





**Brighton & Hove  
City Council**

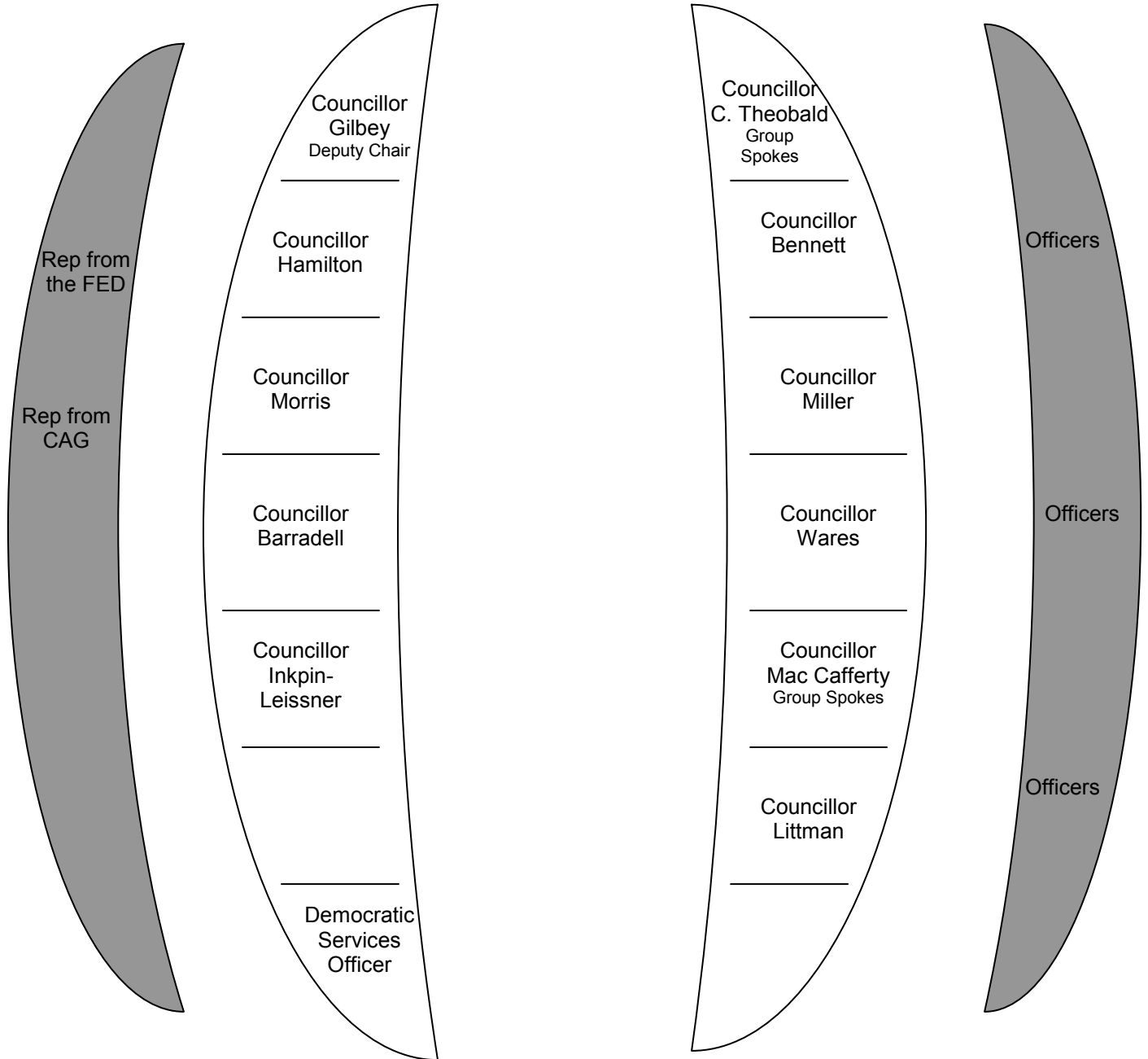
# Planning Committee

Title:	<b>Planning Committee</b>
Date:	<b>7 October 2015</b>
Time:	<b>2.00pm</b>
Venue	<b>The Ronuk Hall, Portslade Town Hall</b>
Members:	<p><b>Councillors:</b> Cattell (Chair), Gilbey (Deputy Chair), C Theobald (Group Spokesperson), Mac Cafferty (Group Spokesperson), Barradell, Bennett, Hamilton, Inkpin-Leissner, Littman, Miller, Morris, Wares and Simson</p> <p><b>Co-opted Members:</b> Jim Gowans (Conservation Advisory Group)</p>
Contact:	<p><b>Penny Jennings</b> Democratic Services Officer 01273 29-1064/5 planning.committee@brighton-hove.gov.uk</p>

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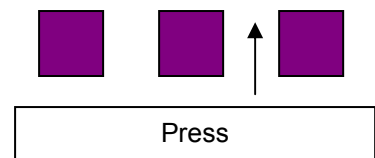
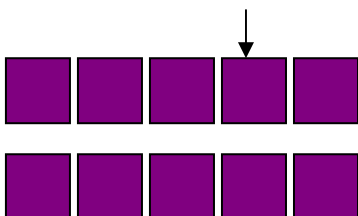
# Democratic Services: Planning Committee

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



## AGENDA

### 77 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

### 78 MINUTES OF THE PREVIOUS MEETING

1 - 12

Minutes of the meeting held on 16 September 2015 (copy attached).

### 79 CHAIR'S COMMUNICATIONS

### 80 PUBLIC QUESTIONS

**Written Questions:** to receive any questions submitted by the due date of 12 noon on 30 September 2015.

### 81 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

### 82 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

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

#### MINOR APPLICATIONS

**A BH20015/00544, Media House, 26 North Road, Brighton – Full Planning 13 - 30**

Alterations to main building to facilitate the conversion from office/general industrial (B1/B2) to form 3no. residential dwellings (C3). Extension to secondary building (The Coach House) to provide additional office space (B1), revised fenestration and associated works.

**RECOMMENDATION – GRANT**

*Ward Affected: Withdean*

**B BH2015/02127, Rear of 15 Welesmere Road, Brighton – Full Planning 31 - 44**

Erection of detached four bedroom dwelling with associated landscaping and access.

**RECOMMENDATION – GRANT**

*Ward Affected: Rottingdean Coastal*

### 83 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

## PLANNING COMMITTEE

**84 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 45 - 46**

(copy attached).

**85 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 47 - 82**

(copy attached)

**86 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 83 - 84**

(copy attached).

**87 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 85 - 86**

(copy attached).

**88 APPEAL DECISIONS 87 - 106**

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

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## PLANNING COMMITTEE

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

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

Date of Publication - Tuesday, 29 September 2015

**BRIGHTON & HOVE CITY COUNCIL****PLANNING COMMITTEE****2.00pm 16 SEPTEMBER 2015****THE RONUK HALL, PORTSLADE TOWN HALL****MINUTES**

**Present:** Councillors Cattell (Chair), Gilbey (Deputy Chair), C Theobald (Group Spokesperson), Mac Cafferty (Group Spokesperson), Allen, Barradell, Bennett, Hamilton, Littman, Morris, Taylor and Wares

**Officers in attendance:** Nicola Hurley (Planning Manager – Applications); Paul Vidler (Planning Manager – Major Applications); Maria Seale (Senior Planning Officer); Andrew Renaut (Head of Transport Policy & Strategy); Hilary Woodward (Senior Solicitor) and Ross Keatley (Democratic Services Manager).

**PART ONE****65 PROCEDURAL BUSINESS****(A) Declarations of substitutes**

65.1 Councillor Taylor was present in substitution for Councillor Miller, and Councillor Allen was present in substitution for Councillor Inkpin-Leissner.

**(B) Declarations of interests**

65.2 Councillor Mac Cafferty declared an interest in respect of application B) – BH2015/02431 – Land at and Adjacent to West Pier and 62-73 Kings Road Arches, Kings Road, Brighton as he had been in email correspondence with the Chief Executive of the i360 about the proposals; however, he was of the view that he had not pre-determined the application, having discussed this with the Legal Advisor to the Committee; he remained of a neutral mind and would remain for the discussion and vote on the application.

65.3 Councillor Bennett declared a pecuniary interest in respect of application D) – BH2015/01781 – 27 Hill Brow, Hove as the property was in her ownership as her family home.

**(C) Exclusion of the press and public**

65.4 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.

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

**(D) Use of mobile phones and tablets**

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

**66 MINUTES OF THE PREVIOUS MEETING**

66.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 26 August 2015 as a correct record.

**67 CHAIR'S COMMUNICATIONS**

67.1 There were none.

**68 PUBLIC QUESTIONS**

68.1 There were none.

**69 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**

69.1 There were no further requests for site visits in relation to matters listed on the agenda.

**70 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**

**A BH2015/02004 - Land Adjacent to Watts Building, University of Brighton, Lewes Road, Brighton - Full Planning**

Demolition of existing buildings and construction of a part two, part three storey building providing a new Advanced Engineering Centre (D1), incorporating landscaping, access works and other associated alterations.

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

(2) The Planning Manager (Major Applications) introduced the report with reference to plans, photographs and elevational drawings. The application sought permission for the demolition of the existing buildings on the site and the erection of a two and three



storey engineering centre. The site was located on the western side of Lewes Road between the Cockcroft building and the Watts building, and currently in use as a car park. The smaller lodge building on the site was to be demolished as part of the application and landscaping would be provided instead. It was also noted that there was a belt of trees that would screen the development from Lewes Road when they were in leaf.

- (3) The building would be used as a science centre and teaching facility – which a focus of research into internal combustion engines. The university had secured funding from the local enterprise partnership. The ground floor would be used for research and meeting rooms; the first floor for teaching and the third would contain plant a room.
- (4) In relation to landscaping there would be new pedestrian access from the Lewes Road. The ground floor of the building would be predominantly glazed, and the areas of the building in which research would be undertaken would have a concrete finish to show that the design would relate to the function of the building. On the first floor there would be metallic panels in a brass finish. The building was designed to be flexible and allow for internal alterations as the demands on the space changed.
- (5) The scale of the building between those neighbouring it would be smaller, but the design was considered exciting and would match the nature of the use. Policy supported the expansion of university buildings along the Lewes Roads corridor, and the s106 would seek to achieve 20% local labour during the construction period.
- (6) In terms of amenity the nearest buildings were 50 metres across the Lewes Road and 130 metres on Preston Way. Environmental Protection officers were recommending controls for noise and chimneys, and these had been included as conditions. In relation to transport there would be 565 remaining spaces on the wider campus and the proposals would relocate 11 disabled spaces to the south car park. The applicant had submitted information which forecast the demand for parking and the availability on the surrounding streets – this indicated there was sufficient space for the loss on the site. In sustainability terms the building would meet BREEAM excellent, and would have the potential to be connected to a future district heat network along the Lewes Road corridor.
- (7) In relation to matters raised at the site visit the access to the new parking spaces were confirmed using a site plan. In terms of the park and ride facilities provided on the campus for staff at the Falmer campus – the facility would be re-provided in the south carpark. In terms of the lodge building to be demolished, this was used for storage and some offices and would be located within the campus. In relation to level changes it was confirmed there would be no change between landscaped area, the hard-surfacing and the entrance to the site. For the reasons set out in the report the application was recommended to be minded to grant.

### **Questions for Officers**

- (8) In response to Councillor Barradell the width of the access to the new car park was confirmed; it was also explained that this space would be shared pedestrian and vehicular and finished with granite. The main entrance could be managed to only allow pedestrian access out in the pedestrian area, rather than the shared vehicular access.

In terms of under-development of the site it was clarified that given the density of the neighbouring buildings, and the likely densities when the nearby Preston Barracks was developed this level of development was considered appropriate.

- (9) In response to Councillor Morris it noted that the Committee could add an additional informative that the discharge of the materials condition be delegated to the Planning & Building Control Applications Manager in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- (10) In response to Councillor Littman it was explained that the park and ride facility for 350 spaces on match days for the Amex Stadium was currently provided on the south car park and there would be no impact.
- (11) In response to Councillor C. Theobald it was confirmed that the Planning Authority did not currently have details of refuse, but a condition could be attached requiring these to be agreed a later date.
- (12) In response to Councillor Gilbey the Head of Transport Policy & Strategy confirmed the numbers of parking spaces on the site.
- (13) In response to Councillor Bennett, Officers stated that they could not be certain if the metallic cladding would fade; however, if treated properly the material should be capable of maintaining the striking finish which was integral to the design of the building.
- (14) In response to Councillor Gilbey it was clarified that the methodology used for the parking survey was nationally recognised; the streets used for the survey were clarified, as were the general expectations of a travel plan.
- (15) In response to Councillor Morris it was confirmed there was no contribution in the application towards arts projects.

### **Debate and Decision Making Process**

- (16) Councillor Littman stated he did have concerns in relation to parking when the park and ride was in operation; however, he was very supportive of the scheme; felt it added to the architecture offer of the area and would support the Officer recommendation.
- (17) Councillor Mac Cafferty noted his agreement with the comments made by Councillor Littman and added that the design was 'stunning and visionary'; he also welcomed the high sustainability offer.
- (18) Councillor C. Theobald noted her concerns in relation to the loss of parking, and felt there was a lost opportunity to provide underground parking on the site; however, she felt the facility was excellent; the design was interesting and exciting and she would support the Officer recommendation.
- (19) Councillor Taylor echoed the support expressed by other Members, and added that this was an exciting opportunity for the city. He expressed some concerns in relation to

the parking at the site, in particular potential overspill into neighbouring roads, but ultimately would support the scheme.

- (20) Councillor Gilbey stated this was an exciting scheme, but she had some reservations about the parking on the site; however, she would support the Officer recommendation.
- (21) Councillor Barradell highlighted her reservations in relation to the shared space; she also was concerned about underdevelopment; however, she felt the building was very attractive and would support the Officer recommendation.
- (22) Councillor Bennett stated the building was fit for purpose, and she particularly liked the metallic cladding.
- (23) Councillor Wares welcomed the design and felt it would make a positive contribution to the local area.
- (24) Councillor Mac Cafferty proposed an informative that the discharge of the materials condition be delegated to the Planning & Building Control Applications Manager in consultation with the Chair, Deputy Chair and Opposition Spokespersons; this was seconded by Councillor Barradell; and agreed by the Committee.
- (25) Councillor Littman added that the location was highly sustainable in terms of transport, and modular changes in transport usage could lead to less staff accessing the site by car.
- (26) The Chair noted that she had confidence in the travel plan; she felt the design was exciting and felt it would raise the bar for design in the city.
- (27) A vote was taken and the Officer recommendation that the Committee be minded to grant planning permission was carried unanimously by the twelve Members present at the meeting.

- 70.1 **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 and resolves to be **MINDED TO GRANT** planning permission subject to the conditions and informatives in section 11 and the amended conditions and additional conditions and informatives below:

#### Amended Conditions

Amend Condition 5: 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
- d) Details of levels including sections showing adjoining land levels.

Amend Condition 10: Delete 'pupils' replace with 'students'

Additional Condition

Prior to first occupation of the development hereby permitted a scheme for the storage of refuse and recycling shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

Additional informative

The details submitted in relation to materials condition 4 are delegated to the Planning and Building Control Applications Manager for agreement in consultation with the Chair, the Deputy Chair and the Opposition spokesperson.

**B BH2015/02431 - Land at and Adjacent to West Pier and 62-73 Kings Road Arches, Kings Road, Brighton - Removal or Variation of Condition**

Application for removal of conditions 19 and 36 of application BH2014/04167 (i360 observation tower scheme originally approved under application BH2006/02369). Condition 19 to be removed relates to the requirement for grey and rainwater recycling and condition 36 to be removed relates to the requirement for a wind turbine at the head of the tower.

- (1) The Principal Planning Officer, Maria Seale, introduced the application and gave a presentation by reference to photos, plans and elevational drawings. The site was located south of Regency Square and next to the remnants of the West Pier. Permission was sought to remove conditions 19 and 36 which related to rain water recycling and wind turbines. There was encouragement nationally for sustainable development, and a number of measures were proposed with the permission for the i360 observation tower; however, it was not until the detailed build stage that it had been considered necessary to remove the relevant conditions. In relation to the wind turbines it was now apparent that they affected the performance of the observation tower and were liable to wind damage. However, the scheme now proposed using energy generated by the pod during descent which could be used within the operation of the tower – this feature provided a better sustainable solution in terms of the amount of energy it could provide, and Officers were satisfied with the proposed deletion of condition.
- (2) In terms of the rainwater condition, the areas where this could be gathered were open to possible contamination as they were predominantly public spaces. A new British standard for rainwater harvesting had been introduced three years after permission was granted which recommended such public spaces were not suitable for rainwater harvesting. A number of different treatments would be needed including chemical process, which was difficult to undertake on site. The removal of these conditions was not opposed by the Sustainability Officer. In both cases it was considered that the

applicant had made a robust case, and the application was recommended to be minded to grant, subject to an amended s106 agreement.

**Questions for Officers**

- (3) In response to Councillor Barradell it was explained that the issues had only become apparent at the detailed design stage of the application; the proposals had also been robustly tested with the Sustainability Officer.
- (4) In response to Councillor Littman it was explained that the site was not suitable for greywater harvesting as it would not use much water; it was also clarified that the condition proposed for deletion related to rainwater, not greywater.
- (5) In response to Councillor Mac Cafferty it was clarified that it would require purification and chemical process to treat rainwater on site; this would also use additional energy.
- (6) In response to points raised by the Committee it was agreed that the applicant could come forward to answer technical questions. It was clarified that the use rainwater would require numerous stages of filtration. It was not practical to use greywater recycling on the site as the levels of water used were low, and the toilets and washbasins were efficient in terms of their water consumption. It was also clarified that the proposed new measures would actually be a better sustainability solution.
- (7) In response to Councillor Wares the Senior Solicitor clarified that the Committee were being asked to remove conditions; they could do this and add new ones if they were considered to be reasonable.
- (8) In response to Councillor Littman it was confirmed that the applicant had already undertaken a feasibility study in relation to greywater harvesting.
- (9) In response to Councillor Morris it was confirmed that the applicant had the right to apply for changes at any point in the build process.

**Debate and Decision Making Process**

- (10) Councillor C. Theobald stated that the appearance of the tower would be better without the wind turbines; she welcomed the new sustainability proposals and would support the Officer recommendation.
- (11) Councillor Taylor noted his support for the Officer recommendation, and he felt the applicant should be applauded for finding sustainability alternatives; he felt it would be onerous to ask the applicant to consider greywater recycling at this stage of the development.
- (12) Councillor Littman stated that it was important not to halt the progression of the scheme, and he recognised that rainwater harvesting would not be efficient on the site; on balance he would support the Officers recommendation.
- (13) Councillor Hamilton noted that he had been Chair of the Committee when the original application had been approved; he highlighted that Officers were satisfied with the

proposal before the Committee and for this reason he would support the recommendation.

- (14) Councillor Barradell noted her support for the removal of the condition that related to the wind turbine, but she had reservations in relation to the water recycling and was of the view some greywater recycling could be achieved at the site.
- (15) Councillor Mac Cafferty stated his disappointment that aspects of sustainability on the site were being removed; however, he noted that to oppose the scheme would be impractical and he would support the Officer recommendation.
- (16) In response to Councillor Barradell the Senior Solicitor highlighted that any additional conditions in relation to greywater recycling would have to be evidenced; as this option had not been identified by the Council's Sustainability Officer it would be difficult to justify were such a condition appealed by the applicant.
- (17) Councillor Wares stated that the scheme was better without the turbines and he felt the applicant was offering a better solution.
- (18) The Committee voted separately on the removal of the two conditions as set out in the report. In each instance the Officer recommendation that the condition be removed was unanimously carried.
- (19) The Committee then voted on an additional informatives that the applicant undertake a greywater recycling feasibility study; this was not carried on a vote of 4 in support and 6 against.

70.2 **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 and resolves to be **MINDED TO GRANT** planning permission subject to the conditions and informatives in section 11.

**Note:** Councillor Allen had left the Chamber during the vote on the additional informative.

### **C BH2015/01454 - Block D Kingsmere, London Road, Brighton - Full Planning**

Erection of additional storey to block D to create 2no one bedroom and 2no two bedroom flats (C3) with roof gardens.

- (1) The Planning Manager (Major Applications) gave a presentation by reference to plans, photographs and drawings. The application sought permission for an extra storey on Block D; similar schemes had been approved on blocks A&B and E&F; this scheme sought permission for two 2 bedroom, and two 1 bedrooms units, the design would also be set back to include balconies. Attention was drawn to a scheme at the Priors further along London Road that had been approved at appeal, and had served as the benchmark for these types of schemes. There was no significant impact on amenity; the new flats would be code level 4 for sustainability. No additional parking was proposed as part of the application. The application was recommended for approval for the reasons set out in the report.

