





**Brighton & Hove  
City Council**

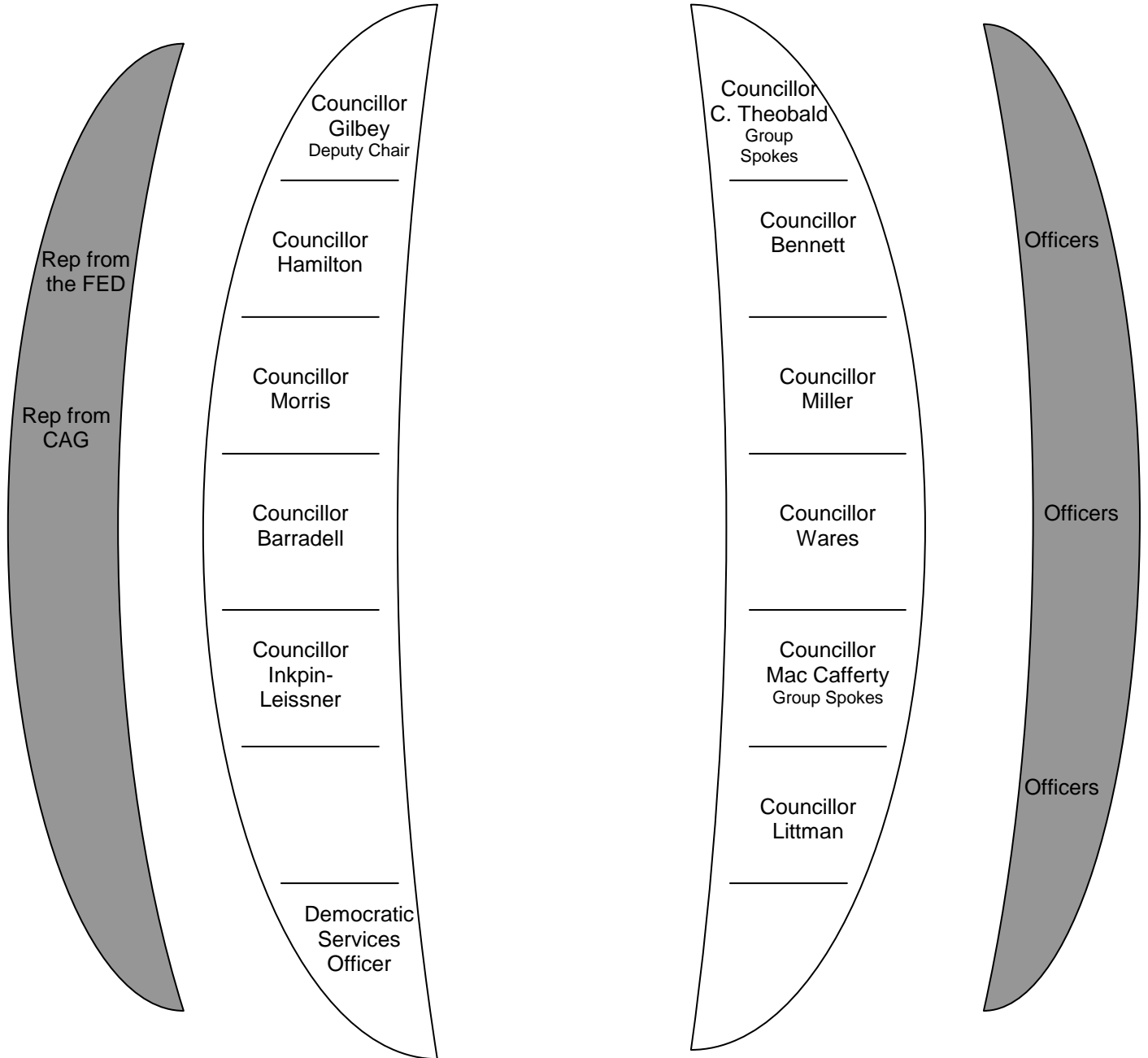
# Planning Committee

Title:	<b>Planning Committee</b>
Date:	<b>11 May 2016</b>
Time:	<b>2.00pm</b>
Venue	<b>The Ronuk Hall, Portslade Town Hall</b>
Members:	<p><b>Councillors:</b> Cattell (Chair), Gilbey (Deputy Chair), C Theobald (Group Spokesperson), Mac Cafferty (Group Spokesperson), Barradell, Bennett, Hamilton, Inkpin-Leissner, Littman, Miller, Morris and Wares</p> <p><b>Co-opted Members:</b> Jim Gowans (Conservation Advisory Group)</p>
Contact:	<p><b>Ross Keatley</b> Democratic Services Manager 01273 29-1064/5 planning.committee@brighton-hove.gov.uk</p>

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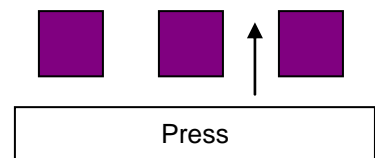
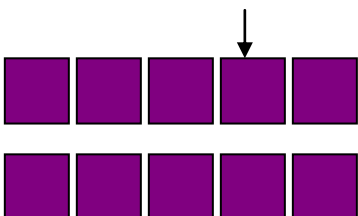
# Democratic Services: Planning Committee

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



## AGENDA

### 185 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

### 186 MINUTES OF THE PREVIOUS MEETING

Minutes of the meeting held on 20 April 2016 (to follow).

### 187 CHAIR'S COMMUNICATIONS

### 188 PUBLIC QUESTIONS

**Written Questions:** to receive any questions submitted by the due date of 12 noon on 3 May 2016.

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

### 190 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

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

## MAJOR APPLICATIONS

#### **A BH2016/00040 - Bingo Hall, Fairway Trading Estate, Moulsecoomb Way, Brighton - Full Planning 1 - 24**

Change of use from bingo hall (D2) to mixed use general manufacturing (B2), offices (B1a), research and development (B1b), light industrial manufacturing (B1c), warehousing (B8) together with external alterations for new windows and doors and new entrance at ground floor level.

#### **RECOMMENDATION – MINDED TO GRANT**

*Ward Affected: Moulsecoomb & Bevendean*

## MINOR APPLICATIONS

#### **B BH2015/04574 - 14 Portland Villas, Hove - Full Planning 25 - 40**

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

#### **RECOMMENDATION – GRANT**

*Ward Affected: Wish*

#### **C BH2015/03521 - Land west of 13 Dudwell Road, Brighton - Full Planning 41 - 54**

Erection of 2no three bedroom semi-detached two storey houses (C3).

#### **RECOMMENDATION – GRANT**

*Ward Affected: Woodingdean*

## PLANNING COMMITTEE

- D BH2016/00021 - Clarendon House, Conway Court, Ellen House, Livingstone House & Goldstone House Clarendon Road, Hove - Full Planning 55 - 62**

Alterations to lift motor rooms including raising roof height by 600mm. Installation of UPVC framed doors and installation of external smoke vents. General repair and decoration works.

**RECOMMENDATION – GRANT**

*Ward Affected: Goldsmid*

- 191 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

- 192 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 63 - 66**  
(copy attached).
- 193 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 67 - 116**  
(copy attached)
- 194 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 117 - 122**  
(copy attached).
- 195 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 123 - 124**  
(copy attached).
- 196 APPEAL DECISIONS 125 - 166**  
(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

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

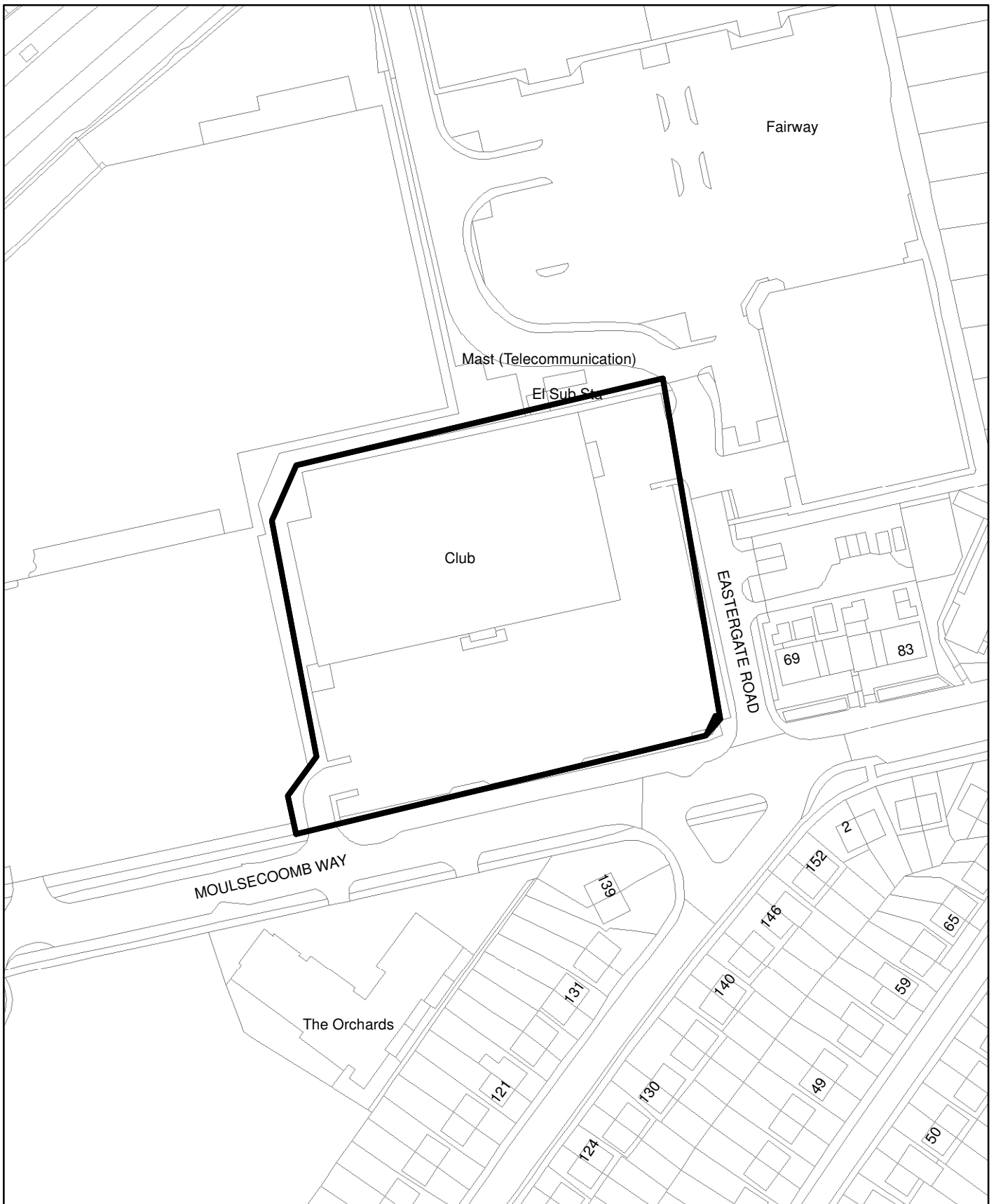
Date of Publication - Tuesday, 3 May 2016

