





**Brighton & Hove
City Council**

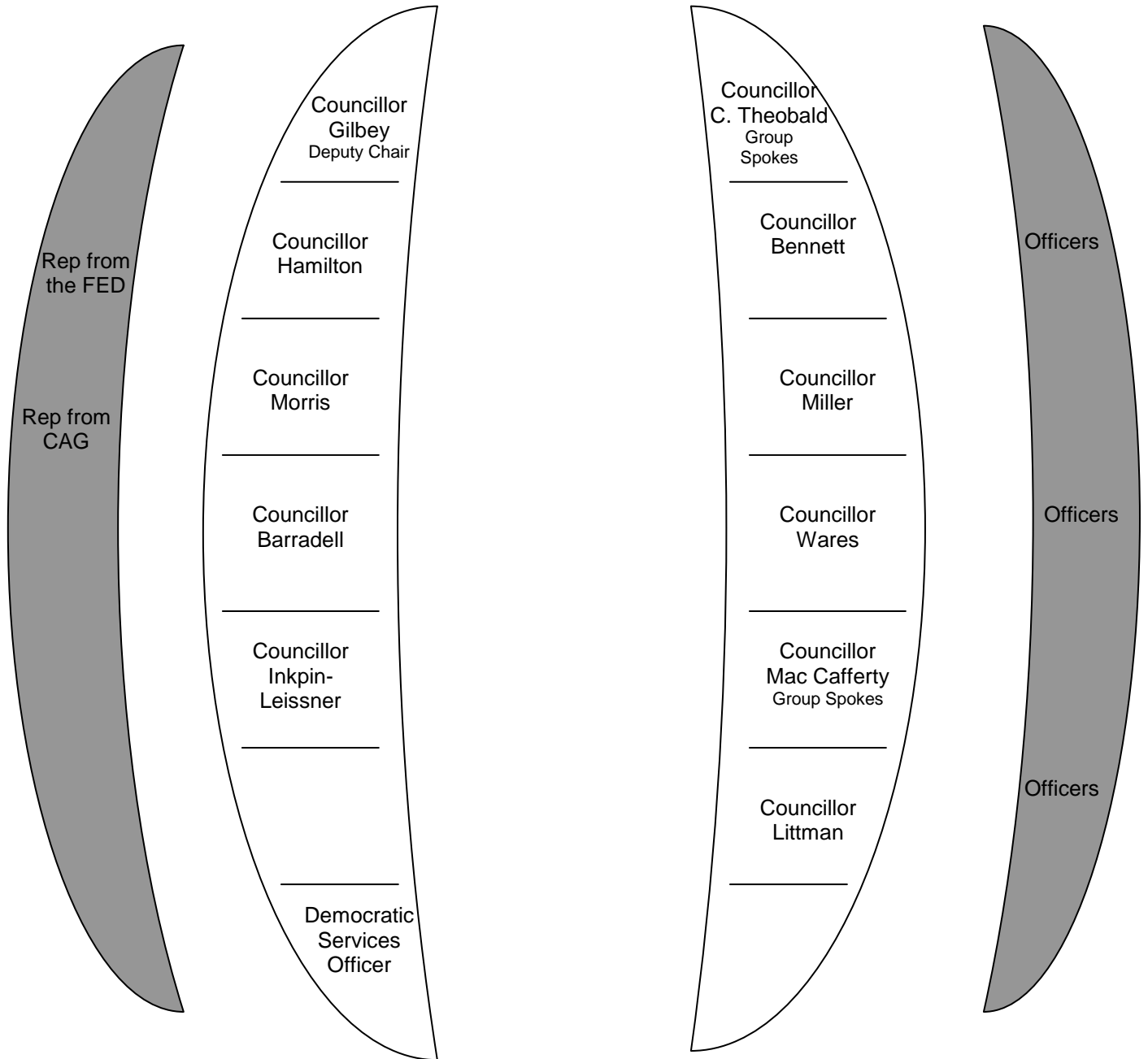
Planning Committee

Title:	Planning Committee
Date:	30 March 2016
Time:	2.00pm
Venue	The Ronuk Hall, Portslade Town Hall
Members:	<p>Councillors: Cattell (Chair), Gilbey (Deputy Chair), C Theobald (Group Spokesperson), Mac Cafferty (Group Spokesperson), Barradell, Bennett, Hamilton, Inkpin-Leissner, Littman, Miller, Morris and Wares</p> <p>Co-opted Members: Jim Gowans (Conservation Advisory Group)</p>
Contact:	<p>Penny Jennings Democratic Services Officer 01273 29-1064/5 planning.committee@brighton-hove.gov.uk</p>

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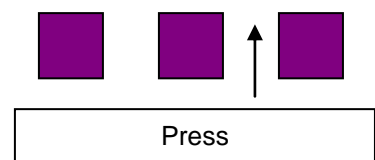
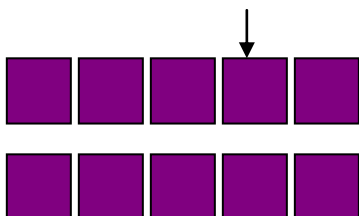
Democratic Services: Planning Committee

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



AGENDA

161 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

162 MINUTES OF THE PREVIOUS MEETING 1 - 8

Minutes of the meeting held on 9 March 2016 (copy attached).

163 CHAIR'S COMMUNICATIONS

164 PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 23 March 2016.

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

166 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 BH2015/01562 - 70 Barnett Road, Brighton - Full Planning 9 - 16

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

RECOMMENDATION – GRANT

Ward Affected: Hollingdean & Stanmer

B BH2015/04574 - 14 Portland Villas, Hove - Full Planning 17 - 28

Demolition of bungalow and erection of new detached house (C3) and outbuilding to rear garden.

RECOMMENDATION – REFUSE

Ward Affected: Wish

C BH2015/03872 - 1 Farmway Close, Hove - Full Planning 29 - 36

Demolition of existing garage and erection of single storey side extension.

RECOMMENDATION – GRANT

Ward Affected: Hangleton & Knoll

PLANNING COMMITTEE

D BH2015/04563 - 20 Tongdean Avenue, Hove - Full Planning 37 - 50

Demolition of existing house (C3) and erection of 1no five bedroom house (C3).

RECOMMENDATION – REFUSE

Ward Affected: Hove Park

167 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

168 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 51 - 54

(copy attached).

169 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 55 - 88

(copy attached)

170 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 89 - 92

(copy attached).

171 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 93 - 94

(copy attached).

172 APPEAL DECISIONS 95 - 114

(copy attached).

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

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

PLANNING COMMITTEE

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

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

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

Date of Publication - Friday, 18 March 2016

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 9 MARCH 2016****THE RONUK HALL, PORTSLADE TOWN HALL****MINUTES**

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

Officers in attendance: Jeanette Walsh (Planning & Building Control Applications); Nicola Hurley (Planning Manager – Applications); Steve Shaw (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Ross Keatley (Democratic Services Manager).

PART ONE**149 PROCEDURAL BUSINESS****(a) Declarations of substitutes**

149.1 There were no declarations of substitutes.

(b) Declarations of interests

149.2 There were no declarations of interest.

(c) Exclusion of the press and public

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

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

(d) Use of mobile phones and tablets

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

150 MINUTES OF THE PREVIOUS MEETING

- 150.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 27 January 2016 as a correct record.
- 150.2 In relation to the minutes of the meeting held on 17 February 2016 Councillor Wares referenced minute 137.4 and asked that additional wording be included to reflect that he had undertaken this site visit after discussing it with Officers beforehand.
- 150.3 **RESOLVED** – That, with the above addition, the Chair be authorised to sign the minutes of the meeting held on 17 February 2016 as a correct record.

151 CHAIR'S COMMUNICATIONS

- 151.1 The Chair highlighted that the meeting was webcast live and capable of repeated viewing.

152 PUBLIC QUESTIONS

- 152.1 There were none.

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

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

154 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2015/04606 - Rayford House, School Road, Hove - Full Planning Permission -
Erection of side extension and creation of additional floor to create 9no. residential units with associated parking and re-cladding.

- 1) The Planning Manager (Applications) gave a presentation by reference to plans, photographs and elevational drawings. The application site was located in a predominately residential area consisting of terrace and semi-detached properties. Of particular relevance to the application was a consent for an additional floor of office accommodation granted permission the previous year following the agreement of the s106 from a minded to grant decision in 2002. This application sought permission for an additional roof level and an extension to create nine flats. The car parking spaces on the site would be reconfigured with a total of 67 – which would be a reduction of 4 from the current total.
- 2) The proposed materials were clarified and there would be a green wall on the eastern elevation. A single letter of objection had been received, and there was one letter of support from one of the local Ward Councillors – Councillor Nemeth. The application

was recommended for refusal in relation to the design; the extension would relate poorly to the existing building, would be overly dominant and overbearing and not fit in with the surrounding area. It was considered that there was no overall cohesion to the scheme – with the new elements having a vertical emphasis and different fenestration style. The second reason for refusal related to the failure of the applicant to agree to meet the travel impact on site through a s106 agreement; however, since the publication of the agenda they had agreed to this and the second reason for refusal was withdrawn. The application was recommended for refusal for the reason set out in the report.

Public Speaker(s) and Questions

- 3) Mr Lap Chan spoke in support of the scheme in his capacity as the agent. He stated that there was no objection from immediate neighbours and highlighted the need for housing in the city; furthermore efficient use of sites was a pressing issue for the Council. The NPPF gave a presumption in favour of approval of sustainable development and the location was considered highly sustainable. Similar buildings and developments close by were highlighted – namely the Gala Bingo building and the Maynard's Sweet Factory. He noted that the Case Officer had placed weight on an appeal decision at a nearby site, but he was of the view this argument did not apply to this site. The application would seek to add to the regeneration of the area and provide much needed residential accommodation.
- 4) In response to Councillor Hamilton the speaker confirmed that all of the office space was currently in use; aside from one vacant floor.

Questions for Officers

- 5) In response to Councillor Mac Cafferty it was explained that there was no loss of any of the existing commercial space on the site. It was also clarified that, whilst a tall building study had been submitted, the scheme was still not acceptable for the design, scale and detail reasons.
- 6) In response to Councillor Miller visuals were shown highlighting the difference between the existing and proposed finish of the building.
- 7) In response to Councillor C. Theobald it was clarified that matters in relation to materials, sound proofing and amenity screening would all be secured through condition were the application recommended for approval. Following a further query from Councillor Barradell it was confirmed this would be the same with the render finish.
- 8) In response to Councillor Wares an elevational of the 2002 application permission was shown to the Committee.
- 9) In response to Councillor Morris it was confirmed that the application sought to add additional design features to the façade of the existing building.
- 10) In response to Councillor Barradell it was confirmed that no pre-application advice had been sought by the applicant.

- 11) It was clarified for Councillor Gilbey that the whole frontage would not be visible from the view up School Road.

Debate and Decision Making Process

- 12) Councillor Miller stated that the design was acceptable and for this reason he would not support the Officer recommendation.
- 13) Councillor Littman stated that the existing building was not particularly attractive and the scheme was an attempt to characterise the building and break up the outline. He noted the need for housing in the city and felt the scheme was not harmful to the area; for these reasons he would not support the Officer recommendation.
- 14) Councillor Barradell noted that the area was generally not of any design merit, but she felt the scheme was 'too busy' and would not enhance the area. She also expressed concern that the design on this site could set a precedent for other regeneration schemes in the vicinity, and with this in mind it was important this scheme achieve the right standard. However, she noted that she was aware of the pressing need for housing in the city.
- 15) Councillor Hamilton highlighted the amount of vacant office space in Portslade as well as the need for housing in the city; for these reasons he would not support the Officer recommendation.
- 16) Councillor C. Theobald noted that the existing building was unattractive, and the scheme sought to improve what was currently on the site; she felt the addition was interesting though she had reservations about the timber cladding. She stated she would not support the Officer recommendation.
- 17) Councillor Wares stated that the proposal was an improvement on both the existing building and the 2002 application permission; he noted the lack of strong objection from local residents and stated that for these reasons he would not support the Officer recommendation.
- 18) Councillor Gilbey stated that the scheme was an improvement on the existing building and for this reason she would not support the Officer recommendation.
- 19) Councillor Morris stated his view that the vertical and horizontal elements of the design did not complement each other, but he felt this could be easily resolved.
- 20) Councillor Mac Cafferty stated that he agreed with the views put forward by Councillor Barradell, and he would support the Officer recommendation on the grounds that a more coherent scheme could come forward. He stated that if the Committee were minded to grant permission then appropriate conditions should be put in place to protect resident amenity.
- 21) Councillor Cattell stated that she agreed with the principle of the development, but felt a more simple design could be achieved on the site.

22) A vote was taken of the eleven Members present and the Officer recommendation that planning permission be refused was **not carried** on a vote of 4 in support and 7 against. Reasons were proposed for a new recommendation, that the scheme be minded to grant subject to a s106 agreement and the delegation of the conditions and informatives to the Planning & Building Control Applications Manager in consultation with the Chair, Deputy Chair and Group Spokespersons, by Councillor Littman and these were seconded by Councillor C. Theobald. A recorded was then taken and Councillors: Gilbey, C. Theobald, Bennett, Hamilton, Littman, Miller and Wares voted that minded to grant permission be granted and Councillor: Cattell, Mac Cafferty, Barradell and Morris voted that permission not be granted.

154.1 **RESOLVED** – That the Committee has taken has taken into account the Officer recommendation but resolves, for the reason set out below, to be **MINDED TO GRANT** permission subject to a s106 agreement, conditions, including the materials condition, and informatives to be agreed by the Planning & Building Control Applications Manager in consultation with the Chair, Deputy Chair and Group Spokespersons:

Reason

i) The proposed development is considered acceptable in view of the need for housing and in terms of its form, scale and design.

Informative

i) The agreement of materials to be agreed with the Chair, Deputy Chair and Group Spokespersons.

B BH2015/03126 - 208A Dyke Road, Brighton - Full Planning Permission - Conversion of existing maisonette to 2no flats (C3) incorporating removal of garage at rear and rear conservatory and enlargement of rear balcony area.

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

2) The Planning Manager (Applications) introduced the application and gave a presentation by reference to plans and photographs. The application site related to a three-storey terrace property, and the application affected the upper floors of the maisonette on the first and second floors. The scheme had been amended following the site visit to reduce the size of the rear terrace area and the conservatory and this was highlighted on the plans presented to the Committee and proposed as an amendment to condition 2 in the report to reflect this. The application was recommended for approval for the reasons set out in the report.

Questions for Officers, Debate and Decision Making Process

3) In response to Councillor Cattell and Morris it was confirmed that Officers were not proposing screening above the bin store as they did not consider this necessary, but the Committee could attached a condition to this effect if they were minded to.

- 4) It was confirmed for Councillor Gilbey that there was only space to park one car on the site.
- 5) In response to Councillor Barradell the distance to the neighbouring property was confirmed.
- 6) It was confirmed for Councillor Barradell that screening above the bin could be added to the height of 2 metres without needing planning permission.
- 7) Councillor C. Theobald stated that the site would be improved with the removal of the garage; she would support the Officer recommendation, but felt a condition in relation to screening should be added.
- 8) Councillor C. Theobald proposed a condition in relation to screening to protect neighbour amenity and this was seconded by Councillor Morris. This was **carried**.
- 9) A vote was taken on the Officer recommendation that permission be granted, together with the amended and additional conditions, and this was **carried** on a vote 10 in support with 1 abstention.

154.2 **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 **GRANT** planning permission subject to the conditions and informatives set out in section 11, and the amended condition 2 and additional condition set out below:

Amended Condition 2

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

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

Plan Type	Reference	Version	Date Received
Site location and block plans	1422/1	-	25 August 2015
Existing and proposed ground floor plans	1422/2	B	9 March 2016
Existing and proposed first floor plans	1422/3	C	9 March 2016
Existing and proposed second floor plans	1422/4	B	9 March 2016
Existing and proposed rear elevation	1422/5	B	9 March 2016
Existing and proposed side elevation and section	1422/6	C	9 March 2016
Existing and proposed sections	1422/7	C	9 March 2016

Additional Condition

- i Prior to first occupation of the development hereby permitted a plan detailing the boundary treatment height, materials and type shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to first occupation of the development and shall thereafter be retained at all times.

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

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

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

156 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

- 157.1 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.]

158 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

159 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

160 APPEAL DECISIONS

160.1 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 3.03pm

Signed

Chair

Dated this

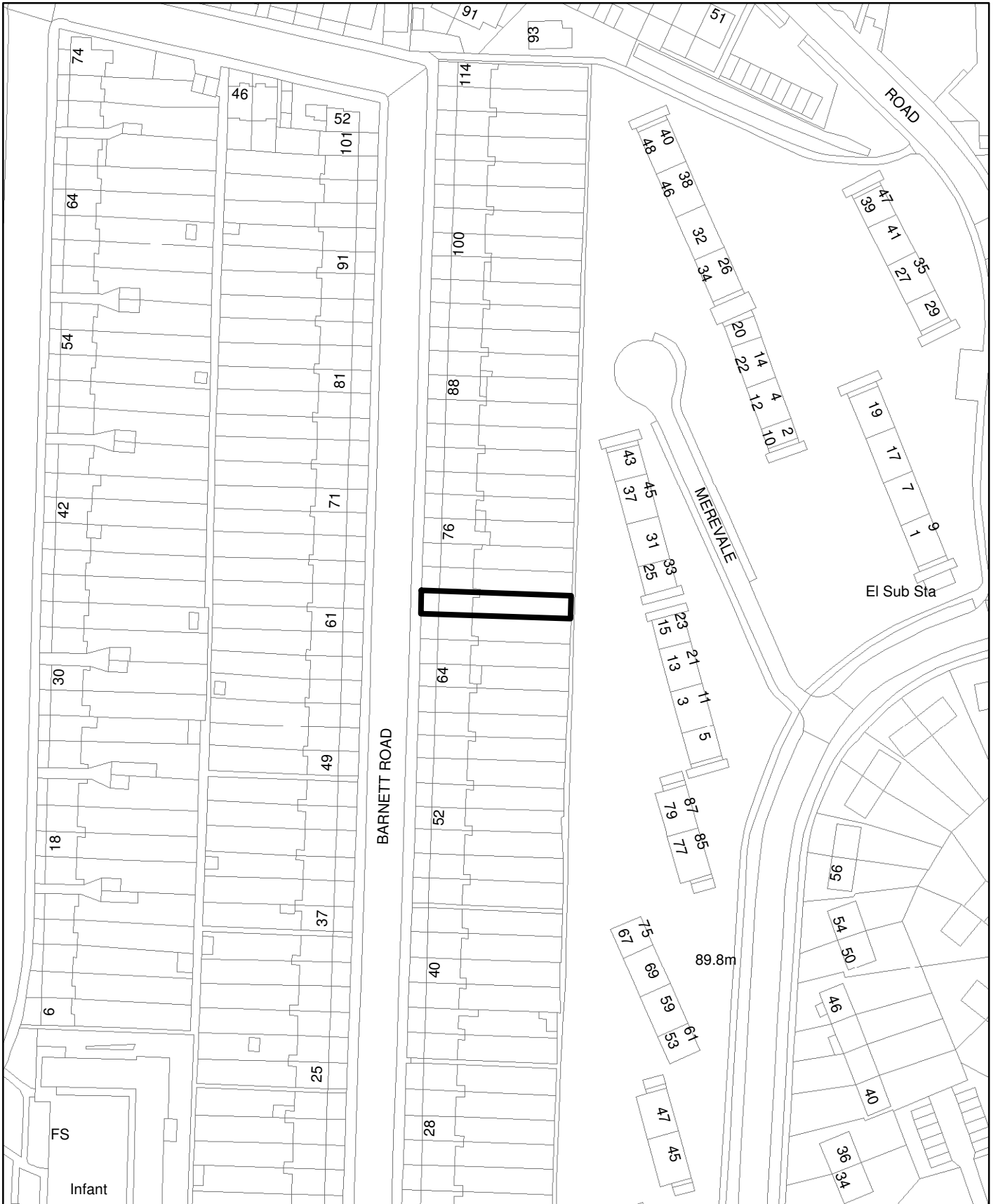
day of

ITEM A

**70 Barnett Road, Hove
BH2015/01562
Full Planning**

30 March 2016

BH2015/01562 70 Barnett Road, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/01562	<u>Ward:</u>	HOLLINGDEAN & STANMER
<u>App Type:</u>	Full Planning		
<u>Address:</u>	70 Barnett Road Brighton		
<u>Proposal:</u>	Change of use from four bedroom single dwelling (C3) into five bedroom small house in multiple occupation (C4).		
<u>Officer:</u>	Helen Hobbs, tel: 293335	<u>Valid Date:</u>	03 June 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	29 July 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Mr Lee Bolingbroke, 2 Withdean Close, Brighton BN1 5BN		

The application was deferred from the Committee Meetings held on 26th August 2015 and 17th February to allow for the investigation into the alleged unauthorised use of 55, 59 and 61 Barnett Road as an HMO. These investigations have taken place and the above properties are not in use as an HMO and are in use as a C3 dwelling house.

