building should be exceptional (Para. 132).

- 5.20 Where a proposed development would lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or that all of the tests in paragraph 133 of the NPPF apply.
- 5.21 The tests in Paragraph 133 of the NPPF have not been met. The Applicant instead justifies the proposed demolition on the basis that significant public benefits would be realised, and because they consider 15 North Street to be of a lower order of significance than is suggested by the grade II listing and to be in poor condition.
- 5.22 English Heritage does not wish to enter here into a discussion about the architectural or historic merits or otherwise of 15 North Street relative to other buildings within Brighton's Old Town Conservation Area. The building was carefully considered by the designation team very recently which concluded that the rarity and intactness of the building was sufficient to justify its statutory designation. NPPF Paragraph 130 states that the deteriorated state of a heritage asset should not be taken into account in any decision about the future of an asset.
- 5.23 The NPPF is clear that total loss of significance of a grade II listed building should be exceptional. We do not dispute that there are public benefits associated with this scheme, including heritage benefits to Puget's Cottage. However in this case, because of the degree of harm that would result to 15 North Street, the Applicant must demonstrate that the proposals cannot be delivered in any way other than that proposed.
- 5.24 The Applicant has planning consent for the new Hannington's Lane which does not require the loss of 15 North Street. We acknowledge that from an urban design (and commercial) perspective, it would be desirable to improve public access to the new Hannington's Lane from North Street. However, it has not been adequately demonstrated that the development would fail without such an access, or that access cannot be provided elsewhere without requiring the loss of 15 North Street. For example could an arcaded walkway be provided through 14 North Street to Hannington Lane? Or any other unlisted building be adapted to create the desired access?
- 5.25 While we acknowledge the benefits associated with the proposal, we are not convinced by the justification for the loss of 15 North Street. The building is likely to be capable of repair and re-use, albeit at a not insignificant cost. The Owner of 15 North Street should be made aware of the possibility of statutory notices being served under the terms of the 1990 Act, should the building fall into dereliction.
- 5.26 English Heritage objects to the application for listed building consent to demolish 15 North Street and recommends that consent is refused. English Heritage would welcome the opportunity to advise on alternative solutions that might provide improved access to the new Hannington's Lane in a less harmful way than that proposed.

- 5.27 **Hove Civic Society:** Support. If demolition is approved the Society believe it should be a condition that Puget's Cottage is restored as proposed in the application and the condition of 15 North Street is fully recorded before demolition. The Society is convinced that the proposed route will substantially enhance the viability of the Hannington's Lane development and that the new building proposed to replace 15 North Street is well designed.
- 5.28 **Regency Society:** Support. The Society is mindful of the fact that the building in North Street has recently been listed. However, it is believed that the benefits for the proposal outweigh the loss of the listed building. If demolition is allowed, it should be on condition that Puget's Cottage is restored as proposed. The creation of an opening will also contribute to the commercial viability of the new Hannington's Lane. The new building to North Street is well designed.
- 5.29 **Society for the Protection of Ancient Buildings:** No objection. It would appear that a careful and thorough process has been followed in order to get to the point of proposing such a radical intervention as demolishing a listed building. It is accepted that 15 North Street is something of an oddity in the overall composition of North Street, and looks a little lost amongst the larger buildings on either side. In itself this is not sufficient justification for the demolition of a heritage asset. However, when the proposal is considered in the context of the wider city and how people will use the surrounding spaces, the Society can see that some public benefit will accrue as a result of the loss of the listed building. The new 'tower' is a suitable method of drawing people down the new route whilst also being part of the evolving architectural language of the city. The demolition also has the advantage of allowing the free flow of pedestrians between North Street and Hannington's Lane. To counter balance the loss of the listed building, it is hoped that a full and detailed survey of the existing building will be undertaken. Any interesting or unusual original features should be retained. It is encouraging to see a sympathetic series of repairs are proposed for Puget's Cottage.
- 5.30 **The Victorian Society:** No comment.

Internal:

- 5.31 **Heritage:** Object. The proposal to demolish 15 North Street and to lose the brick twitten must be regarded as causing substantial harm in accordance with paragraph 133 of the NPPF. The applicant must either demonstrate that the four tests under paragraph 133 have been met or that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. The applicant has chosen to argue the latter case and this is considered to be the appropriate approach given that the building is in use. The applicant has also argued that the condition of the building is a factor in seeking its demolition but this is not strictly relevant to the public benefits test.
- 5.32 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the local planning authority shall have special regard to the desirability of preserving a listed building or its setting when considering an application for Listed Building Consent. 'Preserving' has been held by the courts

to mean doing no harm. There is therefore a statutory presumption, and a strong one, against granting consent for any works which would cause harm to a listed building or its setting. This presumption can be outweighed but only by material considerations powerful enough to do so. Section 66 of that Act imposes a similar duty when considering applications for planning permission whilst section 72 imposes an equivalent duty in respect of conservation areas and their setting.

- 5.33 Turning to the case made by the applicant in respect of substantial harm vs substantial public benefits, that case rests partly on a belief that 15 North Street is less significant and less important than Puget's Cottage and that it does not justify its grade II listing. However, this is factually and legally incorrect. Both buildings are grade II listed and both lie adjacent within the Old Town conservation area. They were both listed at the same time and the listings are very recent (September 2013). Therefore they are of equal significance in policy terms and the assessment of significance is up-to-date. The applicant further asserts, in the Heritage Statement, that the value (significance) of 15 North Street lies mainly in its historical or evidential value. However, the list entry makes clear that the building has architectural and historic interest, in respect of its exterior, its materials, its plan form, its internal features, the brick twitten and yard and its documented early commercial use. The list entry also makes clear that it has rarity value in a national as well as local context. In addition, it has group value with Puget's Cottage.
- 5.34 The main claimed public benefit of the scheme is the creation of the new pedestrian lane, which would link North Street to the previously-approved Hannington Lane, and linked to this the opening up of the north and west elevations of Puget's Cottage to public view where the building would front onto the new lane. These elevations would be repaired and restored, inserting timber sash windows and a timber panelled door into historic openings and removing the clutter of modern pipework and flues. There do not appear to be any specific proposals for internal restoration works and the future usage of the building is unclear, so its long term future is not resolved by the proposals.
- 5.35 The formation of a new lane with flanking retail units and the creation of greater permeability through The Lanes would certainly be a public benefit here, although that is tempered by the fact that the new lane would require a flight of several steps at its end, thereby limiting its accessibility. Steps are not a feature of the historic lanes of Old Town. There would be some regeneration benefits to this lower part of North Street arising from the formation of a new entrances to The Lanes, but this benefit would be modest given that this is already prime commercial frontage and likely to be in commercial demand. The previously-approved Hannington Lane scheme would make Puget's Cottage more visible and whilst this proposal would open it up much more to public view, the historic evidence suggests that this building was always tucked away behind the North Street frontage, so opening it up in this manner would not better reveal its true significance. Restoration of the building could and should be carried out anyway, in conjunction with bringing the vacant parts of the building back into use.

- 5.36 The proposed new building is undoubtedly of high quality and in its design and materials would be a fitting addition to the street scene. On North Street the application also proposes new matching oriel windows to the first floor level on 13 North Street; a new traditional shop front to number 13; a new shop fascia across numbers 13-14; new sash windows to blind openings at second floor level at 16-19 North Street and a new shop front at number 16/17. The proposed new sash windows in the second floor blind openings to 16-19 North Street would not in fact be practicable or appropriate as there is no floorspace behind the elevation where the blind windows are. The new windows to 16-19 must therefore be disregarded as a public benefit. The other works would certainly collectively enhance the North Street frontage but these heritage and townscape benefits are not in themselves dependent upon the demolition of 15 North Street.
- 5.37 It has also been argued that the creation of the new lane would open up a new vista of the Chapel Royal tower from the south and would therefore enhance the setting of the Chapel Royal. However, such a vista has not historically existed and the Chapel Royal was not designed with such a view in mind. Therefore this could not be demonstrated to enhance the particular significance of the Chapel Royal's setting.
- 5.38 In conclusion, it is considered that whilst there are some public benefits (of those put forward) that would directly arise from the demolition of 15 North Street, these are not substantial public benefits and therefore they cannot outweigh the substantial harm resulting from the complete loss of the heritage asset. Nor can these benefits be regarded as powerful enough to set aside the statutory presumption in favour of the preservation of the listed building, 15 North Street and Puget's Cottage are both partly listed for group value in relation to each other. It therefore follows that the demolition of 15 North Street would cause harm to the significance and setting of Puget's Cottage. In addition, 15 North Street is a listed building that contributes positively to the character and appearance of the Old Town conservation area and its demolition would therefore fail to preserve the architectural and historic interest of the conservation area.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

- | | |
|-----|--|
| HE1 | Listed Building Consent |
| HE2 | Demolition of a listed building |
| HE3 | Development affecting the setting of a listed building |
| HE4 | Reinstatement of original features on listed buildings |

Supplementary Planning Guidance:

- | | |
|---------|----------------------------------|
| SPGBH11 | Listed Building Interiors |
| SPGBH13 | Listed Building – General Advice |

Supplementary Planning Documents:

- | | |
|-------|------------------------|
| SPD09 | Architectural Features |
|-------|------------------------|

Brighton & Hove City Plan Part One (submission document)

- | | |
|------|--|
| SS1 | Presumption in Favour of Sustainable Development |
| CP15 | Heritage |

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to whether the demolition of 15 North Street is appropriate and thoroughly justified and whether the proposed alterations to Puget’s Cottage and the historic paving are appropriate in the context of the character, architectural setting and historic significance of the Grade II Listed Building and paving.

Context of 15 North Street and Puget’s Cottage:

- 8.2 Number 15 North Street, together with the attached brick paving to the yard or twitten, and Puget's Cottage are both grade II listed buildings and the whole application site lies within the Old Town Conservation Area.
- 8.3 15 North Street is a small single bay building with a shop at ground floor and flat above. It was probably built in the 1770s and may have been built on part of the garden of an earlier property situated to the south-west. It may have been built as a residence originally but it was already in commercial use by 1799 and continued to be in use by genteel trades associated with Brighton's growing expansion and prosperity as a resort. The ceiling of the ground floor was raised for a commercial use. It was originally three storeys, with one large front room and a smaller rear room to each floor, and a mansard roof of two parallel ranges. Circa 1820 the mansard roof was removed from the front range and probably in the 1850s the ground to first floor flight of the staircase was re-sited at the rear in a purpose built addition to provide more ground-floor accommodation for trading.
- 8.4 The front wall is constructed of timber but hung with mathematical tiles, c1820, which have been painted. The other walls are rendered, probably over bungaroosh. The front elevation has a parapet with brick modillion cornice, reduced in depth by the later hanging of mathematical tiles. The second floor has a mid 19th century sash with vertical glazing bars in a c1830 surround. The first floor has a 20th century window in an earlier surround. The ground floor has a late 19th or early 20th century shop front with a heightened fascia. The rear elevation has a flat-roofed dormer in the mansard roof and the projecting flat-roofed staircase extension has a 4 pane mid 19th century sash window and a plain entrance below. The narrow passage attached on the south-east and south-west sides has c1830 or earlier brick paving and gully.
- 8.5 The list entry gives the reasons for listing as:
- Architectural interest: a small circa 1770 property constructed of local materials with original window openings to the upper floors;
 - Interiors: retains the original staircase from first to second floor and re-sited original staircase between ground and first floor, panelling of various patterns, room partitions, doors and door architraves, cupboards and fireplace with cast iron range;
 - Plan form: the original plan of one large and one smaller room on each floor with rear staircase survives, modified only by the addition of a rear mid C19 staircase extension;
 - Historic interest and rarity: documented in commercial use by 1799, early and rare both nationally and locally;
 - Subsidiary features: the 1830s or earlier brick paving and gully in the enclosed yard or twitten is a rare pre-1840 example of street furniture;
 - Group value: groups with two listed properties on the other side of North street and with Puget's Cottage;
 - Degree of survival: substantially intact externally, the original plan form is readable and many interior fittings survive.

- 8.6 Puget's Cottage pre-dates 15 North Street, dating to the late 17th or early 18th century. It is an unusual and characterful building with a gambrel roof, which has again seen much change, particularly at ground floor level where it is now wholly open to the adjoining retail premises. It was probably originally a detached property built to the south-west and at right angles to North Street but some time before 1876 had become attached to an 1830s adjoining building, 14 North Street. The north-west part is late 17th or early 18th century, heightened in the later 18th century when it was also doubled in size by being extended to the south-west.
- 8.7 The unusual kink or curve in the external wall where it was extended reflects the shape of a strip field known locally as a 'paul piece', which pre-dated the development of Brighton as a seaside resort and so the shape shows the earlier origin of the property. The ground and first floor of the north-east side, the two lower floors of the northern half of the south-west side and the lower part of the northern half of the south-west side are constructed of large cobbles, incorporating some pieces of ironstone, with brick quoins, including some reused 16th century bricks, set in lime mortar. The upper parts of these walls and the remaining sides of the building are in brick laid in English garden wall bond. The mansard roof is tiled with end brick stacks, the southern one rendered.
- 8.8 The list entry gives the reasons for listing as:
- Architectural interest: contains a significant proportion of late C17 or early C18 fabric heightened and extended in the later C18 and with some later C18 or early C19 sash windows. The two phases of the building show the transition of the ancient town into the fashionable seaside resort;
 - Interior features: late C17 or early C18 good quality first floor cornices and joinery;
 - Plan form: readable externally and to some extent internally;
 - Historic interest and rarity: a very rare survival of an old town building which pre-dates the mid C18 and later development of Brighton as a seaside resort. The curved external wall of the property is a rare survival of the local strip field system, which was superseded by later grid development;
 - Group Value: group value with 15 North Street and the paved yard.
- 8.9 The Old Town Conservation Area represents the original extent of Brighton as the fishing village of Brighthelmstone and is an area of generally small scale buildings set in a tight knit urban grain, with a mix of architecture, predominantly late 18th and 19th century, and mix of town centre uses. North Street was built on the line of an older drovers road between Brighthelmstone and Steyning and formed the northern limit of the town. Much of North Street was incrementally redeveloped on a larger scale during the 19th century and into the 20th century. Both of the listed buildings described above are rare survivals of vernacular buildings that pre-date the rapid expansion of Brighton as a seaside resort. Both

properties contribute positively to the special architectural and historic interest of the conservation area.

- 8.10 There are a number of other listed buildings in the vicinity of the site, but most notably the grade II* listed Chapel Royal of 1793-95 (extensively remodelled 1876-1896); the grade II listed 163 North Street (offices of 1904); and the grade II listed 166-169 North Street, offices of 1935-36 by Goodhart-Rendel. These three buildings all lie on the north side of North Street and fall within the Valley Gardens Conservation Area.

Background & Proposal:

- 8.11 In March 2014, planning permission was granted for several permissions (including planning permission and conservation area consent) for the creation of a new lane, called Hannington's Lane in the former Hannington's service yard to the rear of North Street. Permission was also granted for the regeneration of Brighton Square with a link from the Hannington's Lane to Brighton Square.
- 8.12 The original scheme included a link lane between North Street and Hannington's Lane. The link lane was omitted from the original proposal following the spot listing of 15 North Street and Puget's Cottage in September 2013. The scheme was then granted with 2014 with the link lane removed from the proposal.
- 8.13 The applicants are now seeking consent for the link lane which they feel is an important element of the Hannington's Lane scheme. The proposal would require the demolition of the listed building at 15 North Street and the construction of a feature entrance building. The new building would be three storeys tall and would include a curved corner with feature tiles. The new lane proposed would include three additional retail units and four residential units above accessed from the new lane. Due to differences in ground levels and the limited size of the proposed lane, Puget's Lane would have to include steps leading to the new Hannington's Lane.
- 8.14 To justify the demolition of the listed building, the applicant has put forward a number of measures which they consider offer substantial public benefits. The application also includes options which were considered and dismissed. The options put forward by the applicant are as follows:
- Option 1: Retention of 15 North Street with no access from North Street to the new Hannington's Lane. The applicant has commented that this is not feasible as it leaves Hannington's Lane disconnected from North Street with no guarantee of improved footfall. The applicant has stated that without the link lane there is diminished incentive to regenerate North Street.
 - Option 2: Removal of the ground floor accommodation of 15 North Street to create a walk through undercroft retaining the upper floors of the existing building. The applicant has commented that this is not a feasible option as it involve the removal of a third of the listed building, remove the retail element of the building, severely compromise the structural integrity of the building, due to the major works required this option is not viable and the proposal would encourage anti-social behaviour.

- Option 3: Retention of 15 North Street and the partial demolition of 14 North Street and existing single-storey storeroom on the western side of Puget's Cottage. The applicant has commented that this option is not feasible as it would require major demolition and renovation, loss of existing retail use, loss of access to Puget's Cottage, loss of residential access, creates a blind alley with 'dead space', compromises the structure of Puget's Cottage and unbalances the existing pair at 13 and 14 North Street.
- Option 4: Demolition of end bay of 16 North Street and single-store to west of Puget's Cottage. The applicant has commented that this option is not feasible as it would result in 15 North Street falling down (the two buildings are currently attached), the loss of retail use, creates 'dead space', loss of residential use, result in the need to gate the alleyway and would create a blank wall to the retained side of no.16.
- Option 5: Demolition of 15 North Street and the single story storeroom on the western side of Puget's Cottage and construction of feature entrance building. The applicant has stated that this is the most feasible option as it retains retail and residential uses at nos.14 & 16, reveals Puget's Cottage, results in the restoration of a Grade II Listed Building at Puget's Cottage, results in a physical link to Chapel Royal vista from Brighton Place and contributes to wider regeneration.

8.15 The public benefits offered by the applicant as part of this proposal are as follows:

- **Puget's Cottage restoration works.** The works are to the external façade of the building. These works include the removal of inappropriate soil pipes, extract vents and redundant ducts, the replacement of inappropriate brickwork with matching brickwork, roof repairs, fascia to be made good, replacement windows and removal of existing store to the side of the building to expose original brick work.
- **North Street road reconfiguration.** The streetscape improvements put forward would improve the environment for pedestrians and upgrade the facilities for bus passengers by widening pavements, relocating and constructing new bus stops and shelters, planting new trees, installing new seating and benches and developing a new pelican crossing. The works to North Street have been approved by the Environment Transport & Sustainability Committee and are currently underway. The works are to the southern part of North Street between East Street and Ship Street and are envisaged to take about 6 months to complete. The works are funded by the Royal Bank of Scotland.
- **North Street south elevation works.** This includes the reinstatement of upper storey windows, new shop frontages and fascia's, the removal of out of keeping signage and clutter. The works would be to North Street are to nos.13 – 21. The proposals would improve the appearance of these buildings and the surrounding area giving them a uniform appearance.
- **Economic benefits.** The creation of the link lane from North Street would significantly improve the Hannington's Lane scheme as well generally improving footfall and be economically beneficial for the overall area.

Loss of Listed Building and Public Benefits:

- 8.16 Section 12 of the National Planning Policy Framework relates to Conserving and Enhancing the Historic Environment. Paragraph 132 is part of this Section and states the following:
- 8.17 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'
- 8.18 Paragraph 133 goes on to say the following:
- 8.19 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use.'
- 8.20 The proposal to demolish 15 North Street, and to lose the brick twitten, must be regarded as causing substantial harm in accordance with paragraph 133 of the NPPF. The applicant must either demonstrate that the four tests under paragraph 133 have been met or that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. The applicant has chosen to argue the latter case and this is considered to be the appropriate approach given that the building is in use. The applicant has also argued that the condition of the building is a factor in seeking its demolition but this is not strictly relevant to the public benefits test.
- 8.21 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the local planning authority shall have special regard to the desirability of preserving a listed building or its setting when considering an application for Listed Building Consent. 'Preserving' has been held by the courts

to mean doing no harm. There is therefore a statutory presumption, and a strong one, against granting consent for any works which would cause harm to a listed building or its setting. This presumption can be outweighed but only by material considerations powerful enough to do so. Section 66 of that Act imposes a similar duty when considering applications for planning permission whilst section 72 imposes an equivalent duty in respect of conservation areas and their setting.

8.22 Policy HE2 of the Local Plan sets out the three criteria which must all be met when considering the demolition of a listed building:

- a. clear and convincing evidence has to be provided that viable alternative uses cannot be found, through, for example the offer of the unrestricted freehold of the property on the market at a realistic price reflecting its condition and that preservation in some form of charitable or community ownership is not possible;
- b. the redevelopment would produce substantial benefits for the community which would decisively outweigh the resulting loss from demolition or major alteration; and
- c. the physical condition of the building has deteriorated, through no fault of the owner / applicant for which evidence can be submitted, to a point that the cost of retaining the building outweighs its importance and the value derived from its retention. A comprehensive structural report will be required to support this criterion.

8.23 This policy is not entirely consistent with paragraph 133 of the NPPF as it in effect combines the two alternative options for making a case that are provided by the NPPF. Given that the NPPF is much more recent policy greater weight should therefore be given to it than policy HE2. Criterion b of HE2 is the equivalent of the 'substantial public benefits' test of the NPPF. The applicant has made no case in respect of criterion a, but it would be difficult to do so given that the building is in use. With regard to criterion c, the applicant has provided a brief report from a structural engineer, which concludes that significant structural works are required to the building and that "if the building is to be brought into safe use, this would necessitate the demolition and reconstruction of it to revise details on structural grounds". However, this brief report has not been written on the basis that saving the building is desirable and consequently options that may retain much historic fabric have not been explored. For example, the report states that "all internal partitions will require removing and replacing with new" but the historically significant timber partitioning on the first floor could simply be dismantled and reassembled.

8.24 It should be further noted that paragraph 130 of the NPPF makes clear that where there is evidence of deliberate neglect then the deteriorated state of the heritage asset should not be taken in to account in any decision. In this case the building was first inspected by a structural engineer on 13 August 2012 but no action has been taken since that date to address the issues raised.

8.25 Turning to the case made by the applicant in respect of substantial harm vs substantial public benefits, that case rests partly on a belief that 15 North Street

is less significant and less important than Puget's Cottage and that it does not justify its grade II listing. However, this is factually and legally incorrect. Both buildings are Grade II listed and both lie adjacent within the Old Town conservation area. They were both listed at the same time and the listings are very recent (September 2013). Therefore they are of equal significance in policy terms and the assessment of significance is up-to-date. The applicant further asserts, in the Heritage Statement, that the value (significance) of 15 North Street lies mainly in its historical or evidential value. However, the list entry makes clear that the building has architectural and historic interest, in respect of its exterior, its materials, its plan form, its internal features, the brick twitten and yard and its documented early commercial use. The list entry also makes clear that it has rarity value in a national as well as local context. In addition, it has group value with Puget's Cottage.

- 8.26 The main claimed public benefit of the scheme is the creation of the new pedestrian lane, which would link North Street to the previously-approved Hannington Lane, and linked to this the opening up of the north and west elevations of Puget's Cottage to public view where the building would front onto the new lane. These elevations would be repaired and restored, inserting timber sash windows and a timber panelled door into historic openings and removing the clutter of modern pipework and flues. There do not appear to be any specific proposals for internal restoration works and the future usage of the building is unclear, so its long term future is not resolved by the proposals.
- 8.27 The formation of a new lane with flanking retail units and the creation of greater permeability through The Lanes would certainly be a public benefit here, although that is tempered by the fact that the new lane would require a flight of several steps at its end, thereby limiting its accessibility. Steps are not a feature of the historic lanes of Old Town. There would be some regeneration benefits to this lower part of North Street arising from the formation of a new entrances to The Lanes, but this benefit would be modest given that this is already prime commercial frontage and likely to be in commercial demand. The previously-approved Hannington Lane scheme would make Puget's cottage more visible and whilst this proposal would open it up much more to public view, the historic evidence suggests that this building was always tucked away behind the North Street frontage, so opening it up in this manner would not better reveal its true significance. Restoration of the building could and should be carried out anyway, in conjunction with bringing the vacant parts of the building back into use.
- 8.28 The proposed new feature building is undoubtedly of high quality and in its design and materials would be a fitting addition to the street scene. On North Street the application also proposes new matching oriel windows to the first floor level on 13 North Street; a new traditional shop front to number 13; a new shop fascia across numbers 13-14; new sash windows to blind openings at second floor level at 16-19 North Street and a new shop front at number 16/17. The proposed new sash windows in the second floor blind openings to 16-19 North Street would not in fact be practicable or appropriate as there is no floorspace behind the elevation where the blind windows are. The new windows to 16-19 must therefore be disregarded as a public benefit. The other works would certainly collectively enhance the North Street frontage but these heritage

and townscape benefits are not in themselves dependent upon the demolition of 15 North Street.

- 8.29 It has also been argued that the creation of the new lane would open up a new vista of the Chapel Royal tower from the south and would therefore enhance the setting of the Chapel Royal. However, such a vista has not historically existed and the Chapel Royal was not designed with such a view in mind. Therefore this could not be demonstrated to enhance the particular significance of the Chapel Royal's setting.
- 8.30 The public benefits offered include the works to the public highway at North Street. The streetscape improvements put forward would improve the environment for pedestrians and upgrade the facilities for bus passengers by widening pavements and relocating and constructing new bus stops. These works have been approved by the Council and are currently being undertaken. The works would undoubtedly improve the street scene but would not be seen as substantial public benefits which would justify the demolition of 15 North Street. As the works have commenced, they cannot be offered up as a proposed public benefit. Additionally, whilst the works would improve the streetscape, the works would also result in increased footfall which would partly benefit the viability of the existing retail units. The works to the public highway in North Street do not meet the public benefits test in paragraph 133 as they are not dependent upon the demolition of 15 North Street.
- 8.31 The scheme would undoubtedly make the Hannington's Lane scheme more accessible, visible and viable with a clear and prominent access directly from North Street. However, this is not in itself a public benefit, especially given that consent has been given for Hannington's Lane without the proposed lane from North Street. Without the proposed lane, the applicant has not put forward an argument that Hannington's Lane would be unviable.
- 8.32 It is considered that whilst there are some public benefits that would directly arise from the demolition of 15 North Street, these are not substantial public benefits and therefore they cannot outweigh the substantial harm resulting from the complete loss of the heritage asset. Nor can these benefits be regarded as powerful enough to set aside the statutory presumption in favour of the preservation of the listed building.
- 8.33 Number 15 North Street and Puget's Cottage are both partly listed for group value in relation to each other. It therefore follows that the demolition of 15 North Street would cause harm to the significance and setting of Puget's Cottage.

9 CONCLUSION

- 9.1 It is considered that whilst there are some public benefits that would directly arise from the demolition of 15 North Street, these are not substantial public benefits and therefore they cannot outweigh the substantial harm resulting from the complete loss of the heritage asset. Nor can these benefits be regarded as powerful enough to set aside the statutory presumption in favour of the preservation of the listed building,

- 9.2 Number 15 North Street and Puget's Cottage are both partly listed for group value in relation to each other. It therefore follows that the demolition of 15 North Street would cause harm to the significance and setting of Puget's Cottage.

10 EQUALITIES

- 10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reason for Refusal:

- The substantial harm resulting from the complete loss of the listed building at 15 North Street has not been justified through substantial public benefits that are dependent upon that loss. 15 North Street and Puget's Cottage are both partly listed for group value in relation to each other. The demolition of 15 North Street would cause harm to the significance and setting of Puget's Cottage. The scheme is therefore contrary to policies HE1, HE2 and HE3 of the Brighton & Hove Local Plan, CP15 of Brighton & Hove City Plan Part One and paragraph 133 of the National Planning Policy Framework.

11.2 Informatives:

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

Plan Type	Reference	Version	Date Received
Site Location Plan	1139-P-200	B	23 rd February 2015
Block Plan	1139-P-201	B	23 rd February 2015
Existing Basement Plan	1139-P-202	B	23 rd February 2015
Existing Ground Floor Plan	1139-P-203	B	23 rd February 2015
Existing First Floor Plan	1139-P-204	B	25 th March 2015
Existing Second Floor Plan	1139-P-205	B	23 rd February 2015
Existing Roof Plan	1139-P-206	B	23 rd February 2015
Demolition Ground Floor Plan	1139-P-253	C	23 rd February 2015
Demolition First Floor Plan	1139-P-254	C	23 rd February

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			2015
Demolition Second Floor Plan	1139-P-255	C	23 rd February 2015
Proposed Site Plan	1139-P-210	D	23 rd February 2015
Proposed Basement Plan	1139-P-211	D	23 rd February 2015
Proposed Ground Floor Plan	1139-P-212	D	19 th March 2015
Proposed First Floor Plan	1139-P-213	F	10 th March 2015
Proposed Second Floor Plan	1139-P-214	E	23 rd February 2015
Proposed Roof Plan	1139-P-215	E	23 rd February 2015
Areas Covered by Walkway Agreement	1139-P-217	B	23 rd February 2015
Existing & Proposed Elevation 1	1139-P-220	E	23 rd February 2015
Existing & Proposed Elevation 3	1139-P-222	D	23 rd February 2015
Existing & Proposed Elevation 4	1139-P-223	F	23 rd February 2015
Existing & Proposed Elevation 8	1139-P-227	C	10 th March 2015
Existing & Proposed Elevation 10	1139-P-229	E	23 rd February 2015
Existing & Proposed Elevation 16	1139-P-235	B	23 rd February 2015
Existing & Proposed Ground Plan Overlay	1450-SK-05		25 th March 2015



PLANNING COMMITTEE LIST
22 APRIL 2015

COUNCILLOR REPRESENTATION

From: Jason Kitcat
Sent: 06 March 2015 4:19 PM
To: Jeanette Walsh; Jason Hawkes
Subject: Protect: BH2015/00575 & BH2015/00576 protect

Planning applications BH2015/00575 and BH2015/00576 – Pugents Cottage,
North Street, Brighton

I am writing as Ward Councillor for Regency to register my support for the above
planning applications and request that they be determined at Planning
Committee.

Regards
Jason

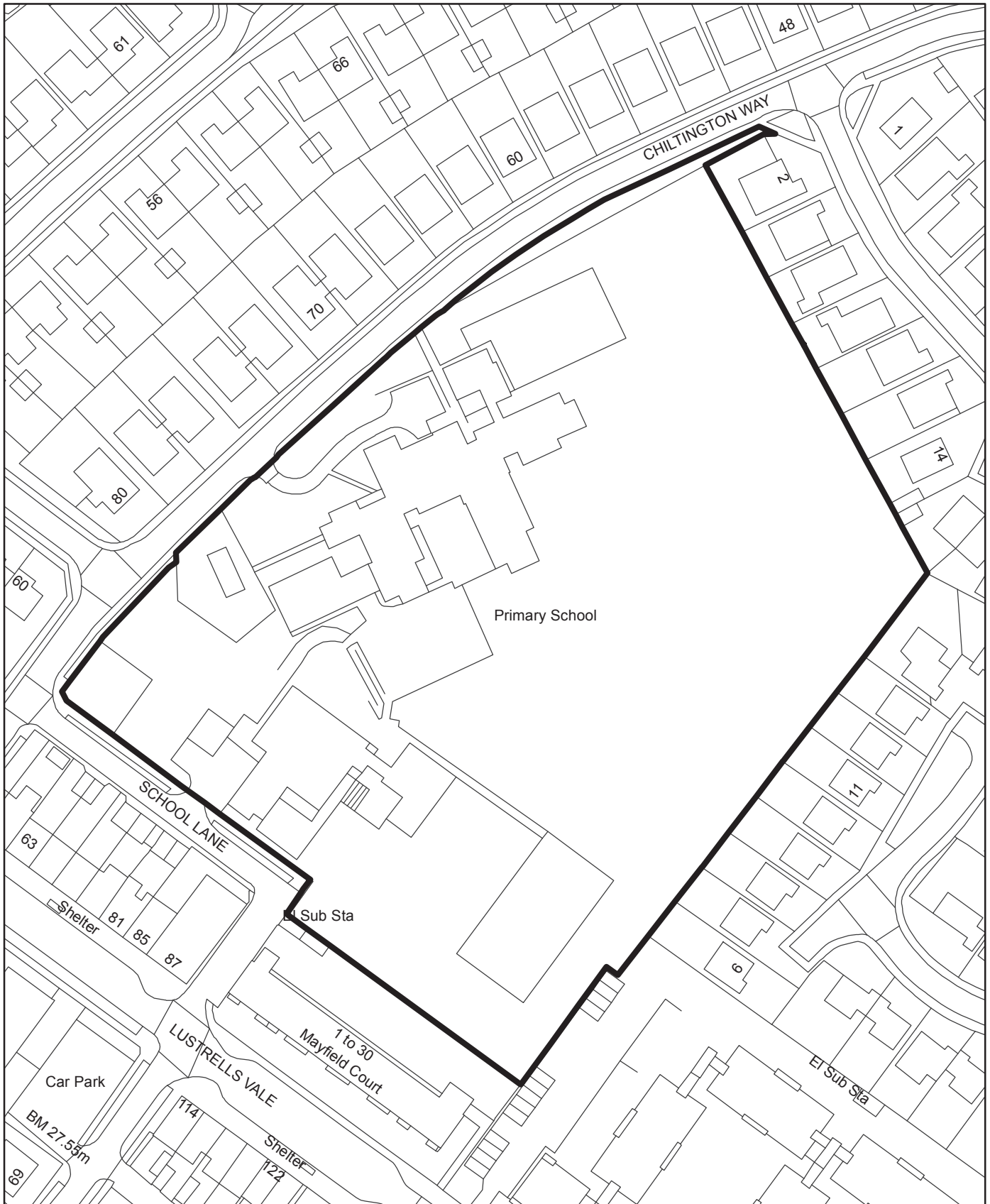
Cllr Jason Kitcat
Leader of Brighton & City Council
Green city councillor for Regency Ward

ITEM D

**Saltdean Primary School, Chiltington Way,
Saltdean, Brighton**

**BH2015/01175
Non material amendment**

22 APRIL 2015



Scale: 1:1,250

<u>No:</u>	BH2015/01175	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Non Material Amendment		
<u>Address:</u>	Saltdean Primary School Chilmington Way Saltdean Brighton		
<u>Proposal:</u>	Non material amendment to BH2014/03933 to allow for revision to the main two storey classroom block and hall extension elevations including reduction to the extent of external Steni Board Cladding, increase to the matching face brickwork to match existing to main elevations and revised colour to external cladding.		
<u>Officer:</u>	Kathryn Boggiano, tel: 292138	<u>Valid Date:</u>	07 April 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	05 May 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Brighton & Hove City Council, Property & Design, Kings House Grand Avenue, Hove, BN3 2LS		
<u>Applicant:</u>	Brighton & Hove Council, Ms Gillian Churchill, Head of Capital Strategy and Development Planning, 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 sections 7 and 10 and resolves to **APPROVE** the proposed changes to application BH2014/03933 as non-material amendments under Section 96A of the Town and Country Planning Act 1990.

2 SITE LOCATION & DESCRIPTION

- 2.1 There are two main buildings on campus within close proximity of each other which were built in 1968 and 1972. The Upper School (Block 1) is located to the north and is accessed off Chilmington Way and the Lower School (Blocks 3, 4, 5 and 6) is located to the south at a lower land level and is accessed off School Lane. Due to the difference in levels the upper ground floor level of the Lower School is the similar height to the lower ground floor level of the Upper School. The majority of the buildings are single storey apart from Block 4 of the Lower School which is two storeys in height.
- 2.2 An extension to the north building was completed in 2004. There are a number of temporary buildings and a permanent caretakers building. There are three playgrounds, and adventure playground and a large field.
- 2.3 Work has commenced on the extensions which were granted planning permission has part of BH2014/03933.

3 RELEVANT HISTORY

BH2014/03933: 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. Approved 12 March 2015.

BH2015/01141: Application for approval of details reserved by condition 10 of application BH2014/03933. Currently under consideration by the Council.

4 THE APPLICATION

4.1 A non-material amendment is proposed in order to alter the design of the elevations of the two storey main extension and the hall extension. The alterations would allow for the extent of cladding material present on the elevations to be reduced and for the area of brick to be increased.

5 PUBLICITY & CONSULTATIONS

5.1 None received.

6 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR4	Travel plans
TR7	Safe Development
TR8	Pedestrian routes
TR10	Traffic calming
TR11	Safe routes to school and school safety zones
TR12	Helping the independent movement of children
TR13	Pedestrian network
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU5	Surface water and foul sewage disposal infrastructure
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD14	Extensions and alterations
QD15	Landscape design
QD17	Protection and integration of nature conservation features
QD20	Urban Open Space
QD27	Protection of Amenity

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HO19	New community facilities
SR20	Protection of public and private outdoor recreation space

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

East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan

WMP 3d	Minimising and managing waste during construction, demolition and excavation.
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Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable Buildings
SO21	Strategic Objective 21 – Additional school places

7 CONSIDERATIONS & ASSESSMENT

- 7.1 The main consideration of this application is whether the proposed alterations can be considered as non-material amendments to the approved scheme in accordance with Section 96A of the Town and Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). The discretion rests with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission.
- 7.2 The footprint and height of the proposed extensions would not alter and the number and positioning of openings would remain as approved.
- 7.3 The following amendments are proposed to the elevations:
- 7.4 Main two storey extension
North west facing elevation: As approved the whole of this elevation was to be treated in the cladding material. As proposed the majority of this elevation would be treated in brick with small areas of cladding above the windows at the first floor and surrounding the doors at the first floor which serve the link bridges. As approved the windows at the ground and first floor did not contain any horizontal dividing bars. As proposed two horizontal glazing bars would be incorporated into the window design which would match the framing bar arrangement of the doors.
- 7.5 South west facing elevation: As approved the majority of this elevation was also to be treated in the cladding material. As proposed the majority of the

area would be treated in brick with a smaller area of cladding incorporated around the first floor windows. The window arrangement would remain as approved.