# **ITEM A**

**Bingo Hall, Fairway Trading Estate  
Moulsecoomb Way, Brighton  
BH2016 / 00040  
Full Planning**

**11 May 2016**

BH2016/00040 Bingo Hall, Fairway Trading Estate, Moulsecomb Way, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**



<b><u>No:</u></b>	<b>BH2016/00040</b>	<b><u>Ward:</u></b>	<b>MOULSECOOMB &amp; BEVENDEAN</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Bingo Hall Fairway Trading Estate Moulsecoomb Way Brighton</b>		
<b><u>Proposal:</u></b>	<b>Change of use from bingo hall (D2) to mixed use general manufacturing (B2), offices (B1a), research and development (B1b), light industrial manufacturing (B1c), warehousing (B8) together with external alterations for new windows and doors and new entrance at ground floor level.</b>		
<b><u>Officer:</u></b>	<b>Kate Brocklebank Tel 292454</b>	<b><u>Valid Date:</u></b>	<b>26/01/2016</b>
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Expiry Date:</u></b>	<b>26 April 2016</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b><u>Agent:</u></b>	<b>Lewis and Co Planning SE Ltd, 2 Port Hall Road Brighton BN1 5PD</b>		
<b><u>Applicant:</u></b>	<b>Custom Pharmaceuticals Ltd, Mr John Scott Conway Street Hove BN3 3LW</b>		

## 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 formed of a single storey purpose built warehouse building with grey corrugated metal clad upper and dark grey facing brick lower elevation and a shallow pitched roof. The property was formally occupied by Beacon Bingo who have since vacated and the building remains empty. There is a significant level of parking surrounding the building. The site is generally level with a slight incline from west to east; the topography surrounding the site differs significantly resulting in large areas of retaining walling along two sides of the car park (south and east), galvanised steel fencing contains the remainder of the site.
- 2.2 The site is within the Fairway Trading Estate which is occupied by varying commercial uses. A small parade of shops exists to the east of the site. The wider area is characterised predominantly by two storey brick built semi-detached residential dwellings. The site is within Controlled Parking Zone D which relates to restrictions on match days at the Amex Community Football Stadium.

## 3 RELEVANT HISTORY

None

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for change of use of the existing D2 bingo hall to a mixed use general manufacturing (B2), offices (B1a), research and development (B1b), light industrial manufacturing (B1c), warehousing (B8); with no single main use the overall function is considered to be sui generis. In addition external alterations for new windows and doors and new entrance at ground floor level are proposed. The plans include the creation of a mezzanine floor which although in isolation does not constitute development, it is intrinsic to the scheme and therefore the total floor area proposed has been taken into consideration when assessing the overall impact of the scheme.

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

##### **External**

- 5.1 **Neighbours: Three (3)** letters of representation have been received from **71 Halland Road, 8 Bolney Road** and **Flat 10 The Orchards** objecting to the application for the following reasons:

- The loss of the bingo hall is a big loss to the community.
- The replacement use provides nothing for the local community to accommodate the loss where very few facilities exist.
- A supermarket, shopping mall plus arts centre would do well and upgrade the site.
- Significant concern regarding traffic impacts.
- Loss of parking for Mears Housing Centre.
- Concerned over the production of drugs on the premises.

- 5.2 **One (1)** letter of representation has been received from the occupiers of **133 Hodshrove Road** commenting on the application as follows:

- The parking survey refers to Mears vehicles which have nothing to do with the bingo hall.
- Query where these vehicles will park given the already busy road network.

- 5.3 **Two (2)** letters of representation has been received from **Griffin Tax Free, Griffin House, Westergate Road** and **Brighton & Hove Economic Partnership** supporting to the application for the following reasons:

- The development will help the area.
- An empty building has a negative impact on an area, making an area appear run down.
- The expanding company can also benefit the local community.
- The expanding company and the construction phase will provide additional employment.
- An apprenticeship scheme is under consideration.
- Significant risks identified around any delay in gaining planning permission given the very restrictive timetable and exit date of the existing building.
- The teaching links that Custom Pharmaceutical has with Sussex and Brighton University are noted with several staff lecturing along with hosting student visits to the manufacturing facilities along with offering work experience during the summer terms.

- 5.4 **County Archaeology:** No objection
- 5.5 **East Sussex Fire & Rescue Service:** No objection – instillation of sprinkler systems are recommended.
- 5.6 **UK Power Networks:** No objection
- 5.7 **Sussex Police:** No objection - It is recommended that the applicant follow the security measures as given within the Home Office Security Guidance document.
- 5.8 **Ecology:** Support - The development is unlikely to have impacts on biodiversity and can therefore be supported from an ecological perspective.
- 5.9 **Southern Water:** No objection – Public foul sewers and water distribution main shall be protected during construction and no new soakaways should be located within 5 metres of either. Formal application to foul sewer is required – capacity exists. The detailed design needs to take account of surcharging. A condition to ensure that development does not commence until details of the foul and surface water sewerage disposal have been submitted. No trade effluent can be directly or indirectly to any public sewer without formal consent. Waste water grease trap should be provided to the kitchen waste pipe or drain.
- 5.10 **Scotland Gas Networks:** No objection – Applicant must comply with CDM Regulations and HSG47 guidance at the appropriate stage in their construction planning.
- 5.11 **Environment Agency:** No objection – It is recommended that pollution prevention measures to protect ground and surface water are incorporated.

**Internal:**

- 5.12 **Policy:** No objection - It is accepted that the existing community facility (bingo hall) is not needed and that the premises is also unsuitable for another type of community facility. Whilst the proposed re-use of the building is not strictly in compliance with Local Plan Policy HO20, (although the policy does allow for employment floorspace through mixed use redevelopment), it does return the building to its original purpose and provides a number of strategic benefits for the city, in particular the retention of a major employer in the city, and is considered to be acceptable in policy terms overall.

*Loss of Community Facility*

- 5.13 Evidence has been submitted by the applicant to demonstrate that the bingo industry in the UK is in a general state of decline, and that the existing bingo hall on this site is unprofitable, having suffered from consistent decreases in revenue in recent years. The evidence also shows that the majority of registered users of the facility travel from outside of the immediate vicinity. Given this, the applicant considers that the continued presence of an alternative bingo hall in Kempton ensures that the majority of those who wish to continue playing bingo would be

able to do so. It is therefore accepted that the site is not needed for the current use (exception criteria (d) of Policy HO20).

- 5.14 However, the exception criteria also requires that the site is not needed for other types of community use. The Planning Statement submitted in support of the application states that the site was offered on the market for a period 22 months from November 2012 to September 2014. During this time there was interest from one alternative community use – Xercise4less, however the initial interest was not followed up. The lack of active marketing after September 2014 is presumed to be because of the advanced progress of discussions with Aldi and Lidl, although both deals were eventually aborted. The building was built as a large industrial unit and it is unlikely that there are alternative community uses that could be practically accommodated within it. It is also noted that Moulsecomb Community Leisure Centre is located a short distance from the site.
- 5.15 The second part of Policy HO20 states that where an exception applies, a priority will be attached to residential and mixed use schemes which may provide 'live work' and/or starter business units to meet identified local needs. The proposed scheme does not strictly meet this policy requirement, however it does provide a number of other benefits which are discussed below.

*Provision of B Class Employment Floorspace*

- 5.16 The building was constructed as a large industrial unit, part of the Fairways Industrial Estate, so this proposal would enable it to revert to its original use and purpose. The proposed development would provide 6,082m<sup>2</sup> of new B class employment floorspace – an increase on the existing floorspace within the building is achieved through the addition of a second floor within the existing structure. The applicant states that this is an alteration which does not require planning permission, however, as it is integral to the change of use, the additional floor-space that would be created can be taken into account in assessing application.
- 5.17 Local Plan Policy EM4 relates to new business and industrial uses on unidentified sites provided that a number of criteria are met. With regard to part (a) of the policy, the City Council's Employment Land Study Review 2012 identified growth requirements of 112,240 sqm of office (B1a, B1b) and 43,430 sqm of industrial (B1c, B2 and B8) floorspace over the City Plan period. The provision of new employment floorspace is a clear benefit of the scheme, especially given a trend for the loss of B1 class floorspace to residential use in the city in recent years due to a relaxation of national Permitted Development Rights. The proposal would enable a major employer to remain in the city following a lengthy search for a suitable site. The Planning Statement indicates that this will safeguard approximately 200 jobs locally, and create 50 new jobs. It considered that the proposal meets the requirements of the policy.
- 5.18 As the application is adjacent to an existing Custom Pharmaceutical distribution site, there is the potential to realise benefits through co-location with the existing facility – in particular the possibility of reducing traffic movements through the city. The relocation from the firm's existing site in the Conway Street Industrial Area

near Hove Station will assist the comprehensive redevelopment of that area as set out in City Plan Policy DA6.