**Questions for Officers**

- (2) In response to Councillor Wares it was noted that the permissions on the other blocks on the site expired three years from the date of the permission.
- (3) In response to Councillor Wares the Senior Solicitor clarified that were the application to be refused it would likely be difficult to uphold at appeal as policy had changed little since the previous permissions.
- (4) In response to a further query it was clarified that the parking had been assessed and Officers were of the view there was sufficient space on the network, and this did not warrant a reason for refusal.
- (5) In response to Councillor C. Theobald it was clarified that issues relating to sound proofing would be considered under Building Regulations.
- (6) It was clarified for Councillor Barradell that it would not be possible to condition social housing retrospectively on the applications for all the blocks in the Kingsmere site.
- (7) It was clarified for Councillor Taylor that Officers were not of the view that the cumulative impact of parking was sufficient to warrant refusal.
- (8) It was confirmed for Councillor Gilbey that there was a separate access to the school.
- (9) It was confirmed for the Chair that previous applications to develop straight up, without an inset, had been refused.
- (10) It was confirmed for Councillor Bennett that the proposed materials would be largely the same as the permissions on the other blocks.
- (11) In response to the Chair it was clarified that previous proposed reasons for refusal had related to the felling of trees to provide additional parking.

**Debate and Decision Making Process**

- (12) Councillor C. Theobald stated the scheme was not in keeping, and she would not support the Officer recommendation.
- (13) Councillor Taylor felt that not enough consideration had been given to potential displacement parking, and he would not support the Officer recommendation.
- (14) Councillor Barradell noted that she would support the scheme as the city needed additional housing.
- (15) Councillor Allen noted there was parking pressure in the area, but stated he would support the application.
- (16) Councillor Hamilton noted that any other decision than to approve would likely be overturned at appeal and he would support the Officer recommendation.

- (17) Councillor Mac Cafferty noted how stressful these types of applications could be for residents, he could see little justification to refuse the application given the planning history in the report.
- (18) The Chair stated that she was not against additional storeys, and noted that the city needed to additional housing; with this in mind she would support the application.
- (19) A vote was taken and the Officer recommendation that permission be granted was carried on a vote of 10 in support with 2 against.

70.3 **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 and resolves to **GRANT** planning permission subject to the conditions and informatives in section 11, and the amended condition below:

Amended Condition

Amend condition 4 No development above fourth floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of all 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, door and balcony treatments
- e) samples of all other materials to be used externally

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 & QD14 of the Brighton & Hove Local Plan.

**D BH2015/01781 - 27 Hill Brow, Hove - Removal or Variation of Condition**

Application for variation of condition 3 of application BH2012/03379 (Erection of first floor extension to create a two storey house (Revisions to BH2010/01488)) to permit alterations including balcony to south elevation, alterations to window frames, installation of rooflights on side and rear elevations, and installation of slate roof tiles (amended plans).

- (1) The Planning Manager (Major Applications) introduced the report and gave a presentation by reference to plans, photos and elevational drawings. The site was on the northern side of the road and was on higher ground than the southern side. The application was for minor amendments to an approved scheme; this was largely to achieve additional accommodation within the roof space. The changes on each elevational were highlighted and these included a Juliet balcony to the south; additional roof lights; and changes to some of the fenestration configuration. Where the new



windows faced out onto a neighbouring property there was a condition that these be obscurely glazed which was consistent with the original applications. The application was recommended for approval for the reasons set out in the report.

**Question for Officers, Debate and Decision Making Process**

- (2) It was confirmed for Councillor Hamilton that the application was only before the Committee as the applicant was a councillor.
- (3) In response to Councillor Barradell the location of the garage was confirmed.
- (4) Councillor C. Theobald noted there were few single storey properties left in the street.
- (5) A vote was taken and the Officer recommendation that permission was granted was carried unanimously.

70.4 **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 and resolves to **GRANT** planning permission subject to the conditions and informatives in section 11, and the amended condition below:

Amended Condition

Amend condition 4: No development above first floor slab level of any part of the development hereby permitted shall take place until samples of the roof slates, and further information of the balcony railings and windows 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 & QD14 of the Brighton & Hove Local Plan.

**Note:** Councillor Bennett withdrew from the consideration of this application as out at minute item 65 (B).

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

71.1 There were no further requests for site visits.

**72 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS**

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

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

- 73.1 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.]

**74 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

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

**75 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

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

**76 APPEAL DECISIONS**

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

The meeting concluded at 4.40pm

Signed

Chair

Dated this

day of

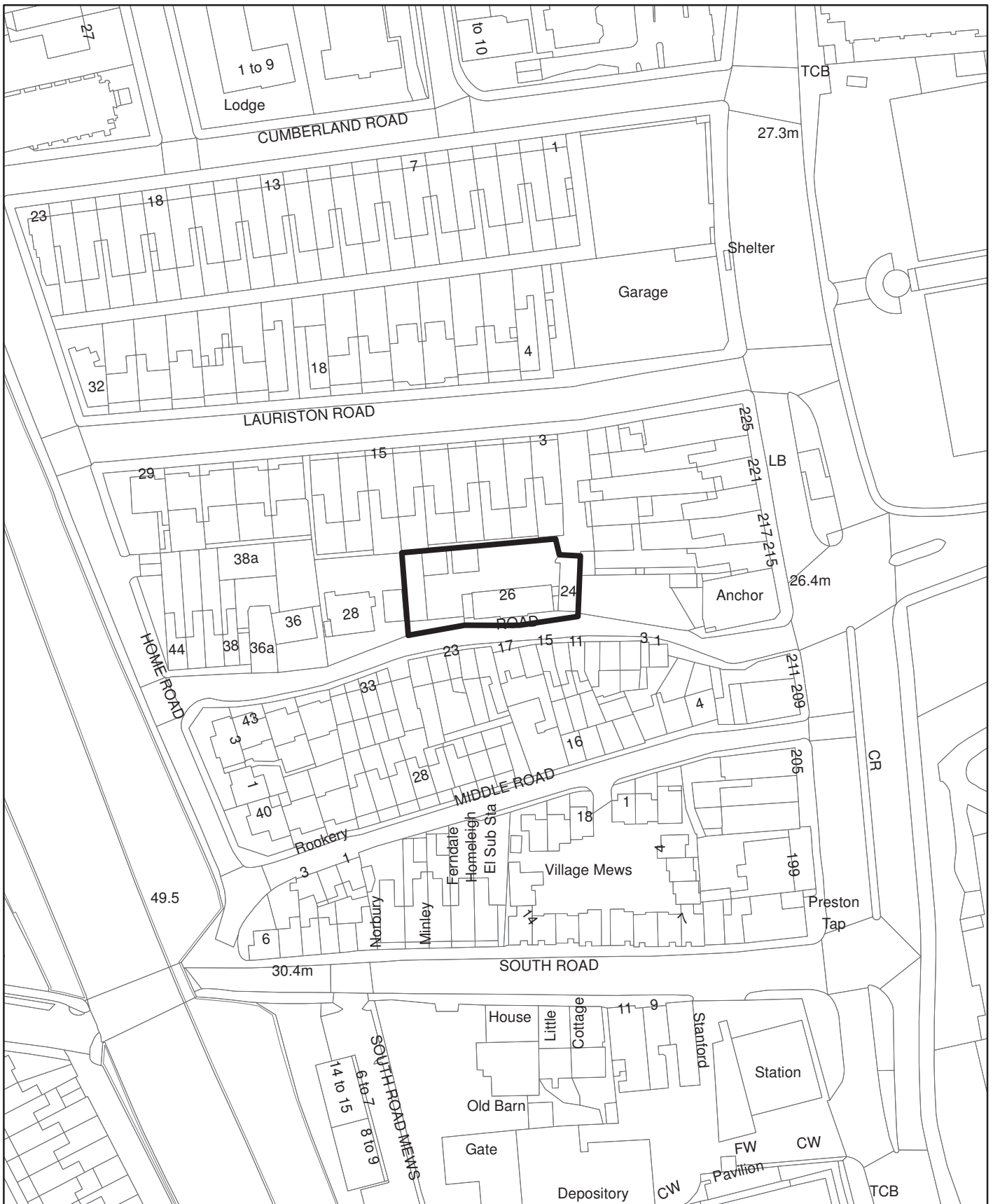
# **ITEM A**

**Media House, 26 North Road, Brighton**

**BH2015/00544**  
**Full planning**

**7 OCTOBER 2015**

# BH2015/00544 Media House, 26 North Road, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2015/00544</b>	<b><u>Ward:</u></b>	<b>WITHDEAN</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Media House 26 North Road Brighton</b>		
<b><u>Proposal:</u></b>	<b>Alterations to main building to facilitate the conversion from office/general industrial (B1/B2) to form 3no. residential dwellings (C3). Extension to secondary building (The Coach House) to provide additional office space (B1), revised fenestration and associated works.</b>		
<b><u>Officer:</u></b>	Helen Hobbs Tel 293335	<b><u>Valid Date:</u></b>	04 March 2015
<b><u>Con Area:</u></b>	Preston Village	<b><u>Expiry Date:</u></b>	29 April 2015
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Dowsettmayhew Planning Partnership, Pelham House, 25 Pelham Square, Brighton BN1 4ET		
<b><u>Applicant:</u></b>	Stonechris Properties Ltd, C/O Dowsettmayhew Planning Partnership Pelham House, 25 Pelham Square, Brighton BN1 4ET		

## 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 consists of three buildings. The main building being a vacant three storey building comprising of a print workshop at ground floor and offices at first and second floor. To the west of the main building is a two storey workshop/store building. To the east of the main building is Mission Hall, connected by an internal link extension. This building is currently in use as residential and no changes are proposed to this part of the site. There is car parking to the rear of the building.
- 2.2 The site is located within the Preston Village Conservation Area.

## 3 RELEVANT HISTORY

**BH2014/03962** Prior approval of first and second floors for change of use from offices (B1) to form 2no self contained units (C3). Prior Approval is required and approved 23/01/2015.

**BH2014/03166** Prior approval for change of use of the Coach House and first and second floors of Media House from offices (B1) to residential (C3) to form 3no residential units. Withdrawn 13/11/2014.

**BH2013/03086** Prior approval for change of use from offices (B1) to residential (C3). Withdrawn 29/10/2013.

**BH2006/00128** Two new paper stores, new gate and pillars and tarmac surfacing (part retrospective). Approved 15/02/2006.

**BH2005/01311/FP** Erection of two single storey paper stores. Provision of new timber trellis to rear wall and erection of new gate, pillars and tarmac surfacing fronting North Road. (Resubmission of Refused application BH2004/03280/FP) (Part Retrospective). Withdrawn 12/07/2005.

**BH2004/03280/FP** Erection of two new single storey paper stores. Provision of new timber trellis to rear wall and erection of new gates fronting North Road. Refused 04/02/2005.

**93/1029/FP** Continuation of use of Nos 24 and 26 for light industrial purposes with extended hours of operation: 0730 to 1900 hours Monday to Friday and 0730 to 1200 hours on Saturday. Approved 01/02/1994.

**93/0737/FP** Continuation of use of 24 and 26 for light industrial purposes with extended hours of operation: 0700 to 2000 hours Monday to Friday: 0700 to 1200 Saturday. (Variation to 93/0022/FP). Refused 02/11/1993.

**93/0023/CA** Continued use of ground floor of 26 North Road for light industrial purposes, demolition of wall to form vehicular access. 6 parking spaces at rear of 215 Preston Road and installation of new gates. Approved 27/04/1993.

**93/0022/FP** Continued use of ground floor of 26 North Road for light industrial purposes, demolition of wall to form vehicular access. 6 parking spaces at rear of 215 Preston Road and installation of new gates. Approved 27/04/1993.

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the conversion of the main building from office/general industrial (B1/B2) to form 3 no. residential dwellings (C3) including associated external alterations. The secondary building (The Coach House) would be extended to provide additional office space (B1), including associated external alterations.
- 4.2 Amendments have been made during the course of the application which removed the proposed side extension to the main building and reduced the number of proposed dwellings from 4 to 3.

#### **5 PUBLICITY & CONSULTATIONS**

##### **External**

- 5.1 **Neighbours:** Sixteen (16) letters of representation have been received from **3 Barclay Cottages North Road, 7 North Road, 17A North Road, 19 North Road, 21 North Road, 25 North Road, 27 North Road, 28 North Road, 33 North Road, 44 North Road, 11 Lauriston Road x2, 13 Lauriston Road x2, 9B Woodside Avenue and 37 Surrenden Park** objecting the application for the following reasons:
- Increase in car parking
  - Lack of car parking provision for the development
  - Proposed extensions would affect views
  - Overlooking
  - Loss of privacy
  - Overshadowing
  - Out of character with conservation area
  - Contrary to policy
  - Loss of light

- Increase in refuse
- Narrow access route
- Increase disturbance
- The coach house would become a dwelling and not an office as shown on plans
- Increase in noise
- Unclear on the type of business used by the office
- Impact on the existing drainage

5.2 **Preston and Patcham Society** welcome the application and provide the following comments;

- Provides much needed housing
- A simple conversion
- Like the introduction of gardens at the back and the way the small officer has been slotted in at the side

5.3 **Cllr Ken Norman** objects (email attached).

5.4 **Conservation Advisory Group:** No comment.

**Internal:**

5.5 **Heritage:** Comment

This application is seeking planning permission for extensions and alterations to the main building to facilitate the conversion from office/general industrial (B1/B2) to form 4no. residential dwellings (C3) and an extension to the secondary building (The Coach House) to provide additional office space (B1) including revised fenestration and associated works.

5.6 In accordance with paragraph 128 of the Framework, applicants should set out the significance of any heritage asset affected by proposed development and explain what impact the development would have on that significance. Unfortunately, the supporting information is not considered to inform the proposed development contrary to the Framework.

5.7 Notwithstanding the lack of the aforementioned statement of significance, the proposal to introduce residential use to the site is considered fluent with the immediate context which is predominantly residential; and the amended development proposal is now considered to be acceptable in principle.

5.8 The front modern block with two storeys and mansard is a regrettable development which is discordant with the setting and therefore, an incongruous addition to the conservation area. With this in mind, the latest proposal which has omitted the previously proposed extension, but which includes modest improvements to the design of the terrace such as better proportioned and detailed fenestration, is considered appropriate.

5.9 The modern block is an unduly prominent building along the street frontage and whilst it is highly desirable for the later block -which is considered to be of no historic or architectural merit- to be replaced with a more sympathetic

development it is appreciated that the proposal includes reasonable improvements to the design of the building exterior.

- 5.10 The proposed single storey extension to the coach house building is considered to be acceptable in principle. The extension would be a subordinate addition to the building which would preserve the historic scale and form of the utilitarian building.
- 5.11 **Environmental Health: Comment.**  
This site has had a long history of use from approximately 1910. The rear area has been used as a Builders Yard and there was also an Engineers and Founders in 1902, located adjacent to the site.
- 5.12 Recently, the main building has been used for commercial activities including as a print works. Therefore, overall there is the potential that localised land contamination may have occurred on site.
- 5.13 It is noted that this site, or part of this site have been the subject of several past prior approval applications as outlined in the design and access statement. Additionally, that a contaminated land report has previously been submitted for one of the plans but is not present on the planning register.
- 5.14 The applicants should note that if these plans are different to those that were previously submitted then the contaminated land report may need to be reviewed. This is because such assessments are focussed on the end use and the locations of sensitive receptors.
- 5.15 **Planning Policy: Comment.**  
Marketing evidence has not been provided to demonstrate that the employment floorspace to be lost is genuinely redundant in line with the requirements of Local Plan Policy EM3 and Submission City Plan Policy CP3. However, given that the proposed scheme is in conformity with the Government's intention to allow premises in B1 office use to change to C3 residential use, and would result in a preferential outcome to an alternative scheme already given prior approval (BH2014/03962), marketing evidence to demonstrate that the existing employment floorspace that will be lost is genuinely redundant is not required in this instance. The provision of two additional housing units above the level agreed through the existing prior approval is welcomed.
- 5.16 **Sustainable Transport: Comment**  
The Highway Authority has no objections to the proposed application subject to the inclusion of the necessary conditions on any permission granted.

## **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
QD10	Shopfronts
QD14	Extensions and alterations
QD27	Protection of Amenity
EM4	New business and industrial uses on unidentified sites
SR5	Town and District shopping centres
HE6	Development within or affecting the setting of conservation areas

#### Supplementary Planning Guidance:

SPGBH4	Parking Standards
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#### Supplementary Planning Documents:

SPD02	Shop Front Design
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SPD03 Construction & Demolition Waste

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development  
CP3 Employment Land

**8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principle of development; visual impact of the external alterations; impact on amenity; and sustainable transport considerations.
- 8.2 The scheme has been amended to reflect the initial concerns of the Heritage Officer. The footprint of the building is no longer being extended and as a result the number of proposed dwellings has been reduced from 4 to 3.
- 8.3 **Loss of Employment Floorspace**  
Policy EM5 of the Local Plan states that permission will not be granted for the change of use of office premises to other purposes unless they are genuinely redundant, and Local Plan Policy EM3 requires that land in industrial use will not be released for other uses unless the site has been assessed and found to be unsuitable for modern employment needs. A number of issues are listed that are to be considered in determining whether the site is suitable for modern employment needs. Part 5 of Policy CP3 of the Submission City Plan has similar requirements to EM3, stating that “unallocated sites or premises in employment use will not be released to other uses unless the site of premises can be demonstrated to be both redundant and incapable of meeting the needs of modern employment uses.” Policy CP3 is considered to hold more weight than the Local Plan Policy.
- 8.4 The revised scheme would result in the loss of 310m<sup>2</sup> of B1 and 99 m<sup>2</sup> of B2 employment floorspace, although this would be partially offset by the creation of 157m<sup>2</sup> new B1 space, provided through the extension of the ‘Coach House’ building. The net effect is a loss of 252 m<sup>2</sup> employment floorspace. No evidence has been submitted to demonstrate that the floorspace to be lost is genuinely redundant.
- 8.5 The provision of increased B1 office space instead of B2 could result in increased employment density on the site, which can be seen to mitigate the overall loss of employment floorspace. The latest HCA/Offpat guidance on employment densities assumes the following average job provision:
- Offices: 1 job per 10.5m<sup>2</sup>  
Industry: 1 job per 43m<sup>2</sup>
- 8.6 Using these ratios indicates a potential 15 jobs in the proposed new development compared to 36 jobs that could be provided by the premises in its current layout.
- 8.7 However, prior approval has recently been granted for change of use of the first and second floors of Media House from offices (B1) to form 2 no self contained

units (C3) (BH2014/03962). This is a material consideration in the determination of the application as should the application under consideration be refused, the prior approval could be implemented which would result in a loss of all the B1 employment floorspace currently on the first and second floors. The B2 floorspace on the ground floor would be retained under this prior approval, but as set out above, the job density would be likely to be significantly lower.

- 8.8 The scheme under consideration would result in a preferential outcome to the alternative scheme already given prior approval (BH2014/03962). This is because the number of residential units is increased and there is an increased provision of employment floorspace. Further, that floorspace is B1 rather than B2 with a consequent higher potential job density. In these circumstances, marketing evidence to demonstrate that the existing employment floorspace that will be lost is genuinely redundant is not required. It is therefore considered that the change of use from employment to residential is acceptable.
- 8.9 **Provision of Housing:**  
The provision of one additional housing unit above the level agreed through the existing prior approval is welcomed. The total new provision of three family homes will make a small but useful contribution towards the city's significant unmet housing need. That the new dwellings are family homes of 3/4 bedrooms is particularly welcomed and is in line with the requirements of Local Plan Policy HO3 which seeks a mix of dwelling sizes that reflect the city's housing needs.
- 8.10 **Design:**  
The existing main building is a modern two storey block with a further storey within the mansard roof. The building in its current form fails to respect the character of the street scene it sits within and the surrounding Preston Village Conservation Area. The existing Coach House, to the rear of the main building is a heritage asset and is considered to positively contribute to the historic development of the locality and to the character and appearance of the conservation area.
- 8.11 The external alterations to the main building include changes to the fenestration and the introduction of larger openings and doors at ground floor. Cladding would be introduced at first floor level.
- 8.12 The extension to the Coach House would be in the form of a single storey side extension measuring 5m by 5.8m.
- 8.13 The Heritage Officer states that the proposal to introduce residential use to the site is considered fluent with the immediate context which is predominantly residential; and the amended development proposal is now considered to be acceptable in principle.
- 8.14 The front of the modern block with two storeys and mansard is a regrettable development which is discordant with the setting and therefore, an incongruous addition to the conservation area. With this in mind, the latest proposal which has omitted the previously proposed extension, but which includes modest

improvements to the design of the terrace such as better proportioned and detailed fenestration, is considered appropriate.