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is occupied by a two storey mid terrace dwelling house situated on eastern side of Barnett Road. The street is characterised by similar terrace properties arranged on a clear building line. The property is not Listed and it is not located in a Conservation Area.

3 RELEVANT HISTORY

- 3.1 **BH2009/01166** Certificate of Lawfulness for the proposed development of a loft conversion incorporating rear dormer. Approved 3/7/2009.

4 THE APPLICATION

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

5 PUBLICITY & CONSULTATIONS

External:

- 5.1 **Neighbours: Twenty six (26) letters** have been received from the occupiers of **47, 49, 51, 52, 55, 56, 57, 60, 61, 62, 63, 64 x2, 66 x2, 68 x2, 69, 71, 74 x2, 78 x3, 80 and 82 Barnett Road** and **an unspecified address** objecting to the application on the following grounds:
- The development is contrary to policy
 - There is a high number of existing HMO's in the area
 - Increase in parking
 - Loss of privacy
 - Increase in rubbish
 - Loss of character of the area
- 5.2 **Councillor Tracey Hill** objects. Copy of representation attached.

Internal:

- 5.3 **Transport:** The provision of an additional bedroom may result in increased demand for on street parking, it is not considered that this would amount to a severe impact upon the highway. No details of cycle parking have been provided. Two spaces would be required.

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 City Plan Part One (March 2016)
 - Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (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) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 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 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 City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP9 Sustainable Transport

CP21 Student Accommodation and Houses in Multiple Occupation

Brighton & Hove Local Plan:

TR14 Cycle access and parking

QD27 Protection of Amenity

Supplementary Planning Guidance:

SPGBH4 Parking Standards

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development; impact on neighbour amenity; and the impact on sustainable transport.

Principle of development:

- 8.2 Policy CP21(ii) of the City Plan Part One states that in order to support mixed and balanced communities and to ensure that a range of housing needs continue to be accommodated throughout the city, applications for the change of use to a Class C4 (Houses in Multiple Occupation) use or to a *Sui Generis* House in Multiple Occupation use (more than six people sharing) will not be permitted where:

- More than 10% of residences within a radius of 50 metres of the application site are already in use as Class C4, mixed C3/C4 or other types of HMO in a *Sui Generis* use.

- 8.3 There are 36 properties within a radius of 50 metres from the application site. Of these, three are in use as Houses in Multiple Occupation. This equates to 8.3%. As such the proposed change of use falls below the 10% threshold set out in policy CP21 and is considered acceptable in principle.

- 8.4 The letters of representation received from neighbours and Councillors are noted and have been taken fully into consideration. However, the evidence available to the Local Planning Authority demonstrates that within a radius of 50 metres from the application site the % of properties in HMO use is below the 10% threshold.

Impact on neighbour amenity:

- 8.5 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to

human health.

- 8.6 The change of use from a 4-bedroom house to a small 5-bed HMO under Use Class C4 (3 to 6 unrelated persons living together) would not, in view of the small number of other HMOs within a 50 metre radius of the site, give rise to an unacceptable impact on neighbour amenity.
- 8.7 Comments received by neighbours regarding noise, or other amenity issues such as extra litter are noted. Should noise, for example, become an issue in future, as with any residential properties including single dwellings, powers under Environmental Health legislation can be invoked to investigate cases of potential noise nuisance.

Sustainable Transport:

- 8.8 Policies TR1 and TR19 of the Local Plan require development to provide for the transport demand generated in accordance with the maximum car parking and minimum cycle parking standards set out in SPGBH4: Car Parking. Cycle parking should be secure, convenient to use, and sheltered, in line with policy TR14 of the Local Plan.
- 8.9 The Transport Officer has stated that although the provision of an additional bedroom may result in increased demand for on-street parking, it is not considered that this would amount to a severe impact upon the highway.
- 8.10 In line with SPGBH4 the development should provide a minimum of 1 off-street cycle parking space. The applicant has not submitted any details of cycle parking, but there is space in front of the property to provide it. As such it is considered appropriate to impose a condition requiring further details of cycle parking, which should ideally comprise a Sheffield stand so that both frame and wheels of bicycles can be secured.

9 CONCLUSION

- 9.1 The proposed change of use is acceptable in principle and would not have a significant adverse impact on neighbour amenity or highway network.

10 EQUALITIES

- 10.1 None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

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

Plan Type	Reference	Version	Date Received
Site Plan			3 rd June 2015
Existing layout	457/01		3 rd June 2015
Proposed layout	457/02		3 rd June 2015

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

11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The proposed change of use is acceptable in principle and would not have a significant adverse impact on neighbour amenity or highway network.



PLANNING COMMITTEE LIST
30 March 2016

COUNCILLOR REPRESENTATION

From: Tracey Hill
Sent: 02 July 2015 (updated 15 February 2016)
To: Helen Hobbs
Subject: RE: 70 Barnett Road BH2015/01562

Dear Helen

I would like to object to the planning application referenced above, for the conversion of 70 Barnett Road from a C3 to a C4 HMO.

There are already a number of HMOs in the immediate area. I'd like to draw attention to the fact that these are not necessarily on the HMO register. Number 51 was granted planning permission for conversion into an HMO recently. Number 58 is a registered HMO and number 53 is considered an HMO. It is possible that 55 is also an unregistered HMO.

Residents also suggested that 59 and 61 might be HMOs.

Please can I request that if the officer recommendation is to approve that this be referred to committee.

Kind regards,
Tracey Hill

Tracey Hill
Labour and Co-operative Councillor for Hollingdean and Stanmer ward
Deputy Chair of Housing & New Homes Committee
Lead Councillor for Private Rented Sector Housing
Brighton and Hove City Council

ITEM B

**14 Portland Villas, Hove
BH2015/04574
Full Planning**

30 March 2016

BH2015/04574 14 Portland Villas, Hove



Scale: 1:1,319

<u>No:</u>	BH2015/04574	<u>Ward:</u>	WISH
<u>App Type:</u>	Full Planning		
<u>Address:</u>	14 Portland Villas Hove		
<u>Proposal:</u>	Demolition of bungalow and erection of new detached house (C3) and outbuilding to rear garden.		
<u>Officer:</u>	Helen Hobbs Tel 293335	<u>Valid Date:</u>	19/01/2016
<u>Con Area:</u>	n/a	<u>Expiry Date:</u>	15 March 2016
<u>Listed Building Grade:</u>	n/a		
<u>Agent:</u>	Koru Architects, The Studio 15 Lloyd Close Hove BN3 6HY		
<u>Applicant:</u>	Mr and Mrs Emre, c/o Stone Republic Moonhill Farm Burgess Hill Road Haywards Heath RH17 5AH		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a detached bungalow on the west side of Portland Villas. The bungalow sits between two storey dwellings. Portland Villas varies in character, however the majority of properties are two storeys in height and incorporate traditional features such as gable features and bay windows.

3 RELEVANT HISTORY

BH2015/00279 Demolition of existing property and erection of new detached house. Refused 29/09/2015 for the following reason:

1. *The development, by reason of its design, scale and detailing, would result in an overly dominant and unsympathetic development that would detract significantly from the character and appearance of the site, the Portland Villas street scene and the wider surrounding area. The proposal would fail to emphasise and enhance the positive qualities of the local neighbourhood and is contrary to policies QD1, QD2, and QD3 of the Brighton and Hove Local Plan.*
2. *The development, by reason of its scale and bulk in close proximity to shared boundaries, would appear overbearing and result in a harmful loss of light and outlook, particularly for occupants of 12 Portland Villas. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.*

4 THE APPLICATION

- 4.1 The application seeks consent for the demolition of the existing bungalow and erection of a new detached dwelling. The dwelling would be two storeys in height, with additional accommodation in the roof space. The dwelling would provide 4no. bedrooms. The proposal also includes the erection of an outbuilding in the rear garden.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Nine (9)** letters of representation have been received from **3, 7 (x3), 9, 11 and 13 Glebe Villas, 16 Portland Villas and 73 Pembroke Crescent** objecting the application for the following reasons:

- Overlooking
- Out of keeping with character of area
- Loss of privacy
- Garden room would be out of character
- Roof materials would be out of character

- 5.2 **One (1)** letter of representation has been received from **12 Portland Villas** supporting the application on the grounds that the dwelling would be built to Passivhaus.

- 5.3 **Councillor Robert Nemeth** supports the application. Copy of representation attached.

Internal:

- 5.4 **Sustainable Transport:** Comment. The Highway Authority would not wish to restrict grant of consent for the above application subject to inclusion of the necessary conditions and informatives.

- 5.5 **Arboriculture:** Comment. Nothing of any arboricultural value will be lost to facilitate the development and therefore the Arboricultural Section has no objection to the proposal. The proposed Highway Crossover appears to be well located but should come no closer than 2.2m from the centre of the adjacent highway tree.

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 and Hove City Plan Part One (March 2016)
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (February 2013);

PLANNING COMMITTEE LIST – 30 MARCH 2016

- 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 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 City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable Buildings
CP9	Sustainable Transport
CP12	Urban Design
CP14	Housing Density
CP19	Housing Mix

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

WMP3d	Minimising and Managing Waste During Construction, Demolition and Excavation
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Brighton & Hove Local Plan:

TR7	Safe development
TR14	Cycle access and parking
SU11	Polluted land and buildings
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance:

SPGBH4	Parking Standards
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Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the new dwelling on the appearance of the street scene, its impact on the amenities of adjacent occupiers, and transport and sustainability issues.
- 8.2 The City Plan Part 1 Inspector's Report was received February 2016. This supports a housing provision target of 13,200 new homes for the city to 2030. It is against this housing requirement that the five year housing land supply position will be assessed once the Plan is adopted. The City Plan Inspector indicates support for the council's approach to assessing the 5 year housing land supply and has found the Plan sound in this respect. The five year housing land supply position will be updated on an annual basis.

History of the Site

- 8.3 The site has had a previously refused application for the demolition of the existing bungalow and replacement with a two storey dwelling (BH2015/00279). An appeal has been lodged and a decision is currently awaited. The previous application was refused on two grounds relating to the design and impact on neighbouring amenity (full reasons for refusal set out above). The key differences between the refused scheme and this current application are as follows;

- The dwelling has been relocated 0.5m further to the north.
- The front dormer had been removed, and replaced with a three storey gable feature.
- The fenestration on the front elevation has been reconfigured.
- A front first floor balcony is now proposed, in place of the previously proposed Juliet balconies.
- A front second floor balcony is proposed with the gable,
- The upper floors of the dwelling have been reduced at the rear. The second storey would have a depth of 11.2m (as previously proposed it was 13.9m).
- A three storey rear outrigger with a depth of 3.6 would be added to the north side, replacing the previously proposed rear dormer.
- A ground floor extension with a maximum depth of 7.4m would be included. The footprint of the ground floor addition would wrap around the rear outrigger.
- A first floor balcony would replace the previously proposed Juliet balcony.
- A rear third floor balcony is proposed within the gable.

Design:

- 8.4 The existing bungalow sits between two storey semi-detached dwellings and is set on a wide plot. City Plan policies CP12 and CP14 require new development to be of a high standard of design that would make a positive contribution to the surrounding area and that emphasises and enhances the positive characteristics of the local neighbourhood. CP14 of the City Plan requires residential development should to be of a

density that is appropriate to the identified positive character of the neighbourhood and be determined on a case by case basis.

- 8.5 Planning permission is sought for the construction of a two storey dwelling. The dwelling would be built on the established building line of Portland Villas. It would be of modern design incorporating large areas of glazing on the front and rear. The dwelling would appear as three storeys in height due to the projecting gable features at front and rear. The materials would include a zinc roof, aluminium windows and rendered facades. It is considered that in the context of the street scene, a modern two storey dwelling, if well designed and appropriately scaled, would not be detrimental to the prevailing character of the street scene
- 8.6 There are though significant design concerns relating to the scale, design and detailing of the proposed replacement dwelling. The proposed dwelling would appear as three storeys in height due to the extension of the ridgeline and the three storey front gable feature. The gable feature, in itself is uncharacteristic of the immediate area and fails to respect the character of the surrounding area. The height, width and eaves line of the gable result in this feature appearing overly dominant and incongruous. This is exacerbated by the level of glazing which includes a glazed door and sidelights within the roof level and almost floor to ceiling height windows at first and ground. Where gable features are evident on surrounding properties, they remain modest, subservient features, where only the small pitched roofs protrude above the main eaves of the properties.
- 8.7 To the rear, whilst the bulk has been reduced from the previous scheme, the first floor level would still project beyond the prominent rear building line of the adjoining properties, with the exceptions of nos. 16 and 18. Furthermore, it is now proposed to extend the ground floor with an addition that would wrap around the rear outrigger. The ground floor extension would have the appearance of a later addition, rather than incorporated in the overall design of the dwelling. This addition, due to its roof form, excessive footprint and design, would fail to respect the main dwelling and would have a significantly overextended and disjointed appearance. The proposed three storey rear gable, would also have an overextended appearance, due to its height, width and large areas of glazing. The resulting building would create a sense of bulk which is not repeated elsewhere along Portland Villas and which would appear unduly dominant, out of scale with adjoining development and would form an overdevelopment of the plot.
- 8.8 In terms of the detailing of the dwelling, the full height glazing at ground and first floors would fail to reflect the characteristics of the adjoining properties, where fenestration reduces in scale at upper floor levels and where roof extensions are limited to modest projecting gables associated with bay windows. The window design and pattern and the upper floor balconies would give the building a greater perceived height than adjoining development. This would be extenuated by the design, size

and height of the front gable, which is not a characteristic features of the street and which would appear an incongruous addition to both the building and wider street scene. Balconies on the front elevations are not common features found in the nearby vicinity of the site and due to their size and positioning, would form highly noticeable inappropriate features in the street scene.

- 8.9 The proposed materials, particularly the zinc roof, would not reflect existing development in the area and, coupled with the design concerns outlined above, would create a contrast with adjoining properties which would harm the visual amenities of the area.
- 8.10 Overall, it is considered that the current scheme has failed to satisfactorily address the previous reasons for refusal and by reason of the design and scale of the dwelling, the proposal would harm the existing character and appearance of the Portland Villas street scene and the surrounding area.
- 8.11 The proposal also includes a detached outbuilding. It would measure 6m by 3.5m, with a roof canopy at the front extending a further 1m. Whilst the outbuilding would have a large footprint, given its siting at the rear of the garden and the size of the plot, it would not be highly visible and therefore this part of the proposal is not considered to cause any significant harm to the character and appearance of the surrounding area.

Impact on Amenity:

- 8.12 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.13 The rear of No. 16 Portland would extend further to the rear than the building line of the proposed dwelling. It is therefore considered that there would be limited impact in terms of loss of light and outlook on this property. The side elevation of no. 16, facing the application site, has a number of openings. Whilst it is acknowledged that the additional height and depth of the proposed dwelling could have a harmful impact on these windows, they appear to be secondary openings and therefore any harm caused would not be significant.
- 8.14 The rear of No. 12 has a more traditional appearance with a deep two storey outrigger projecting from the main part of the building. The rear of the proposed dwelling has been reduced and the building has been repositioned 0.5m to the north, further away from No. 12. Given that the bulk above the eaves level has been reduced and the footprint reduced, any impact on this neighbouring property would no longer be significant enough to warrant refusal. Any bulk from the ground floor extension

would be screened by the boundary wall and the existing lean to extension at no. 12 that is adjacent to the boundary.

- 8.15 There is inevitably a degree of mutual overlooking from window openings at upper floor levels in this suburban area. However the proposed balconies at first and second floors cause significant concern in terms of loss of privacy and overlooking. The previous scheme included one inset balcony, which would have had screening to the sides from the roofslope. No objections on amenity grounds were raised in the previous application. The proposed balconies, in the current scheme are considered to cause significant harm due to their positioning, raised positioning and close proximity to neighbouring properties, resulting in a significant loss of privacy and overlooking to adjoining properties.
- 8.16 The proposed outbuilding, would have a height of 3m. It would be visible from neighbouring properties, however would be sited adjacent to the boundary shared with no. 16. This boundary would screen the majority of the outbuilding as would the rear boundary fence. There is sufficient distance separating the outbuilding and no. 12, where the boundary wall is significantly lower. No significant impact would occur from this part of the proposal.

Standard of Accommodation:

- 8.17 Policy HO5 requires suitable external amenity space to be provided for new residential development. The proposed garden for the dwelling is considered acceptable and would meet the requirements for a family dwellinghouse.
- 8.18 The layout and location of all habitable rooms are considered acceptable and would provide a good standard of accommodation, with good levels of natural light, outlook and ventilation.

Sustainable Transport:

- 8.19 The proposed dwelling would replace an existing residential dwelling and therefore the proposals would not significantly increase trip generation above existing levels. The applicant is providing a cycle store to the front of the property which is deemed acceptable; its implementation would be secured by condition if the application were acceptable in principle.
- 8.20 The applicant appears to be proposing a new vehicular access and 1 car parking space (as per the application form). While the Highway Authority has no objections in principle to the provision of on-site car parking or a new vehicle crossover further details would be required if the application were to be approved. These details could be secured by condition if the proposal were acceptable in all other respects.

Sustainability

- 8.21 Policy CP8 of the City Plan Part One require new development to demonstrate a high level of efficiency in the use of water and energy. Policy CP8 requires new development to achieve 19% above Part L for energy efficiency, and to

meet the optional standard for water consumption. This could be secured by condition if the proposal were acceptable in all other respects.

Arboriculture

- 8.22 Nothing of any arboricultural value will be lost to facilitate the development and therefore the Arboricultural Section has no objection to the proposal. The proposed Highway Crossover appears to be well located but should come no closer than 2.2m from the centre of the adjacent highway tree.

9 CONCLUSION

- 9.1 The benefits of the additional housing proposed is outweighed by the resulting harm. The design, scale, detailing and roof materials, would result in an overly dominant and unsympathetic development that would detract significantly from the character and appearance of the site, the Portland Villas street scene and the wider surrounding area. Furthermore the development would result in a loss of privacy and overlooking, to the detriment of the amenity of adjoining properties.