- 7.6 North east facing elevation: As approved this elevation contained areas of cladding and brick treatment. As proposed the area of cladding would be reduced slightly. As proposed two horizontal glazing bars would be added to one of the windows. The two other windows would remain as approved with no glazing bars present.
- 7.7 Hall extension
South west facing elevation: As approved this elevation would have been treated in cladding materials. As proposed only the area above the central glazed doors with surrounding windows would be clad with brick proposed for the rest of the elevation. The window and door arrangement would remain as approved.
- 7.8 South east facing elevation: As approved this elevation contained areas of cladding and brick treatment. As proposed the areas of cladding on the southern corner would be reduced slightly and an additional area of cladding would be added above the doors. The window and door arrangement would remain as approved.
- 7.9 The staffroom extension and the two storey classroom extension would remain as approved.
- 7.10 The extensions, particularly the two storey main extension would have less of a contemporary character and would appear as a more traditional design due to replacement of large areas of cladding with brick and the addition of horizontal glazing frames to the windows.
- 7.11 The applicant wishes to reduce the areas of cladding as it has a significantly greater cost than the brick and therefore the large areas of cladding cannot be delivered within budget. However, cost is not a valid reason for granting a non-material amendment.
- 7.12 The non-material amendment can be approved if the proposed amendments are considered to be within the scope of the original planning permission. The footprint and height of the extensions and the number and positioning of openings are to remain as approved. The extensions are not highly visible from the surrounding area due to the land topography. The design of some of the elevations would be different as a result of the application of the proposed materials. However, this is considered to be non-material and therefore it is recommended that this application is approved.

8 CONCLUSION

- 8.1 It is recommended that the proposed alterations can be considered to be non-material amendments to the original planning permission and therefore approval is recommended.

9 EQUALITIES

9.1 None identified.

10 INFORMATIVES

10.1 Informatives:

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

Plan Type	Reference	Version	Date Received
Hall and Staff Room Extension	050	A	31 March 2015
Main Extension Elevations	045	A	31 March 2015

2. The applicant is reminded that the conditions of permission BH2014/03933 are still relevant.

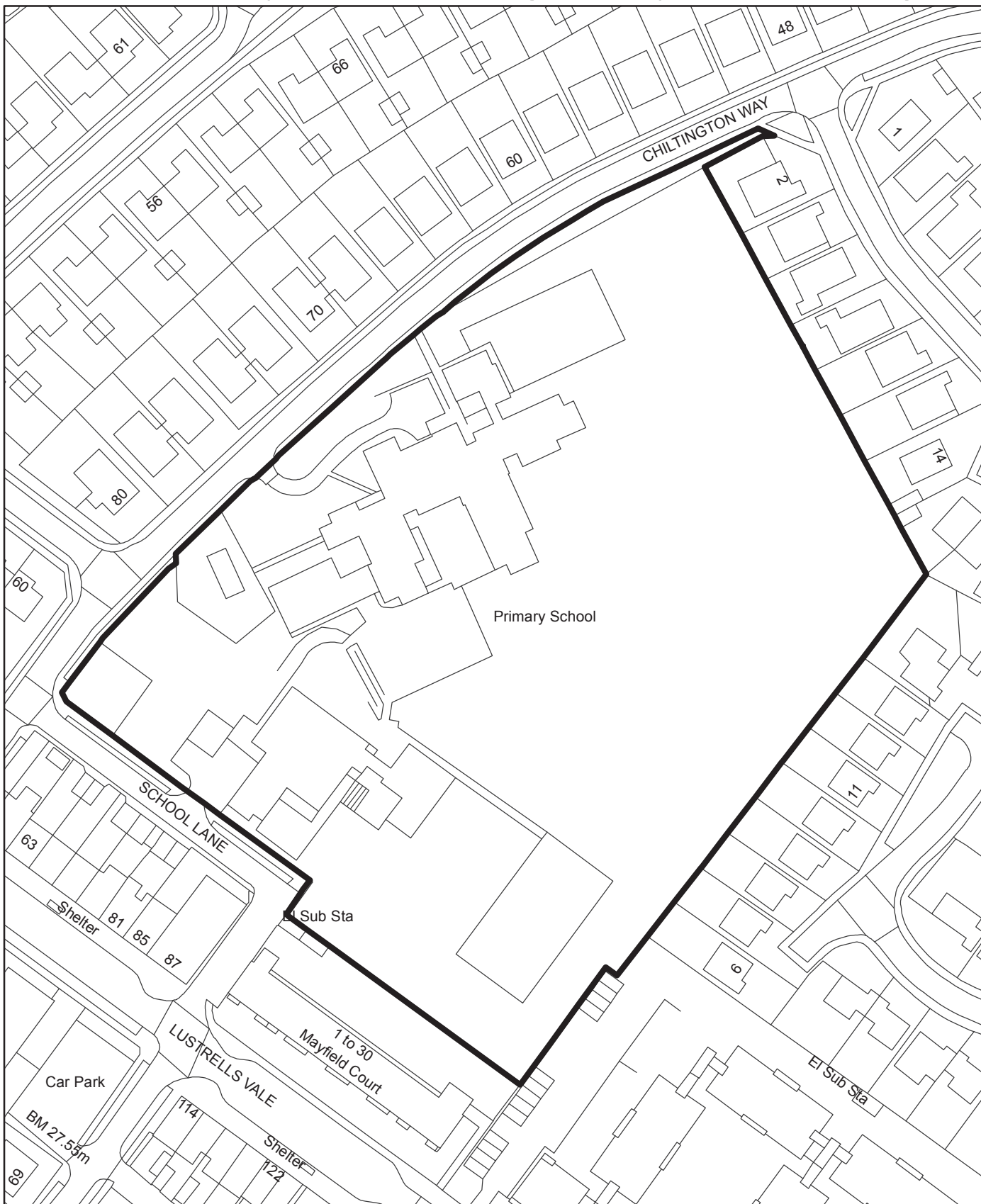
ITEM E

Saltdean Primary School, Saltdean, Brighton

BH2015/01141

Approval of details reserved by condition

22 APRIL 2015



No:	BH2015/01141	Ward:	ROTTINGDEAN COASTAL
App Type:	Approval of Details Reserved by Condition		
Address:	Saltdean Primary School Chiltington Way Saltdean Brighton		
Proposal:	Application for approval of details reserved by condition 10 of application BH2014/03933.		
Officer:	Kathryn Boggiano, tel: 292138	Valid Date:	07 April 2015
Con Area:	N/A	Expiry Date:	02 June 2015
Listed Building Grade:			
Agent:	Brighton & Hove City Council, Property & Design, Kings House, Grand Avenue, Hove, BN3 2LS		
Applicant:	Brighton & Hove City Council, Mrs Gillian Churchill, Head of Capital Strategy and Development Planning, 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 sections 4 and 6 and resolves to **APPROVE** the details pursuant to condition 10 of application BH2014/03933 and subject to full compliance with the submitted details.

2 RELEVANT HISTORY

- 2.1 **BH2014/03933:** 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. Approved 12 March 2015.
BH2015/01175: Non material amendment to BH2014/03933 to allow for revision to the main two storey classroom block and hall extension elevations including reduction to the extent of external Steni Board Cladding, increase to the matching face brickwork to match existing to main elevations and revised colour to external cladding. Currently under consideration by the Council.

3 PUBLICITY & CONSULTATIONS

- 3.1 None received.

4 CONSIDERATIONS & ASSESSMENT

- 4.1 The sole consideration is the acceptability of submitted details in respect of conditions 10 of BH2014/03933. Condition 10 stated that:
"No development shall take place on the external envelope of any of the extensions hereby approved until samples of the materials for that particular extension (including colour of render, paintwork and colourwash) to be used

in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4.2 Informative 7 of BH2014/03933 states that:
“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.”

The following materials have been submitted:

- 4.3 Walls:
Cladding: Steni Colour SN2008 Matt;
Brick Ibstock Bexhill Dark.

Roof:
SIG Armourplan SG dark grey RAL 7015.

Doors and windows:
Aluminium RAL7015 dark grey

Flashings and copings:
Aluminium RAL 7015 dark grey

- 4.4 When the application was under consideration the following cladding samples were submitted:
Cladding Steni Colour RAL-3001 Matt;
Cladding Steni Colour SN2008 Half Matt.
- 4.5 The red colour of cladding material RAL-3001 was a more vibrant red and members expressed concern over this material. The colour of SN2008 is also slightly different as the cladding would be fully matt rather than half matt.
- 4.6 The applicant has also submitted a non material amendment (BH2015/01175) to alter the materials of the two storey main extension and the hall extension. Due to funding and the high cost of the cladding materials, the area proposed for the cladding materials has been significantly reduced in size on the two storey main extension and less significantly reduced on the hall extension. These amendments are assessed in detail as part of the non-material amendment application BH2015/01175.
- 4.7 It is considered that the colour of the cladding sample SN2008 is appropriate

and would be similar to the colour of the cedar cladding which is present above the doors and windows on some of the existing buildings.

- 4.8 The brick sample is considered to be appropriate and would be a close match to the brick present on the existing buildings. In addition, the roof, doors, windows, flashings and coping details are also considered to be appropriate. Due to the flat roof design the roof would not be highly visible from the surrounding area.
- 4.9 Therefore it is recommended that the details of the samples of materials described in informative 2 are approved.

5 EQUALITIES

- 5.1 None identified.

6 INFORMATIVES

6.1 Informatives:

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

Plan Type	Reference	Version	Date Received
Walls: Steni Colour Cladding Sample 40198 SN2008			31 March 2015
Walls: Brick Ibstock Bexhill Dark			31 March 2015
Roof: SIG Armourplan SG dark grey RAL 7015			31 March 2015
Doors and windows: Aluminium RAL 7015 dark grey			31 March 2015
Flashings and copings: Aluminium RAL 7015 dark grey			31 March 2015

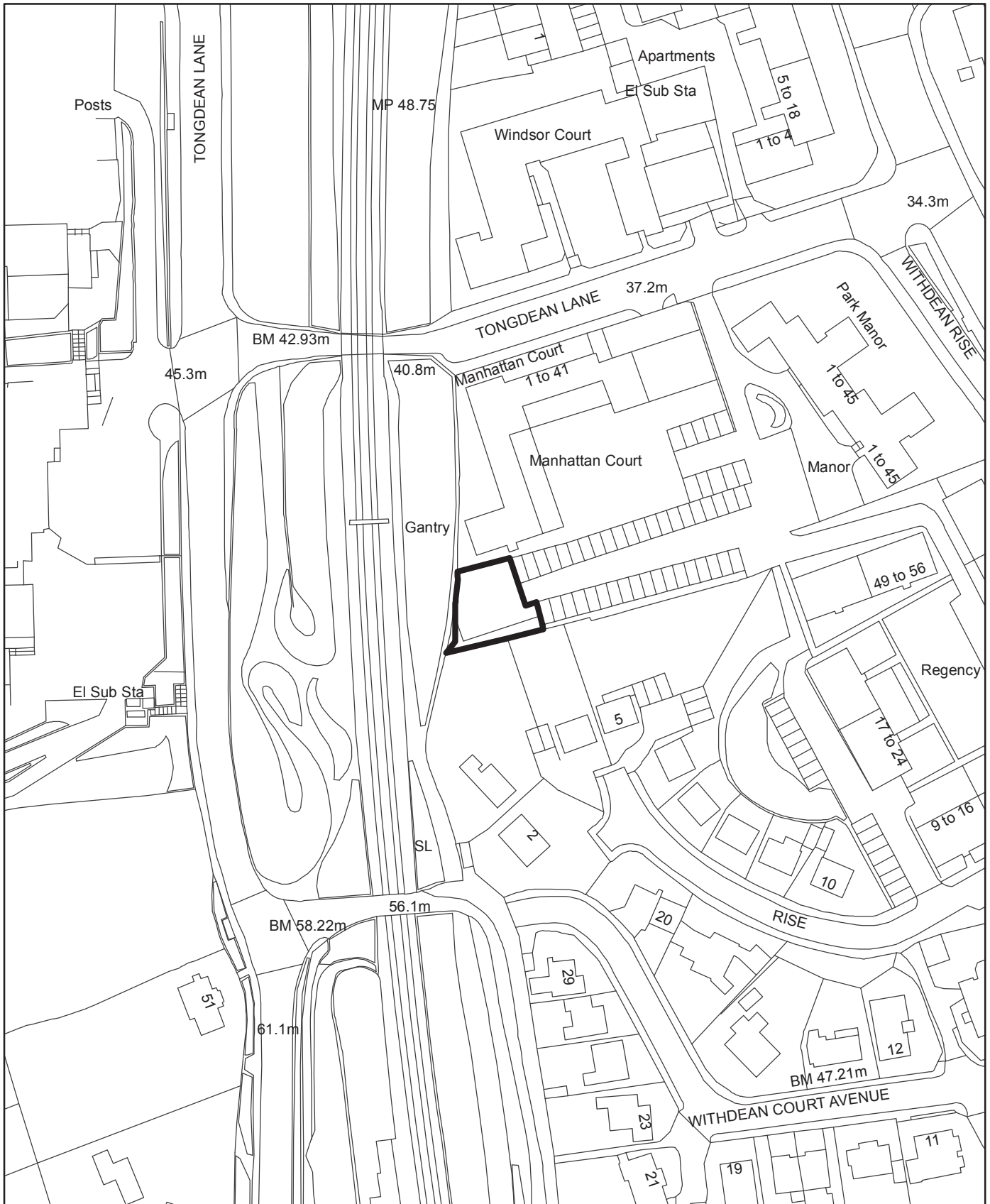
ITEM F

**Land rear of Regency Court, Withdean Rise,
Brighton**

**BH2014/03755
Full planning**

22 APRIL 2015

Land rear of Regency Court, Withdean Rise, Brighton



Scale: 1:1,250

<u>No:</u>	BH2014/03755	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land Rear of Regency Court Withdean Rise Brighton		
<u>Proposal:</u>	Erection of 9no single garages.		
<u>Officer:</u>	Jason Hawkes Tel 292153	<u>Valid Date:</u>	10/11/2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	05 January 2015
<u>Listed Building Grade:</u> N/A			
<u>Agent:</u>	Strutt and Parker, 31 North Street, Chichester, PO19 1LY		
<u>Applicant:</u>	Anstone Properties Ltd, c/o Strutt and Parker, 31 North Street, Chichester, PO19 1LY		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site relates to land to the rear of a block of garages located to the rear of the residential blocks of Park Manor, Regency Court and Manhattan Court. The site is at the end of the garages to the west and includes a number of trees and bushes around the circular car parking area which is fenced off along the northern boundary. To the west of the site is a railway embankment. This site is identified as part of a Greenway in the Brighton & Hove Local Plan.
- 2.2 Regency Court and Park Manor (to the east of the site) are blocks of flats with a traditional appearance and Manhattan Court has a more modern appearance, as it is a later addition. These buildings form large blocks around the garages. Manhattan Court is immediately adjacent the application site to the north and includes windows from first floor level and above which overlook the site and ground floor windows behind the northern boundary fence.
- 2.3 To the south site is the garden of houses in Withdean Rise. These houses have large gardens which slope down to the boundary with the garages. The houses are set a significantly higher ground level and are not visible from the application site.

3 RELEVANT HISTORY

- BH2012/01400:** Land Rear of Regency Court London Road. Application for Approval of Details Reserved by Conditions 5, 6 and 7 of application BH2011/02570. Split decision 26/06/2012.
- BH2011/02570:** Land Rear of Regency Court, London Road. Erection of 9no single garages. Approved 20/12/2011.

BH2010/01214: Land Rear of Regency Court London Road. Erection of 1no detached chalet bungalow with associated car parking. Refused 05/07/2010. Appeal dismissed 19/01/2011.

BH2009/00413: Three storey development above existing garage block to create a 4 storey block of 6 no. two bedroom flats with roof top garden, cycle and refuse stores and ground level parking. Refused 03/06/2009. Appeal dismissed 02/02/2010.

4 THE APPLICATION

- 4.1 Planning permission is sought for the construction of 9 additional garages. The garages are single-storey with flat roofs and follow the line of the existing garages with 5 garages on the south side and 4 garages on the north side. The applicant has stated that the garages will be offered to the residents of Regency Court and Park Manor. The scheme includes seating for residents at the end of the proposed garages.
- 4.2 This application is a resubmission of a previous approval for 9 garages on the site (ref: BH2011/02570). The previous approval has now expired. The current scheme for garages is the same as previously approved in 2011.

5 PUBLICITY & CONSULTATIONS CONSULTATIONS

External:

- 5.1 **Neighbours: Forty one (41)** representations have been received from **2, 6, 7, 9, 11, 15, 20, 23, 24, 28, 29, 30, 32, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 47, 48, 49, 50, 52, 53, 55, 58, 59, 64, 65, 67, 68, 70, 71, 73, 75 & 77** Regency Court objecting to the application for the following reasons:
- The application form is incorrect in stating that there is no parking on site. This land has been used as an overflow car parking area. This is not wasteland. The loss of the overflow car parking spaces will have an effect on parking in the area. Additional traffic could also be a hazard.
 - In the 2011 permission, the applicant stated that there was an extant permission for 16 car parking spaces on the site. This would be a better use of this land.
 - Concern is raised as to who the garages will be made available to.
 - The seating provided is inappropriate and would invite crime.
 - Concern is raised over noise disturbance caused by potential construction works.
- 5.2 **East Sussex County Council Archaeologist:** No objection. In light of the archaeological potential of this site, a condition is recommended the applicant submits a written scheme of investigation for the implementation of a programme of archaeological work for the approval of the local planning authority prior to commencement of works.
- 5.3 **Network Rail:** No response.

Internal:

- 5.4 **Sustainable Transport:** No objection. The scheme will not have a material impact on the highway that could support a reason for refusal.
- 5.5 **Arboricultural Section:** No objection from Arboricultural Section subject to conditions being attached to any consent granted regarding protection of existing trees and replacements for those that may be lost.

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
TR19 Parking standards
SU2 Efficiency of development in the use of energy, water and materials
SU13 Minimisation and re-use of construction industry waste
QD1 Design – quality of development and design statements

- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites
- QD14 Extensions and alterations
- QD15 Landscape design
- QD16 Trees and hedgerows
- QD19 Greenways
- QD27 Protection of Amenity
- HE12 Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

- SPGBH4 Parking Standards

Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD06 Trees & Development Sites
- SPD11 Nature Conservation & Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the appearance of the garages in relation to the site and surrounding area, the impact of the scheme on residential amenity, highway safety and parking, impact on trees and archaeological considerations.

Planning Policy:

- 8.2 Policy TR1 requires that developments provide for the demand for travel that they create and maximise the use of public transport, walking and cycling. Policy TR7 states that planning permission will be granted for developments that do not increase the danger to users of pavements, cycle routes and roads. Where there are no acceptable solutions to problems that arise from development proposals, planning permission will be refused.
- 8.3 Policies QD1 and QD2 sets out the design criteria for the assessment of new development. QD1 requires proposals to demonstrate a high standard of design and make a positive contribution to the visual quality of the environment. Policy QD2 requires developments to emphasise and enhance the positive qualities of the local neighbourhood by taking into account the local characteristics, of particular relevance is point a) which refers to height, scale, bulk and design of existing buildings.
- 8.4 Policy QD19 states that development within the setting of a Greenway will be required to contribute to the provision and / or enhancement of the network, proportional to the development and its potential impact on the Greenway.
- 8.5 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

Design:

- 8.6 Planning permission is sought for the construction of nine garages. The garages are single-storey with flat roofs and are joined on to the end of the existing block of garages. Four additional garages are proposed to the northern row of garages and five additional garages are proposed to the southern row of garages. The garages are each 3m wide, 5.2m long and 2.4m high.
- 8.7 The garages are slightly stepped up the gradient towards the railway embankment. The scheme results in an additional 12m of garage to the southern row and an additional 15m to the northern row. The garages are proposed to match the appearance of the existing garages in matching brickwork, fascia detail, metal up and over doors and flat asphalt roofs.
- 8.8 The piece of land in question is tucked away at the back of the site behind the back of the garages in an inconspicuous location. The proposed garages will continue the line of the existing garages. Given this location and the design of the garages, the proposal would not look out of character in the area and are deemed appropriate in terms of their design and appearance.
- 8.9 The parking area is surrounded by trees and the site is identified in the Brighton & Hove Local Plan as being part of a Greenway. The scheme would result in the loss of some of the trees. The Council's Arboriculturist has addressed the impact of the scheme on trees below. Whilst the loss of some trees is regrettable, there will still be a large number of trees retained on site and to the west of the site on the railway embankment. A condition is also recommended requiring the planting of replacement trees outlined in a landscaping scheme. Consequently, the proposed garages and the subsequent impact on trees is considered to be acceptable and the scheme would not significantly impact on the appearance of this site, the surrounding area or the Greenway.

Impact on Amenity:

- 8.10 Due to their position, the proposal most affects the immediate block of flats (Manhattan Court) to the north. As the properties at Withdean Rise are set at a high ground level to the south of the site, these properties would not be affected by the proposal in terms of loss of amenity.
- 8.11 Manhattan Court is large of block of flats adjacent the site which includes windows that overlook the site from the upper floors as well windows at ground floor level set behind the boundary fence. The ground floor windows are over 2.5m way from the boundary fence. The boundary fence is 2m high and the garages results in an increase of 600mm above the height of the fence. Given the distance between the windows and the increase in height, it is felt that the scheme would not result in a significant impact on the amenity of the ground floor windows in terms of loss of light, outlook or an increased sense of enclosure.
- 8.12 In terms of the use of the garages, the applicant has stated that the garages will be offered to the residents of the adjacent flats for parking and storage. This is deemed an acceptable use and would not detrimentally affect the amenity of any adjacent properties. To ensure the appropriate use of the garages a condition is recommended stating that the garages hereby permitted shall be used only for

parking of private vehicles or for purposes incidental to the enjoyment of a residential dwelling or flat and for no business or industrial use whatsoever.

Impact on Trees and Landscaping:

- 8.13 The Arboricultural Section has commented that to the west of the development site is the railway line and on the embankment in this location are several trees, one of which appears to be a fine Sycamore (just behind the “Smile – You Are On CCTV” poster). This tree should be protected to BS 5837 (2005) Trees in Relation to Construction during the course of the development.
- 8.14 On the development site, to the west of proposed Garage No. 1, is a group of 5 self-seeded Elms. They have grown up with the woodland area on the railway line and therefore are of poor form. Garage No. 1 appears to be within the Root Protection Zone of this group of trees and given their poor form, the inspecting officer would question their retention in such close proximity to the proposed garage. The Arboricultural Section has not objected to the loss of these trees subject to a suitable replacement landscaping scheme. If the group of 5 self-seeded Elms is to be lost, a landscaping condition should be attached to any planning consent granted to plant 5 replacement trees either in the proposed new seating area for residents or elsewhere in the grounds. The applicant has confirmed that these trees are to be removed and agreed to a landscaping condition including replacement trees.
- 8.15 To the south of the development site, behind proposed Garages nos. 5, 6 and 7, are several over-mature Cherry Laurel shrubs of large stature. Major stems will need to be removed back to the boundary to facilitate the development. They are of little arboricultural value and the Arboricultural Section has not objected to this work. It is presumed that these will only be pruned back to the boundary and therefore Common Law regarding pruning back of overhang applies.
- 8.16 Overall, the Arboricultural Section has no objection to the proposal subject to suitable conditions being attached to any planning consent granted.

Archaeological Considerations:

- 8.17 The site is within an Archaeological Notification Area. The East Sussex County Council Archaeologist has commented that this area is defined as a former medieval and post-medieval hamlet of Withdean, the site of a 19th Century chapel and has potential for prehistoric and Roman remains.
- 8.18 In light of the archaeological potential for this site, the archaeologist recommends that the proposal is subject to a programme of archaeological works. This will enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded. Having regard to the comments of the County Archaeologist, a condition is recommended requiring the submission of programme of archaeological works to be agreed by the planning department prior to commencement of works.

Sustainable Transport:

- 8.19 The Transport Manager has commented that this area of land is currently being used by residents of Regency Court to informally park vehicles. It is understood

that the existing residents of Regency Court and Park Manor will be given the first opportunity to lease the use of the garages. However it is not guaranteed that they will take up this opportunity, therefore it is possible that the vehicles currently parking on this parcel of land could be displaced on to the local highway. It is not believed that the displacement of car parking from this area could be considered as having a material impact on the provision for parking on the highway within the vicinity of this site.

- 8.20 As the existing parcel of land is being used to park vehicles at present it is considered that the proposal will not result in a material net increase in trips generated by this site.
- 8.21 Additionally, a previous application on this site was subjected to a planning appeal (ref: BH2009/00413). This application was for the construction of a three storey development above the existing garage block to create a 4 storey block of 6 no. two bedroom flats with roof top garden. The Inspector examined concerns relating to the loss of car parking on this site. In this instance the Inspector believed that the loss of parking within this site could not be considered as having a material concern and the appeal was not dismissed on these grounds.
- 8.22 Given the above information the Transport Manager does not believe that the application would have a material impact on the highway that could support a reason for refusal on highway grounds.

Sustainability:

- 8.23 Policy SU13 and Supplementary Planning Document 03 on Construction and Demolition Waste seek to reduce construction waste and require a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme in order to reduce the amount of waste being sent to landfill. A suitable statement has been submitted with the application.

9 CONCLUSION

- 9.1 The proposed development would not have a significant impact on local parking, highway safety or the amenities of the occupiers of adjacent properties and is also considered acceptable in terms of its design and appearance in relation to the existing development on site and the surrounding area. Subject to an acceptable Arboricultural Method Statement, landscaping scheme and Archaeological Programme of Works, the scheme is also deemed appropriate in terms of its impact on potential archaeological finds and trees adjacent and on the site.

10 EQUALITIES

- 10.1 None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

- 11.1 Regulatory Conditions:

PLANNING COMMITTEE LIST- 22 APRIL 2015

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

Plan Type	Reference	Version	Date Received
Site & Location Plans	A411/01	B	7 th November 2014
Site Plan	A411/02	A	7 th November 2014
Proposed Elevations	A411/03		7 th November 2014
Proposed Elevations	A411/04		7 th November 2014
Proposed Elevation & Section	A411/05	A	7 th November 2014
Existing Site Plan	A411/07		7 th November 2014
Existing Site Plan	A411/07		7 th November 2014
Landscape Plan	A411/20	A	7 th November 2014

- 3) The garages hereby permitted shall be used only for parking of private vehicles or for purposes incidental to the enjoyment of a residential dwelling or flat and for no business or industrial use whatsoever.
Reason: To safeguard the amenities of the occupiers of adjoining properties.
- 4) The external finishes of the garages hereby permitted shall be finished in matching materials to the existing garages.
Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and in accordance with policies QD1 and QD14 of the Brighton & Hove Local Plan.

11.2 Pre-Commencement Conditions:

- 5) 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: This pre-commencement condition has been imposed because it is necessary 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.

- 6) No development shall commence until an Arboricultural Method Statement regarding the protection of the large Sycamore tree and other trees on the railway embankment has been submitted and approved by the Local Planning Authority. The statement shall be in accordance with BS 5837 (2005) Trees in relation to Construction and will include protection of roots.
Reason: This pre-commencement condition is imposed because it is necessary to protect and prevent damage to the trees which are to be retained on the adjoining site, in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.
- 7) Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. 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.

The landscaping scheme shall include 5 trees to replace the 5 self-seeded Elms to be removed.

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. 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 first 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.

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

11.3 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:

PLANNING COMMITTEE LIST- 22 APRIL 2015

(Please see section 7 of the report for the full list); and

(ii) for the following reasons:-

The proposed development would not have a significant impact on local parking, highway safety or the amenities of the occupiers of adjacent properties and is also considered acceptable in terms of its design and appearance in relation to the existing development on site and the surrounding area. Subject to an acceptable Arboricultural Method Statement, landscaping scheme and Archaeological Programme of Works, the scheme is also deemed appropriate in terms of its impact on potential archaeological finds and trees adjacent and on the site.

PLANNING COMMITTEE	Agenda Item 179 Brighton & Hove City Council
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Information on Pre-application Presentations and Requests

Upcoming presentations – Dates TBC

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 22 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****BH2014/03938****24 Carden Avenue Brighton**

Demolition of existing three bedroom dwelling and erection of 2no semi-detached four bedroom dwellings.

Applicant: Mr Alan Young

Officer: Andrew Huntley 292321

Approved on 27/03/15 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, alteration or provision within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

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

3) UNI

The first floor windows in the 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.

4) UNI

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

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

5) UNI

No development shall commence until details of the access gates have been submitted to and approved in writing by the Local Planning Authority.

Reason: To improve access to the site and prevent vehicles overhanging the footway, and to comply with policy TR1, TR7 & TR8 of the Brighton & Hove Local Plan.

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

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

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

8) UNI

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

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

9) UNI

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

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

10) UNI

No development shall take place until full details and sample elevations and sections at 1:20 scale of the windows (including cills and reveals), external doors, parapets and roofing detail have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

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

11) UNI

No development shall take place until full details of the rainwater goods, soil and other waste pipes have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

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

12) UNI

The proposed screen walls and glazed screens to the front terraces of the semi-detached dwellings hereby approved, shall be erected prior to first occupation and shall be retained as such thereafter.

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

13) 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.

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

14) UNI

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.

15) UNI

No development shall commence until the fences for the protection of the trees to be retained have been erected in accordance with the submitted arboricultural method statement and tree protection strategy received on the 24.11.2014. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

16) UNI

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

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

17) UNI

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

A completed pre-assessment estimator will not be acceptable.

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

18) UNI

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

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

Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

19) 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.

20) UNI

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

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

21) UNI

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

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

22) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	01		24.11.2014
Existing Site Plan	02		24.11.2014
Proposed Site Plan	04		24.11.2014
Proposed Semi-Detached House	05		24.11.2014
Proposed Street Scene	06		24.11.2014
Existing House	08		27.11.2014

BH2014/04088

Block B The Priory London Road Brighton

Erection of additional storey to form 2no three bedroom flats each with roof garden and associated cycle store.

Applicant: Anstone Properties Ltd

Officer: Sue Dubberley 293817

Approved on 13/03/15 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

The development hereby permitted shall be carried out in accordance with 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			4/12/2014
Site and location plan	A1510/01		11/12/2014
Block plan	A1414/02	A	4/12/2014
Existing floor plan	A1414/03	A	4/12/2014
Existing east elevation	A1414/04	B	4/12/2014
Existing west elevation	A1414/05	B	4/12/2014
Existing north and south elevations	A1414/06	B	4/12/2014
Existing roof plan	A1414/11	A	4/12/2014
Proposed floor plan	A1510/04		4/12/2014
Proposed Elevations	A1510/05		4/12/2014
Site sections	A1510/06		4/12/2014
Proposed roof plans	A1510/07		4/12/2014
Proposed floor plans	A1510/12		4/12/2014

3) UNI

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

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

4) UNI

During the construction period of the development hereby approved the flight corridor of the Pipistrelle Bats to nearby trees along the northern boundary of the access road shall be kept clear of all obstructions (cranes, scaffolding etc) from sunset to sunrise, no removal or other works to the trees along the northern boundary of the access road shall be undertaken, no additional lighting shall be installed along the access road, whether permanent or temporarily, and no obstructions shall be erected above the access road to the north of Block D.

Reason: To ensure the protection of the Pipistrelle Bat colony and to comply with policy QD18 of the Brighton & Hove Local Plan.

5) UNI

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

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

6) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 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 Policy CP8 of the Brighton & Hove submission City Plan Part One.

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 policies QD1 and QD14 of the Brighton & Hove Local Plan.

8) UNI

No development shall commence until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

9) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until the mitigation measures against rail and traffic noise set out in the report by Anderson Acoustics dated 11th September 2011 have been implemented. The measures shall be implemented in strict accordance with the approved measures prior to the occupation of the development and shall thereafter be retained as such.

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

10) UNI

The development hereby permitted shall not be commenced until details of secure cycle parking facilities, including directional signage, 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.

BH2014/04141

Maycroft Manor 2 Carden Avenue Brighton

Display of 4no non-illuminated signs around boundary of site.

Applicant: Hallmark Care Homes Ltd

Officer: Robert Hermitage 290480

Approved on 26/03/15 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) UNI

The hereby approved advertisements shall not be illuminated.

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

BH2015/00047

3 Braeside Avenue Brighton

Creation of a pitched roof extension over existing ground floor rear extension.

Applicant: Paul Yeates

Officer: Sue Dubberley 293817

Approved on 13/03/15 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
Proposed extension and site plan	576/01	A	08/01/2015
Existing plans	576/02		08/01/2015

BH2015/00197

2 The Woodlands Brighton

Erection of first floor rear extension incorporating associated roof extension with rooflights.

Applicant: Mr & Mrs Cusack

Officer: Robert Hermitage 290480

Approved on 23/03/15 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 Plan	1259 01	-	22nd January 2015
Proposed Plans and Elevations, and Block Plan	1259 02	-	22nd January 2015

BH2015/00455

97 Vale Avenue Brighton

Certificate of lawfulness for proposed erection of a single storey rear extension, enlargement of front porch and associated works.

Applicant: Mr & Mrs Smith

Officer: Astrid Fisher 292337

Approved on 17/03/15 DELEGATED

BH2015/00462

4 Darcey Drive Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.8m, for which the maximum height would be 3.1m, and for which the height of the eaves would be 2.85 m.

Applicant: Andy Rahaman

Officer: Luke Austin 294495

Prior approval not required on 26/03/15 DELEGATED

BH2015/00546

7 Denton Drive Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.8m.

Applicant: Iain Palmer

Officer: Mark Thomas 292336

Prior approval not required on 01/04/15 DELEGATED

PRESTON PARK

BH2014/03976

19C Preston Park Avenue Brighton

Alterations to existing conservatory to facilitate the erection of a first floor side extension.

Applicant: Dr CSM Beecham

Officer: Chris Swain 292178

Approved on 01/04/15 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			26 November 2014
Proposed plans and elevations	2352/01		26 November 2014
Existing plans	2039/12		26 November 2014
Existing elevations	2039/13		26 November 2014
Existing elevations	2039/14		26 November 2014

BH2014/04135**27 Port Hall Street Brighton**

Insertion of double glazed sliding sash window to first floor front elevation.

Applicant: Mr Andy Lord

Officer: Mark Thomas 292336

Approved on 20/03/15 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 plans and elevations	289PHS27/01	-	9th December 2014
Site location and block plans	289PHS27/02	-	9th December 2014

BH2014/04352**25 Cleveland Road Brighton**

Creation of access ramp to front.

Applicant: Miss Kate Blok

Officer: Mark Thomas 292336

Approved on 31/03/15 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:

- samples of tiling or paving

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	Ap/02/ClevelandRd	-	6th January 2015
Block plan	Ap/03/ClevelandRd	-	6th January 2015
Existing and proposed plans	Ap/01/ClevelandRd	-	24th December

and elevations	ndRd25		2015
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BH2015/00155

119 Chester Terrace Brighton

Erection of single storey rear extension to replace existing conservatory.

Applicant: Peter & Katy Hanford

Officer: Luke Austin 294495

Approved on 18/03/15 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, Block Plan, Existing Elevations and Plan	-	-	19/01/2015
Proposed Elevations, Plan and Section	-	-	26/01/2015

BH2015/00185

33 Stanford Road Brighton

Erection of rear extension at first floor level.

Applicant: Mr Trevor Pickard

Officer: Robert Hermitage 290480

Approved on 30/03/15 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

The development hereby permitted shall be carried out in accordance with 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	Page No: 1	-	21st January 2015
Location Plan	Page No: 2	-	21st January 2015
Block Plan	Page No: 3	-	21st January 2015
Existing Rear and Side Elevation	Page No: 4	-	21st January 2015
Proposed Rear and Side	Page No: 5	-	21st January 2015

Elevation			
Existing Ground and First Floor Plan	Page No: 6	-	21st January 2015
Proposed Ground and First Floor Plans	Page No: 7	-	21st January 2015

BH2015/00208

48 Grantham Road Brighton

Installation of rooflights to front elevation and dormers to rear elevation.

Applicant: Mr & Mrs C De Cornet

Officer: Luke Austin 294495

Approved on 18/03/15 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 rooflight(s) hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project more than 50mm from the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan/ Block Plan	14477-Loc	-	22/01/2015
Existing Floor Plans and Elevations	14477-02	-	02/02/2015
Proposed Floor Plans, Section and elevations	14477-01	-	02/02/2015

BH2015/00243

5 Cleveland Road Brighton

Installation of rooflights to front and rear elevations.

Applicant: Mr Malcolm Latchman

Officer: Astrid Fisher 292337

Approved on 23/03/15 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) BH12.05A

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan, Existing Plan and Proposed Plan	LA/01	A	17th March 2015

BH2015/00250

Prestamex House 171 - 173 Preston Road Brighton

Prior approval for change of use from offices (B1) to residential (C3) to create 34no one bedroom flats, 25no two bedroom flats and 4no three bedroom flats.

Applicant: Daejan (Brighton) Limited

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 23/03/15 DELEGATED

BH2015/00370

50 Exeter Street Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.9m, for which the maximum height would be 3.1m, and for which the height of the eaves would be 2.35m.

Applicant: Andrew Hayes

Officer: Astrid Fisher 292337

Prior approval not required on 13/03/15 DELEGATED

REGENCY

BH2014/00918

13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place Brighton

Application for Approval of Details Reserved by Conditions 11, 13 and 15 of Application BH2013/00710.

Applicant: West Register (Property Investments) Ltd

Officer: Jason Hawkes 292153

Approved on 20/03/15 DELEGATED

BH2014/00966

13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place Brighton

Application for Approval of Details Reserved by Conditions 10, 14, 16, 17, 18, 21, 22, 24 & 25 of application BH2013/00710.