- 8.15 The modern block is an unduly prominent building along the street frontage and whilst it is highly desirable for the later block -which is considered to be of no historic or architectural merit- to be replaced with a more sympathetic development it is appreciated that the proposal includes reasonable improvements to the design of the building exterior.
- 8.16 The proposed single storey extension to the coach house building is considered to be acceptable in principle. The extension would be a subordinate addition to the building which would preserve the historic scale and form of the utilitarian building.
- 8.17 The proposed works would not significantly harm the character and appearance of the existing property, street scene or the surrounding Conservation Area.
- 8.18 **Impact on Amenity:**  
The use of the main building as three new residential dwellings would be in keeping with the uses of the adjoining properties and is unlikely to result in a significant impact in terms of noise, disturbance or loss of amenity.
- 8.19 A number of representations have been received from neighbours objecting to loss of light, overshadowing and overlooking. The footprint and scale of the building would remain unchanged and therefore it is unlikely that the proposal would result in an increased loss of light or overshadowing.
- 8.20 The proposed extension to the Coach House would be positioned in place of existing wooden stores. The extension would be screened by the existing boundary wall and is therefore unlikely to impact the residential properties which adjoin the northern boundary of the site.
- 8.21 With regards to overlooking, the back to back distance between the main building and adjoining properties to the rear is almost 40m. It is therefore considered that the change of use of the building and the minor alterations to the rear fenestration, are unlikely to cause significant overlooking or loss of privacy given this distance. To the front, whilst the properties are closer and the ground floor windows are being made larger, it is still considered that the existing outlook from the building would not be dissimilar, and therefore would not result in a significant increase in overlooking. Furthermore this relationship is common within the surrounding area. No side windows are proposed.
- 8.22 The alterations to the 'Coach House' will largely be screened by the rear boundary wall. The Juliet Balcony positioned on the side would mainly provide views across the rear car park and therefore would not result in significant overlooking.
- 8.23 **Land Contamination:**

The site has had a long history of use from approximately 1910. The rear area has been used as a Builders Yard and there was also an Engineers and Founders in 1902, located adjacent to the site.

- 8.24 The Environmental Health Officer has commented that given the previous uses of the site, if the proposal is recommended for approval, a full contaminated land condition to should be attached to the decision.
- 8.25 **Standard of Accommodation:**  
The scheme results in the formation of three residential dwellings over three floors. The proposal would provide 2 no. 3 bed dwellings and 1 no. four bed dwelling. The proposed development would provide appropriate sized rooms with adequate light and outlook to all habitable rooms.
- 8.26 Policy HO5 requires the provision of private outdoor amenity space for residential development. The scheme includes a small garden at ground floor level. These outside areas are not ideal as they would have restricted light and outlook. However, due to the restrictions of the site, there is limited scope for the formation of any larger areas. The proposed areas would allow an outside area for the three houses which although limited would be usable. The scheme is therefore considered appropriate in relation to policy HO5, given its context.
- 8.27 Policy HO13 seeks a practical approach to Lifetime Homes criteria on conversions. There is no objection to the scheme.
- 8.28 **Sustainable Transport:**  
Brighton and 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.
- 8.29 The Transport Manager has commented that the scheme is appropriate in respect of its demand for travel. The proposal would not increase trips significantly above existing levels and the scheme would not result in any highway safety issues.
- 8.30 It is not intended to amend the vehicular and pedestrian access arrangements. These will be retained as existing. The vehicular access is from Lauriston Road while pedestrian access is from North Road. While there isn't a footway directly outside the proposed properties on North Road the applicant intends to retain the existing wall at the back of carriageway. This provides an area of defensible space and enhances pedestrian safety for future occupiers and therefore the pedestrian access is considered to be acceptable.
- 8.31 The applicant is intending to provide 4 spaces for the residential units. This level of car parking provision is in line with the standards in SPG04 and the Highway Authority has no objections to this arrangement. The proposals are unlikely to result in significant levels of overspill car parking from the residential units. The site does benefit from being in a sustainable location a short walk away from London Road bus corridor and Preston Park station. Therefore travel by

sustainable modes is viable and the proposed level of car parking is considered to be acceptable.

- 8.32 SPG04 states that for a residential unit the minimum standard is 1 cycle parking space per residential unit plus 1 space per 3 dwellings for visitors. While for a B1 office use the minimum standard is 1 space per 200m<sup>2</sup>. In order to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Highway Authority's preference is for the use of Sheffield type stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22. Further details of policy compliant cycle parking should be secured via condition.
- 8.33 The applicant is providing a store in the back garden of each property and 4 cycle spaces for the office in the courtyard. Further details as to the nature of the cycle parking should be secured via condition to ensure that they are policy compliant.
- 8.34 **Sustainability:**  
Policy SU2 requires development demonstrates a high standard of efficiency in the use of energy, water and materials. In accordance with SPD08, a Sustainability Checklist has also been submitted with the application outlining sustainability measures.
- 8.35 Policy SU13 and Supplementary Planning Document 03 on Construction and Demolition Waste seek to reduce construction waste and require, as best practice, a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme. A suitable Waste Minimisation Statement has been submitted with the scheme.

## 9 CONCLUSION

- 9.1 The loss of office is considered acceptable in this instance and significant weight is given to the previously approved prior approval application (BH2014/03962) which allows the conversion of the first and second floors to residential. The development would create an acceptable standard of accommodation for future residents. The proposed use and external alterations would enhance the character and appearance of the building and preserve the wider setting of the Preston Village Conservation Area. The development would not result in significant harm to neighbouring amenity through loss of light, outlook, privacy or increased noise and disturbance.

## 10 EQUALITIES

- 10.1 The scheme would be required to meet Lifetime Homes where applicable.

## 11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

### 11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

PLANNING COMMITTEE LIST- 7 OCTOBER 2015

- 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Block and site locations plans	TA777/01	D	27 <sup>th</sup> May 2015
Existing ground floor plan	TA777/02	D	18 <sup>th</sup> February 2015
Existing first floor plan	TA777/03	D	18 <sup>th</sup> February 2015
Existing second floor plan	TA777/04	D	18 <sup>th</sup> February 2015
Existing elevations	TA777/05	D	18 <sup>th</sup> February 2015
Existing elevations	TA777/06	D	18 <sup>th</sup> February 2015
Existing elevations	TA777/07	C	18 <sup>th</sup> February 2015
Existing sections	TA777/08		18 <sup>th</sup> February 2015
Existing sections	TA777/09		18 <sup>th</sup> February 2015
Proposed ground floor plan	TA777/20	B	27 <sup>th</sup> May 2015
Proposed first floor	TA777/21	C	27 <sup>th</sup> May 2015
Proposed second floor	TA777/22	C	27 <sup>th</sup> May 2015
Proposed elevations	TA777/23	B	27 <sup>th</sup> May 2015
Proposed elevations	TA777/24	B	27 <sup>th</sup> May 2015
Proposed elevations	TA777/25	B	27 <sup>th</sup> May 2015
Proposed sections	TA777/26	B	27 <sup>th</sup> May 2015
Proposed sections	TA777/27	A	27 <sup>th</sup> May 2015

- 3) 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) The hereby approved residential development shall not be occupied until the commercial building has been completed and made available for occupation as office accommodation (within Use Class B1(a)) in accordance with the approved drawings.

**Reason:** To ensure the provision of modern office accommodation on the site and to comply with policy EM3 of the Brighton and Hove Local Plan.

- 5) All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and shall be painted black to match the colour of the renderwork background walls and retained as such thereafter.

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

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

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

11.2 Pre-Commencement Conditions:

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

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

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

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

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

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress; and

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

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

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

8) No development above ground floor slab level shall take place of any part of the development hereby permitted until samples of all materials to be used in



the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of all 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, door and balcony treatments
- e) samples of all other materials to be used externally

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.

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

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

10) No development above ground floor level of any part of the development hereby permitted shall take place until the full detailed design including materials and finishes of the following items are submitted to and approved in writing by the Local Planning Authority:

1. All new external doors (including head and reveals)
2. All new glazing (including casement windows and French doors, cill, head and reveals)
3. Timber gate to boundary wall

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

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

11) No development above ground floor level of any part of the development hereby permitted 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 (including brickbond where applicable) 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. [before the use hereby permitted is commenced; in accordance with a timetable agreed in writing with the Local Planning Authority] Development shall be carried out in accordance with the approved details.

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

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

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

### 11.3 Pre-Occupation Conditions:

13) 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.

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

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

### 11.4 Informatives:

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

2. This decision to grant Planning Permission has been taken:

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

(ii) for the following reasons:-

The loss of office is considered acceptable in this instance and significant weight is given to the previously approved prior approval application (BH2014/03962) which allows the conversion of the first and second floors

to residential. The development would create an acceptable standard of accommodation for future residents. The proposed use and external alterations would enhance the character and appearance of the building and preserve the wider setting of the Preston Village Conservation Area. The development would not result in significant harm to neighbouring amenity through loss of light, outlook, privacy or increased noise and disturbance.

3. The applicant is advised that the above condition on land contamination has been imposed because the site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. To satisfy the condition a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of (i) (b) and (i) (c) of the condition. It is strongly recommended that in submitting details in accordance with this condition the applicant has reference to Contaminated Land Report 11, Model Procedures for the Management of Land Contamination. This is available on both the DEFRA website ([www.defra.gov.uk](http://www.defra.gov.uk)) and the Environment Agency website ([www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)).

COUNCILLOR REPRESENTATION

Ms Helen Hobbs  
Assistant Planning Officer  
Room 201 King's House  
Grand Avenue  
Hove BN3 2LS

31<sup>st</sup> March 2015

cc. Ross Keatley

Dear Ms. Hobbs

Ref: H2015/00544 Media House 26 North Road, Preston, Brighton  
In connection with BH2014/03962 Media House

Extensions and alterations to main building to facilitate the conversion from office/general industrial (B1/B2) to form 4no residential dwellings (C3), Extension to secondary building (The Coach House) to provide additional office space (B1), revised fenestration and associated works.

We are writing on behalf of residents of North Road and Lauriston Road (Preston Village) Withdean Ward to express various concerns which have been made to us as ward councillors in connection with application BH2015/00544

We consider that the application proposes issues which are contrary to QD27 of the Brighton and Hove Local Plan 2015 in that if agreed, some residents of both North road and Lauriston Road would suffer considerable loss of amenity as a result of overlooking and loss of privacy as well as increased issues of noise.

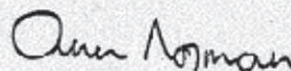
We understand that because of a delay in this application appearing on the council's website, a number of residents may have written objections mentioning BH2014/03962 and we trust that these communications can be considered by the planning officer as well as those submissions made quoting BH2015/00544

We ask that should the officer's recommendation be "to grant" that the application be decided by the Planning Committee and that our letter of objection be included in the agenda for the relevant meeting of the Planning Committee.

With kind regards,



Cllr. Ken Norman  
Withdean Ward Councillors  
Tel: 01273 291182  
[ken.norman@brighton-hove.gcsx.gov.uk](mailto:ken.norman@brighton-hove.gcsx.gov.uk)



Cllr. Ann Norman

[ann.norman@brighton-hove.gcsx.gov.uk](mailto:ann.norman@brighton-hove.gcsx.gov.uk)

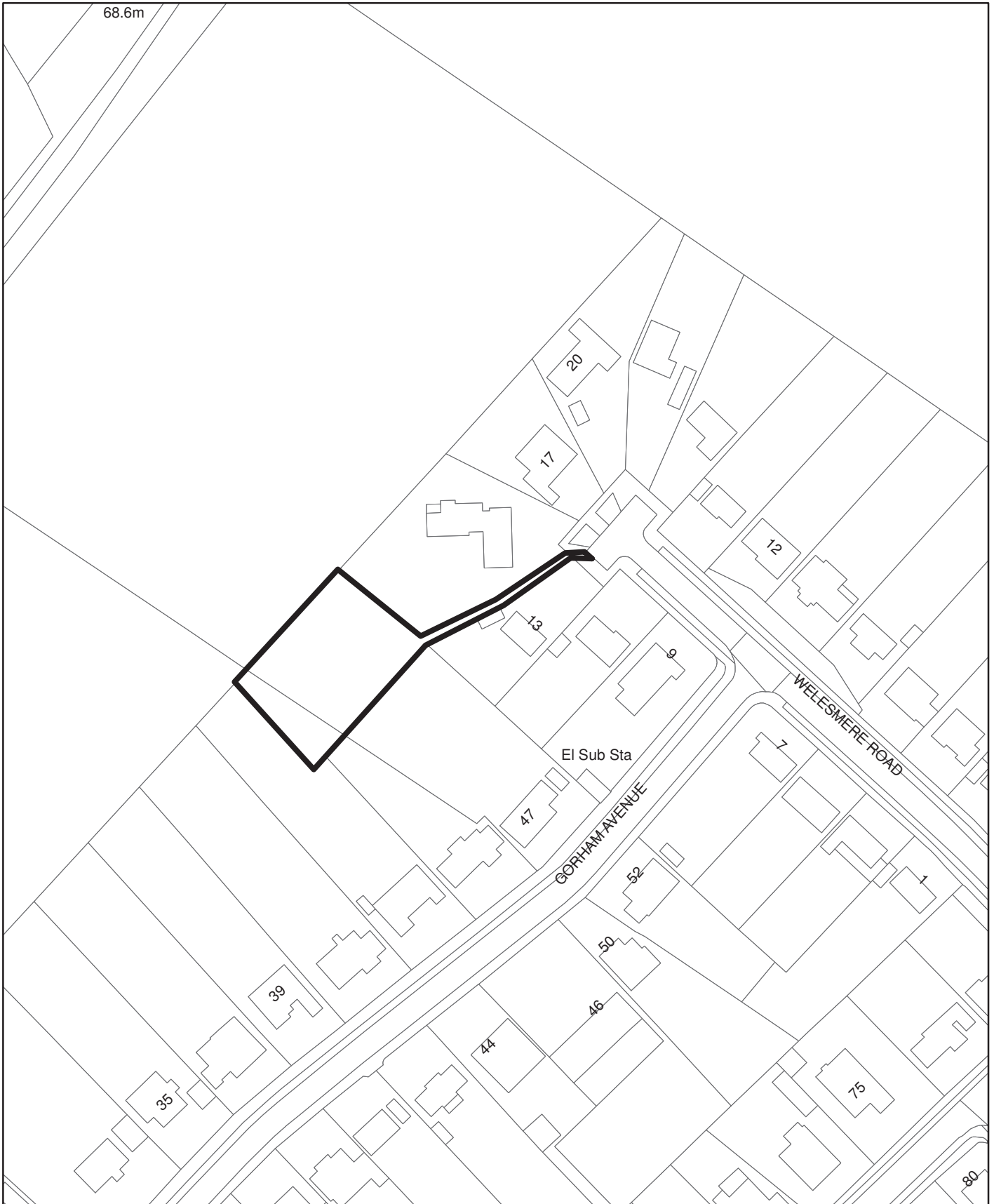
# **ITEM B**

**Rear of 15 Welesmere Road, Brighton**

**BH2015/02127  
Full planning**

**7 OCTOBER 2015**

# BH2015/02127 Rear of 15 Welesmere Road, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2015/02127</b>	<b><u>Ward:</u></b>	<b>ROTTINGDEAN COASTAL</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Rear of 15 Welesmere Road Rottingdean Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of detached four bedroom dwelling with associated landscaping and access.</b>		
<b><u>Officer:</u></b>	Chris Swain Tel 292178	<b><u>Valid Date:</u></b>	23 June 2015
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	18 August 2015
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Domicile Architectural Design, Whitegates, Crowborough Hill Crowborough TN6 2SE		
<b><u>Applicant:</u></b>	Pam Collings, 15 Welesmere Road, Rottingdean, Brighton BN2 7DN		

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site relates to part of the garden of a detached chalet bungalow at the north-western end of Welesmere Road. The existing property is an L-shaped design with a sunken swimming pool to the south, adjacent to the boundary of No.13 Welesmere Road. The property has a spacious garden which extends out to the south west of the rear elevation and abuts properties in both Welesmere Road and Gorham Avenue. The South Downs National Park abuts the site to the north west.

## 3 RELEVANT HISTORY

**BH2014/02893** - Erection of detached four bedroom dwelling with associated landscaping and access. Refused 24 March 2015 for the following reason;  
*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.*

**BH2014/01424** - Installation of windows and dormer to front, window to side, rooflights to rear and solar panels to rear and side roof slopes. Approved 9 July 2014.

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the erection of a two-storey detached four-bed dwellinghouse on land to the rear of 15 Welesmere Road. The dwellinghouse would be accessed via a driveway between nos. 13 and 15 Welesmere Road. The building would incorporate an L-shaped footprint with a hipped roof; materials would comprise a stock brick with plain clay tiles. The proposal includes new hedging to the north-west of the proposed dwelling to create formal separation with no. 15.
- 4.2 The gradient of the land falls away steeply to the south and east. As a result the dwelling would be set into the slope with a retaining wall built up to the rear of the building. There would be an integral garage to the front elevation and a terraced area at first floor level to the south west facing side elevation. Off street parking would be proposed to the front of the property with garden to the south and west of the dwelling.

#### **5 PUBLICITY & CONSULTATIONS**

##### **External**

- 5.1 **Neighbours: Twelve (12)** representations have been received from **3, 11, 12, 13, 14 Welesmere Road; 58, 73 Dean Court Road; 10 Northfield Rise, 11 Challoners Close; 43, 45, 47 Gorham Avenue** objecting to the proposal for the following reasons:-

- Excessive in height and scale and out of character with the existing built form and plot layout within the immediate area,
- Overlooking / loss of privacy to adjoining residents,
- Increased parking pressure and highway safety concerns.
- Disturbance and highway safety concerns during the construction period,
- Concerns regarding amenity, safety and security in relation to the proposed shared driveway adjacent to No.13 Welesmere Road,
- Increased noise disturbance,
- Increased sense of enclosure to adjoining properties,
- Overly dominant and overbearing development,
- Would set a dangerous precedent for further back garden development,
- Harm to nature and animal habitat,
- Detrimental impact upon views into and within the South Downs National Park
- Loss of light,
- Would site outside existing building lines,
- Would devalue adjoining properties,
- Poor disabled access to proposed dwelling,
- Insufficient excavation to allay concerns with the visibility of the dwelling.



5.2 **South Downs National Park:** No objection

The SDNP Authority does not object to the principle of the proposed development of 1 dwelling although would want to maintain views between the far side of the valley and the SDNP. In order to achieve this, the ridge height of the proposed dwelling should sit 0.6m – 1m below that of the existing dwelling.

**Internal**

5.3 **Sustainable Transport:** No objection.

Recommended approval as the Highway Authority has no objections to this application subject to the inclusion of the necessary condition.

5.4 Trip Generation/ Financial Contributions

A sustainable transport contribution of £1.5k is sought in accordance with the council's standard contributions methodology and policy TR8 of the Brighton & Hove Local Plan. This will be allocated to pedestrian crossing improvements at the junction of Gorham Avenue and Welesmere Road in order to cater for the needs of pedestrians accessing the proposed development.

5.5 Car Parking

Including the garage, three car parking spaces have been proposed. This exceeds the maximum permitted by SPG04; however, on the basis that the parking is provided by a private driveway to serve a single dwelling and that the spaces are not specifically marked, this is considered to be acceptable on this occasion.

5.6 The proposal would result in a reduction in available parking for the existing number 15 Welesmere Road; however, adequate space would remain to provide at least two spaces, the maximum permitted by SPG04. As such, it is not expected that the proposal will result in overspill parking and in any case there is ample capacity for this to be accommodated on Welesmere Road.

5.7 Access

The applicant has proposed utilising the existing crossover serving number 13 and 15 Welesmere Road which is considered acceptable. The proposed dwelling will be served by a private access road, with turning space provided onsite to allow vehicles to enter and exit in forward gear.

5.8 Cycle Parking

Two cycle parking spaces are shown within the proposed garage. This is considered appropriate for a private dwelling of this nature.

5.9 **Access Officer:** Comment

Approach to all entrances should be level or gently sloping. The rear elevation still appears to show single steps.

5.10 **Arboriculture:** No objection (comments unchanged from application BH2014/03893).

Several trees / shrubs of little arboricultural value may be lost and the Arboricultural Section would not object to their loss. The hedging around the site (Eleagnus) provides fine screening and should be protected during the course of

the development, along with all trees to be retained on site, in order ensure their retention post-development. The Arboricultural Section would ask for this to be made a condition of any consent.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

- TR1 Development and the demand for travel
- TR7 Safe development
- TR14 Cycle access and parking
- TR19 Parking standards
- SU2 Efficiency of development in the use of energy, water and materials
- SU10 Noise nuisance
- SU13 Minimisation and re-use of construction industry waste
- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites

QD4	Design - strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes
NC5	Urban Fringe
NC7	Sussex Downs Area of Outstanding Natural Beauty
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD06 Trees & Development Sites

SPD08 Sustainable Building Design

SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

CP8 Sustainable Buildings

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principle of the plot sub-division and the subsequent impact on the character and appearance of the site and the surrounding area, including the adjoining South Downs National Park. The standard of accommodation and impact on neighbouring amenity and transport are also material considerations
- 8.2 At present, there is no agreed up-to-date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing provision target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (estimated to be 30,120 units) as the basis for the five year supply position.
- 8.3 The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The merits of the proposal are considered below.
- 8.4 **Character and appearance**  
The application follows a previous proposal for a new dwelling within the site that was refused for the following reason;

*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.*

- 8.5 The applicant has attempted to address the reason for refusal by reducing the height of the building and revising the design.
- 8.6 The proposed building would be sited on the same footprint as the previously refused scheme, parallel with the north-western boundary of the site and would introduce additional built form in the currently undeveloped rear curtilage of the site. The building would have a chalet bungalow style design with a deep hipped roof with accommodation within the roof. There would be a number of dormers set into the roof which would extend down below eaves level.
- 8.7 The height of the ridge would be reduced by 1.8m in comparison to the previously refused scheme and would now be set 3.65m below the ridge at No.15 Welesmere Road and 1m below the ridge of No.13 Welesmere Road. It is considered that this reduction in height and bulk would reduce the prominence of the dwelling when viewed from the rear of the neighbouring properties and would ensure that the proposal would not result in significant harm to the appearance and character of the surrounding area.
- 8.8 There would be limited visibility from the public domain from between the space between Nos. 13 and 15 and would not result in any significant harm to the visual amenity of the Welesmere Road streetscene.
- 8.9 The National Planning Policy Framework confirms that great weight should be given to conserving landscape and scenic beauty in National Parks. The reduction in the height and mass of the building in comparison to the previously refused scheme and the revised chalet bungalow style appearance would sit more comfortably with the existing built form within the locality would not dominant views from within or into the South Downs National Park.
- 8.10 The SDNP authority has not objected to the principle of the proposal. The ridge is set significantly below the height of No.15 Welesmere Road and below the height which is stated would be necessary to conserve landscape and scenic beauty within the SDNP.
- 8.11 To conclude, the reduction in height and mass in conjunction with the revised chalet bungalow style design in comparison to the previously refused scheme is considered to satisfactorily overcome the previous reason for refusal and the proposal would not detract significant from the appearance or character of the site, or the wider surrounding area and would preserve the scenic beauty and

landscapes of the South Downs National Park in accordance with local plan policy.