10 EQUALITIES

- 10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The development, by reason of its design, scale, detailing and roof materials, would result in an overly dominant and unsympathetic development that would detract significantly from the character and appearance of the site, the Portland Villas street scene and the wider surrounding area. The proposal would fail to emphasise and enhance the positive qualities of the local neighbourhood and is contrary to policy CP12 of the Brighton and Hove City Plan Part One.
2. The proposed rear balconies, due their size, elevated position and close proximity to neighbouring properties would result unacceptable loss of privacy and overlooking, as well as causing a potential noise disturbance. The proposal would therefore be to the detriment of the amenity of neighbouring properties and would be contrary to policy QD27 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

PLANNING COMMITTEE LIST – 30 MARCH 2016

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

Plan Type	Reference	Version	Date Received
Site location plan and block plan	1115B01	C	18 th December 2015
Existing floor plan	1115B 02	B	18 th December 2015
Existing east and south elevations	115B03	B	18 th December 2015
Existing west and north elevations	1115B04	B	18 th December 2015
Proposed ground floor plan	1115B10	D	18 th December 2015
Proposed first floor plan	1115B11	D	18 th December 2015
Proposed second floor plan	1115B12	E	18 th December 2015
Proposed section A-A	1115B13	D	18 th December 2015
Proposed east and west elevations	1115B14	C	12 th January 2016
Proposed south and north elevations	1115B15	C	12 th January 2016
Proposed roof plan	1115B16	C	12 th January 2016
Proposed home office	1115B17	A	15 th January 2016



PLANNING COMMITTEE LIST
30 March 2016

COUNCILLOR REPRESENTATION

From: Robert Nemeth
Sent: 27 January 2016 11:53 PM
To: Planning Applications
Subject: BH2015/04574

Dear Sirs

I strongly support this application and would like it to go to Committee in the event that the Case Officer (not yet assigned presumably) is minded to refuse.

I can confirm that the applicants have discussed the case with neighbours and have taken on previous concerns that were raised. Each of the previous issues that was brought up – the balcony, the height at the rear/side, the front elevation, etc – has been addressed. I urge the Officer to point out to the applicants in advance any problems that might arise.

Please confirm that this has been received safely.

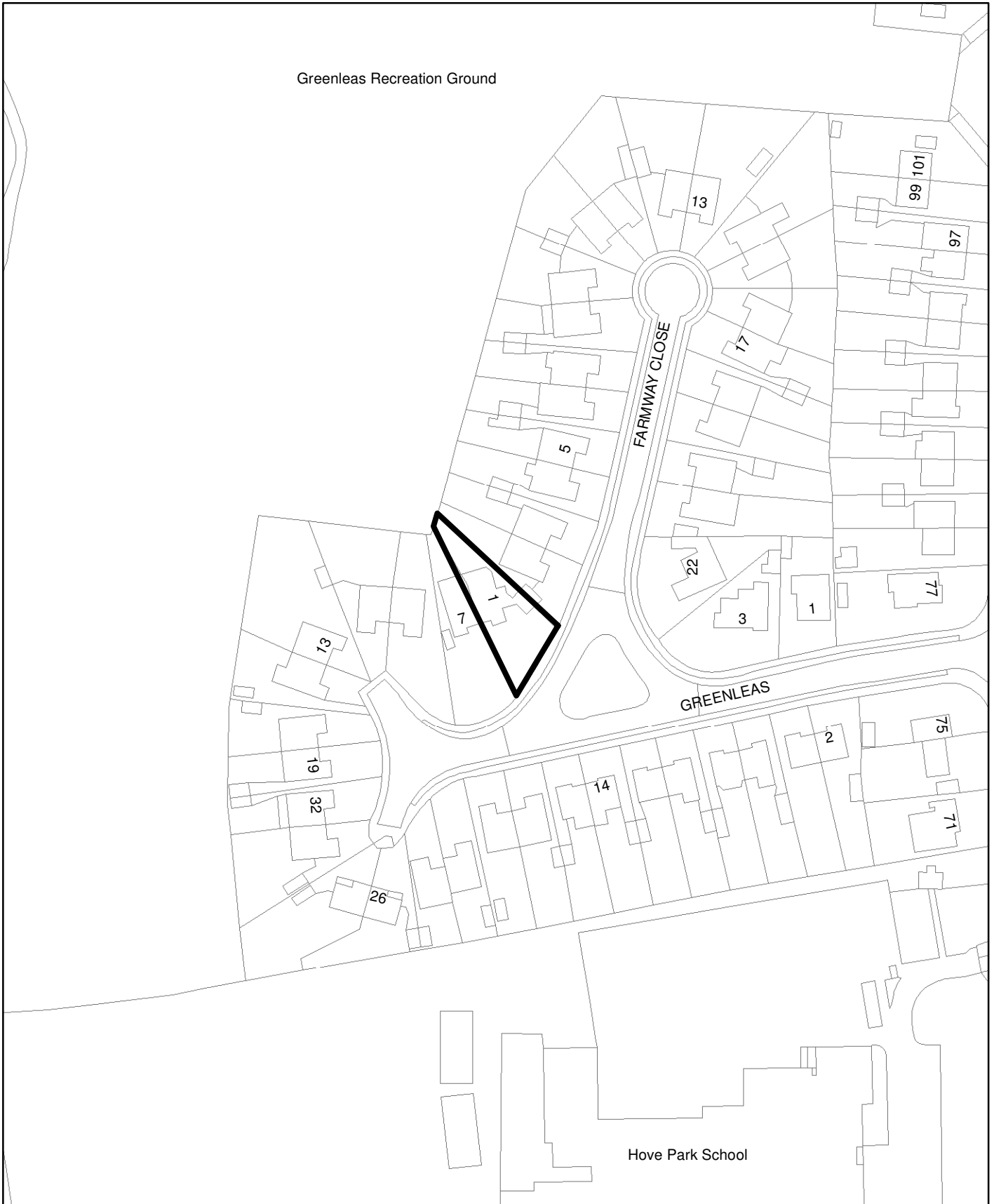
With best wishes

**Cllr Robert Nemeth - Wish Ward
Brighton & Hove City Council**

ITEM C

**1 Farmway Close, Hove
BH2015/03872
Householder Planning Consent**

30 March 2016



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/03872	<u>Ward:</u>	HANGLETON & KNOLL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	1 Farmway Close Hove		
<u>Proposal:</u>	Demolition of existing garage and erection of single storey side extension.		
<u>Officer:</u>	Justine Latemore Tel 292138	<u>Valid Date:</u>	27/10/2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	22 December 2015
<u>Listed Building Grade:</u> N/A			
<u>Agent:</u>	Tony Rogers Building Consultants, 40 Dawn Crescent Upper Beeding West Sussex BN44 3WH		
<u>Applicant:</u>	Mr A Magryous, 1 Farmway Close Hove BN3 8AE		

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 is situated within the residential cul-de-sac of Farmway Close, characterised by semi-detached dwellings with hipped roofs and side garage extensions.
- 2.2 To the side elevation the application site has an existing angled flat roofed garage extension adjoined to the host property by a parapet wall façade and rendered exterior. The garage currently adjoins to the neighbouring garage at no. 2 Farmway Close. Additionally, the site has a loft conversion in the form of a hip to gable roof extension, rear dormer structure and front rooflights.

3 RELEVANT HISTORY

BH2012/01267 - Certificate of lawfulness for a proposed loft conversion incorporating hip to gable roof extension and rear dormer with rooflights to front elevation. Approved 26/06/2012.

4 THE APPLICATION

- 4.1 The application seeks permission to demolish the existing garage and erect a single storey side extension.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Two (2)** letters of representation have been received from **2 Farmway Close** objecting to the application for the following reasons:

- Demolishing the structure will affect the stability of the adjoining garage at no.2 and allow water ingress.
- The proposed development in conjunction with existing extensions will add to the significant overdevelopment of the property.
- The extension of the bungalow will create potential increased car parking demands by current and future residents.

5.2 **Councillor Dawn Barnett:** Objects to the proposal, copy of representation attached.

Internal:

5.3 **Transport Planning:** Support The proposal will remove car parking space associated with the existing garage. However the existing driveway would be retained providing the maximum level of parking permitted by SPG04. It is not considered this would generate significant levels of displaced parking or a negative impact upon the surrounding highway as a result of the proposal.

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 City Plan Part One (March 2016)
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (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 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 City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP12 Urban Design

Brighton & Hove Local Plan:

QD14 Extensions and alterations
QD27 Protection of Amenity

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the design and appearance of the development, the impact of the development on the residential amenity of neighbouring properties and parking provision.

Design

8.2 Policy CP12 of the Brighton & Hove City Plan relates to urban design and the quality of new developments. It confirms that all new development is expected to raise the standard of architecture and design in the city in addition to establishing a strong sense of place by respecting the diverse character and urban grain of the city's identified neighbourhoods, looking in particular at general layout, pattern and footprint of development.

8.3 Local Plan policy QD14 seeks to ensure that extensions are well designed, sited and detailed in relation to the property, adjoining properties and the surrounding area, use sympathetic materials and take account of space around buildings and the character of the area.

8.4 The proposal will replace the existing flat roofed garage, which is at a higher level than the original house, and the link porch to the side of the property. The garage and porch are finished with painted render and do not match the original brick and tile finish of the original house. These parts of the property proposed to be removed form a visually incongruous addition to the property.

8.5 The original house has been recently extended by the construction of a hip to gable extension at roof level, the construction of a full width rear dormer and the installation of front rooflights. However, these alterations have incorporated matching external materials.

8.6 The proposed extension would incorporate a new front door and hall and an additional bedroom and shower room. It would be constructed at a lower level than the existing garage to align with the ground floor level of the existing house. The extension would be finished with brick and tile elevations to match the original house and would have a flat top hipped roof. The proposed extension would be located forward of the plane of the main roof of the building and its roof would run into the gable roof of the existing front ground floor projection. However, this is considered to be acceptable in this instance

because the proposals would result in an improvement to the visual appearance of the property through the removal of the incongruous garage and porch and the introduction of a gap with No. 2 Farmway Close. In addition, the proposed extension would be sympathetic with the other extensions recently undertaken to the property.

- 8.7 The proposals are considered to be acceptable in terms of its impact on the application property and the street scene.

Impact on Amenity

- 8.8 Local Plan policy QD27 states that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

- 8.9 The existing garage adjoins the garage with the adjoining property, No. 2 Farmway Close. The proposed extension would be excavated down at a lower level and positioned away from the boundary with No. 2. The proposed extension would not have side facing windows and would have a hipped roof, the eaves of which would be approximately 1m lower than the roof of the existing garage. For these reasons, it is not considered that the proposed extension would adversely impact on the amenities of the occupiers of the adjoining property, No. 2 Farmway Close.

Parking

- 8.10 The Highways Team have raised no objection to the removal of the garage as parking spaces within the maximum set out in SPG04 would be provided on the driveway. The proposal would not generate significant levels of displaced parking or a negative impact upon the surrounding highway.

9 CONCLUSION

- 9.1 The development is of an acceptable design, and would not be detrimental to the host property or the street scene. There would be no adverse impact on residential amenity of neighbouring occupiers. Adequate parking would be provided.

10 EQUALITIES

None identified.

11 CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

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

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

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

PLANNING COMMITTEE LIST – 30 MARCH 2016

Plan Type	Reference	Version	Date Received
SITE LOCATION PLAN	-		26 Oct 2015
BLOCK PLAN	-		26 Oct 2015
EXISTING FLOOR PLANS & ELEVATIONS	12/729/01		26 Oct 2015
PROPOSED FLOOR PLAN, ROOF PLAN & ELEVATIONS	12/729/02		26 Oct 2015

- 3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policy QD14 of the Brighton & Hove Local Plan.

11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents: (Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The development is of an acceptable design, and would not be detrimental to the host property or the street scene. There would be no adverse impact on residential amenity of neighbouring occupiers. Adequate parking would be provided.

Jeanette Walsh – Head of Development Control
Brighton & Hove City Council
King's House

16th November 2015

Dear Jeanette,

1 Farmway Close Hove - BH2015/03872

I am writing on behalf of residents of Greenleas to register a formal objection to planning application **BH2015/03872** – Householder Planning Consent – Demolition of existing garage and erection of single storey side extension.

In summary, I do not believe that the proposed extension is appropriate to, nor fits in with, the local area, both in size and design. I also believe that it would lead to a loss of privacy for adjoining residents.

1 Farmway Close started off as a modest 2 bedroom bungalow, just like all the other buildings in this Close and, indeed, many in neighbouring Greenleas.

Back in 2012 the bungalow was extended through a loft conversion incorporating a hip to gable roof extension and a rear dormer with rooflights at the front. This loft conversion added two bedrooms making it four in total.

This further single storey side extension will make it a five bedroom property. In my view this is a serious overdevelopment of the site in the context of the other properties in the area.

The bungalows in this part of Hangleton are a precious and popular resource, particularly as a housing option for older people, and so our planning system should seek to preserve and protect them wherever possible.

For the reasons stated above, I would ask that this application is rejected under your delegated powers. However, if you are minded to grant planning permission then I formally request that the application is brought before the Planning Committee for decision.

Yours sincerely



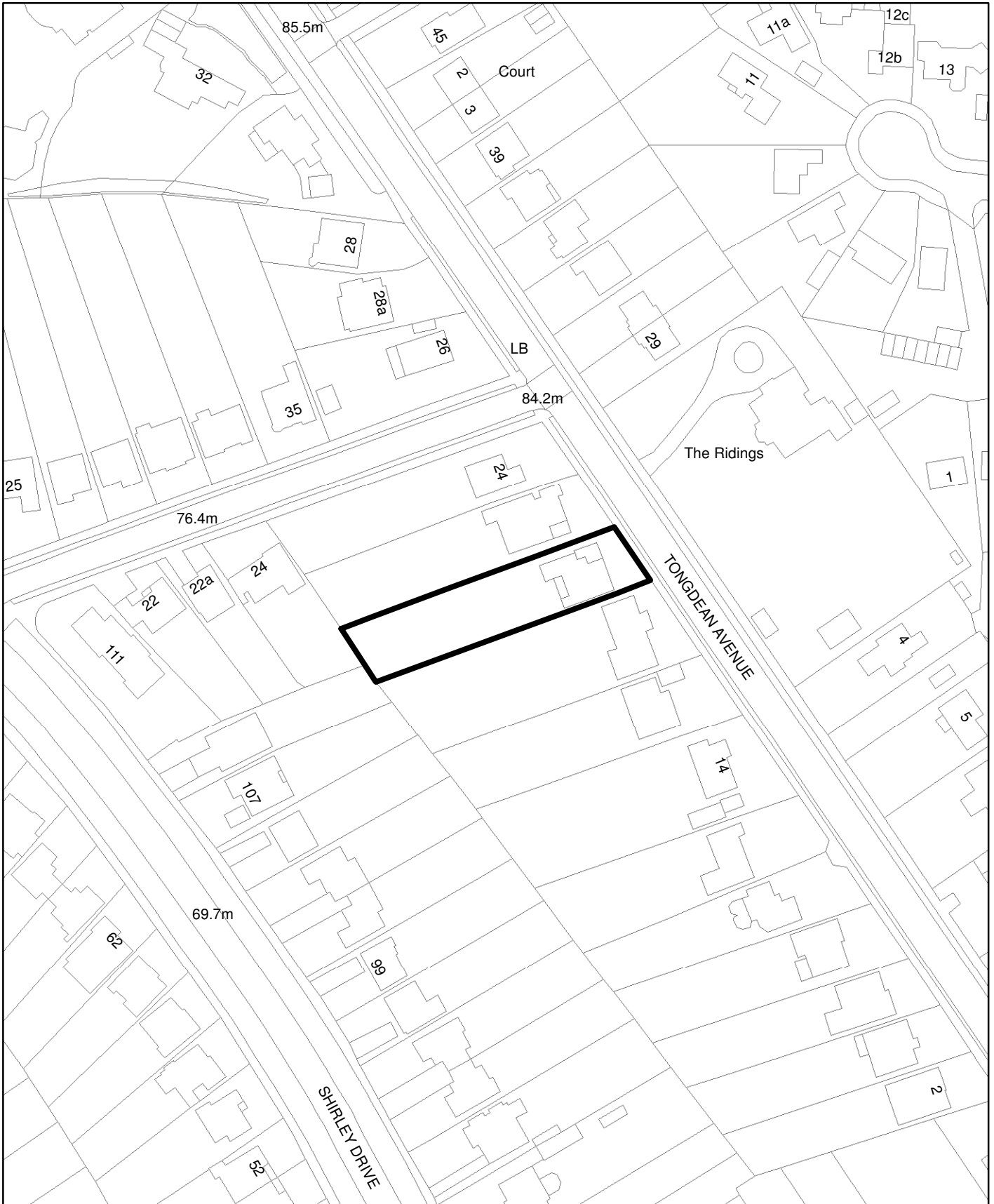
Cllr. Dawn Barnett

ITEM D

**20 Tongdean Avenue, Hove
BH2015/04563
Full Planning**

30 March 2016

BH2015/04563 20 Tongdean Avenue, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/04563	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	20 Tongdean Avenue Hove		
<u>Proposal:</u>	Demolition of existing house (C3) and erection of 1no five bedroom house (C3).		
<u>Officer:</u>	Emily Stanbridge Tel 292359	<u>Valid Date:</u>	17/12/2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	11 February 2016
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Morgan Carn Partnership, Blakers House 79 Stanford Avenue Brighton BN1 6FA		
<u>Applicant:</u>	Mr & Mrs Coleman, 20 Tongdean Avenue Hove BN3 6TL		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

2.1 This application relates to a detached property situated on the south western side of Tongdean Avenue which is residential in character. The existing property features a pitched roof with a two storey front gable extension. In addition the property features a dormer on the roof slope facing No. 18 Tongdean Avenue.

2.2 Tongdean Avenue is characterised by dwelling houses of varying design, form and detailing set within large plots.

3 RELEVANT HISTORY

BH2015/02056 Demolition of existing house (C3) and erection of 1no 5 bedroom house (C3). Refused July 2015 for the following reasons:

1. *The proposed development by virtue of its bulk form and massing, over three storeys rising close to neighbouring boundaries and extending to the rear of the site, would be visually intrusive. The proposal represents an overdevelopment of the site which would visually dominate the neighbouring properties and harm the spacious garden character at the rear of the site. The development would therefore be contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.*

2. *The proposed development, by reason of its bulk form and massing, over three storeys rising close to neighbouring boundaries and extending to the rear of the site would be overbearing and un-neighbourly, giving rise to a significant increased sense of enclosure to neighbouring occupiers. Furthermore the development would result in elevated and expansive views in to neighbouring gardens resulting in overlooking and a harmful loss of privacy for occupants of adjoining properties. The development would therefore be contrary to policy QD27 of the Brighton & Hove Local Plan*

BH2004/00778/FP New house to replace existing house Withdrawn July 2004.

BH2004/03397/CL Certificate of Lawfulness for proposed summer house building at rear of garden – Approved December 2014.

BH2004/03308/FP Extensions to first floor and rear ground floor, including new front and side dormers. Refused December 2004.

4 THE APPLICATION

Planning permission is sought for the demolition of the existing house and the erection of a new five bedroom dwelling.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Three (3)** letters of representation have been received from **16, 18 and 22 Tongdean Avenue** objecting the application for the following reasons:

- Overdevelopment of the site
- The proposed dwelling sits further forward than that existing, increasing its prominence in the street scene
- Increased bulk
- The proximity of the proposed dwelling to both neighbouring properties
- Overbearing impact
- The flat roof design adds to the level of bulk
- The property is visually intrusive to the immediate neighbouring properties
- Increased levels of overlooking
- Loss of light
- The development does not overcome the previous reasons for refusal

- 5.2 **Three (3)** letters of representation have been received from **9, 42 and 46 Tongdean Avenue** supporting the application for the following reasons:

- The proposed dwelling enhances the neighbourhood
- The proposed dwelling overcomes the previous reasons for refusal

- 5.3 **Councillor Vanessa Brown:** Supports the application. A copy of her comments is attached.