Applicant: West Register (Property Investments) Ltd

Officer: Jason Hawkes 292153

Approved on 27/03/15 DELEGATED

BH2014/02881

6A Stone Street & 13A Castle Street Brighton

Conversion of existing buildings containing offices (B1), storage (B8) and 1no residential unit (C3) to create 3no residential dwellings (C3) and 1no office unit (B1) with single storey infill extension, associated alterations and landscaping. Demolition of existing garage and erection of two storey building to create additional residential dwelling (C3).

Applicant: FCHI Ltd

Officer: Jason Hawkes 292153

Approved on 27/03/15 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

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 employment premises hereby granted permission shall be used for Class B1 (a) (offices) use and for 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, having regard to the location of the premises and to retain an adequate level of employment on the site in compliance with policies EM6 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The hereby approved dwellinghouse adjacent to 13 Castle Street shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

5) 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.

6) UNI

No development shall take place until full details of a phased construction programme have been submitted and agreed in writing by the Local Planning Authority. The programme shall specify that the commercial premises, as indicated on approved drawing nos. TA 730/R-19 B & 20 C, shall be built to shell and core prior to first occupation of the residential units. The scheme shall be implemented fully in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of employment floorspace on the site and to comply with policies EM3 and EM5 of the Brighton & Hove Local Plan and CP3 of the Brighton & Hove Submission City Plan Part One.

7) 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 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 policies QD1 & HE6 of the Brighton & Hove Local Plan.

8) UNI

No works shall take place until full details of all proposed external windows and doors including 1:20 scale sample elevations and 1:1 scale joinery profiles have been submitted to and approved in writing by the Local Planning Authority.

The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

9) UNI

No development shall commence until full details of the existing and proposed land levels of the new dwelling adjacent to 13 Castle Street in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.

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

10) UNI

(i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:

(a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,

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

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

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

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

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

11) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until a Design Stage / Interim Code for Sustainable

Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 4 as a minimum for the new dwellinghouse adjacent to 13 Castle Street has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

12) UNI

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

A completed pre-assessment estimator will not be acceptable.

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

13) UNI

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

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

14) UNI

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

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

16) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellinghouse adjacent 13 Castle Street shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the dwellinghouse has achieved a Code for Sustainable Homes rating of Code level 4 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

17) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the converted units within the existing buildings hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each converted unit 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.

18) UNI

Prior to the first occupation of the development hereby permitted the redundant vehicle crossover on Castle Street shall be reinstated back to a footway by raising the existing kerb and footway in accordance with a specification that has been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton and 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
Site Location & Block Plans	TA730/R-01		28th August 2014
Existing Lower Ground Floor Plan	TA730/R-02		28th August 2014
Existing Ground Floor Plan	TA730/R-03		28th August 2014
Existing First Floor Plan	TA730/R-04		28th August 2014
Existing Second Floor Plan	TA730/R-05		28th August 2014
Existing Elevations 1	TA730/R-06	A	28th August 2014
Existing Elevations 2	TA730/R-07	A	28th August 2014
Existing Elevations 3	TA730/R-08	A	28th August 2014
Existing Sections 1	TA730/R-09		28th August 2014
Existing Sections 2	TA730/R-10		28th August 2014
Existing Sections 3	TA730/R-11	A	28th August 2014
Proposed Ground Floor Plan	TA730/R-20	C	27th February 2015
Proposed First Floor Plan	TA730/R-21	B	27th February 2015
Proposed Elevations	TA730/R-22	C	27th February 2015
Proposed Elevations	TA730/R-23	B	27th February 2015
Proposed Section	TA730/R-25	B	27th February 2015
Proposed Section	TA730/R-11	A	27th February 2015
Proposed Section	TA730/R-26	A	27th October 2014
Proposed Section	TA730/R-27	B	27th February 2015

BH2014/03736

13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place Brighton

Application for Approval of Details Reserved by Conditions 34 and 35 of application BH2013/00710.

Applicant: West Register (Property Investments) Ltd

Officer: Jason Hawkes 292153

Approved on 20/03/15 DELEGATED

BH2014/03990

12 Meeting House Lane Brighton

Extension of ground floor to form additional retail unit and conversion of maisonette on first, second and third floors to form 5no residential units with associated works. (Retrospective)

Applicant: Destan Ltd

Officer: Jason Hawkes 292153

Refused on 25/03/15 DELEGATED

1) UNI

The glazed link section between the original building and the extension rises significantly above the eaves level of the listed building which creates a visually awkward junction with the host building. Further, the large section of lead at the head of this structure negates the intended lightness of this glazed link. The height and detailing, by reason of the large leaded section, detracts from the historic character and appearance of the listed building and fails to preserve or enhance the character of appearance of the Old Town Conservation Area. The proposal is therefore contrary to policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The shop front, by reason of its material, timber fascia, off-centre door and low stall riser, is poorly proportioned and detailed and detracts from the character and appearance of the listed building and fails to preserve or enhance the character of appearance of the Old Town Conservation Area. The proposal is therefore contrary to policies QD10, HE1 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document 02, Shop Front Design.

3) UNI3

The substantial pipework to the flank elevation of the listed building is visually obtrusive and detracts from the character and appearance of the listed building. The scheme is therefore contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2014/03991

12 Meeting House Lane Brighton

Extension of ground floor to form additional retail unit and conversion of maisonette on first, second and third floors to form 5no residential units with associated works. (Retrospective)

Applicant: Destan Ltd

Officer: Jason Hawkes 292153

Refused on 25/03/15 DELEGATED

1) UNI

The glazed link section between the original building and the extension rises significantly above the eaves level of the listed building which creates a visually awkward junction with the host building. Further, the large section of lead at the head of this structure negates the intended lightness of this glazed link. The height and detailing, by reason of the large leaded section, detracts from the historic character and appearance of the listed building and is therefore contrary

to policy HE1 of the Brighton & Hove Local Plan.

2) UNI2

The shop front, by reason of its material, timber fascia, off-centre door and low stall riser, is poorly proportioned and detailed and detracts from the character and appearance of the listed building. The scheme is therefore contrary to policy HE1 of the Brighton & Hove Local Plan.

3) UNI3

The substantial pipework to the flank elevation of the listed building is visually obtrusive and detracts from the character and appearance of the listed building. The scheme is therefore contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2014/04281

The Garden House 13 Clifton Place Brighton

Replacement of all communal windows, installation of new communal entrance door and canopy over entrance.

Applicant: The Garden House (Brighton) Ltd

Officer: Haydon Richardson 292322

Approved on 18/03/15 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 Block and floor plans	GA01		18/12/14
Existing south and North elevation	GA02		18/12/14
Existing west elevation and existing section A	GA03		18/12/14
Proposed west elevation and West elevation detail	GA04		18/12/14
Proposed section A and floor plans	GA05		18/12/14

BH2015/00061

Basement Flat 3 Montpelier Crescent Brighton

Internal damp proofing works to basement.

Applicant: Mr & Mrs M Cardy

Officer: Christopher Wright 292097

Refused on 19/03/15 DELEGATED

1) UNI

The proposals to line the basement store at the front of the building with a damp proof membrane, and to remove sections of the brickwork to form drainage channels and a sump, would both obscure the original features of the space and result in the loss of original building fabric. The proposals would detract from the historic significance, appearance and function of the space. As such the proposal is contrary to policies HE1 and HE4 of the Brighton and Hove Local Plan 2005.

BH2015/00126**Ground Floor Flat & Top Floor 102 Upper North Street Brighton**

Replacement of existing sash windows with double glazed sash windows to front elevation. Replacement of existing windows and doors with timber bi-fold doors and timber double doors to rear, installation of rooflight and associated alterations.

Applicant: Ms Joanne Howarth

Officer: Astrid Fisher 292337

Approved on 18/03/15 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans, Block Plan and Location Plan	0334.EXG.001	B	21st January 2015
Existing Sections and Elevations	0334.EXG.002	A	16th January 2015
Proposed Plans, Block Plan and Location Plan	0334.PL.001	A	21st January 2015
Proposed Sections and Elevations	0334.PL.002		16th January 2015

BH2015/00228**211 Western Road Brighton**

Application for approval of details reserved by condition 3 of application BH2014/02565.

Applicant: A S Watson

Officer: Helen Hobbs 293335

Approved on 26/03/15 DELEGATED

BH2015/00367**9 Grand Junction Road Brighton**

Display of internally-illuminated fascia signs and hanging sign to front elevation.

Applicant: Rank Group Gaming

Officer: Luke Austin 294495

Refused on 26/03/15 DELEGATED

1) UNI

The projecting sign by reason of its size, illumination method and location would result in an overly prominent and unduly bulky addition to the building, would harm the existing symmetrical design and would fail to preserve the character and appearance of the Old Town Conservation Area. The proposed projecting sign would thereby result in material harm to amenity and is therefore contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and to advice in Supplementary Planning Document 7: Advertisements.

2) UNI2

The fascia sign by reason of its length, illumination method and offset location would result in an unsympathetic addition that would add clutter and detract from the façade of the building and the character of the Old Town Conservation Area.

The proposed fascia sign would thereby result in material harm to amenity and is therefore contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and to advice in Supplementary Planning Document 7: Advertisements.

3) UNI3

The shop front sign by reason of its size, location and illumination method would result in an overly prominent addition that would be harmful to the façade of the host building and surrounding streetscene. The proposed shop front sign would thereby result in material harm to amenity and is therefore contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan and to advice in Supplementary Planning Document 7: Advertisements.

ST. PETER'S & NORTH LAINE

BH2014/03355

83 Gloucester Road Brighton

Erection of sign with painted background on west elevation (part retrospective).

Applicant: Mr Andrew Davies

Officer: Mark Thomas 292336

Approved on 24/03/15 DELEGATED

1) UNI

The painting of the background of the advertisement hereby permitted shall match exactly the colour of the paintwork to the external elevation of the application property on the west elevation and shall thereafter be permanently retained as such.

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

2) UNI

The development hereby permitted shall be carried out in its entirety within three months of 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.

BH2014/03641

22 Gerard Street Brighton

Erection of a single storey rear extension.

Applicant: Mr S Hersum

Officer: Mark Thomas 292336

Approved on 18/03/15 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

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 and block plans	1407-100	-	29th October 2014
Existing plans	1407-200	-	29th October 2014

Proposed plans	1407-210	Rev. A	12th March 2015
Existing elevations	1407-300	-	29th October 2014
Proposed rear elevation	1407-311	Rev. D	13th March 2015
Existing and proposed section	1407-411	Rev. A	13th March 2015

BH2014/04157

Top Flat 49 Warleigh Road Brighton

Insertion of 2no rooflights to front and 2no dormer windows to rear.

Applicant: Mr Ivan Jones

Officer: Robert Hermitage 290480

Approved on 19/03/15 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 Elevations	190214/001	-	9th December 2014
Existing Plans and Sections	190214/002	-	9th December 2014
Site Plan	190214/003	-	9th December 2014
Proposed Elevations	190214/101	C	9th December 2014
Proposed Plans and Sections	190214-102	B	9th December 2014

BH2014/04276

39 Upper Gardner Street Brighton

Change of use at first floor level from cafe (A3) to offices (B1).

Applicant: Silo Brighton Ltd

Officer: Christopher Wright 292097

Approved on 31/03/15 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 deliveries, servicing, loading or unloading of vehicles associated with the premises shall take place except between the hours of 7.30am and 7.00pm

Mondays to Saturdays and between 8.00am and 6.00pm on Sundays.

Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan 2005.

3) UNI

The premises shall only be used as offices on the first floor (Use Class B1a) and for no other purposes (including any other purposes within Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

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			18 Dec 2014
General Arrangement Plans	03	C	15 Jan 2015
Proposed First and Second Floor Plans	04	B	15 Jan 2015
General Arrangement Previously Approved Floor Plans	10	D	18 Dec 2014
General Arrangement Previously Approved Plans	11	A	18 Dec 2014

BH2014/04326

16 West Hill Street Brighton

Installation of rooflight to front roof slope.

Applicant: Jim White

Officer: Mark Thomas 292336

Approved on 19/03/15 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 rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed plans and elevations with site	WH/01	-	22nd December 2014

location plan			
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BH2014/04356

41 Providence Place Brighton

Application for approval of details reserved by conditions 3, 4 and 6 of application BH2013/03102.

Applicant: Samuel Tannenbaum

Officer: Adrian Smith 290478

Approved on 25/03/15 DELEGATED

BH2015/00199

Flat 6 5 Alfred Road Brighton

Replacement of existing windows with UPVC double glazed windows.

Applicant: Mr Terence Pachol

Officer: Haydon Richardson 292322

Approved on 31/03/15 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	-	-	21/01/2015
Site plan and floor plan	-	-	21/01/2015
Survey Report including Proposed window replacement drawings and materials	Pachol	-21/01/2015	
Photographs (x3)	-	-	30/01/2015

BH2015/00203

82 Centurion Road Brighton

Prior approval for change of use from office (B1) to residential (C3) to form 1no three bedroom dwelling.

Applicant: Mr Michael Hammond

Officer: Andrew Huntley 292321

Prior Approval is required and is refused on 13/03/15 DELEGATED

BH2015/00226

Chapel Royal 164 North Street Brighton

Application for variation of condition 2 of application BH2014/00843 (change of use to restaurant/cafe (A3) incorporating alterations to entrance.) to permit amendments to approved drawings for the lowering of the entrance area with associated changes to steps and wheelchair lift and internal layout alterations.

Applicant: Mrs Jo Thompson

Officer: Liz Arnold 291709

Approved on 24/03/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before 12/05/2017.

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

2) UNI

No development shall commence until the adopted highway on Prince's Place where the new stairwell is proposed, as is indicated on the proposed lower ground floor plan (Drawing Number 014880/020 received on the 23rd January 2015), has been stopped up.

Reason: To ensure that satisfactory access arrangements are provided to the development and to comply with policy TR7 and TR8 of the Brighton & Hove Local Plan.

3) UNI

The bricks and brick slips, to be used in the re-facing of the exposed external elevation at basement level, are only to be Lambs Imperial Handmade Red Rubber Medium Multi Facings.

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

4) UNI

Other than the Lambs Imperial Handmade Red Rubber Medium Multi Facings brick and brick slip referred to in condition 3, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5) UNI

No works shall take place until section details of the new wall coping and railings and gates hereby approved, at 1:20 and 1:1 scale, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

6) UNI

Before works commence to re-face the new external elevation a photographic record of the externally exposed wall construction shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a suitable record is maintained of the exterior of this historic building and in accordance with policy HE1 of the Brighton & Hove Local Plan.

7) UNI

Before works commence to re-face the new external elevation details of the junction of the new facing material with the existing decorative splayed jambs to the entrance, at 1:1 scale, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

8) UNI

The new brick wall hereby approved and the new brick slip facings to the entrance well shall be laid in English Bond (i.e. in alternating courses of stretchers and headers) to match the existing elevations and shall be set in lime mortar. The top course of brick slips shall have a chamfered edge.

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

9) UNI

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

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

10) UNI

The railings shown on the approved plans shall be painted black prior to the occupation of the development hereby permitted and shall be retained as such thereafter.

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

11) UNI

No works shall take place until full details of the proposed disabled access platform have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details.

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

12) UNI

No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

13) UNI

The development hereby permitted shall not be commenced until a Delivery and Service Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the types of vehicles, how deliveries will take place, the frequency of deliveries and measures to minimise the impact deliveries have in the transport network. All deliveries shall thereafter be carried out in accordance with the approved plan.

Reason: In order to ensure that the vehicles that service the development are of a suitable size and to ensure the safe operation of the highway network and thus the protection of the amenity of nearby residents, in accordance with policies TR1, TR7, SU10 and QD27 of the Brighton and Hove Local Plan.

14) UNI

No development shall commence until full details of the retaining wall structure, including cross section, depth of footings, retained height, thickness of wall and construction materials have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the stability of the adjacent pavement and to comply with policy TR7 of the Brighton and Hove Local Plan.

15) 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.

16) UNI

No development shall commence until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

17) UNI

The use hereby permitted shall not be open to customers except between the hours of 11.00am to 11.00pm on Mondays to Thursdays, 11.00am to 11.30pm on Fridays and Saturdays and 11.00am to 10.30pm on Sundays, Bank or Public Holidays.

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

18) UNI

The development hereby permitted shall not be occupied until details of sustainability measures, including measures to reduce water consumption and use of sustainable materials, have been submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented prior to the first use of the restaurant and thereafter retained as such.

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

19) UNI

Amplified music or other entertainment noise from within the premises shall not be audible within the above chapel or at the nearest residential premises.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to accord with policies SU9, SU10 and QD27 of the Brighton and Hove Local Plan.

20) UNI

No intoxicating liquor shall be sold or supplied except to persons who are taking meals on the premises and who are seated at tables. 'Meals' means food that has been cooked or prepared and purchased within the premises.

Reason: To prevent noise, nuisance, disturbance and public disorder, to protect the amenities of the occupants of residential accommodation within the vicinity of the site and to comply with policies SU10, QD27 and SR12 of the Brighton & Hove Local Plan.

21) UNI

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

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

Plan Type	Reference	Version	Date Received
Site and Block Plan	014880/001	-	23rd January 2015
Floor Plans Existing	014880/010	-	23rd January 2015
Sections Existing	014880/011	-	26th February

			2015
Sections Existing	014880/012	-	26th February 2015
East Elevation Existing	014880/013	-	26th February 2015
Proposed Floor Plan	014880/020	Rev. B	23rd January 2015
Proposed Sections 1	014880/021	Rev. A	23rd January 2015
Proposed Sections 2	014880/022	Rev. A	23rd January 2015
Proposed East Elevation 1	014880/023	Rev. A	23rd January 2015
Proposed East Elevation 2	014880/024	Rev. A	23rd January 2015
Proposed Entrance Well Details	014880/025	Rev. A	23rd January 2015
Proposed Entrance Well Details	014880/030	-	23rd January 2015
Retained Shelving and Floor Construction	014880/031	-	23rd January 2015
Floor Plans Proposed	14880/020AS	-	23rd January 2015
Perimeter Walls	05	-	23rd January 2015
Access Stair 'well'	07	-	23rd January 2015
Existing Column Support	061	-	23rd January 2015
Existing Column Support	062	-	23rd January 2015
Existing Column Support	063	-	23rd January 2015

BH2015/00284

Site J Land East of Brighton Station New England Quarter Brighton

Application for Approval of Details Reserved by Conditions 21B, 21C, 22B and 22C of application BH2012/02529.

Applicant: Owen Architects Ltd

Officer: Maria Seale 292175

Approved on 30/03/15 DELEGATED

BH2015/00675

78 Church Street Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2014/04300.

Applicant: Bolder Creative

Officer: Paul Vidler 292192

Approved on 23/03/15 DELEGATED

BH2015/00726

Devonian Court Park Crescent Place Brighton

Non Material Amendment to BH1998/01631/FP to raise the parapet line to conceal gutters and window cills and restrict overlooking, substitution of slates to Marley Rivendale and revision of window material to grey UPVC.

Applicant: Witnesham Ventures Ltd

Officer: Andrew Huntley 292321

Refused on 01/04/15 DELEGATED

WITHDEAN

BH2014/03446

21 Clermont Road Brighton

Alterations to ground floor front elevation including relocation of existing front door.

Applicant: Miss Alexandra Reipler

Officer: Robert Hermitage 290480

Refused on 23/03/15 DELEGATED

1) UNI

The proposal through the loss of the central recessed doorway, which is a historic and aesthetically significant feature of the building, would have a significant adverse visual impact on the building and would fail to preserve or enhance the character or appearance of the Preston Park Conservation Area. The proposal is therefore contrary to policies QD10 and HE6 of the Brighton & Hove Local Plan, and guidance within Supplementary Planning Document 02, Shop Front Design.

BH2014/03799

26 & 26A Reigate Road Brighton

Demolition of existing detached dwelling and erection of two storey block of 6no flats.

Applicant: Investsave Ltd

Officer: Liz Arnold 291709

Approved on 30/03/15 DELEGATED

1) UNI

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

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

2) UNI

The railings shown on the approved plans shall be painted black prior to the occupation of the development hereby permitted and shall be retained as such.

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

3) UNI

The windows in the side elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

4) UNI

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

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

5) 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 new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

7) UNI

The development hereby permitted shall be undertaken in accordance with the Site Waste Management Statement received on the 11th November 2014.

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

8) UNI

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

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

9) UNI

No development shall take place until samples of the following materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority:

- a) samples of brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used, including details of their treatment to protect against weathering
- c) samples of all hard surfacing materials
- d) samples of the proposed window and door treatments

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

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

10) UNI

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

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

11) UNI

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

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

12) UNI

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

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

13) UNI

No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers / densities and an implementation programme. The scheme shall include indications of all existing trees and hedgerows on the land that are to be retained along with measures for their protection during the course of the development.

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

14) 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 Code level 4 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

15) UNI

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

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

16) UNI

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

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

17) UNI

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

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

Plan Type	Reference	Version	Date Received	
Block and Site Location Plan	01	Rev. A	11th 2014	November
Existing ZARA Site Survey	02	-	11th 2014	November
Existing Ground Floor Plan	03	-	11th 2014	November
Existing First Floor Plan	04	-	11th 2014	November
Existing ZARA Street Elevation	05	Rev. A	2nd 2014	December
Existing Side (N-W) Elevation	06	-	11th 2014	November
Existing Rear (N-E) Elevation	07	-	11th 2014	November
Existing Side (S-E) Elevation	08	-	11th 014	November
Proposed Block Plan	10	Rev. C	12th 2014	December
Proposed Site Plan	11	Rev. D	12th 2014	December
Proposed Plans 1	12	Rev. E	22nd 2015	January
Proposed Plans 3	13	Rev. C	12th 2014	December
Proposed Street Elevation	14	Rev. C	12th 2014	December
Proposed Elevations 2	15	Rev. D	22nd 2015	January
Proposed Elevations 3	16	Rev. C	12th 2014	December
Proposed Elevations 4	17	-	22nd 2015	January
Proposed Elevations 5	18	-	22nd 2015	January

BH2014/03864

20 Tongdean Lane Hove

Alterations to existing dwelling to form two semi detached dwellings incorporating single storey and two storey side extensions, formation of roof with front rooflight, dormer to front and rear and associated works.

Applicant: KLAS Properties

Officer: Adrian Smith 290478

Approved on 12/03/15 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 dwellinghouses 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 rooflight in the west elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

4) UNI

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

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

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

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 trees and plants to be retained, including measures for their protection during construction works;
- d. 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.

7) UNI

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

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the

Brighton & Hove Local Plan.

8) UNI

The development hereby permitted shall not be occupied until the sustainability measures detailed within the Sustainability Checklist received on the 17 November 2014 have been fully implemented, and such measures shall thereafter be retained as such.

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

9) 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.

10) UNI

The development hereby permitted shall be carried out in accordance with 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	TA824/01	A	17/11/2014
Existing site plan	TA824/02	-	17/11/2014
Existing floor plans	TA824/03	A	17/11/2014
Existing elevations	TA824/04	A	17/11/2014
	TA824/05	A	17/11/2014
	TA824/06	A	17/11/2014
	TA824/07	A	17/11/2014
	TA824/08	A	17/11/2014
	TA824/09	A	17/11/2014
	TA824/10	A	17/11/2014
	TA824/11	A	17/11/2014
	TA824/12	A	17/11/2014
	TA824/13		17/11/2014
Proposed site plan and block plan	TA824/20	C	24/02/2015
Proposed site plan	TA824/21	C	24/02/2015
Proposed floor plans	TA824/22	B	24/02/2015
	TA824/23		17/11/2014
	TA824/24		17/11/2014
Proposed elevations	TA824/25	C	17/11/2014
	TA824/26		24/02/2015
	TA824/27	B	17/11/2014
	TA824/28		24/02/2015
	TA824/29	B	17/11/2014
	TA824/30	B	24/02/2015
	TA824/31		24/02/2015
	TA824/32		24/02/2015
	TA824/33		24/02/2015

11) UNI

No development shall take place until details and 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, dormer cladding and tiling (including details of the colour of render/paintwork 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 and QD14 of the Brighton & Hove Local Plan.

BH2014/03865

20 Tongdean Lane Hove

Erection of single dwelling to rear incorporating demolition of garage and storage, provision of parking and associated works.

Applicant: KLAS Properties

Officer: Adrian Smith 290478

Refused on 18/03/15 DELEGATED

1) UNI

The proposed development, by virtue of its small plot relative to those that characterise the area combined with the set back position of the building, its position on the northern and rear boundaries, and its visually close relationship with no.20, represents a cramped overdevelopment of the site that would be harmful to the general more spacious character of the area contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

BH2014/04150

35 Surrenden Crescent Brighton

Demolition of existing garage and erection of a new garage to rear. Erection of single storey side extension and single storey rear extension with associated roof alterations including roof extensions, dormers to rear, enlargement of existing side dormer and rooflights to side and rear elevations.

Applicant: Mr & Mrs R Ashton

Officer: Joanne Doyle 292198

Approved on 20/03/15 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

No development or other operations shall commence on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees on street in front of the site, has been submitted to and approved in writing by the Local Planning Authority; no development or other operations shall take place except in complete accordance with the approved protection scheme.

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

4) UNI

The windows in the east elevation of the garage hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

5) UNI

The first floor windows in the west elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

6) UNI

The two rooflights in the west facing roofslope and the south facing rooflight to the master bedroom hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

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

7) UNI

The development hereby permitted shall be carried out in accordance with 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	12420 E01	A	09 Dec 2014
Site Location Plan Proposed	12420 P201	B	09 Dec 2014
Ground Floor Plan As Existing	12420 E02	D	09 Dec 2014
Ground Floor Plan As Proposed	12420 P202	J	09 Dec 2014
First Floor Plan As Existing	12420 E03	D	09 Dec 2014
First Floor Plan As Proposed	12420 P203	L	17 Feb 2015
Roof Plan As Existing	12420 E04	D	09 Dec 2014
Roof Plan As Proposed	12420 P204	L	17 Feb 2015
Front & Side Elevation As Existing	12420 E05	D	09 Dec 2014
Front & Side Elevation As Proposed	12420 P205	L	17 Feb 2014
Rear & Side Elevation As Existing	12420 E06	D	09 Dec 2014
Rear & Side Elevation As Proposed	12420 P206	L	17 Feb 2015
Rear Elevation 2 As Proposed	12420 P207	L	17 Feb 2015

8) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be

constructed in the eastern elevation of the extension hereby approved or the western elevation of the detached garage 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.

BH2015/00001

46 Hampstead Road Brighton

Erection of part one part two storey rear extension, installation of rear dormer and creation of roof terrace with balustrading over first floor flat roof.

Applicant: Mrs Gemma Mullen

Officer: Luke Austin 294495

Refused on 24/03/15 DELEGATED

1) UNI

Notwithstanding the inaccuracies in the submitted plans, the proposed extensions, due to their scale and design, would detract from the appearance of the host building and surrounding area. The proposal is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

2) UNI2

Given the size and position of the proposed roof terrace, it would be out of keeping with the local area and would result in a loss of privacy and noise disturbance of adjacent residential properties. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

3) UNI3

The proposed rear dormer, due to its scale, width and depth would be an unsympathetic and bulky addition to the rear roofslope and would detract from the character of the host property. The proposal is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2015/00107

14 Stamford Lodge Cumberland Road Brighton

Replacement of existing steel windows with UPVC units.

Applicant: Mrs Elizabeth Miller

Officer: Astrid Fisher 292337

Approved on 01/04/15 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			14th January 2015
Window Details (x5)			14th January 2015

BH2015/00142

72 Fernwood Rise Brighton

Erection of single storey rear extension.

Applicant: Ms Emma Pook

Officer: Luke Austin 294495

Refused on 24/03/15 DELEGATED

1) UNI

The proposed extension, by virtue of its excessive rear projection and roof form would result in an over dominant and unsympathetic addition which would relate unsympathetically to host the building and the visual amenity of the area. The proposal is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

2) UNI2

The proposed extension, by virtue of its scale and depth, would have an overbearing effect on the amenity of the neighbouring property at no. 70 resulting in loss of light to a side facing bedroom window, contrary to policy QD27 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2015/00162

20 Windmill Drive Brighton

Erection of a single storey rear extension and balcony with balustrade and steps to garden level.

Applicant: Mr Paul Newman

Officer: Astrid Fisher 292337

Approved on 30/03/15 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Block and Location Plan	1.01		20 Jan 2015
Topographical Survey	1.02		23 Jan 2015
Existing Plans, Section and Elevations	1.03	A	20 Jan 2015
Plans and Elevations	1.01	B	20 Jan 2015
Design and Access Statement			20 Jan 2015

2) UNI

The hereby approved balcony shall not be brought into use until privacy screening to the east and western (side) boundaries of the balcony has been erected in accordance with drawing no. 1.01 B. The screening shall be retained as such thereafter.

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

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.

BH2015/00186**44 Redhill Drive Brighton**

Erection of single storey pitched roof extension to front to replace existing garage, erection of front entrance porch and installation of window to side.

Applicant: Mr & Mrs Pallot

Officer: Astrid Fisher 292337

Approved on 13/03/15 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 and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

The vehicle crossover to the frontage of the site will become redundant and should be reinstated within 6 months of the approval date back to a footway by raising the existing kerb and footway.

Reason: In the interests of highway policy and to comply with policy TR19 of the Brighton and Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Block and Location Plans	235.100		21st January 2015
Existing Ground Floor and Roof Plans	235.01		21st January 2015
Existing Elevations and Sections	235.02		21st January 2015
Proposed Ground Floor and Roof Plans	235.03.a	.a	21st January 2015
Proposed Elevations and Sections	235.04.a	.a	21st January 2015

BH2015/00188**385 Ditchling Road Brighton**

Creation of vehicle crossover and hard standing with associated alterations to front boundary.

Applicant: Mr David Howarth

Officer: Luke Austin 294495

Refused on 25/03/15 DELEGATED

1) UNI

The proposed hardstanding, covering almost the entire front curtilage, would result in the significant loss of soft landscaping to the frontage and forecourt of the site which would detract from the character and appearance of the site and wider street scene. The proposal 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.

BH2015/00207**3 Friar Crescent Brighton**

Erection of single storey rear extension and enlargement of rear terrace incorporating balustrading and steps to garden.

Applicant: Mr & Mrs White

Officer: Joanne Doyle 292198

Approved on 26/03/15 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 submitted plans no development shall take place until details of privacy screening to the eastern side of the terrace have been submitted to and approved in writing by the Local Planning Authority. The screening shall be erected in accordance with the agreed details prior to first use of the terrace and shall be retained as such thereafter.

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

4) UNI

The window in the west 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

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

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

Plan Type	Reference	Version	Date Received
Existing Site Location Plan & Block Plan	3529.EXG.02		22 Jan 2015
Proposed Site Location Plan & Block Plan	3529.PL.03		22 Jan 2015
Existing Floor Plans Elevations & Section	3529.EXG.01		22 Jan 2015
Proposed Ground Floor Plan	3529.PL.01		22 Jan 2015
Proposed Elevations & Section (Excluding Section)	3529.PL.02		22 Jan 2015

BH2015/00272**8 Bramble Rise Brighton**

Erection of a single storey rear extension and alterations to fenestration.

Applicant: Mr Oliver Dorman

Officer: Liz Arnold 291709

Refused on 27/03/15 DELEGATED

1) UNI

The proposed rear extension, by virtue of its design, detailing, scale and siting, which includes the intersection with the existing rear roofslope of the dwelling, would result in an extension which poorly relates to the existing bungalow and which would be a visually intrusive and an unsympathetic extension to the dwelling and semi-detached pair of properties. As such the proposal would result in an extension which would be of detriment to the visual amenities of the parent property, the pair of semi-detached properties, the Bramble Rise street scene and the wider area, contrary to policy QD14 of the Brighton and Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

BH2015/00378

6 Friar Crescent Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5m, for which the maximum height would be 4m, and for which the height of the eaves would be 3m.

Applicant: Mr Bianca Sarri

Officer: Haydon Richardson 292322

Prior Approval is required and is refused on 13/03/15 DELEGATED

BH2015/00534

1 Elms Lea 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 7m, for which the maximum height would be 4m, and for which the height of the eaves would be 4m.

Applicant: Sue Norgrove-Moore

Officer: Haydon Richardson 292322

Prior approval not required on 31/03/15 DELEGATED

EAST BRIGHTON

BH2014/03148

Cafe Adjacent Peter Pan Playground Madeira Drive Brighton

Demolition of existing cafe and erection of new single storey cafe with roof terrace (A3) in relocated position.

Applicant: Jungle Rumble Adventure Golf Ltd

Officer: Wayne Nee 292132

Approved on 23/03/15 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 (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 1995, as amended, or any subsequent similar re-enactment, the hereby approved development shall only be used for purposes within Class A3 (restaurants and cafes) and for no other purpose without the prior written consent of the Local Planning Authority.

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policies SR18, QD27 and HE6 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

The development hereby permitted shall be carried out in accordance with 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 elevations	14/509/AE(20) 01		24/12/2014
Proposed long elevations	14/509/AE(20) 02		24/12/2014
Proposed plan	14/509/AP(20) 01		24/12/2014
Proposed roof plan	14/509/RP00		02/10/2014
Site location	14/509/SP00		02/10/2014
Existing plan and elevation	14/509/EP00		02/10/2014
Existing plan location	14/509/EPL00		02/10/2014
Plan location	14/509/PL00		02/10/2014

BH2015/00048

Flat 3 Portland House 133 Marine Parade Brighton

Internal alterations to layout of flat. (Retrospective).

Applicant: Mr Michael Seamark

Officer: Robert Hermitage 290480

Approved on 23/03/15 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.

BH2015/00321

155 Eastern Road Brighton

Creation of rear dormer and insertion rooflight to front.

Applicant: Mr P Forrest

Officer: Robert Hermitage 290480

Approved on 30/03/15 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 rooflight hereby approved shall not project above the plane of the existing roof by more than 150mm.

Reason: In the interests of the character and appearance of the building and the visual amenities of the area and to comply with policies QD14 and HE6 of the

Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	A.001	-	30th January 2015
Proposed Plans and Elevations	D.002	A	24th March 2015

BH2015/00335

Portland Mansions 134-136 Marine Parade Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2013/02952.

Applicant: Portland Mansions Residents Association Ltd

Officer: Liz Arnold 291709

Approved on 30/03/15 DELEGATED

HANOVER & ELM GROVE

BH2014/01715

112-113 Lewes Road Brighton

Application for Approval of Details Reserved by Conditions 4, 7, 8, 15, 16 (a) and (b) and 18 of application BH2013/00908.

Applicant: JSP Construction Ltd

Officer: Jonathan Puplett 292525

Approved on 18/03/15 DELEGATED

BH2014/01804

112 - 113 Lewes Road Brighton

Application for approval of details reserved by conditions 14,20 and 21 of application BH2013/00908.

Applicant: JSP Construction Ltd

Officer: Jonathan Puplett 292525

Approved on 18/03/15 DELEGATED

BH2014/01805

112-113 Lewes Road Brighton

Non material amendment to BH2013/00908 to reduction in length and width of the building and minor repositioning of elevation elements as a result.

Applicant: McLaren (Lewes Road) Ltd

Officer: Jonathan Puplett 292525

Approved on 18/03/15 DELEGATED

BH2014/02205

112-113 Lewes Road Brighton

Application for approval of details reserved by conditions 5 and 25 of application BH2013/00908.

Applicant: JSP Construction Ltd

Officer: Jonathan Puplett 292525

Approved on 18/03/15 DELEGATED

BH2014/02242

112 - 113 Lewes Road Brighton

Application for approval of details reserved by conditions 19 and 26 of application BH2013/00908.

Applicant: JSP Construction Ltd

Officer: Jonathan Puplett 292525

Approved on 18/03/15 DELEGATED

BH2014/03825

238 Elm Grove Brighton

Erection of part two, part three storey rear extension and associated alterations to facilitate conversion of single dwelling house to 5 no self - contained flats.

Applicant: Brighton Builds LLP

Officer: Andrew Huntley 292321

Refused on 30/03/15 DELEGATED

1) UNI

The proposed extension and related roof form would, by reason of its width, height and bulk, appear an unduly dominant and discordant addition which would create a 'top heavy' bulky appearance to the building and would cause harm to the established character of the street scene and surrounding area. The proposal therefore fails to emphasise and enhance the positive qualities of the neighbourhood and represents a poorly designed development, out of keeping with its surroundings, to the detriment of the character of the area and the visual appearance of the streetscene. This harm is considered to outweigh the benefit provided by the additional residential units and the proposal would be contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2) UNI2

The development would provide a poor standard of accommodation due to cramped layouts and small room sizes and, at second floor level, a lack of usable space which would fail to meet the likely needs of future occupants. This harm is considered to outweigh the benefit provided by the additional residential units and the proposal would be contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2014/03835

18 Wellington Road Brighton

Application for approval of details reserved by conditions 3, 7, 10, 12, 13, 14, 20, 22, 24 and 26 of application BH2011/03796 and BH2014/03387.

Applicant: The Baron Homes Corporation

Officer: Liz Arnold 291709

Approved on 18/03/15 DELEGATED

BH2014/03930

167 Elm Grove Brighton

Application for Approval of Details Reserved by Condition 5 of application BH2014/00626.

Applicant: Mr Michael Davies

Officer: Sue Dubberley 293817

Refused on 13/03/15 DELEGATED

1) UNI

It has not been satisfactorily demonstrated that the proposed storage could satisfactorily and securely accommodate the number of cycle parking spaces indicated. The requirements of condition 5 have not therefore been satisfied and the details are contrary to policy TR14 of the Brighton & Hove Local Plan.

BH2015/00150

28 Albion Hill Brighton

Change of use from public house (A4) to single dwelling house (C3).