**8.12 Impact on Amenity**

Policy QD27 relates to protection of amenity and confirms that permission will not be granted where development would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

**8.13 Future Occupiers**

The scale and layout of the proposed dwellinghouse would provide a good standard of accommodation with sufficient natural light and outlook throughout. The application incorporates private amenity space to the front and side of the dwellinghouse and this would meet the likely needs of future occupants. The proposal is in accordance with the Lifetimes Homes standards other than the lack of a level access to the rear. This could be easily rectified with a sloped access and a suitable condition is attached.

**8.14 Neighbouring occupiers**

Whilst the adjoining properties on Gorham Avenue are at a considerably lower level than the application site it is considered the depth of the rear gardens (to properties on Gorham Avenue) would prevent any harm to amenity through loss of light or outlook. The closest adjoining property at no. 43 Gorham Avenue is 32m from the application site boundary. Similarly, while some views would be created by first floor window openings no intrusive overlooking to these properties would result due to the separation distances involved.

8.15 The separation distances and existing boundary screening, which will be protected through condition, is considered sufficient to ensure no harmful loss of light, outlook or privacy or a harmful overbearing impact to occupants of adjoining properties on Welesmere Road.

8.16 It is recommended that permitted development rights be removed by condition for roof extensions and alterations and for fenestration within the northwest elevation to protect neighbouring amenity in regards to overlooking or visual intrusion.

8.17 The proposed vehicular access would be screened from adjoining properties, nos. 13 and 15, and this, in conjunction with what is likely to be a limited number of vehicular movements, would ensure that any potential noise and disturbance would not cause significant harm.

8.18 While the private amenity space to no. 15 would be significantly reduced in size there would remain a sizeable area of outdoor space attached to this property.

8.19 It is likely that there would be increased noise and disturbance during the construction of the dwelling. However, if complaints were received as a result of construction activities they could be investigated through separate Environmental Health legislation.

**8.20 Sustainable Transport**

Policy TR1 of the Local Plan requires that development proposals provide for the demand for travel they create and maximise the use of public transport, walking and cycling.

8.21 The proposed access arrangement would not be expected to create a safety hazard of users of adjoining highways and no objection has been raised by the Transport team. While the pedestrian and vehicle access would be shared these movements would be relatively small in number and the arrangement is therefore considered acceptable in this instance. The proposed cycle storage would be within an integral garage with two off-street car parking spaces would be provided within the curtilage. This provision is considered acceptable and no harmful conflict with parking standards set out in SPGBH4 would result.

8.22 A contribution has been requested by the Transport team for the scheme to fund pedestrian crossing improvements at the junction with Gorham Avenue and Welesmere Road to cater for the needs of pedestrians accessing the proposed development. Whilst these works would be beneficial they are not considered necessary to ensure the acceptability of the scheme and as such a contribution is not recommended in this instance.

**8.23 Sustainability**

Policy SU2 and CP8 seeks to ensure that development proposals are efficient in the use of energy and water. Appropriate conditions are attached accordingly.

**9 CONCLUSION**

9.1 The proposal would not detract significantly from the appearance or character of the site, the surrounding area or the adjoining South Downs National Park or result in significant harm to the residential amenity of the neighbouring properties and is appropriate in terms of highway safety and sustainability.

**10 EQUALITIES**

The new dwelling would be required to comply with the Building Regulations and Lifetime Homes standards.

**11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES**

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.

PLANNING COMMITTEE LIST- 7 OCTOBER 2015

Plan Type	Reference	Version	Date Received
Site location plan	-	-	10 June 2015
Block plan as proposed	-	-	10 June 2015
Block plan as proposed showing section through site	14/512/3	A	23 September 2015
Proposed floor plans and elevations	14/512/4	B	23 September 2015
Section A-A – NW to SE through site including comparison with previously refused application BH2014/02893	14/512/6	A	23 September 2015
Existing block plan	14/512/7	B	23 September 2015

- 3) No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including:
  - a) samples of all brick, tiling, cladding and eaves treatments,
  - b) samples of all hard surfacing materials,
  - c) samples of the proposed window, door and balcony 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 & QD14 of the Brighton & Hove Local Plan.
- 4) 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.
- 5) The two first floor windows in the north east facing elevation of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such. **Reason:** To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 6) The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. **Reason:** To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.
- 7) No extension, enlargement or other alteration of the roof of the dwellinghouse as provided for within Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 2015, 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.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 at first floor level in the north east facing elevation of the dwelling 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.
- 9) 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.
- All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development and retained as such thereafter. 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.
- 10) The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times. **Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.
- 11) No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences. **Reason:** As this matter is fundamental to protecting the trees which are to be retained on the site during construction works 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) The residential unit hereby approved shall not be occupied until it has achieved an energy efficiency standard of a minimum of 19% CO<sub>2</sub> improvement over Building Regulations requirements Part L 2013 (TER Baseline). **Reason:** To ensure that the development is sustainable and makes efficient use of energy to comply with policy SU2 of the Brighton & Hove Local Plan and policy CP8 of the Brighton & Hove Submission City Plan Part One (Proposed Further Modifications September 2015).
- 13) The residential unit hereby approved shall not be occupied until it has achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption. **Reason:** To ensure that the development is sustainable and makes efficient use of water to comply with policy SU2 of the Brighton & Hove Local Plan and policy CP8 of the Brighton & Hove Submission City Plan Part One (Proposed Further Modifications September 2015).
- 14) Prior to first occupation of the development hereby permitted a scheme for the storage of refuse and recycling shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times. **Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.

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. The applicant is advised that accredited energy assessors are those licensed under accreditation schemes approved by the Secretary of State (see Gov.uk website); two bodies currently operate in England: National Energy Services Ltd; and Northgate Public Services. The production of this information is a requirement under Part L1A 2013, paragraph 2.13.
3. The water efficiency standard required under condition 13 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1. The applicant is advised this standard can be achieved through either: (a) using the 'fittings approach' where water fittings are installed as per the table at 2.2, page 7, with a maximum specification of 4/2.6 litre dual flush WC; 8L/min shower, 17L bath, 5L/min basin taps, 6L/min sink taps, 1.25L/place setting dishwasher, 8.17 L/kg washing machine; or (b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.
4. This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents: (Please see section 7 of the report for the full list); and

PLANNING COMMITTEE LIST- 7 OCTOBER 2015

- (ii) for the following reasons:-  
The proposal would not detract significantly from the appearance or character of the site, the surrounding area or the adjoining South Downs National Park or result in significant harm to the residential amenity of the neighbouring properties and is appropriate in terms of highway safety and sustainability.

**Information on upcoming Pre-application Presentations and Requests**

<b>Date</b>	<b>Address</b>	<b>Ward</b>	<b>Proposal</b>
27 <sup>th</sup> October 2015	78 West Street & 7-8 Middle Street, Brighton	Regency	Demolition of vacant night club buildings and erection of mixed use building 5-7 storeys high plus basement comprising commercial A1/A3/A4 (retail/restaurant/bar) uses on ground floor & basement and C1 (hotel) use on upper floors with reception fronting Middle St.
17 <sup>th</sup> November 2015	University of Sussex	Hollingdean and Stanmer	Reserved matters application for approximately 2000 new student accommodation bedrooms.

**Previous presentations**

<b>Date</b>	<b>Address</b>	<b>Ward</b>	<b>Proposal</b>
4 <sup>th</sup> August 2015	121-123 Davigdor Road, Brighton	Goldsmid	Replacement of existing building with three-part stepped building comprising 48 residential flats and 153sqm of community floorspace.
23 <sup>rd</sup> June 2015	Land directly adjacent to American Express Community Stadium, Village Way, Falmer	Moulsecoomb & Bevendean	Erection of a 150 bedroom hotel.
23 <sup>rd</sup> June 2015	Former St. Aubyns School, High Street, Rottingdean	Rottingdean Coastal	Residential development of the site to provide 48 dwellings through refurbishment and conversion of Field House to provide 6no. apartments; refurbishment of 4no. existing curtilage listed cottages; demolition of remaining former school buildings and former headmaster's house; erection of 38 new dwellings and 62 bed care home; retention of sports pavilion and war memorial; provision and transfer of open space for public use; formation of accesses to Newlands Road and alterations to existing access off Steyning Road; provision of associated car parking and landscaping;

**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 King's House on the date given after scheduled site visits unless otherwise stated.**

			alterations to flint wall.
2 <sup>nd</sup> June 2015	Land bound by Blackman Street Cheapside and Station Street, Brighton	St Peter's and North Laine	Proposed part nine, part seven storey building to provide office and student accommodation for Bellerby's College.
2 <sup>nd</sup> June 2015	Brighton College, Eastern Road, Brighton	Queens Park	Demolition of existing Sports and Science building fronting Sutherland Road and erection of new three storey Sports and Science building comprising swimming pool, Sports Hall, teaching rooms and rooftop running track and gardens.
10 <sup>th</sup> March 2015	106 Lewes Road, Brighton	St Peter's and North Laine	Eight storey block of student accommodation.
18 <sup>th</sup> November 2014	15 North Street & Pugets Cottage, Brighton	Regency	Demolition of 15 North Street to be replaced with a new feature entrance building.
7 <sup>th</sup> 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 <sup>st</sup> 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 <sup>th</sup> 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 <sup>th</sup> February 2014	City College, Wilson Avenue, Brighton	East Brighton	Additional accommodation
29 <sup>th</sup> October 2013	Hippodrome, Middle Street, Brighton	Regency	Refurbishment and Extension
17 <sup>th</sup> Sept 2013	One Digital, Hollingdean Road, Brighton	Hollingdean and Stanmer	Student accommodation development
27 <sup>th</sup> Aug 2013	The BOAT, Dyke Road Park, Brighton	Hove Park	Outdoor theatre
16 <sup>th</sup> July 13	Circus Street, Brighton	Queen's Park	Pre-application proposed re-development

### PLANS LIST 7 OCTOBER 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

##### BH2014/03890

##### **28 Petworth Road Brighton**

Application for Approval of Details Reserved by Conditions 5, 9, 10 and 11 of application BH2014/00833

**Applicant:** Tanya Foreman

**Officer:** Adrian Smith 290478

**Approved on 01/09/15 DELEGATED**

##### BH2015/01914

##### **12 Overhill Drive Brighton**

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

**Applicant:** Ms Tanya Murray

**Officer:** Luke Austin 294495

**Approved on 28/08/15 DELEGATED**

##### BH2015/01917

##### **111 Mackie Avenue Brighton**

Erection of a single storey front extension.

**Applicant:** Mr Christopher Burton

**Officer:** Jason Hawkes 292153

**Approved on 04/09/15 DELEGATED**

##### BH2015/01918

##### **31 Rotherfield Crescent Brighton**

Certificate of lawfulness for proposed erection of porch.

**Applicant:** Mr E Toms

**Officer:** Luke Austin 294495

**Refused on 08/09/15 DELEGATED**

##### BH2015/02032

##### **47 The Deeside Brighton**

Certificate of lawfulness for proposed hip to gable roof extension with enlargement of existing dormer, infill of existing rear door and alterations to fenestration.

**Applicant:** Ms Jane Meredith

**Officer:** Luke Austin 294495

**Approved on 11/09/15 DELEGATED**

##### BH2015/02098

##### **24 Baranscraig Avenue Brighton**

Certificate of lawfulness for proposed hip to gable loft conversion incorporating

front rooflights, side window and rear dormer.

**Applicant:** Mrs Sasha Vince  
**Officer:** Luke Austin 294495  
**Approved on 09/09/15 DELEGATED**

**BH2015/02690**

**182 Surrenden Road Brighton**

Erection of a single storey rear extension.

**Applicant:** Mrs S Savery  
**Officer:** Allison Palmer 290493  
**Approved on 14/09/15 DELEGATED**

**BH2015/02777**

**3 Craginair 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 5.3m, for which the maximum height would be 4m, and for which the height of the eaves would be 2.6m.

**Applicant:** Damien Rye  
**Officer:** Ryan OSullivan 290480  
**Prior approval not required on 08/09/15 DELEGATED**

**BH2015/02896**

**109 Mackie Avenue Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.5m, for which the maximum height would be 3.1m, and for which the height of the eaves would be 2.4m.

**Applicant:** Matthew & Karen Noakes  
**Officer:** Allison Palmer 290493  
**Prior Approval is required and is approved on 14/09/15 DELEGATED**

**PRESTON PARK**

**BH2014/03892**

**St Augustines Church Stanford Avenue Brighton**

Application for Approval of Details Reserved by Conditions 9, 10, 12, 15, 16, 17, 20 (ii) & (iii), 22, 23, 24, 25 and 26 of application BH2012/00991.

**Applicant:** Roche Barrett Estates  
**Officer:** Guy Everest 293334  
**Approved on 11/09/15 DELEGATED**

**BH2015/00071**

**49 Springfield Road Brighton**

Erection of single storey rear and side extension and raised terrace.

**Applicant:** Mr & Mrs Martyn Allen  
**Officer:** Guy Everest 293334  
**Approved on 03/09/15 DELEGATED**

**BH2015/00797**

**19 Sandgate Road Brighton**

Erection of single storey side extension.

**Applicant:** Mrs Sarah Gobey  
**Officer:** Helen Hobbs 293335  
**Refused on 28/08/15 DELEGATED**

**BH2015/01717**

**16 Port Hall Place Brighton**

Roof extensions and alterations including 3no. front rooflights, 1no rear rooflight and rear dormer.

**Applicant:** Mr Bernard Broughton

**Officer:** Luke Austin 294495

**Refused on 03/09/15 DELEGATED**

**BH2015/01741**

**Prestamex House 171 - 173 Preston Road Brighton**

Application for Approval of Details Reserved by Condition 3 of application BH2014/04215.

**Applicant:** Daejan (Brighton) Limited

**Officer:** Christopher Wright 292097

**Approved on 16/09/15 DELEGATED**

**BH2015/01958**

**91 & part of 93 Chester Terrace Brighton**

Erection of a single storey rear infill extension.

**Applicant:** Mr Marc Nummy

**Officer:** Rebecca Fry 293773

**Approved on 03/09/15 DELEGATED**

**BH2015/01969**

**48 Preston Road Brighton**

Creation of rear dormer and installation of rooflights to front and rear.

**Applicant:** Hardwick Hartley Partnership

**Officer:** Kate Brocklebank 292454

**Approved on 28/08/15 DELEGATED**

**BH2015/01993**

**94 Rugby Road Brighton**

Replacement of existing single glazed timber framed sash windows with double glazed timber framed sash windows.

**Applicant:** Steven & Ellen Mason

**Officer:** Clare Simpson 292321

**Approved on 28/08/15 DELEGATED**

**BH2015/02154**

**Flat 1 15 York Villas Brighton**

Demolition of existing conservatory, extension and garage and erection of single storey rear and side extension.

**Applicant:** Ms Helen Cowan

**Officer:** Luke Austin 294495

**Approved on 11/09/15 DELEGATED**

**BH2015/02175**

**9 Stanford Avenue Brighton**

Conversion of care home (C2) to form 1no one bedroom and 4 no two bedroom flats (C3) with associated works including alterations to fenestration and rear Juliet balcony

**Applicant:** Mr & Mrs Nicola Pattison

**Officer:** Liz Arnold 291709

**Approved on 02/09/15 DELEGATED**

**BH2015/02286**

**151 Preston Drove Brighton**

Certificate of lawfulness for proposed conversion of 2no flats (C3) into 1no four bedroom dwelling house (C3).

**Applicant:** Mr Chris Walters

**Officer:** Charlotte Bush 292193

**Approved on 04/09/15 DELEGATED**

**BH2015/02351**

**15 Port Hall Road Brighton**

Removal of existing rear extension and erection of single storey rear infill extension and alterations to boundary treatment.

**Applicant:** Ms Nell Killick

**Officer:** Emily Stanbridge 292359

**Approved on 11/09/15 DELEGATED**

**BH2015/02355**

**Flat B 20 Preston Park Avenue Brighton**

Installation of ground floor side entrance door to replace existing window.

**Applicant:** Mr H Marsden

**Officer:** Emily Stanbridge 292359

**Approved on 04/09/15 DELEGATED**

**BH2015/02502**

**94 Chester Terrace Brighton**

Installation of rooflight to front roof slope.

**Applicant:** Claire Harrington

**Officer:** Ryan OSullivan 290480

**Approved on 14/09/15 DELEGATED**

**BH2015/02767**

**54 Dover Road Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.5m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.5m.

**Applicant:** Mr Mike & Mrs Yvonne Gibbs

**Officer:** Eleanor Price 292337

**Prior approval not required on 01/09/15 DELEGATED**

**BH2015/02794**

**16 Dyke Road 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 5.5m, for which the maximum height would be 2.7m, and for which the height of the eaves would be 2.3m.

**Applicant:** Virginia Barder

**Officer:** Ryan OSullivan 290480

**Prior approval not required on 07/09/15 DELEGATED**

**BH2015/03033**

**157-159 Preston Road Brighton**

Non material amendment to BH2012/01844 to allow for amendment to the site location plan to provide one additional car parking space located to front of building.



**Applicant:** Cross Stone Securities Ltd  
**Officer:** Adrian Smith 290478  
**Approved on 08/09/15 DELEGATED**

**REGENCY**

**BH2014/00920**

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

Application for Approval of Details Reserved by Condition 9 of application BH2013/00710.

**Applicant:** West Register (Property Investments) Ltd  
**Officer:** Jason Hawkes 292153  
**Approved on 28/08/15 DELEGATED**

**BH2015/01486**

**59 East Street Brighton**

Display of internally illuminated fascia sign and non-illuminated projecting sign.

**Applicant:** Estee Lauder  
**Officer:** Joanne Doyle 292198  
**Approved on 11/09/15 DELEGATED**

**BH2015/01487**

**59 East Street Brighton**

Installation of new shop front.

**Applicant:** Estee Lauder  
**Officer:** Joanne Doyle 292198  
**Approved on 11/09/15 DELEGATED**

**BH2015/01671**

**Flats 3 & 4 7 Montpelier Terrace Brighton**

Internal alterations to form two first floor self-contained flats.

**Applicant:** Mr Stephen Lawrence  
**Officer:** Tim Jefferies 293152  
**Approved on 03/09/15 DELEGATED**

**BH2015/01866**

**12 Meeting House Lane Brighton**

Extension of ground floor to form additional retail unit (A1) and conversion of maisonette on first, second and third floors to form 5no residential units (C3) with associated works. (Retrospective)

**Applicant:** Destan Ltd  
**Officer:** Jason Hawkes 292153  
**Approved on 27/08/15 DELEGATED**

**BH2015/01867**

**12 Meeting House Lane Brighton**

Extension of ground floor to form additional retail unit (A1) and conversion of maisonette on first, second and third floors to form 5no residential units (C3) with associated works. (Retrospective)

**Applicant:** Destan Ltd  
**Officer:** Jason Hawkes 292153  
**Approved on 27/08/15 DELEGATED**

**BH2015/02067**

**35 East Street Brighton**

Change of use of first and second floors from offices (B1) to kitchen, food preparation and staff areas ancillary to the existing ground floor retail unit (A1).

**Applicant:** Pret A Manger

**Officer:** Jason Hawkes 292153

**Refused on 16/09/15 DELEGATED**

**BH2015/02068**

**35 East Street Brighton**

Internal layout alterations to first and second floors associated with change of use from offices (B1) to kitchen, food preparation and staff areas ancillary to the existing ground floor retail unit (A1).

**Applicant:** Pret A Manger

**Officer:** Jason Hawkes 292153

**Approved on 16/09/15 DELEGATED**

**BH2015/02096**

**1 Clifton Road Brighton**

Installation of new canopy to first floor bay window to front elevation to replace existing.

**Applicant:** Bernard Howells

**Officer:** Rebecca Fry 293773

**Approved on 27/08/15 DELEGATED**

**BH2015/02194**

**Telephone Box Outside Burial Ground Dyke Road Brighton**

Installation of digital screens inside existing telephone box.

**Applicant:** Thinking Outside the Box

**Officer:** Liz Arnold 291709

**Refused on 28/08/15 DELEGATED**

**BH2015/02479**

**21 Dukes Lane Brighton**

Display of internally illuminated fascia and hanging signs.