Internal:

- 5.4 **Sustainable Transport:** No Objection. Given that the proposed dwelling replaces an existing house and there will be a net increase of only two bedrooms, it is not considered that the proposals will result in a significant uplift in trips. A large cycle store is provided at basement level with a lift provided, whilst vehicle access will remain as existing. If the development is considered acceptable, the development shall not be occupied until the cycle parking facilities shown on the plans has been fully implemented and made available for use

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 City Plan Part One (March 2016)
 - Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (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 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 City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable Buildings
CP9	Sustainable Transport
CP12	Urban Design
CP14	Housing Density

Brighton & Hove Local Plan:

TR7	Safe development
TR14	Cycle access and parking
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HO13	Accessible housing and lifetime homes

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

WMP3d	Minimising and Managing Waste During Construction, Demolition and Excavation
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Supplementary Planning Guidance:

SPGBH4	Parking Standards
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Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The proposal is to redevelop the site by demolishing the existing house and forming a new detached dwelling in its place. As such the main considerations in the determination of this application relate to the design and appearance of the works and the impact on the character and appearance of the area, the impact of the development on the residential amenity of neighbouring properties, the standard of accommodation and sustainability and transport and highway considerations.

Design Impact

- 8.2 Policy CP12 of the Brighton & Hove City Plan relates to urban design and the quality of new developments. It confirms that all new development is expected to raise the standard of architecture and design in the city in addition to establishing a strong sense of place by respecting the diverse character and urban grain of the city's identified neighbourhoods.
- 8.3 In regard to visual impact the policies of the NPPF seek to secure a high standard of design, which also prevails throughout the policies of the Brighton & Hove City Plan Part One. The design and layout of new development should be informed by the local pattern of development. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are all likely to be significant factors when redeveloping sites within existing residential areas.
- 8.4 The design approach along the Tongdean Avenue street scene is varied. The proposed design approach takes some lead from art-deco, which is not considered common place in this area of Hove. The new dwelling incorporates white render, grey windows and a flat roof, providing a contrast to the existing

neighbouring properties, particularly No. 22 Tongdean Avenue which has dark brick and a prominent sloping roof.

- 8.5 There are a number of examples in the near vicinity of modern form and materials working well and as such, given the strong design of the proposed new dwelling, it is considered that the principle of re-developing in the manner proposed is acceptable.
- 8.6 It is considered that the height of the development when viewed from the road is broadly acceptable. Following the recent refusal of application BH2015/02056, the proposed ridge height of the new dwelling has been reduced so that it sits in line with the ridge height of No. 22 and lower than the existing ridge height of No. 18. The proposed ridge line now measures approximately 0.3m above that of the existing property.
- 8.7 Both immediate neighbouring properties have sloping roofs and as a result the height of the first floor eaves of the new dwelling measure higher than those of the neighbouring properties. However the previous officers report in respect of application BH2015/02056 states: *'Whilst it would be preferable to have more visual relief between the proposed development and no.18 Tongdean Avenue when viewed from the front, it is not considered that the relationship as proposed would cause substantial harm to street scene, on balance this relationship is considered acceptable.'*
- 8.8 Whilst the character of the area is for two storey houses, the top floor of the new dwelling would appear subservient when viewed from the street scene and as such is acceptable.
- 8.9 In order to overcome the previous reasons for refusal the proposed new dwelling has been brought further forward within the plot so that the proposed building line of the front projection towards No.18 measures 2m at its furthest point. The building line proposed towards No.22 measures approximately 1.4m behind the existing building line. Whilst the dwelling has been brought approximately 3m further forward within the plot than the previous scheme, it is considered that the staggered line which exists between 18, 20 and 22 Tongdean Avenue is maintained.
- 8.10 Terraces are proposed to the front elevation, similar to those submitted under the previous scheme. The previous officer report in respect of application BH2015/02056 states: *'Terraces are proposed for the front of the property which are not characteristic of the area, but are not considered to be harmful to the appearance of the new building or the street scene.'*
- 8.11 Overall it is considered that whilst the development makes a prominent statement on the street scene, the overall design approach when viewed from the front elevation is acceptable.
- 8.12 The proposed new dwelling is dug down and takes advantage of the topography on site. As a result the new development would present a three storey detached house on the rear part of the flank elevations and when viewed directly from the

rear. Whilst it is acknowledged that the rear elevation is not visible from public vantage points, it will be visible from parts of neighbouring houses and gardens.

- 8.13 The levels of the land on site are such that the first floor level is split, with the rear element, incorporating the study and master bedroom, being accessed via 5 steps, resulting in the appearance of an additional storey to the rear elevation.
- 8.14 Whilst it is acknowledged that revisions have been made to the previously refused scheme, in order to reduce the bulk of the proposed new dwelling, it is not considered that these modifications substantially overcome the previous reason for refusal.
- 8.15 The property is now situated further north-east within the plot, towards the street scene. As a result the accommodation at first floor level is now sited approximately 2m further towards the north-east. However the first floor accommodation largely has a similar appearance as the previous application when viewed from the neighbouring properties. Under the previous application the rear first floor accommodation measured 4.7m in depth; this has now been reduced to 4.1m. This reduction in depth of 0.6m is not considered to significantly reduce the visual bulk to the side elevations of the property and still maintains a prominent appearance.
- 8.16 As existing the property features a sloping roof, it is considered that the additional bulk at upper floor level, in combination with the flat roof design results in increased massing relative to the existing property.
- 8.17 The previous officer report in relation to application BH2015/02056 states: *'Whilst there is no objection to a new property with second floor accommodation, it is the fact that this element of the design would occupy much of the width of the property which makes this element so dominating.'*
- 8.18 The width of the accommodation proposed at second floor level when viewed from the rear has not been substantially reduced. It is noted from the plans that the landing and study area shown on the proposed first floor layout have been set back from the rear elevation, creating a stepped back appearance. However when viewed directly from the rear of the property, these elements occupy much of the width of the proposed dwelling, resulting in a dominant appearance which does not appear subservient to the floors below. This dominance is further exacerbated through the large areas of glazing proposed.
- 8.19 As a result the rear elevation of the property is not considered to respect the character of the area therefore this element of the design is not in accordance with policy CP12 of the Brighton & Hove City Plan Part One.

Impact on Amenity

- 8.20 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

- 8.21 The proposal represents a significant increase in the scale of the development from the existing 2 storey house. As a result it is the two dwellings either side of the application site which would be most affected by the development. A number of residents have made representation on the application, concerned about the scale of the development, loss of light and loss of privacy.
- 8.22 In regard to the bulk, form and massing of the new property, the principal concern is that the property would project to the rear of the site over three storeys.
- 8.23 The proposed new dwelling projects to a similar distance as the existing house towards the boundary with No. 18 Tongdean Avenue. The proposed new dwelling, excluding the Brise Soleil, would extend 8.5m beyond the rear wall of No. 18 Tongdean Avenue. Whilst it is noted that the depth of the extension has been reduced, it is not considered that this overcomes the previous reason for refusal and still represents an un-neighbourly design which results in an overbearing impact and increased sense of enclosure to the occupiers of No. 18 Tongdean Avenue. This relationship would be dominating when viewed from the rear of no.18 Tongdean Avenue and the garden spaces of this property.
- 8.24 The proposed new dwelling does not extend further to the rear than the rear building line of No. 22. The proposed dwelling has been positioned further forward within its plot towards the street scene. As a result the rear elevation of 20 Tongdean Avenue would measure approximately 3.3m forward to the rear elevation of No. 22. It is therefore not considered that the property would result in significant overbearing impact to the occupiers of this property.
- 8.25 The occupiers of this property have raised a concern over the potential for loss of light. The new development would affect light currently received from two small windows in the side elevation of no.22 which serve the living room. However given that the living room is served by windows in the rear of the house and these side windows would be considered secondary, it is not considered that loss of light to this room would be a justifiable reason for withholding consent.
- 8.26 The proposed new dwelling features terraces at ground and first floor level to the rear elevation of the property. The impacts of the terraces have clearly been given thought as screening is proposed for the side elevation of these features. The proposed ground floor terrace is of a similar height to the existing raised terrace to the garden of 20 Tongdean Avenue. Given the position of the terrace below in combination with the existing boundary treatment towards the boundary of No. 22 it is considered that only oblique views would be had of this neighbouring property and its garden.
- 8.27 In addition a small terrace is proposed to the master bedroom to the rear of this property. The depth of the balcony proposed is of a size which would limit the placement of furniture. Whilst screening is proposed to both sides of the terrace as a measure to reduce views into the habitable rooms of neighbouring properties, the terrace proposed allows for extensive views of neighbouring

garden areas which is considered unneighbourly. It is acknowledged that the existing property has a large first floor balcony, located centrally on the house, positioned away from the adjoining boundaries. It is noted that the existing balcony does provide some views of the neighbouring gardens, however the arrangement proposed is considered to worsen the existing situation.

- 8.28 The glazing to the side elevations of the upper floor levels is to be obscure glass which would prevent overlooking and loss of privacy to the neighbouring properties. However there is a significant level of glazing to the rear elevation at first floor level which allows for increased level of perceived overlooking which forms an un-neighbourly design.

Standard of Accommodation and Sustainability

- 8.29 The proposal would provide generous accommodation throughout, compliant with lifetime homes standards and policy HO13. Policy HO13 requires all new residential dwellings to be built to Lifetime Homes standards whereby they can be adapted to meet people with disabilities without major structural alterations. The requirement to meet Lifetime Homes has now been superseded by the accessibility and wheelchair housing standards within the national Optional Technical Standards. Step-free access to the dwelling is achievable therefore in the event permission is granted conditions can be attached to ensure the development complies with Requirement M4(2) of the optional requirements in Part M of the Building Regulations.
- 8.30 Windows are proposed to each habitable room which enable sufficient levels of Natural light and ventilation. Therefore the proposal accords with Policy QD27 in this regard.
- 8.31 Policy CP8 seeks to ensure that development proposals are efficient in the use of energy and water. If the application were otherwise acceptable an appropriate condition would be attached to secure this.

Sustainable Transport team

- 8.32 The proposal includes off-street car parking and cycle parking. A large cycle store is provided at basement level with lift provided whilst vehicle access will remain as existing.
- 8.33 The Sustainable Transport Team have not raised an objection to the proposal. Given that the proposed dwelling replaces an existing house and there will be a net increase of only two bedrooms, it is not considered that the proposals will result in a significant uplift in trips.

9 CONCLUSION

- 9.1 Whilst there is potential to redevelop site, the proposal as it currently stands represents an overdevelopment of the site which would overly dominate the neighbouring properties when viewed from the rear. The bulk, form and massing of the development so close to neighbouring properties would be

oppressive and overbearing particularly to the occupiers of no.18 Tongdean Avenue. The formation of balconies on the rear of the site is considered unneighbourly and would provide extensive and elevated views in to neighbouring gardens.

10 EQUALITIES

None identified.

11 REASON FOR REFUSAL / INFORMATIVES

Reasons for Refusal:

1. The proposed development by virtue of its bulk, form and massing, over three storeys rising close to neighbouring boundaries and extending to the rear of the site, would be visually intrusive. The proposal represents an overdevelopment of the site which would visually dominate the neighbouring properties and harm the spacious garden character at the rear of the site. The development would therefore be contrary to policy CP12 of the Brighton & Hove City Plan Part One.
2. The proposed development, by reason of its bulk, form and massing, over three storeys rising close to neighbouring boundaries and extending to the rear of the site would be overbearing and un-neighbourly, giving rise to a significant increased sense of enclosure to neighbouring occupiers. Furthermore the development would result in elevated and expansive views in to neighbouring gardens resulting in overlooking and a harmful loss of privacy for occupants of adjoining properties. The development would therefore be contrary to 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. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Existing ground floor plan	668/1		17.12.2015
First floor plans and elevations as existing	668/2		17.12.2015
Location Plan	1478-P-101-P2		17.12.2015
Existing site layout	1478-P-102-P2		17.12.2015
Block plan as proposed	1478-P-105-P4		17.12.2015
Site plan as proposed	1478-P-106-P4		17.12.2015
Lower ground floor plan proposed	1478-P-107-P4		17.12.2015

PLANNING COMMITTEE LIST – 30 MARCH 2016

Ground floor plan proposed	1478-P-108-P4		17.12.2015
First floor plans proposed	1478-P-109-P4		17.12.2015
Roof plan as proposed	1478-P-111-P3		17.12.2015
Front and side elevations	1478-P-112-P4		17.12.2015
Rear and side elevations	1478-P-113-P4		17.12.2015
Site sections	1478-P-114-P4		17.12.2015
Street elevation as proposed	1478-P-115-P2		17.12.2015
Outlook diagrams from No. 18 Tongdean Avenue	1478-P-119-P2		17.12.2015

From: Vanessa Brown
Sent: 28 January 2016 5:15 PM
To: Jeanette Walsh
Subject: BH2015/04563

Classification: NOT ENCRYPTED

Please forward this to the relevant planning officer.

Dear Sir/Madam

Ref BH2015/04563. 20 Tongdean Avenue

As a Councillor for Hove Park Ward I am writing to support the above application.

I opposed the previous application [BH2015/02056] but I believe the reasons then given for refusal have been rectified in this new application.

The building is now less bulky and domineering. The top floor has been reduced and set back further. The balconies and window on the side facing number 18 Tongdean Avenue have been removed.

If this application should be recommended for refusal I would like it to go before the planning committee for their decision.

Yours sincerely

Vanessa Brown

Cllr Vanessa Brown

PLANNING COMMITTEE	Agenda Item 168 Brighton & Hove City Council
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Information on Pre-application Presentations and Requests 2016

Date	Address	Ward	Proposal
tbc	1-3 Conway Street, Hove	Goldsmid	Mixed use development of 188 dwellings, 1,988 sqm office floorspace, 226 sqm retail floorspace and 66 parking spaces, 4 to 17 storeys in height.
tbc	Anston House and site adjacent, 137-147 Preston Road, Brighton	Preston Park	Residential-led redevelopment to provide 218 dwellings and 1,428 sqm commercial floor space (B1/A3) within 3 towers of 13 to 15 storeys in height

Previous presentations - 2015 / 6

Date	Address	Ward	Proposal
08 March 2016	Coombe Farm Westfield Avenue North	Rottingdean Coastal	Residential development comprising of 64 dwellings
16 February 2016	University of Sussex	Hollingdean and Stanmer	Request re: Life Science building
16 February 2016	Shelter Hall, 150-151 Kings Rd Arches & 65 Kings Rd (bottom of West St) & East Street Bastion, Grand Junction Rd	Regency	Demolition of former gym and construction of part 2, part 3 storey building for mixed commercial use (A1/A3) plus public toilets, substation and new seafront stairs. Erection of relocated seafront kiosk (A1/A3 use) to East Street Bastion
08 December 2015	251- 253 Preston Road, Brighton	Withdean	Demolition of non-original two storey link building. Erection of new three storey link building and conversion, extension and refurbishment works to existing buildings to facilitate creation of 22no apartments (C3). Erection of 6no single dwelling houses (C3) to rear of site to provide a total of 28no residential units, incorporating provision of new car parking, cycle parking and refuse stores, landscaping, planting and other associated works.

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.

08 December 2015	Former Texaco Garage, Kingsway, Hove	Central Hove	Circa 50 flats set out over 7 storeys with basement car parking accessed off St Aubyns South, circa 400sqm retail floorspace on the ground floor with associated surface parking accessed off Kingsway.
17 th November 2015	University of Sussex	Hollingdean and Stanmer	Reserved matters application for approximately 2000 new student accommodation bedrooms.
27 th 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.
4 th 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 rd June 2015	Land directly adjacent to American Express Community Stadium, Village Way, Falmer	Moulsecoomb & Bevendean	Erection of a 150 bedroom hotel.
23 rd 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; alterations to flint wall.
2 nd June 2015	Land bound by Blackman Street	St Peter's and North Laine	Proposed part nine, part seven storey building to provide office

Last updated: 10/03/2016 14:29

	Cheapside and Station Street, Brighton		and student accommodation for Bellerby's College.
2 nd 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 th March 2015	106 Lewes Road, Brighton	St Peter's and North Laine	Eight storey block of student accommodation.

PLANS LIST 30 March 2016**BRIGHTON & HOVE CITY COUNCIL LIST OF APPLICATIONS DETERMINED
BY THE HEAD OF PLANNING & PUBLIC PROTECTION
FOR EXECUTIVE DIRECTOR ENVIRONMENT, DEVELOPMENT & HOUSING
UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS
COMMITTEE DECISION****PATCHAM****BH2016/00069****6 Fernhurst Close Brighton**

Erection of first floor side extension.

Applicant: Mr & Mrs Mustow

Officer: Allison Palmer 290493

Approved on 09/03/16 DELEGATED

BH2016/00089**6 Fernhurst Close Brighton**

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

Applicant: Mr and Mrs Mustow

Officer: Allison Palmer 290493

Prior Approval is required and is refused on 25/02/16 DELEGATED

BH2016/00176**6 Braybon 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 5m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: DH Design

Officer: Charlotte Bush 292193

Prior approval not required on 02/03/16 DELEGATED

BH2016/00228**6 Brangwyn Drive Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.2m, for which the maximum height would be 2.9m, and for which the height of the eaves would be 2.8m.

Applicant: Chris King

Officer: Allison Palmer 290493

Prior Approval is required and is refused on 29/02/16 DELEGATED

BH2016/00274**Q8 Petrol Filling Station Mill Road Brighton**

Application for Approval of Details Reserved by Condition 4 of Application BH2013/02211.

Report from 18/02/2016 to 09/03/2016

Applicant: MRH Retail Limited
Officer: Adrian Smith 290478
Approved on 03/03/16 DELEGATED

PRESTON PARK**BH2015/04138****74 Hythe Road Brighton**

Alterations to existing garage.

Applicant: Mr Jeremy Beales
Officer: Laura Hamlyn 292205

BH2015/04146**71 Chester Terrace Brighton**

Erection of single storey rear extension.

Applicant: Mr Dan Osmond
Officer: Allison Palmer 290493

Approved on 03/03/16 DELEGATED

BH2015/04180**26 Stanford Road Brighton**

Installation of rear dormer to replace existing.

Applicant: Russell Builders (Southern) Ltd
Officer: Laura Hamlyn 292205

Refused on 09/03/16 DELEGATED

BH2015/04459**134A & 134B Hythe Road Brighton**

Installation of replacement UPVc double glazed windows and door.

Applicant: Ms L Watkins
Officer: Laura Hamlyn 292205

Refused on 25/02/16 DELEGATED

BH2015/04487**11A Preston Park Avenue Brighton**

Application for variation of conditions 16 and 17 of application BH2013/04085 (Demolition of existing dwelling and erection of 3no. detached dwellings with associated landscaping and parking) to require the development to meet the current standards for energy and water.

Applicant: Beeches Homes Ltd
Officer: Emily Stanbridge 292359

Approved on 23/02/16 DELEGATED

BH2015/04552**172 Osborne Road Brighton**

Erection of single storey side and rear extension.

Applicant: Mr S Navaratnam
Officer: Gareth Giles 293334

Approved on 08/03/16 DELEGATED

Report from 18/02/2016 to 09/03/2016

BH2015/04640**Upper Maisonette 21 Havelock Road Brighton**

Erection of first floor extension and enlargement of existing window to rear elevation. Replacement of existing UPVc windows with timber windows to front elevation.