- 5.19 **City Clean:** No objection - As this application is for commercial premises, Cityclean would not be collecting waste and recycling from this development. It is therefore requested that the development provides suitable storage for the separation of recycling ensuring the waste generated by its operations is in a sustainable manner. Storage of waste receptacles must be off street. The waste producer will need to comply with their Duty of Care (Environmental Protection Act 1999) with regards to waste storage, collections and end destination of all waste generated.
- 5.20 **Sustainability:** Comment - Under CP8 standards major new and refurbished non-residential development is expected to achieve BREEAM 'excellent'.
- 5.21 Information submitted with this application is insufficient to demonstrate that City Plan policy CP8 has been addressed and as such the scheme has not addressed local policy on sustainability satisfactorily.
- 5.22 The scheme is expected to meet BREEAM Refurbishment 'excellent' as a minimum. In instances when the standards recommended in CP8 cannot be met, applicants are expected to provide sufficient justification for a reduced level on the basis of site restrictions, financial viability, technical limitations and added benefits arising from the development.
- 5.23 No justification for not meeting this standard has been submitted.
- 5.24 *Recommendation:* Request further information from the applicant on how sustainability policy will be addressed, how BREEAM Refurbishment 'excellent' will be achieved, or justification for a reduced standard.
- 5.25 In the event no further information is submitted, it is recommended that standard conditions for BREEAM Refurbishment and Fit Out 'excellent' should be attached in the case of approval in order to ensure the development meets local policy.
- 5.26 **Economic Development:** City Regeneration fully supports this application.
- 5.27 Custom Pharmaceuticals is one of the city's top 30 private sector employers and is considered a key strategic employer to retain in the city given the high-value sector in which they operate.
- 5.28 The applicant have been searching for suitable move-on premises for a number of years to no avail; this site offers the opportunity to retain the employer and allow them to invest circa £20m into the local economy while boosting productivity.
- 5.29 The applicants also propose to increase their workforce by 50 full-time jobs as a result of the relocation, which will provide much-needed employment opportunities in one of the most deprived wards in the city. There will also be

## PLANNING COMMITTEE LIST – 11 MAY 2016

wider economic benefits to the local area as a result of the increase footfall and employee spend.

- 5.30 City Regeneration is fully aware of the low supply of both office and industrial units at present, a situation that has been exacerbated through Permitted Development Rights. We therefore consider the development a rare opportunity to retain a major business within the pharmaceutical sector.
- 5.31 The applicant is currently operating from an identified development site adjacent to Hove Station; hence more development would also be moved forward as a result of this proposal.
- 5.32 Finally, the near doubling of employment floor-space within the existing unit and conversion to a much more high-value use is also welcome by the department, and fits both the council and Local Enterprise Partnership's wider strategic aims to grow the local economy, provide workspace and create jobs.
- 5.33 The proposed net increase of 2,910 square metres of floor space would normally require a Section 106 contribution of £29,100 towards the council's Local Employment Scheme. This figure is calculated at a rate of £10 per square metre for a change of use from commercial to another non-residential use. However, City Regeneration is foregoing the requirement for a Section 106 contribution in this instance for the following reasons: -
- The retention of a strategically important employer within Brighton & Hove, who have not been able to find suitable B1/B2 premises to support their ambitions for growth. The business falls within one of Coast to Capital's priority sectors, health and life sciences, and is one of the city's top 30 private sector employers
  - The applicant has already demonstrated their commitment to developing the local workforce through their internal apprenticeship training scheme
  - The economic viability of the applicant's £20 million expansion programme is already precarious, and as such Custom Pharmaceuticals are in the process of applying for public funding to support their expansion. The company will also have to run production facilities concurrently on both their existing and new site for one year to obtain the licenses, another significant cost pressure on the business
- 5.34 However, City Regeneration will require an Employment and Training Strategy in respect of the redevelopment of the site in order to ensure that local people have access to construction-related employment opportunities. The strategy must be submitted at least one month in advance of site commencement. The developer will be required to commit to using at least 20% local employment during the demolition phase (if relevant) and construction phase (mandatory).
- 5.35 Early contact with the council's Local Employment Scheme Co-ordinator is recommended in order to ensure that the Employment and Training Strategy meets the council's requirements and the Section 106 obligations.

- 5.36 **Visit Brighton:** No objection – From the limited information available, it does not appear the Bingo Hall is used by tourists.
- 5.37 **Lead Local Flood Authority (LLFA):** No objection – As there are no changes to the building foot print.
- 5.38 **Environmental Health:** Comment:  
*Noise:* A noise assessment (Commercial development) has been submitted with this application.
- 5.39 The noise survey results identified that representative background noise levels for daytime would be 51dB(A) and for night time would be 40dB(A).
- 5.40 Following negotiation, a new specification for external plant was provided by the applicants and a new noise assessment was undertaken. The new plant was less 'noisy' than that originally proposed but in order in order to achieve acceptable noise levels at the nearest noise sensitive receptor some noise mitigation, in the form of a 3m acoustic enclosure (minus roof), is still required.
- 5.41 *Potentially Contaminated Land:* The site is situated where there was once a manufacturing electrical engineers. This use could have resulted in some localised land contamination.
- 5.42 It is noted that there may be some changes in the basement but these will not be major structural changes. Therefore a contaminated land discovery strategy is recommended. This would only be required during the situation whereby some unexpected contamination is discovered during works. In such a scenario, the discovered contamination would then need to be investigated and risk assessed (and potentially remediated to make sure the site is safe and suitable for use) before works could continue.
- 5.43 **Sustainable Transport:** Comment:  
*Summary:* It is also considered that current pedestrian and cycle access through the site is not conducive to travel by sustainable modes and it is recommended that a plan outlining a revised car park layout, including pedestrian routes, be submitted as part of the application or secured by condition.
- 5.44 Were these issues to be addressed, the Highway Authority would not raise any objection to the proposals, subject to inclusion of the necessary conditions.
- 5.45 In order to mitigate the impact of the proposed development, the applicant has agreed to the following measures that will be secured through S278 agreement:
- Provision of tactile paving at the two access points to "The Orchards" on Moulsecoomb Way;
  - Upgrade of existing zebra crossing on Moulsecoomb Way to include the provision of a raised table.

In addition, a Travel Plan is requested incorporating a package of measures to promote sustainable travel to and from the site. This shall include provision of a real time public transport information screen within the main building.

*Main comment:*

- 5.46 Access: Limited information has been submitted regarding the proposed access arrangements. The site currently lacks dedicated pedestrian routes, whilst footways on the access roads are narrow and do not have dropped kerbs. There is also a staircase leading from the car park to Moulsecomb Way. This is likely to be less attractive than a flat route via the vehicle accesses for many users, particularly in wet conditions. In any case, there is a lack of a pedestrian route from the base of the stairs to the site entrance.
- 5.47 It is also recommended that further details be obtained on the below. Whilst ideally these issues would also be resolved prior to determination, it would be possible for them to be addressed through an appropriate Car Park Layout condition.
- Provision of pedestrian access to the site;
  - Cycle access;
  - Pedestrian and cycle access through the site.

*Car Parking:*

- 5.48 The applicant's proposals to retain the existing 137 standard parking spaces would therefore be compliant. It is however recommended that a revised car park layout plan be secured by condition which should address the following:
- The aforementioned pedestrian impacts;
  - Location of cycle parking (see below comments), ensuring that access is convenient and not obstructed by parked vehicles;
  - Provision for disabled users (see below comments);
  - Loading arrangements (see below comments);
  - In addition, provision for motorcycles would be welcomed.
- 5.49 It should be noted that the Highway Authority is also aware of an informal arrangement between the current bingo hall operators and Mears/ Brighton & Hove City Council for the use of the car park by operational vehicles associated with the neighbouring Housing Centre. As this is not a formal planning arrangement, it is not considered that refusal would be warranted on the basis of consequent displaced parking associated with the Housing Centre and it is necessary to assess the current application on its own merits. In this respect, the level of parking provision and trip generation forecasts would indicate that the level of overspill parking associated with the proposed use would be expected to be limited and not amount to a severe impact upon the surrounding highway.
- 5.50 Nevertheless, it is recommended that, as a minimum, that the applicant introduce a Travel Plan (further details below) and that this include a commitment to working with neighbouring businesses and tenants in order to manage the cumulative impact of vehicles driving to Fairway Trading Estate as a whole and the consequent impact of parking demand on surrounding streets.

*Disabled Parking:*



5.51 The applicant does not appear to be proposing disabled car parking. It is recommended that this be secured by means of an appropriate car park layout/ disabled parking condition. It is considered that 5% of spaces would be a reasonable level in this instance.

*Servicing:*

5.52 It is recommended that a Delivery and Servicing Management Plan be secured whilst provision for loading should be included on the requested Car Park Layout Plan.

*Cycle Parking:*

5.53 The proposal to provide 61 spaces would be welcomed and it is recommended that these be secured by condition.

5.54 It is also noted that the applicant intends to provide shower and changing facilities which is welcomed.

*Trip Generation:*

5.55 The applicant has submitted a trip generation exercise which would suggest that a similar number of daily trips can be expected for both the proposed and permitted uses; however, in practice there is expected to be an increase given it is understood that the bingo hall is not currently operating at capacity. Nevertheless, it is reasonable for assessment to be undertaken on the basis of activity that could take place at the site without the need for planning permission.

5.56 The largest impact therefore is considered to arise from the changed nature and profile of trips with many of the trips forecast likely to occur during peak periods. On this basis, it is considered to be reasonable for the applicant to contribute to measures in the vicinity of the site that will improve opportunities for sustainable travel to and from the development and therefore provide for the travel demand it generates and limit impacts on the highway during peak periods.

5.57 The applicant has therefore agreed to the:

- Provision of tactile paving at the two access points to “The Orchards” on Moulsecomb Way;
- Upgrade of the existing zebra crossing on Moulsecomb Way to include the provision of a raised table.

5.58 As mentioned in respect of car parking above, in order to support travel to the site by sustainable modes and manage the impact of the development in accordance with City Plan Part One policy CP9 and Brighton & Hove Local Plan policy TR4, it is also recommended that a Travel Plan be secured by condition. This should cover both the existing and proposed premises at Moulsecomb.

5.59 As part of the Travel Plan, a real time public transport information screen should be provided in a prominent location within the main building. It is also recommended that all new or transferring employees be provided with a one week bus taster ticket as well as travel packs prior to the commencement of their employment or relocation. The Travel Plan and associated measures are also considered key to ensuring that those who currently travel to the Conway Street

site by sustainable means. No details on the current characteristics of the Conway Street site have been submitted; however, it is located within a Controlled Parking Zone (CPZ) and does not appear to have the level of on-site parking proposed at the new site. If this is indeed the case, a current disincentive to travel by private car will be removed.

## **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 (adopted March 2016)
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- 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 the relevant retained policies in the Brighton & Hove Local Plan 2005 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
CP2	Planning for Sustainable Economic Development
CP3	Employment Land
CP7	Infrastructure and Developer Contributions
CP8	Sustainable Buildings
CP9	Sustainable Transport
CP12	Urban Design
CP13	Public Streets and Spaces
DA3	Lewes Road Area
DA6	Hove Station Area
CP3	Employment Land

#### Brighton & Hove Local Plan (Saved Policies):

TR7	Safe development
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TR14	Cycle access and parking
QD14	Extensions and alterations
QD27	Protection of Amenity
HO20	Retention of community facilities
EM4	New business and industrial uses on unidentified site

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, along with impact on neighbouring amenity, sustainable transport and sustainability issues.