**Applicant:** Kuoni

**Officer:** Jason Hawkes 292153

**Approved on 07/09/15 DELEGATED**

**BH2015/02537**

**109 Western Road Brighton**

Prior approval for change of use from offices (B1) to 1no one bedroom flat (C3) at second floor level.

**Applicant:** Rose View Homes

**Officer:** Christopher Wright 292097

**Prior Approval is required and is refused on 07/09/15 DELEGATED**

**BH2015/02688**

**18 Windlesham Road Brighton**

Removal of existing conservatory and erection of single storey rear extension.

**Applicant:** Mr & Mrs Cross

**Officer:** Laura Hamlyn 292205

**Approved on 16/09/15 DELEGATED**

**BH2015/02705**

**40 Duke Street Brighton**

Erection of three storey rear extension, installation of shop front to replace existing folding doors, alterations to layout and associated works.

**Applicant:** Fabrica Gallery

**Officer:** Liz Arnold 291709

**Approved on 14/09/15 DELEGATED**

**BH2015/02863**

**40 Duke Street Brighton**

Application for approval of details reserved by conditions 3, 4, 5, 6, 8 and 9 of application BH2014/04333.

**Applicant:** Fabrica Gallery

**Officer:** Liz Arnold 291709

**Approved on 16/09/15 DELEGATED**

**ST. PETER'S & NORTH LAINE**

**BH2015/00518**

**26A West Hill Road Brighton**

Application for approval of details reserved by condition 2 of application BH2013/02013 (Approved on appeal).

**Applicant:** AKN (Sussex) LLP

**Officer:** Jonathan Puplett 292525

**Approved on 11/09/15 DELEGATED**

**BH2015/00519**

**26A West Hill Road Brighton**

Application for approval of details reserved by conditions 3, 4, 5, 7, 8, 10, 13, 14 and 15 of application BH2013/02012 (Approved on appeal).

**Applicant:** AKN (Sussex) LLP

**Officer:** Jonathan Puplett 292525

**Approved on 11/09/15 DELEGATED**

**BH2015/00543**

**8 - 11 Pavilion Buildings Brighton**

Installation of illuminated fascia, and projecting signs and non illuminated PVC banners and information signs.

**Applicant:** RBS

**Officer:** Chris Swain 292178

**Approved on 04/09/15 DELEGATED**

**BH2015/01206**

**38 Upper Lewes Road Brighton**

Erection of two storey rear extension to replace existing storeroom and conservatory.

**Applicant:** Mr Neil Draycott

**Officer:** Mark Thomas 292336

**Approved on 28/08/15 DELEGATED**

**BH2015/01531**

**Telephone Boxes Opposite 11-12 Trafalgar Street Brighton**

Display of digital advertising screens inside 2 no. existing telephone boxes.

**Applicant:** Thinking Outside the Box

**Officer:** Liz Arnold 291709

**Refused on 28/08/15 DELEGATED**

**BH2015/01533**

**Telephone Boxes Outside 1 St Peters Place Brighton**

Display of digital advertising screens inside 2no. existing telephone boxes.

**Applicant:** Thinking Outside the Box

**Officer:** Liz Arnold 291709

**Refused on 28/08/15 DELEGATED**

**BH2015/01543**

**20 Foundry Street Brighton**

Installation of new windows to front, retiling of roof and rooflight to rear.

**Applicant:** Mr David Antram

**Officer:** Clare Flowers 290443

**Approved on 11/09/15 DELEGATED**

**BH2015/01635**

**37 Queens Gardens Brighton**

Demolition of single storey structure to rear and erection of two storey rear extension.

**Applicant:** Studio Woollen Ltd

**Officer:** Mark Thomas 292336

**Approved on 02/09/15 DELEGATED**

**BH2015/01661**

**Block K Cityview 103 Stroudley Road Brighton**

Non material amendment to BH2008/01148 to amend layout of car park including reduction in the number of disabled parking spaces and allocation of all car parking spaces for use by the office.

**Applicant:** McAleer & Rushie Ltd

**Officer:** Maria Seale 292175

**Approved on 16/09/15 DELEGATED**

**BH2015/01718**

**39 Lewes Road Brighton**

Display of internally illuminated hanging sign. (Retrospective)

**Applicant:** Maslen Estate Agents

**Officer:** Luke Austin 294495

**Refused on 27/08/15 DELEGATED**

**BH2015/02126**

**6 Crescent Road Brighton**

Erection of rear extension, creation of rear dormer and insertion of front rooflight.

**Applicant:** Mr Daniel Shrimpton

**Officer:** Rebecca Fry 293773

**Refused on 10/09/15 DELEGATED**

**BH2015/02188**

**Telephone Kiosk Outside 1 St Peters Place Brighton**

Installation of digital advertising screens inside 2 no. existing telephone boxes.

**Applicant:** Thinking Outside the Box

**Officer:** Liz Arnold 291709

**Refused on 28/08/15 DELEGATED**

**BH2015/02189**

**Telephone Boxes Opposite 11-12 Trafalgar Street Brighton**

Installation of digital advertising screens inside 2no existing telephone boxes.

**Applicant:** Thinking Outside the Box

**Officer:** Liz Arnold 291709

**Refused on 28/08/15 DELEGATED**

**BH2015/02296**

**30 Clifton Street Brighton**

Erection of a part one part three storey rear extension at basement, ground and first floor levels and installation of rooflights to front and rear elevations.

**Applicant:** Mr Ben Wilson

**Officer:** Emily Stanbridge 292359

**Approved on 04/09/15 DELEGATED**

**BH2015/02311**

**4 Trafalgar Terrace Brighton**

Erection of a single storey detached outbuilding to replace existing.

**Applicant:** Mr Richard Carter

**Officer:** Joanne Doyle 292198

**Approved on 08/09/15 DELEGATED**

**BH2015/02423**

**43-46 Queens Road Brighton**

Application for Approval of Details Reserved by Condition 7 of application BH2015/00580.

**Applicant:** Sainsburys Supermarkets Ltd

**Officer:** Robin Hodgetts 292366

**Refused on 11/09/15 DELEGATED**

**BH2015/02424**

**43-46 Queens Road Brighton**

Display of 1no internally illuminated fascia sign, 2no internally illuminated projecting signs and 1no non-illuminated wall mounted sign.

**Applicant:** Sainsburys Supermarkets Ltd

**Officer:** Robin Hodgetts 292366

**Split Decision on 28/08/15 DELEGATED**

**BH2015/02585**

**Former Co-Op 94-103 London Road Brighton**

Application for Approval of Details Reserved by Condition 28 of application BH2014/01127

**Applicant:** Watkin Jones Group

**Officer:** Kate Brocklebank 292454

**Approved on 03/09/15 DELEGATED**

**BH2015/02730**

**Richmond House Richmond Road Brighton**

Application for Approval of Details Reserved by Conditions 6, 8 and 9 of application BH2015/00493

**Applicant:** Cranstoun

**Officer:** Liz Arnold 291709

**Approved on 11/09/15 DELEGATED**

## **WITHDEAN**

### **BH2015/00289**

#### **13 Harrington Road Brighton**

Certificate of lawfulness for proposed single storey rear extension.

**Applicant:** Mr & Mrs Colenso

**Officer:** Astrid Fisher 292337

**Approved on 09/09/15 DELEGATED**

### **BH2015/01308**

#### **19 Withdean Road Brighton**

Demolition of existing dwelling and erection of six bedroom dwelling.

**Applicant:** Kevin Fitzpatrick

**Officer:** Christopher Wright 292097

**Refused on 11/09/15 DELEGATED**

### **BH2015/01546**

#### **68 & 70 Robertson Road Brighton**

Conversion and extension of properties to form 1no two bedroom house and 2no two bedroom maisonettes incorporating formation of garden level to No 68 and first floor to No 70 with formation of pitched roof over both properties, revised entrances and associated works.

**Applicant:** MPDT

**Officer:** Jason Hawkes 292153

**Refused on 08/09/15 DELEGATED**

### **BH2015/01552**

#### **156 Tivoli Crescent North Brighton**

Erection of two storey rear extension to lower ground and ground floor levels with roof terrace above. Creation of dormer to rear, revised fenestration and associated alterations.

**Applicant:** Mr & Mrs Holland

**Officer:** Christopher Wright 292097

**Approved on 04/09/15 DELEGATED**

### **BH2015/01598**

#### **59 Withdean Crescent Brighton**

Erection of single storey extension to replace existing garage, alterations to front elevation including enlargement of driveway and widening of crossover, erection of new brick & timber bin store and associated alterations.

**Applicant:** Mr Jamie Kelly

**Officer:** Mark Thomas 292336

**Approved on 16/09/15 DELEGATED**

### **BH2015/01670**

#### **13 Eldred Avenue Brighton**

Erection of single storey front garage extension.

**Applicant:** Mr & Mrs Spurr

**Officer:** Adrian Smith 290478

**Approved on 02/09/15 DELEGATED**

### **BH2015/01687**

#### **42 Green Ridge Brighton**

Removal of existing garage and conservatory and erection of single storey side and rear extension. Roof alterations incorporating extension, replacement

dormers to front and rear installation of solar panels to rear and associated works.

**Applicant:** Mr Andrew Marriner  
**Officer:** Adrian Smith 290478  
**Approved on 11/09/15 DELEGATED**

**BH2015/01757**

**326 Dyke Road Brighton**

Enlargement and conversion of existing garage into habitable living space with associated alterations.

**Applicant:** Ms Zofia Kordek  
**Officer:** Luke Austin 294495  
**Refused on 27/08/15 DELEGATED**

**BH2015/01852**

**72 Fernwood Rise Brighton**

Certificate of lawfulness for proposed erection of a single storey rear extension and installation of windows to side elevation.

**Applicant:** Ms Emma Pook  
**Officer:** Luke Austin 294495  
**Approved on 27/08/15 DELEGATED**

**BH2015/02184**

**6 Friar Crescent Brighton**

Erection of single storey rear extension.

**Applicant:** Miss B Sarri  
**Officer:** Rebecca Fry 293773  
**Approved on 16/09/15 DELEGATED**

**BH2015/02321**

**13 Withdean Crescent Brighton**

Certificate of lawfulness for proposed erection of a single storey rear extension.

**Applicant:** Ms Catherine Michell  
**Officer:** Eleanor Price 292337  
**Refused on 07/09/15 DELEGATED**

**BH2015/02526**

**30 Harrington Villas Brighton**

Erection of single storey rear extension with alterations to fenestration.

**Applicant:** Mr David Phillips  
**Officer:** Allison Palmer 290493  
**Approved on 04/09/15 DELEGATED**

**EAST BRIGHTON**

**BH2015/01019**

**Flat 2 Chesham Mansions 25-27 Eaton Place Brighton**

Replacement of existing timber window and door with UPVC.

**Applicant:** Dr Martin Ashby  
**Officer:** Chris Swain 292178  
**Approved on 04/09/15 DELEGATED**

**BH2015/01538**

**Telephone Boxes Outside 115-116 Marine Parade Brighton**

Display of digital advertising screens inside 2no existing telephone boxes.

**Applicant:** Thinking Outside the Box  
**Officer:** Liz Arnold 291709  
**Refused on 28/08/15 DELEGATED**

**BH2015/02034**

**12 & 13 Chesham Place Brighton**

Installation of external gas pipes to rear and side elevations and associated routing of pipes internally to 13 Chesham Place. (Retrospective)

**Applicant:** SGN  
**Officer:** Tim Jefferies 293152  
**Approved on 02/09/15 DELEGATED**

**BH2015/02190**

**Telephone Boxes Outside 115-116 Marine Parade Brighton**

Installation of digital advertising screens inside 2 no. existing telephone boxes.

**Applicant:** Thinking Outside the Box  
**Officer:** Liz Arnold 291709  
**Refused on 28/08/15 DELEGATED**

**BH2015/02199**

**22 St Georges Road Brighton**

Alterations to entrance to provide sensor and new infill panel to automate existing doors.

**Applicant:** The Co-operative Group  
**Officer:** Rebecca Fry 293773  
**Approved on 07/09/15 DELEGATED**

**BH2015/02319**

**10 Seymour Square Brighton**

Certificate of lawfulness for existing solar panels on flat roof.

**Applicant:** Dr Tim Sales  
**Officer:** Allison Palmer 290493  
**Refused on 14/09/15 DELEGATED**

**BH2015/02477**

**21 St Marys Square Brighton**

Replacement of existing timber windows and doors with UPVc to front and rear.

**Applicant:** Mr Nicholas Englefield  
**Officer:** Allison Palmer 290493  
**Approved on 16/09/15 DELEGATED**

**BH2015/02579**

**St Marys Hall Eastern Road Brighton**

Application for Approval of Details Reserved by Conditions 2 and 3 of application BH2013/03438

**Applicant:** Brighton & Sussex University Hospitals NHS Trust  
**Officer:** Mick Anson 292354  
**Approved on 14/09/15 DELEGATED**

**BH2015/02607**

**30 Whitehawk Road Brighton**

Installation of new shopfront.

**Applicant:** Mr Thivija Thivakaran  
**Officer:** Allison Palmer 290493  
**Refused on 14/09/15 DELEGATED**



**BH2015/02625**

**47 Wilson Avenue Brighton**

Erection of additional storey to existing garage to provide habitable accommodation.

**Applicant:** Mr S Commons

**Officer:** Allison Palmer 290493

**Refused on 16/09/15 DELEGATED**

**HANOVER & ELM GROVE**

**BH2015/01578**

**119 Lewes Road Brighton**

Demolition of existing buildings at 119 Lewes Road Brighton.

**Applicant:** McLaren (119 Lewes Road) Ltd

**Officer:** Mick Anson 292354

**Prior Approval is required and is approved on 08/09/15 DELEGATED**

**BH2015/01761**

**33 Shanklin Road Brighton**

Erection of extensions at ground and first floor levels, with associated roof extensions and creation of rear dormer.

**Applicant:** Mr Cameron Malcolm

**Officer:** Emily Stanbridge 292359

**Refused on 08/09/15 DELEGATED**

**BH2015/01974**

**Hanover Mews Brighton**

Installation of automatic gates across vehicular entrance into Hanover Mews and adjoining pedestrian gate across existing path.

**Applicant:** Hanover Mews Management Co Ltd

**Officer:** Sonia Gillam 292265

**Approved on 02/09/15 COMMITTEE**

**BH2015/02230**

**10 St Leonards Road Brighton**

Certificate of lawfulness for existing use of the property as 2no residential dwellings (Use Class C3).

**Applicant:** Pelham Properties

**Officer:** Jonathan Puplett 292525

**Refused on 11/09/15 DELEGATED**

**BH2015/02269**

**8 Bembridge Street Brighton**

Replacement of existing timber windows with UPVc windows to side and rear elevations.

**Applicant:** Mrs Fiona Cave

**Officer:** Ryan OSullivan 290480

**Approved on 07/09/15 DELEGATED**

**BH2015/02559**

**St Gabriels Home 18 Wellington Road Brighton**

Application for Approval of Details Reserved by Conditions 28 and 29 of application BH2014/03387

**Applicant:** The Baron Homes Corporation

**Officer:** Liz Arnold 291709

**Approved on 02/09/15 DELEGATED**

**BH2015/02670**

**8 Hanover Crescent Brighton**

Application for Approval of Details Reserved by Condition 2 of application BH2014/03082

**Applicant:** Ms Sarah Turner-Hopkins

**Officer:** Sonia Gillam 292265

**Approved on 28/08/15 DELEGATED**

**BH2015/02739**

**The Horse & Groom 129 Islingword Road Brighton**

Certificate of lawfulness for the existing use of the property as residential letting agent (A2) at ground floor and self-contained residential flat at first floor (C3).

**Applicant:** Mr Craig Dwyer-Smith

**Officer:** Chris Swain 292178

**Refused on 04/09/15 DELEGATED**

**BH2015/03180**

**112-113 Lewes Road Brighton**

Application for Approval of Details Reserved by Condition 10 of application BH2014/04174

**Applicant:** McLaren (112/113 Lewes Road) Limited

**Officer:** Jonathan Puplett 292525

**Approved on 10/09/15 DELEGATED**

**HOLLINGDEAN & STANMER**

**BH2015/00952**

**Land Adjoining 74 Tavistock Down Brighton**

Erection of 1no. two bedroom split level house (C3) to end of terrace.

**Applicant:** Miss Vanessa Parr

**Officer:** Wayne Nee 292132

**Refused on 09/09/15 DELEGATED**

**BH2015/01430**

**Richmond North South Road University of Sussex Brighton**

Installation of additional shutter to North elevation, replacement window to West elevation and an air-conditioning unit to the East elevation.

**Applicant:** Mr Adam Virden

**Officer:** Robin Hodgetts 292366

**Approved on 11/09/15 DELEGATED**

**BH2015/01606**

**11 Twyford Road Brighton**

Erection of single storey side extension (Part Retrospective).

**Applicant:** Miss Sarah Plater

**Officer:** Luke Austin 294495

**Approved on 07/09/15 DELEGATED**

**BH2015/01770**

**376 Ditchling Road Brighton**

Erection of single storey infill extension to rear with associated alterations.

**Applicant:** Mr & Mrs Saunders

**Officer:** Chris Swain 292178

**Approved on 02/09/15 DELEGATED**

**BH2015/02250**

**Hollingbury Park Ditchling Road Brighton**

Enlargement of existing bowls clubhouse (D2).

**Applicant:** Mr John Hayhurst

**Officer:** Emily Stanbridge 292359

**Approved on 28/08/15 DELEGATED**

**BH2015/02667**

**7 Coldean Lane Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.8m, for which the maximum height would be 3.8m, and for which the height of the eaves would be 2.5m.

**Applicant:** Mr Vincent Lane

**Officer:** Eleanor Price 292337

**Prior approval not required on 28/08/15 DELEGATED**

**BH2015/03176**

**2 Dudley Road Brighton**

Application for approval of details reserved by conditions 9, 10, 11, 12, 13, 16, 18 and 19 of application BH2014/00630.

**Applicant:** Griston Lahaise Cross LLP

**Officer:** Guy Everest 293334

**Approved on 10/09/15 DELEGATED**

**MOULSECOOMB & BEVENDEAN**

**BH2015/00939**

**92 Newick Road Brighton**

Certificate of lawfulness for existing use of property as a four bedroom small house in multiple occupation (C4).

**Applicant:** Miss Gloria Ireo

**Officer:** Mark Thomas 292336

**Approved on 04/09/15 DELEGATED**

**BH2015/02347**

**61 Bevendean Crescent Brighton**

Certificate of Lawfulness for proposed loft conversion with front rooflights and rear dormer with Juliet balcony.

**Applicant:** Ms G Mailhol

**Officer:** Charlotte Bush 292193

**Approved on 09/09/15 DELEGATED**

**BH2015/02422**

**5 Wheatfield Way Brighton**

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

**Applicant:** Mr John Wright

**Officer:** Liz Arnold 291709

**Refused on 14/09/15 DELEGATED**

**BH2015/02433**

**58 Mafeking Road Brighton**

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

**Applicant:** Mr Reinhardt Slabbert

**Officer:** Charlotte Bush 292193

**Approved on 09/09/15 DELEGATED**

**BH2015/02435**

**3 Hillside Brighton**

Application for Approval of Details Reserved by Conditions 12 and 13 of application BH2014/00597.

**Applicant:** Archer Construction

**Officer:** Sonia Gillam 292265

**Approved on 28/08/15 DELEGATED**

**QUEEN'S PARK**

**BH2015/00793**

**Brighton College Eastern Road Brighton**

Application for Approval of Details Reserved by Conditions 4, 6 and 9 of application BH2013/01911.

**Applicant:** Brighton College

**Officer:** Guy Everest 293334

**Approved on 28/08/15 DELEGATED**

**BH2015/01166**

**113 Marine Parade Brighton**

Internal alterations to layout to facilitate conversion of existing property from 3no flats (C3) to 1no one bedroom flat and 1no six bedroom maisonette (C3) with replacement of existing timber french doors with timber sash windows to front elevation.

**Applicant:** Mr A Hills

**Officer:** Chris Swain 292178

**Approved on 10/09/15 DELEGATED**

**BH2015/01524**

**Basement Flat 39 Marine Parade Brighton**

Internal alterations to layout of flat and replacement timber window to rear elevation.

**Applicant:** Mr Lee Fawcett

**Officer:** Luke Austin 294495

**Approved on 27/08/15 DELEGATED**

**BH2015/01541**

**Telephone Boxes East Side of Brighton Pier Madeira Drive Brighton**

Display of digital advertising screens inside 2no existing telephone boxes.

**Applicant:** Thinking Outside the Box

**Officer:** Liz Arnold 291709

**Refused on 28/08/15 DELEGATED**

**BH2015/01622**

**Flat 1 10 Dorset Gardens Brighton**

Erection of a single storey rear extension with basement below incorporating revised fenestration.

**Applicant:** Mr Joe Hague  
**Officer:** Luke Austin 294495  
**Approved on 02/09/15 DELEGATED**

**BH2015/01848**

**8 Alric House 35 Marine Parade Brighton**

Installation of replacement timber double glazed front bay window and removal of tiles below.