Applicant: East West Refurbishment Ltd

Officer: Laura Hamlyn 292205

Approved on 18/02/16 DELEGATED

BH2015/04682**11 Southdown Avenue Brighton**

Construction of raised terrace to rear with steps to garden level and timber screening with associated alterations to fenestration.

Applicant: Mr David Watson

Officer: Laura Hamlyn 292205

Approved on 25/02/16 DELEGATED

BH2016/00008**7 Campbell Road Brighton**

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

Applicant: R & R Developments

Officer: Molly McLean 292097

Approved on 23/02/16 DELEGATED

BH2016/00282**24 Hythe Road Brighton**

Application for Approval of Details Reserved by Conditions 9 and 11 of application BH2014/02826.

Applicant: Mr Gary Brookes

Officer: Adrian Smith 290478

Split Decision on 04/03/16 DELEGATED

REGENCY**BH2015/03673****148A Kings Road Arches Brighton**

Change of use from storage unit (B8) to retail (A1) with alterations to shopfront.

Applicant: Mr Terence O'Riordan

Officer: Clare Flowers 290443

Approved on 29/02/16 DELEGATED

BH2015/03900**13 Powis Villas Brighton**

Erection of single storey rear extension, formation of side porch to main entrance, new window opening to rear at basement level and associated works. (Part retrospective).

Applicant: Mr & Mrs F Magurie

Officer: Ryan O'Sullivan 290480

Report from 18/02/2016 to 09/03/2016

Refused on 19/02/16 DELEGATED**BH2015/03901****13 Powis Villas Brighton**

Erection of single storey rear extension, formation of side porch to main entrance, new window opening to rear at basement level and associated works. (Part retrospective).

Applicant: Mr & Mrs F Magurie

Officer: Ryan O'Sullivan 290480

Refused on 19/02/16 DELEGATED**BH2015/04156****12 Montpelier Terrace Brighton**

Internal alterations to layout of first floor, installation of metal spiral staircase, glass balustrading, glass canopy and alterations to fenestration.

Applicant: Mrs Janet Tibble

Officer: Emily Stanbridge 292359

Approved on 02/03/16 DELEGATED**BH2015/04157****12 Montpelier Terrace Brighton**

Installation of metal spiral staircase, glass balustrading, glass canopy and alteration to fenestration.

Applicant: Mrs Janet Tibble

Officer: Emily Stanbridge 292359

Approved on 01/03/16 DELEGATED**BH2015/04177****15 Clifton Hill Brighton**

Erection of a three storey rear extension.

Applicant: P Dorey

Officer: Emily Stanbridge 292359

Approved on 03/03/16 DELEGATED**BH2015/04371****21 Meeting House Lane Brighton**

Installation of roller shutters to shopfront.

Applicant: Ring Jewellery Ltd

Officer: Ryan O'Sullivan 290480

Refused on 09/03/16 DELEGATED**BH2015/04465****Rear of 26 & 27-29 North Street Brighton**

Erection of two storey extension in rear yard to create retail unit (A1) on ground floor and 2no. residential units (C3) on first floor, with associated alterations.

Applicant: Abbey Commercial Ltd

Officer: Wayne Nee 292132

Refused on 02/03/16 DELEGATED**BH2015/04515****206 - 207 Western Road Brighton**

Report from 18/02/2016 to 09/03/2016

Display of internally illuminated digital screen.

Applicant: Santander Plc
Officer: Mark Thomas 292336
Approved on 09/03/16 DELEGATED

BH2015/04581**Middle Street Primary School 36-37 Middle Street Brighton**

Installation of perimeter fencing of increased height. Replacement of railings on top of boundary wall to North West elevation with weld mesh security fencing.

Applicant: Brighton & Hove City Council
Officer: Ryan O'Sullivan 290480
Approved on 22/02/16 DELEGATED

BH2015/04656**15 Prince Albert Street Brighton**

Removal of existing rear external metal fire escape.

Applicant: Woolley Bevis Diplock LLP
Officer: Allison Palmer 290493
Approved on 09/03/16 DELEGATED

BH2015/04657**15 Prince Albert Street Brighton**

Removal of existing rear external metal fire escape.

Applicant: Woolley Bevis Diplock LLP
Officer: Allison Palmer 290493
Approved on 09/03/16 DELEGATED

BH2016/00054**9b Bedford Towers Kings Road Brighton**

Partial enclosure of existing balcony with UPVc double glazed screening.

Applicant: Mrs Julie White
Officer: Ryan O'Sullivan 290480
Approved on 22/02/16 DELEGATED

BH2016/00109**Russell House Russell Mews Brighton**

Prior approval for the change of use from offices (B1) to 54no flats (C3) with associated car parking, cycle parking and bin storage.

Applicant: Bupa Insurance Limited
Officer: Wayne Nee 292132
Prior Approval is required and is approved on 07/03/16 DELEGATED

BH2016/00195**Pugets Cottage North Street Brighton**

Application for Approval of Details Reserved by Conditions 8, 10 & 12 of application BH2015/00575..

Applicant: Redevco
Officer: Clare Simpson 292321
Approved on 03/03/16 DELEGATED

Report from 18/02/2016 to 09/03/2016

ST. PETER'S & NORTH LAINE**BH2015/03035****6B Queens Road Brighton**

Installation of shopfront.

Applicant: Concept On Building Services

Officer: Wayne Nee 292132

Approved on 19/02/16 DELEGATED

BH2015/03655**27-33 Ditchling Road Brighton**

Application for variation of condition 2 of BH2014/01431 (Demolition of existing building and erection of new four storey building (plus basement) comprising new College facility and Halls of Residence (58

students rooms, 1 wheelchair accessible room, 1 warden's room and 2 rooms for supervisors), catering facilities, cycle parking and refuse and recycling facilities) to allow for minor material amendments including new parapet guard rail to rear elevation, installation of gas meter, revised glazing and louvre details and removal of solar shading.

Applicant: Zise Ltd

Officer: Jonathan Puplett 292525

Approved on 18/02/16 DELEGATED

BH2015/04163**Lydean House 43 Queens Road Brighton**

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

Applicant: Sainsbury's Supermarkets Ltd

Officer: Robin Hodgetts 292366

Approved on 22/02/16 DELEGATED

BH2015/04292**Flat 12 33-35 Compton Avenue Brighton**

Replacement of rear UPVC window and doors with timber double doors and installation of new timber window.

Applicant: Ms Caroline Dove

Officer: Molly McLean 292097

Approved on 25/02/16 DELEGATED

BH2015/04432**Chapel Royal 164 North Street Brighton**

Application for Approval of Details Reserved by Condition 3 of application BH2014/03069

Applicant: Mrs J Thompson & Mr M Thompson

Officer: Liz Arnold 291709

Approved on 22/02/16 DELEGATED

BH2015/04506**Flats 1-16 24 North Place Brighton**

Replacement of existing windows with timber windows and replacement of Report from 18/02/2016 to 09/03/2016

communal entrance door and windows with aluminium door and windows.

Applicant: Hyde Housing
Officer: Molly McLean 292097
Approved on 01/03/16 DELEGATED

BH2015/04534**Flat 2 40 Buckingham Place Brighton**

Erection of single storey rear extension and detached garden room.

Applicant: Ms M Osborne
Officer: Ryan O'Sullivan 290480
Approved on 29/02/16 DELEGATED

BH2015/04595**10 Lewes Road Brighton**

Erection of first floor rear extension.

Applicant: Mr Ahmed Abbas
Officer: Ryan O'Sullivan 290480
Approved on 01/03/16 DELEGATED

BH2016/00078**106 Richmond Road Brighton**

Installation of rooflights to front and rear elevations.

Applicant: Mr H Stockner
Officer: Luke Austin 294495
Refused on 26/02/16 DELEGATED

BH2016/00090**21 Aberdeen 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 5.4m, for which the maximum height would be 2.5m, and for which the height of the eaves would be 2m.

Applicant: Mr Tim Bennett
Officer: Allison Palmer 290493
Prior Approval is required and is refused on 22/02/16 DELEGATED

BH2016/00183**11 Crescent Road Brighton**

Installation of rooflight to front elevation.

Applicant: Mrs Cathie Brain
Officer: Luke Austin 294495
Approved on 09/03/16 DELEGATED

BH2016/00203**43 Providence Place Brighton**

Application for Approval of Details Reserved by Condition 4 of application BH2015/00538.

Applicant: Beatnik Breaks Ltd
Officer: Adrian Smith 290478
Refused on 02/03/16 DELEGATED

Report from 18/02/2016 to 09/03/2016

WITHDEAN**BH2015/03880****2 Friar Road Brighton**

Erection of two storey extension incorporating replacement of existing garage and shed, dormers to front and rear, 3no rooflights, new porch, internal garage and revised fenestration.

Applicant: Mr Richard Allen

Officer: Charlotte Bush 292193

Approved on 22/02/16 DELEGATED

BH2015/04051**51 Valley Drive Brighton**

Removal of existing garage and erection of two storey side extension with associated roof extension incorporating rear dormer and rooflights to side and rear and erection of single storey rear extension.

Applicant: Mr Robert Lloyd

Officer: Luke Austin 294495

Approved on 29/02/16 DELEGATED

BH2015/04543**35 Surrenden Crescent Brighton**

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

Applicant: Mr & Mrs R Ashton

Officer: Allison Palmer 290493

Approved on 25/02/16 DELEGATED

BH2015/04589**79 Green Ridge Brighton**

Certificate of lawfulness for proposed enlargement of existing side dormers.

Applicant: Mrs H Sellins

Officer: Gareth Giles 293334

Approved on 24/02/16 DELEGATED

BH2015/04597**10 Station Road Brighton**

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Rich & Sue Harrison

Officer: Molly McLean 292097

Approved on 04/03/16 DELEGATED

BH2015/04659**61 Mandalay Court London Road Brighton**

Replacement double glazed UPVc windows and balcony door.

Applicant: Mrs Sian Stevenson

Officer: Molly McLean 292097

Approved on 29/02/16 DELEGATED

Report from 18/02/2016 to 09/03/2016

BH2015/04670**4 Stamford Lodge Cumberland Road Brighton**

Replacement UPVc windows to side and rear.

Applicant: Mr Nigel Stewart

Officer: Molly McLean 292097

Approved on 09/03/16 DELEGATED

BH2015/04692**82 Fernwood Rise Brighton**

Certificate of Lawfulness for proposed removal of existing conservatory and erection of single storey rear extension.

Applicant: Mr & Mrs J Reynolds

Officer: Molly McLean 292097

Refused on 24/02/16 DELEGATED

BH2016/00035**5 Cornwall Gardens Brighton**

Replacement of existing concrete driveway with concrete and brick paving.

Applicant: Mr & Mrs White

Officer: Allison Palmer 290493

Approved on 29/02/16 DELEGATED

BH2016/00067**32A Dyke Road Avenue Brighton**

Erection of first floor front extension, removal of chimney, alterations to fenestration and other associated alterations.

Applicant: Mr A Bloomfield

Officer: Allison Palmer 290493

Refused on 03/03/16 DELEGATED

BH2016/00077**5 Wayland Heights Brighton**

Conversion of garage into habitable space and alterations to fenestration.

Applicant: Mrs Westcott

Officer: Luke Austin 294495

Approved on 29/02/16 DELEGATED

BH2016/00267**42 Withdean Crescent Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 8m, for which the maximum height would be 4m, and for which the height of the eaves would be 3m.

Applicant: Mr Paul Mottram

Officer: Justine Latemore 292138

Prior Approval is required and is approved on 07/03/16 DELEGATED

BH2016/00268**15 Surrenden Crescent Brighton**

Prior approval for the erection of a single storey rear/side extension, which would extend beyond the rear wall of the original house by 7m, for which the maximum

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height would be 4m, and for which the height of the eaves would be 3m.

Applicant: Mr Richard Smith

Officer: Justine Latemore 292138

Prior approval not required on 08/03/16 DELEGATED

EAST BRIGHTON

BH2015/01352

236 Eastern Road Brighton

Display of internally illuminated display stand (Retrospective)

Applicant: Rontec Watford Ltd

Officer: Wayne Nee 292132

Approved on 02/03/16 DELEGATED

BH2015/01353

236 Eastern Road Brighton

Display of internally illuminated totem (Retrospective).

Applicant: Rontec Watford Ltd

Officer: Wayne Nee 292132

Approved on 02/03/16 DELEGATED

BH2015/02309

Flat 7 Court Royal Mansions 1 Eastern Terrace Brighton

Application for Approval of Details Reserved by Conditions 2 and 3 of application BH2014/02685.

Applicant: Mr Kim Gordon

Officer: Sue Dubberley 293817

Approved on 26/02/16 DELEGATED

HANOVER & ELM GROVE

BH2015/04479

53 Belgrave Street Brighton

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

Applicant: Ms Vera Austermann

Officer: Chris Swain 292178

Approved on 09/03/16 DELEGATED

BH2015/04570

119 Lewes Road Brighton

Non material amendment to BH2015/01121 to change internal layout of common areas and layout of studio rooms; maintenance ladder to roof and vents to roof; south elevation, additional windows and additional fire door and louvre to refuse doors; north elevation changes to the window arrangement and mechanical louvre to laundry/refuse area; east elevation new vent to ground floor window; access door to flat roof; relocation of cycle parking.

Applicant: McLaren (119 Lewes Road) Ltd

Officer: Mick Anson 292354

Report from 18/02/2016 to 09/03/2016

Approved on 03/03/16 DELEGATED**BH2016/00627****1-6 Connaught Mews Melbourne Street Brighton**

Application of Approval of Details Reserved by Condition 21 of application BH2010/03279

Applicant: Mr Essam Barakat

Officer: Kate Brocklebank 292454

Approved on 26/02/16 DELEGATED**HOLLINGDEAN & STANMER****BH2015/02263****University of Sussex Lewes Road Brighton**

Application for Approval of Details Reserved by Conditions 2, 3 and 4 of application BH2014/04296.

Applicant: University of Sussex

Officer: Sue Dubberley 293817

Split Decision on 29/02/16 DELEGATED**BH2015/02265****University of Sussex Lewes Road Brighton**

Application for Approval of Details Reserved by Conditions 2, 3, 4, 5 and 6 of application BH2014/04295.

Applicant: University of Sussex

Officer: Sue Dubberley 293817

Approved on 29/02/16 DELEGATED**BH2015/04003****63 Park Road Brighton**

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

Applicant: Mr Oliver Dorman

Officer: Molly McLean 292097

Approved on 18/02/16 DELEGATED**BH2015/04290****5 Kenwards Brighton**

Erection of two storey side extension.

Applicant: Andy Baldey

Officer: Gareth Giles 293334

Approved on 07/03/16 DELEGATED**BH2015/04326****University Library Library Road University of Sussex Brighton**

Internal alterations to layout and refurbishment works. (Retrospective)

Applicant: University of Sussex

Officer: Tim Jefferies 293152

Approved on 22/02/16 DELEGATED

BH2015/04690**12 Monk Close Brighton**

Change of Use from five bedroom single dwelling (C3) to six bedroom small house in multiple occupation (C4) (part retrospective).

Applicant: Mr Thomas Booker

Officer: Chris Swain 292178

Approved on 25/02/16 DELEGATED

BH2016/00177**43 Hollingbury Place Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.27m, for which the maximum height would be 4.00m, and for which the height of the eaves would be 2.65m.

Applicant: Anna Fillenham

Officer: Allison Palmer 290493

Prior approval not required on 29/02/16 DELEGATED

MOULSECOOMB & BEVENDEAN**BH2015/03285****Land Adjacent to the American Express Community Stadium Village Way Brighton**

Construction of a 3no storey plus basement building comprising of a hotel at ground and upper floors (C1) providing total of 150no bedrooms, restaurant, bar, reception, gymnasium, meeting room, lounge and plant facilities and provision of Stereotactic Radiotherapy Unit (D1) at basement level, incorporating hard and soft landscaping, creation of new access, provision of 62no car parking spaces and other associated works.

Applicant: Albion Sports and Leisure Limited

Officer: Sue Dubberley 293817

Refused on 18/02/16 Committee

BH2015/04255**17 Nyetimber Hill Brighton**

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

Applicant: Mr Oliver Dorman

Officer: Molly McLean 292097

Approved on 18/02/16 DELEGATED

QUEEN'S PARK**BH2015/04028****Former Municipal Market Circus Street Brighton**

Application for Approval of Details Reserved by Conditions 14, 15(i), 17, 20, 21, 52(i) and 83(i) of application BH2015/03076.

Applicant: Cathedral (Brighton) Limited

Report from 18/02/2016 to 09/03/2016

Officer: Mick Anson 292354
Split Decision on 19/02/16 DELEGATED

BH2015/04174**Flat 9 14 New Steine Brighton**

Revised fenestration incorporating installation of two windows to south elevation and change of colour of windows to East elevation.

Applicant: Mrs Sara Clancy
Officer: Luke Austin 294495
Approved on 25/02/16 DELEGATED

BH2015/04213**48 Queens Park Road Brighton**

Conversion of existing three bedroom single dwelling into 1no two bedroom flat, 1no one bedroom flat and 1no two bedroom maisonette.

Applicant: Ms Surbhi Joshi
Officer: Mark Thomas 292336
Approved on 07/03/16 DELEGATED

BH2015/04299**Former Municipal Market Circus Street Brighton**

Application for variation of Conditions 11, 12, 18, 19, 39, 40, 49, 50, 55, 56, 70, 71, 80, 81, 86, 87, 98 and 99 and removal of (duplicate) Condition 103 of application BH2015/03076 (Application for variation of condition 2 of application BH2013/03461 (Demolition of existing buildings and replacement with a mixed use development comprising of: a part 5 (6 storey equivalent)/part 7 storey University of Brighton Library and Academic Building (Use Class D1); a 3 storey (4 storey equivalent) Dance Space building (Use Class D2); a 7 storey office building, (Use Class B1); student accommodation (Sui Generis) providing up to 450 bed spaces in 4 buildings (Student Cluster E and G part 6/part 8 storey, Student Cluster F part 6,7 and 8 storey and Student Cluster H part 6/part 13 storey (with recessed top 13th storey)); 142 residential apartments (Class C3) consisting of 57 x 1 bed, 81 x 2 bed and 4 x 3 bed units in 4 buildings (Building A part 7/part 10 storey, Building B part 7/part 8 storey and Buildings C and D both 6 storey); with ancillary retail (A1) café/restaurant (A3) and/or commercial (B1) within the ground floor of part of student cluster buildings G and H, part of office building and part of residential buildings A, B, C and D; new public realm and associated infrastructure including provision of 38 undercroft parking spaces below the student cluster buildings (including 16 on-site disabled parking spaces), on site cycle parking, and highway works including a narrowing in width of Circus Street) to allow for minor material and non-material amendments

to all proposed buildings) to allow submission of materials and BREEAM assessments post commencement of development.

Applicant: Cathedral (Brighton) Limited
Officer: Mick Anson 292354
Approved on 26/02/16 DELEGATED

BH2015/04527**Former Municipal Market Circus Street Brighton**

Application for Approval of Details Reserved by Condition 47 of application BH2015/03076

Report from 18/02/2016 to 09/03/2016

Applicant: Cathedral (Brighton) Limited
Officer: Mick Anson 292354
Approved on 18/02/16 DELEGATED

BH2016/00157**33 Mighell Street Brighton & 70 Carlton Hill Brighton**

Application for Approval of Details reserved by Condition 2 of application BH2012/04087.