### **Principle of development:**

- 8.2 The site is situated within DA3 Lewes Road Area, on the Fairway Trading Estate and is currently vacant although it operated as a Bingo Hall (D2) until its recent closure. The Bingo Hall is protected as a community use under Local Plan Policy HO20 which seeks the retention of community facilities unless one of the four policy exceptions is met.

### *Beacon Bingo:*

- 8.3 The applicant has submitted a report compiled by Beacon Bingo (the former occupiers) giving an overview of trading challenges the company has been experiencing since the lease was purchased back in June 2010 along with marketing reports from Neil Jeeves and Greenfield Asset and Property Management.
- 8.4 Beacon Bingo have been losing money since taking on the lease at the premises, for which evidence has been provided, despite putting proactive operational initiatives in place with the aim of improving business. Beacon have provide evidence to demonstrate Bingo has suffered a substantial decline in the UK over the past 7 years and note that this is due to a number of factors including the smoking ban and more recently by the proliferation of online operators entering the market. Evidence of the decline nationally has also been submitted demonstrating that between 2007 and 2013 there has been a 27% reduction in the number of Bingo venues across the country, 17% reduction in the number of staff employed and a substantial reduction of 37% in weekly visits to clubs by players.
- 8.5 The company commenced an active marketing campaign in August 2012 and marketing reports submitted with the application set out these activities up until close to the submission of the current application in December 2015. The company also highlight a decline in the frequency of visits from what they describe as a very loyal, local customer base. Beacon go on to state that they cannot compete with the Gala Bingo Hall at Freshfield Way which is noted as being in a much more central location attracting a higher number of admission numbers which translates as higher prizes; Beacon also note that Bingo players travel long distances to certain clubs on this basis. The club summarise that in short the business was in a state of decline which was unsustainable despite

substantial efforts by the directors and management team over a prolonged 5 year period.

- 8.6 The above information provides a compelling case for the loss of the Bingo Hall (D2) use but HO20 criterion (d) requires demonstration that the site is not needed for not only the existing use but also for other types of community use and in this regard, the summary of the marketing activities undertaken by Greenfield Asset & Property Management demonstrates the lack of pursued interest by any other community use.

*Marketing:*

- 8.7 The marketing report states that the premises were marketed for a period of 22 months dating back to August 2012. The agents note that there was little demand for D2 leisure operators in this location. Xercise4Less expressed an interest towards the end of 2013, but this did not progress, the only other non-retail interest that was that of Pendragon, who expressed an interest for a second hand car showroom operation, of a similar nature to the T Reeves and Sons One Stop Car Shop which is located to the north east of the application site. The site was subsequently disregarded by Pendragon in early 2014.
- 8.8 A specialist retail advisor was also instructed by Beacon to market the site with expressions of interest received from 9 retailers (in addition to the Custom Pharmaceutical company) including Halfords, Tescos, The Range and J Sainsburys. All excluding Lidl and Aldi disregarded the site after carrying out feasibility desktop surveys and/or site visits.
- 8.9 Negotiation with Aldi progressed significantly as one of only two retailers (Lidl being the other) interested in the site, however the deal was subsequently aborted in April 2015.
- 8.10 The marketing summary demonstrates that little interest over the marketing period was shown for reuse of the site for a community type use. In addition to this, it is noted that the site is of a significant scale built as a large industrial unit making it unlikely that there are alternative community uses that could practically be accommodated within it. It is also noted that the Moulsecoomb Community Leisure Centre is located a short distance from the site.
- 8.11 The proposal does not fully meet the policy requirement where an exception is met in respect of the priority attached to redevelopment with residential and mixed use schemes. It is however considered exception (d) is adequately met and there are significant benefits to the proposed occupation by the Custom Group as set out below which are considered to outweigh the policy exception requirement for mixed use development – this view is supported by the Policy Team.

*Custom Pharmaceutical:*

- 8.12 In May 2015 Beacon were approached by the Custom Group with contracts exchanging in November 2015. The Custom Head Quarters with their main development and manufacturing operations is currently based in a unit on Conway Street in the DA6 Hove Station Area with their packaging and

distribution based on the Fairway Trading Estate close to the application site. The company has outgrown its Conway Street site and have prior to this been looking for new premises with a strong preference of staying in Brighton & Hove, for some 5 years without success. They consider this is primarily based on there being very few suitably located large industrial sites in the City. The Bingo Hall is sited as being the only site that is suitable for the company's size and access requirements, and has the added benefit of being adjacent to its existing packaging and distribution centre – therefore reducing the need for vehicle trips between the two sites.

- 8.13 The company are a major employer in the City with just under 200 staff employed on both sites, they specialise in pharmaceutical product development, manufacturing, packaging, distribution and testing and also have close links with both Brighton and Sussex Universities and Brighton and Sussex Medical School (BSMS). The proposed development is stated to involve over £20 million of investment over the coming 3-4 years, and will result in the creation of around 50 new jobs.
- 8.14 The company intend to occupy the building with a number of different operations occurring as set out in the description of the application, there will be no primary/dominant use and as such the proposed use is considered to be sui generis.
- 8.15 As noted above the building was originally constructed as a large industrial unit, part of the Fairway Industrial Estate and as such the proposal will result in the unit reverting back to a use more akin to the original purpose providing some 6,082 sqm of a mix of B use employment floorspace. The uplift in floorspace is being provided through the inclusion of a mezzanine floor and although it could be constructed without the need for planning permission, the floor area being created is integral to the proposed change of use and is therefore taken into consideration when assessing the application overall.
- 8.16 The additional commercial floor area provided helps to meet the requirements of Local Plan Policy EM4 and DA3 Lewes Road Area and the identified growth requirements of the Employment Land Study Review 2012. As noted by the Policy Team the provision of additional employment floorspace is a clear benefit of the scheme, especially given the recent trend for loss of B1 floorspace to residential as a result of the introduction of additional Permitted Development Rights. The proposal will enable a local employer to remain in the City whilst retaining some 200 jobs and including the creation of 50 new jobs. The relocation of the company from their existing premises at Conway Street will also assist in the comprehensive redevelopment of the DA6 Hove Station Area. Based on the above information the principle of the proposed sui generis use of the building as required by Custom Pharmaceuticals is considered acceptable.

**Design:**

- 8.17 The proposal involves some minor external alterations including the insertion of a number of window openings, alterations to the main entrance with the erection of a glazed entrance lobby involving the removal of the existing canopy over the entrance and the cage structure adjacent to the entrance. In addition, the

existing flue is to be relocated which is as a consequence of the new window openings, an external storage area is also proposed for dry air coolers. The alterations will be made in conjunction with refurbishing the building and will overall improve the current appearance of the building and are considered to be of an acceptable standard of design and will not cause harm to the character of the building or the surrounding area.

**Impact on Amenity:**

- 8.18 The proposed development will result in additional activity at the site to that which currently exists along with additional associated vehicular movements. However it is not considered that the impact would be to such a degree that could warrant refusal of planning permission on the grounds of noise disturbance or as a result of harmful displacement of parking.
- 8.19 The proposed development includes the provision of significant plant to the east facing façade in the form of dry air coolers. They will operate 24 hours per day 5 days a week. The Environmental Health Team have therefore carefully considered the impact on neighbouring development in relation to noise and are comfortable that with the inclusion of a 3m high acoustic barrier around the plant, neighbouring amenity will be sufficiently protected. Given the industrial nature of the site and the limited wider visibility of the proposed fencing it is considered acceptable in principle in design terms and details will be secured by condition.
- 8.20 The site is situated where there was once a manufacturing electrical engineers operated and the use could have resulted in some localised land contamination. As no major structural work is proposed, a contaminated land discovery strategy is recommended. This would only be required during the situation whereby some unexpected contamination is discovered during works.
- 8.21 Custom intend to operate 24 hours per day Monday to Friday however there are no sensitive receptors adjacent to the site which are likely to be harmfully impacted upon given the nature of the use, the character of the surrounding area and the separation distances to neighbouring residential dwellings. The proposal is therefore considered to be acceptable in this regard.

**Sustainable Transport:**

- 8.22 The existing site at Conway Street is surrounded by a Controlled Parking Zone (CPZ) which acts a disincentive to travel by private car. The proposal site by comparison is not within a CPZ and proposes to retain 137 car parking spaces.
- 8.23 The development therefore has the potential for significant numbers of staff travelling to the site at peak hours where background flows are at their highest. Therefore the necessary infrastructure to provide for sustainable and active travel must be in place to ensure the barriers to travelling by sustainable forms of travel are reduced; especially given the sites out of town location. The differing characteristics of the proposed site compared to the existing Hove site means that there is potential for a greater proportion of trips to be undertaken by vehicle as a result of the increase in unrestricted, on-site parking and the fact that the proposal site is not located within a Controlled Parking Zone.

- 8.24 The highways impact of the scheme is primarily related to the change in nature and profile of trips to the site which has gone from peaking at evenings and weekends under the current and other potential D2 uses and changing to a proposed employment use with a number of staff employed who will be commuting to the site at peak times. As such it is considered appropriate and necessary for the development to provide for sustainable infrastructure improvements which include pedestrian footway improvements on Moulsecoomb Way to include raised crossings tactile parking and/or junction realignment and upgrading of the pedestrian crossing to the east of the site.
- 8.25 In addition, as part of the a Travel Plan, it is recommended that a real time public transport information screen is installed within the foyer of the building on the ground floor next to reception along with providing new or transferring employees a one week bus taster ticket as part of the travel packs prior to occupation of the building.
- 8.26 In addition to recommending securing the above measures, conditions are also recommended to secure an amended car park layout plan to include continuous pedestrian routes, loading areas and provision of disabled parking, provision of cycle parking for 61 bikes along with a delivery and service management plan.