**Applicant:** Mr John Hansell  
**Officer:** Rebecca Fry 293773  
**Approved on 28/08/15 DELEGATED**

**BH2015/02191**

**Telephone Boxes East Side of Brighton Pier Madeira Drive Brighton**

Installation of digital advertising screens inside 2 no. existing telephone boxes.

**Applicant:** Thinking Outside the Box  
**Officer:** Liz Arnold 291709  
**Refused on 28/08/15 DELEGATED**

**BH2015/02249**

**Ground Floor Flat 164 Freshfield Road Brighton**

Erection of a single storey rear extension.

**Applicant:** Mrs Amanda Fieldsend  
**Officer:** Luke Austin 294495  
**Approved on 04/09/15 DELEGATED**

**ROTTINGDEAN COASTAL**

**BH2015/01035**

**Flat 2 9 Arundel Terrace Brighton**

Installation of rooflight to flat roof.

**Applicant:** Mr Russell Miller  
**Officer:** Chris Swain 292178  
**Approved on 09/09/15 DELEGATED**

**BH2015/01488**

**1 Lustrells Vale Saltdean Brighton**

Erection of two storey side extension.

**Applicant:** Mrs J Byrne  
**Officer:** Luke Austin 294495  
**Approved on 02/09/15 DELEGATED**

**BH2015/01528**

**Flat 4 24 Lewes Crescent Brighton**

Installation of 3no rooflights to flat roof.

**Applicant:** Herb Nahapiet  
**Officer:** Joanne Doyle 292198  
**Approved on 27/08/15 DELEGATED**

**BH2015/01529**

**Flat 4 24 Lewes Crescent Brighton**

Installation of 3no rooflights to flat roof and internal alterations to layout of flat.

**Applicant:** Herb Nahapiet  
**Officer:** Joanne Doyle 292198  
**Approved on 27/08/15 DELEGATED**

**BH2015/01919**

**27 Lustrells Crescent Saltdean Brighton**

Certificate of lawfulness for proposed single storey side extension.

**Applicant:** New Generation Care

**Officer:** Luke Austin 294495

**Approved on 08/09/15 DELEGATED**

**BH2015/02232**

**19 Westmeston Avenue Saltdean Brighton**

Erection of front and rear extensions, formation of lower ground floor garage and first floor with pitched roof incorporating front rooflight, Juliet balcony to rear and associated works.

**Applicant:** Nathan Price

**Officer:** Emily Stanbridge 292359

**Refused on 01/09/15 DELEGATED**

**BH2015/02268**

**Rear of 28 Eastern Place Brighton**

Application for Approval of Details Reserved by Conditions 9, 11 and 13 of application BH2014/01956.

**Applicant:** Mrs Lucy Pearce

**Officer:** Chris Swain 292178

**Approved on 27/08/15 DELEGATED**

**BH2015/02324**

**98 Longhill Road Brighton**

Demolition of existing conservatory and erection of single storey rear extension, revisions to fenestration and facade and associated works.

**Applicant:** Mr Matthew Ashcroft

**Officer:** Emily Stanbridge 292359

**Approved on 16/09/15 DELEGATED**

**BH2015/02546**

**33 Victory Mews The Strand Brighton Marina Village Brighton**

Certificate of lawfulness for proposed conversion of garage into habitable accommodation incorporating replacement of garage door with panelled wall with integral glazing.

**Applicant:** Mrs Lynn Hutchinson

**Officer:** Allison Palmer 290493

**Approved on 01/09/15 DELEGATED**

**BH2015/02631**

**Rear of 28 Eastern Place Brighton**

Application for Approval of Details Reserved by Condition 10 of application BH2014/01956

**Applicant:** Mrs Lucy Pearce

**Officer:** Chris Swain 292178

**Approved on 27/08/15 DELEGATED**

**WOODINGDEAN**

**BH2015/01240**

**3 Downs Valley Road Brighton**

Erection of single storey side and rear extension, formation of first floor incorporating associated roof extensions and alterations.

**Applicant:** Mr Kevin Mills  
**Officer:** Mark Thomas 292336  
**Approved on 27/08/15 DELEGATED**

**BH2015/01368**

**59 Cowley Drive Brighton**

Certificate of Lawfulness for proposed rear dormer.

**Applicant:** Mr Velenko Bogicevic  
**Officer:** Mark Thomas 292336  
**Approved on 08/09/15 DELEGATED**

**BH2015/01678**

**436 Falmer Road Brighton**

Erection of front extension and roof alterations including extensions, creation of balcony and insertion of rooflights.

**Applicant:** Paul Wilson  
**Officer:** Wayne Nee 292132  
**Refused on 01/09/15 DELEGATED**

**BH2015/01959**

**18 McWilliam Road Brighton**

Hip to gable roof extensions, creation of rear dormer and insertions of front rooflights.

**Applicant:** Mr Ryan Kendall  
**Officer:** Rebecca Fry 293773  
**Refused on 10/09/15 DELEGATED**

**BH2015/01981**

**2 Farm Hill Brighton**

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

**Applicant:** Mrs Husna Begum  
**Officer:** Mark Thomas 292336  
**Approved on 16/09/15 DELEGATED**

**BH2015/02150**

**Rear of 87 & 89 Cowley Drive Brighton**

Demolition of existing detached garage and erection of 1no two bedroom dwelling (C3).

**Applicant:** Darren Barnett  
**Officer:** Clare Simpson 292321  
**Refused on 10/09/15 DELEGATED**

**BH2015/02972**

**117 Crescent Drive South 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 3.5m, and for which the height of the eaves would be 2.6m.

**Applicant:** Wayne Collins  
**Officer:** Charlotte Bush 292193  
**Prior approval not required on 11/09/15 DELEGATED**

## **BRUNSWICK AND ADELAIDE**

### **BH2014/04051**

#### **18 Norfolk Road Brighton**

Roof alterations including installation of rear dormers and roof light. Replacement of existing windows with timber sash windows to front elevation at basement level. Install glazing bars to front bay windows. Replacement of doors and windows with timbers doors to rear. Internal alterations to layout.

**Applicant:** Mr & Mrs Peter & Pippa Sharp

**Officer:** Helen Hobbs 293335

**Approved on 27/08/15 DELEGATED**

### **BH2015/01257**

#### **15 Brunswick Square Hove**

Internal alteration to doors to main stairs, reinstatement of missing cornice and concealment of incoming water mains pipe.

**Applicant:** Winaction Ltd.

**Officer:** Joanne Doyle 292198

**Approved on 04/09/15 DELEGATED**

### **BH2015/01314**

#### **Flat 2 22 Palmeira Square Hove**

Internal alterations to layout of flat including removal of kitchen partitions; reinstatement of arched opening to front room; adjustments to ceiling and floor heights; and addition of a new internal door.

**Applicant:** Mr Keith Young

**Officer:** Christopher Wright 292097

**Approved on 14/09/15 DELEGATED**

### **BH2015/01480**

#### **Flat 4 54 Cambridge Road Hove**

Installation of dormers to front and rear elevations.

**Applicant:** Ms P Fletcher

**Officer:** Mark Thomas 292336

**Approved on 03/09/15 DELEGATED**

### **BH2015/02157**

#### **Sussex House 130 Western Road Hove**

Application for Approval of Details Reserved by Conditions 5, 6, 7, 8, 9, 10, 11, 13, 14 and 15 of application BH2014/04336.

**Applicant:** Alzaidi Ltd

**Officer:** Guy Everest 293334

**Approved on 16/09/15 DELEGATED**

### **BH2015/02606**

#### **Flat 11 54-56 Brunswick Place Hove**

Internal alterations to layout of flat.

**Applicant:** Mr Stephen Jesra

**Officer:** Tim Jefferies 293152

**Approved on 14/09/15 DELEGATED**

### **BH2015/02685**

#### **Flat 8 61 Brunswick Place Hove**

Internal alterations to layout of flat.

**Applicant:** Mr Giovanni del Vecchio



**Officer:** Tim Jefferies 293152  
**Approved on 04/09/15 DELEGATED**

## **CENTRAL HOVE**

### **BH2015/00924**

#### **64 Tisbury Road Hove**

Conversion of existing loft space to facilitate creation of a self contained 1no bedroom flat (C3) incorporating creation of rear dormer and insertion of rooflights.

**Applicant:** Lincoln Estates Ltd

**Officer:** Mark Thomas 292336

**Approved on 09/09/15 DELEGATED**

### **BH2015/01475**

#### **Spa Court Kings Esplanade Hove**

Installation of 2no gas risers to front and rear elevations.

**Applicant:** Southern Gas Network

**Officer:** Jason Hawkes 292153

**Approved on 02/09/15 COMMITTEE**

### **BH2015/02005**

#### **84 Church Road Hove**

Change of use from retail (A1) to retail/Café (A1/A3).

**Applicant:** Mr Richard Curtis

**Officer:** Christopher Wright 292097

**Approved on 10/09/15 DELEGATED**

### **BH2015/02527**

#### **Basement Flat 69 St Aubyns Hove**

Replacement of existing UPVC windows and doors to front and rear with timber windows and doors.

**Applicant:** Mr David Hawkins

**Officer:** Allison Palmer 290493

**Approved on 03/09/15 DELEGATED**

### **BH2015/02653**

#### **Garages Rear of 3 & 4 Connaught Road Hove**

Application for Approval of Details Reserved by Conditions 10, 12, 13, 14, 15, 16, 18 and 20 of application BH2015/00443

**Applicant:** Mr I Guile

**Officer:** Liz Arnold 291709

**Approved on 07/09/15 DELEGATED**

### **BH2015/02658**

#### **125 Church Road Hove**

Installation of ATM to replace existing ATM.

**Applicant:** HSBC Bank PLC

**Officer:** Emily Stanbridge 292359

**Approved on 16/09/15 DELEGATED**

### **BH2015/02766**

#### **6 Connaught Terrace Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.25m, for which the maximum height would be 3.01m, and for which the height of the eaves would be

2.2m.

**Applicant:** Mr & Mrs Clive Campbell

**Officer:** Eleanor Price 292337

**Prior Approval is required and is approved on 08/09/15 DELEGATED**

## **GOLDSMID**

### **BH2015/00119**

#### **31 & 31a Montefiore Road Hove**

Erection of two storey rear extension to create additional space for retail (A1) at ground floor level and residential (C3) at first floor level.

**Applicant:** Mr B Hendersoon

**Officer:** Helen Hobbs 293335

**Refused on 01/09/15 DELEGATED**

### **BH2015/00966**

#### **14 Wilbury Villas & 69 Wilbury Avenue, Hove**

Application for Approval of Details Reserved by Conditions 5, 6, 7, 9, 10 and 11 of application BH2011/03305.

**Applicant:** HML Properties Ltd

**Officer:** Guy Everest 293334

**Approved on 03/09/15 DELEGATED**

### **BH2015/01964**

#### **9 Denmark Villas Hove**

Replacement of existing timber windows to front elevation.

**Applicant:** Dr Colin Haeusler

**Officer:** Kate Brocklebank 292454

**Approved on 04/09/15 DELEGATED**

### **BH2015/01965**

#### **31 Davigdor Road Hove**

Change of use from retail (A1) to 1 no one bedroom flat (C3) at ground floor level & alterations to southern elevation including the removal of existing shopfront.

**Applicant:** Dong Ming Qin

**Officer:** Liz Arnold 291709

**Refused on 04/09/15 DELEGATED**

### **BH2015/02385**

#### **22 Lyndhurst Road Hove**

Certificate of lawfulness for proposed loft conversion with front rooflights, side windows and rear dormer with juliet balcony.

**Applicant:** Mr Dan Clark

**Officer:** Ryan OSullivan 290480

**Approved on 03/09/15 DELEGATED**

### **BH2015/02419**

#### **55 Wilbury Avenue Hove**

Erection of conservatory extension to front elevation to replace existing. (Part retrospective)

**Applicant:** Ms Kay Shepherd

**Officer:** Mark Thomas 292336

**Approved on 07/09/15 DELEGATED**

**BH2015/02494**

**20 Granville 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 4.5m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

**Applicant:** Mr & Mrs Leonard

**Officer:** Charlotte Bush 292193

**Prior approval not required on 04/09/15 DELEGATED**

**BH2015/02621**

**46 Addison Road Hove**

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

**Applicant:** Mr Simon Purwar

**Officer:** Eleanor Price 292337

**Approved on 01/09/15 DELEGATED**

**HANGLETON & KNOLL**

**BH2015/00969**

**13 Poplar Avenue Hove**

Erection of a single storey rear extension.

**Applicant:** Mr D Lyons

**Officer:** Chris Swain 292178

**Approved on 14/09/15 DELEGATED**

**BH2015/01365**

**22 Windmill Close Hove**

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

**Applicant:** Mr & Mrs J Scrase

**Officer:** Luke Austin 294495

**Refused on 09/09/15 DELEGATED**

**BH2015/01880**

**132 Nevill Avenue Hove**

Erection of timber outbuilding to rear garden.

**Applicant:** Mr Ben Rolfe

**Officer:** Luke Austin 294495

**Approved on 01/09/15 DELEGATED**

**BH2015/01961**

**64 Holmes Avenue Hove**

Certificate of lawfulness for proposed creation of enlarged side dormer.

**Applicant:** Mr & Mrs Adam Papadamou

**Officer:** Luke Austin 294495

**Approved on 27/08/15 DELEGATED**

**BH2015/02085**

**70 Hangleton Valley Drive Hove**

Erection of single storey extensions to side and rear.

**Applicant:** Mr Andrew Taggart

**Officer:** Mark Thomas 292336

**Approved on 02/09/15 DELEGATED**

**BH2015/02240**

**86 Dale View Hove**

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, side window, 3no rooflights and rear dormer.

**Applicant:** Mr O'Hara

**Officer:** Joanne Doyle 292198

**Approved on 09/09/15 DELEGATED**

**BH2015/02416**

**11 Hangleton Gardens Hove**

Removal of existing conservatory, erection of single storey rear extension, excavation at basement level and creation of external stairs to access rear garden.

**Applicant:** Mrs Munro

**Officer:** Allison Palmer 290493

**Approved on 07/09/15 DELEGATED**

**BH2015/02869**

**95 Rowan Avenue Hove**

Application for approval of details reserved by conditions 10 and 15 of application BH2013/00848.

**Applicant:** Birch Restorations Ltd

**Officer:** Jeanette Walsh 292361

**Split Decision on 04/09/15 DELEGATED**

**NORTH PORTSLADE**

**BH2015/01679**

**4 Edgehill Way Portslade**

Erection of first floor side extension.

**Applicant:** Leon & Claire Nelman

**Officer:** Luke Austin 294495

**Refused on 07/09/15 DELEGATED**

**BH2015/01735**

**16 Bush Cottage Close Portslade**

Erection of two storey side extension.

**Applicant:** Mrs Lucinda Dore

**Officer:** Rebecca Fry 293773

**Approved on 28/08/15 DELEGATED**

**BH2015/02841**

**1 North Lane Portslade**

Certificate of lawfulness for proposed erection of a single storey rear extension.

**Applicant:** Mr Gary Brown

**Officer:** Eleanor Price 292337

**Approved on 11/09/15 DELEGATED**

**SOUTH PORTSLADE**

**BH2015/01435**

**1 Wellington Road Portslade**

Application for Approval of Details Reserved by Conditions 6, 7, 8, 9, 10, 11, 12, 13, 14 and 16 of application BH2013/02047.

**Applicant:** Beaufort Developments Southern Ltd

**Officer:** Christopher Wright 292097  
**Split Decision on 11/09/15 DELEGATED**

**BH2015/01662**

**126 Old Shoreham Road Portslade**

Replacement of existing timber sash windows with UPVC sash windows.

**Applicant:** Brighton & Hove City Council

**Officer:** Luke Austin 294495

**Refused on 10/09/15 DELEGATED**

**BH2015/01685**

**Compass House 7 East Street Portslade**

Demolition of existing building (B1) and erection of a single storey light industrial warehouse (B1 / B8) divided into 2no units.

**Applicant:** Selits LTD

**Officer:** Christopher Wright 292097

**Refused on 03/09/15 DELEGATED**

**BH2015/02147**

**78 Benfield Way Portslade**

Certificate of lawfulness for proposed loft conversion incorporating creating of rear dormer. Installation of new window and bricking up of existing windows to side.

**Applicant:** Louise Medhurst & Paul Stevens

**Officer:** Sonia Gillam 292265

**Approved on 01/09/15 DELEGATED**

**BH2015/02207**

**Flat 2 79 Trafalgar Road Portslade**

Installation of rear dormer and rooflight.

**Applicant:** Mrs O Olorenshaw

**Officer:** Emily Stanbridge 292359

**Approved on 27/08/15 DELEGATED**

**BH2015/02575**

**Former Infinity Foods Site 45 Franklin Road & 67 67a & 67b Norway Street Portslade**

Application for Approval of Details Reserved by Condition 29 of application BH2014/00208

**Applicant:** Taylor Wimpey (South West Thames) Ltd

**Officer:** Jason Hawkes 292153

**Refused on 03/09/15 DELEGATED**

**HOVE PARK**

**BH2012/03314**

**10 Hove Park Gardens Hove**

Application for Approval of Details Reserved by Condition 5 of application BH2012/02122.

**Applicant:** Mrs Karen Tucker

**Officer:** Adrian Smith 290478

**Approved on 01/09/15 DELEGATED**

**BH2014/04115**

**17 Old Shoreham Road Hove**

Erection of single storey rear extension with associated landscaping and parking alterations.

**Applicant:** Mr Peter Mallinson

**Officer:** Jason Hawkes 292153

**Refused on 28/08/15 DELEGATED**

**BH2015/00863**

**47 Woodruff Avenue Hove**

Erection of two storey side and rear extension with associated roof extensions and alterations, and alterations to fenestration and associated works.

**Applicant:** Mr S Cooper

**Officer:** Joanne Doyle 292198

**Refused on 01/09/15 DELEGATED**

**BH2015/02031**

**11 Radinden Drive Hove**

Alterations to detached garage including side and rear extension and raised height pitched roof to facilitate creation of first floor.

**Applicant:** Dr Leung & Mr Morris

**Officer:** Joanne Doyle 292198

**Approved on 09/09/15 DELEGATED**

**BH2015/02063**

**51 Hove Park Road Hove**

Erection of a part one part two storey rear extension and associated alterations.

**Applicant:** Jim Roberts

**Officer:** Mark Thomas 292336

**Approved on 03/09/15 DELEGATED**

**BH2015/02200**

**257 Dyke Road Hove**

Erection of a single storey rear extension and a single storey side extension.

**Applicant:** Mr & Mrs Francis

**Officer:** Jonathan Puplett 292525

**Approved on 14/09/15 DELEGATED**

**BH2015/02440**

**Park House Old Shoreham Road Hove**

Application for Approval of Details Reserved by condition 21 of application BH2013/00584.

**Applicant:** Denne Construction

**Officer:** Christopher Wright 292097

**Approved on 01/09/15 DELEGATED**

**BH2015/02591**

**62 Woodland Drive Hove**

Erection of single storey and two storey rear extensions with roof alterations including dormers, rooflights and associated external works. (Part Retrospective)

**Applicant:** Mr M Griffiths

**Officer:** Emily Stanbridge 292359

**Approved on 11/09/15 DELEGATED**

**BH2015/02691**

**Gemini Business Centre 136 - 140 Old Shoreham Road Hove**

Prior approval of change of use from offices (B1(a)) to residential (C3) to create 5no studio flats, 22no one bed flats and 8no two bed flats.

**Applicant:** Glenhazel Limited

**Officer:** Wayne Nee 292132

**Prior Approval is required and is refused on 16/09/15 DELEGATED**

**BH2015/03034**

**Units 3 & 4 Clarks Industrial Site Newtown Road Hove**

Non Material Amendment to BH2015/01235 to alterations to elevation 3.

**Applicant:** Coal Pension Fund

**Officer:** Sonia Gillam 292265

**Approved on 16/09/15 DELEGATED**

**WESTBOURNE**

**BH2015/01411**

**24 Westbourne Villas Hove**

Demolition of existing conservatory and erection of single storey extensions, creation of 3 no dormers to the rear and installation of 3no rooflights to front.

**Applicant:** Mr & Mrs Seaborne

**Officer:** Mark Thomas 292336

**Refused on 01/09/15 DELEGATED**

**BH2015/01607**

**4A Langdale Road Hove**

Replacement of existing window and door with timber double glazed window and door.

**Applicant:** Mr Simon Phillips

**Officer:** Helen Hobbs 293335

**Approved on 27/08/15 DELEGATED**

**BH2015/01900**

**48 & part of 50 Pembroke Crescent Hove**

Erection of a single storey rear extension with associated alterations.

**Applicant:** Heather Townsend

**Officer:** Rebecca Fry 293773

**Approved on 08/09/15 DELEGATED**

**BH2015/02192**

**Kingsway Store Kingsway Hove**

Demolition of store. (Retrospective)

**Applicant:** Brighton & Hove City Council

**Officer:** Sonia Gillam 292265

**Approved on 27/08/15 DELEGATED**

**BH2015/02325**

**102 Montgomery Street Hove**

Erection of three storey flat roof rear extension, rear dormer and front rooflights.