Applicant: Mr Philip Blount
Officer: Sue Dubberley 293817
Refused on 26/02/16 DELEGATED

ROTTINGDEAN COASTAL**BH2014/02325****Land at Brighton Marina comprising Outer Harbour West Quay and adjoining land**

Application for Approval of Details Reserved by Conditions 8, 9, 33 and 34 of application BH2014/02883 for Phase 1 and Phase A only.

Applicant: Brunswick Developments Group Plc
Officer: Sarah Collins 292232
Approved on 18/02/16 DELEGATED

BH2015/03661**14 Waterfront Brighton Marina Brighton**

Change of use from retail (A1) to dry cleaners (A1) and estate agency (A2).

Applicant: Mr L Ryan
Officer: Rebecca Fry 293773
Approved on 29/02/16 DELEGATED

BH2015/03934**Flat 2 24 Sussex Square and Flat 3 20 Bristol Gardens Brighton**

Internal alterations to facilitate the conversion of two flats into a single dwelling.

Applicant: Ms Tania Webb
Officer: Tim Jefferies 293152
Approved on 19/02/16 DELEGATED

BH2016/00188**58 Falmer Avenue Saltdean Brighton**

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

Applicant: Mr Jon Walker
Officer: Allison Palmer 290493
Prior approval not required on 29/02/16 DELEGATED

WOODINGDEAN**BH2015/03422**

Report from 18/02/2016 to 09/03/2016

18 McWilliam Road Brighton

Hip to gable roof extensions, creation of rear dormers and insertion of front rooflights.

Applicant: Mr Ryan Kendall
Officer: Rebecca Fry 293773
Approved on 22/02/16 COMMITTEE

BH2015/04040**96 The Ridgway Brighton**

Demolition of existing garage and conservatory to rear, and erection of single storey rear extension, roof extension incorporating 6no. dormers and rooflight, revised fenestration and associated alterations.

Applicant: Mr Russ Frost
Officer: Justine Latemore 292138
Refused on 29/02/16 DELEGATED

BH2015/04453**11 Balsdean Road Brighton**

Installation of side and rear dormer to replace existing, enlargement of front dormer and installation of cedar cladding to dormers (Retrospective).

Applicant: Mrs S Ashley
Officer: Luke Austin 294495
Refused on 29/02/16 DELEGATED

BH2016/00076**5 Truleigh Close Brighton**

Erection of single storey rear extension.

Applicant: Mr & Mrs Beard
Officer: Emily Stanbridge 292359
Approved on 02/03/16 DELEGATED

BH2016/00079**390 Falmer Road Brighton**

Roof alterations including hip to gable roof extensions, rooflights to side elevations, window to front and Juliet balcony to rear.

Applicant: Mr Boulton
Officer: Emily Stanbridge 292359
Approved on 01/03/16 DELEGATED

BH2016/00425**34 Warren Avenue Brighton**

Application for Approval of Details Reserved by Condition 10 of application BH2015/02503.

Applicant: Westcott Developments
Officer: Liz Arnold 291709
Approved on 26/02/16 DELEGATED

BRUNSWICK AND ADELAIDE**BH2015/04687**

Report from 18/02/2016 to 09/03/2016

Flat 1 3 Palmeira Avenue Hove

Replacement of existing timber window and door with timber french doors with associated alterations.

Applicant: Sue Woodward

Officer: Molly McLean 292097

Approved on 09/03/16 DELEGATED

BH2016/00051**Flat 3 123 Lansdowne Place Hove**

Internal alterations to layout of flat (Retrospective).

Applicant: Mr Adam Arrowsmith

Officer: Tim Jefferies 293152

Approved on 09/03/16 DELEGATED

CENTRAL HOVE**BH2015/02434****Flat 4 54 - 55 Ventnor Villas Hove**

Alterations to rear fenestration including enlargement of window at ground floor level and installation of 2no new matching double glazed French doors, enlargement and replacement of windows with new double glazed units and new double glazed door at basement level, installation of glass floor at ground floor level over lightwell and associated hand rails.

Applicant: Kate McKenzie

Officer: Ryan O'Sullivan 290480

Approved on 25/02/16 DELEGATED

BH2015/03237**Land to the rear of 28 Medina Villas Hove**

Demolition of existing garages and erection of 3no bedroom residential dwelling.

Applicant: Kahair Properties Ltd

Officer: Mark Thomas 292336

Refused on 29/02/16 DELEGATED

BH2015/03505**Flat 15 Verner House 1 - 7 Victoria Terrace Hove**

Replacement of existing windows and French doors. (Retrospective)

Applicant: Peter Hudson

Officer: Joanne Doyle 292198

Refused on 04/03/16 DELEGATED

BH2015/03792**Plinth Kings Esplanade Hove**

Erection of stone clad plinth with surrounding paving at base, incorporating lighting scheme set flush in ground and on plinth for use to display sculptures and art.

Applicant: Hove Civic Society

Officer: Clare Simpson 292321

Approved on 01/03/16 DELEGATED

Report from 18/02/2016 to 09/03/2016

BH2015/04401**144 Church Road Hove**

Conversion of first and second floor offices and loft space to form 1no one bedroom flat and 1no two bedroom maisonette (C3) including alteration to shopfront to provide entrance door to upper floors and rooflights to front and rear.

Applicant: Peermark Ltd

Officer: Gareth Giles 293334

Approved on 25/02/16 DELEGATED

BH2015/04420**Flat 15 Verner House 1 - 7 Victoria Terrace Hove**

Replacement of existing windows and French doors. (Retrospective)

Applicant: Peter Hudson

Officer: Joanne Doyle 292198

Refused on 04/03/16 DELEGATED

BH2015/04437**64A Osborne Villas Hove**

Removal of outer entrance UPVc door and installation of composite glazed door.

Applicant: Jessica Hillier

Officer: Justine Latemore 292138

Approved on 09/03/16 DELEGATED

BH2015/04524**37B Hova Villas Hove**

Replacement of existing timber windows, doors and vent with UPVc windows and doors.

Applicant: John Chandler

Officer: Molly McLean 292097

Refused on 29/02/16 DELEGATED

BH2015/04558**Goldstone Business Centre 2 Goldstone Street Hove**

Application for Approval of Details Reserved by Conditions 1 and 2 of application BH2014/03656

Applicant: Perth Securities

Officer: Luke Austin 294495

Refused on 26/02/16 DELEGATED

BH2015/04584**55 St Aubyns Hove**

Loft conversion to create 1no. studio flat (C3) incorporating dormer and rooflight to front and dormers to rear.

Applicant: Mr J Porter

Officer: Clare Flowers 290443

Refused on 29/02/16 DELEGATED

BH2015/04639**Ground Floor Flat 46 Stirling Place Hove**

Report from 18/02/2016 to 09/03/2016

Erection of single storey rear extension.

Applicant: Ms Trudi Pearce

Officer: Mark Thomas 292336

Approved on 09/03/16 DELEGATED

BH2016/00029

53-54 George Street Hove

Display of internally illuminated ATM surround sign.

Applicant: The Royal Bank of Scotland

Officer: Clare Flowers 290443

Approved on 09/03/16 DELEGATED

BH2016/00030

53-54 George Street Hove

Alterations to shopfront including relocation of ATM cash machine with new surround.

Applicant: The Royal Bank of Scotland

Officer: Mark Thomas 292336

Refused on 09/03/16 DELEGATED

BH2016/00099

25 Third Avenue Hove

Creation of 2no dormers and installation of rooflight to side of roof slopes.

Applicant: Mr Ron Baker

Officer: Emily Stanbridge 292359

Refused on 01/03/16 DELEGATED

GOLDSMID

BH2015/03515

17 Nizells Avenue Hove

Creation of 1no self-contained studio flat (C3) in roof void incorporating side dormer.

Applicant: Mrs Linda Zeitlin

Officer: Emily Stanbridge 292359

Refused on 04/03/16 DELEGATED

BH2015/03569

Holy Trinity Church Blatchington Road Hove

Application for Approval of Details Reserved by Conditions 3, 4, 6, 7, 8, 11, 18, 19, 20 and 21 of application BH2014/04360.

Applicant: Medical Centre Developments (GB) Ltd

Officer: Wayne Nee 292132

Approved on 23/02/16 DELEGATED

BH2015/03570

Holy Trinity Church Blatchington Road Hove

Application for Approval of Details Reserved by Conditions 2, 3, 4, 6, 7, 8, 11 and 12 of application BH2014/04361.

Applicant: Medical Centre Developments (GB) Ltd

Report from 18/02/2016 to 09/03/2016

Officer: Wayne Nee 292132

Approved on 19/02/16 DELEGATED

BH2015/03903

Lower Ground Floor Flat 77 Goldstone Villas Hove

Erection of a single storey rear extension with alterations to front steps to basement level.

Applicant: Mr Matthew Castle

Officer: Ryan O'Sullivan 290480

Approved on 25/02/16 DELEGATED

BH2015/03994

Berkeley Court Derby Court & Warwick Court Davigdor Road Hove

Erection of additional storey to Berkeley, Derby and Warwick Courts to create 1no one bedroom and 4no two bedroom flats (C3). 1no at Berkeley Court and 2no at Derby and Warwick Courts.

Applicant: Brighton & Hove Securities Ltd

Officer: Mark Thomas 292336

Refused on 22/02/16 DELEGATED

BH2015/04402

37 Goldstone Road Hove

Change of use of ground floor retail unit (A1) to residential (C3) to form 1no self-contained flat with associated alterations.

Applicant: S A Alajmi

Officer: Emily Stanbridge 292359

Approved on 03/03/16 DELEGATED

BH2015/04519

5A Eaton Grove Hove

Conversion of garage into habitable space including replacement of garage doors with timber sliding folding doors.

Applicant: Sevenbuild Properties Ltd

Officer: Justine Latemore 292138

Approved on 07/03/16 DELEGATED

BH2015/04613

1 Nizells Avenue Hove

Application for Approval of Details Reserved by Conditions 12a, 12b and 12c of application BH2014/03311 (allowed on appeal).

Applicant: Mr David Owen

Officer: Adrian Smith 290478

Split Decision on 01/03/16 DELEGATED

BH2015/04630

Hove Station Goldstone Villas Hove

Demolition of existing cycle rack storage and erection of secure cycle store compound.

Applicant: Govia Thamslink Railway Ltd

Officer: Mark Thomas 292336

Refused on 09/03/16 DELEGATED

Report from 18/02/2016 to 09/03/2016

BH2015/04631**Hove Station Goldstone Villas Hove**

Demolition of existing cycle rack storage and erection of secure cycle store compound.

Applicant: Govia Thameslink Railway Ltd

Officer: Mark Thomas 292336

Refused on 09/03/16 DELEGATED

HANGLETON & KNOLL**BH2015/03904****81 Hangleton Valley Drive Hove**

Erection of first floor rear extension and replacement of ground floor rear pitched roof with a flat roof incorporating a rooflight.

Applicant: Mr Darren Ede

Officer: Charlotte Bush 292193

Approved on 01/03/16 DELEGATED

BH2015/04064**8 Fallowfield Crescent Hove**

Conversion of garage (C3) into household utility room/physiotherapy treatment room (D1).

Applicant: Mrs Maria Wade

Officer: Mark Thomas 292336

Approved on 03/03/16 DELEGATED

BH2015/04327**The Compound Northease Close Hove**

Application for Approval of Details Reserved by Conditions 9, 10, 11 and 12 of application BH2014/03546.

Applicant: Dandel Ltd

Officer: Mark Thomas 292336

Approved on 24/02/16 DELEGATED

BH2015/04590**296 Hangleton Road Hove**

Erection of two storey rear extension.

Applicant: Miss Anne Sweeney

Officer: Laura Hamlyn 292205

Approved on 03/03/16 DELEGATED

BH2016/00145**30 Old School Place Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.5m, for which the maximum height would be 3.5m, and for which the height of the eaves would be 2.7m.

Applicant: Mr Gabriel Grice

Officer: Allison Palmer 290493

Prior approval not required on 24/02/16 DELEGATED

Report from 18/02/2016 to 09/03/2016

NORTH PORTSLADE**BH2016/00560****Rowan House Rowan Close Portslade**

Application for approval of details reserved by condition 10 of application BH2012/04084.

Applicant: Mr Colin Benson

Officer: Adrian Smith 290478

Approved on 04/03/16 DELEGATED

SOUTH PORTSLADE**BH2015/03514****Flat 1 20 Wellington Road Portslade**

Certificate of Lawfulness for existing use as a residential dwelling (C3).

Applicant: Ms Lucy Richards

Officer: Ryan O'Sullivan 290480

Refused on 22/02/16 DELEGATED

BH2015/04236**23 Gladstone Road Portslade**

Formation of crossover including removal of front boundary wall.

Applicant: Mr Philip Pepper

Officer: Joanne Doyle 292198

Approved on 09/03/16 DELEGATED

BH2015/04252**1 Wellington Road Portslade**

Application for variation of condition 3 of application BH2013/02047 (Demolition of existing building and erection of part five, part four, part three and part two storey building comprising commercial units on basement and ground floor and 9no one and two bedroom residential units on floors above.) to allow ground floor (Unit 1) to be used within class use A1 (shops) and/or A2 (financial and professional services) and/or B1 (Business).

Applicant: Sussex Asphalte Ltd

Officer: Maria Seale 292175

Approved on 07/03/16 DELEGATED

BH2015/04633**7 Symbister Road Portslade**

Application for Approval of Details Reserved by Conditions 10, 11, 12, 13, 14, 15 and 16 of application BH2014/01523.

Applicant: Symbister Developments

Officer: Chris Swain 292178

Split Decision on 04/03/16 DELEGATED

BH2016/00087

Report from 18/02/2016 to 09/03/2016

38 Foredown Road Portslade

Erection of single storey rear extension.

Applicant: Mr M Jones
Officer: Laura Hamlyn 292205
Refused on 08/03/16 DELEGATED

BH2016/00229**55 Easthill Drive Portslade**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.5m, and for which the height of the eaves would be 3m.

Applicant: Ms Sarah-Jane Adisi
Officer: Charlotte Bush 292193
Prior approval not required on 08/03/16 DELEGATED

HOVE PARK**BH2015/02509****Pavilion & Avenue Lawn Tennis Club 19 The Drove Way Hove**

Installation of 8no eight metre high floodlights to courts 6, 7 and 8.

Applicant: Pavilion and Avenue Lawn Tennis Club
Officer: Sonia Gillam 292265
Refused on 09/03/16 COMMITTEE

BH2015/03909**195 Nevill Road Hove**

Erection of single storey rear extension. Part Retrospective.

Applicant: Mr Steve Pickard
Officer: Charlotte Bush 292193
Approved on 22/02/16 DELEGATED

BH2015/03913**40 Tongdean Avenue Hove**

Remodelling of house incorporating erection of two storey extension to front, two storey extension to side and rear, alterations to roof, revised fenestration and other associated works.

Applicant: Mrs Leonie Achurch
Officer: Emily Stanbridge 292359
Approved on 19/02/16 COMMITTEE

BH2015/04101**16 Deanway Hove**

Remodelling of dwelling including erection of additional storey and alterations to fenestration.

Applicant: Mrs Holley
Officer: Chris Swain 292178
Approved on 01/03/16 DELEGATED

BH2015/04171

Report from 18/02/2016 to 09/03/2016

Park House Old Shoreham Road Hove

Non Material Amendment to BH2013/00584 to change from rear access ramp to steps, minor changes to windows in zinc cladding and 8 no gas boiler flues to Shoreham Road elevation.

Applicant: Bouygue Construction

Officer: Clare Simpson 292321

Approved on 22/02/16 DELEGATED

BH2015/04529**Land Between Court Farm Road and Nevill Road Hove**

Replacement of existing 10 metre high telecommunications pole with pole of same height, replacement of 3no existing antennas with 3no new antennas, replacement of existing cabinet with new cabinet and minor ancillary apparatus.

Applicant: CTIL Ltd and Telefonica Ltd

Officer: Mark Thomas 292336

Approved on 01/03/16 DELEGATED

BH2015/04557**1 The Martlet Hove**

Conversion of existing garage into workshop and replacement of garage door with window.

Applicant: Mr Martin Edmunds

Officer: Allison Palmer 290493

Approved on 07/03/16 DELEGATED

BH2015/04618**12 Mallory Road Hove**

Application for Approval of Details Reserved by Condition 11 of application BH2015/02048.

Applicant: Mr & Mrs Matthew Ansell

Officer: Clare Simpson 292321

Approved on 26/02/16 DELEGATED

BH2015/04634**1 Nevill 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 4.5, for which the maximum height would be 3m, and for which the height of the eaves would be 2.85m.

Applicant: Mrs Zoe Tamplin

Officer: Charlotte Bush 292193

Prior Approval is required and is refused on 24/02/16 DELEGATED

BH2016/00155**2 Torrance Close Hove**

Erection of a single storey rear extension with roof alterations incorporating hip to gable roof extensions, front and rear roof lights and rear dormers with associated alterations.

Applicant: Simon & Nicole Hackett

Officer: Luke Austin 294495

Approved on 04/03/16 DELEGATED

Report from 18/02/2016 to 09/03/2016

BH2016/00210**8 Tredcroft Road Hove**

Enlargement of existing front porch.

Applicant: Carol Emmanuel

Officer: Luke Austin 294495

Approved on 29/02/16 DELEGATED

WESTBOURNE**BH2015/02728****20 Sackville Road & 78 Pembroke Crescent Hove**

Conversion of surgery (D1) to form 1no four bedroom house, 2no one bedroom flats and 2no two bedroom flats incorporating external alterations, landscaping, parking and associated works.

Applicant: Mr D Chapman

Officer: Wayne Nee 292132

Approved on 01/03/16 DELEGATED

BH2015/02749**40 & 40A Rutland Gardens Hove**

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

Applicant: Jayashree Srinivasah

Officer: Ryan O'Sullivan 290480

Approved on 07/03/16 DELEGATED

BH2015/03420**12 Princes Crescent Hove**

Removal of chimney stack to side elevation (Part Retrospective).

Applicant: Mr & Mrs David & Margaret Blackman

Officer: Laura Hamlyn 292205

Refused on 09/03/16 DELEGATED

BH2015/03493**24 Westbourne Villas Hove**

Demolition of existing conservatory and erection of single storey rear extensions, creation of 2no dormers and of 2no rooflights to the rear and installation of 3no rooflights to the front. (Part-Retrospective)

Applicant: Mr Nigel Seaborne

Officer: Joanne Doyle 292198

Approved on 01/03/16 DELEGATED

BH2015/03812**Flat 2 39 Carlisle Road Hove**

Creation of rear dormer, installation of 2no front rooflights and reinstatement of timber balustrade to first floor front balcony.

Applicant: Louisa Buck

Officer: Ryan O'Sullivan 290480

Approved on 01/03/16 DELEGATED

BH2015/04422**24 Raphael Road Hove**

Certificate of Lawfulness for proposed erection of single storey rear extension, front porch extension and loft conversion incorporating front rooflights and rear dormer.

Applicant: Mr Goldie Khera

Officer: Gareth Giles 293334

Approved on 29/02/16 DELEGATED

BH2015/04601**Flat 2 60 Carlisle Road Hove**

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

Applicant: Ms Ruth Chalmers

Officer: Molly McLean 292097

Approved on 29/02/16 DELEGATED

BH2015/04678**First Floor Flat 106 Sackville Road Hove**

Insertion of 2 no. front rooflights and creation of 2 no. rear dormers.

Applicant: Mr D Funnell

Officer: Joanne Doyle 292198

Approved on 29/02/16 DELEGATED

BH2016/00036**3-4 Westbourne Grove Hove**

Installation of new metal framed doors and windows to front and rear.