Applicant: Mr & Mrs D Ferrari

Officer: Sue Dubberley 293817

Approved on 20/03/15 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 occupied until the sustainability measures detailed within the Sustainability Checklist received on the 23 January 2015 have been fully implemented, and such measures shall thereafter be retained as such.

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

3) UNI

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

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

4) UNI

The 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.

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 Location Plan	14117-E01		20/01/2015
Block Plan	14117-P01		20/01/2015
Existing Floor Plans	14117-E02		20/01/2015
Existing Elevations	14117-E03		20/01/2015
Existing Sections	14117-E04		20/01/2015
Proposed Floor Plans	14117-P02		20/01/2015
Proposed Elevations	14117-P03		20/01/2015
Plan Showing Other Public Houses in the Area	14903-E02		20/01/2015

6) UNI

No extension, enlargement or other alteration of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A, B and C of the Town and Country

Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

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

BH2015/00342

18 Wellington Road Brighton

Application for approval of details reserved by conditions 16, 18 and 30 of application BH2014/03387.

Applicant: Mrs N Blencowe

Officer: Liz Arnold 291709

Approved on 25/03/15 DELEGATED

HOLLINGDEAN & STANMER

BH2014/01429

19 Hollingbury Park Avenue Brighton

Change of use from residential dwelling (C3) to six bedroom small house in multiple occupation (C4). (Part retrospective)

Applicant: J Barrett

Officer: Wayne Nee 292132

Refused on 13/03/15 COMMITTEE

1) UNI

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.

BH2014/03400

5 Hawkhurst Road Brighton

Application for approval of details reserved by condition 5 of application BH2013/02845.

Applicant: Mr Peter Abaker

Officer: Andrew Huntley 292321

Approved on 27/03/15 DELEGATED

BH2014/03846

Education Development Building Arts Road University of Sussex Brighton

Installation of new mechanical plant to west elevation.

Applicant: University Of Sussex

Officer: Chris Swain 292178

Approved on 12/03/15 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	P001		20 November 2014
Existing and proposed west elevations	P002	D	9 March 2015
Existing ground floor plan	P003		14 November 2014
Proposed ground floor plan	P004	B	4 March 2015
Internal services layout 1	2629-MO2		14 November 2014
Internal services layout 2	2629-MO3		14 November 2014

BH2014/04295

Shawcross North South Road University of Sussex Lewes Road Brighton

Internal refurbishment to lecture theatres AS01 and AS02, including new seating to AS01.

Applicant: University of Sussex

Officer: Andrew Huntley 292321

Approved on 23/03/15 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 details of all new and retained signage in AS02 have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details.

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

3) UNI

No works shall take place until details of the method of cleaning the facing brickwork shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out 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

No works shall take place until details of works to the original lectern in AS02 have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details.

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

5) UNI

No works shall take place until a photographic record of the lecture theatres, as set out in the English Heritage guidance 'Understanding Historic Buildings: A guide to good recording practice' (2006), has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a suitable record is maintained of the interior of this historic building and in accordance with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

No works shall take place until a record of furniture to be retained in AS01; details of how it will be removed; details of where it will be held during works and; details of where it will be reinstated at the completion of works (where applicable), has

been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out 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.

BH2014/04296

Arts Building A Arts Road University of Sussex Lewes Road Brighton

Internal refurbishment to lecture theatres A05 and A103, Including new seating.

Applicant: University of Sussex

Officer: Andrew Huntley 292321

Approved on 23/03/15 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 a record of furniture to be retained; details of how it will be removed; details of where it will be held during works and; details of where it will be reinstated at the completion of works (where applicable), has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out 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.

3) UNI

No works shall take place until details of the method of cleaning the facing brickwork shall been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out 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

No works shall take place until a photographic record of the lecture theatres, as set out in the English Heritage guidance 'Understanding Historic Buildings: A guide to good recording practice' (2006), has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a suitable record is maintained of the interior of this historic building and in accordance with policy HE1 of the Brighton & Hove Local Plan.

BH2015/00280

35 Hollingbury Place Brighton

Certificate of lawfulness for proposed loft conversion incorporating rooflights to front and dormer to rear and alterations to ground floor fenestration.

Applicant: Janet Irving

Officer: Haydon Richardson 292322

Approved on 23/03/15 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2014/04243

10 Baden Road Brighton

Erection of three storey detached dwelling with formation of access from Bevendean Road.

Applicant: Mr M Deller

Officer: Paul Earp 292454

Approved on 25/03/15 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 and C of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

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

3) UNI

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

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

4) UNI

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 roofing (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) 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 & QD2 of the Brighton & Hove Local Plan.

5) UNI

Prior to commencement of development full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished ridge heights of all buildings and structures have been submitted to and approved in writing by the Local Planning Authority. All levels shall be in metric units and related to Ordnance Survey Datum. The development shall thereafter be built in accordance with the agreed details.

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

6) UNI

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

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

7) UNI

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

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 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.

9) UNI

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

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

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

11) UNI

The 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.

12) UNI

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

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

Plan Type	Reference	Version	Date
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			Received
Site Plan	-	-	17 December 2014
Block Plan	-	-	17 December 2014
Proposed Floor Plans	4/1403591	-	17 December 2014
Existing Site Plan	6/1403591	-	17 December 2014
Proposed Section	7/1403591	-	17 December 2014
Proposed Streetscene	8/1403591	-	17 December 2014
Proposed Site Plan	8/1403591	-	17 December 2014
Proposed Front Elevation	9/1403591	-	17 December 2014
Proposed Rear Elevation	10/1403591	-	17 December 2014
Proposed Entrance Plan	11/1403591	-	17 December 2014
Proposed Side Elevation	12/1403591	-	17 December 2014
Proposed Side Elevation	13/1403591	-	17 December 2014

13) 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.

BH2015/00363

8 Fitch Drive Brighton

Certificate of lawfulness for proposed loft conversion incorporating creation of rear dormer.

Applicant: Mr Neil Gray

Officer: Haydon Richardson 292322

Approved on 01/04/15 DELEGATED

QUEEN'S PARK

BH2013/03461

Circus Street Development

Demolition of existing buildings and replacement with a mixed use development comprising of: a part 5 (6 storey equivalent)/part 7 storey University of Brighton Library and Academic Building (Use Class D1); a 3 storey (4 storey equivalent) Dance Space building (Use Class D2); a 7 storey office building (Use Class B1 incorporating a maximum of 1,360 sq. m Gross Internal Area (GIA) of office Class B1 office, research and development space); student accommodation (Sui Generis) providing up to 450 bed spaces in 4 buildings (Student Cluster E and G part 6/part 8 storey, Student Cluster F part 6,7 and 8 storey and Student Cluster H part 6/part 13 storey (with recessed top 13th storey)); 142 residential apartments (Class C3) consisting of 57 x 1 bed, 81 x 2 bed and 4 x 3 bed units in 4 buildings (Building A part 7/part 10 storey, Building B part 7/part 8 storey and Buildings C and D both 6 storey); with ancillary retail (A1) café/restaurant (A3) and/or commercial (B1) within the ground floor of part of student cluster buildings G and H, part of office building and part of residential buildings A, B, C and D; new public realm and associated infrastructure including provision of 38 undercroft parking spaces below the student cluster buildings (including 16 on-site disabled parking spaces), on site cycle parking, and highway works including a narrowing in width of Circus Street.

Applicant: Cathedral (Brighton) Limited

Officer: Kathryn Boggiano/Mick Anson 292138/292354

Approved after Section 106 signed on 19/03/15 COMMITTEE

1) UNI

68) Prior to any individual ground floor unit of the Phase 2 Residential Buildings being first brought into A3 use a scheme for the fitting of odour control equipment to that individual ground floor unit along with a scheme for the sound insulation of such equipment shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of any individual ground floor unit for A3 use and shall thereafter be retained as such.

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

69) Prior to first occupation of the Phase 2 Residential Buildings a scheme outlining how noise associated with external plant and machinery incorporated into the development shall be controlled shall be submitted to and approved in writing by the Local Planning Authority. A target Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall be 10dB (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. In addition, there should be no significant low frequency tones present. Calculations to show that the target level shall be achieved shall be submitted with the scheme. The scheme shall be installed in accordance with the approved details prior to the first occupation of the Residential Buildings and shall thereafter be retained as such.

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

3) UNI

70) Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved as part of the Phase 2 Residential Buildings 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.

4) UNI

71) Unless otherwise agreed in writing with the Local Planning Authority, none of the Phase 2 ground floor commercial units hereby approved shall be occupied until a BREEAM 2011 New Construction Retail Building Research Establishment issued Post Construction Review Certificate confirming that the Phase 2 ground floor commercial units as built has achieved a minimum BREEAM Retail rating of 60% in energy and water sections of relevant BREEAM Retail 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.

5) UNI

72) No servicing of the commercial units on the ground floor of the Stage 2 Residential Buildings (i.e. deliveries to or from the premises and refuse collection)

shall occur except between the hours of 08.00 and 20.00 Monday to Saturdays and no servicing on Sundays and Bank Holidays.

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

6) UNI

73) If, during development of the Phase 2 Residential Buildings, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants. The development shall be carried out in accordance with the approved details.

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.

7) UNI

74) All planting, seeding or turfing comprised in the approved scheme of landscaping in Phase 2 shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

8) UNI

75) The new dwellings hereby permitted as part of the Phase 2 Residential Buildings 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.

9) UNI

76) A minimum of 10% of the affordable housing units and 5% of the total of all of the residential units hereby approved shall be built to wheelchair accessible standards.

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

77) The ground floor A3 units in Phase 2 shall not be operational except between the hours of on 08:00 to 23:30 and the ground floor A1 units shall not be operational except between the hours of 07:00 to 23:00.

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

11) UNI

78) The windows serving the northern most staircase on the east facing elevation of Residential Building B and the secondary windows serving living/kitchen areas on the north and south elevations of Residential Building C 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.

12) UNI

Phase 3 - Office Building and Dance Building

79) During the construction of the Phase 3 Office and Dance Buildings sheet piling methods are not permitted.

Reason: As the Environmental Statement did not contain an assessment of the noise and vibration impacts of sheet piling. Any future written request by the applicant to use sheet piling methods would need to be accompanied by an updated construction noise and vibration chapter of the Environmental Statement, and to comply with policies SU9 and SU10 of the Brighton & Hove Local Plan.

13) UNI

80) No development of the Phase 3 Office and Dance Buildings 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 Phase 3 Office and Dance Buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2, QD4 and HE6 of the Brighton & Hove Local Plan.

14) UNI

81) No development of the Phase 3 Office and Dance Buildings shall take place until samples of materials for all external windows and doors of the Phase 3 Office and Dance Buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2, QD4 and HE6 of the Brighton & Hove Local Plan.

15) UNI

82) No development of the Phase 3 Office and Dance Buildings shall take place until a scheme for the storage of refuse and recycling for the Phase 3 Office and Dance Buildings 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 Phase 3 buildings 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.

16) UNI

83) (i) No development the Phase 3 Office and Dance Buildings shall take place until there has been submitted to and approved in writing by the Local Planning Authority: (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 all be confirmed in writing).

(a) A desk top study documenting all the previous and existing land uses of the Phase 3 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 Phase 3 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 Phase 3 Office and Dance Buildings 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 (i)c that any remediation scheme required and approved under the provisions of (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation).

Unless otherwise agreed in writing by the local planning authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photogra

17) UNI

84) No development of the Phase 3 Office and Dance Buildings shall be commenced unless and until a scheme for the provision of surface water drainage for the Phase 3 site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and a maintenance programme for the sustainable urban drainage systems. The scheme shall be implemented fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such thereafter.

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

18) UNI

85) No development of the Phase 3 Office and Dance Buildings shall take place until details of cycle parking facilities for the occupants of, and visitors to, the Phase 3 site 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 Phase 3 Residential Buildings 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.

19) UNI

86) Unless otherwise agreed in writing, no development of the Phase 3 Office Building shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that the Phase 3 Office Building has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

20) UNI

87) Unless otherwise agreed in writing, no development of the Phase 3 Dance Building shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that Phase 3 Dance Building has achieved the relevant minimum BREEAM rating of 60% in energy and water sections of the relevant BREEAM assessment within overall 'Excellent' for the Phase 3 Dance Building 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.

21) UNI

88) No development of the Phase 3 Office and Dance Buildings shall take place until a written Site Waste Management Plan for the Phase 3 site, confirming how 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 Plan shall be implemented in strict accordance with the approved details.

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

22) UNI

89) No development shall take place above the ground floor slab level of the Phase 3 Office and Dance Buildings, until 1:20 scale elevations and sections of the ground floor shop fronts and entrances on the Office Building and the ground floor elevations of the Dance Building have been submitted to and approved in writing with the Local Planning Authority. The development shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

23) UNI

90) No development shall take place above the ground floor slab level of the Phase 3 Office and Dance Buildings until sample 1:20 elevations and sections of the elevations which include each window type have been submitted to and approved in writing with the Local Planning Authority.

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

24) UNI

91) No development shall take place above the ground floor slab level of the Phase 3 Office until a wind mitigation scheme for ground floor entrance located at the corner of the building at the junction of Kingswood Street and Circus Street, and which serves the retail A1 unit, has been submitted to and approved in writing with the Local Planning Authority. The scheme shall be implemented entirely in accordance with the approved details and 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.

25) UNI

92) No development shall take place above the ground floor slab level of the Phase 3 Dance Building until sample 1:20 elevations and sections of the external fire escape stairs have been submitted to and approved in writing with the Local Planning Authority.

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

26) UNI

93) (i) No development above first floor slab level of the Phase 3 Office and Dance Buildings shall take place until details of the external lighting of the Phase 3 site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (2011,) for zone E, or similar guidance recognised by the council.

(ii) Prior to occupation of the Phase 3 Office and Dance Buildings, the predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels agreed in part (i) are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in part (i).

(iii) The approved installation shall be maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

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

27) UNI

94) No development above first floor slab level of the Phase 3 Office and Dance Buildings shall commence until a scheme for nature conservation enhancement on the Phase 3 site has been submitted to and approved by the Local Planning Authority. This shall include the number and locations of bird and bat boxes to be erected and details of any artificial external lighting. The scheme shall be fully implemented in accordance with the approved details and 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.

28) UNI

95) No development above first floor slab level of the Phase 3 Office and Dance Buildings until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping for the Phase 3 site including the public events square, which shall include hard surfacing, boundary treatments, steps, walls and seating areas, planting of the development, together with measures for their protection in the course of development.

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

29) UNI

96) Prior to any ground floor units of the Phase 3 Office Building being first brought into A3 use a scheme for the fitting of odour control equipment to the ground floor units of the Phase 3 Office Building along with a scheme for the sound insulation of such equipment shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of any A3 unit and shall thereafter be retained as such.

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.

30) UNI

97) Prior to first occupation of the Phase 3 Office and Dance Buildings a scheme outlining how noise associated with external plant and machinery incorporated into the Phase 3 site shall be controlled shall be submitted to and approved in writing by the Local Planning Authority. A target Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall be 10dB (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. In addition, there should be no significant low frequency tones present. Calculations to show that the target level shall be achieved shall be submitted with the scheme. The scheme shall be installed in accordance with the approved details prior to the first occupation of the Office and Dance Buildings 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.

31) UNI

98) Unless otherwise agreed in writing with the Local Planning Authority, none of the Phase 3 Dance Building hereby approved shall be occupied until a relevant BREEAM 2011 New Construction Building Research Establishment issued Post Construction Review Certificate confirming that the Phase 3 Dance Building as built has achieved a relevant minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

32) UNI

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.

33) 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
Demolition Plan			8 December 2014
Phasing Plan			8 December 2014
Site Location Plan	E 001		4 October 2013
Block Plan	E 100		4 October 2013
East - West Section	E 200		4 October 2013
Circus Street Elevation	E 300		4 October 2013
Morley Street Elevation	E 301		4 October 2013
Kingswood Street Elevation	E 302		4 October 2013
Circus Street Looking West	E 303		4 October 2013
Morley Street Looking North	E 304		4 October 2013
Kingswood Street Looking South	E305		4 October 2013
Site Location Plan	M001		
Residential Building A - Ground floor plan	R (A) 100	a	25 July 2014
Residential Building A -first to sixth floor plan	R (A) 102	a	25 July 2014
Residential Building A -seventh floor plan	R (A) 103	a	25 July 2014
Residential Building A -eighth floor plan	R (A) 104	a	25 July 2014
Residential Building A -ninth floor plan	R (A) 105	a	25 July 2014
Residential Building A - East - West Section	R(A) 200	a	25 July 2014
Residential Building A - West Elevation	R(A) 300	a	25 July 2014
Residential Building A -North Elevation	R(A) 301	a	25 July 2014

Residential Building A -East Elevation	R(A) 302	a	25 July 2014
Residential Building A -South Elevation	R(A) 303	a	25 July 2014
Residential Building A - Elevation Study	R(A) 400	a	25 July 2014
Residential Building A -Elevation Study	R(A) 401	a	25 July 2014

34) UNI

Plan Type	Reference	Version	Date Received
Residential Building B - Ground Floor Plan	R(B) 100	a	25 July 2014
Residential Building B -First -Fifth Floor Plan	R(B) 101	a	25 July 2014
Residential Building B -Sixth Floor Plan	R(B) 102	a	25 July 2014
Residential Building B -Seventh Floor Plan	R(B) 103	a	25 July 2014
Residential Building B - Roof Plan	R(B) 104	a	25 July 2014
Residential Building B - East - West Section	R(B) 200	a	25 July 2014
Residential Building B -West Elevation	R(B) 300	a	25 July 2014
Residential Building B -North Elevation	R(B) 301	a	25 July 2014
Residential Building B -East Elevation	R(B) 302	a	25 July 2014
Residential Building B -South Elevation	R(B) 303		
		a	25 July 2014
Residential Building B -Elevation Study	R(B) 400	a	25 July 2014
Residential Building C - Ground Floor Plan	R(C) 100	a	25 July 2014
Residential Building C -First -Fifth Floor Plan	R(C) 101	a	25 July 2014
Residential Building C -Roof Plan	R(C) 102	a	25 July 2014
Residential Building C - North South Section	R(C) 200	a	25 July 2014
Residential Building C - South Elevation	R(C) 300	a	25 July 2014
Residential Building C - West Elevation	R(C) 301	a	25 July 2014
Residential Building C - North Elevation	R(C) 302	a	25 July 2014
Residential Building C - East Elevation	R(C) 303	a	25 July 2014
Residential Building D - Ground Floor Plan	R(D) 100	a	25 July 2014

35) UNI

Plan Type	Reference	Version	Date Received
Residential Building D -Roof Plan	R(D) 102	a	25 July 2014
Residential Building D -East - West Section	R(D) 200	a	25 July 2014
Residential Building D -West Elevation	R(D) 300	a	25 July 2014
Residential Building D -North Elevation	R(D) 301	a	25 July 2014
Residential Building D -East Elevation	R(D) 302	a	25 July 2014
Residential Building D -South Elevation	R(D) 303	a	25 July 2014
Residential Building D -Elevation Study	R(D) 400		25 July 2014
Student Housing E & G Diagrammatic Masterplan	S 001	a	25 July 2014
Student Housing E & G Ground Floor Plan	S (E G)100	a	25 July 2014
Student Housing E & G First - Fifth Floor Plan	S (E G)101	a	25 July 2014
Student Housing E & G Seventh-Eighth Floor Plan	S (E G)102	a	25 July 2014
Student Housing E & G Roof	S (E G) 103	a	25 July 2014
Student Housing E & G East - West Section	S (E G) 200	a	25 July 2014
Student Housing E & G West Elevation	S (E G) 300	a	25 July 2014
Student Housing E & G North Elevation	S (E G) 301	a	25 July 2014
Student Housing E & G East Elevation	S (E G) 302	a	25 July 2014
Student Housing E & G South Elevation	S (E G) 303	a	25 July 2014
Student Housing E & G Elevation Study	S (E G) 400	a	25 July 2014
Student Housing F First Floor Plan	S (F) 100	a	25 July 2014
Student Housing F Second to Sixth Floor Plan	S (F) 101	a	25 July 2014

36) UNI

99) Unless otherwise agreed in writing with the Local Planning Authority, none of the Phase 3 Office Building hereby approved shall be occupied until a relevant BREEAM 2011 New Construction Building Research Establishment issued Post Construction Review Certificate confirming that the Phase 3 Office Building as built has achieved a relevant minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

37) UNI

100) No work shall take place above the first floor slab level of the Phase 3 Office and Dance Buildings, until details of the final design and location of the proposed Photo Voltaic panels to be installed on the roof of the Phase 3 Buildings hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The Phase 3 development shall then be carried out in accordance with the approved details.

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

38) UNI

101) No work shall take place above the first floor slab level of the Phase 3 Dance Building, until details of the construction of the green roofs of the Phase 3 Dance Building have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement and the seed mix and maintenance details. The scheme shall then be carried out in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

39) UNI

102) No work shall take place above the first floor slab level of the Phase 3 Office Building, until details of the construction of the green walling to the Phase 3 Office Building has been submitted to and approved in writing by the Local Planning Authority. The details shall include the timescale for implementation, maintenance programme and irrigation programme, substrate and infrastructure to be used and plant species. The scheme shall then be carried out in accordance with the approved details within 6 months of first occupation of the Phase 3 Office Building.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

40) UNI

103) Prior to any individual ground floor unit of the Phase 3 Office Building being first brought into A3 use a scheme for the fitting of odour control equipment to that individual ground floor unit along with a scheme for the sound insulation of such equipment shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of any individual ground floor unit for A3 use and shall thereafter be retained as such.

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.

41) UNI

104) No servicing of the commercial Phase 3 Office and Dance Buildings (i.e. deliveries to or from the premises and refuse collection) shall occur except between the hours of 08.00 and 20.00 Monday to Saturdays and no servicing on Sundays and Bank Holidays.

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

42) UNI

105) If, during development of the Phase 3 Office and Dance Buildings, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained

written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants. The development shall be carried out in accordance with the approved details.

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.

43) UNI

106) All planting, seeding or turfing comprised in the approved scheme of landscaping in Phase 3 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.

44) UNI

Plan Type	Reference	Version	Date Received
Student Housing F Seventh to Eight Floor Plan	S (F) 102	a	25 July 2014
Student Housing F Roof Plan	S (F) 103	a	25 July 2014
Student Housing F East - West Section	S (F) 200	a	25 July 2014
Student Housing F West Elevation	S (F) 300	a	25 July 2014
Student Housing F North Elevation	S (F) 301	a	25 July 2014
Student Housing F East Elevation	S (F) 302	a	25 July 2014
Student Housing F South Elevation	S (F) 303	a	25 July 2014
Student Housing H Ground Floor Plan	S (H) 100	a	25 July 2014
Student Housing H First Floor Plan	S (H) 101	a	25 July 2014
Student Housing H Second - Sixth Floor Plan	S (H) 102	a	25 July 2014
Student Housing H Seventh - Eleventh Floor Plan	S (H) 103	a	25 July 2014
Student Housing H Twelfth Floor Plan	S (H) 104	a	25 July 2014
Student Housing H Roof Plan	S (H) 105	a	25 July 2014
Student Housing H East - West Section	S (H) 200	a	25 July 2014
Student Housing H West Elevation	S (H) 300	a	25 July 2014
Student Housing H North Elevation	S (H) 301	a	25 July 2014
Student Housing H East Elevation	S (H) 302	a	25 July 2014

Student Housing H South Elevation	S (H) 303	a	25 July 2014
Student Housing H Elevation Study	S (H) 400	a	25 July 2014
Office Diagrammatic Masterplan	O 001	a	25 July 2014
Office Ground Floor Plan	O 100	a	25 July 2014
Office First Floor Plan	O 101	a	25 July 2014
Office Second Floor Plan	O 102	a	25 July 2014
Office Third Floor Plan	O 103	a	25 July 2014
Office Fourth Floor Plan	O 104	a	25 July 2014
Office Fifth Floor Plan	O 105	a	25 July 2014
Office Sixth Floor Plan	O 106	a	25 July 2014
Office Roof Plan	O 107	a	25 July 2014

45) UNI

Plan Type	Reference	Version	Date Received
Office East - West Section	O 200	a	25 July 2014
Office North-South Section	O 202	a	25 July 2014
Office East Elevation	O 303	a	25 July 2014
Office South Elevation	O 300	a	25 July 2014
Office West Elevation	O 301	a	25 July 2014
Office North Elevation	O 302	a	25 July 2014
Office East Elevation O 303 a 25 July 2014			
The U of B Academic Building - Diagrammatic Masterplan	UOB 001	a	25 July 2014
The U of B Academic Building - Lower Ground Floor Plan	UOB 100	a	25 July 2014
The U of B Academic Building -Ground Floor Plan	UOB 101	a	25 July 2014
The U of B Academic Building -First Floor Plan	UOB 102	a	25 July 2014
The U of B Academic Building -Second Floor Plan	UOB 103	a	25 July 2014
The U of B Academic Building -Third Floor Plan	UOB 104	a	25 July 2014
The U of B Academic Building -Fourth Floor Plan	UOB 105	a	25 July 2014
The U of B Academic Building -Fifth Floor Plan	UOB 106	a	25 July 2014
The U of B Academic Building -Mezzanine Floor Plan	UOB 107	a	25 July 2014
The U of B Academic Building -Roof Plan	UOB 108	a	25 July 2014
The U of B Academic Building - East- West Section	UOB 200	a	25 July 2014
The U of B Academic	UOB 201	a	25 July 2014

Building - North-South Section			
The U of B Academic Building -			
South Elevation	UOB 300	a	25 July 2014
The U of B Academic Building -			
West Elevation	UOB 301	a	25 July 2014

46) UNI

Plan Type	Reference	Version	Date Received
The U of B Academic Building -			
North Elevation	UOB 302	a	25 July 2014
The U of B Academic Building -			
East Elevation	UOB 303	a	25 July 2014
The U of B Academic Building -			
Elevation Study	UOB 400	a	25 July 2014
The Dance Studio Diagrammatic Masterplan	DS001	a	25 July 2014
The Dance Studio Ground Floor Plan	DS 100	a	25 July 2014
The Dance Studio First Floor Plan	DS 101	a	25 July 2014
The Dance Studio Second Floor Plan	DS 102	a	25 July 2014
The Dance Studio Mezzanine Floor Plan	DS 103	a	25 July 2014
The Dance Studio Roof Plan	DS 104	a	25 July 2014
The Dance Studio North-South Section	DS 200	a	25 July 2014
The Dance Studio East-West Section	DS 201	a	25 July 2014
The Dance Studio East Elevation	DS 300	a	25 July 2014
The Dance Studio South Elevation	DS 301	a	25 July 2014
The Dance Studio West Elevation	DS 302	a	25 July 2014
The Dance Studio North Elevation	DS 303	a	25 July 2014
The Dance Studio Elevation Study	DS 400	a	25 July 2014
Diagrammatic Masterplan	M 001	a	25 July 2014
Ground Floor Masterplan	M 100	a	25 July 2014
First Floor Masterplan	M 101	a	25 July 2014
Second Floor Masterplan	M 102	a	25 July 2014
Third Floor Masterplan	M 103	a	25 July 2014
Fourth Floor Masterplan	M 104	a	25 July 2014
Fifth Floor Masterplan	M 105	a	25 July 2014

Sixth Floor Masterplan	M 106	a	25 July 2014
Seventh Floor Masterplan	M 107	a	25 July 2014
Eighth Floor Masterplan	M 108	a	25 July 2014
Ninth Floor Masterplan	M 109	a	25 July 2014
Tenth Floor Masterplan	M 110	a	25 July 2014
Eleventh Floor Masterplan	M 111	a	25 July 2014
Twelfth Floor Masterplan	M 112	a	25 July 2014
Eleventh Floor Masterplan	M 111	a	25 July 2014
Diagrammatic Roof Masterplan	M114	a	25 July 2014
Roof Masterplan	M115	a	25 July 2014
Circus Street Elevation	M 300	a	25 July 2014
Morley Street Elevation	M 301	a	25 July 2014
Carlton Row Elevation	M 302	a	25 July 2014
Kingswood Street Elevation	M 303	a	25 July 2014

47) UNI

Plan Type	Reference	Version	Date Received
Section A A	M 200	a	25 July 2014
Section B B	M 201	a	25 July 2014
Section C C	M 202	a	25 July 2014
Section D D	M 203	a	25 July 2014
Section E E	M 204	a	25 July 2014
Section F F	M 205	a	25 July 2014
Section G G	M 206	a	25 July 2014
Ground Floor Use Classes	M002		15 September 2014

48) UNI

107) The Phase 3 Dance Studio shall only be used for D2 dance studio provision only with ancillary B1 office accommodation and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and the aspirations for the City with regard to a South East Dance regional centre and to comply with policies HO20 and QD27 of the Brighton & Hove Local Plan.

49) UNI

108) The Phase 3 Dance Building and Office Building shall not be occupied until the Archaeological Site Investigation and Post Investigation Assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 8, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the provision for analysis, publication and dissemination of results and archive deposition has been secured.

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

50) UNI

109) The Dance Building shall not be operational except between the hours of 07:00 to 23:00.

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

51) UNI

3) Should the Phase 3 Dance Building not be completed to shell and core and the office not be completed to at least first floor level, no more than 75% of the market housing shall be occupied until viability assessment which assesses, at that date, the maximum level of commuted sums and the maximum number of affordable housing units that the proposed development could provide whilst remaining viable together with a scheme ("the reassessed scheme") of affordable housing provision based on that viability assessment shall be submitted to the Local Planning Authority for its written approval. The reassessed scheme as submitted for approval shall include details of:

- i. the numbers, type, tenure mix and location on the site of the affordable housing provision to be made;
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iv. the arrangements to ensure that the affordable housing remains as affordable housing for both first and subsequent occupiers of the affordable housing.
- v. occupancy criteria

The affordable housing shall be provided in accordance with the approved reassessed scheme.

Reason: To ensure the provision and retention of an appropriate amount of affordable housing and to secure an appropriate level of commuted sums in accordance with policies QD28 and HO2 of the Brighton & Hove Local Plan.

52) UNI

Demolition Phase

4) No demolition shall take place until a written Site Waste Management Plan for the demolition phase, confirming how demolition 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 Plan shall be implemented in strict accordance with the approved details.

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

53) UNI

5 (i) No demolition shall take place until there has been submitted to and approved in writing by the local planning authority: (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 all be confirmed in writing).

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

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top

study in accordance with BS10175; and, unless otherwise agreed in writing by the local planning authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the buildings are demolished 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 (i)c that any remediation scheme required and approved under the provisions of (i)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating t

54) UNI

6) If, during demolition of the buildings, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants. The development shall be carried out in accordance with the approved details.

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.

55) UNI

7) Unless otherwise agreed in writing the demolition shall be carried out in accordance with the bird nesting mitigation details contained within section 5.12 to Preliminary Ecological Appraisals and Bat Roost Assessment (2.9 of Environmental Statement Volume 4B) which was received on the 4 October 2013.

Reason: To ensure that mitigation for nesting birds is carried out and to comply with policy QD18 of the Brighton & Hove Local Plan.

56) UNI

8) No demolition shall take place until the developer has secured the implementation of a programme of below ground 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 demolition and works associated with Phase 1, Phase 2 and Phase 3 shall be carried out entirely in accordance with the approved written scheme.

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

57) UNI

9) Prior to any demolition occurring of the Victorian University of Brighton Building, this building shall be subject to a scheme of photographic recording in accordance with the English Heritage guidance on recording as set out in the publication 'Understanding Historic Buildings, a guide to good recording practice', or any subsequent guidance which replaces this document. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition of the Victorian University of Brighton Building taking place.

Reason: To ensure that Victorian University of Brighton Building is recorded historically and to comply with policy HE10 of the Brighton & Hove Local Plan.

58) UNI

Phase 1 - Student Accommodation Buildings and the Library/Academic Building
10) During the construction of the Stage 1 Student Accommodation Buildings and Library/Academic Building sheet piling methods are not permitted.

Reason: As the Environmental Statement did not contain an assessment of the noise and vibration impacts of sheet piling. Any future written request by the applicant to use sheet piling methods would need to be accompanied by an updated construction noise and vibration chapter of the Environmental Statement, and to comply with policies SU9 and SU10 of the Brighton & Hove Local Plan.

59) UNI

11) No development of the Phase 1 Student Accommodation Buildings or the Library/Academic Building 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 Phase 1 Buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2, QD4 and HE6 of the Brighton & Hove Local Plan.

60) UNI

12) No development of the Phase 1 Student Accommodation Buildings or the Library/Academic Building shall take place until samples of materials for all external windows and doors of the Phase 1 buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2, QD4 and HE6 of the Brighton & Hove Local Plan.

61) UNI

13) No development of the Phase 1 Student Accommodation Buildings or the Library/Academic Building shall take place until a feasibility scheme for a rainwater recycling system has been submitted to and approved in writing with the Local Planning Authority. If the feasibility study identifies that any rainwater recycling systems are feasible then these will be fully implemented fully in accordance with the study prior to first occupation of the Phase 1 Student Accommodation Buildings and the Library/Academic Building.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policies SU2 and SU15 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

62) UNI

14) No development of the Phase 1 Student Accommodation Buildings or the Library/Academic Building shall take place until a scheme for the storage of refuse and recycling for the Phase 1 buildings 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 Phase 1 buildings 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.

63) UNI

15) (i) No development of the Phase 1 Student Accommodation Buildings and Library/Academic Building shall take place until there has been submitted to and approved in writing by the local planning authority: (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 all be confirmed in writing).

(a) A desk top study documenting all the previous and existing land uses of the

Phase 1 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 Phase 1 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 Phase 1 Student Accommodation Buildings and the Library/Academic Building 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 (i)c that any remediation scheme required and approved under the provisions of

(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

64) UNI

16) No development of Phase 1 Student Accommodation Buildings or the Library/Academic Building shall be commenced unless and until a scheme for the provision of surface water drainage for the Phase 1 site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and a maintenance programme for the sustainable urban drainage systems. The scheme shall be implemented fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such thereafter.

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

65) UNI

17) No development of the Phase 1 Student Accommodation or the Academic Building shall take place until details of 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 Phase 1 Student Buildings Accommodation and Library/Academic Building 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.

66) UNI

18) Unless otherwise agreed in writing, no development of the Phase 1 Student Accommodation Buildings shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that the Phase 1 Student Accommodation Buildings has achieved a minimum BREEAM 2011 New Construction Multi-residential rating of 60% in energy and water sections of relevant BREEAM Multi-residential assessment within overall 'Excellent' for the Phase 1 Student Residential Buildings 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.

67) UNI

19) Unless otherwise agreed in writing, no development of the Phase 1 Library/Academic Building shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that the Phase 1 Library/Academic Building has achieved a minimum BREEAM 2011 New Construction Education rating of 60% in energy and water sections of BREEAM Education assessment within overall 'Excellent' for the Phase 1 Library/Academic Building 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.

68) UNI

20) No development of the Phase 1 Library/Academic Building shall take place until a scheme for the fitting of odour control equipment and soundproofing of such equipment for the café use at the lower ground floor 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 Phase 1 Library/Academic Building and shall thereafter be retained as such.

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.

69) UNI

21) No development of the Phase 1 Student Accommodation Buildings and Library/Academic Building shall take place until a written Site Waste Management Plan for the Phase 1 site, confirming how 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 Plan shall be implemented in strict accordance with the approved details.

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

70) UNI

22) No development shall take place above the ground floor slab level of the Phase 1 Student Accommodation Building G or H, until 1:20 scale elevations and sections of the ground floor shop fronts have been submitted to and approved in writing with the Local Planning Authority. The development shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

71) UNI

23) No development shall take place above the ground floor slab level of any of the Phase 1 Student Accommodation Buildings or Academic and Library Buildings until sample 1:20 elevations and sections of the elevations which include each window type and entrances have been submitted to and approved in writing with the Local Planning Authority.

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

72) UNI

24) All windows on the east facing elevation of the Library/Academic Building, shall not be glazed otherwise than with obscured glass, and fixed shut and thereafter permanently retained as such.

Reason: To safeguard the privacy of adjacent residents and to comply with policies QD27 of the Brighton & Hove Local Plan.

73) UNI

25) No development of the Student Accommodation Buildings above first floor slab level shall take place, until a scheme detailing the obscure glazing sections and method of opening of all windows on the south facing elevation of Student Building E, east and west facing elevations of Student Building F, north, east and south facing elevations of Student Buildings G and H, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the privacy of adjacent and future residents and to comply with policies QD27 of the Brighton & Hove Local Plan.

74) UNI

26) No work shall take place above the first floor slab level of the Phase 1 Library/Academic Building, until details of the construction of the green roof has been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement and the seed mix and maintenance details. The scheme shall then be carried out in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

75) UNI

27) No work shall take place above the first floor slab level of any of the Phase 1 Student Accommodation Buildings, until details of the construction of the green roofs to the Student Accommodation Buildings have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement and the seed mix and maintenance details. The scheme shall then be carried out in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

76) UNI

28) No work shall take place above the first floor slab level of the first floor level of the Library/Academic Building or Student Accommodation Buildings, until details of the final design and location of the proposed Photo Voltaic panels to be installed on the roof of the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The Phase 1 development shall then be carried out in accordance with the approved details.

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

77) UNI

29) (i) No development above first floor slab level of the Phase 1 Student Accommodation Buildings and Library/Academic Building shall take place until details of the external lighting of the Phase 1 site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (2011,) for zone E, or similar guidance recognised by the council.

(ii) Prior to occupation of the Phase 1 Student Accommodation Buildings and Library/Academic Building, the predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels agreed in part (i) are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in part (i).

(iii) The approved installation shall be maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

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.