**Applicant:** Mr M Tate

**Officer:** Emily Stanbridge 292359

**Refused on 10/09/15 DELEGATED**

**BH2015/02439**

**19A Richardson Road Hove**

Creation of rear dormer, insertion of 2no front rooflights, replacement of existing rear bay window with UPVC door and creation of external stairs to facilitate access to rear garden.

**Applicant:** Ingram & Beckman

**Officer:** Allison Palmer 290493

**Approved on 11/09/15 DELEGATED**

**BH2015/02552**

**8 Princes Square Hove**

Erection of a single storey rear extension with roof alterations incorporating extension, rooflights and rear dormers with associated external works.

**Applicant:** Mr Rustom Irani

**Officer:** Kate Brocklebank 292454

**Approved on 15/09/15 DELEGATED**

**BH2015/02622**

**46 Byron Street Hove**

Certificate of lawfulness for proposed single storey rear extension.

**Applicant:** Mr Adam Whitehouse

**Officer:** Eleanor Price 292337

**Approved on 09/09/15 DELEGATED**

**BH2015/02693**

**49 Carlisle Road Hove**

Erection of single storey rear extension.

**Applicant:** Mrs Clare Lanchbery

**Officer:** Eleanor Price 292337

**Approved on 16/09/15 DELEGATED**

**BH2015/02694**

**49 Carlisle Road Hove**

Certificate of lawfulness for proposed loft conversion incorporating 2no front rooflights and rear dormer and erection of single storey rear extension.

**Applicant:** Mrs Clare Lanchbery

**Officer:** Eleanor Price 292337

**Approved on 27/08/15 DELEGATED**

**WISH**

**BH2015/01433**

**39 Berriedale Avenue Hove**

Erection of single storey side and rear extensions with raised rear decking.  
(Amended description)

**Applicant:** Mr & Mrs J Warren

**Officer:** Mark Thomas 292336

**Approved on 11/09/15 DELEGATED**

**BH2015/01548**

**Glebe Villas Playing Field Chelston Avenue Hove**

Application for variation of condition 3 of application BH2012/00248 (Removal of existing pavilion and erection of new single storey outbuilding incorporating teaching and changing facilities) to change the hours of usage to 08.00 to 21:00 Monday to Friday and 10:00 to 19:00 on Saturdays for a maximum of 10 days



throughout the year.

**Applicant:** St Christopher's School

**Officer:** Jason Hawkes 292153

**Approved on 02/09/15 COMMITTEE**

**BH2015/01809**

**Marine Court 377 Kingsway Hove**

Installation of replacement UPVC windows to front, side and rear of flat 3 and to front first and second floor of communal area and replacement front entrance doors.

**Applicant:** Marine Court Hove Limited

**Officer:** Rebecca Fry 293773

**Approved on 28/08/15 DELEGATED**

**BH2015/01894**

**44 Hogarth Road Hove**

Certificate of lawfulness for proposed rear extension.

**Applicant:** Mr & Mrs R Salts

**Officer:** Luke Austin 294495

**Approved on 09/09/15 DELEGATED**

**BH2015/01896**

**36 Welbeck Avenue Hove**

Certificate of lawfulness for proposed single storey rear extension.

**Applicant:** Mr M Turnidge

**Officer:** Luke Austin 294495

**Approved on 08/09/15 DELEGATED**

**BH2015/01960**

**61 Boundary Road Hove**

Change of use from retail (A1) to restaurant/take away(A3/A5) with associated ventilation and ducting to rear.

**Applicant:** Ali Merat Investments

**Officer:** Wayne Nee 292132

**Refused on 16/09/15 DELEGATED**

**BH2015/02133**

**10 Marine Avenue Hove**

Creation of 2no dormers to front elevation.

**Applicant:** Mrs Susan Sheftz

**Officer:** Emily Stanbridge 292359

**Refused on 01/09/15 DELEGATED**

**BH2015/02155**

**22A Lennox Road Hove**

Installation of rooflights to front and rear roofslopes.

**Applicant:** Miss Rebecca Johnson

**Officer:** Joanne Doyle 292198

**Approved on 11/09/15 DELEGATED**

**BH2015/02473**

**336 Kingsway Hove**

Prior approval for change of use from offices (B1) to residential (C3) to form 6no one bedroom flats.

**Applicant:** Dixon Hurst Kemp

**Officer:** Christopher Wright 292097  
**Prior Approval is required and is approved on 03/09/15 DELEGATED**

**BH2015/02474**

**Land to the rear of 337 Kingsway Hove**

Prior approval for change of use from office (B1) to residential (C3) for form 1no self-contained residential unit.

**Applicant:** Mr H McShane & Mr R Ball

**Officer:** Christopher Wright 292097

**Prior Approval is required and is refused on 03/09/15 DELEGATED**

**BH2015/02478**

**11 Boundary Road Hove**

Prior approval for change of use from offices (B1) to residential (C3) to form 1no one bedroom flat.

**Applicant:** Harbour View Developments Ltd

**Officer:** Allison Palmer 290493

**Prior Approval is required and is refused on 03/09/15 DELEGATED**

**BH2015/02608**

**210 New Church Road Hove**

Certificate of lawfulness for proposed rooflight to front elevation.

**Applicant:** Mr & Mrs S Jeavons

**Officer:** Eleanor Price 292337

**Approved on 01/09/15 DELEGATED**

**BH2015/02817**

**33 Marine 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 5.2m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.7m.

**Applicant:** Mr & Mrs Thorp

**Officer:** Ryan OSullivan 290480

**Prior approval not required on 10/09/15 DELEGATED**

**BH2015/03030**

**353 Portland Road Hove**

Application for Approval of Details Reserved by Condition 8 of application BH2014/01081

**Applicant:** Berkeley Square Properties

**Officer:** Liz Arnold 291709

**Approved on 02/09/15 DELEGATED**

**Withdrawn Applications**

**BH2015/01613**

**16 Welbeck Avenue Hove**

Removal of existing garage and erection of two storey side extension incorporating roof extension and front and rear rooflights.

**Applicant:** Mr J Heal

**Officer:** Emily Stanbridge 292359

**WITHDRAWN ON 16/09/15**

**PLANS LIST 07 October 2015**

**BRIGHTON AND HOVE CITY COUNCIL**

**LIST OF APPLICATIONS DETERMINED BY THE HEAD OF CITY INFRASTRUCTURE  
UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS  
COMMITTEE DECISION**

**PATCHAM**

**Application No: BH2015/02997**

**The Village Barn, 8 Church Hill, Brighton**

1no Sycamore (T1) - 30% Crown reduction, approx 5ft off top of tree.

Applicant: Mr N Thompson

**Approved on 04 Sep 2015**

**PRESTON PARK**

**Application No: BH2015/02018**

**North Lodge Highcroft Villas, Brighton**

5no Elm (T2, T3, T4, T5 and T6) - Raise over highway and reduce heights by up to 3m and 1.5m laterally. 1no Sycamore (T7) - Reduce height in line with rest of group.

Applicant: Mrs Debbie Statham

**Approved on 10 Sep 2015**

**Application No: BH2015/02793**

**18 St Andrews Road, Brighton**

2no trees at the rear of property to be pruned back to allow a new telephone pole to be erected.

Applicant: Mr Paul Preshaw

**Approved on 10 Sep 2015**

**Application No: BH2015/02866**

**27 Waldegrave Road, Brighton**

1no Cedar - Reduce crown by approximately 1m.

Applicant: Mr Richard Bruggen

**Approved on 04 Sep 2015**

**Application No: BH2015/03096**

**2 Port Hall Road, Brighton**

1no Mature Lime - 20% crown reduction and 20% crown thin. Cut 3m clear of building and clear of street light.

Applicant: Mr P Else

**Approved on 04 Sep 2015**

## **REGENCY**

### **Application No: BH2015/02966**

**15 Montpelier Villas, Brighton**

1no Indian Bean Tree - removal of outermost limb nearest studio.

Applicant: Mr Michael Napier

**Approved on 10 Sep 2015**

### **Application No: BH2015/03161**

**76 Upper North Street, Brighton BN1 3FL**

1no Thorn - Reduce and reshape by 1m approx. 1no Rear Hedge Line - trim back by approx 2ft.

Applicant: Mr R Stevens

**Approved on 10 Sep 2015**

## **ST. PETER'S & NORTH LAINE**

### **Application No: BH2015/02904**

**Windsor Court, Windsor Street, Brighton**

1no Sycamore - Cut back branches by 2m.

Applicant: Miss Gladys Lovell

**Approved on 11 Sep 2015**

### **Application No: BH2015/03209**

**4 Frederick Gardens, Brighton**

Fell 1no Bay Tree (Although has clear public visibility, its location is not sustainable in the long term)

Applicant: Mr C Hayes

**Approved on 11 Sep 2015**

### **Application No: BH2015/03384**

**Brighthelm Church and Community Centre, North Road, Brighton**

1no Lime T1 - Trim roadside to achieve clearance of 2.5m. 1no Elder T2 - Prune away from car parking space. 2no Elm T3 & T4 - Lift crown to achieve a clearance of 4m. 1no Lime T5 - Lift crown to achieve clearance of 2.5m. 1no Holly T6 - reduce by 20% and reshape. 1no Elm T7 - Remove hanging branch over footpath. 1no Turkey Oak T8 - Lift crown over footpath to achieve a 2m clearance, remove hanging branch. 1no Horse chestnut T9 - Lift crown by 1m. 1no Silver Birch T10 - Lift crown by 1m. 1no Sycamore T11 - Lift crown by 1m. 1no Group of Ash, Birch, Field Maple, Yew and Sycamore - Lift canopy by 2m on both car park and lawn sides.

Applicant: Mr Geoffrey Place

**Approved on 18 Sep 2015**

## **WITHDEAN**

### **Application No: BH2015/03087**

Report from 26/08/2015 to 21/09/2015

**1 Lynden Court, 31 Clermont Terrace, Brighton**

3no Yew trees (T1, T2 & T4) - Reduce by a third. 1no Holly (T3) - Remove front stem.

Applicant: Mr J Hatch

**Approved on 10 Sep 2015**

**Application No: BH2015/03156**

**10 Friar Close, Brighton**

1no Wheatley Elm - T1 on attached plan (T3 on TPO plan) - Raise to max height of 5m, prune to clear house by maximum of 3m, reduce lateral spread of crown to no less than 3m radius - Composite prune. 1no Wheatley Elm - T2 - Reduce lateral spread of crown by to no less than 3m - Composite prune.

Applicant: Ms Geraldine Elcombe

**Approved on 11 Sep 2015**

**Application No: BH2015/03202**

**4 Varndean Drive, Brighton**

6no Acer pseudoplatanus T37 - T42 - 30% Crown reduction to all trees, approx 8ft off top back to previous reduction points. 1no Quercus Ilex - 30% Crown reduction, approx 6 ft off top - back to previous reduction points.

Applicant: Mr Nyall Thompson

**Approved on 11 Sep 2015**

**HANOVER & ELM GROVE**

**Application No: BH2015/03081**

**Brighton & Preston Cemetery, Hartington Road, Brighton**

Fell 1no Sycamore T1 (T1 Not sustainable in the long term)

Applicant: Mr Stewart Yallop

**Approved on 04 Sep 2015**

**Application No: BH2015/03084**

**Brighton & Preston Cemetery, Hartington Road, Brighton**

2no Sycamores (T2 & T3) - Reduce crown by between 1 - 2m. Balance canopy on T2.

Applicant: Mr Stewart Yallop

**Approved on 04 Sep 2015**

**QUEEN'S PARK**

**Application No: BH2015/02996**

**1-3 Richmond Garden, 14 Albion Street, Brighton**

1no Lime Tree T1 - Crown reduce height & lateral spreads back to previous pruning points. Removing approximately 3.0m regrowth.

Applicant: Mrs Bernadette Lynch

**Approved on 10 Sep 2015**

Report from 26/08/2015 to 21/09/2015

**Application No: BH2015/03158**  
**28 East Drive, Brighton**

1no Elm T1 - Reduce by 2-3m.

Applicant: Mr J Hatch

**Approved on 10 Sep 2015**

**ROTTINGDEAN COASTAL**

**Application No: BH2015/02511**  
**Pineglade, Bazehill Road, Rottingdean, Brighton**

Fell 1no Pine (Tree is not sustainable in the long term, very limited public visibility)

Applicant: Mr Matthew Haynes

**Approved on 04 Sep 2015**

**Application No: BH2015/03298**  
**The Studio, 4 Dean Court Road, Rottingdean.**

1no Birch T4 - Remove low branch over the Crab apple tree.

Applicant: Ms Lesley Baker

**Approved on 18 Sep 2015**

**BRUNSWICK AND ADELAIDE**

**Application No: BH2015/03085**  
**8 Wilbury Road, Hove**

1no Mature Elm - T1 - Reduce South and North facing growth back to uprights by 4-5m.

Applicant: Mr J Hatch

**Approved on 10 Sep 2015**

**GOLDSMID**

**Application No: BH2015/03207**  
**9 - 11 Vanbrugh Court, Eaton Gardens, Hove**

Fell 1no Cherry Tree T1 (Although tree has some partial visibility from Eaton Gardens, it is not enough to warrant a TPO)

Applicant: Mr N Thompson

**Approved on 18 Sep 2015**

**HOVE PARK**

**Application No: BH2015/02998**  
**Villas Fleurs, 7 Tongdean Road, Hove**

Fell 1no Holly (T3 Holly has very limited public amenity value and would not qualify for a TPO)

Applicant: Mr George O'Flanagan

Report from 26/08/2015 to 21/09/2015

**Approved on 04 Sep 2015**

**WESTBOURNE**

**Application No: BH2015/02994**

**14 New Church Road, Hove**

1no Elm - (T6) - Shorten the branches to clear building by 2.0m. 2no Hawthorn (T9 & T10)  
Clip all around the crown.

Applicant: Mr Steve Wood

**Approved on 11 Sep 2015**

**Application No: BH2015/02995**

**14 New Church Road, Hove**

Fell 1no Ceanothus.

Applicant: Mr Steve Wood

**Approved on 11 Sep 2015**

**Application No: BH2015/03091**

**12 Pembroke Gardens, Hove**

4no Sycamores (T1, T2, T3 + T5) - Reduce by 6m.

Applicant: Mr Henry Mason

**Approved on 10 Sep 2015**

**Application No: BH2015/03094**

**12 Pembroke Gardens, Hove**

Fell 1no Poplar T4 (Poplar is not sustainable in the long term & is structurally compromised)

Applicant: Mr Henry Mason

**Approved on 10 Sep 2015**

**Application No: BH2015/03224**

**34 Sackville Gardens, Hove**

2no Eucalyptus trees T1 & T2 - reduce height and radial growth by 3m.

Applicant: Mr Stephen Duance

**Approved on 11 Sep 2015**

**Application No: BH2015/03226**

**75 Pembroke Crescent, Brighton**

1no Multi-stemmed Sycamore T1 - Remove 2 stems nearest to rear boundary. 1no Sycamore T2 - Remove branch over neighbours garden where the tree forks at 3m from ground level. (Stems have no public visibility)

Applicant: Henry Mason

**Approved on 11 Sep 2015**

Report from 26/08/2015 to 21/09/2015

**Application No: BH2015/03382**  
**40B Sackville Gardens, Hove**

Fell 1no Holly. Fell 1no Lime. (Trees have no public amenity value)

Applicant: Stella Jones

**Approved on 18 Sep 2015**



**NEW APPEALS RECEIVED****WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PRESTON PARK**

BH2015/00604

13 St Andrews Road Brighton

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

APPEAL LODGED

04/09/2015

Delegated

**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****SOUTH PORTSLADE**

BH2015/01244

43 Benfield Way Portslade

Erection of single storey rear extension. (Part retrospective)

APPEAL LODGED

09/09/2015

Delegated

**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

BH2015/00961

42 Goldstone Crescent Hove

Erection of a single storey side extension to replace existing garage.

APPEAL LODGED

10/09/2015

Delegated

**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****QUEEN'S PARK**

BH2014/02306

Sea Life Centre Madeira Drive Brighton

Installation of internally-illuminated fascia signs to kiosks and new and refurbished non-illuminated fascia and lettering signs to building and entrance and exit points. (Part retrospective).

APPEAL LODGED

09/09/2015

Delegated

**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****QUEEN'S PARK**

BH2014/02286

Sea Life Centre Madeira Drive Brighton

Display of internally-illuminated fascia signs to

APPEAL STATUS  
APPEAL RECEIVED DATE  
APPLICATION DECISION LEVEL

kiosks and new and refurbished non-illuminated fascia and lettering signs to building and entrance and exit points. (Part retrospective).  
APPEAL LODGED  
09/09/2015  
Delegated

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**WARD**  
APPEAL APP NUMBER  
ADDRESS  
DEVELOPMENT DESCRIPTION

**WITHDEAN**  
BH2014/03865  
20 Tongdean Lane Hove  
Erection of single dwelling to rear incorporating demolition of garage and storage, provision of parking and associated works.  
APPEAL LODGED  
11/09/2015  
Delegated

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**WARD**  
APPEAL APP NUMBER  
ADDRESS  
DEVELOPMENT DESCRIPTION

**WOODINGDEAN**  
BH2015/00282  
110 Crescent Drive South Brighton  
Roof alterations including the raising of ridge height, front and rear hip to barn end roof extensions with new window and Juliet balcony, side dormer and rooflight with associated alterations.  
APPEAL LODGED  
09/09/2015  
Delegated

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**WARD**  
APPEAL APP NUMBER  
ADDRESS  
DEVELOPMENT DESCRIPTION

**NORTH PORTSLADE**  
BH2015/01107  
10 Downsview Road Portslade  
Erection of single storey rear extension with raised decking and steps to garden to replace existing.  
APPEAL LODGED  
16/09/2015  
Delegated

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**WARD**  
APPEAL APP NUMBER  
ADDRESS  
DEVELOPMENT DESCRIPTION

**WITHDEAN**  
BH2015/00042  
48 Redhill Drive Brighton  
Erection of part two part three storey rear extension, alterations to fenestration, creation of raised terrace with balustrade and roof alterations with rear rooflight.  
APPEAL LODGED  
16/09/2015  
Delegated

**Brighton & Hove  
City Council****INFORMATION ON HEARINGS / PUBLIC INQUIRIES****7<sup>th</sup> October 2015**

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**This is a note of the current position regarding Planning Inquiries and Hearings**  
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**Land South of Ovingdean Road, Brighton**

Planning application no:	BH2014/02589
Description:	Outline planning application with appearance reserved for the construction of 85no one, two, three and four bedroom dwellings with associated garages, parking, estate roads, footways, pedestrian linkages, public open space and strategic landscaping. New vehicular access from Ovingdean Road and junction improvements.
Decision:	Planning Committee
Type of appeal:	Informal Hearing
Date:	6 <sup>th</sup> January 2016
Location:	Brighton Town Hall



**APPEAL DECISIONS**

	<b>Page</b>
<b>A – 39 GRAHAM AVENUE, PORTSLADE – NORTH PORTSLADE</b>	<b>89</b>
<p>Application BH2014/01923 – Appeal against refusal to grant certificate of lawful use for erection of roof conversion with side dormers and rear gable (including proposed revisions to front fascia line). <b>APPEAL DISMISSED</b> (delegated decision)</p>	
<b>B – 156 OSBORNE ROAD, BRIGHTON – PRESTON PARK</b>	<b>93</b>
<p>Application BH2015/01200 – Appeal against refusal to grant planning permission for a rear dormer extension and roof lights to front elevation. <b>APPEAL DISMISSED</b> (delegated decision)</p>	
<b>C – TOBY INN, COWLEY DRIVE, WOODINGDEAN, BRIGHTON – WOODINGDEAN</b>	<b>97</b>
<p>Application BH2014/03973 – Appeal against refusal to grant permission for change of use from A4 drinking establishment to sui generis temporary accommodation together with associated conversion works. <b>APPEAL ALLOWED</b> (delegated decision) (costs decision also attached).</p>	



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# Appeal Decision

Site visit made on 17 July 2015

**by D Whipps LLB Solicitor LARTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 10 September 2015**

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**Appeal ref: APP/Q1445/X/14/2224578**

**39 Graham Avenue, Portslade, East Sussex, BN41 2WN**

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Dean Weller against the decision of the Brighton & Hove City Council.
- The application Ref BH2014/01923 dated 6 June 2014 was refused by notice dated 13 August 2014.
- The application was made under section 191(1)(b) of the Town and Country Planning Act 1990 as amended.
- The development for which a certificate of lawful use or development is sought is the erection of roof conversion with side dormers, rear gable (including proposed revisions to front fascia line).

**Decision: The appeal is dismissed.**

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## Preliminary matters

1. The application was both submitted and determined at a time when the Town and Country Planning (General Permitted Development) Order 1995 as amended (GPDO 1995) was in force. Whilst this Order has now been replaced, with effect from 15 April 2015, by the Town and Country Planning (General Permitted Development) Order 2015, I have to decide whether the proposed development would have been lawful at the time of the application to the Council and whether the Council's decision to subsequently refuse the application was well-founded. I shall, therefore, consider the matter in the light of the GPDO 1995.
2. It should also be noted that the application to the Council for a Certificate of Lawfulness was in respect of existing as opposed to proposed operations. It was made under S191(1)(b) of the Act and not under S192(1)(b) of the Act which is concerned with proposed alterations. The appeal has to be determined on the same basis, i.e., I have to consider whether what actually existed at the time of the application to the Council was lawful. It is not open to me under this appeal to consider what could be lawful.