Applicant: Mr Kevin Hagger

Officer: Joanne Doyle 292198

Approved on 09/03/16 DELEGATED

BH2016/00047**Sheridan Mansions Sheridan Terrace Hove**

Application for Approval of Details Reserved by Condition 3 of application BH2014/04181 (allowed on appeal).

Applicant: Staimon Securities Ltd

Officer: Helen Hobbs 293335

Approved on 22/02/16 DELEGATED

BH2016/00110**123-129 Portland Road Hove**

Prior approval for change of use from offices (B1) to 11no one and two bedroom flats. (C3)

Applicant: FPC (Portland Road) Limited

Officer: Wayne Nee 292132

Prior Approval is required and is approved on 09/03/16 DELEGATED

WISH**BH2014/02767**

Report from 18/02/2016 to 09/03/2016

379 and Land to the Rear of 377 Kingsway Hove

Redevelopment of site to provide replacement retail showroom on ground floor and 8no flats on the upper floors with associated bike and bin storage and conversion of part of rear garden at 377 Kingsway into a communal garden for both 377 and 379 Kingsway.

Applicant: High Spec Developments Ltd

Officer: Nicola Hurley 292114

Minded to Grant (subject to S106 agreement) on 01/03/16 COMMITTEE

BH2015/04128**5 Portland Avenue Hove**

Certificate of Lawfulness for proposed single storey rear extension, loft conversion incorporating side dormer and 2no rooflights and associated alterations.

Applicant: Coastal Management Ltd

Officer: Molly McLean 292097

Refused on 22/02/16 DELEGATED

BH2015/04635**12 Lennox Road Hove**

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

Applicant: Ms O Maclaren

Officer: Molly McLean 292097

Refused on 24/02/16 DELEGATED

BH2016/00098**265 Kingsway Hove**

Erection of single storey rear extension, enlargement of garage, front dormer, hip to gable extension to rear, side and rear rooflights, revised fenestration, cladding and associated works.

Applicant: Mr Martin Webb

Officer: Laura Hamlyn 292205

Refused on 07/03/16 DELEGATED

Withdrawn Applications**BH2016/00066****23 Glebe Villas Hove**

Erection of single storey rear extension.

Applicant: Mr Alex Fox

Officer: Allison Palmer 290493

WITHDRAWN ON 02/03/16

PLANS LIST 30 March 2016**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: BH2016/00068****6 Patcham Grange, Brighton**

1no Chestnut T1 - reduce by 2-3m leaving 3-4m

Applicant: Mrs Sue Baker

Approved on 12 Feb 2016

Application No: BH2016/00070**12 Old Patcham Mews, Brighton**

1no Norway Maple T1 - Crown reduce by 2m in height and 1m in spread to previous reduction point. 1no Whitebeam T2 - Crown reduce by 2m in height and 1m in spread to previous reduction point. 1no Rowan T3 - Crown reduce by 1m in height to previous reduction point.

Applicant: Mrs Linda Overton-Hart

Approved on 04 Feb 2016

Application No: BH2016/00480**Matalan, Carden Avenue, Brighton**

1no Oak - Raise crown to 3.5m from ground. 1no Poplar - Raise the crown to 5m from ground Clear branch endings by 1-2m.

Applicant: Mrs Katy Steward

Approved on 19 Feb 2016

PRESTON PARK**Application No: BH2016/00061****13 Greenacres, Preston Park Avenue, Brighton**

Fell 1no Norway Maple.

Applicant: Leila Grayling

Refused on 04 Feb 2016

Application No: BH2016/00129**40 Beaconsfield Villas, Brighton**

Fell 2no Plum tree (Trees are not sustainable in the long term)

Applicant: Mr Donald Young

Approved on 04 Feb 2016

Application No: BH2016/00502**52 Beaconsfield Villas, Brighton**

1no Ash T1 - Reduce by 2-3m height, 1-2m on sides.

Applicant: Mr J Hatch

Report from 04/02/2016 to 11/03/2016

Approved on 19 Feb 2016

REGENCY**Application No: BH2015/04550****45 Sillwood Road, Brighton**

1no Magnolia Grandiflora T1 - Reduce crown by 30%. 1no Holly T2 - to rear of garden, reduce crown by 30%. 1no Bay T3 - within garden of number 44 reduce height by 50% and bring sides in to match

Applicant: Mr Clive Sanders

Approved on 04 Feb 2016

Application No: BH2016/00271**12 Montpelier Villas, Brighton BN1 3DG**

2no Sycamore T1 & T2 - Reduce by 1-2m leaving 2-3m. Reduce all growth away from building.

Applicant: Mr J Hatch

Approved on 04 Feb 2016

ST. PETER'S & NORTH LAINE**Application No: BH2016/00131****29 Roundhill Crescent, Brighton**

2no Sycamore G1 - Reduce back the lower branches growing over the gardens by approx 2m.

Applicant: Mr George O'Flanagan

Approved on 04 Feb 2016

WITHDEAN**Application No: BH2015/04083****8 Varndean Holt**

Brighton, Brighton & Hove

1no Ash T35. 1no Sycamore T33.

Applicant: Mr Mark Holt

Approved on 19 Feb 2016

Application No: BH2015/04450**15 Withdean Road, Brighton**

Fell 6no Beech, Fell 1no Sycamore (Trees have serious defects that mean they would not be sustainable in the long term. Replanting condition - 4no trees of minimum 12-14cm girth. Beech, Elm or Tulip).

Applicant: Mr William Paternoster

Approved on 04 Feb 2016

Application No: BH2015/04499
Mole House, 9 Woodside Avenue, Brighton
Fell 2no Sycamores T1 and T2.
Applicant: Mr Mark Haddock
Refused on 19 Feb 2016

Application No: BH2016/00044
7 Lauriston Road, Brighton
Fell 1no Rowan (Tree has no public visibility)
Applicant: Ms Pauline Reed
Approved on 04 Feb 2016

Application No: BH2016/00059
3 Clermont Road, Brighton
1no Ash tree in front garden reduce by 30%
Applicant: Mr Alan Milford
Approved on 12 Feb 2016

Application No: BH2016/00474
Balfour Primary School, Balfour Road, Brighton
Fell 1no Cherry - T72 on plan (The present location of the tree is non sustainable in the long term)
Applicant: Mr George O'Flanagan
Approved on 19 Feb 2016

EAST BRIGHTON

Application No: BH2016/00269
4 Chichester Place, Kemptown
Fell 1no Sycamore (Location of tree not sustainable in the long term)
Applicant: Mr J Williams
Approved on 12 Feb 2016

HANOVER & ELM GROVE

Application No: BH2016/00017
Downs Crematorium Bear Road, Brighton
1no Sycamore - R/O 68 Shanklin - Cut back Ivy hard to Main stems & sever at base. Reduce crown back to previous points. 1no Sycamore - R/O 183 Hartington Rd - Remove 2 lowest branches over 183 Hartington Rd, prune back remainder of overhang by approx. 2.5-3m. 1no Ash - North west corner - Reduce in height by approx. 2.5m. Prune back laterals by approx. 2.5-3m. Prune back overlong low branch over road by approx. 3.5-4m. Lift over road to approx. 5.5 m. Includes traffic management.

Applicant: Mr Paul Young
Approved on 12 Feb 2016

QUEEN'S PARK

Application No: BH2016/00273

30 West Drive, Brighton

1no London plane T1 - Crown raise 2m. 1no Elm T2 - crown raise 2m and slight thin.

Applicant: Mr David Emery
Approved on 04 Feb 2016

Application No: BH2016/00471

Faculty of Art, University of Brighton, Grand Parade, Brighton

Fell 1no Sycamore (Tree is subject to significant decay - Replacement tree has been agreed)

Applicant: Mark Heffernan
Approved on 12 Feb 2016

ROTTINGDEAN COASTAL

Application No: BH2015/04650

9 Wilkinson Close, Rottingdean

Fell 1no Sycamore T3 (Tree has very limited public view i.e. glimpses between buildings. Impact of its loss will be minimal. No replacement required.)

Applicant: Mr Sam Spiers
Approved on 12 Feb 2016

Application No: BH2015/04652

9 Wilkinson Close, Rottingdean

2no Sycamore T1 & T2 - Reduce crown by 2m and remove limbs pushing through fence.

Applicant: Mr Sam Spiers
Approved on 12 Feb 2016

BRUNSWICK AND ADELAIDE

Application No: BH2016/00071

39 Brunswick Road, Hove

1no Walnut T1 - Reduce height and spread by up to 3-4m, shaping and balancing the remaining crown accordingly. 1no Sycamore T2 - Reduce height and spread by up to 3-4m, shaping and balancing the remaining crown accordingly.

Applicant: Mr George O'Flanagan
Approved on 04 Feb 2016

Application No: BH2016/00213**17 Norfolk Road, Brighton**

1no Sycamore T1 - Reduce by 2-3m leaving 4-5m. Just above last cuts to live growth points.

Applicant: Mr J Hatch

Approved on 04 Feb 2016

Application No: BH2016/00322**53 York Road, Hove**

Fell 1no box Elder (T162 has no public visibility thus does not meet criteria for a TPO)

Applicant: Mr R Green

Approved on 12 Feb 2016

CENTRAL HOVE**Application No: BH2016/00127****7 Connaught Road, Hove**

1no Holm oak T1 - Reduce size of crown by approx 30% and thin by 15%. Raise crown to 3m.

Applicant: Mr Iain Palmer

Approved on 04 Feb 2016

GOLDSMID**Application No: BH2015/04641****York Mansions, Temple Gardens, Hove**

1no Cherry T1 - Reduce by 1-2m. 1no Copper Beech T2 - Reduce by 1-2m. 1no Lime T3 - Reduce by 4-5m. 1no Sycamore T4 - Reduce lateral growth over road by 3-4m. 1no Cherry T5 - Reduce by 1-2m.

1no Purple plum T6 - Crown raise by 2m. 1no Cherry T7 - Crown raise by 2.5m. 1no Elder T8 - Reduce to 1m. 2no Cherry T9 - Light prune. 1no Maple T10 - Reduce by 1-2m

Applicant: Mr J Hatch

Approved on 05 Feb 2016

Application No: BH2016/00492**91 & 93 Goldstone Villas, Hove**

No. 91 1no Bay - Reduce height by 50% and cut back overhang into 93. No.93 Fell 1no Lime. (Tree has no public visibility)

Applicant: Mr Ian Searle

Approved on 19 Feb 2016

NORTH PORTSLADE**Application No: BH2015/04451****8 Crest Way, Portslade**

Fell 1no Sycamore (Tree has a number of significant structural

defects. Tree imposes an unreasonable management burden of the home owner due to its proximity to the house)

Applicant: Mr William Paternoster

Approved on 04 Feb 2016

Application No: BH2016/00315

109 Crest Way, Portslade

2no Sycamore T1 & T3 - 15/20% crown reduction.

Applicant: Mr C Uridge

Approved on 12 Feb 2016

Application No: BH2016/00318

109 Crest Way, Portslade

Fell 1no Sycamore T2 (Tree's location is not sustainable in the long term and presents an unreasonable burden to the homeowner. No replacement required)

Applicant: Mr C Uridge

Approved on 12 Feb 2016

Report from 04/02/2016 to 11/03/2016

SOUTH PORTSLADE

Application No: BH2015/04596

22 Denmark Road, Portslade

1no Sycamore T1 - Reduce to give a 2 metre clearance away from the building.

Applicant: Mr Andy Goddard

Approved on 05 Feb 2016

HOVE PARK

Application No: BH2015/04409

7 Elm Close, Hove

Reduction of Groups 2 and 3 back to previous pruning points constituting a reduction of up to 2m in height and 1.5 in width. Group 4 contains one ash (G4T1) and one hornbeam (G4T2) with historical scarring from the base (see photo). We request the felling of these 2 trees. The remaining group we request the reduction back to previous pruning points constituting a reduction of up to 2m in height and 1.5 in width and the additional reduction in height of one emergent sycamore (G4T3) by an additional 1m. (T1 and T2 have serious defects rendering them unsustainable in the long term. No replacement required)

Applicant: Mr John Fogden

Approved on 05 Feb 2016

Application No: BH2016/00011
140 Woodland Drive, Hove
Fell 1no Eucalyptus Tree
Applicant: Mr Sean O'Connor
Approved on 04 Feb 2016

WESTBOURNE

Application No: BH2016/00010
54 New Church Road, Hove
16no Elms to be reduced by approximately 20%.
Only the last 2-3 years growth to be cut, all cuts to be too growth points.
Applicant: Mr Sean O'Connor
Approved on 04 Feb 2016

Application No: BH2016/00097
8 Princes Square, Hove
Fell 1no Fraxinus excelsior. (Tree has no public visibility)
Applicant: Mr Rustom Irani
Approved on 19 Feb 2016

Application No: BH2016/00420
32 New Church Road, Hove
1no Holm Oak T1 - Crown lift to 3.5m, crown thin by 30%
Report from 04/02/2016 to 11/03/2016
Applicant: Mr John Edmonds
Approved on 12 Feb 2016

WISH

Application No: BH2016/00490
4 Woodhouse Close, Hove
1no Beech 30% Crown reduction
Applicant: Mr Michael Mullan
Approved on 19 Feb 2016

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

BH2015/03330

29 Hove Park Way Hove

Erection of raised terrace and garden wall to rear garden (Part Retrospective).

APPEAL LODGED

22/02/2016

Delegated

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

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.

APPEAL LODGED

18/02/2016

Delegated

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

BH2015/03482

6 Westbourne Grove Hove

Prior approval for change of use from storage (B8) to residential (C3) to form 1 no studio flat at ground floor level.

APPEAL LODGED

29/02/2016

Delegated

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

BH2015/03483

6A Westbourne Grove Hove

Prior approval for change of use from storage (B8) to residential (C3) to form 1 no studio flat at first floor level.

APPEAL LODGED

29/02/2016

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****WESTBOURNE**

BH2015/03480

5 Westbourne Grove Hove

DEVELOPMENT DESCRIPTION Prior approval for change of use from storage (B8) to residential (C3) to form 1no studio flat at ground floor level.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 25/02/2016
APPLICATION DECISION LEVEL Delegated

WARD **WESTBOURNE**
APPEAL APP NUMBER BH2015/03481
ADDRESS 5A Westbourne Grove Hove
DEVELOPMENT DESCRIPTION Prior approval for change of use from storage (B8) to residential (C3) to form 1no studio flat at first floor level.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 25/02/2016
APPLICATION DECISION LEVEL Delegated

WARD **MOULSECOOMB & BEVENDEAN**
APPEAL APP NUMBER BH2015/02442
ADDRESS 9 The Crescent Brighton
DEVELOPMENT DESCRIPTION Change of use from five bedroom small house in multiple occupation (C4) to eight bedroom large house in multiple occupation (Sui Generis). (Retrospective)
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 02/03/2016
APPLICATION DECISION LEVEL Delegated

WARD **WISH**
APPEAL APP NUMBER BH2015/00279
ADDRESS 14 Portland Villas Hove
DEVELOPMENT DESCRIPTION Demolition of existing property and erection of new detached house.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 02/03/2016
APPLICATION DECISION LEVEL Delegated

WARD **MOULSECOOMB & BEVENDEAN**
APPEAL APP NUMBER BH2015/03006
ADDRESS 92 Baden Road Brighton
DEVELOPMENT DESCRIPTION Erection of 1no two bedroom single dwelling and 1no three bedroom single dwelling.
APPEAL STATUS APPEAL LODGED
APPEAL RECEIVED DATE 02/03/2016
APPLICATION DECISION LEVEL Delegated



INFORMATION ON HEARINGS / PUBLIC INQUIRIES
30 March 2016

Brighton & Hove
City Council

This is a note of the current position regarding Planning Inquiries and Hearings

None

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Appeal Decision

Site visit made on 10 February 2016

by **Kenneth Stone BSc (Hons) DipTP MRTPI**

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

Decision date: 18/02/2016

Appeal Ref: APP/Q1445/D/15/3135055
7 Benfield Crescent, Portslade BN41 2DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Kathleen Touw against the decision of Brighton & Hove City Council.
 - The application Ref BH2015/01265, dated 5 April 2015, was refused by notice dated 6 July 2015.
 - The development proposed is the erection of a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension at 7 Benfield Crescent, Portslade BN41 2DB in accordance with the terms of the application, Ref BH2015/01265, dated 5 April 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 477/01 and 477/02.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues in this appeal are the effect of the proposed extension on: firstly, the character and appearance of the host property and the surrounding area; and secondly, the living conditions of the occupiers of 9 Benfield Crescent (No 9), with particular reference to outlook and daylight.

Reasons

Character and appearance

3. The appeal relates to a two storey semi detached house with painted render walls, above a red brick plinth, and plain tiled roof. It has an existing single storey pitched roof extension across part of the rear elevation and which has been further extended by a conservatory. The area has a mix of detached and semi detached two storey houses and bungalows which have varied designs.
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4. The appeal property is set on the northern side of Benfield Crescent and the property to the east, 5 Benfield Crescent (No.5), is a detached two storey house at the junction with Mill Lane. Mill Lane rises gently towards the north and the rear of the appeal property is visible from that road, including the existing extensions.
5. The proposed extension would replace the existing rear extensions with a flat roofed solid construction the full width of the property and extending to a similar depth as the existing extensions. The appeal property is located adjacent to No 5, whose rear elevation sits further rearward than the appeal property, and the boundary treatment with No.9, which includes a 1.8m high boundary fence backed by a conifer hedge rising to some 2.8m. The proposed extension would therefore hold a recessive position in the street and would be viewed against the backdrop of the main rear wall of the property, the high boundary treatment of the other half of the semi detached pair and beyond the more prominently sited adjoining property, No 5. The scale, size and dimensions of the proposed extension would not dominate the original property and would appear subservient to it. The height of the extension would not excessively rise up the rear elevation and would be lower than the pitched roofs of the existing extensions.
6. Policy QD14 of the Brighton and Hove Local Plan 2005 (BHLP) requires extensions to, amongst other matters, be well designed, take account of the space around the property and use sympathetic materials. The policy goes on to note that account will be taken of orientation, slope, overall height, relationships and existing boundary treatment. In this regard I am satisfied that given the relationship with the adjoining properties, the height of the extension and the height and nature of the boundary treatment, that the proposed extension would comply with the policy. I note that the Council's Supplementary Planning Document 12: Design Guide for alterations and extensions (SPD) suggests that a depth half the depth of the original property would normally be appropriate, and that this extension would exceed those guidelines. However, the guidelines talk about excessively large and poorly designed extensions harming the appearance of the building, reducing useable space and the effect on neighbours. In terms of overall design and appearance the extension would use appropriate materials, is not excessively tall does not project beyond the side walls of the building. In this particular context I am satisfied that the proposed extension would be well integrated with the original property and meets the policy criteria.
7. For the reasons given above I conclude that the proposed development would not result in material harm to the character and appearance of the appeal property or the surrounding area. Consequently it would not conflict with policy QD14 of the BHLP which, amongst other matters, seeks well designed extensions that do not harm the appearance of the property and take account of the character of the area.

Living conditions

8. The proposed extension would project 5.3m from the rear wall of the property and would be the full width of the property, up to the common boundary. It would be some 2.8m in height with a flat roof. The boundary between the two properties in this pair is formed by a standard 1.8m wooden fence backed by a conifer hedge, on the neighbour's side, which rises to a height of around 2.8m.

The rear of these properties is north facing. In this regard the rear facades are already overshadowed by the existing houses for much of the day and, with the existing hedge, No 9 already has a significant sense of enclosure and limitation on the outlook enjoyed from the property. The proposed extension, at a height of 2.8m, would not increase the existing enclosure of the property and would not be visible from within No 9 above the height of the existing hedge. To this extent the proposed extension would not worsen the existing environment or living conditions of the occupants of that property.