**Sustainability:**

- 8.27 The scheme results in a substantial increase in floorspace and the proposed use for pharmaceutical manufacturing requires much higher energy demand than leisure. Under City Plan Policy CP8 the standards major new and refurbished non-residential development is expected to achieve BREEAM 'excellent'.
- 8.28 As noted by the Council's Sustainability Officer, the information submitted with this application is insufficient to demonstrate that City Plan policy CP8 has been addressed and as such the scheme has not addressed local policy on sustainability satisfactorily. Insufficient justification for a reduced level has been submitted which would be on the basis of site restrictions, financial viability, technical limitations and added benefits arising from the development.
- 8.29 As such, it is recommended that standard conditions for BREEAM Refurbishment and Fit Out 'excellent' are to ensure the development meets the requirements of City Plan policy CP8. The applicant has indicated that they are likely to meet BREEAM 'good' and as such should sufficient information be forthcoming when agreeing details reserved by said condition, there is suitable flexibility in the wording to be able to agree a lower level of sustainability.

**9 CONCLUSION**

- 9.1 The proposed development and justified loss of the existing D2 use will facilitate the expansion of a local business, close to existing distribution facilities within the City whilst freeing up their existing premises in DA6 Hove Station Area for future redevelopment. With the imposition of the recommended conditions, the development will have an acceptable appearance, maintain neighbouring amenity whilst providing mitigating improvements to the local highway network.

**10 EQUALITIES**

10.1 None identified.

**11 CONDITIONS / INFORMATIVES**

Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Site location			7/1/16
Site layout plan & site location	246-A-100	P1	26/1/16
Proposed ground floor layout overall	246-A-101	P2	26/1/16
Proposed first floor layout overall	246-A-102	P3	26/1/16
Proposed elevations	246-A-110	P1	26/1/16
Plantroom layout	246-M-500-LAY-001	P1	26/1/16
Basement propped HVAC equipment layout	246-M-500-LAY-001	P1	7/1/16
Ground floor proposed HVAC equipment layout	246-M-500-LAY-002	P	7/1/16
Plantroom floor finish area	246-M-500-LAY-002	P	26/1/16

Pre-Occupation Conditions:

- 3) Prior to first occupation, detail design of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.  
**Reason:** To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of foul and surface water sewerage disposal and to comply with policy SU5 of the Brighton & Hove Local Plan.
- 4) Unless otherwise agreed in writing by the Local Planning Authority, the non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM Refurbishment rating of 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.  
**Reason:** To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.



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- 5) Prior to first occupation of the development hereby permitted, a car park layout plan shall have been submitted to and approved in writing by the Local Planning Authority. This should include details of continuous pedestrian routes, loading areas and the provision of disabled parking. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.  
**Reason:** To ensure the development provides for the needs of disabled staff and visitors to the site, to ensure that satisfactory facilities for pedestrians and to comply with policies CP9 of the Brighton & Hove City Plan Part One and TR18 of the Brighton & Hove Local Plan.
- 6) Prior to the first occupation of the development hereby approved a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries will take place and the frequency of deliveries shall be submitted to and approved in writing by the Local Planning Authority. All deliveries shall thereafter be carried out in accordance with the approved plan.  
**Reason:** In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policies CP9 of the Brighton & Hove City Plan Part One and TR7 of the Brighton & Hove Local Plan.
- 7) Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development 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.
- 8) Prior to first occupation of the development hereby permitted, a Travel Plan for the development and Staff Travel Packs shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be fully implemented in accordance with the approved details.  
**Reason:** To ensure the promotion of safe, active and sustainable forms of travel and comply with policies CP9 of the Brighton & Hove City Plan Part One and TR4 of the Brighton & Hove Local Plan.
- 9) Prior to first occupation of the development hereby permitted, a scheme setting out highway works shall have been submitted to and approved in writing by the Local Planning Authority. The highway works shall comprise tactile paving on Moulsecoomb Way either side of the two accesses to “The Orchards” and the upgrade of the zebra crossing on Moulsecoomb Way, to include one raised crossing and associated works to belisha beacons, street lighting and adjacent footway. No part of the building hereby approved shall

## PLANNING COMMITTEE LIST – 11 MAY 2016

be occupied until the highway works have been carried out in accordance with the approved scheme.

**Reason:** To ensure that suitable footway provision is provided to and from the development and to comply with policies CP9 of the Brighton & Hove City Plan Part One and TR7 of the Brighton & Hove Local Plan.

- 10) Prior to first occupation, details of a single bank acoustic louvre as specified by Acoustic Associates Sussex (by email to Environmental Health, 14 April 2016) with an open top and 3m high walls shall be installed around the two outdoor chiller units to be installed on the Eastern Wall of the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and maintained as such thereafter.  
**Reason:** To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 11) Noise associated with plant and machinery incorporated within the commercial development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level as determined in Acoustic Associates Sussex report, reference J1876, date 21/12/2015. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014.  
**Reason:** To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 12) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants.  
**Reason:** To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.
- 13) Prior to occupation of the development hereby permitted, further details, including location and specification, of a Real Time Public Transport Information screen shall have been submitted and approved in writing by the Local Planning Authority. The approved screen shall be fully implemented and operational prior to the first occupation of the development and shall thereafter be retained for use at all times.  
**Reason:** To ensure the promotion of sustainable forms of travel and comply with policies CP9 of the Brighton & Hove City Plan Part One and TR4 of the Brighton & Hove Local Plan.
- 14) No development shall commence until an Employment Strategy demonstrating how the Developer and any subcontractors will source local

labour during construction of the Proposed Development. The development shall then be carried out in accordance with the approved Employment Strategy.

**Reason:** As this matter is fundamental to the acceptable delivery of the permission and to ensure the construction phase of the development secures a proportion of apprenticeships, training and job opportunities for local residents along with addressing the requirements of policy CP2 of the Brighton & Hove City Plan Part One.

Informatives:

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

The proposed development and justified loss of the existing D2 use would facilitate the expansion of a local business, close to existing distribution facilities within the City whilst freeing up their existing premises in DA6 Hove Station Area for future redevelopment. With the imposition of recommended conditions, the development would have an acceptable appearance, maintain neighbouring amenity whilst providing mitigating improvements to the local highway network.
3. The applicant is advised that a formal application for any new connection to the public sewerage system is required in order to service the development, please contact Southern Water, Sparrowgrove House, Sparrowgrove Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
4. Detailed design of proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.
5. A formal application to for connection to the water supply is require in order to service this development. Please contact Southern water Sparrowgrove House, Sparrowgrove Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)

## PLANNING COMMITTEE LIST – 11 MAY 2016

6. The applicant is advised in relation to condition 5 that the car park layout/ disabled parking plan shall provide 5% of spaces for use as disabled parking bays. The revised layout plan shall also address the following:
  - Pedestrian access;
  - Cycle parking location and access, ensuring that access is convenient and not obstructed by parked vehicles;
  - Loading arrangements;
  - In addition, provision for motorcycles would be welcomed.
7. The applicant is advised in relation to condition 7 that 61 cycle parking spaces shall be provided. The cycle parking should be secure, convenient to access, well-lit and, wherever possible, sheltered. The Highway Authority's preference is for the use of Sheffield stands laid out in accordance with Manual for Streets paragraph 8.2.22.
8. The applicant is advised that they must enter into a Section 278 Agreement with the Highway Authority prior to any works commencing on the adopted highway.
9. The Travel Plan secured by condition 8 shall include such measures and commitments as are considered necessary to mitigate the expected travel impacts of the development and should include as a minimum the following initiatives and commitments:
  - (i) Promote and enable increased use walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use;
  - (ii) A commitment to reduce carbon emissions associated with business and commuter travel;
  - (iii) Increase awareness of and improve road safety and personal security;
  - (iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses;
  - (v) Identify targets focussed on reductions in the level of business and commuter car use;
  - (vi) Identify a monitoring framework, which shall include a commitment to undertake an annual staff travel survey utilising iTrace Travel Plan monitoring software, for at least five years, or until such time as the targets identified in section (v) above are met, to enable the Travel Plan to be reviewed and updated as appropriate;
  - (vii) Following the annual staff survey, an annual review will be submitted to the Local Planning Authority to update on progress towards meeting targets;
  - (viii) Identify a nominated member of staff to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan;
  - (ix) Provide all new staff and those transferring to the site with a Staff Travel Pack which provides information including, but not limited to, walking and cycle maps and public transport information, to promote the use of sustainable travel. The packs shall be

## PLANNING COMMITTEE LIST – 11 MAY 2016

submitted to and agreed in writing by the Local Planning Authority prior to occupation. Travel Packs shall then be issued to existing staff prior to transfer from the existing (Hove) to the new (Moulsecomb) site;

- (x) Provision of a real time public transport information screen to be located in a prominent location within the main building;
- (xi) Details of how car parking at the site will be managed.

10. The applicant is advised to liaise with the Council's Economic Development Team when compiling the employment strategy sought by condition 14. The Employment Strategy shall include:

- (i) set out how the Developer or its subcontractors will work with the Council and its partners to encourage employment of local construction workers during the demolition and construction of the Proposed Development with a target that at least 20% of the temporary and permanent job opportunities created by the construction of the Proposed Development shall be taken by the Brighton & Hove workforce;
- (ii) include a list of skills and the number of different construction workers estimated as being required during the different development phases; and
- (iii) require the Developer or its subcontractors to provide monthly figures on the number of employees from the Brighton & Hove workforce to the Local Employment Scheme Co-ordinator to enable the Council to monitor the impact of the construction of the Proposed Development on the local labour market;
- (iv) promote education and training opportunities in construction linked to the Proposed Development in conjunction with the Council's Local Employment Scheme Co-ordinator and local colleges (via open days presentations and general marketing)