78) UNI

30) No development above first floor slab level of the Phase 1 Student Accommodation Buildings or the Library/Academic Building shall commence until a scheme for nature conservation enhancement for the Phase 1 site has been submitted to and approved by the Local Planning Authority. This shall include the number and locations of bird and bat boxes to be erected and details of any artificial external lighting. The scheme shall be fully implemented in accordance with the approved details and 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.

79) UNI

31) No development above first floor slab level of the Phase 1 Student Accommodation Buildings or the Library Academic Building until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping for the Phase 1 site including the areas described as 'The Glen' and 'Woodland Edge' which shall include edible landscaping/food growing, hard surfacing, boundary treatments, gates to the car park, steps, walls and seating areas, planting of the development, together with measures for their protection in the course of development, and details of the green walling to include the timescale for implementation, maintenance programme and irrigation programme, substrate and infrastructure to be used and plant species.

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.

80) UNI

32) Post completion of the Phase 1 Student Accommodation Buildings, but prior to occupation of the Phase 1 Student Accommodation Buildings, an additional noise survey and report shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate how the Stage 1 Student Accommodation Buildings at all storeys and facades have been glazed and ventilated so that the noise levels internally at the Phase 1 Student Residential Buildings comply with the levels in British Standard 8233:2014. If the additional noise survey and report shows that the levels in the British Standard 8233:2014 are not met then an additional report detailing the mitigation measures to be installed including a further test carried out to demonstrate compliance with the levels in the British Standard 8233:2014 shall be submitted to and approved in writing prior to first occupation of the Phase 1 Student Residential Buildings.

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

81) UNI

33) Post completion of the Phase 1 Student Accommodation Buildings, but prior to occupation of the Phase 1 Student Accommodation Buildings, an additional noise survey and report shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate that noise levels from the lifts

assessed internally for rooms within the Stage 1 Student Accommodation Buildings comply with the levels in British Standard 8233:2014. If the additional noise survey and report shows that the levels in the British Standard 8233:2014 are not met then an additional report detailing the mitigation measures to be installed including a further test carried out to demonstrate compliance with the levels in the British Standard 8233:2014 shall be submitted to and approved in writing prior to first occupation of the Phase 1 Student Residential Buildings.

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

82) UNI

34) Post completion of the Phase 1 Student Accommodation Buildings, but prior to occupation of the Phase 1 Student Accommodation Buildings, an additional noise survey and report shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate that the Party Walls/Floors between the plant rooms/substations/bin stores/car park and student residential areas has achieved an airborne sound insulation value of 5dB better than that specified in Approved Document E of the Building Regulations.

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

83) UNI

35) Post completion of the Phase 1 Student Accommodation Buildings, but prior to occupation of the Phase 1 Student Accommodation Buildings, an additional noise survey and report shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate that the Party Walls/Floors between the commercial units and student residential areas has achieved an airborne sound insulation value of 5dB better than that specified in Approved Document E of the Building Regulations.

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

84) UNI

36) Prior to any individual ground floor unit of the Phase 1 Student Accommodation Buildings being first brought into A3 use a scheme for the fitting of odour control equipment to that individual ground floor unit along with a scheme for the sound insulation of such equipment shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of any individual ground floor unit for A3 use and shall thereafter be retained as such.

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.

85) UNI

37) Prior to first occupation of the Student Accommodation Buildings and Library/Academic Building a scheme outlining how noise associated with external plant and machinery incorporated into the development shall be controlled shall be submitted to and approved in writing by the Local Planning Authority. A target Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall be 10dB (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. In addition, there should be no significant low frequency tones present. Calculations to show that the target level shall be achieved shall be submitted with the scheme. The scheme shall be installed in accordance with the approved details prior to the first occupation of the Student Accommodation Buildings and Library/Academic Building 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.

86) UNI

38) The Phase 1 Library/Academic Building shall only be used for D1 library/education/exhibition provision only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and the education aspirations for the City and to comply with policies HO20 and QD27 of the Brighton & Hove Local Plan.

87) UNI

39) Unless otherwise agreed in writing with the Local Planning Authority, none of the Phase 1 Student Accommodation Buildings hereby approved shall be occupied until a BREEAM 2011 New Construction Multi-Residential Building Research Establishment issued Post Construction Review Certificate confirming that the Phase 1 Student Accommodation Buildings has achieved a minimum BREEAM Multi-Residential rating of 60% in energy and water sections of relevant BREEAM Multi-Residential 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.

88) UNI

40) Unless otherwise agreed in writing with the Local Planning Authority, none of the Phase 1 Library/Academic Building hereby approved shall be occupied until a BREEAM 2011 New Construction Education Building Research Establishment issued Post Construction Review Certificate confirming that the Phase 1 Library/Academic Building as built has achieved a minimum BREEAM Education rating of 60% in energy and water sections of relevant BREEAM Education 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.

89) UNI

41) No servicing of the Phase 1 Student Accommodation Buildings, including ground floor uses, or Academic/Library Building (i.e. deliveries to or from the premises and refuse collection) shall occur except between the hours of 08.00 and 20.00 Monday to Saturdays and no servicing on Sundays and Bank Holidays.

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

90) UNI

42) If, during development of the Phase 1 Student Accommodation Buildings or the Academic/Library Building, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants. The development shall be carried out in accordance with the approved details.

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.

91) UNI

43) All planting, seeding or turfing comprised in the approved scheme of landscaping in Phase 1 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.

92) UNI

44) There shall be no public access (including staff and students) to the roof terrace on Student Building H or the roof terrace on the Library/Academic Building until a Roof Level Wind Assessment, which shall also include any necessary mitigation measures, has been submitted to and approved in writing with the Local Planning Authority. If mitigation measures are necessary they shall be implemented fully in accordance with the approved details prior to any public use of the roof terrace areas on the Student Accommodation Building H or on the Library/Academic Building. The mitigation measures shall be retained as such thereafter.

Reason: As the Environmental Statement does not contain an assessment of the wind conditions of these roof terraces and therefore mitigation may be needed if they are to be utilised as an amenity area, and to comply with policy QD2 of the Brighton & Hove Local Plan.

93) UNI

45) The ground floor A3 units in Phase 1 shall not be operational except between the hours of on 08:00 to 23:30 and the ground floor A1 units shall not be operational except between the hours of 07:00 to 23:00.

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

94) UNI

46) Unless otherwise agreed in writing, within the undercroft car park a minimum of 10 disabled parking spaces shall be provided for the Phase 2 residential uses and a minimum of 6 disabled parking spaces shall be provided for the Phase 3 office use.

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

95) UNI

Phase 2 Residential Buildings

47) The Phase 2 Residential Development shall not commence until a scheme for the details of the provision of Affordable Housing for at least 20% of the residential units hereby approved as part of the development, has been submitted to and approved in writing by the Local Planning Authority. Save where Condition 3 applies, the affordable housing shall be provided in accordance with the approved scheme which shall include:

- i. the numbers, type, tenure mix and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iv. the arrangements to ensure that the affordable housing remains as affordable housing for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria shall be agreed by Brighton & Hove City Council Housing Team and for the purposes of this condition 'affordable housing' has the meaning ascribed to it by the National Planning Policy Framework.

Reason: To ensure the provision and retention of an appropriate amount of affordable housing in accordance with policy HO2 of the Brighton & Hove Local Plan.

96) UNI

48) During the construction of the Phase 2 Residential Buildings sheet piling methods are not permitted.

Reason: As the Environmental Statement did not contain an assessment of the noise and vibration impacts of sheet piling. Any future written request by the applicant to use sheet piling methods would need to be accompanied by an updated construction noise and vibration chapter of the Environmental Statement, and to comply with policies SU9 and SU10 of the Brighton & Hove Local Plan.

97) UNI

49) No above ground development of the Phase 2 Residential Buildings 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 Phase 2 Buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2, QD4 and HE6 of the Brighton & Hove Local Plan.

98) UNI

50) No development of the Phase 2 Residential Buildings shall take place until samples of materials for all external windows and doors of the Phase 2 buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2, QD4 and HE6 of the Brighton & Hove Local Plan.

99) UNI

51) No development of the Phase 2 Residential Buildings shall take place until a scheme for the storage of refuse and recycling for the Phase 2 buildings 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 Phase 2 buildings 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.

100) UNI

52) (i) No development the Phase 2 Residential Buildings shall take place until there has been submitted to and approved in writing by the Local Planning Authority: (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 all be confirmed in writing).

(a) A desk top study documenting all the previous and existing land uses of the Phase 2 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 Phase 2

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 Phase 2 Residential Buildings 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 (i) c that any remediation scheme required and approved under the provisions of (i) c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of t

101) UNI

53) No development of the Phase 2 Residential Buildings shall be commenced unless and until a scheme for the provision of surface water drainage for the Phase 2 site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and a maintenance programme for the sustainable urban drainage systems. The scheme shall be implemented fully in accordance with the approved details and unless otherwise agreed in writing with the Local Planning Authority shall be retained as such thereafter.

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

102) UNI

54) No development of the Phase 2 Residential Buildings shall take place until details of cycle parking facilities for the occupants of, and visitors to, the Phase 2 site 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 Phase 2 Residential Buildings 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.

103) UNI

55) Unless otherwise agreed in writing by the Local Planning Authority, no development of the Phase 2 Residential Buildings 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 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.

104) UNI

56) Unless otherwise agreed in writing, no development of the Phase 2 Buildings shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that the Phase 2 ground floor commercial units have achieved a

minimum BREEAM 2011 New Construction Retail rating of 60% in energy and water sections of relevant BREEAM Retail assessment within overall 'Excellent' for all of the commercial 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.

105) UNI

57) No development of the Phase 2 Residential Buildings shall take place until a written Site Waste Management Plan for Phase 2 site, confirming how 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 Plan shall be implemented in strict accordance with the approved details.

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

106) UNI

58) No development shall take place above the ground floor slab level of the Phase 2 Residential Buildings, until 1:20 scale elevations and sections of the ground floor shop fronts and commercial ground floor frontages have been submitted to and approved in writing with the Local Planning Authority. The development shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

107) UNI

59) No development shall take place above the ground floor slab level of any of the Phase 2 Residential Buildings until sample 1:20 elevations and sections of the elevations which include each window type and entrance have been submitted to and approved in writing with the Local Planning Authority.

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

108) UNI

60) (i) No development above first floor slab level of the Phase 2 Residential Buildings shall take place until details of the external lighting of the Phase 2 site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (2011,) for zone E, or similar guidance recognised by the council.

(ii) Prior to occupation of the Phase 2 Residential Buildings, the predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels agreed in part (i) are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in part (i).

(iii) The approved installation shall be maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to a variation.

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.

109) UNI

61) No development above first floor slab level of the Phase 2 Residential Buildings shall commence until a scheme for nature conservation enhancement on the Phase 2 site has been submitted to and approved by the Local Planning Authority. This shall include the number and locations of bird and bat boxes to be erected and details of any artificial external lighting. The scheme shall be fully implemented in accordance with the approved details and 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.

110) UNI

62) No development above first floor slab level of the Phase 2 Residential Buildings until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping for the Phase 2 site including the areas described as 'Circus Court' which shall include edible landscaping/food growing, hard surfacing, boundary treatments, steps, walls and seating areas, planting of the development, wind mitigation in the form of tree planting, 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.

111) UNI

63) No work shall take place above the first floor slab level of any of the Phase 2 Residential Buildings, until details of the construction of the green roofs for the Phase 2 Residential Buildings have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement and the seed mix and maintenance details. The scheme shall then be carried out in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

112) UNI

64) Post completion of the Phase 2 Residential Buildings, but prior to occupation of the Phase 2 Residential Buildings, an additional noise survey and report shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate how the Phase 2 Residential Buildings at all storeys and facades have been glazed and ventilated so the noise levels internally at Phase 2 Residential Buildings comply with the levels in British Standard 8233:2014. If the additional noise survey and report shows that the levels in the British Standard 8233:2014 are not met then an additional report detailing the mitigation measures to be installed including a further test carried out to demonstrate compliance with the levels in the British Standard 8233:2014 shall be submitted to and approved in writing prior to first occupation of the Phase 2 Residential Buildings.

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

113) UNI

65) Post completion of the Phase 2 Residential Buildings, but prior to occupation of the Phase 2 Residential Buildings, an additional noise survey and report shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate that noise levels from the lifts assessed internally for rooms within the Stage 2 Residential Buildings comply with the levels in British Standard 8233:2014. If the additional noise survey and report shows that the levels in the British Standard 8233:2014 are not met then an additional report detailing the

mitigation measures to be installed including a further test carried out to demonstrate compliance with the levels in the British Standard 8233:2014 shall be submitted to and approved in writing prior to first occupation of the Phase 2 Residential Buildings.

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

114) UNI

66) Post completion of the Phase 2 Residential Buildings, but prior to occupation of the Phase 2 Residential Buildings, an additional noise survey and report shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate that the Party Walls/Floors between the plant rooms/substations/bin stores and residential areas has achieved an airborne sound insulation value of 5dB better than that specified in Approved Document E of the Building Regulations.

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

115) UNI

67) Post completion of the Phase 2 Residential Buildings, but prior to occupation of the Phase 2 Residential Buildings, an additional noise survey and report shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate that the Party Walls/Floors between the commercial units and residential areas has achieved an airborne sound insulation value of 5dB better than that specified in Approved Document E of the Building Regulations.

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

BH2014/03845

Brighton Police Station John Street Brighton

Erection of new glazed main entrance and brise soleil to front elevation. Erection of extension to provide a new core within the existing wings. Erection of elevated deck above existing car park to provide a temporary site compound. Refurbishment works including installation of replacement windows and cladding and associated alterations.

Applicant: The Police and Crime Commissioner for Sussex

Officer: Wayne Nee 292132

Approved on 18/03/15 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.

3) UNI

The temporary elevated deck hereby approved shall be permanently removed by the 1st August 2018 or upon completion of the development hereby approved, whichever is the sooner, and following the removal of the deck the ground level parking spaces shall be restored to their former condition.

Reason: The structure hereby approved is not considered suitable as a permanent form of development and to comply with policies QD1 and QD2 of the Brighton & Hove Local Plan.

4) UNI

Notwithstanding the details shown in the approved drawings, no development

shall commence until details of a revised ramp design, appropriate signage, and full details of the layout of the access routes and parking area on the raised deck, have been submitted to and approved in writing by the Local Planning Authority. The ramp, deck and scheme shall be carried out in accordance with the approved details and shall be retained as such until the deck is removed.

Reason: To ensure the development provides for the operational needs of the development through the construction period and to comply with Local Plan policy TR1, TR19 and SPG4.

5) UNI

No development shall commence until details of disabled car parking provision for the occupants of, and visitors to, the site during construction works, and following the completion of construction works have been submitted to and approved in writing by the Local Planning Authority. The approved disabled parking for the duration of construction works shall be implemented and made available for use at all times within 3 months of works commencing. The approved disabled parking which is proposed to remain following the completion of construction works shall be scheme implemented and made available for use within three months of 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

No development shall take place until a Construction Traffic Management Plan which includes:-

- (a) Details of construction traffic routes to and from the site;
 - (b) A construction programme with forecast vehicle movements;
 - (c) Details of where deliveries will load and unload and delivery vehicle types;
 - (d) A Travel Plan for construction workers;
 - (e) Details of parking provision for construction vehicles / workers and visitors;
- has been submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved Plan shall be enacted for the duration of the construction works.

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

7) UNI

No development shall take place until a scheme of highway works to implement a suitable footway including dropped kerbs and tactile paving at all the sites vehicular access points on Kingswood and William Street has been submitted to and approved in writing by the local planning authority. No parts of the proposed development shall be occupied until the approved highway works have been carried out in accordance with the approved scheme.

Reason: To ensure that there suitable footway provision is provided to and from the development and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.

8) UNI

Plan Type	Reference	Version	Date Received
Existing Site Plan	ES0012-AL-C-LOC-002	TP2	25/11/2014
Existing Lower Basement Plan	ES0012-AL-C-PL-01	TP1	14 November 2014
Existing Upper Basement Plan	ES0012-AL-C-PL-02	TP1	14 November 2014
Existing Ground Floor Plan	ES0012-AL-C-	TP1	14 November 2014

	PL-03		
Existing First Floor Plan	ES0012-AL-C-PL-04	TP1	14 November 2014
Existing Second Floor Plan	ES0012-AL-C-PL-05	TP2	25/11/2014
Existing Third Floor Plan	ES0012-AL-C-PL-06	TP2	25/11/2014
Existing Fourth Floor Plan	ES0012-AL-C-PL-07	TP2	25/11/2014
Existing East Elevation	ES0012-AL-C-EL-01	TP1	14 November 2014
Existing North Elevations	ES0012-AL-C-EL-02	TP1	14 November 2014
Existing West Elevation	ES0012-AL-C-EL-03	TP2	25/11/2014
Existing South Elevation	ES0012-AL-C-EL-04	TP1	14 November 2014
Existing Elevations 05 & 06	ES0012-AL-C-EL-05-06	TP1	14 November 2014
Existing Elevation 07	ES0012-AL-C-EL-07	TP1	14 November 2014
Existing South Elevation	ES0012-AL-C-EL-08	TP1	14 November 2014
Proposed East Elevation (1)	ES0012-AL-C-EL-101	TR2	25/11/2014
Proposed South Elevation (8)	ES0012-AL-C-EL-102	TP2	25/11/2014
Proposed North Elevation (1)	ES0012-AL-C-EL-103	TP2	25/11/2014
Proposed West Elevation (4 & 5)	ES0012-AL-C-EL-104	TP2	25/11/2014
Proposed West Elevation	ES0012-AL-C-EL-104	TP2	20/02/2015
Proposed Lower Basement Floor Plan	ES0012-AL-C-PL-08	TP1	14/11/2014
Proposed Upper Basement Floor Plan	ES0012-AL-C-PL-09	TP2	25/11/2014
Proposed Ground Floor Plan	ES0012-AL-C-PL-10	TP1	14/11/2014
Proposed First Floor Plan	ES0012-AL-C-PL-11	TP1	14/11/2014
Proposed Second Floor Plan	ES0012-AL-C-PL-12	TP2	25/11/2014
Proposed Third Floor Plan	ES0012-AL-C-PL-13	TP2	25/11/2014
P2	ES0012-AL-C-PL-14	TP2	25/11/2014

9) UNI

The hereby approved external cladding shall be implemented in accordance with the sample panels submitted on 7 January 2015.

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

BH2014/03871**1 William Street Brighton**

Replacement of existing aluminum windows, alterations to ramp entrance and other associated alterations.

Applicant: Sussex Police Authority

Officer: Mark Thomas 292336

Approved on 12/03/15 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	ES0012-AL-C-LOC-002	Rev. TP4	8th December 2014
Existing and proposed elevations	ES0012A-AL-C-EL-01	Rev. TP4	26th February 2015
Existing floor plan	ES0012A-AL-C-PL-01	Rev. TP2	12th December 2014
Proposed floor plan	ES0012A-AL-C-PL-02	Rev. TP4	8th December 2014
Window brochure by 'Sapa'	-	-	18th November 2014
Roller shutter detail	3690/PL308	Rev. A	10th March 2015

BH2015/00056**St Lukes Primary School Queens Park Rise Brighton**

Replacement of 8no UPVC windows with timber windows (part retrospective).

Applicant: St Lukes Primary School

Officer: Paul Earp 292454

Approved on 13/03/15 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	327/01	P1	09 January 2015
Block Plan	327/02	P1	09 January 2015
South-west elevation - existing and proposed window elevations and details.	327/03	P1	09 January 2015
South-east elevation - existing and proposed window elevations.	327/04	P1	09 January 2015
Floor plans	327/05	P1	16 January 2015

BH2015/00095**St Lukes Primary School Queens Park Rise Brighton**

Replacement of 8no UPVC windows with timber windows (part retrospective).

Applicant: St Lukes Primary School**Officer:** Paul Earp 292454**Approved on 13/03/15 DELEGATED****1) UNI**

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

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

Plan Type	Reference	Version	Date Received
Site Plan	327/01	P1	12 January 2015
Block Plan	327/02	P1	12 January 2015
South-west elevation - existing and proposed window elevations and details.	327/03	P1	12 January 2015
South-east elevation - existing and proposed window elevations.	327/04	P1	12 January 2015
Floor plans	327/05	P1	16 January 2015

BH2015/00165**35 Park Street Brighton**

Erection of single storey rear extension.

Applicant: Mr Trevor Challenger**Officer:** Luke Austin 294495**Approved on 18/03/15 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
Block and Location Plans	236.100	-	20/01/2015
Existing Floor Plans, Section and Elevations	236.01	-	20/01/2015
Proposed Floor Plans, Section and Elevations	236.03	-	20/01/2015

BH2015/00236**Flat 2 19 Atlingworth Street Brighton**

Internal alterations to layout of flat.

Applicant: Mr & Mrs J Pickering**Officer:** Luke Austin 294495**Approved on 25/03/15 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 details of the new external boiler vent have been submitted to and approved in writing by the Local Planning Authority. The works shall take place in strict accordance with the agreed details.

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

3) UNI

No works shall take place until details of the cupboard to the rear bedroom have been submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the existing window will not be altered and will not be partitioned from the cupboard. The works shall take place in strict accordance with the agreed details.

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

4) UNI

No additional pipes or flues shall be fixed to or penetrate any external elevation of the building; any redundant pipes or flues shall be removed and the masonry made good in materials and finishes to match the surrounding fabric.

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

BH2015/00428

222 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 4.79m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Mr Jonathan Dillon

Officer: Haydon Richardson 292322

Prior Approval is required and is refused on 18/03/15 DELEGATED

ROTTINGDEAN COASTAL

BH2013/03955

32 - 34 Arundel Road Brighton

Demolition of existing shop and flat above and erection of three storey building with basement creating 4no two bedroom maisonettes.

Applicant: Richards Properties

Officer: Sue Dubberley 293817

Refused on 13/03/15 COMMITTEE

1) UNI

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.

2) UNI2

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.

3) UNI3

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.

BH2014/02893

15 Welesmere Road Rottingdean Brighton

Erection of detached four bedroom dwelling with associated landscaping and access.

Applicant: Pam Collings

Officer: Guy Everest 293334

Refused on 24/03/15 DELEGATED

1) UNI

The development, by reason of its siting, footprint and scale, would be out of character with the pattern of surrounding development and would appear an overly prominent and incongruous structure in this backland location. The development would appear unduly prominent in strategic views into and from the adjoining South Downs National Park and would fail to emphasise and enhance the positive qualities and characteristics of the area. The proposal is therefore contrary to policies QD1, QD2, QD4, NC7 and NC8 of the Brighton and Hove Local Plan and this harm outweighs the benefit provided by an additional residential unit.

BH2014/03310

Waldegrave Court Westfield Avenue Saltdean Brighton

Erection of 3no. two bedroom dwellings with associated parking, cycle stores and associated landscaping.

Applicant: Homemakers of Brighton Ltd

Officer: Sue Dubberley 293817

Refused on 26/03/15 DELEGATED

1) UNI

The proposal is considered to be an over intensive use of the site and represents over-development resulting in 'town cramming' and a density of development in excess of what might reasonably be expected to be achieved on this site. The development would consequently be out of keeping with the prevailing character of the area. This harm is therefore considered to outweigh the benefit provided by the additional dwellings. The proposal is thereby contrary to policies QD1, QD2, QD3, QD27 and HO5 of the Brighton & Hove Local Plan.

2) UNI2

The design is not considered acceptable in urban design terms and it is considered that a more contextual approach is required. The redevelopment with the garages remaining in situ is not considered to be an appropriate urban design solution to the site. The development would be contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

3) UNI3

The proposed development would result in an unacceptable increase in height and mass, particularly on the side northern boundary, which would be unneighbourly, overbearing and result in an increased sense of enclosure, and

loss of outlook for neighbouring occupiers which adjoin the site. The proposed development is thereby contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/03401

East Brighton Golf Club Roedean Road Brighton

Certificate of lawfulness for proposed conversion of existing 2no bedroom self-contained flat into 4 no bedrooms with en suite facilities.

Applicant: Robert Claxton
Officer: Guy Everest 293334
Approved on 20/03/15 DELEGATED

BH2014/03814

Highbury House Steyning Road Rottingdean Brighton

Conversion of existing store room into an additional bedroom with revised fenestration.

Applicant: South Care Homes T/A Highbury House Nursing Home
Officer: Robert Hermitage 290480
Approved on 12/03/15 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
Block Plan	-	-	11th November 2014
Existing Ground Floor Plan	2386/1001	-	11th November 2014
Existing First Floor Plan	2386/1002	-	11th November 2014
Existing Elevations	2386/1003	-	11th November 2014
Proposed Ground Floor Plans	2386/2001	-	11th November 2014
Proposed Elevations	2386/2002	-	11th November 2014

BH2014/03877

Unit 2 Boardwalk Level Waterfront Brighton Marina Brighton

Subdivision of existing restaurant unit (A3) into two restaurant units (A3) with associated alterations including installation of new shop front and creation of outdoor seating area with a steel and glazed balustrade.

Applicant: Land Securities
Officer: Adrian Smith 290478
Approved on 17/03/15 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 Class A3 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), units 2A & 2B as detailed on the submitted plans shall be used as restaurants only and not as a public house or bar. No intoxicating liquor shall be sold or supplied except to persons taking meals on the premises and seated at tables. Meals means food cooked or prepared and purchased on the premises.

Reason: In the interests of residential amenity in accordance with policy QD27 of the Brighton and Hove Local Plan.

3) UNI

The Class A3 uses hereby permitted at units 2A and 2B shall not be open at any time between 0230 and 0900 on any day.

Reason: To protect the amenities of neighbouring residents in accordance with policy QD27 of the Brighton and 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	1217/P(--)01	P1	18/11/2014
Existing plan	1217/P(--)10	P1	18/11/2014
Existing second floor plan	1217/P(--)11	P1	18/11/2014
Existing elevation	1217/P(--)50	P1	18/11/2014
Existing section A-A	1217/P(--)60	P1	18/11/2014
Proposed block plan	1217/P(--)100	P2	04/03/2015
Proposed plan	1217/P(--)110	P2	04/03/2015
Proposed second floor plan	1217/P(--)111	P1	18/11/2014
Proposed elevation	1217/P(--)150	P2	04/03/2015
Proposed section A-A	1217/P(--)160	P2	04/03/2015

BH2014/03878

26 Lewes Crescent Brighton

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

Applicant: 26 Lewes Crescent Ltd
Officer: Andrew Huntley 292321

Approved on 24/03/15 DELEGATED

BH2014/03933

Saltdean Primary School Chilington Way Saltdean Brighton

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.

Applicant: Brighton & Hove Council
Officer: Kathryn Boggiano 292138

Approved on 12/03/15 COMMITTEE

1) UNI

Unless otherwise agreed in writing by the Local Planning Authority, within 6 months of the date of the first occupation of the two storey main extension shown on plans 040, 041, 042 and 045 received 21 November 2014, a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the development built has achieved a minimum Simple Building BREEAM rating of 50% in energy and water sections of Simple Buildings 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

2) UNI

The two storey main extension shown on plans 040, 041, 042 and 045 received 21 November 2014, hereby approved shall not be occupied 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 recycling following the expansion of the school facilities and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) 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.

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
Ash Partnership Ecological Appraisal Report		Nov 2014	24 November 2014
Existing site layout 1 of 2	023		2 December 2014
Existing site layout 2 of 2	024		2 December 2014
Existing building plans	005		21 November 2014
Existing elevations	006	A	2 December 2014
Existing floor plans	070		21 November 2014
Existing classroom block elevations	054		2 December 2014
Existing hall and staff room extensions	049		2 December 2014
Proposed site plan	008	A	15 December 2015
Proposed block plan	009	A	15 December 2014
Proposed floor plans	071		21 November 2014
External works	025		21 November 2014
Access and phasing plan	030	A	15 December 2014

Lower ground floor model 1 of 2	010		21 November 2014
Lower ground floor model 2 of 2	011		21 November 2014
Upper ground floor plans 1 of 4	015		21 November 2014
Upper ground floor plans 2 of 4	016		21 November 2014
Upper ground floor plans 3 of 4	017		21 November 2014
Upper ground floor plans 1 of 4	018		21 November 2014
Roof plan 1 of 2	020		21 November 2014
Roof plan 2 of 2	021		21 November 2014
Main extension elevations	045		21 November 2014
Main extension proposed sections (1 of 3)	040		21 November 2014
Main extension proposed sections (2 of 3)	041		21 November 2014
Main extension proposed sections (3 of 3)	042		21 November 2014
Classroom block elevations	055		21 November 2014
Hall and staff room extension	050		21 November 2014
External works	190		23 February 2014
External works demolition plan	190		23 February 2015
External works staff parking setting out	029		23 February 2014
Tree protection plan	733		24 February 2015
Site plan	001	A	2 December 2014

5) UNI

Unless otherwise agreed in writing with the Local Planning Authority, the development shall take place in accordance with the Breeding Bird Mitigation Measures detailed within paragraphs 4.12 to 4.14 of the Ash Partnership Ecological Appraisal Report received on the 24 November 2014.

Reason: To ensure that nesting birds are protected during the development and to comply with policy QD18 of the Brighton & Hove Local Plan.

6) UNI

The Nature Area in the western corner of the school site shall be protected in accordance with the measures contained within paragraph 4.11 of the Ash Partnership Ecological Appraisal Report received on the 24 November 2014.

Reason: To ensure that ecology is protected on site and to comply with policy QD17 of the Brighton & Hove Local Plan.

7) UNI

The surface of the new 5 space vehicular car park hereby approved shall be made of porous materials and retained as such thereafter.

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

8) UNI

The development hereby permitted shall be undertaken in accordance with the Waste Minimisation Statement received on 21 November 2014.

Reason: To ensure that the development would include the re-use of limited

resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

9) UNI

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.

10) UNI

No development shall take place on the two storey main extension hereby approved and shown on plans 040, 041, 042 and 045 received 21 November 2014, and no excavations other than the removal of the top soil shall take place with regard to the proposed 5 vehicular space car park, until the developer has secured the implementation of a programme of below ground 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 shall be carried out entirely in accordance with the approved written scheme.

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

11) UNI

No development shall commence until the fences for the protection of the trees to be retained have been erected in accordance with the submitted tree protection plan referenced 733 received on 24 February 2014. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

12) UNI

No development shall take place on the external envelope of any of the extensions hereby approved until samples of the materials for that particular extension (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.

13) UNI

Unless otherwise agreed in writing with the Local Planning Authority, within 6 months of commencement of development on the main two storey extension hereby approved and shown on plans 040, 041, 042 and 045 received 21 November 2014, BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum Simple Building BREEAM rating of 50% in energy and water sections of Simple Building BREEAM assessment within overall 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

14) UNI

Within 6 months of commencement of development on the main two storey extension hereby approved and shown on plans 040, 041, 042 and 045 received 21 November 2014, a scheme for landscaping, which shall include hard surfacing, grass-crete/porous materials for the new car park, boundary treatments, planting of the development including replacement tree and hedge planting, and a management plan for the Nature Area in the western corner of the site, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented and managed fully in accordance with the approved details.

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.

15) UNI

Within 4 months of the date of this permission, a scheme for nature conservation enhancement, which details the location and specification of the bird and bat boxes detailed within paragraphs 4.18 and 4.21 of the Ash Partnership Ecological Appraisal Report received on the 24 November 2014 shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

Reason: To ensure that the scheme makes appropriate provision for ecological enhancements in the form of bat and bird boxes and to comply with policy QD18 of the Brighton & Hove Local Plan.

16) UNI

The two storey main extension shown on plans 040, 041, 042 and 045 received 21 November 2014, shall not be occupied until the Archaeological Site Investigation and Post Investigation Assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 8, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the provision for analysis, publication and dissemination of results and archive deposition has been secured.

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

17) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the two storey main extension shown on plans 040, 041, 042 and 045 received 21 November 2014, shall not be occupied until the photovoltaics shown on plan referenced 020 received 21 November 2014 have been fully installed.

Reason: To ensure that the development incorporates renewable energy infrastructure and to comply with policy SU2 of the Brighton & Hove Local Plan.

18) UNI

The two storey main extension shown on plans 040, 041, 042 and 045 received 21 November 2014, shall not be occupied until the new car parking areas as shown on plan 030 A received on 15 December 2014 and plan referenced 029 received on 24 February 2014, have been laid out and made available for the parking of vehicular cars. The new car parking areas 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.

19) UNI

The two storey main extension shown on plans 040, 041, 042 and 045 received 21 November 2014, shall not be occupied until a highway infrastructure scheme detailing improvements to footways and pedestrian crossing facilities in the vicinity of the site, waiting restrictions on Lustrells Vale and signage at the junction of School Lane with Lustrells Vale has been implemented in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the promotion of sustainable forms of travel and comply with policies TR1, TR8, TR11 and QD28 of the Brighton & Hove Local Plan.

20) UNI

The development hereby permitted shall not be occupied until details of secure cycle parking and motor 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.

21) UNI

The two storey main extension shown on plans 040, 041, 042 and 045 received 21 November 2014, hereby approved shall not be occupied until a School Travel Plan for the development has been submitted and approved by the Local Planning Authority. The School Travel Plan shall be approved in writing by the Local Planning Authority prior to occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

22) UNI

The landscaping scheme required by condition 12 shall be carried out in the first planting and seeding season following the first occupation of the two storey main extension shown on plans 040, 041, 042 and 045 received 21 November 2014. Any new trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

BH2014/04169

107 Marine Drive Rottingdean Brighton

Demolition of existing dwelling and outbuildings and erection of three storey building to provide 9no flats accessed from Chailey Avenue with associated landscaping, parking, cycle and bin storage.

Applicant: PVJ Developments Ltd

Officer: Wayne Nee 292132

Refused on 31/03/15 DELEGATED

1) UNI

The development, by reason of its flat roofed design, would have significantly more mass and bulk at a higher level than the existing building and would have a materially greater visual impact on the street scene. The additional mass and bulk at first floor level in close proximity to the side boundaries of the site would

result in a building which would not be in sympathy with nearby buildings. The development, by reason of its design, mass and bulk would appear an overly dominant and intrusive addition to the street scene and would be of detriment to the character and appearance of the street scene and surrounding area. The development would therefore fail to emphasise and enhance the positive qualities of the local neighbourhood. This harm outweighs the benefit provided by the proposal, which is contrary to Local Plan policies QD1, QD2, QD3 and QD5.

2) UNI2

The development, by reason of its siting, mass and bulk, would be overbearing and result in a harmful loss of light for occupants of 109a Marine Drive. The off-street parking to the rear of the building would be in close proximity to residential gardens at 109 Marine Drive and 1 Chailey Avenue and would result in increased noise and disturbance for occupants of these adjoining properties, to the detriment of their residential amenity. This harm outweighs the benefit provided by the proposal, which is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00111

2 Perry Hill Saltdean Brighton

Erection of single storey side extension.

Applicant: Mr & Mrs Izzard

Officer: Chris Swain 292178

Refused on 12/03/15 DELEGATED

1) UNI

The proposed development would visually unbalance the adjoined pair of dwellings and would have a detrimental impact on the uniform character and appearance of the eastern side of the Perry Hill streetscene. The proposal would therefore fail to emphasise and enhance the positive qualities of the local neighbourhood and is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD12).

BH2015/00141

14 Church Place Brighton

Removal of non original wall and enlargement of existing fire place.

Applicant: Miss Karen Keane

Officer: Astrid Fisher 292337

Refused on 19/03/15 DELEGATED

1) UNI

The proposed works, which would result in the loss of the cast iron insert and would increase the size of the fireplace opening, would result in the loss of historic fabric with the insertion of a structural steel representing an alien insertion to the listed building. The proposal would harm the special architectural and historic interest of the Grade II Listed Building and is therefore contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2015/00563

6 Looes Barn Close Saltdean Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.9m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.7m.

Applicant: Mr & Mrs P Leak

Officer: Astrid Fisher 292337

Prior approval not required on 01/04/15 DELEGATED

WOODINGDEAN

BH2015/00086

132 Kipling Avenue Brighton

Erection of 1no three bed end of terrace dwelling with associated alterations.

Applicant: Mr Bradley Edison

Officer: Chris Swain 292178

Approved on 23/03/15 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

The external finishes of the new dwellinghouse, hereby permitted shall match in material, colour, style, bonding and texture those of the existing building, No.132 Kipling Avenue.

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

Notwithstanding the internal layout indicated on drawing 512/01A, the dwelling hereby permitted shall be constructed to Lifetime Homes standards prior to first occupation and shall be retained as such thereafter.

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

5) UNI

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

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

6) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 4 has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

7) 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.

8) UNI

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

9) UNI

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

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

Plan Type	Reference	Version	Date Received
Proposed plans and elevations, site plan and block plan	512/01	B	14 January 2015
Existing plans and elevations	512/02	A	14 January 2015
Site layout / tree plan	512/03		14 January 2015

10) UNI

The first floor window to the side elevation of the development hereby permitted shall be obscure glazed and thereafter permanently retained as such.

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

BH2015/00170

3 Rudyard Road and Land North of 1 and 3 Rudyard Road Brighton

Erection of pair of semi-detached houses (1 x 4 bed and 1 x 4 bed with outbuilding in rear garden) with associated landscaping, parking and cycle storage.

Applicant: P L Projects

Officer: Andrew Huntley 292321

Refused on 26/03/15 DELEGATED

1) UNI

The proposed dwellings would be clearly visible from Rudyard Road and their overly dominant scale, mass, depth and bulk would cause harm to the established character of the surrounding area and appear visually dominant and overbearing within the streetscene. Consequently the proposal represents an excessively scaled and bulky proposal, out of keeping with its surroundings, to the detriment of the character of the area and the visual appearance of the streetscene. As such it would be contrary to policies QD1, QD2 and QD3 of the Brighton and Hove Local Plan (2005), as well as emerging policy CP12 of the City Plan.