9. Whilst I accept that the hedge is outside the application site and therefore beyond the control of the appellant or the Council in terms of this application it is within the control of the neighbour who would potentially be affected if it were to be removed. In effect they would have control. Moreover, the existing living conditions that are experienced by the occupants of No 9 are such that even if the hedge were removed the extension would not reduce the light or outlook from that property to any greater extent than presently exists. As such the proposed development would not reduce or harm the existing living conditions of the occupants of No 9. There would of course be a slight change in the appearance of the boundary but with only approximately 1m of the extension visible above the fence and for less of a depth than the existing conifer hedge projects. In this regard it would not be so imposing or intrusive in the outlook as the existing hedge.
10. Policies QD14 and QD27 of the BHLP seek to protect the amenity of adjoining owners and ensure that there is no significant loss of daylight, sunlight or outlook. Given the nature of the existing boundary treatment and the scale and dimensions of the proposed extension associated with the orientation of the properties I am satisfied that there would no such impacts, and the proposal would therefore comply with those policies. Given the physical characteristics of the site and the proposed extension I am satisfied that any impact would not lead to material harm, albeit that it does exceed the normal expectations identified in the SPD for such extensions.
11. For the reasons given above I conclude that the proposed extension would not materially harm the living conditions of the occupants of No 9 Benfield Crescent. Consequently it would not conflict with policies QD14 or QD27 of the BHLP which seek to protect, amongst other matters, the amenity enjoyed by the occupants of neighbouring properties.

Overall conclusions

12. For the reasons given above I conclude that the appeal should be allowed.

Kenneth Stone

INSPECTOR

Appeal Decision

Site visit made on 16 February 2016

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 25th February 2016

Appeal Ref: APP/Q1445/W/15/3135846
5 Coombe Rise, Saltdean, Brighton BN2 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Devandra Hindocha against Brighton & Hove City Council.
 - The application Ref BH2015/01441, is dated 22 April 2015.
 - The development proposed is the erection of a shed in rear garden.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council failed to determine the application within the prescribed period and subsequently failed to submit an appeal statement within the relevant deadline.
3. The brick structure of the shed together with its roof battens were already in place on the date of the site visit.
4. The shed has been constructed on a raised platform within a retaining brick wall which is shown as 'existing' on the application drawings. The application relates solely to the erection of a shed on this existing platform and the appeal has been determined on this basis.

Main Issue

5. From my observations during the site visit the main issue is the effect of the shed on the living conditions of the occupiers of Nos 16 and 17 Westfield Rise in relation to outlook.

Reasons

6. The rear garden behind No 5 Coombe Rise slopes down steeply away from the house within which a series of steps, retaining walls and patio areas have been constructed. The shed which is the subject of this appeal has been constructed at the bottom of the garden on a raised platform within a retaining wall.
7. The garden is long as well as sloping so the shed lies well away from the rear elevation of No 5 and the properties which are adjacent to it on either side. Consequently, the shed is not intrusive in views from the rear windows of properties in Coombe Rise or from their back gardens where the shed is seen as an unexceptional garden outbuilding.

8. However, the adjoining properties to the north, Nos 16 and 17 Westfield Rise, are set well below the appeal site with rather shorter rear gardens which rise up steeply towards the shed. Due to the retaining wall built along the common boundary, which is between one and two metres high, the shed is sited on a significantly raised platform which increases the apparent height of the shed when viewed from Nos 16/17.
9. The shed is constructed of brick with a pitched roof. It is about 3 m long, about 2 m wide and about 2.7 m high to the ridge. It is unexceptional in appearance, relatively small in size and oriented so that its narrower end elevation faces the common boundary. Nevertheless, due to its unusual siting on a raised platform, close proximity to the boundary and location at the top of steeply sloping gardens, it appears overbearing and intrusive in views from the rear windows and private gardens of Nos 16/17. Due to the steeply sloping ground below the shed effective screening would be difficult to establish.
10. It is recognised that the shed is seen against a backdrop of trees and other vegetation and that rear facing views from Nos 16/17 are slightly oblique and compromised in any event by the steeply rising ground towards Coombe Rise. However, despite this context and the relatively small size of the shed it represents an incongruous and dominant feature which would not reasonably be expected by the occupiers of Nos 16/17.
11. For these reasons the shed causes significant harm to the living conditions of the occupiers of Nos 16/17 Westfield Rise in relation to outlook. This conflicts with Policy QD27 of the Brighton and Hove Local Plan 2005 which resists development where it would cause material loss of amenity to adjacent residents or occupiers.

Conclusion

12. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR

Appeal Decision

Site visit made on 9 February 2016

by Andrew Steen BA(Hons) DipTP MRTPI

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

Decision date: 8 March 2016

Appeal Ref: APP/Q1445/W/15/3136629
1A Marmion Road, Hove, Brighton & Hove BN3 5FS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr Clive Wheeler against the decision of Brighton & Hove City Council.
 - The application Ref BH2015/01278, dated 10 April 2015, was refused by notice dated 11 August 2015.
 - The development proposed is the demolition of a two storey warehouse and the erection of a new terrace comprising 4 dwelling houses and one office unit, together with gardens and associated parking.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of a two storey warehouse and the erection of a new terrace comprising 4 dwelling houses and one office unit, together with gardens and associated parking at 1A Marmion Road, Hove, Brighton & Hove BN3 5FS in accordance with the terms of the application, Ref BH2015/01278, dated 10 April 2015, subject to the 16 conditions contained in the schedule at the end of this decision.

Procedural Matter

2. The draft Brighton & Hove Submission City Plan Part One (CP) has been submitted for examination but the exact stage it has reached is not clear, nor are the extent of outstanding objections or whether the policies concerned will be considered as consistent with the National Planning Policy Framework (the Framework). Consequently, I am only able to give it limited weight in my decision.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area, with particular regard to the height and scale.

Reasons

4. The proposed development would result in a terrace of four dwellings with offices at one end of a modern design, in part reflective of the design of the terrace of dwellings on Stoneham Road, a short distance away. I understand that another terrace of modern dwellings has also recently been approved a
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- short distance along Marmion Road. The surrounding area is predominantly high density residential development, mainly comprising Victorian terraced houses.
5. An adjoining dwelling, The Cottage, is attached to the existing building on the site, with its ground floor set lower than the road level such that the building appears particularly low. The proposed development would have a small gap to the boundary, with two storeys closest to this boundary and a further floor above stepped away from the front and side of the proposed building. This would provide a gradual change in roof heights away from The Cottage such that it would not dominate or clash with it. Consequently the relationship between The Cottage and the proposed development would be satisfactory.
 6. In a similar manner, there would be no second floor proposed above the office element of the proposal. This would allow the development to step up from the junction with Marmion Road. This would reflect the relationship of the more traditional pitched roofs of buildings with the road, such that the proposal would reflect the scale and height of surrounding buildings on Marmion Road and Mainstone Road. In setting the second floor back from the front and sides of the building, the proposals would ensure that the development would be subservient to the remainder such that the proposals would reflect the scale and height of surrounding development.
 7. For the above reasons, the scale and height of the proposed development would not harm the character and appearance of the area. As such, it would comply with policies QD1 and QD2 of the Brighton & Hove Local Plan (LP) that require development to demonstrate a high standard of design and make a positive contribution to the visual quality of the environment.
 8. Concern has been raised by neighbouring occupiers that the top floor terrace of the proposed development may overlook their properties. As set out above, this is a high density area, with houses in close proximity such that there is a degree of mutual overlooking. Given the nature of this accommodation, I am satisfied that the distance to neighbouring dwellings would ensure that the living conditions of neighbouring occupiers would not be unduly harmed. The dwellings would be provided with limited outside space, but the roof terraces proposed ensure that adequate space would be provided for the proposed dwellings.
 9. I note that the existing building is referred to as historic. However, no evidence has been provided as to the historic importance of the building and, at present, it is a utilitarian structure that does not make a particular contribution to the character and appearance of the locality. Whilst some employment floorspace would be lost, additional offices would be provided and this loss has been considered acceptable by the Council. There is no firm evidence that development would have any materially adverse effect on local services and infrastructure, including drainage and sewerage systems. The access and parking arrangements would be satisfactory and there is no evidence that highway safety would be compromised. Any disturbance during construction would be for a temporary period only.

Conditions

10. I have imposed a condition specifying the relevant drawings as this provides certainty. A condition is necessary to maintain the office building in that use in

- order to protect the living conditions of surrounding occupiers that might be affected by alternative uses and to retain employment floorspace in accordance with policy EM3 of the LP. A condition providing and maintaining obscure glazing to the rear windows at first floor level is necessary to protect the living conditions of the neighbouring dwelling from overlooking. A condition preventing utilities being provided externally to elevations fronting the highway is necessary to reflect the character and appearance of the locality.
11. Conditions relating to access and parking, including cycle parking, are necessary to ensure adequate access into the site and parking is provided on site to protect highway safety and provide for the needs of the development. A condition is necessary to require porous surfacing to hard surfaces, or to direct water run-off from the surface to a permeable or porous area or surface in order to reduce the risk of flooding and pollution and increase the level of sustainability of the development. A condition is necessary for samples of materials to be submitted to ensure that they would maintain the character and appearance of the area. A condition is necessary to confirm existing and proposed ground and slab levels to ensure the development reflects the character and appearance of the area and the living conditions of neighbouring occupiers.
 12. A condition relating to contamination is necessary in order to ensure contamination does not affect future residents of the development or neighbouring occupiers. Conditions are necessary requiring compliance with Building Regulations Optional Requirements relating to water efficiency and accessible and adaptable dwellings and to ensure the development is carried out and maintained in accordance with the submitted sustainability checklist. The requirement relating to water efficiency seeks to reduce water consumption in accordance with policy SU2 of the LP. That relating to accessible and adaptable dwellings replaces the Lifetime Homes Standards referred to in Policy HO13 of the LP. The sustainability checklist ensures the development is energy efficient in accordance with Policy SU2 of the LP.
 13. A condition is necessary requiring planting of the proposed trees and for their retention in order to ensure the development reflects the character and appearance of the area. I have imposed a condition to ensure that the refuse and recycling storage facilities are provided to protect the living conditions of neighbouring occupiers. A condition is necessary to reinstate the redundant vehicle crossovers surrounding the site to a footway and realign the junction of Mainstone Road and Marmion Road in the interest of highway safety. I have combined the last two conditions suggested by the Council that repeat that requirement.
 14. I have not included a condition removing permitted development rights as I do not consider it to be necessary. Such rights should be removed only in instances of specific and precise justification. I find no exceptional circumstances in this case such as to warrant the wholesale removal of these rights. I have not included the suggested condition requiring an improvement in CO2 emissions over the Building Regulations requirements as this goes beyond what is required by Policy SU2 of the LP and given the stage of preparation of the CP, including more detailed Policy CP8.
 15. In some cases I have amended the wording of conditions suggested by the Council in the interests of clarity.

Conclusion

16. For the above reasons and taking into account all other matters raised I conclude that the appeal should succeed.

Andrew Steen

INSPECTOR

Schedule of 16 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: TA633/01 rev. A, TA633/02, TA633/03 rev. A, TA633/04 rev. A, TA633/05, TA633/06 rev. A, TA633/10 rev. I, TA633/11 rev. J, TA633/12 rev. E, TA633/13 rev. I, TA633/14 rev. I, TA633/15 rev. K, TA633/16 rev. K, TA633/17 rev. K, TA633/18 rev. A.
- 3) The southernmost building within the development hereby permitted shall be used for B1 (a) offices only and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 4) The first floor windows in the rear/east elevation to all units of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.
- 5) No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.
- 6) The car spaces to be provided shall be kept available at all times for the parking of motor vehicles by the occupants of the dwellings and offices, and their visitors, and for no other purpose.
- 7) No dwelling shall be occupied until space has been laid out within the site in accordance with drawing no. TA633/11 rev. J for bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles.
- 8) The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
- 9) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 10) No development shall commence until full details of existing and proposed ground levels (referenced as Ordnance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have

- been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.
- 11) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 7 days of the report being completed and approved in writing by the local planning authority.
 - 12) The dwellings shall not be occupied until the Building Regulations Optional Requirements G2(36(2)(b)) (water efficiency) and M4(2) (accessible and adaptable dwellings) have been complied with.
 - 13) The B1 use offices shall not be occupied until the sustainability measures detailed within the Sustainability Checklist received on the 10th April 2015 have been fully implemented, and such measures shall thereafter be retained.
 - 14) The development hereby approved shall not be occupied until the two trees detailed on drawing no. TA633/11J received on the 10th April 2015 have been planted in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. In the event any tree dies, is removed or becomes seriously damaged or diseased within a period of 5 years from the completion of the development, it shall be replaced with another of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
 - 15) The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
 - 16) Prior to the first occupation of the development, details of a scheme of works to raise the existing kerb and footway, including redundant vehicle crossovers, in front of the proposed development, and to realign the western bell mouth kerb to Mainstone Road to be the same radius as the kerb opposite (including tactile paving) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed prior to the first occupation of the development hereby permitted and shall thereafter be retained.

Costs Decision

Site visit made on 2 February 2016

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 3rd March 2016

Costs application in relation to Appeal Ref: APP/Q1445/D/15/3134936 Land at 18 McWilliam Road, Brighton BN2 6BE

- 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 Ryan Kendall for a full award of costs against Brighton & Hove City Council.
 - The appeal was made against the refusal of planning permission for a roof conversion incorporating hip to gable extensions and rear dormer.
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Decision

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

Reasons

2. The Planning Practice Guidance advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. In respect of the above, the appellant argues that the Council misdirected itself in that there was no conflict with its Supplementary Planning Document – design guide for extensions and alterations 2013 (SPD), and that the Council considered only a small section of the street rather than the streetscape as a whole. However, whilst I came to a different conclusion from the Council in a separate decision, I consider that its concerns were clearly set out in both its officer report and the decision notice.
4. In respect of conflict with the SPD, the Council referred to the fact that the size of the dormer would be excessively scaled, would consume much of the rear roofspace and with poor window alignment with the building below. As such it was at variance with guidance in the SPD. Although I did not attach the same weight to that variance given the secluded location of the dormer at the rear, and notwithstanding the fact that the SPD is for guidance purposes only, it was nevertheless a justifiable and valid point to make by the Council.
5. Similarly in respect of streetscape, the Council put forward clear and cogently formed arguments as to why it considered the proposed roof alteration would be unacceptable in the streetscene. Although it focussed primarily on the relationship with adjoining buildings, rather than the streetscene as a whole, those building nevertheless form part of the overall streetscape. As above, although I reached a different view than the Council, I consider that its arguments were soundly put and based on clear land use planning

considerations with reference back to adopted Development Plan policies. I acknowledge, as the appellant points out, that there is no directly comparable example in the SPD by way of illustration, to the appeal proposal, but that in itself did not amount to unreasonable behaviour in my view as it seems to me the Council was simply trying to apply the somewhat generalised guidance in a different situation. Furthermore, the reason for refusal did not specifically state that there was any conflict with the whole of the streetscape in McWilliam Road. In that respect it is a matter of judgement as to the impact of the proposal on that wider streetscape and whilst I reached a different conclusion from the Council in that respect, it does not follow that the argument put forward had no substance.

6. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

Kim Bennett

INSPECTOR

Appeal Decision

Site visit made on 9 February 2016

by Andrew Steen BA(Hons) DipTP MRTPI

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

Decision date: 8 March 2016

Appeal Ref: APP/Q1445/W/15/3135755
37 Auckland Drive, Brighton BN2 4JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr T Mole against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/04142, dated 8 December 2014, was refused by notice dated 11 June 2015.
 - The development proposed is a two storey detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposed dwelling on the character and appearance of the area; and
 - the effect of the proposed dwelling on the living conditions of neighbouring occupiers at 37 Auckland Drive with particular regard to privacy and outlook.

Reasons

Character and appearance

3. The proposed dwelling is located in the rear garden of 37 Auckland Drive. Both the existing and the proposed dwelling would be perpendicular to Auckland Drive, fronting the footpath that provides access to the properties from the road. Surrounding development is of predominantly semi-detached dwellings with either gabled or hipped roofs to their sides. The existing dwelling at no. 37 has a hipped pyramid roof, with the semi-detached neighbour at a lower level, the roof attaching to the side of the property.
 4. The site slopes steeply away from the road such that the proposed dwelling is set at a significantly lower level, with the proposed eaves at approximately the same level as the fence and hedge fronting the road. The size and general layout of the dwelling proposed reflects that of surrounding development.
 5. While I note that there are other properties with gables, the proposed design would present a blank gable end facing directly towards the road, where others in the area tend to be at the sides of the properties. The size and arrangement
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- of the gable roof would not be in keeping with the area or other buildings with gable ended roofs and is unacceptable.
6. The Council also refer to the fenestration facing toward the road as haphazard. However, this would be the side elevation to the dwelling and, in this context, the arrangement of windows and door would not be unusual. In addition, the windows and door would be mainly below road level and are unlikely to be visible behind the fence and hedge on the boundary.
 7. Given the layout of the roof with gable end facing toward the road, the proposed dwelling would have a harmful effect on the character and appearance of the area. As such, it would not comply with Policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan (LP) that require development to make an efficient use of land and reflect the character and appearance of the surrounding area.

Living conditions

8. The proposed dwelling would be located in the corner of the rear garden area of 37 Auckland Drive such that it would not be directly to the rear of the existing dwelling. The garden area to no. 37 would be quite considerably reduced in size, with the proposed dwelling only approximately 10m from no. 37 at its closest. The proposed dwelling would be set higher on the slope of the land.
9. Given the small remaining garden area to no. 37 and consequent proximity of the proposed dwelling, combined with its height and topography of the site, the proposed dwelling would dominate the rear garden area and rear rooms of the dwelling at no. 37. That overbearing impact would result in significant harm to the living conditions of occupiers of that dwelling.
10. There are windows proposed in the front elevation facing toward and overlooking the rear garden area of no. 37, which would add to the harm caused by the overbearing impact.
11. I accept that the small garden area remaining at no. 37 would be acceptable and other outdoor private amenity space is not necessary. I also accept that there is a degree of mutual overlooking and overbearing impacts between dwellings in this area caused by the topography of the land. However, it would be the proximity and layout of these dwellings that would be unusual and such that the proposed dwelling would dominate and overlook the existing dwelling at no. 37.
12. In conclusion, the proposed dwelling would cause material harm to the living conditions of neighbouring occupiers by reason of the overbearing impact that would harm the outlook of occupiers of 37 Auckland Drive and loss of privacy to those neighbouring occupiers. As such, the proposed dwelling would not comply with Policy QD27 of the LP that seeks to ensure development does not harm the living conditions of neighbouring occupiers.

Other matters

13. Whilst the appeal site represents an appropriate location in principle for new housing and the proposal would make a contribution to the supply of housing in the area, this does not justify or outweigh the harm that would arise from the

particular scheme before me in terms of the character and appearance of the area and the living conditions of neighbouring occupiers.

14. Reference is made in the appeal documents to the three strands of sustainability referred to in the National Planning Policy Framework, being economic, social and environmental. In this case, there would be limited economic benefits during the construction of the dwelling and residents would support local services once it is occupied. The provision of a single dwelling would have a positive social impact in contributing in a small way to the need for homes in the area. However, these minor positive economic and social benefits would not outweigh the environmental harm arising from the impact on the character and appearance of the area, nor the impact on living conditions of neighbouring occupiers and I conclude that it would not be sustainable development as identified in the Framework.

Conclusion

15. For the above reasons and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Andrew Steen

INSPECTOR