## Reasons

3. The appellant has installed 2 side dormers at 39 Graham Avenue, Portslade. Class B Part 1 Schedule 2 of the GPDO permits the enlargement of a

- dwellinghouse consisting of an addition or alteration to its roof but subject to both limitations and conditions.
4. One limitation (Class B.1(a)) is that the development is not permitted if any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof. The Council say that this limitation has not been met.
  5. The Council assert that the height of the dormers as built exceeds the original height of the roof of the property. However, the appellant says that during construction a temporary template of the original roof was made so as to ensure that the overall construction did not exceed the height of the original ridge. It is suggested by the Council that it is apparent upon inspection of the works that a significant proportion of the roofs of the dormers protrude above the height of the ridge tiles of the original roof.
  6. The appellant was clearly conscious of the need to ensure that the dormers did not exceed the height of the existing ridge. It was not either apparent to me on my site visit that the actual roof of the dormers exceeded the original height. I am, therefore, satisfied that on the balance of probabilities, having regard to the representations, and from what I saw at my site inspection, that the appellant has proven that the main part of the roof of the dormers do not exceed the height of the ridge that existed prior to the 2 dormers being installed.
  7. However, the appellant has placed a tilting fillet on the sides of the 2 dormers facing the front of the property. This tilting fillet is shown on drawing number 457/03 and it clearly extends above the top of the original ridge of the roof. A part of the dwelling, as a result, exceeds the height of the highest part of the original roof. The limitation in Class B(1)(a) is not satisfied. I appreciate that the appellant wishes to rectify the position but as mentioned I have to determine this appeal on the basis of what has been constructed to date.
  8. A further limitation (Class B1(b)) is that development is not either permitted if any part of the dwellinghouse as a result of the works, extends beyond the plain of an existing roof slope which forms the principal elevation of the development and fronts a highway. The appellant acknowledges that a small element of the flat roof of the dormer projects a short distance beyond the front apex of the original roof. This is also clearly shown on drawing number 457/03. As I saw on my site visit, this is a principal elevation of the property and it fronts a highway. The works as undertaken, therefore, do extend beyond the plain of an existing roof slope which form the principal elevation of the development and fronts a highway. The limitation within Class B1(b) is not, therefore, met. Again, as mentioned, it is not open to me to consider the appellant's remedial proposal.
  9. It has not been suggested that any of the other limitations and/or conditions to Class B are breached and I find no reason to suggest otherwise. However, the position remains that what has been constructed fails to meet 2 of the limitations within Class B Part 1 Schedule 2 of the GPDO. The existing dormers are not, therefore, permitted development.



### **Conclusions**

10. For the reasons give above, I conclude that the Council's refusal to grant a Certificate of Lawful Use of Development in respect of a roof conversion with side dormers, rear gable (including proposed revisions to front facia line) was well founded and the appeal should fail. I will exercise accordingly the powers transferred to me in S195(3) of the 1990 Act as amended.

### **Formal decision**

11. The appeal is dismissed.

*D Whipps*

INSPECTOR



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## Appeal Decision

Site visit made on 25 August 2015

by **S M Holden** BSc MSc CEng MICE TPP MRTPI FCIHT

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 August 2015

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**Appeal Ref: App/Q1445/D/15/3121453**  
**156 Osborne Road, Brighton BN1 6LS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs R Salt against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/01200, dated 7 April 2015, was refused by notice dated 12 June 2015.
  - The development proposed is a rear dormer extension and roof lights to front elevation.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effects of the proposed roof extension on the:
  - a) character and appearance of the host property and the surrounding area;
  - b) living conditions of the occupants of No 158 in relation to visual intrusion, loss of outlook and loss of privacy.

### Reasons

#### *Character and appearance*

3. Osborne Road is characterised by terraced properties dating from the early 19<sup>th</sup> century. No 156 has a two-storey gable projection on the front elevation and a two-storey pitched roof outrigger at the rear. These features are common to other properties in the street.
  4. The proposal is for a roof extension that would span the full width of the rear roof slope and would extend more than 5m along the roof of the rear outrigger. Whilst the dormer would allow the retention of the main ridge of the roof, the extension over the outrigger would involve raising its ridge by just over 1m. The rear facing elevations of the proposed roof extension would incorporate large areas of glazing and the side elevations would be metal clad. There would also be three roof lights in the front roof slope.
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5. The existing house is a modest-sized dwelling and its outrigger is paired with that of No 154. These paired outriggers are a feature of the rear elevations and are repeated along the terrace as a whole. The proposal would effectively create a third floor to the property with a flat roof. Raising the ridge of the outrigger would disrupt the symmetry of the pair and would substantially alter the basic shape of the roof. I consider this would fundamentally change the character of host property and would be harmful to the terrace of which it is a part.
6. The proposal would be large and bulky. Its scale, design, use of materials and fenestration details would fail to respect the proportions or features of the existing dwelling. It would make the building appear top-heavy and would be an unsympathetic and incongruous addition, which would overwhelm the form of the original building. The use of large areas of metal cladding would be out of character with the materials used on the host property. As the roof extension would be seen from the neighbouring gardens it would also be harmful to the rhythm and uniformity of the terrace as a whole.
7. In addition, the inclusion of three rooflights in the front roof slope would result in this part of the house appearing cluttered and would detract from the principal feature of the gable projection. This would be harmful to the host property and the wider street scene.
8. The Council's Supplementary Planning Document 12: *Design Guide for Extensions and Alterations* (SPD12), adopted June 2013, provides detailed guidance on roof alterations. It advises that box dormers using the full width and/or height of the roof are an inappropriate design solution as they give the appearance of an extra storey on top of the building. Dormer windows should be kept small and should be a subordinate addition to the roof and should align with windows in the elevation below. Materials should generally match those of the existing roof. The proposal fails to comply with these requirements and is therefore unacceptable.
9. The Government also attaches great importance to the design of the built environment. The National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development and goes on to advise that permission should be refused for development of poor design that fails to improve the character and quality of an area.
10. I therefore conclude that the proposed roof alterations would be harmful to the character and appearance of the host property and the surrounding area. The proposal would be contrary to saved Policy QD14 of the Brighton & Hove Local Plan, which requires all alterations to existing buildings to be well designed, sited and detailed in relation to the host property, adjoining properties and the surrounding area. It would also fail to comply with the advice and requirements set out in SPD12 and would not accord with the Framework's core principle of always requiring high quality design.

#### *Living conditions*

11. The proposed roof alterations would be clearly visibly from the house and garden of No 158. The additional height and bulk of the building would be seen from the side window of No 158's rear projection, which is the only window serving the kitchen. The flank wall of the outrigger at No 156 already

dominates the outlook from this window. However, the proposal would increase the sense of enclosure and further reduce views of the sky. In my view it would appear overbearing making the kitchen a less pleasant place to be.

12. The extension would also be highly visible from the small rear garden of No 158 from where it would not only appear overbearing but it would also give rise to a strong sense of being overlooked. This would be particularly apparent given the extent of the glazing that is proposed and would result in a perceived loss of privacy for the occupants of this adjoining property.

13. I conclude that the proposed roof extension would be an overbearing and un-neighbourly development that would be harmful to the living conditions of the occupants of No 158 arising from visual intrusion, loss of outlook and loss of privacy. It would therefore fail to comply with saved Policies QD14 and QD27 of the Local Plan, both of which seek to protect the amenity of adjoining occupiers. It would also be contrary to the Framework's advice of always seeking a good standard of amenity for all existing and future occupants of land and buildings.

### **Other matters**

14. The appellants drew my attention to other roof extensions that have been carried out nearby. I was able to see the rear of No 162 from the garden of No 156. However, I do not have details of how, or when, the Council assessed that scheme. Alterations at No 150 were carried out as permitted development and appear to be materially different in scale and materials to the appeal proposal. Neither of those alterations is directly comparable with the scheme before me, which I have considered on its individual planning merits in the light of current planning policy.

15. I appreciate the appellants wish to enlarge their home to meet the needs of their growing family. However, these personal circumstances are not a justification for allowing permanent changes to a building, which I have found to be harmful to the character and appearance of the area and the living conditions of neighbours.

### **Conclusion**

16. For the reasons set out above, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

*Sheila Holden*

INSPECTOR





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## Appeal Decision

Site visit made on 11 August 2015

**by L Gibbons BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 3 September 2015**

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**Appeal Ref: APP/Q1445/W/15/3009190**

**Toby Inn, Cowley Drive, Brighton BN2 6WD**

- 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 Tim Martin (Tim Martin Interiors Limited) against the decision of Brighton & Hove City Council.
  - The application Ref BH2014/03230, dated 24 September, was refused by notice dated 22 January 2015.
  - The development proposed is a change of use from A4 drinking establishment to sui generis temporary accommodation together with associated conversion works.
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### Decision

1. The appeal is allowed and planning permission is granted a change of use from A4 drinking establishment to sui generis temporary accommodation together with associated conversion works at Toby Inn, Cowley Drive, Brighton BN2 6WD in accordance with the terms of the application, Ref BH2014/03230 dated 24 September, subject to the conditions set out in the attached schedule.

### Application for costs

2. An application for costs was made by Mr Tim Martin (Tim Martin Interiors Limited) against Brighton & Hove City Council. This application will be the subject of a separate Decision.

### Procedural Matter

3. The Council's decision notice refers to the Brighton and Hove City Plan (CP) submission document and in particular Policy CP1. This sets out the requirements for guiding housing delivery within the City and criteria against which residential development will be assessed. I understand that this document has recently been the subject of consultation for further modifications, which included changes to Policy CP1. The weight I attach to the policy must be tempered accordingly. I have therefore dealt with the appeal primarily on the basis of the policies contained within the Brighton and Hove Local Plan (LP) 2005.

### Main Issue

4. Whether the proposed development is acceptable in relation to the loss of a community facility, having regard to the development plan and the National Planning Policy Framework and other material considerations.

## Reasons

5. The appeal site is located within a mainly residential area. The existing building has previously been a public house and more recently a venue for local events. The appeal site has a planning history which includes previously refused applications in relation to changes of use to the building including a combined public house and hotel. The scheme before me as a conversion of the building to a hostel to provide 18 rooms, seeks to overcome the concerns of the Council in relation to previous schemes.
6. Saved Policy HO20 of the LP refers to proposals involving the loss of community facilities. Although public houses are not specifically listed in the policy, they are accepted by the Council as being community facilities. The policy sets out a number of exceptions where the loss of a community facility may be justified. The Council refer to criterion (d) as being applicable in this instance. This refers to proposals demonstrating that the site is not needed, not only for its existing use but also for other types of community use.
7. The public house ceased to operate in 2006. The proposal is accompanied by a marketing report and a viability assessment which indicate that it would not be viable to continue in that use. I also understand that there was a history of anti-social behaviour associated with the former public house. The use of the building for community and other functions has not been widely taken up.
8. The appellant has submitted evidence which indicates that the conversion to other community uses such as a children's nursery would also be unviable and the Council accepts this is the case. The availability of other community buildings within the area, including a small church opposite which advertises local classes is also a significant. On this basis, I agree with the Council that the public house and other uses community uses are not needed and the loss of the public house in this case is acceptable, meeting criterion (d) of Policy HO20.
9. Where an exception has been demonstrated Policy HO20 then attaches priority to replacement schemes being either residential or mixed used. The explanatory text of Policy HO20 at paragraph 4.88 sets out that this priority is consistent with the Plan's approach to securing new residential accommodation. There is no definition of residential development in Policy HO20 and the parties do not agree whether the proposal would be residential development. The Council indicates it would expect residential development to comprise accommodation which is capable of being a main residence. Taking account of the size of rooms, proposed services and facilities, staffing requirements, and payment and booking terms, I accept the proposal would not be capable of being the main residence of people staying or provide permanent accommodation. There would therefore be conflict with Policy HO20 in this respect.
10. I note that the Council refer to there being no evidence of local demand for the proposed use. However, in support of the application the appellant has provided information that indicates that there is a demand for this type of property across London and the South East in general and I consider that the proposal would add to the wider choice of type and tenure of accommodation on offer within the area.



11. The Framework identifies three dimensions to sustainable development – economic, social and environmental. In terms of the economic dimension, the proposal would generate a small number of employment opportunities relating to the management and upkeep of the facilities. There would be temporary jobs provided during the construction period. The proposal would also bring land into use which is currently underused.
12. In respect of the social dimension, I have had regard to the concerns expressed by local residents, including a number who have signed a petition, indicating that the local infrastructure is not sufficient to support the proposed use. Nevertheless, I consider the site is not entirely isolated being adjacent to a small parade of shops and services which include a convenience store, pharmacy and post office that the occupiers of the scheme would be able to make use of. I also note that a range of services and facilities are available within the wider area. The proposal would also not undermine the provisions of the Framework, which at paragraph 70 refers to the need to guard against the unnecessary loss of valued facilities.
13. In respect of the environmental role of sustainability I accept that the location of the appeal site is not close to the major centres of employment within the City. However, there are two bus stops at the parade and other bus stops close by with fairly regular daily services to the city. This would offer a reasonable choice of travel to the occupiers of the scheme as an alternative to the car. The Council does not object to the detailed design of the proposal. The above factors weigh heavily in favour of the appeal proposal.
14. The Council does accept that new residential buildings on the site are not likely to be viable. In addition, the appellant indicates that the conversion to permanent residential accommodation would also not be viable. The Council refer to the lack of evidence to demonstrate this although I am not aware of the basis for a requirement to do so. Although I note that information from a local land and development agent refers to conversion being the most suitable option it is not clear that this relates specifically to a conversion to permanent residential accommodation. I understand the Council is unable to demonstrate a five year supply of housing land as required by the Framework and I acknowledge that there is a considerable need to provide new housing within the city as set out in Policy CP1. I accept that smaller sites such as the appeal site can make a contribution to the housing supply, however against this background; I am not persuaded that the proposal would have an unacceptable impact on the supply of housing land.
15. There are several material considerations which support the proposed development, despite some degree of conflict with a strict interpretation of Policy HO20. I also find that the proposal would not be contrary to any advice in the Framework. For the reasons given above, I conclude that the proposed development is acceptable in relation to the loss of the community facility and I shall allow the appeal.

#### *Other matters*

16. The Council indicate that the proposal would be acceptable in terms of parking and access. However, the Council refers to the need for an obligation under Section 106 of the Planning Act to secure transport contributions. No planning obligation is before me. Policy QD28 of the LP refers to planning obligations being sought including for public transport infrastructure. I have not been

provided with any evidence to demonstrate how the amount requested has been calculated, although I note the reference to the Council Interim Guidance on Developer Contributions. I note it would be intended to spend on local schemes in the area including on Cowley Drive. However, it is not clear whether all the money would be spent in this way. Accordingly, I cannot be certain that the contribution sought would be necessary to make the development acceptable or that it would be fairly and reasonably related in scale and kind.

17. Consequently, and notwithstanding the aims of development plan policy, I am unable to conclude that a planning obligation seeking to provide these contributions would comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010. In these circumstances, the absence of a planning obligation does not weigh against the development.
18. The Council does not object to the proposed development in terms of its effect on the living conditions of the adjoining occupiers on Stanstead Crescent in respect of privacy and outlook. Having given this matter careful consideration based on the evidence before me and taking account of the positioning of windows on the elevation which would face towards the rear gardens of these houses, I see no reason to disagree with this matter.
19. Residents have raised concerns relation to the potential for noise and disturbance and anti-social behaviour from occupiers of the proposed development. However, I have not been provided with evidence to demonstrate that this type of scheme would cause harm in this respect and can therefore give this little weight.

### **Conclusion and conditions**

20. I have considered the conditions in the light of the tests set out in paragraph 206 of the Framework and the Planning Practice Guidance. For the avoidance of doubt and in the interests of proper planning, a condition is necessary specifying the approved plans.
21. The Council have recommended conditions in respect of details of cycle parking and disabled parking provision and I agree that these are necessary. Based on the evidence before me, I agree that a condition relating to a Travel Plan would be necessary. However, I have amended the condition to remove references to consultation, targets, monitoring framework and annual staff survey taking into account the fairly small scale nature of the proposed development and the likely number of employees.
22. A condition specifying the use of the building as temporary hostel accommodation is also necessary to ensure the building is not used for permanent accommodation and to protect the amenity of adjoining occupiers.
23. The Council have recommended a condition relating to details of sustainability measures including water reduction and energy as well as surface water run off. In relation to water reduction and energy measures the Government has introduced a new system of Housing Standards. Policy SU2 of the LP does not refer to the Code for Sustainable Homes and therefore any transitional arrangements in relation to the new system would not apply in this case. In relation to surface water run off there is no evidence that this would be needed as a result of the development. I have therefore not attached this condition.

24. For the above reasons and having regard to all other matters raised, I conclude that subject to the conditions set out in the attached schedule, the appeal should be allowed.

*L Gibbons*

INSPECTOR

## 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: GSB.001; GSB.002; GSB.003; GSB.004; GSB.006; GSB.007; GSB.008 Rev F; GSB.009 Rev E; GSB.010 Rev F; GSB.012 Rev D; GSB.013 Rev D; GSB.014 Rev D; GSB.015 Rev E; GSB.016 Rev E; GSB.017 Rev G; GSB.020 Rev A; GSB.021; GSB.022 Rev C; GSB.141 Rev C; GSB.140 Rev C; Site Plan.
- 3) The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants and visitors to the development have been submitted to and approved in writing by the local planning authority. These proposals 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.
- 4) Within 3 months 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 which sets out a package of measures tailored to the needs of the site, which is aimed at residents, visitors, staff, deliveries and parking management) for the development. The Travel Plan shall include such commitments as are considered appropriate, and should include as a minimum the following initiatives and commitments:
  - (i) Promote and enable increased use of walking, cycling, public transport use, car sharing, and car clubs as an alternative to car use;
  - (ii) A commitment to reduce carbon emissions associated with business and commuter travel;
  - (iii) Increased awareness of and improve road safety and personal security;
  - (iv) Identify a nominated member of staff or post to act as Travel Plan Co-ordinator, and to become the individual contact for the local planning authority relating to the Travel Plan;
  - (v) Provide details of sustainable travel options to the site at the point of booking;
  - (vi) Include details of public transport, cycling and walking information to the site on the hostel's website;
  - (vii) Provision of public transport, cycle and walking maps for the local area in the hostel's lobby.
- 5) No development shall commence until details of disabled car parking provision for the occupants of and visitors to the development hereby permitted have been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

- 6) The building hereby permitted shall only be used for temporary guest accommodation purposes in the manner of a hostel and for no other purpose.





## Costs Decision

Site visit made on 11 August 2015

by **L Gibbons BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 September 2015

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### **Costs application in relation to Appeal Ref: APP/Q1445/W/15/3009190 Toby Inn, Cowley Drive, Brighton BN2 6WD**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Mr Tim Martin (Tim Martin Interiors Limited) for a full award of costs against Brighton & Hove City Council.
  - The appeal was against the refusal of planning permission for a change of use from A4 drinking establishment to sui generis temporary accommodation together with associated conversion works.
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### **Decision**

1. The application for an award of costs is refused.

### **Reasons**

2. The Planning Practice Guidance (the Guidance) advises that costs may be awarded where a party has behaved unreasonably and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.
3. As detailed in my appeal decision I have found that the proposed scheme conflicts with a strict interpretation of Policy HO20 of the Brighton and Hove Local Plan (LP) 2005, but that other material considerations justify its approval. However, this does not mean that the Council acted unreasonably in deciding that other factors, including the acceptance that new residential development would not be viable, did not warrant approval of the planning application, bearing in mind its conflict with the adopted development plan.
4. In coming to its decision, the Council explained the reasons for the proposal being in conflict with Policy HO20, concluding that it would not be capable of being the main residence of people staying or provide permanent accommodation. The Council's position on the significant need for housing within the City was clearly explained, objective and based on both existing development plan policy and evidence produced for the emerging Brighton and Hove City Plan. The Council therefore acted reasonably in this respect.
5. The applicant refers to the previous decisions of the Council and that the Council case officer had changed their position since then. Authorities are not bound to accept the recommendations of officers, but if professional or technical advice is not followed, then reasonable planning grounds for taking a contrary decision need to be supported by relevant evidence which I consider the Council have demonstrated in this case. The previous formal decision of the Council was also a significant factor in the conclusions of the case officer. Whilst I appreciate the applicant's frustration at this it is evident that the case

officer reached the decision on the scheme before me having considered all the relevant circumstances of the application, including the pertinent policies of the development plan, other material considerations as well as the Council's formal decision for the previous application. These matters are clearly set out in the officer's report. I therefore find that the Council have not behaved unreasonably in this regard.

6. In respect of the matter of the Council's requirement for a Section 106 (S106) planning obligation to secure transport contributions, I have found that in the circumstances before me, the absence of a planning obligation does not weigh against the development. The S106 obligation is referred to in the officer's report and the Council have not behaved inconsistently in referring to it within their appeal statement. In this circumstance I consider the Council has not acted unreasonably and additionally there is no evidence that the applicant has incurred unnecessary expense in relation to this matter.
7. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Guidance, has not been demonstrated. For the reasons given above I refuse an application for an award of costs.

*L Gibbons*

INSPECTOR