2) UNI2

The proposal, by reason of its two-storey height, depth and proximity to the shared boundaries with 5 Rudyard Road, would represent an un-neighbourly and overbearing development which would have a detrimental impact on sunlight/daylight and outlook to 5 Rudyard Road. This harm outweighs the benefit provided by the proposal. Therefore, the proposal would cause significant harm to neighbouring amenity and thus would be contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2015/00479

84 Cowley Drive Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5m, for which the maximum height would be 4m, and for which the height of the eaves would be 2.5m.

Applicant: Mr Andrew Gatt

Officer: Luke Austin 294495

Prior approval not required on 26/03/15 DELEGATED

BRUNSWICK AND ADELAIDE

BH2014/03175

Palmeira Mansions 29 Church Road Hove

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 12/03/15 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 to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

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

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 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

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

7) 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.

8) UNI

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

Reason: To ensure that the development is car-free and to comply with policies SU2 and HO7 of the Brighton & Hove Local Plan.

9) UNI

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

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

10) UNI

The development hereby permitted shall be carried out in accordance with 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	A408/01	E	19th September 2014
Existing Floor Plans	A408/02	D	19th September 2014
Proposed Floor Plans	A408/03	F	10th November 2014
Existing Elevations / Section	A408/04	B	19th September

			2014
Proposed Elevations	A408/05	D	10th November 2014

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

BH2014/03928

Flat 1 36 Brunswick Terrace Hove

Replacement of existing satellite dish to roof (Part retrospective).

Applicant: Mr Sam Taylor

Officer: Astrid Fisher 292337

Refused on 18/03/15 DELEGATED

1) UNI

The satellite dish and associated external cabling are clearly visible from street level and have a harmful impact on the historic character and appearance of the exterior of the Grade I Listed Building and the character and appearance of the Brunswick Town Conservation Area. The proposal is therefore contrary to policies HE1 and HE6 of the Brighton & Hove Local Plan.

BH2014/03929

Flat 1 36 Brunswick Terrace Hove

Replacement of existing satellite dish to roof and replacement of existing internal door to flat (Part retrospective).

Applicant: Mr Sam Taylor

Officer: Astrid Fisher 292337

Refused on 19/03/15 DELEGATED

1) UNI

The satellite dish and associated external cabling are clearly visible from street level and have a harmful impact on the historic character and appearance of the exterior of the Grade I Listed Building. The proposal is therefore contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2014/04336

Sussex House 130 Western Road Hove

Change of use of mezzanine and first floors from office space (B1) and creche to residential (C3). Reconfiguration of existing residential units and creation of additional 9no residential units at upper floors to be included on mezzanine, first, second and third floors. Replacement of roof to facilitate provision of accommodation at penthouse level and other associated external alterations.

Applicant: Alzaidi Ltd

Officer: Guy Everest 293334

Approved on 18/03/15 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 vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

3) UNI

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

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

4) UNI

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

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

5) UNI

No development shall take place until samples of the balcony balustrades, which shall be etched glass, 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 QD14 and HE6 of the Brighton & Hove Local Plan.

6) UNI

No development shall take place until further details, which shall include section drawings at a 1:20 scale, of the proposed balcony structures and vertical privacy screens, 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 QD14 and HE6 of the Brighton & Hove Local Plan.

7) UNI

Notwithstanding the approved plans no development shall take place until a scheme for obscurely glazing the lower half of all window openings at first, second and third floor levels in the north and west facing elevations to the rear of the building has been submitted to and approved in writing by the Local Planning Authority. The obscure glazing shall be implemented in accordance with the agreed details prior to first occupation of the residential units and shall be retained as such thereafter.

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

8) UNI

No development shall take place until details of privacy screening to a height of at least 1.5 metres (above terrace level) to the northern boundary of roof terraces at fourth floor level have been submitted to and approved in writing by the Local Planning Authority. The privacy screening shall be implemented in accordance with the agreed details prior to first occupation of the residential units and shall be retained as such thereafter.

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

9) UNI

No development shall take place until a written scheme of how and where ventilation will be provided to the south-facing rooms within the development, including specifics of where the clean air is drawn from and the acoustic protection to be provided, has been submitted to and approved in writing by the local planning authority. The soundproofing shall be carried out in accordance with the approved details prior to the first occupation of the approved residential units.

Reason: To safeguard the amenities of the occupiers of future occupants of the development and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

10) UNI

No development shall take place until details of soundproofing between the ground floor commercial unit and the hereby approved residential units at mezzanine level have been submitted to and approved in writing by the Local Planning Authority. The soundproofing shall be carried out in accordance with the approved details prior to the first occupation of the approved residential units at mezzanine level.

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

11) UNI

Notwithstanding the submitted plans the development hereby permitted shall not be occupied until a revised on-site car parking layout has been submitted to and approved in writing by the Local Planning Authority. The revised layout shall allow for the provision of an accessible on-site disabled parking space to recognised standards. The on-site parking shall thereafter be implemented in accordance with the agreed details and made available for use prior to the occupation of the development, and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of vehicles are provided and to comply with policies TR1, TR4 and TR18 of the Brighton & Hove Local Plan.

12) UNI

No development shall take place until further details of the secure cycle parking facilities to be provided for use by the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

13) UNI

The 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.

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

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.

16) 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	2077 (11)001	/	22/12/2014
Existing Basement Plan	2077(20)000	/	22/12/2014
Existing Ground Floor Plan	2077(20)001	/	22/12/2014
Existing Mezzanine / Upper Ground Plan	2077(20)002	/	22/12/2014
Existing First Floor Plan	2077(20)003	/	22/12/2014
Existing Second Floor Plan	2077(20)004	/	22/12/2014
Existing Third Floor Plan	2077(20)005	/	22/12/2014
Existing Fourth Floor Plan	2077(20)005	/	22/12/2014
Existing Roof Plan	2077(20)005	/	22/12/2014
Existing East, South and West Elevations	2077(30)000	/	22/12/2014
Existing Courtyard Elevations	2077(30)001	/	22/12/2014
Proposed Basement Plan	2077(21)100	A	22/12/2014
Proposed Ground Floor Plan	2077(21)101	B	22/12/2014
Proposed Mezzanine / Upper Ground Floor Plan	2077(21)102	A	22/12/2014
Proposed First Floor Plan	2077(21)103	A	22/12/2014
Proposed Second Floor Plan	2077(21)104	A	22/12/2014
Proposed Third Floor Plan	2077(21)105	A	22/12/2014
Proposed Fourth Floor Plan	2077(21)106	A	22/12/2014
Proposed Roof Plan	2077(21)107	A	22/12/2014
Proposed East, South & West Elevations	2077(31)000	A	05/01/2015
Proposed Courtyard Elevations	2077(31)001	/	22/12/2014

BH2015/00232

31 & 33 Selborne Road Hove

Conversion of roof space to form 1no two bedroom flat (C3) incorporating 2no rear dormers, 4no rear rooflights, 2no flat roof rooflights and 4no side rooflights.

Applicant: Hardwick Hartley

Officer: Liz Arnold 291709

Refused on 23/03/15 DELEGATED

1) UNI

The layout of the proposed residential unit would provide an inadequate and poor standard of accommodation, with a cramped and confined internal environment to the rear bedroom and limited outlook, ventilation and natural lighting to the front bedroom. As such the proposal would fail to provide adequate living conditions for future occupants contrary to policy QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposal, by reason of the excessive number of rooflights within the rear roofslopes, would result in visual clutter to the rear of the property. The visual clutter to the rear roofslopes by reason of the number of rooflights proposed is further exacerbated when viewed in conjunction with the proposed two rear dormer windows. As such the proposal would be of detriment of the character and appearance of the parent properties, the pair of semi-detached properties and the wider area including the surrounding Willett Estate Conservation Area, contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

3) UNI3

The insertion of 2 rooflights to the side roofslope of both no. 31 and 33 Selborne Road would result in visual clutter to the side roofslopes and would be of detriment to the visual amenities of the parent properties, the pair of semi-detached properties, the Selborne Road streetscene and the wider area, especially the surrounding Willett Estate Conservation Area, contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2015/00301

9b Little Western Street Hove

Creation of roof terrace incorporating glass balustrading, decking, screening and new external stairs from existing third floor roof terrace.

Applicant: Mr & Mrs Brading

Officer: Liz Arnold 291709

Refused on 24/03/15 DELEGATED

1) UNI

The proposed terrace, as a result of its siting on the flat roof of the dwelling and its proposed design, which includes the use of timber, would result in a development that adds visual clutter to the roof and rear of the of the property and a development that would appear as an incongruous and unsympathetic addition to the parent property and associated terrace. The proposal would be of detriment to the visual amenities of the parent property, the related terrace, the Little Western Street and Western Road streetscenes and the wider Brunswick Town Conservation Area, contrary to polices QD14 and HE6 of the Brighton and Hove Local Plan and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

CENTRAL HOVE

BH2014/04069

Flat 1 23 Hova Villas Hove

Replacement of existing timber framed windows and door with UPVC.

Applicant: Ms Heather Robinson

Officer: Mark Thomas 292336

Refused on 19/03/15 DELEGATED

1) UNI

The proposed use of UPVC units with their artificial appearance and bulky appearance would relate poorly to the prevailing historical and architectural character and appearance of the streetscene and the wider Cliftonville Conservation Area. As such, the proposals would result in significant harm to the visual amenity of the locality, contrary to policies QD14 and HE6 and SPD12: Design Guide for Extensions and Alterations.

BH2014/04147

St Andrews C of E School Belfast Street Hove

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.

Applicant: Brighton & Hove Council

Officer: Andrew Huntley 292321

Approved on 18/03/15 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

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.

3) UNI

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

4) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending, revoking or re-enacting that order), no buildings, moveable structures, works, plant, machinery, access, storage of vehicles, equipment or materials or other use in connection with the carrying out of the development hereby permitted shall be permitted on the playing field shown edged on Drawing No. 001 Rev A.

Reason: To protect playing field from damage, loss or availability of use and to accord with Development Plan Policy SR20 of the Brighton & Hove Local Plan.

5) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development shall be constructed using the external materials submitted to the Local Planning Authority on the 13.02.2015.

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

6) UNI

The first floor windows on the eastern elevation of the development hereby permitted shall not be glazed otherwise than with obscured glass up to 1.7m above the internal floor level and thereafter permanently retained as such.

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

7) UNI

All new 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 site.

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

8) UNI

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.

9) UNI

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

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

10) UNI

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

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

11) UNI

The development hereby permitted shall not be occupied until a School Travel Plan for the development has been submitted and approved by the Local Planning Authority. The School Travel Plan shall be approved in writing by the Local Planning Authority prior to occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

12) UNI

The development hereby permitted shall not be occupied until improvements to footways and pedestrian crossing facilities in the vicinity of the site have been implemented in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the promotion of sustainable forms of travel and comply with policies TR1, TR8, TR11 and QD28 of the Brighton & Hove Local Plan.

13) UNI

The development hereby permitted shall not be occupied 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 recycling following the expansion of the school facilities and to comply with policy QD27 of the Brighton & Hove Local Plan.

14) UNI

The development hereby permitted shall not be occupied until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the standards described in Annex 6 of SPD 11 and shall be implemented in full prior to the occupation of the development hereby approved.

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

15) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.

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

16) UNI

The development hereby permitted shall be undertaken in accordance with the Waste Minimisation Statement received on 09.12.2014.

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

17) UNI

The development hereby permitted shall not be occupied 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.

18) UNI

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

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

19) UNI

Within 3 months of the first occupation of the development hereby permitted, the temporary classroom within the north western car park shall be removed unless otherwise agreed in writing by the Local Planning Authority.

Reason: The siting of the temporary classroom in the north western has a detrimental impact on the character and appearance of the area and is only acceptable due to the temporary nature of its siting in this location. The removal of the temporary classroom is required to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

20) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	001	B	21.01.2015
Block Plan	002	B	21.01.2015
Ownership Plan	003		09.12.2014
Existing Ground Floor Plan	005		09.12.2014
Existing First Floor Plan	006		09.12.2014
Existing Roof Plan	007		09.12.2014
Proposed Phasing Plan	008		09.12.2014
Existing External Works Plan	009		18.12.2014
Existing Elevations	010		18.12.2014
Proposed Site Sections	012		09.12.2014
Proposed Ground Floor Plan 1 of 3	020		09.12.2014
Proposed Ground Floor Plan 2 of 3	021		09.12.2014
Proposed Ground Floor Plan 3 of 3	022		09.12.2014
Proposed First Floor Plan 1 of 3	022		09.12.2014
Proposed First Floor Plan 2 of 3	024		09.12.2014
Proposed First Floor Plan 3 of 3	025		09.12.2014
Proposed Roof Plan	026		09.12.2014
Proposed External Works	030		05.02.2015

Proposed Main Block Elevations	040		09.12.2014
Additional Extension Elevations	041		09.12.2014
Contextual Sections	045		09.12.2014
Proposed 3D Views	050	A	22.01.2015
Proposed 3D Views	051		09.12.2014
Existing Floor Plans	070		09.12.2014
Proposed Floor Plans	071		09.12.2014
Preliminary Drainage Strategy	SK-DR01		09.12.2014
Historic Mapping			21.01.2015
External Material Details			13.02.2015

BH2015/00025

Flat 6 55 St Aubyns Hove

Insertion of 2no rooflights.

Applicant: Mrs C McVean

Officer: Liz Arnold 291709

Approved on 24/03/15 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 fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	ADC743/LP	-	6th January 2015
Block Plan	ADC743/BP	-	6th January 2015
As Existing	ADC743/01	-	6th January 2015
As Proposed	ADC743/02	-	6th January 2015

BH2015/00077

7 Stirling Place Hove

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mrs Pippa Hodge

Officer: Joanne Doyle 292198

Approved on 31/03/15 DELEGATED

BH2015/00098

27B Clarendon Villas Hove

Blocking up of window to rear elevation. (Part Retrospective)

Applicant: Goodman Property Investments Ltd

Officer: Robert Hermitage 290480

Approved on 12/03/15 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	-	-	14th January 2015
Proposed Alteration	2355/01	-	16th January 2015
Plans	2355/02	-	19th January 2015

BH2015/00125

Flat 2 6 Medina Villas Hove

Removal of existing balcony and canopy to front elevation. (Part Retrospective)

Applicant: Mr A Israel

Officer: Luke Austin 294495

Refused on 20/03/15 DELEGATED

1) UNI

The proposal to remove both the balcony and canopy would result in a flat and featureless appearance that would make the building appear incomplete. The removal of the balcony and canopy would therefore detract from the character of the streetscene and would be detrimental to the Cliftonville Conservation Area. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 09: Architectural Features.

BH2015/00263

17 Wilbury Road Hove

Removal of external rear fire escape and replacement with balconies with balustrade to first, second, third and fourth floors.

Applicant: Bourne Property Developments Ltd

Officer: Luke Austin 294495

Refused on 01/04/15 DELEGATED

1) UNI

Notwithstanding the inaccuracies in the proposed plans, the proposed balconies via way of their extent of protrusion would add to the harm created by the previous extension and would create an unduly prominent addition to the building. The proposal is therefore contrary to policies QD14, HE6 and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

2) UNI2

The proposed balconies would change the nature of the use of the existing rear stairwell that would likely result in noise disturbance. This along with the

proposed extra protrusion would allow for significant overlooking into the rear rooflights of nos. 14, 16 and 18 Wilbury Grove. The proposal is therefore contrary to policy QD27 and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

GOLDSMID

BH2014/03879

99 Sackville Road Hove

Application for Approval of Details Reserved by Conditions 7 and 8 of application BH2014/02071.

Applicant: Mr L Parker

Officer: Adrian Smith 290478

Approved on 24/03/15 DELEGATED

BH2014/03902

Flat 1 23 Davigdor Road Hove

Replacement of existing single glazed timber windows at rear and side elevations with double glazed UPVC windows.

Applicant: Ms Amanda Davies

Officer: Joanne Doyle 292198

Approved on 31/03/15 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 Nov 2014
Site Location Plan			19 Nov 2014
Ground Floor Plan			19 Nov 2014
Window Specifications (Channel Glazing Ltd)			05 Jan 2015
Technical Manual (Quick Slide)			05 Jan 2015
3 x photos of existing windows			19 November 2014

BH2014/03909

Hove Service Station Denmark Villas Hove

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

Applicant: Esso Petroleum Co Ltd

Officer: Mark Thomas 292336

Approved on 18/03/15 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.

BH2014/04191

24 Davigdor Road Hove

Demolition of existing three bedroom bungalow and erection of 2no three bedroom single dwellings.

Applicant: Mrs Carol Taplin

Officer: Jason Hawkes 292153

Approved on 26/03/15 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

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.

4) 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.

5) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouses as provided for within Schedule 2, Part 1, Classes A & 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: To protect the amenity of adjacent properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

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

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

7) UNI

No development shall commence until fences for the protection of trees to be retained the site have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

8) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed 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.

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.

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

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

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

11) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until a Design Stage / Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 4 as a minimum for the residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

12) UNI

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

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.

14) 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.

15) UNI

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

16) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan, Proposed Site Plan, Proposed Floor Plans, Roof Plan & Proposed Site Section	1.01		11th December 2014
Proposed Elevations & Street Scene	1.02		11th December 2014

BH2015/00044

Unit 7 Hove Business Centre Fonthill Road Hove

Change of use from leisure (D2) to office (B1).

Applicant: Chroma Sports

Officer: Adrian Smith 290478

Approved on 13/03/15 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 premises shall be used for the provision of B1(a) offices only and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

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	-	-	16/01/2015
Existing unit layout	CHR-01-EX GL	-	16/01/2015
Proposed unit layout	CHR-01- GL [OP]	-	15/01/2015

BH2015/00072

3A Cambridge Grove Hove

Replacement of existing timber sash window with timber doors to front elevation.

Applicant: Marco Rummery

Officer: Mark Thomas 292336

Approved on 01/04/15 DELEGATED

1) BH01.01

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

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

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing plans and elevations with site location plan	1496/1732	-	14th January 2015
Proposed plan and elevations	1-3a-2014	-	9th January 2015
Proposed door sections	-	-	4th February 2015

BH2015/00081

86 Goldstone Villas Hove

Change of use of basement from workshop (B1) to retail (A1) incorporating bicycle hire business with bicycle storage and maintenance.

Applicant: Mr Stephen Bell

Officer: Christopher Wright 292097

Approved on 18/03/15 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			14 Jan 2015
Floor Plan Existing (no			14 Jan 2015

change)			
Floor Plan Proposed (no change)			14 Jan 2015
Marketing Evidence (4 sheets)			14 Jan 2015

BH2015/00100

Land Rear of 37-38 Cromwell Road Hove

Removal of condition 8 of application BH2014/01165 (Removal of condition 10 of application BH2013/03692) (Original permission for Erection of 1no three bedroom house including basement level) which states that no development shall take place until details of the construction of the green roof have been submitted to and approved in writing by the local planning authority.

Applicant: Mrs Maureen Wheeler

Officer: Helen Hobbs 293335

Approved on 13/03/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced on or before 23rd August 2015.

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

2) UNI

The development hereby approved shall not be occupied until photovoltaic panels, as outlined on approved drawing nos. AD100 & AD101, have been installed on the roof of the approved building. The panels shall be maintained and permanently retained in place thereafter.

Reason: To secure micro-generation technologies for the site and to comply with policy SU2 of the Brighton & Hove Local Plan and the Supplementary Planning Document on Sustainable Building Design SPD08

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 and E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

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

4) UNI

All planting, seeding or turfing comprised in the approved scheme of landscaping (ref: BH2014/03193) shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

5) UNI

The development shall be implemented in accordance with the ground level details approved under application BH2014/03193 on 18/02/2015.

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

6) UNI

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

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

7) UNI

Not used.

8) UNI

Prior to the occupation of the dwelling hereby approved 2 bird boxes and 2 bat boxes shall be installed on site and shall be thereafter be retained as such.

Reason: To ensure appropriate integration of new nature conservation and enhancement features in accordance with policies QD17 and QD18 of the Brighton & Hove Local Plan.

9) UNI

Not used.

10) UNI

Not used.

11) UNI

The cycle parking facilities shall be fully implemented in accordance with the details approved under application BH2014/03193 on 18/02/2015 and made available for use prior to the first occupation of the development and shall be retained as such.

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

12) UNI

The retaining boundary wall structure shall be constructed in accordance with the details approved under application BH2014/03193 on 18/02/2015.

Reason: To ensure the stability of the adjacent pavement and to comply with policy TR7 of the Brighton & Hove Local Plan.

13) UNI

The development shall be carried out in accordance with the Lifetime Homes details approved under application BH2014/03193 on 18/02/2015.

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.

14) UNI

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

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

Building Design.

15) UNI

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

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

Plan Type	Reference	Version	Date Received
Proposed floor plans and sections	AD100		29th October 2013
Proposed elevations	AD101		29th October 2013
Proposed elevations and floor plans	AD300	B	4th February 2015
Topographical survey	13-22/S/1		22nd September 2015
Geotechnical Assessment			8th January 2015
Cycle storage details			4th February 2015
Planting scheme			30th December 2014
Bin store details			22nd September 2014
Pile Design Calculations Report			22nd September 2014
Construction of New Highway Retaining Wall Approval In Principle Report dated January 2015			9th January 2015

BH2015/00133

The Hideaway 2 Furze Hill Hove

Certificate of lawfulness for proposed change of use from offices (B1) to residential (C3) to form 1no residential unit.

Applicant: Mr P Overill

Officer: Christopher Wright 292097

Approved on 18/03/15 DELEGATED

1) UNI

The development is permitted under Schedule 2, Part 3. Class J of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2015/00135

Upper Flat 20 Hartington Villas Hove

Replacement of existing timber single glazed window with UPVC double glazed window to rear elevation.

Applicant: Mr Rob Cooper

Officer: Astrid Fisher 292337

Approved on 01/04/15 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	20HSLP	-	19th January 2015
Window Details (3 documents)	-	-	19th January 2015
Annotated Photograph	-	-	19th January 2015

BH2015/00176

64 Old Shoreham Road Hove

Erection of a single storey front extension and part one part two storey rear extension with associated alterations.

Applicant: Mrs L May

Officer: Robert Hermitage 290480

Refused on 27/03/15 DELEGATED

1) UNI

The proposed two-storey rear extension, by reason of its form, design and excessive depth, would create an unduly dominant addition which would not appear subservient to the existing dwellinghouse and which would harm the established character of the building and wider surrounding area. The siting and depth of the two-storey extension would also appear visually overbearing when viewed from 62 Old Shoreham Road. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2015/00204

Flat 2 90 Lyndhurst Road Hove

Installation of 2no rooflights to side elevation.

Applicant: Mr N Barker

Officer: Astrid Fisher 292337

Approved on 24/03/15 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 and Existing Plan	01		22 Jan 2015
Location Plan	02		22 Jan 2015
Waste Minimisation Statement	03		22 Jan 2015

BH2015/00449

Flat 1 & 2 The Galleries 52 Palmeira Avenue Hove

Non material amendment to BH2013/02770 to amend the head heights of proposed doors and windows to match the actual height of existing. Continue the overhanging gutter, present around the entirety of the existing penthouse and the proposed addition. Changing a small amount of the external walls of the addition from an insulated render system to high pressured laminate, Trespa or similar

with colour match to existing render.

Applicant: Mr & Mrs Enid Jones

Officer: Andrew Huntley 292321

Approved on 18/03/15 DELEGATED

HANGLETON & KNOLL

BH2014/03680

6 Meadway Crescent Hove

Erection of single storey rear extension to replace existing conservatory.

Applicant: Ms Dione Pinel

Officer: Joanne Doyle 292198

Approved on 17/03/15 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 shall be constructed in the south side elevation of the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location & Block Plan	DPR-A-00-100 0	A	31 Oct 2014
Existing Ground Floor Plan & Elevations	DPR-A-00-100 1	A	26 Jan 2015
Proposed Ground & First Floor Plans	DPR-A-XX-10 01	B	26 Jan 2015
Proposed Elevations	DPR-A-XX-10 03	C	02 Mar 2015
Pre-existing floor plans and elevations	DPR-A-00-100 1	-	31 Oct 2014

BH2015/00129

17 Rowan Avenue Hove

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension, rear dormer with Juliet balcony, side window and front rooflights.

Applicant: Mr D Isaac

Officer: Luke Austin 294495
Approved on 23/03/15 DELEGATED

BH2015/00130

64 Holmes Avenue Hove

Extension of existing side dormer.

Applicant: Mr & Mrs Papadamou

Officer: Luke Austin 294495

Refused on 31/03/15 DELEGATED

1) UNI

The proposed extension, by virtue of its width, scale and bulk, would result in an over dominant and unsympathetic addition which would poorly relate to the building and the visual amenity of the surrounding area. The proposal is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and guidance within Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2015/00379

19 Godwin 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 4.3m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.5m.

Applicant: Brighton & Hove City Council

Officer: Haydon Richardson 292322

Prior Approval is required and is refused on 24/03/15 DELEGATED

NORTH PORTSLADE

BH2015/00310

105 Graham Crescent Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.2m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 3m.

Applicant: Miss H Skilling

Officer: Joanne Doyle 292198

Prior approval not required on 12/03/15 DELEGATED

BH2015/00413

108 Heathfield Crescent Portslade

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr Greg Barnes

Officer: Astrid Fisher 292337

Approved on 18/03/15 DELEGATED

1) UNI

The single-storey rear extension is permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2015/00507

32 Brasslands Drive Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 8m, for which the maximum height would be 2.65m, and for which the height of the eaves would be 2.5m.

Applicant: Phil Lemon
Officer: Haydon Richardson 292322
Prior approval not required on 30/03/15 DELEGATED

SOUTH PORTSLADE

BH2014/04117

The Coach House South Street Portslade

Application for Approval of Details Reserved by Condition 1 of application BH2014/02287.

Applicant: Spear Development Ltd
Officer: Christopher Wright 292097
Approved on 25/03/15 DELEGATED

BH2015/00168

1 Wellington Road Portslade

Application for Approval of Details Reserved by Conditions 7 and 8 of application BH2013/02047.

Applicant: Beaufort Developments Southern Ltd
Officer: Christopher Wright 292097
Refused on 23/03/15 DELEGATED

BH2015/00308

53 Benfield Way Portslade

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

Applicant: Mr Adam Brown
Officer: Robert Hermitage 290480
Approved on 26/03/15 DELEGATED

BH2015/00446

30 St Nicholas Road Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.9m, for which the maximum height would be 2.8m, and for which the height of the eaves would be 2.625 m.

Applicant: Miss Miranda Christides
Officer: Haydon Richardson 292322
Prior approval not required on 24/03/15 DELEGATED

HOVE PARK

BH2014/02191

Aldrington C of E Primary School Eridge Road Hove

Application for Approval of Details Reserved by Conditions 10 and 11 of application BH2013/01720

Applicant: Brighton & Hove Council
Officer: Adrian Smith 290478
Split Decision on 25/03/15 DELEGATED

1) UNI

the details pursuant to condition 10 subject to full compliance with the submitted details.

1) UNI

The details pursuant to condition 11 are NOT APPROVED for the reason(s) set out below.

1. Insufficient information has been submitted within the School Travel Plan to meet the requirements of condition 11.

BH2014/03070

117 Shirley Drive Hove

Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2013/03062.

Applicant: Mr Edward Hamilton

Officer: Helen Hobbs 293335

Approved on 26/03/15 DELEGATED

BH2014/03412

24 Shirley Drive Hove

Remodelling of existing dwelling including removal of existing ground floor side extension and rear conservatory. Extensions and alterations to roof including raising of eaves height to front and insertion of rooflights. Erection of two storey extension with terrace and creation of garden room at lower ground floor level below. Erection of pitched roof extension to front to facilitate creation of entrance porch, revised fenestration and associated works.

Applicant: Mr Ian Mercer

Officer: Mark Thomas 292336

Approved on 25/03/15 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 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 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 first floor windows in the elevation of the development hereby permitted shall be obscure glazed and, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, non-opening. The windows shall 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 And Block Plan	TA830/Ex01	-	9th October 2014
Existing Site Survey	TA830/Ex02	-	9th October 2014
Existing Street Scene	TA830/Ex03	-	9th October 2014

Existing Floor Plans	TA830/Ex04	-	9th October 2014
Existing Elevations 1	TA830/Ex05	-	9th October 2014
Existing Elevations 2	TA830/Ex06	-	9th October 2014
Proposed Block Plan	TA830/P10	-	9th October 2014
Proposed Site Plan	TA830/P11	-	9th October 2014
Proposed Lower Floor Plans	TA830/P12	-	9th October 2014
Proposed Upper Floor Plans	TA830/P13	-	9th October 2014
Proposed Elevations 1	TA830/P14	-	9th October 2014
Proposed Sections	TA830/P15	-	9th October 2014
Proposed Elevations 2	TA830/P16	-	9th October 2014
Proposed Rear Elevations	TA830/P17	-	9th October 2014

BH2015/00031

71 Hill Brow Hove

Remodelling of existing dwelling including roof extensions incorporating raising of ridge height, creation of dormers and installation of rooflights to sides. Reduction and reconfiguration to rear at ground floor level. Installation of new garage door to lower ground floor level, revised fenestration and associated works.

Applicant: Mr & Mrs Preece

Officer: Helen Hobbs 293335

Refused on 23/03/15 DELEGATED

1) UNI

The proposal, by reason of its design, form, and detailing, would relate poorly with the character of the existing dwelling and would appear as an over-dominant and incongruous feature, resulting in the dwelling appearing out of character with the surrounding streetscene. As such the proposal would have a detrimental impact on visual amenity and the character and appearance of the wider area and is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: 'Design Guidance for Extensions and Alterations'.

BH2015/00261

Flat 1 168A Old Shoreham Road Hove

Installation of rooflight to rear elevation.

Applicant: Dr Harjinder Heer

Officer: Andrew Huntley 292321

Approved on 31/03/15 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	468(PL)52	-	27/01/2015
Existing & Proposed Elevations and Floor Plans	468(PL)51	A	27/01/2015

BH2015/00384

27 Woodland Drive Hove

Application for approval of details reserved by condition 3 of application BH2014/02618.

Applicant: Mr Benjamin Cox

Officer: Liz Arnold 291709

Approved on 23/03/15 DELEGATED

BH2015/00387

5 Tredcroft 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 5.3m, for which the maximum height would be 3.9m, and for which the height of the eaves would be 2.89m.

Applicant: Mr David Land

Officer: Haydon Richardson 292322

Prior approval not required on 13/03/15 DELEGATED

BH2015/00506

63 King George VI Drive Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 2.8m, and for which the height of the eaves would be 2.8m.

Applicant: Ms Sue Stockwell

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 01/04/15 DELEGATED

WESTBOURNE

BH2014/03777

51 New Church Road Hove

Application for Approval of Details Reserved by Conditions 8, 9 and 10 of application BH2014/02663.

Applicant: AMF Properties investments Ltd

Officer: Jason Hawkes 292153

Approved on 24/03/15 DELEGATED

BH2014/03947

74A New Church Road Hove

Conversion of garage and workshop (SG) to office (B1) incorporating conservatory to front.

Applicant: Mr Ardeshir Diznabi

Officer: Liz Arnold 291709

Refused on 18/03/15 DELEGATED

1) UNI

Notwithstanding the inaccuracies in the submitted drawings regarding the height and pitch of the existing garage roof, the proposed extension by virtue of its flat roof and overall design approach, represents an incongruous addition that fails to sympathetically relate to the appearance of the existing building, contrary to policy QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

BH2014/04129

3 East Court 222 Portland Road Hove

Replacement of existing single glazed timber windows with double glazed UPVC

windows.

Applicant: Russell Tyre
Officer: Joanne Doyle 292198
Approved on 18/03/15 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 submitted plans in accordance with an email dated 10th March 2015 the hereby approved replacement windows shall incorporate glazing bars to match the existing.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			05 Dec 2014
Block Plan			05 Dec 2014
Window Specifications	101114003		05 Dec 2014

BH2014/04324

103 Westbourne Street Hove

Creation of light well and erection of boundary wall to front of property.

Applicant: Ms Ruweida Tikly
Officer: Luke Austin 294495
Approved on 30/03/15 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
Location Plan	-	-	30/01/2015
Block Plan	-	-	30/01/2015
Existing/Proposed Plans	0266-14-01	-	02/02/2015
Existing/Proposed Elevations	0266-14-02	-	02/02/2015

Floor General Arrangement and Sections	OP1248/01	B	23/02/2015
Waterproof and Reinforcement Details	OP1248/02	A	23/02/2015
3D View of Proposed Lightwell & Window	OP1248/03	B	23/02/2015

BH2015/00104

9 Lawrence Road Hove

Erection of porch.

Applicant: Mr & Mrs Michael Lovegrove

Officer: Christopher Wright 292097

Approved on 20/03/15 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
Block & Site Location Plans	TA867/01		15 Jan 2015
As Existing	TA867/02		15 Jan 2015
As Proposed	TA867/05	A	16 Jan 2015
Street Elevations	TA867/06		15 Jan 2015

BH2015/00206

55 Sackville Gardens Hove

Demolition of existing conservatory and erection of a single storey rear extension.

Applicant: Mr & Mrs Lawson

Officer: Haydon Richardson 292322

Approved on 20/03/15 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

No development shall take place until the applicant has secured the

implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the local planning authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with 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 and the National Planning Policy Framework.

4) UNI

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

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 plan, Site plan, Proposed elevations, existing elevations, existing floor plans , proposed floor plans	15888/PA/010	A	23/1/15

BH2015/00216

25 Arthur Street Hove

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

Applicant: N F Barakat

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 20/03/15 DELEGATED

BH2015/00316

39 & 39A Cowper Street Hove

Application for Approval of Details Reserved by Condition 4 of application BH2013/02192.

Applicant: Downside Development (BTN) Ltd

Officer: Christopher Wright 292097

Approved on 24/03/15 DELEGATED

BH2015/00368

29 Braemore 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 3.475m, and for which the height of the eaves would be 3.475m.

Applicant: Mr Christopher Whent

Officer: Astrid Fisher 292337

Prior Approval is required and is refused on 12/03/15 DELEGATED

WISH

BH2002/02549/FP

Rayford House School Road Hove

Construction of additional floor to existing office building.

Applicant: Rayford Property Management Ltd

Officer: Maria Seale 292175

Approved after Section 106 signed on 20/03/15 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 a scheme demonstrating the feasibility of incorporating green roofs and green walls (and associated rainwater irrigation) into the development has been submitted to and approved in writing by the Local Planning Authority. Should the green roofs and/or green walls prove to be feasible and reasonable in all other respects, they shall be incorporated within the development.

Reason: In the interests of sustainability and biodiversity, to comply with policies SU2 and QD17 of the Brighton and Hove Local Plan.

3) UNI

Within 6 months of commencement of the development hereby permitted details of a minimum of 4 secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. 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 take place until details of a minimum of 3 bat and 3 bird boxes have been submitted to and approved in writing by the Local Planning Authority. The agreed boxes shall be implemented before the development hereby permitted is first brought into use and maintained thereafter.

Reason: In the interests of sustainability and to enhance biodiversity, to comply with policy SU2 and QD17 of the Brighton and Hove Local Plan and SPD11:Nature Conservation & Development.

5) UNI

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

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

6) UNI

Within 6 months of commencement of the development hereby permitted details of the provision, layout and signing/lining of a minimum of 7 disabled car parking spaces for the occupants of, and visitors to, the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The 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 policy TR18 of the Brighton and Hove Local Plan and SPG4.

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 scale 1:1250			16/9/02
Ground floor plan	481/7		16/9/02
Elevations as existing-1	481/34		16/9/02
Elevations as existing-2	481/36		16/9/02
Section as existing	481/05		16/9/02
Elevations as proposed-1	481/16A		16/9/02
Elevations as proposed-2	481/18		16/9/02
Sections as proposed	481/21A		16/9/02
Proposed fourth plan	481/20		16/9/02

8) UNI

Within 6 months of the commencement of the development hereby permitted details of the proposed new painted render to be attached to the east elevation of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved render shall be implemented before first occupation of the development hereby permitted and shall be maintained thereafter.

Reason: In the interest of visual amenity as the introduction of light render would improve the appearance of the building and be more in keeping with surrounding development, to comply with policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan.

BH2014/03570

Warehouse 1A Marmion Road Hove

Demolition of warehouse and erection of 4no two bedroom terraced houses and 1no office unit (B1).

Applicant: Albany Homes Southern Ltd

Officer: Sonia Gillam 292265

Refused on 17/03/15 DELEGATED

1) UNI

The southern facing elevation of the upper roof form, by reason of its detailed design and asymmetrical form, would not exhibit the design quality of the remainder of the proposal. It would not be a positive addition in the streetscene, representing an incongruous feature, and would detract from the appearance of the Marmion Road frontage. The proposed development would therefore fail to relate positively to the prevailing character of the surrounding area and would detract from the appearance of the Marmion Road frontage. The proposal is thereby contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

BH2014/03855

85 New Church Road Hove

Creation of vehicle crossover, dropped kerb and hardstanding with associated alterations to front boundary.

Applicant: Anthony Naddeo
Officer: Joanne Doyle 292198
Refused on 19/03/15 DELEGATED

1) UNI

The development by reason of its siting would result in harm to the on- street London Plane tree located on the pavement in front of the property which would harm the character and appearance of the streetscene. The proposal is therefore contrary to policy QD16 of the Brighton & Hove Local Plan and Supplementary Planning Document 06: Trees and Development Sites.

2) UNI2

The proposed hardstanding covering almost the entire front garden would alter the character and appearance of the property by reducing the vegetated frontage to the property and streetscene. The proposal is therefore contrary to QD14 of the Brighton and Hove Local Plan and the Supplementary Planning document: Design guide for Extensions and Alterations (SPD12).

BH2014/04219

56A Boundary Road Hove

Change of use from retail unit (A1) to podiatry clinic (D1) and retail (A1). (Part Retrospective)

Applicant: Mrs R Tanyous
Officer: Sue Dubberley 293817

Approved on 18/03/15 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

A window display and sale of retail goods to the front of the unit shall be maintained at all times.

Reason: In order to ensure there is an acceptable visual retail presence within the street and to comply with policy SR5 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, existing and proposed floor plans	BOU/001		22/12/2014
Block Plan	BOU/002		22/12/2014

BH2015/00122

3 & 3A Portland Avenue Hove

Erection of single storey rear extension, single storey side extension and enlargement of first floor roof terrace incorporating glazed screening.

Applicant: Ms Sue Griffin
Officer: Astrid Fisher 292337

Refused on 24/03/15 DELEGATED

1) UNI

Due to the scale and design of the proposed extensions, the scheme would detract from the appearance of the host property and the surrounding area resulting in a contrived and cluttered appearance. As such the proposal is

considered contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12: Design Guidance for Extensions and Alterations.

2) UNI2

Due to the position of the proposed side extension, the neighbouring property to the south would suffer from overshadowing, loss of light and an increased sense of enclosure. As such the proposal is considered to result in a loss of amenity and is contrary to policy QD27 of the Brighton & Hove Local Plan and SPD12: Design Guidance for Extensions and Alterations.

3) UNI3

3. Due to the scale and proximity to the boundary of the proposed rear extension, the neighbouring property to the north would suffer from loss of light, outlook and an increased sense of enclosure. The proposed raised terrace, due to its position and height in close proximity to the adjacent property, would also result in overlooking, loss of privacy and noise disturbance to occupants of the adjoining property. The proposal would therefore lead to a significant loss of amenity and is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan, and Supplementary Planning Document 12: Design Guide for Extensions and Alterations

BH2015/00145

2 Roman Road Hove

Erection of replacement rear conservatory.

Applicant: Miss Jill Finzi

Officer: Robert Hermitage 290480

Approved on 13/03/15 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

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

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

Plan Type	Reference	Version	Date Received
Proposed Plans and Elevations	DWG 1	-	19th January 2015
Proposed Side Elevations	DWG 2	-	19th January 2015
Existing Plans and Elevations	DWG 3	-	19th January 2015
Existing Side Elevations	DWG 4	-	19th January 2015
Existing and Proposed Roof Plans	DWG 5	-	19th January 2015
Site and Block Plan	DWG 6	-	19th January 2015

BH2015/00254

3 Brittany Road Hove

Certificate of lawfulness for proposed single storey side and rear extension.

Applicant: Mr Richard Lewis

Officer: Robert Hermitage 290480

Approved on 30/03/15 DELEGATED

BH2015/00278

Martello House 315 Portland Road Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 28no units.

Applicant: Rampart Capital Principal Investments 2

Officer: Guy Everest 293334

Prior Approval is required and is approved on 25/03/15 DELEGATED

BH2015/00326

66 Berriedale Avenue Hove

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, insertion of window to side and rooflights to front.

Applicant: Mr Ron Amran

Officer: Haydon Richardson 292322

Approved on 30/03/15 DELEGATED

BH2015/00355

35 St Heliers Avenue Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.5m, for which the maximum height would be 3.62m, and for which the height of the eaves would be 2.41m.

Applicant: Mr & Mrs Mike & Vicki Lambert

Officer: Haydon Richardson 292322

Prior Approval is required and is approved on 13/03/15 DELEGATED

BH2015/00556

34 Jesmond 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 4.1m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Mr Nigel Freedman

Officer: Luke Austin 294495

Prior Approval is required and is refused on 26/03/15 DELEGATED

1) UNI

The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation and would have a width greater than half the width of the original dwellinghouse. The development would not therefore be permitted by the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A, A.1(h), as amended.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Location Plan	1765	-	18/02/2015
Block Plan	1765	-	18/02/2015

Existing Floor Plans	1765/01		18/02/2015
Proposed Floor Plans and Elevation	1765/4	-	18/02/2015

Withdrawn Applications

PLANS LIST 22 April 2015**PRESTON PARK**

Application No: BH2015/00402
1 Lovers Walk, Brighton

Fell one Beech (T1). (Although tree is partially visible from Lovers Walk, the presence of many surrounding trees gives this tree low amenity value.)

Applicant: Mr Guy Longmore
Approved on 11 Mar 2015

Application No: BH2015/00554
103 Waldegrave Road, Brighton

1no Sycamore T1 - pollard to 1ft above main stem.

Applicant: J Hatch
Approved on 11 Mar 2015

Application No: BH2015/00643
Fiveways Playgroup, Rear of 8-10 Florence Road, Brighton

1no Elm (T10) - Fell and grind out stump and replant with 16-18cm girth Elm.

Applicant: Mr Carlos Daly
Approved on 30 Mar 2015

Application No: BH2015/00875
33 Havelock Road, Brighton

1no Ash Tree - (T1) 33% crown reduction.

Applicant: Mrs Theresa Rutherford
Approved on 25 Mar 2015

Application No: BH2015/00899
20 Beaconsfield Villas, Brighton

Fell 1no Sycamore. (Tree has no public amenity value.)

Applicant: Mr Iain Palmer

Approved on 30 Mar 2015

Application No: BH2015/01012

Preston Mansions, Preston Park Avenue, Brighton

4no Acer campestre in front communal garden adjoining Preston Park Avenue - trim, shape and reduce crowns by 25%.

Applicant: Miss M Longbotham

Approved on 30 Mar 2015

Application No: BH2015/01092

18 Florence Road, Brighton

Elm (T4) - remove epicormic growth up to 6m high and remove short branch stub; Elm (T5) - remove one lowest limb on west side of crown; Elm (T6) - remove two lowest limbs on south side of crown, remove epicormic growth; Lime (T7) - remove four lowest limbs on south side of crown; Elm (T11) - remove crossing limbs on west side of canopy.

Applicant: Mr G Hart

Approved on 30 Mar 2015

Application No: BH2015/01094

18 Florence Road, Brighton

Fell 2no Sycamores (T2 & T3).

Applicant: Mr G Hart

Approved on 30 Mar 2015

REGENCY

Application No: BH2015/00564

19 Victoria Road, Seven Dials, Brighton

1no Sycamore T1 - Reduce to previous points - approx 8 - 10ft off top and reduce all round.

Applicant: Mr Ben McWalter

Approved on 11 Mar 2015

Application No: BH2015/00570
Park Royal, Montpelier Road, Brighton

Fell 1no Sycamore. (Tree has serious decay in upper crown, thus is not sustainable.)

Applicant: Ben McWalter
Approved on 11 Mar 2015

Application No: BH2015/00644
8 Powis Villas, Brighton

1no Whitebeam (T1) - Reduce back to previous points (approx. 1m). 1no Elm (T2) Reduce height by 1m and laterals by 0.5m.

Applicant: Mr James Gray
Approved on 25 Mar 2015

ST. PETER'S & NORTH LAINE

Application No: BH2015/00569
19 Crown Gardens, Brighton

1no Mulberry Tree - (4ft off top and lift over pavement, road and light for suitable clearance). 1no Rhododendron - garden side only - crown lift to 7ft and reduce back to 2ft.

Applicant: Ben McWalter
Approved on 25 Mar 2015

Application No: BH2015/00578
32 Princes Road, Brighton

1no Oak T1- Crown reduction 20% - 3-4ft off top and reshape.

Applicant: Mr Nyall Thompson
Approved on 11 Mar 2015

Application No: BH2015/00990
17 North Gardens, Brighton

1no Cherry Tree - Crown reduction to remove overhang and maintain balanced shape, cut back by a max of 2ft - current height 15ft.

Applicant: Mr Steve Griffiths
Approved on 30 Mar 2015

WITHDEAN

Application No: BH2015/00131
Varndean Park Estate, Varndean Drive, Brighton

Fell one Sycamore (T94), fell one Horse Chestnut (T189) leaving a 7m habitat pole.

Applicant: Mr Terry Sinclair
Refused on 25 Mar 2015

Application No: BH2015/00179
Wellingtonia Court, Laine Close, Brighton

Fell 1no Elm (T22).

Applicant: Nuala Davitt
Refused on 24 Mar 2015

Application No: BH2015/00239
Varndean Park Estate, Varndean Drive, Brighton

1no Paperbark Birch (T92) - reduce the canopy by up to 30%; 1no Elm (T13) - remove two lowest limbs; 1no Elm (T1) - remove two lowest limbs and cut back to give 1.5m clearance from neighbouring building; 1no Lime (T182) - remove suckering growth; 1no Yew (T184) - remove lowest branches overhanging the road; 1no Yew/Copper Beech (1 Oak Close) - raise the canopies to give 1.5m clearance over the garage roof and cut back overhang by up to 2m; 1no Yew (T173) - thin canopy by 15% and trim exterior; 1no Robinia (T171) - remove low growth from trunk; 1no Yew (T31) - cut back from the building and balance the canopy accordingly.

Applicant: Mr Terry Sinclair
Approved on 25 Mar 2015

Application No: BH2015/00775
16 The Mews, Towergate, Brighton

1no Aesculus Hippocastanum - Pollard to 1m above crown break.

Applicant: Peter Fuller
Refused on 30 Mar 2015

Application No: BH2015/01011
12 Fairlie Gardens, Brighton

1no Sycamore in rear garden - crown reduce by approx. 30% (4-5m on the top and 3-4m on the side growth or lateral branches).

Applicant: Mrs C Liddiard

Approved on 31 Mar 2015

Application No: BH2015/01025

Varndean Park Estate, Varndean Drive, Brighton

Fell one Whitebeam (T35).

Applicant: Mr Terry Sinclair

Approved on 25 Mar 2015

Application No: BH2015/01026

Varndean Park Estate, Varndean Drive, Brighton

1no Turkey Oak T68 - remove large low limb growing to the north-east and free up from Holm Oak; 1no Lime T116 - remove lower growth and reduce the canopy to up to 30%; 1no Horse Chestnut T114 - remove one limb and reduce the canopy by up to 30%; 1no Sycamore T113 - reduce the canopy by up to 30%; 1no Elm T34 - reduce the canopy by up to 30%; 1no Sycamore T180 - remove two lowest limbs overhanging pavement.

Applicant: Mr Terry Sinclair

Refused on 25 Mar 2015

EAST BRIGHTON

Application No: BH2015/00796

Roundabout Nursery, Whitehawk Road, Brighton

Fell 2no Sycamores

Applicant: Rob Stevens

Approved on 30 Mar 2015

MOULSECOOMB & BEVENDEAN

Application No: BH2015/00781

Bevendean Primary School, Heath Hill Avenue, Brighton

2no Horse Chestnut (T29 + 46) - Reduce dead sections all over by up to 3m to lower crown growth points, 2no Cherry Tree (T51 + T52) - Reduce and reshape crowns by up to 3m to growth points.

Applicant: Mr Richard Green
Approved on 11 Mar 2015

QUEEN'S PARK

Application No: BH2015/00549
6 South Avenue, Kemptown, Brighton

3no Sycamore - 25% reduction. 3no Acacia - 25% reduction.

Applicant: Mr Andrew McDonald
Approved on 11 Mar 2015

Application No: BH2015/00817
169 Edward Street, Brighton

Fell 1no False Acacia (T1) at rear of garden. Sectional Fell and leave a low stump.
(Tree is causing structural damage and is not sustainable in the long term.)

Applicant: Mr Sean Graham
Approved on 25 Mar 2015

Application No: BH2015/00862
Brighton College, Eastern Road, Brighton

Fell 1no Poplar (T1) and 1no Sycamore (T3). (Trees have no public amenity value.)

Applicant: Ms Lesley Baker
Approved on 25 Mar 2015

Application No: BH2015/00865
Brighton College, Eastern Road, Brighton

1no Elm (T2) - Remove deadwood and epicormic growth. 1no Sycamore (T4) -
Reduce crown over road. 1no Elm (T5) Remove 2 low branches.

Applicant: Ms Lesley Baker
Approved on 25 Mar 2015

Application No: BH2015/01008
169 Edward Street, Brighton

T1 - Sycamore to the rear of Dereks barbershop. Perform a 30% Crown reduction.
This will result in branches being reduced in length by approximately 2.5m.

Applicant: Mr Derek Wheeler
Approved on 30 Mar 2015

ROTTINGDEAN COASTAL

Application No: BH2015/00547
4 Frederick House, Little Crescent, Rottingdean

1no Sycamore - Reduce by 2m southern side and 1-2m northern side, minor 10% thinning of crown.

Applicant: Mr Ed Haunton
Approved on 11 Mar 2015

Application No: BH2015/00550
22 Arundel Place, Brighton BN2 1SP

Fell 1no Magnolia delavayi & 1no Viburnum tinus.

Applicant: Mr Andrew Doig
Approved on 11 Mar 2015

Application No: BH2015/00551
22 Arundel Place, Brighton BN2 1SP

1no Robinia pseudoacacia 'Frisia' - crown to be pruned by 2m.

Applicant: Mr Andrew Doig
Approved on 11 Mar 2015

Application No: BH2015/00868
Challoners, The Green, Rottingdean, Brighton

2no Copper Beech (T4 and T5) - pruning of wind damage, 0.5m reduction to re-balance. 1no Mulberry (T3) - 10% crown thin and up to 0.5m clearance from surrounding structures.

Applicant: Mr Kevin Rodgers
Approved on 30 Mar 2015

Application No: BH2015/00890
63 Elvin Crescent, Rottingdean

2no Acer pseudoplatanus (T1 & T2) - reduce by 2-3m.

Applicant: Mr J Hatch
Approved on 30 Mar 2015

Application No: BH2015/00902
4 The Studio, Dean Court Road, Rottingdean

2no Leyland Cypress trees - (T1 & T2) Reduce by 2.5m

Applicant: Ms Lesley Baker
Approved on 30 Mar 2015

BRUNSWICK AND ADELAIDE

Application No: BH2015/00799
Flat 2A, 2-3 Palmeira Square, Hove

Fell 1no Scots Pine. (Tree is not visible from any public area, thus has no public amenity value.)

Applicant: Timothy Kirkup
Approved on 30 Mar 2015

Application No: BH2015/00910
63 Church Road, Hove

Fell one Sycamore in rear garden to above ground level. (Tree is not visible from any public space, thus has no public amenity value.)

Applicant: Mr Angelo Cavallo
Approved on 30 Mar 2015

CENTRAL HOVE

Application No: BH2015/00562
Flat 1, 21 Fourth Avenue, Hove

4no Sycamore T1 - 4 - Reduce by 2-3m to live growth points above last cuts.

Applicant: Mr J Hatch
Approved on 11 Mar 2015

Application No: BH2015/00642
9 Fourth Avenue, Hove

1no Leyland Cypress (T3) - Reduce height to line of continued row of leyland cypress, 1no Leyland Cypress (T2) - Reduce to height line of continued row of leyland cypress, should this leave it with no foliage due to sever suppression then to fell to ground level.

Applicant: Mr John Hayes

Approved on 25 Mar 2015

Application No: BH2015/00780
33 Medina Villas, Hove

1no Lime (T1) - reduce to 0.5m below previous pruning points. Reduce lateral growth to match, 1noPurple Plum (T2) - reduce height by 1m, 1no Gleditsia (T3) - reduce height and spread by approx 2 metres.

Applicant: Mr Geoffrey Place

Approved on 11 Mar 2015

Application No: BH2015/00871
9 Fourth Avenue, Hove

Fell 1no Leyland Cypress (T1).

Applicant: Mr John Hayes

Approved on 25 Mar 2015

GOLDSMID

Application No: BH2015/00264
71 The Drive, Hove

T1 Sycamore - reduce length of all branches by up to 1m ensuring natural shape and balance typical of species is maintained where possible, remove dead and diseased wood; T3 Sycamore - reduce length of all branches by up to 2m ensuring natural shape and balance typical of species is maintained where possible, remove dead and diseased wood; T4, T5, T7 & T9 Sycamores - crown clean and thin by 20%; T6 & T8 Sycamores - reduce length of all branches by up to 2m ensuring natural shape and balance typical of species is maintained where possible, remove dead and diseased wood, remove the old ivy; T12 Macrocarpa - remove large easternmost stem in upper crown overhanging site, crown clean remaining crown.

Applicant: Mr G O'Flanagan

Approved on 25 Mar 2015

Application No: BH2015/00265
71 The Drive, Hove

Fell one twin-stem Sycamore (T2).

Applicant: Mr G O'Flanagan
Approved on 25 Mar 2015

Application No: BH2015/00437
46 Cromwell Road, Hove

Fell one Poplar in the rear garden. (Although the tree has limited public views from Selborne Place, the present condition of the tree and its location and proximity to built structures renders it unsustainable.)

Applicant: Mr L Bartlam
Approved on 11 Mar 2015

Application No: BH2015/00574
Eaton Gate, Eaton Gardens, Hove

3no Poplar T1 T2 T3- Pollard to old points. 2no Sycamore T4 T5 - Reduce and reshape by approx 30% Laterals 2.5m/Height 3.5m. 1no Twin stem Sycamore T6 - Reduce and reshape by approx 30% Laterals 2m / Height 3m.

Applicant: Mr Jon Lee
Approved on 11 Mar 2015

Application No: BH2015/00788
Gainsborough House, Eaton Gardens, Hove

1no Cherry (T2) - De stake, 1no Cherry (T4) crown thin 15% / Dead wood, 1no Cherry (T5) - Formative prune, 1no Sycamore (T3) - Formative prune, 1no Sycamore (T6) Reduce by 30% (Lateral 1.5m & Height 2.5m).

Applicant: Jon Lee
Approved on 30 Mar 2015

Application No: BH2015/00874
Eaton Manor, The Drive, Hove

1no Poplar (T1) - Re pollard and remove one decayed limb growing towards building. 1no Cotoneaster (T2) – trim back from building by 2m and road by 2m.

Applicant: Mr David Cook
Approved on 25 Mar 2015

Application No: BH2015/00901
Eaton Gate, Eaton Gardens, Hove

3no Hybrid Black Poplars (T1-T3) - Reduce by up to 5m. Re-pollard back to previous pollard points. 1no Sycamore (T4) - Reduce height by up to 3m. Reduce radial spread to the North by up to 3m from approx 8m to 5m. 1no Sycamore (T5) - Reduce radial spread of Southern and East crown from approx 8m to 5m. 1no Sycamore (T6) - reduce whole crown from approx 7m to 5m, approx height from 8.5m to 6.5m.

Applicant: Duncan Armstrong
Approved on 30 Mar 2015

Application No: BH2015/00946
54 Wilbury Road, Hove

Fell one Poplar. (Public visibility is very limited, thus the tree has minimal public amenity value. Its present location means that it is not sustainable in the long term.)

Applicant: Mr S Duance
Approved on 30 Mar 2015

HOVE PARK

Application No: BH2015/00376
46 Tongdean Avenue, Hove

Silver Birch T5 - reduce in height to 9m and re-shape canopy in line with reduction; Lime T6 - reduce in height to 9m; Lime T7 - reduce in height to 14m and thin remaining crown by 20%; Lime T9 - remove small subsidiary stem, thin remaining crown by 15%; 4no Monterey Cypress & Laurel G2 - reduce in height to 3.5m; Lime T11 - thin crown by 20%.

Applicant: Mr Sean O'Connor
Approved on 24 Mar 2015

Application No: BH2015/00436
46 Tongdean Avenue, Hove

Fell 1no Poplar T1, 1no Cherry T2, 3no Lawson Cypress T3, T4 & T8, & 1no Norway Maple T10. (Poplar T1 - significant decay at base; the other trees have no public amenity value.)

Applicant: Mr Sean O'Connor
Approved on 25 Mar 2015

Application No: BH2015/00466

46 Tongdean Avenue, Hove

1no large Beech (T1) - 20% reduction to 9m, 6no Hollies & 1no Bay Laurel (G1) - reduce in height to 4m.

Applicant: Mr SEAN O'CONNOR

Approved on 24 Mar 2015

Application No: BH2015/00777

100 Woodland Drive, Hove

1no Sycamore (T1) - reduce crown by 2 metres, 1no Beech (T2) - reduce to 1m above fence line, 1no Western Red Cedar (T3) - reduce height by 3m and trim sides. (T2 Refused - in ownership of BHCC.)

Applicant: Mr Geoffrey Place

Approved on 24 Mar 2015

Application No: BH2015/00873

1 Chalfont Drive, Hove

1no Sycamore (T1)- Reduce height and width of crown by 2m.

Applicant: Mr Henry Mason

Approved on 30 Mar 2015

Application No: BH2015/00986

35 Dyke Road Avenue, Hove

Fell 1no Sycamore .

Applicant: Emma Frew

Approved on 30 Mar 2015

Application No: BH2015/01006

10 Chartfield, Hove

1no Sycamore (T16) - reduce by 2-3m to keep tree maintained for size of garden.

Applicant: Mr J Hatch

Approved on 31 Mar 2015

Application No: BH2015/01007

Orchard House, Park View Road, Hove

3no Acer platanoides (T1 - T3) - reduce new growth by 2-3m to live growth points above last cuts.

Applicant: Mr J Hatch

Approved on 31 Mar 2015

NEW APPEALS RECEIVED**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

BH2014/02755

Land Rear of 285 Dyke Road Hove

Erection of three bedroom detached bungalow with access from The Droveway.

APPEAL LODGED

12/03/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****REGENCY**

BH2014/03232

15 Windlesham Road Brighton

Extension to existing terrace with balustrade, steps to garden level and installation of rooflight.

APPEAL LODGED

17/03/2015

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****QUEEN'S PARK**

BH2014/02054

Brighton College Eastern Road Brighton

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.

APPEAL LODGED

18/03/2015

Planning Committee

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****ROTTINGDEAN COASTAL**

BH2014/00285

1 Abbotsbury Close Saltdean Brighton

Conversion of existing house into 1no one bedroom flat and 1no three bedroom maisonette (C3) with creation of a bike and bin store to rear with raised terrace above at first floor level and replacement rear window at ground floor level. (Retrospective)

APPEAL LODGED

APPEAL RECEIVED DATE 23/03/2015
APPLICATION DECISION LEVEL Delegated

WARD **PRESTON PARK**
APPEAL APP NUMBER BH2014/03679
ADDRESS 12 Preston Park Avenue Brighton
DEVELOPMENT DESCRIPTION Erection of single storey rear extension.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 20/03/2015
APPLICATION DECISION LEVEL Delegated

WARD **WITHDEAN**
APPEAL APP NUMBER BH2014/03587
ADDRESS 158 Tivoli Crescent North Brighton
DEVELOPMENT DESCRIPTION Erection of first floor rear extension over existing flat roof.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 23/03/2015
APPLICATION DECISION LEVEL Delegated

WARD **PRESTON PARK**
APPEAL APP NUMBER BH2014/03013
ADDRESS 88 Waldegrave Road Brighton
DEVELOPMENT DESCRIPTION Replacement of existing timber sash windows with UPVC sash windows to front elevation.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 26/03/2015
APPLICATION DECISION LEVEL Planning Committee

WARD **PRESTON PARK**
APPEAL APP NUMBER BH2014/03151
ADDRESS 74 Preston Road Brighton
DEVELOPMENT DESCRIPTION Erection of office unit above existing vehicular MOT service garage.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 27/03/2015
APPLICATION DECISION LEVEL Delegated



**Brighton & Hove
City Council**

**INFORMATION ON HEARINGS / PUBLIC INQUIRIES
22nd April 2015**

This is a note of the current position regarding Planning Inquiries and Hearings

University of Sussex, Refectory Road, Falmer, Brighton

Planning application no:	BH2013/04337
Description:	Outline application with some matters reserved for demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping.
Decision:	Planning Committee
Type of appeal:	Public Inquiry
Date:	10:00am 20 th October 2015
Location:	Brighton Town Hall, Bartholomew Square, Brighton BN1 1JE

Brighton College, Eastern Road, Brighton

Planning application no:	BH2014/02054
Description:	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.
Decision:	Planning Committee
Type of appeal:	Informal Hearing
Date:	TBC
Location:	TBC

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alterations to provide additional bedrooms and bathroom. **APPEAL DISMISSED** (Delegated Decision)

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Appeal Decision

Site visit made on 23 March 2015

by **Clive Tokley MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 April 2015

Appeal Ref: APP/Q1445/D/15/3003876

4 Challoners Cottages, Falmer Road, Rottingdean, Brighton, BN2 7DU.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Jean Barrett against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/03422 dated 22 October 2014 was refused by notice dated 19 December 2014.
 - The development proposed is the retention of replacement uPVC sash windows at ground and first floor level in the front elevation.
-

Decision

1. The appeal is allowed and planning permission is granted for the retention of replacement uPVC sash windows at ground and first floor level in the front elevation at 4 Challoners Cottages, Falmer Road, Rottingdean, Brighton, BN2 7DU. The permission is in accordance with the terms of the application Ref BH2014/03422 dated 22 October 2014.

Introduction and main issue

2. The application did not include drawings of the proposed windows in the context of the dwelling and the submitted detailed sections of the structural elements of the windows are of limited value in my assessment of the proposal. The drawings include one illustration of a window but this bears little resemblance to what I saw at the site. The appellant makes it clear that permission is sought to retain the windows that have already been installed and I have therefore disregarded the drawings and determined the appeal on the basis of what I saw at the site, which accords with the photograph submitted by the appellant.
 3. The appellant's "before and after" photographs indicate that the uPVC casements in the front dormer have not been changed and the lengthy detailed description on the application form indicates that the proposal relates only to the ground floor and first floor windows. In the interests of concision and clarity I have amended the short description that appears on the Council's notice of refusal.
 4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Rottingdean Conservation Area (CA).
-

Reasons

5. The CA includes the historic core of Rottingdean extending north from the mostly narrow-fronted tightly-knit development around High Street to lower density mainly residential area around The Green and Falmer Road. The appeal property lies close to the northern extremity of the CA and is the southernmost house in a terrace of four dwellings (Challoners Cottages). A narrow side way separates this terrace from the neighbouring terrace (Northgate Cottages) to the south.
6. The four dwellings in Challoners Cottages have different fenestration with numbers 1 and 2 having deeper and wider window openings at ground and first floor with squint reveals and horizontal window heads. This compares with the narrower windows with a vertical emphasis at numbers 3 and 4 which are within square reveals beneath shallow arched heads. The wider openings of Nos 1 and 2 contain shallow bow windows of differing depths. Their small-paned timber casements include top-hung night vents and appear to be relatively modern units.
7. All four of the cottages have front dormer windows; those at numbers 3 and 4 are narrow with pitched roofs and are aligned with the windows below. The dormer at No 3 has timber sashes whereas No 4 has a uPVC unit with a top-hung night vent. The dormer of No 2 is of a similar design to those at Nos 3 and 4 but it is offset from the main windows below. That dormer has front-facing uPVC casements. The dormer at No 1 is much wider than the others and has a flat roof and a front-facing bow window of a similar character to the windows below. Therefore whilst superficially similar there are significant variations in the fenestration of the four cottages.
8. Northgate Cottages to the south share some of the detailing that appears in Challoners Cottages but all appear to have retained timber windows; including a number of examples of locally unusual horizontal sliding sashes. The two terraces have mostly retained their timber windows but I noted a number of examples of uPVC windows in the vicinity within the CA.
9. When seen from the east side of Falmer Road the window surrounds and the meeting rails of the replacement "six over six" small-paned sashes appear to be slightly wider than those at No 3. The nature of their materials of construction is not evident from that range and they appear as a good match for the timber windows at No 3. In the context of the variations within the design and appearance of the windows within the terrace the replacement windows do not appear out of place within the CA.
10. The sashes of the replacement windows are set back in their reveals and when approaching along the roadside pavement from either direction they are not clearly seen. However from the street immediately outside No 4 the depth of the casements and the slider rails become apparent and these contrast with the more simple slimmer elements of the timber windows at No 3. A close examination also reveals the different materials of manufacture.
11. The Council indicates that there is no record of the former uPVC windows but there is no indication that they were unlawful. The photographs submitted by

the appellant provide limited detail but they demonstrate that the previous windows did not share the appearance of those at No 3. In my view the replacements are a much better match that more accurately reflects the character of this part of the CA.

12. Policy HE6 of the Brighton and Hove Local Plan indicates that within conservation areas proposals should exhibit a high standard of design and detailing and adopt materials and finishes that are sympathetic to the area. A footnote indicates that the alteration of the style and detailing of timber sliding sashes will be resisted. In this proposal the style of timber sliding sashes has been reintroduced to the building, albeit using non-traditional materials.

13. I do not disagree with the Council that the use of timber windows would enhance the historic integrity of the CA and this is reflected in the Council's policies and guidance. When seen close up there are clear differences between a uPVC window and a timber window; however in my view the replacement windows represent an improvement in the appearance of the house and the terrace as compared with the previous windows.

Conclusion

14. Taking account of all matters, and in the particular circumstances of this proposal, I have concluded that the uPVC windows that have been installed at ground and first floor level in the front elevation of the house do not detract from the significance of the heritage asset (the CA) and that they at least preserve its character and appearance. I therefore conclude that the appeal should succeed.

Clive Tokley

INSPECTOR



Appeal Decision

Site visit made on 12 March 2015

by **Ray Wright** BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 March 2015

Appeal Ref: APP/Q1445/D/14/2224183
328 Cowley Drive, Brighton BN2 6TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Sawyer against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01602 was refused by notice dated 17 July 2014.
 - The development proposed is 'loft conversion with dormers front and rear and to raise roof over existing front addition.'
-

Decision

1. The appeal is allowed and planning permission is granted for an extension at first floor level to front gable, barn end to gable roof alterations and 2 no. dormers to front roofslope to facilitate loft conversion at 328 Cowley Drive, Brighton, BN2 6TP in accordance with the terms of the application, Ref BH2014/01602, dated 16 May 2014, subject to the following conditions:
 - 1) The development, hereby permitted, shall begin not later than three years from the date of this decision.
 - 2) The development, hereby permitted, shall be carried out in accordance with the following approved plans: 01, A102, and A104.
 - 3) The materials to be used in the construction of the external surfaces of the development, hereby permitted, shall match those used in the existing building.

Procedural Matter

2. The description within the application form is as set out in the heading above. However, the drawings submitted with the application clearly show only two dormers to the *front* of the dwelling. I have considered this appeal on the basis of the drawings submitted and used the more accurate description within the appellant's appeal form, which corresponds with that in the Council's decision letter.

Main issue

3. The main issue in this case is the effect of the proposals on the appearance of the host property and the wider effect on the character and appearance of the area.

Reasons

4. The application relates to a detached bungalow on the north side of Cowley Drive. The application proposes alterations to the roof to provide accommodation at first floor level.
5. The Council raises no objection to the proposed alteration of the current 'barn ends' of the roof of the appeal property to full gables. The alteration would have only a limited impact on the appearance of the property and I have no reason to disagree with this assessment.
6. The proposals would involve the installation of two dormer windows to the front roof slope. The Council's 'spd 12 - design guide for extensions and alterations' (SPD) indicates that front dormers will generally be resisted where they unbalance a building or disrupt the continuity of a terrace or group. However, while the property is within a group of bungalows on this side of the road, each with similar plot widths, the actual buildings are not uniform: the appeal property having a different roof form to its immediate neighbours. In addition, the wider area has a mix of residential properties many of which appear to have been altered and extended since their original construction.
7. A number of properties in the vicinity have dormer additions, with a large box dormer evident on a property directly opposite the appeal site. In this case the dormers, as proposed, would meet the detailed requirements set out in the SPD, in that they would be set up from the eaves lines, down from the ridge and in from the sides of the bungalow, with a hipped roof design. Consequently, they would be subordinate within the overall roof space and, to my mind, not be visually dominant or strident.
8. Similarly, there are a number of gable features to the residential properties in the area, including a gable to the front of the immediately adjoining bungalow. Therefore the proposed alteration of a front hip roof to a gable, in this scheme, would not be a discordant feature in the wider area.
9. I conclude that the development would not be materially harmful to the character and appearance of the property or wider area. As such there would be no conflict with the design requirements of the Framework, Policies QD1, QD2, and QD14 of the Brighton and Hove Local Plan 2005 or SPD.

Conditions

10. The Council has not put forward any conditions should the appeal succeed. However, the standard commencement condition is required, as is a condition referring to the relevant plans, for the avoidance of doubt and in the interests of proper planning. To fully integrate the alterations with the existing bungalow, it is important that suitable matching external finishes are used. Therefore, a condition requiring proposed external materials to match the existing is reasonable and necessary.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed.

Ray Wright

INSPECTOR



Appeal Decision

Site visit made on 24 February 2015

by **J Dowling BA(Hons) M.Phil MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 March 2015

Appeal Ref: APP/Q1445/D/14/3001144

17 Newells Close, Brighton, East Sussex BN2 6QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Karen Gordan against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/03011 was refused by notice dated 18 November 2014.
 - The development proposed is a loft conversion.
-

Decision

1. The appeal is allowed and planning permission is granted for the creation of a rear dormer at 17 Newells Close, Brighton, East Sussex BN2 6QD in accordance with the terms of the application, Ref BH2014/03011, dated 3 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 approved drawings ESX203539, S11338/1, S11338/2, S11338/3, S11338/4 and S11338/5.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The site address provided on the application form is 17 Newell Close. However, all other documentation refers to 17 Newells Close and my site visit confirmed that this is the correct address. I have therefore amended the site address accordingly.
3. The description of development was amended by the Council at the application stage to refer to the *creation of a rear dormer*. I consider that this more accurately describes the proposed works and this is the description that I have therefore used in my decision.

Main issue

4. The main issue is the effect of the development on the character and appearance of the host property and the wider area.

Reasons

5. The appeal site is a modern two storey semi-detached house which forms part of a small in-fill development at the end of Newells Close (Nos 11-20). The property is located on the side of a hill with levels dropping steeply from the front to the rear of the site. As a result the property has an asymmetric roof with a longer rear roofslope. No 17 and the adjoining No 18 are set further back from the road than the adjacent properties to accommodate a turning head and as a consequence the rear garden of both properties is considerably shorter than for the adjacent houses.
6. When permission was granted for the original house it was subject to a condition that removed permitted development rights. As a result the property cannot be extended, enlarged or altered without the prior written consent of the Council. The appeal proposal is for the insertion of a dormer window in the rear roofslope to enable the loft space to be converted to a habitable room.
7. The Council's Supplementary Planning Document 12 – Design Guide for Extensions and Alterations (2013)(SPD12) states that dormer windows are inappropriate in design where they occupy the full width of the roof; they should be kept as small as possible; clearly be subordinate and set well off the sides, ridges and eaves of the roof. It advocates that the supporting structure should be kept to a minimum and should not be substantially larger than any window opening.
8. The appeal proposal would not occupy the full width of the roof and has been set in from both the party wall and the side elevation and set back from the eaves. Although, the proposal would extend out from the existing ridge the roof would have a small pitch to reduce the height and minimise the bulk of the structure.
9. Whilst only two thirds of the dormer would be windows, the proposed area of cladding would be between the two windows and is therefore considered proportionate and well related to the overall proposal. The proposed windows would line through with the existing windows in the rear elevation thereby reflecting the proportions and layout of the original house. I therefore consider that the development would be a subordinate structure with in the roofspace and that it has been designed to reflect the host building and other adjoining properties.
10. When I visited the site it was apparent that due to the drop in levels and the short garden depth the majority of the rear roofslope is not visible from the rear garden of No 17 or the adjoining No 18. Nos 11-16 and 19-20 Newells Close are all set forward of the appeal property and as a result views of the dormer from the rear windows of these properties would be limited. For the majority of neighbouring buildings the dormer would be mainly visible from the end of the garden and consequently I consider that the proposal would not degrade this area.
11. Due to its hillside location the rear roofslope of the property is visible from the surrounding area. From my site visit it was apparent that views of No 17 would mainly be from further afield as due to the continuing drop in levels closer views from the neighbouring road, Crescent Drive North, are limited. Where clear views of the roof of No 17 are possible the proposed dormer would be viewed in the wider context of surrounding roofslopes, and whilst those

higher up the hill remain relatively unaltered, dormers are not an uncommon feature on the properties below.

12. The appellant refers to the dormer at No 14 and cites this as setting a precedent for the proposal. However, no detailed information has been provided regarding its planning history and in any event its context differs to that of the scheme before me and does not lead me to a different view on this case.
13. Consequently, I consider that the proposal would have little impact on the character and appearance of the area. As a result there would be no conflict with Policy QD14 of the Brighton and Hove Local Plan 2005 which seeks to ensure that development is well designed, sited and detailed in relation to the property to be extended and it is in accordance with the guidance provided by SPD12.
14. The purposes of this policy and guidance are consistent with the National Planning Policy Framework (the Framework) which seeks among other things to secure a good quality of design.
15. Paragraph 206 of the Framework sets out a number of tests that conditions need to meet. I have considered the conditions suggested by the Council against paragraph 206 and judge that they meet these tests. In addition to the standard time limit, for clarity and in the interests of the character and appearance of the surrounding area, a condition requiring matching external materials to be used in the construction of the rear dormer has been attached. For the avoidance of doubt and in the interests of proper planning, I have also imposed a condition requiring that the development be carried out in accordance with the approved plans.

Conclusion

16. For the reasons set out above, this appeal is allowed.

Jo Dowling

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: 9 March 2015

Appeal Ref: APP/Q1445/D/14/2229427

28 Upper Rock Gardens, Brighton, East Sussex, BN2 1QE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Lumley, against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02025, dated 28 July 2014, was refused by notice dated 19 September 2014.
 - The development proposed is the demolition of existing rear lean to and erection of single storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing rear lean to and erection of a single storey rear extension at 28 Upper Rock Gardens, Brighton, BN2 1QE in accordance with the terms of the application Ref BH2014/02025, dated 28 July 2014, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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. PL01, PL02, PL03(A), PL04, PL05(A), PL06, PL07.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building.

Reasons

3. 28 Upper Rock Gardens is a four storey (including basement) mid-terrace, residential building. The building has an original two storey outrigger which, at ground level, has a single storey lean-to structure attached. It is proposed that the lean-to, which did not appear to me as being in the best state of repair, be removed and replaced by a full width, flat-roofed, single storey L-shaped addition, projecting some 3.1m from the main rear wall and approximately
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- 1.25m from the outrigger's limit. The extension's depth against the boundary wall, beyond which is the rear yard of the adjoining property, No 27 Upper Rock Gardens, would be roughly comparable with that taken up by the existing lean-to structure.
4. I have taken into account the representations from the owner/occupier of No 27 as regards a potential loss of light to this neighbouring building. However, although the existing lean-to's pitched roof would be replaced by a flat-roofed arrangement, the maximum height would remain unchanged and, when combined with the similar depth involved, I do not consider that No 27 would suffer any significant harm. A high common boundary enclosure with No 29, on the opposite side, comprises of a wall overlain by vegetative screening and, whilst I have also had regard to the representations from this neighbour, I agree with the Council in its assessment that this property, similarly, would be unaffected by the proposal.
 5. The Council's Supplementary Planning Document 'Design guide for extensions and alterations' (SPD) advises against extensions projecting beyond the property's side wall which, applied to this case, would include the side wall of the projecting wing or outrigger. In relation to other SPD criteria for rear extensions the proposal accords in that its flat roof would be below cill height. The SPD also addresses infill extensions and advises that these should not be overbearing on neighbouring properties and should not normally extend beyond the wall of the outrigger or wrap around to the rear elevation. Whilst the proposal does not comply with the latter two criteria, it would have no significant effect on the living conditions of either neighbouring occupiers and would, I consider, due to the removal of the lean-to and replacement with a better quality rear extension, represent an improvement on the current situation.
 6. The Council considers that the wrap-around nature of the extension and a slight overhang to the boundary wall would cause harm to the character and appearance of the host property. I disagree and, given the circumstances, I consider that the proposed extension would be to an appropriate scale and would not impact on the visual appearance or character of the property.
 7. I note that the property lies within a locally designated conservation area. However, neither party has expressed a view regarding any effect of the proposal on the character and appearance of the East Cliff Conservation Area, where the residential streets within are largely characterised by long straight period terraces with uniform frontages faced with smooth stucco render. Nonetheless, I have had special regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this respect, and as the proposed extension cannot be seen from the street, I am satisfied that it would preserve those interests.
 8. At my site visit I witnessed that the existing lean-to overhangs more than half the width of the boundary wall, and the proposal would involve a similar arrangement. To this end the appellant served notice on the owner of the adjoining property, No 27, and the appropriate Certificate B was submitted with the planning application. In the circumstances the appellant will likely not have full, legal control to implement the proposal as the submitted plans would

suggest. Whilst I acknowledge that this may have implications for the scheme's implementation were the appeal to succeed, I have made my decision only on the planning merits of the case.

9. I thereby conclude that the proposal would not be harmful to the character or appearance of the host building. It would also not be inconsistent with the aims and objectives of Policy QD14 of the Brighton and Hove Local Plan and neither would it conflict with the relevant advice contained in the SPD.
10. For the above reasons, and having had regard to all matters raised, I conclude that the appeal should succeed. As regards conditions, in addition to the standard time limitation condition, for the avoidance of doubt and in the interests of proper planning, I shall impose a condition requiring that the development be carried out in accordance with the approved plans. I shall also impose a condition requiring that matching materials for the external surfaces be used in the extension's construction in order to ensure a satisfactory appearance.

Timothy C King

INSPECTOR

Appeal Decision

Site visit made on 17 March 2015

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 April 2015

Appeal Ref: APP/Q1445/A/14/2229123
6A Oxford Street, Brighton, Sussex BN1 4LA

- 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 Behnam Behdad against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/00500, dated 30 June 2014, was refused by notice dated 4 August 2014.
 - The development proposed is for a second floor extension.
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Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The locality is characterised by an eclectic mix of building designs and scales with some modern infill development. The appeal building is of two and a half storeys with flat roof dormers to its front and rear elevations and a chimney to its western gable. I note that there are a number flat roof buildings in the locality and that these are not restricted to buildings constructed from a specific era. However, each proposal must be assessed on its own merits and visually the subject building needs to be assessed against its immediate context, which comprises of buildings with pitched roof forms at 114-117 London Road and 7-10 Oxford Street.
 4. The proposal would give rise to the loss of architectural detailing such as the original pitched roof, eaves and gable lines, along with the chimney. Combined with its resultant increased mass and scale, the proposal would render the host building as more prominent in the street scene. Therefore I cannot consider that the proposal would complement the appearance of the existing building. I acknowledge that the ground floor shop unit is currently in a poor state of repair, and which has not been occupied for several years, but there is nothing in the submissions before me to demonstrate that this proposal is necessary to enable improvement works to be carried out and the unit to be re-let.
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5. I have had regard to the Open Market development to the rear of the appeal site which has been designed in a contemporary manner, but notwithstanding this, I find that by virtue of its scale, design, massing and bulk, the appeal proposal would represent a visually discordant addition that would be harmful to the character and appearance of the area.
6. Therefore, whilst I acknowledge that the Council raise no objection to the proposal on residential amenity grounds, I find the proposal in conflict with Policy QD14 of the Brighton and Hove Local Plan 2005 (LP) as the proposal would not be well designed, sited or detailed in relation to the property to be extended, adjoining properties or to the surrounding area. The proposal also conflicts with the general design principles as set out within the Council's Design Guide for Extensions and Alterations (Supplementary Planning Document 12) which recognises that any excessively bulky additions can have a significantly harmful impact on both the appearance of the property and the continuity of a street-scape.

Conclusions

7. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

C J Tivey

INSPECTOR

Appeal Decision

Site visit made on 12 March 2015

by Ray Wright BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 March 2015

Appeal Ref: APP/Q1445/D/14/2222670

4 Chester Terrace, Brighton BN1 6GB

- 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 Ian Carter against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/00855 was refused by notice dated 13 May 2014.
 - The development proposed is 'for new conservation rooflight to the front street elevation and new dormer window to the rear.'
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Decision

1. The appeal is allowed and planning permission is granted for a new conservation rooflight to the front street elevation and new dormer window to the rear, at 4 Chester Terrace, Brighton BN1 6GB in accordance with the terms of the application, Ref BH2014/00855, dated 16 March 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: L-001, L002 (block plan), and L-003.
 - 3) The materials to be used in the construction of the external surfaces of the dormer, hereby permitted, shall be as detailed within the submitted application form and associated design and access statement.

Preliminary Matter

2. A dormer to the rear of the appeal property, similar to the appeal proposal, has already been built. I have assessed the proposal on the basis of the development depicted upon the submitted plans.

Main issue

3. The main issue in this case is the effect of the proposed development on the character of the building and whether it would preserve or enhance the character or appearance of the Preston Park Conservation Area.

Reasons

4. The application relates to a two storey terrace dwelling, in a group of similar late 19th Century buildings, on the eastern side of Chester Terrace. The development involves the conversion of the loft space into a habitable room with external alterations.

5. The Council raise no objection to the front roof light window or to the size of the rear dormer. The roof light would be of an appropriate design and suitably located above the frontage bay window and the rear dormer of restricted proportions. Therefore, I have no reason to disagree with this assessment.
6. The rear dormer would be sited to the north side of the roof whereas the Council's guidance in 'spd 12 - design guide for extensions and alterations' (SPD) indicates a position in the centre line of the dwelling would be most appropriate. However, views of the rear roof are restricted and mainly limited to those from the rear of nearby properties and their gardens. There would, in addition, be glimpsed views in the gaps between buildings on Stanford Avenue and Cleveland Road. However, in all these the development would be seen in the context of the dormers at both adjoining properties, nos 2 and 6. The dormer at no 2 is of a similar size and in a similar position within the roof space of that property to that proposed in this appeal. The dormer to that at no 6 is nearly to the full width of that property and a dominant feature within this group of buildings. Therefore, in this case, the position of the dormer indicated would not appear awkward, or unduly interrupt the continuity of the terrace, due to the existing features on neighbouring properties.
7. The appeal property has a projecting two storey rear wing. In consequence, at close range the dormer would not be readily visible in the same plain as the window immediately below. Longer range views, from the public realm, are at an angle to the terrace. Therefore, although the dormer would not readily align with windows below, as normally required by the SPD, this would not be clearly seen and would not be visually jarring or unduly harmful to the overall appearance of the building.
8. It is confirmed within the details submitted with the application that external materials of the rear dormer are to consist of a lead roof, with slate tiled cheeks and a soft wood sash window. These finishes are sympathetic to the existing dwelling and appropriate having regard to the age of the building and its location within a conservation area.
9. Overall, the proposals would not unduly affect the character of the building and the character and appearance of the conservation area would be preserved. As such the development would not conflict with the Framework, Policy QD14 of the Brighton and Hove Local Plan 2005 or SPD.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

Conditions

11. The Council have suggested one condition should the appeal succeed. The standard commencement condition is required. In addition, a condition referring to the relevant plans, for the avoidance of doubt and in the interests of proper planning is also necessary. To allow integration of the dormer with the existing house it is important that suitable external finishes are used, therefore a condition requiring external materials to accord with the details presented with the application is also required.

Ray Wright

INSPECTOR

Appeal Decision

Site visit made on 10 March 2015

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 March 2015

Appeal Ref: APP/Q1445/D/14/2228497

52 Fernwood Rise, Brighton, East Sussex BN1 5EP

- 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 James Cork against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02047, dated 11 June 2014, was refused by notice dated 15 August 2014.
 - The development proposed is single storey front extension and roof alterations to provide additional bedrooms and bathroom.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) the effect of the proposed development on the character and appearance of the site and surrounding area;
 - (ii) the effect of the proposed development on the living conditions of the occupiers of 54 Fernwood Rise in respect of sunlight, daylight and outlook.

Reasons

Character and appearance

3. Fernwood Rise is not in a conservation area or subject to any other formal designations, or subject to an Article 4 Direction. However, it has a distinctive character defined principally by the generally hipped roof bungalows which provide a pleasing degree of continuity to the street scene, where the buildings also have a fairly modest height and massing. Not all of the dwellings are identical, and some have been extended, including roof extensions and dormers, or have rooflights, evidencing provision of first floor accommodation. However, those additions at main roof level are generally to the side, maintaining the front facing roof slope and the modest scale of the front projections. A small number of those front projections have either a gable or part gable end but these are in the minority and are also of a fairly modest size and scale. Those relating to Nos 3, 5 and 7 are also located out of sight of No 52 at the other end of the street and so not seen in the same context.

4. The proposed development would result in the whole of the dwelling being gable fronted, with the main large gable also being set significantly forward of the existing main body of the building, close to the front of the lower, forward projecting element. It would therefore differ strongly from the general design and appearance of the existing dwelling and the other properties in the street. As such, it would stand out as a dominant, jarring and incongruous feature in the context of the existing distinctive streetscene, even though the first floor would be within the roof space.
5. For the above reasons, I conclude on this issue that the proposed development would cause unacceptable harm to the character and appearance of the site and surrounding area. As such, it would be contrary to Policy QD14 of the Brighton & Hove Local Plan (the Local Plan) and the Council's Supplementary Planning Document 12: Design Guide for Extensions and Alterations (the Design Guide), to which I have applied significant weight due to its recently adopted status. That policy and Design Guide together, in respect of this issue, state that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if, amongst other things, the proposed development is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.

Living conditions

6. No 54 has two habitable room windows on the side elevation facing the appeal site. Due to the raised height of No 54 relative to No 52, those windows partially look out to the sloping roof of No 52.
7. One of those windows, serving a mid-house room, is the sole window for that room. Although it currently faces the side of the main body of No 52, it is towards the front part of this. As it is currently a hipped roof at the front, the outlook is therefore not currently dominated by roof slope despite the close proximity of the two buildings, and a good degree of sunlight and daylight is also afforded to that room. However, the proposed front extension with a gable fronted roof would project significantly forward of the window concerned such that, together with the increased roof height, it would have a significantly greater massing effect that would dominate the outlook from that window. It would therefore have an overbearing and enclosing effect. However, due to the slope of the roof away from the boundary, it would be unlikely to reduce the amount of daylight and sunlight into the room concerned to an unacceptable degree.
8. The other habitable room window of No 54 referred to above, relates to a front room which also has a large front facing window. The side window currently looks over a front garden area of No 52 which the proposed front extension would infill, such that the building would be significantly closer when seen from that window. The outlook would again be directly towards the roof slope of the extension. However, importantly, a good level of outlook is and would continue to be afforded to that room via the large front window. With regard to daylight and sunlight, the side window would still allow light in but the room is also not reliant upon it due to the front window.
9. The proposed development would therefore not cause unacceptable harm to the living conditions of the occupiers of No 54 in respect of sunlight and daylight, and outlook from its front room. However, this does not outweigh the

unacceptable harm that would be caused to their living conditions in respect of outlook from the mid-house room referred to above.

10. The appellant claims that outlook should not be at issue as this relates to view and therefore should not be taken into account. Whilst there is no right to a view over adjoining land, the aspects of outlook that I have considered above would have a bearing on the living conditions of the residents of No 54 and so are valid considerations.
11. Therefore, for the above reasons, I conclude on this issue that the proposed development would cause unacceptable harm to the living conditions of the occupiers of No 54 in respect of outlook. As such, it would be contrary to Policies QD14 and QD27 of the Local Plan. These policies together, in respect of this issue, state that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if, amongst other things, the proposed development would not result in significant loss of outlook or daylight/sunlight to neighbouring properties; and that planning permission for any development will not be granted where it would cause material loss of amenity to adjacent residents.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

Andrew Dawe

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: 23 March 2015

Appeal Ref: APP/Q1445/A/14/2229139

30C Gordon Road, Brighton, BN1 6PD

- 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 Graham Pratt, against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02153, dated 30 June 2014, was refused by notice dated 2 October 2014.
 - The development proposed is a '*Second floor rear extension.*'
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Decision

1. The appeal is allowed and planning permission is granted for a second floor rear extension at 30C Gordon Road, Brighton, BN1 6PD in accordance with the terms of the application Ref BH2014/02153, dated 30 June 2014, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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. 01 (Rev A), 02, 03, 04, 05, 06 (rev A) and 07.
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the main building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

3. No 30 Gordon Road, a mid-terraced residential building, is sub-divided into flat units and No 30C, the address of the appeal site, represents the flat at second floor level. At my site visit, when standing in the back garden, I noted that along the terrace are a variety of rear additions; some properties share centrally ridged tunnel-backs, some have flat-roofed two-storey extensions and there were two examples visible of three-storey extensions with roofs pitching into the respective main roof slopes. No 30 currently has a flat-roofed two – storey addition and it is proposed that this be heightened by an additional
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storey and overlain by a pitched roof projecting the main roof slope at an identical angle.

4. The Council's Supplementary Planning Document 'design guide for extensions and alterations' (SPD) advises against extensions dominating or detracting from the original building or the character of an area and should play a subordinate and supporting role that respects the design, scale and proportions of the host building. In terms of two (or more) storey rear extensions the SPD primarily serves to guard against impacting on neighbouring properties, but I have had regard to the Council's assessment that neither Nos 28 or 32 Gordon Road would be significantly affected by the proposal. Indeed, having viewed the existing physical relationship at my site visit, I see no reason to disagree with this approach. As regards design, the SPD advises that the proposed roof form and pitch should reflect that of the host building which, in this case, it would. I have had regard to the Council's view that the proposed roof arrangement would, in this instance, appear awkward but I am satisfied that the extended pitch would be acceptable in its context. Only rooflights are proposed at second floor level.
5. Policy QD14 of the Brighton & Hove Local Plan (LP) requires, amongst other things, that rear extensions are appropriately sited and well designed, should not lead to a significant loss of outlook, privacy, or daylight to neighbouring properties, should not lead to a terracing effect and should take account of the prevailing character of the area. The other full height extensions, at No 34 and one positioned along the terrace, westwards, appear to integrate satisfactorily and, although the Council mentions that No 34's addition is not as deep as that proposed, I am mindful that a two-storey addition already exists and that the neighbouring occupiers would not be impacted upon from its heightening. I consider the appeal proposal would not be to an unsympathetic design, would be well proportioned and with an acceptable roof treatment. In the prevailing circumstances it would be appropriate in its contextual setting.
6. I thereby conclude that the proposal would neither be harmful to the character and appearance of the host property nor the surrounding area. Accordingly, the requirements of LP Policy QD14 would be met, along with the objectives of the SPD. For the above reasons, and having had regard to all matters raised, I conclude that the appeal should be allowed.
7. In terms of conditions apart from the statutory time limit requirement, I am imposing a condition requiring for matching external materials to be used in the extension's construction. Also, for the avoidance of doubt and in the interests of proper planning I am imposing a condition requiring that the development be carried out in accordance with the approved plans.

Timothy C King

INSPECTOR

Appeal Decision

Site visit made on 12 March 2015

by Kenneth Stone Bsc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 March 2015

Appeal Ref: APP/Q1445/D/14/2227389
17 Hill Drive, Hove, East Sussex BN3 6QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Paxton against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01407, dated 29 April 2014, was refused by notice dated 08 September 2014.
 - The development proposed is described as 'remodelling of existing bungalow to form a 3 no. bedroom house with garage and associated works in rear garden (part retrospective)'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The description of development in the banner heading above is that taken from the appeal form and the Council's decision notice. This provides a more complete description of the proposed works than that contained in the original application form. Although there is reference to the works being part retrospective this is not a description of development and is therefore superfluous. I did however note that the works to the raised rear garden area and outbuilding were completed at the time of my visit.
3. I have considered the appeal on this basis.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and
 - the living conditions of the occupiers of 19 Hill Drive with particular reference to outlook.

Reasons

Character and appearance

5. Hill Drive is a residential road that has an irregular building line and an incline falling from the north-east down towards the south-west. The appeal site, 17 Hill Drive (No 17), is located on the south-eastern side of Hill Drive where the properties at this point are elevated above the street level. The site presently

accommodates a frontage that has been excavated and hard surfaced at street level, providing off-street parking, and a modest detached bungalow set back from the road and at a higher level. The bungalow is accessed by steps up from the parking area.

6. To the north-east, 19 Hill Drive (No 19) is a two storey detached house set closer to the road than No 17, while to the other side 15 Hill Drive (No 15) accommodates a detached property set further back from the road than the bungalow on the appeal site. The general area is characterised by large detached properties on generous plots although reasonably closely spaced. There is significant variation in style and detailing but there is a prevailing vernacular character of traditional properties of brick and tile with pitched or hipped roofs.
7. The existing building is of more modest proportions and form than those surrounding when viewed from the street but its elevated position and siting assist in integrating it comfortably within the existing street scene. The proposed property would result in the existing bungalow being transformed into a modern cubist building with a rendered finish and substantial areas of glazing. The appearance of the proposed building would be significantly at odds with the more traditional shapes and forms of the surrounding buildings. The geometric shapes, flat roof and various projecting elements would be particularly noticeable given the forward siting of the building as approached from a southerly direction and along Dean Way opposite.
8. Whilst the proposed building would have a height commensurate with the ridge heights of the adjoining properties these have pitched and hipped roofs which substantially reduce the bulk and mass of the built form at the upper levels. The proposed building would appear substantially more bulky than the surrounding properties. The visual rhythm of the pitched roofs in the street would be abruptly interrupted by the cubist form of the proposed building. The combination of the additional forward projecting garage block element at street level and the upper floor with the angled projecting element would be particularly evident in the street given the existing set back of properties behind landscaped frontages on the adjoining plots. The relatively narrow spacing between the properties would result in such a radically different form of architecture appearing as an awkward and inappropriate insertion in an otherwise relatively vernacular street. The lack of space and setting for the building with its greater bulk and mass would emphasise the contrast between the built forms which would appear alien within this street scene. As is noted in Supplementary Planning Document 12 - Design Guide for Extensions and Alterations modern design approaches will therefore not always be the most appropriate solution and in most cases the character and form of the building and its context will demand a more traditional and reserved design approach.
9. For the reasons given above I conclude that the proposed development would result in material harm to the character and appearance of the surrounding area. Consequently it would conflict with policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12 - Design Guide for Extensions and Alterations. These require extensions and alterations to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.

Living conditions

10. The proposed alterations and additions to No 17 would result in a built form that is substantially more bulky than the existing building. Whilst the overall roof height may not significantly increase the height of the building the volume of the building at this upper level is substantially increased. The proximity to the boundaries and the limited separation results in the extended flank walls being higher and deeper than presently exist. Given the siting of the building which projects significantly beyond the rear elevation of No 19 and which sits to the south of that property the resultant flank elevation would be particularly dominant in the outlook from that property. The building would present a blank façade rising above and dominating the rear amenity space closest to the property which would appear overbearing.
11. I have not been given the full details of schemes which are the subject of previous decisions of the Council but in any case I am judging the impact of the scheme before me and dealing with the merits of this case.
12. For the reasons given above I conclude that the proposed development would result in material harm to the living conditions enjoyed by the occupants of 19 Hill Drive, with particular reference to outlook. Consequently it would conflict with policy QD27 of the Brighton and Hove Local Plan which seeks to protect the amenity of adjacent residents or occupiers.

Other matters

13. The additional works to the rear garden and the outbuilding do not substantially add to the impact of the development on either the character or appearance of the area or the living conditions of the neighbouring properties.
14. I have had regard to the examples of other modernist developments in the Brighton and Hove area referred to by the appellant. However I have not been provided with the full details of the examples cited and in many instances there was little resemblance to the form of development proposed here or similarity with the relationships with the adjacent properties and character of the area that was evident at the appeal location. It is a well established principle that each proposal should be considered on its own merits which I have done here.

Conclusions

15. For the reasons given above I conclude that the appeal should be dismissed.

Kenneth Stone

INSPECTOR



Appeal Decision

Site visit made on 12 March 2015

by **Ray Wright** BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 March 2015

Appeal Ref: APP/Q1445/D/14/2222189

28 Elrington Road, Hove, East Sussex BN3 6LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs G Docherty against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/00746 was refused by notice dated 2 May 2014.
 - The development proposed is '....for the construction of the Proposed Extension and Alterations'.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The application relates to a detached two storey building with rendered elevations and a tiled roof. The appeal property is set back from the road frontage and overall, due to this siting, it is not particularly prominent in the street scene. The proposals involve various additions and alterations which the appellants indicate would increase the floor area of the house by around 23%.
4. The National Planning Policy Framework (Framework) indicates that there should be a presumption in favour of sustainable development, but confirms that good design is a key aspect of sustainable development. Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan 2005 (LP) have similar high quality design requirements.
5. The proposals include the erection of a two storey side extension. This extension would align with the main front and rear walls of the existing house and rise to the same ridge line of the roof. While this would reduce its subservience, its hipped form and 'catslide' roof design would suitably relate to the existing property. These elements, together with matching materials would suitably integrate it with the existing dwelling. From the road, the existing gap between the house and the southern boundary fence is not seen until nearly opposite the property and this spacing is not a uniform characteristic within the immediate group of properties or along the road. Following the development the retained gap, of around 2 metres, would ensure this element would not

result in any terracing effect or create a cramped appearance within the street scene. While the prominence of the building would be increased by the side addition, the property, as extended, would not form an overly dominant feature in the road.

6. As part of the works two new front dormer windows are proposed. These would match an existing front dormer in terms of their size, form and materials. They would be located within the roof space equidistant from the sides of the extended building, above the eaves line and well below the ridge of the roof. Overall, to my mind, they would balance the proposed roof appearance and generally conform to the requirements set out in The Council's 'spd 12 – design guide for extensions and alterations' (SPD). At the rear of the property it is proposed to extend the existing roof over the kitchen and playroom, and form additional floor space at first floor level by the introduction of two rectangular dormer additions. This alteration would not be seen from the public realm, nor would it be unduly prominent from the rear, with views of this part of the appeal property limited to those from immediately adjoining gardens.
7. The property currently has a garage addition which projects in front of the main building line on its northern boundary. It appears as a later addition and represents a relatively incongruous feature. However, its current visual impact is partially reduced as its frontage generally aligns with the nearest section of the adjoining 24 The Droveaway.
8. The proposals would involve the rebuilding of this garage which would include an additional forward projection towards the road of around 1 metre and an increase in its width by around 1.2 metres. The new, enlarged garage would further unbalance the appearance of the main frontage of this house and provide a far more awkward visual relationship with the adjoining property. As such, it would represent a far more dominant and discordant feature which would be to the detriment of the street scene.
9. As highlighted by the appellants, no 24 Elrington Road has a front projecting garage. However, this has a narrow form, which together with its siting immediately adjoining no 22, reduce its visual effect. It also appears very longstanding. While I have had regard to this building I have considered this scheme solely on its individual merits.
10. In conclusion, while I find a number of the proposed alterations would not be inappropriate, the proposals overall, by reason of the garage extension, would be unduly harmful to the character and appearance of the area. As such, the development would be contrary to the Framework, Policies QD1, QD2, QD14 of the LP and SPD.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

Ray Wright

INSPECTOR

Appeal Decision

Site visit made on 9 March 2015

by Louise Phillips MA (Cantab) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 March 2015

Appeal Ref: APP/Q1445/D/14/2225626
25 The Droveaway, Hove, East Sussex BN3 6LF

- 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 A Standing against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02163, dated 30 June 2014, was refused by notice dated 28 August 2014.
 - The development proposed is a glass safety rail at second floor level.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development upon the character and appearance of the host building and wider area; and upon the living conditions of adjacent residents in respect of privacy.

Reasons

Character and Appearance

3. The appeal property is a detached house in the art deco style. Its large windows and flat roofs set it apart from most of the other buildings in the area, including its immediate neighbours.
4. The proposed development is to install a glass balustrade upon the flat roof at second floor level to facilitate access from a bedroom housed within a rooftop extension to the original building. An earlier application for a similar balustrade to create a larger terrace was refused by the Council in 2012. This decision was subsequently upheld on appeal¹, although the Inspector granted planning permission for glass doors in the west elevation of the bedroom extension to replace pre-existing windows.
5. In respect of the balustrade and terrace then proposed, the Inspector found that the former, due to its transparency, would not appear out of place on this highly glazed building. However, he considered that if items were placed upon the terrace, this would upset the clean lines of the building to the detriment of the character and appearance of the area.

¹ Council Ref BH2012/01194; and Appeal Ref APP/Q1445/D/12/2182721.

6. In the present scheme, the balustrade would be positioned approximately 0.3m from the front wall of the bedroom and 1.0-1.5m from the glass doors on the west side. Like the previous Inspector, I do not consider that the balustrade itself would look out of place; and the resultant terrace would now be so small that it would be difficult to leave any quantity of domestic paraphernalia upon it. Moreover, in my view, the doors in the second floor extension, combined with the presence of parapet walling around much of the edge of the surrounding roof, give it the appearance of a terrace in any case. Therefore, if a small number of items were to be left outside, it would not be significantly detrimental to the street scene.
7. For these reasons, I conclude that the proposed development would not be harmful to the character and appearance of the host building or wider area. Thus it would respect the aims of Policy QD14 of the Brighton and Hove Local Plan, 2005.

Living Conditions

8. The Inspector who determined the previous appeal found that the scheme before him would result in overlooking detrimental to the living conditions of neighbouring occupiers at No 27 The Droveaway. Notwithstanding the reduction in the size of the terrace now proposed, it would still be possible to look into nearly all of the rear garden of this property when standing upon it. Furthermore, while I do not know what room it serves, it would also be possible to look directly onto a facing dormer window.
9. I acknowledge that a similar view of the house and garden at No 27 is available from within the second floor bedroom itself, but I agree with my colleague that a balcony is more likely to result in prolonged use and give rise to a more pronounced feeling of unwelcome and intrusive surveillance. Whilst the appellant suggests that the purpose of the smaller balcony would be to provide safe access for maintenance rather than for sitting out, it would nevertheless be sufficiently wide that some recreational use could be made of it. Therefore, as a similar degree of overlooking would result, I find no reason to reach a different conclusion to that of the previous Inspector in relation to the effect of the proposal upon the occupiers of No 27. I note that the mechanism for opening the existing doors would necessitate a width of approximately 1.0m to the balustrade, but this matter carries very limited weight in my decision.
10. I have also considered the concerns raised in respect of privacy for the occupiers of Nos 1 and 2 Mallory Road. However, these properties are at a greater distance from the site and the nature of existing boundary planting prevents direct views. Therefore the proposed development would not be harmful to living conditions at these dwellings, but that does not alter my findings in relation to No 27 The Droveaway.
11. Consequently I conclude that the appeal scheme would harm the living conditions of adjacent residents at No 27 The Droveaway in respect of privacy contrary to the relevant provisions of Policies QD14 and QD27 of the Local Plan.

Conclusion

12. I have found in favour of the appellant in terms of the effect of the proposed development upon the character and appearance of the area. However, this

does not outweigh my conclusion that it would harm the living conditions of neighbouring occupiers in respect of privacy. Overall, therefore, I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR



Appeal Decision

Site visit made on 17 March 2015

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08/04/2015

Appeal Ref: APP/Q1445/A/14/2229081
154A Portland Road, Hove, East Sussex BN3 5QL

- 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 Jacquee Davey against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/02180, dated 1 July 2014, was refused by notice dated 26 August 2014.
 - The appellants describe the proposed works as a raised deck.
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Decision

1. The appeal is allowed and planning permission is granted for a raised deck at 154A Portland Road, Hove, East Sussex BN3 5QL, in accordance with the terms of the application, Ref BH2014/02180, dated 1 July 2014, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block Plan, Existing Plan and Elevations, and Proposed Plan and Elevations.

Main Issue

2. The main issue in this case is the effect of the appeal proposal on the character and appearance of the area.

Reasons

3. The appeal site is situated within a terrace which fronts Portland Road and to the rear of which is a block of single storey garages. The rear of the appeal property is relatively well visually self-contained by surrounding buildings, although the subject building can be glimpsed from Modena Road from its first floor upwards. There exists a substantial balcony area over a flat roof extension to the rear of 156 Portland Road adjacent and to the west of the appeal site, which is at a higher level than that proposed. Another smaller balcony is also situated to the rear of another property further west within the terrace, but at a similar height as that at no 156.
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4. The top of the balustrade that would surround the proposed deck would be approximately level with the first floor, being lower than the balcony serving no 156, adjacent to the flank wall of that property its visual impact would be limited within the rear garden scene. I note the Council's concerns with regard to setting a precedent, but each case must be assessed on its own merits. By virtue of its limited height and the design of the timber balustrade and replacement staircase, the proposal would not have an unduly dominant appearance. Consequently, I consider that the proposal would relate sympathetically to the existing layout and character of the surrounding area.
5. I therefore find that the proposal complies with Policy QD14 of the Brighton and Hove Local Plan 2005 (LP) in that the scheme would be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The Council has not clarified how the proposal would conflict with their Supplementary Planning Document 12: Design Guide for Alterations and Extensions (SPD). However, I note that with respect to balconies and roof terraces, the SPD, where concerning matters of character and appearance, seeks to dissuade balconies and roof terraces where proposed to the front of buildings and in other prominent locations. As the balcony would not be visually prominent I find no material conflict with the SPD either.

Other Matters

6. I acknowledge the concerns of the occupants of 34 Modena Road with respect to privacy, however, the distance between the proposed deck and their rear garden would be reasonable in an urban situation, with the garage block and parking court intervening. Whilst the proposal could give rise to an increase in overlooking, this would not be material. I note that on this matter the Council considered that the decking, due to its height and positioning, would not increase the level of overlooking with it complying with LP Policy QD27 and I have no reason to disagree with this assertion. I also note the concerns with regard to noise from the use of the balcony, although by virtue of its limited size, I consider this is not a determining factor in this appeal.

Conclusion and Conditions

7. For the reasons set out above, I conclude that the appeal should succeed. The Council has not suggested any conditions, however, in addition to the standard time limit condition, and for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans is imposed.

C J Tivey

INSPECTOR

Appeal Decision

Site visit made on 10 March 2015

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 March 2015

Appeal Ref: APP/Q1445/D/14/2228178
3 Sylvester Way, Hove, East Sussex BN3 8AR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss A Linkman against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02616, dated 4 August 2014, was refused by notice dated 30 September 2014.
 - The development proposed is single storey side, rear and front extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - (i) the living conditions of the occupiers of 1 Sylvester Way in respect of sunlight, daylight and outlook;
 - (ii) the character and appearance of the site and surrounding area.

Reasons

Living conditions

3. 3 Sylvester Way is stepped up at a slightly, but noticeably higher level than No 1 which has a side, heavily glazed habitable room close to the mutual boundary and a kitchen set further away but with its sole outlook to the side. Although No 1's side habitable room also has glazed patio doors facing to the rear, due to their northerly aspect, and that it is a fairly long room, that room relies heavily on its side windows for light. The side elevation of No 3 is currently set off the boundary concerned such that it is not a dominant feature when viewed from within No 1.
4. There is a screen fence along the boundary, which, because of the difference in levels is a prominent feature when looking out from the side windows of No 1. However, sight of the sky over that fence remains possible such that the fence does not have an overbearing or significantly enclosing effect, and a good degree of daylight and sunlight is afforded to the side room in particular. Sunlight and daylight to the kitchen of No 1 is more limited due to the adjacent end walls of No 1's garage and side room together with the substantial eaves of the bungalow.

5. The proposed side extension to No 3 would be very close to the side boundary and significantly higher than the boundary fence, and it would also be of significant length, extending to beyond the rear elevation of No 1. As such, it would significantly impede vision of the sky from within those rooms of No 1 referred to above and would have an overbearing and significantly enclosing effect. Its height and close proximity to the side habitable room of No 1 would also be likely to result in a significant loss of sunlight and daylight to that room, whilst the limited existing daylight to the kitchen would be further reduced. The rooms concerned would therefore become darker and less pleasant spaces, below a standard that the residents of No 1 could reasonably expect.
6. I therefore conclude on this issue that the proposed development would cause unacceptable harm to the living conditions of the occupiers of No 1 in respect of sunlight, daylight and outlook. As such, it would be contrary to Policies QD14 and QD27 of the Brighton & Hove Local Plan (the Local Plan). These policies together, in respect of this issue, state that planning permission for extensions or alterations to existing buildings will only be granted if the proposed development would not result in significant loss of outlook or daylight/sunlight to neighbouring properties; and that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to adjacent residents.

Character and appearance

7. Sylvester Way is a cul-de-sac consisting of detached bungalows. Whilst the designs of those on the southern side of the street are all very similar, there are various designs and relationships between dwellings on the northern side, where the appeal site is located. Those properties on the northern side also all have elements of their buildings which are in close proximity to their respective side boundaries, including, in the case of Nos 9 and 11, abutting garages. That compares to the more distinctive gaps between dwellings on the southern side of the road. Nos 1 and 3 are of similar design, characterised in the main by their front gables, whereas later additions are set back and less prominent. No 3 is, however, a slightly wider plot than No 1 and, as referred to previously they are at slightly different levels.
8. The proposed extensions would, with the exception of the rear section of the side extension, all have pitched roofs with slopes consistent with the existing roof of the main body of the dwelling. The side extension, together with the main proposed roof, would add a significant degree of width and massing to the dwelling. However, it, along with the smaller front extension, would still be set noticeably back from the main front gable elevation of the existing dwelling, thereby retaining the integrity and prominence of that key feature. As a result, whilst the dwelling would have a horizontal emphasis, the proposed extensions would not dominate it to the extent that it would stand out as a discordant building in the context of the existing street scene.
9. The proposed side and front extensions and new garage would all have different roof heights. However, this would reflect the different scales of those respective elements of the proposed development and they would all have a consistent angle of roof slope. Furthermore, the garage and front extension would appear subservient to the main body of the dwelling because of their small scale and lower height. The proposed two gable end roofs sections to the

rear, along with the flat roof section, would not be so clearly visible from public vantage points although they too would not be dominating features.

10. The proposed development would extend very close to the boundary with No 1 and its detached garage. However, it would only be the garage element that would be alongside the garage of No 1, a relationship that would not be unusual in the context of the appearance of dwellings on that side of the street, notably Nos 9 and 11 as referred to above.
11. Whilst the main side extension would be closer to the boundary than others on that side of the road, it would not be to such a noticeable degree as to stand out as a jarring feature and there would still be a gap between it and the main body of the dwelling at No 1. Together with the degree of set back of all but the garage, the proposed development would not dominate the site or the dwelling at No 1 in respect of the street scene, and despite being within 1 metre of the boundary would not result in a significant or undesirable terracing effect. The resultant dwelling as a whole would therefore maintain a form and appearance appropriate to the existing context of the street scene on the northern side of the road.
12. For the above reasons, I conclude on this issue that the proposed development would not cause unacceptable harm to the character and appearance of the site and surrounding area. As such, in respect of this issue, it would accord with Policy QD14 of the Local Plan and the Council's Supplementary Planning Document 12: Design Guide for Extensions and Alterations (the SPD) to which I have applied significant weight due to its recently adopted status. That policy and SPD together, in respect of this issue, require extensions or alterations to existing buildings to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area; and that account is taken of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area.

Conclusion

13. I have found that the proposed development would not cause unacceptable harm to the character and appearance of the site and surrounding area. However, this would not outweigh the unacceptable harm that I have found would be caused to the living conditions of the occupiers of 1 Sylvester Way in respect of sunlight, daylight and outlook.
14. Therefore, for the above reasons, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR