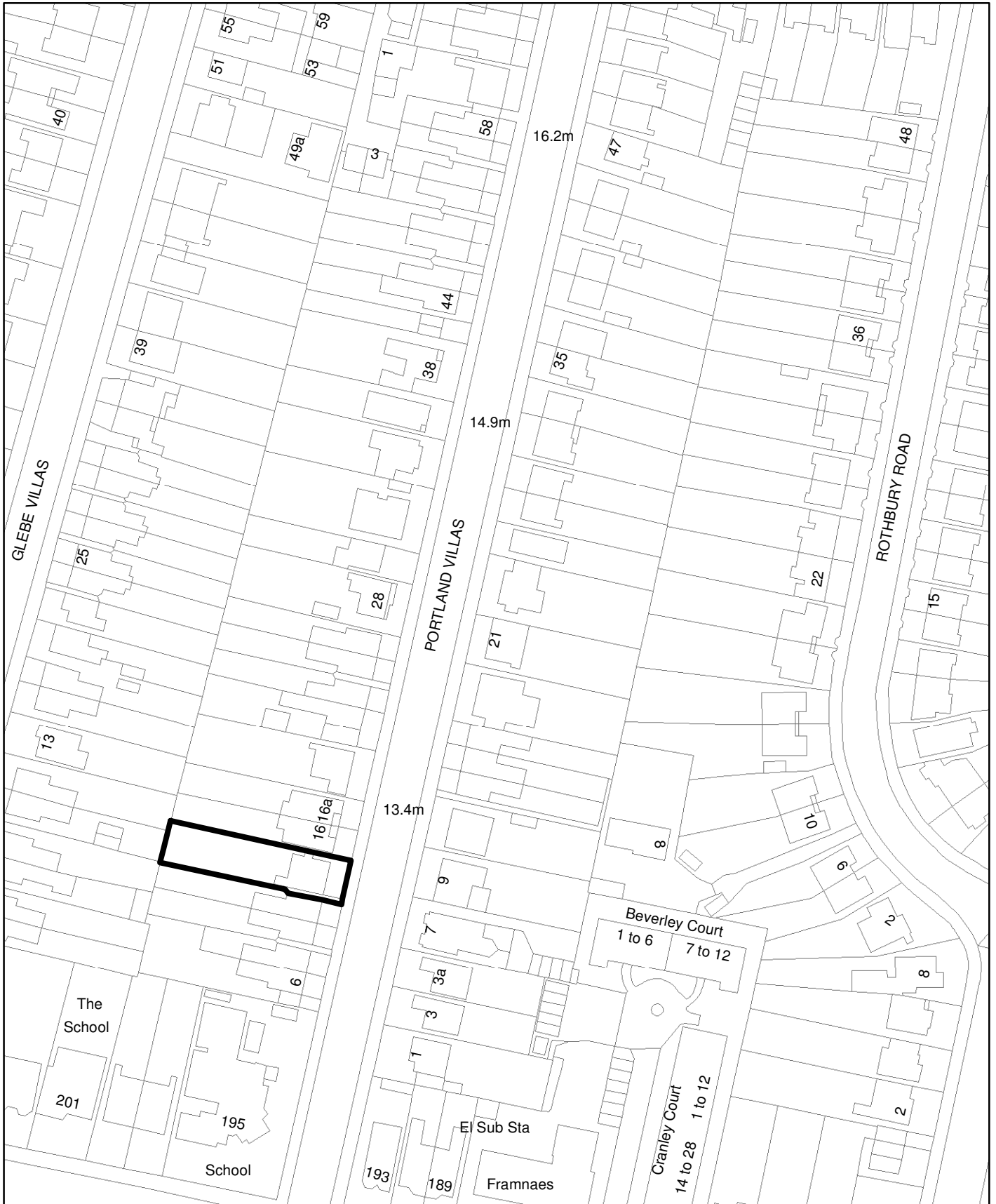


# **ITEM B**

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

**11 May 2016**

# BH2015/04574 14 Portland Villas, Hove



**Scale: 1:1,250**



<b><u>No:</u></b>	<b>BH2015/04574</b>	<b><u>Ward:</u></b>	<b>WISH</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>14 Portland Villas Hove</b>		
<b><u>Proposal:</u></b>	<b>Demolition of bungalow and erection of new detached house (C3) and outbuilding to rear garden.</b>		
<b><u>Officer:</u></b>	Helen Hobbs Tel 293335	<b><u>Valid Date:</u></b>	19/01/2016
<b><u>Con Area:</u></b>	n/a	<b><u>Expiry Date:</u></b>	18 May 2016
<b><u>Listed Building Grade:</u></b>	n/a		
<b><u>Agent:</u></b>	Koru Architects, The Studio 15 Lloyd Close Hove BN3 6HY		
<b><u>Applicant:</u></b>	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 **APPROVE** planning permission subject to the conditions and informatives 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 storey in height and incorporate traditional features such as front 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 & 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.*

*The application is now subject to an appeal which is still under consideration.*

#### **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.

Amendments have been received during the course of the application and include;

- Amended pitched roofs to be slate.
- Ground and first floor recessed entrance area to be terracotta coloured render.
- Amended rear first floor balcony to be a 'Juliet' balcony.
- Amended rear ground floor solar shade canopy to be open louvres.
- Rear flat roof to be a 'green' roof.

#### **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 & 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
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 (retained policies):

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

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 6m 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.
- The roof material is now proposed to be slate and some of the front elevation is to be painted terracotta.

**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 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. As originally submitted, 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. However, concern was raised regarding the use of zinc.
- 8.6 Amended plans have been submitted during the course of the application to address initial concerns in respect of the design and detailing of the proposed dwelling and include
- Amended pitched roofs to be slate.
  - Ground and first floor recessed entrance area to be terracotta coloured render.
  - Amended rear first floor balcony to be a 'Juliet' balcony.
  - Amended rear ground floor solar shade canopy to be open louvres.
  - Rear flat roof to be a 'green' roof.
- 8.7 The proposed dwelling would appear as three storeys in height due to the extension of the ridge with an area of flat roof and the three storey front gable feature. This additional bulk at roof level is uncharacteristic of surrounding development which generally has traditional gabled roof forms. Where front gable features are evident elsewhere on surrounding properties, they remain modest, subservient features, where only the small pitched roofs protrude above the main eaves of the properties. However of relevance is a recent approval at No 11 Portland Villas, located opposite the application site. The neighbouring consent approved the redevelopment of the existing bungalow replacing it with two semi-detached, two storey properties (approved under BH2015/00124) and the scheme included similar gable features that are three storeys in height. Significant weight must therefore be given to this previous consent and it is considered that a precedent has been set for three storey front gable features. Amended plans have been submitted that have revised the detailing of the dwelling, such as it would now have a slate roof, coloured render

to match the prevailing brick colour of the road and the first floor window on the main dwelling has been reduced in size. These revisions now soften the appearance of the front elevation and the gable feature by incorporating key characteristics of neighbouring development. On balance it is now considered that the proposed dwelling would not look significantly out of keeping with the street scene that would justify refusal of the application.

- 8.8 To the rear, the bulk has been significantly reduced at roof level compared to the previously refused scheme. 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. However this element would not be highly visible from the street. To soften its appearance the flat roof would incorporate a green flat roof and to reduce the depth the solid projection have been replaced with sun louvres, which provide a canopy to shade the rear glazing. These features, again would not be highly visible and therefore are considered acceptable.
- 8.9 In terms of the detailing of the dwelling, the proposed materials have been amended and are now more in keeping with neighbouring development. A condition will be attached requesting samples and further details to ensure the appropriate finish of the development.
- 8.10 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. However, similar detailing was accepted within the approved scheme at No. 11, and therefore are considered acceptable on this basis.
- 8.11 Overall, the proposed dwelling is considered acceptable and would not cause significant harm to the character and appearance of the existing property, streetscene or the surrounding area.
- 8.12 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:**

- 8.13 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.

- 8.14 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.
- 8.15 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.
- 8.16 There is inevitably a degree of mutual overlooking from window openings at upper floor levels in this suburban area. The rear first floor balcony has been amended, which has reduced the width of the balcony as well as no longer providing a platform to step out onto. The second floor balcony is recessed within the gable and therefore would provide adequate screening for the neighbouring properties not to be significantly overlooked.
- 8.17 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:**

- 8.18 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.
- 8.19 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:**

- 8.20 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.
- 8.21 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**

8.22 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**

8.23 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 proposed dwelling is considered acceptable in terms of its scale and design and would fit in with the character of the area. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance and is also appropriate in terms of highway safety and sustainability.

**10 EQUALITIES**

10.1 None identified.

**11 CONDITIONS / INFORMATIVES**

11.1

Regulatory Conditions:

1. BH01.01 Full Planning

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

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site location plan and block plan	1115B01	C	18 <sup>th</sup> December 2015
Existing floor plan	1115B 02	B	18 <sup>th</sup> December 2015
Existing east and south elevations	115B03	B	18 <sup>th</sup> December 2015
Existing west and north elevations	1115B04	B	18 <sup>th</sup> December 2015
Proposed ground floor plan	1115B10	E	15 <sup>th</sup> April 2016
Proposed first floor plan	1115B11	E	15 <sup>th</sup> April 2016



PLANNING COMMITTEE LIST – 11 MAY 2016

Proposed second floor plan	1115B12	F	15 <sup>th</sup> April 2016
Proposed section A-A	1115B13	E	15 <sup>th</sup> April 2016
Proposed east and west elevations	1115B14	D	15 <sup>th</sup> April 2016
Proposed south and north elevations	1115B15	D	15 <sup>th</sup> April 2016
Proposed roof plan	1115B16	D	15 <sup>th</sup> April 2016
Proposed home office	1115B17	A	15 <sup>th</sup> January 2016

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

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

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

**Reason:** To protect the amenity of adjacent properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

5. The new crossover and access shall be constructed prior to the first occupation of the development hereby permitted.

**Reason:** In the interests of highway safety and to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One.

6. The dwelling hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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

7. None of the residential units hereby approved shall be occupied until each residential unit built has achieved an energy efficiency standard of

a minimum of 19% CO2 improvement over Building Regulations requirements Part L 2013 (TER Baseline).

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

8. None of the residential units hereby approved shall be occupied until each residential unit built has achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

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

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

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

10. The dwelling hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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

#### Pre-commencement conditions

11. No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including:

a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)

b) samples of the proposed window, door and balcony treatments

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

**Reason:** To ensure a satisfactory appearance to the development and to comply with policy CP12 of the Brighton & Hove City Plan Part One and policy QD14 of the Brighton & Hove Local Plan.

12. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the construction of the green roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roofs shall then be constructed in accordance with the approved details and shall be retained as such thereafter.

**Reason:** To ensure that the development contributes to ecological enhancement on the site and in accordance with policy CP10 of the Brighton & Hove City Plan Part One.

Pre-Occupation Conditions:

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

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

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. 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 Brighton & Hove Local 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 dwelling is considered acceptable in terms of its scale and design and would fit in with the character of the area. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance and is also appropriate in terms of highway safety and sustainability.
3. The planning permission granted includes a vehicle crossover which requires alterations and amendments to areas of the public

highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required to be constructed under licence from the Head of Asset and Network Management. The applicant must contact the Streetworks Team (01273 293 366) prior to any works commencing on the public highway.

4. The applicant is advised that accredited energy assessors are those licensed under accreditation schemes approved by the Secretary of State (see Gov.uk website); two bodies currently operate in England: National Energy Services Ltd; and Northgate Public Services. The production of this information is a requirement under Part L1A 2013, paragraph 2.13.

5. The water efficiency standard required under condition 8 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1. The applicant is advised this standard can be achieved through either: (a) using the 'fittings approach' where water fittings are installed as per the table at 2.2, page 7, with a maximum specification of 4/2.6 litre dual flush WC; 8L/min shower, 17L bath, 5L/min basin taps, 6L/min sink taps, 1.25L/place setting dishwasher, 8.17 L/kg washing machine; or (b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.



PLANNING COMMITTEE LIST  
11 May 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**

**Land west of 13 Dudwell Road, Brighton  
BH2015 / 03521  
Full Planning**

**11 May 2016**

# BH2015/03521 Land west of 13 Dudwell Road, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**



<b><u>No:</u></b>	<b>BH2015/03521</b>	<b><u>Ward:</u></b>	<b>WOODINGDEAN</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Land West of 13 Dudwell Road Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of 2no three bedroom semi-detached two storey houses (C3).</b>		
<b><u>Officer:</u></b>	Chris Swain Tel 292178	<b><u>Valid Date:</u></b>	09/11/2015
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	04 January 2016
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Stephen Bromley Associates, 5 West Street Shoreham-by-Sea BN43 5WF		
<b><u>Applicant:</u></b>	Mr J Edwards, C/o Stephen Bromley Associates 5 West Street Shoreham-by-Sea BN43 5WF		

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site relates to an area of land to the west of 13 Dudwell Road on the junction with Connell Drive. There is currently a pair of flat roofed garages on the site fronting Dudwell Road. The gradient of the land slopes down steeply from east to west and south to north. The street scene consists of pairs of semi-detached gabled ended properties. The ridge heights of these properties step down in line with the fall of the gradient of the land.

## 3 RELEVANT HISTORY

**BH2008/00733** - Outline application for a detached two storey house. Refused on 12 January 2009 for the following reasons;

1. *The proposal fails to meet the travel demands arising from the development contrary to policies TR1 and QD28 of the Brighton & Hove Local Plan.*
2. *The Applicant has failed to demonstrate that the minimisation and re-use of construction industry waste has been sought in an effective manner, contrary to policies SU13 of the Brighton & Hove Local Plan and WLP11 of the East Sussex and Brighton & Hove Waste Local plan and Supplementary Planning Document Construction and Demolition Waste (SPD03).*

- 3. The development would, by reason of its size and prominent siting, appear over dominant and unduly obtrusive in the street scene, out of character with and detrimental to the visual amenity of the area contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan*

**BH2004/02008** - Single storey side extension and rear conservatory. Approved 20 August 2004.

Adjoining property to north, 17 Holton Hill

**BH2007/03410** - Outline application for a pair of semi-detached houses. All matters reserved for further determination. Refused 24 December 2007 for the following reasons;

- 1. The applicant has failed to demonstrate that the proposal could achieve a high standard of sustainability contrary to Policy SU2 of the Brighton & Hove Local Plan.*
- 2. The proposal would be unlikely to provide satisfactory private outdoor amenity space appropriate to the scale and character of the development contrary to Policy HO5 of the Brighton & Hove Local Plan.*
- 3. The proposal would be likely to adversely affect the amenity of adjoining residential occupiers by reason of visual intrusion and loss of privacy contrary to policies QD1, QD3 and QD27 of the Brighton & Hove Local Plan.*
- 4. The development would, by reason of its likely height, massing and prominent siting result in an excessive development of the site which would be out of character with and detrimental to the visual amenity of the area contrary to policies QD1, QD2, QD3 and HO4 of the Brighton & Hove Local Plan.*

Dismissed at appeal 24 November 2008 (APP/Q1445/A/08/2078824).

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the erection of 2no three bedroom semi-detached two storey houses (C3).

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

##### **External**

- 5.1 **Neighbours: Six (6)** letters of representation have been received from **11, 12, 16 and 20 Dudwell Road, 17 Holton Hill** and **one unspecified address** objecting the application for the following reasons:

- Increased parking stress,
- Increased highway danger from addition vehicles,
- Vehicular access so close to the junction would be dangerous,
- The existing garages would not be replaced,
- No.17 Holton Hill had a similar application refused,
- Overshadowing and loss of light,
- Another dwelling has recently been approved at Connell Drive and this in conjunction with the proposal will add to parking pressures,

- The owner of one of the garages does not give consent for it to be demolished and not replaced,
- The area would become overpopulated with houses,
- There is a deed of covenant on the street that states vehicles cannot be parked on drive ways,
- The proposal is out of character and would be too close to the road,
- The doors should be on the side and not the front,
- Overlooking and loss of privacy.

**Internal:**

**5.2 Sustainable Transport: No objection.**

There are some concerns regarding access, specifically these relate to the length of the proposed crossover and extent towards the junction of Dudwell Road and Connell Drive. Nevertheless, it is not considered that refusal on these grounds would be warranted and that concerns could be addressed by means of details on the proposed landscaping.8.1

5.3 The existing garages and associated hardstanding would be lost and two additional dwellings erected. Whilst there is the potential for overspill parking it is not considered that there would be a severe impact upon the highway network.

5.4 The applicant has indicated that a secure cycle store for up to two bicycles will be provided for each dwelling. Such provision is considered appropriate for single private dwellings of this nature where cycle storage is not communal. It is recommended that the necessary condition be attached to secure implementation of the cycle parking.

Developer Contributions

5.5 As two additional dwellings are proposed, it is likely that there will be an increase in trip generation. In order to provide for the needs of pedestrians of all abilities accessing the development, it is requested that the applicant provide improvements to the footways in the vicinity of the site via a Grampian condition. Specifically, this is to provide pedestrian crossing improvements (dropped kerbs and tactile paving) on the northern and southern footways of Dudwell Road at the junctions with Connell Drive and Batemans Road (orientated for pedestrians crossing Dudwell Road).

**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 (adopted March 2016);
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);

- 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 the relevant retained policies in the Brighton & Hove Local Plan 2005 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
SA6	Sustainable Neighbourhoods
CP1	Housing Delivery
CP8	Sustainable Buildings
CP9	Sustainable Transport
CP10	Biodiversity
CP11	Flood Risk
CP12	Urban Design
CP13	Public Streets and Spaces
CP14	Housing Density

#### Brighton & Hove Local Plan (retained policies):

TR7	Safe development
TR14	Cycle access and parking
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 Document:

SPD11	Nature Conservation and Development.
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## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations material to this application are the principle of development on the site, the impacts of the proposed dwellings on the character and appearance of the street, the impacts on the amenities of

adjacent occupiers, the standard of accommodation to be provided, and sustainability and traffic issues.

**Principle of Development**

- 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 is assessed following the adoption of the Plan on the 24<sup>th</sup> March 2016. 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.

**Character and appearance**

- 8.3 The site is located within the Built-up Area as designated in the Brighton & Hove Local Plan and currently consists of two garages and land associated with Nos. 11 and 13 Dudwell Road.
- 8.4 It is noted that an outline application for a single dwelling on this site was refused in 2009 on the site for the following design reason;
- 8.5 *The development would, by reason of its size and prominent siting, appear over dominant and unduly obtrusive in the street scene, out of character with and detrimental to the visual amenity of the area contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan*
- 8.6 It is also noted that in 2007 an application for a pair of semi-detached properties was refused to the side of 17 Holton Hill on the grounds that the mass, siting, scale and height would result in excessive development for the site to the detriment to the visual amenity of the surrounding area and also harm to the residential amenity of neighbouring and future occupiers. The Planning Inspector dismissed the appeal on these same grounds.
- 8.7 Whilst the previous decisions at the application site and to the rear at 17 Holton Hill are acknowledged it is also noted that subsequent to these decisions an application for a new dwelling, replacing an existing garage, immediately to the west of the site on land adjoining 64 Connell Drive has been granted planning permission. This scheme would infill the existing spacing between the terrace and the highway in a similar way that the proposed dwellings in the current application would also do. In this context it is not considered that there is an in principle objection to development to the west of 13 Dudwell Road, subject to an appropriate design and scale.
- 8.8 The pair of semi-detached dwellings proposed would be the same height, depth and general design as the existing properties within Dudwell Road. The proposed materials would match the adjoining pair, Nos. 11 and 13. Whilst the widths of the proposed dwellings would be narrower by 0.4m to fit more comfortably within the plots, this would not be appreciable in street scene views and as such the design approach is considered to be acceptable and

would not detract significantly from the appearance or character of the site or the wider surrounding area.

- 8.9 The pair of semi-detached properties would have a more appropriate relationship to the existing built form in the street than the single detached dwelling that was previously refused on the site (application BH2008/00733) and would respect the prevailing size and divisions of the residential plots.
- 8.10 The proposal would not result in excessive plot coverage or harm to amenity as was the case in the previously refused scheme at 17 Holton Hill. Any detrimental impact in regards to design and appearance is considered minor and is demonstrably outweighed by the benefit of the two new family dwellings.
- 8.11 Whilst the proposed development would be sited in close proximity to the side of the highway (Connell Drive) the ridge heights would step down appropriately and the proposal would not appear as an overly dominant or visually harmful development.
- 8.12 To conclude, in the context of the existing built form within the vicinity the proposal is considered to be appropriate in scale, form and design and would not detract significantly from the appearance or character of the site or the wider surrounding area.

#### **Standard of Accommodation**

- 8.13 The proposed dwellings would provide rooms of sufficient size for their function with adequate circulation space. There is considered to be satisfactory levels of natural light and outlook and the overall standard of accommodation provided is considered to be acceptable.
- 8.14 The level of private amenity space is considered acceptable in relation to the scale of the development, relates well to the character of the area and is in accordance with policy HO5.
- 8.15 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 (new-build) dwellings appears to be achievable; therefore, relevant conditions are attached to ensure the development complies with Requirement M4(2) of the optional requirements in Part M of the Building Regulations.

#### **Impacts on neighbouring amenity**

- 8.16 The neighbouring properties most likely affected by the proposed development would be No. 17 Holton Hill to the rear and the adjoining property to the east, No. 13 Dudwell Road.
- 8.17 The proposed dwellings would overlook No.17 Holton Hill and other neighbouring properties to the rear on Holton Hill and also to the rear gardens of adjoining properties to the west fronting Dudwell Road to a degree.

Notwithstanding the above, the proposal would create a comparable relationship between properties as already exists to the rear of Dudwell Road with mutual overlooking between properties and as such any additional impact would not be so significant to warrant refusal of the application.

- 8.18 The proposed dwellings are set away a sufficient distance from the adjoining properties to the rear and the side (east) to ensure that there would not be any significant overshadowing, loss of light or outlook or a harmful overbearing impact to the occupiers of these properties.
- 8.19 It is not considered that the two additional residential units on this site would result in any significantly increased level of noise and disturbance beyond that which is experienced in the area already and the application is acceptable in this regard.

### **Sustainability**

- 8.20 City Plan Part One policy CP8 requires new residential development demonstrate efficiency in the use of water and energy, setting standards that mirror the national technical standard for water and energy consumption. Conditions are applied to ensure the development meets these standards as set out in policy CP8.

### **Transport**

- 8.21 The change of use would not result in a significant increase in on street parking to the detriment to highway safety.
- 8.22 It is considered that any new crossover should not be moved closer to the junction with Connell Drive on the grounds of highway safety. Appropriate boundary and landscaping details are recommended to be secure by condition.
- 8.23 Furthermore any crossover works would also need to be carried out under license with the highway authority.
- 8.24 The proposal would result in an uplift in trip generation. There are concerns over the access for less mobile pedestrians. These could be overcome with pedestrian crossing improvements (dropped kerbs and tactile paving) on the northern and southern footways of Dudwell Road at the junctions with Connell Drive and Batemans Road (orientated for pedestrians crossing Dudwell Road).
- 8.25 In lieu of a financial contribution a Grampian condition for footway improvements in the vicinity is recommended.
- 8.26 Secure cycle provision is secured to the rear and is considered to be acceptable in line with policy.

## **9 CONCLUSION**

- 9.1 The development would make efficient and effective use of the site and would not significantly detract from the appearance or character of the site or the wider surrounding area. The development would provide two new units of

family sized housing with an adequate standard of accommodation and without detriment to neighbouring amenity or highway safety.

**10 EQUALITIES**

10.1 None identified.

**11 CONDITIONS / INFORMATIVES**

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

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

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

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

Plan Type	Reference	Version	Date Received
Site location plan	-	-	9 November 2015
Block plan	-	-	25 April 2016
Plans and elevations as proposed	JE-2	D	15 March 2016

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

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

4) Prior to first occupation of the development hereby permitted, pedestrian crossing improvements (dropped kerbs and tactile paving) shall have been installed on the northern and southern footways of Dudwell Road at the junctions with Connell Drive and Batemans Road (orientated for pedestrians crossing Dudwell Road).

**Reason:** To ensure that suitable footway provision is provided to and from the development and to comply with Brighton & Hove City Plan Part One Policies CP7 and CP9 and Brighton & Hove Local Plan Policy TR7.

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

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



- 6) The residential units hereby approved shall not be occupied until they have achieved an energy efficiency standard of a minimum of 19% CO<sub>2</sub> improvement over Building Regulations requirements Part L 2013 (TER Baseline).  
**Reason:** To ensure that the development is sustainable and makes efficient use of energy to comply with policy CP8 of the City Plan Part One.
- 7) The residential units hereby approved shall not be occupied until they have achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.  
**Reason:** To ensure that the development is sustainable and makes efficient use of water to comply with policy CP8 of the City Plan Part One.
- 8) No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):
- a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
  - b) samples of all hard surfacing materials
  - c) details of all windows and doors
- Development shall be carried out in accordance with the approved details.  
**Reason:** To ensure a satisfactory appearance to the development and to comply with policies CP12 of the City Plan Part One and QD14 of the Brighton & Hove Local Plan.
- 9) The hard surfaces to the front of the dwellings hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.  
**Reason:** To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy CP11 of the City Plan Part One.
- 10) Prior to the first occupation of the development hereby permitted the applicant shall install the new/extended crossover and access and shall reinstate any remaining sections of the existing redundant vehicle crossover fronting Dudwell Road back to a footway by raising the existing kerb.  
**Reason:** In the interests of highway safety and to comply with policies CP9 of the City Plan Part One and TR7 of the Brighton & Hove Local Plan.
- 11) The dwellings hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4 (2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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

- 12) Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
- a) details of all hard surfacing;
  - b) details of all boundary treatments;
  - c) details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.

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

**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies CP9, CP12 of the City Plan Part One and TR7 and QD15 of the Brighton & Hove Local Plan.

- 13) Prior to first occupation of the development hereby permitted a scheme to enhance the nature conservation interest of the site shall have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the standards described in Annex 6 of SPD 11 and shall be implemented in full prior to the first occupation of the development hereby approved.

**Reason:** To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy CP10 of the City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

- 14) No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance 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 then be implemented in accordance with the approved level details.

**Reason:** As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policy QD27 of the Brighton & Hove Local Plan and CP12 of the City Plan Part One.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One 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 would make efficient and effective use of the site and would not significantly detract from the appearance or character of the site or the wider surrounding area. The development would provide two new units of family sized housing with an adequate standard of accommodation and without detriment to neighbouring amenity or highway safety.

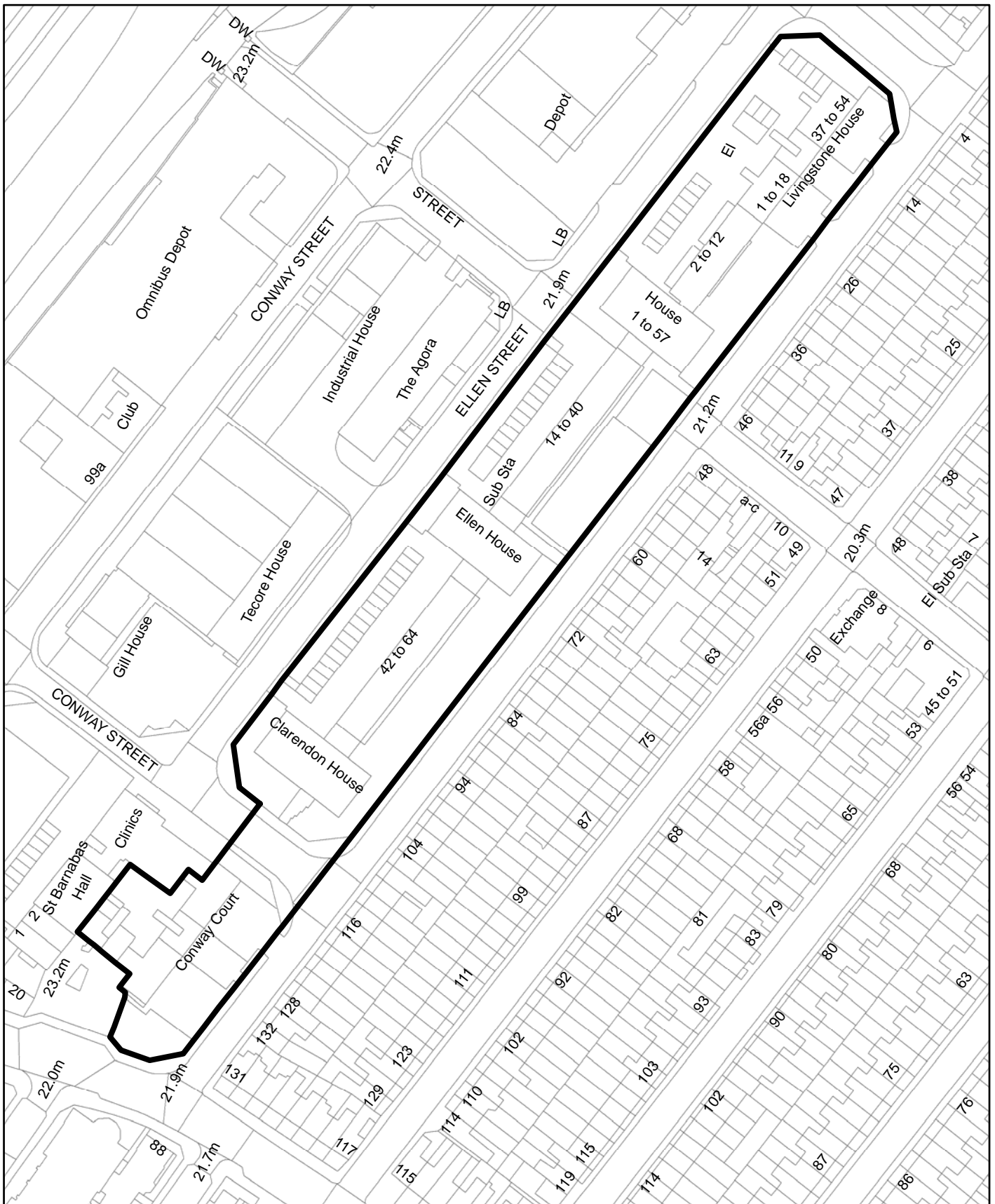


# **ITEM D**

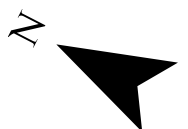
**Clarendon House, Conway Court, Ellen  
House, Livingstone House & Goldstone  
House, Clarendon Road, Hove  
BH2016 / 00021  
Full Planning**

**11 May 2016**

# BH2016/00021 Clarendon House, Conway Court, Ellen House, Livingstone House & Goldstone House, Clarendon Road, Hove



**Brighton & Hove  
City Council**



**Scale: 1:1,500**

<b><u>No:</u></b>	<b>BH2016/00021</b>	<b><u>Ward:</u></b>	<b>GOLDSMID</b>
<b><u>App Type:</u></b>	<b>Council Development (Full Planning)</b>		
<b><u>Address:</u></b>	<b>Clarendon House Conway Court Ellen House Livingstone House &amp; Goldstone House Clarendon Road Hove</b>		
<b><u>Proposal:</u></b>	<b>Alterations to lift motor rooms including raising roof height by 600mm. Installation of UPVC framed doors and installation of external smoke vents.</b>		
<b><u>Officer:</u></b>	Jonathan Puplett Tel 292525	<b><u>Valid Date:</u></b>	17/02/2016
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	13 April 2016
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Pod LLP, Unit 313 Metal Box Factory 30 Great Guildford Street London SE1 0HS		
<b><u>Applicant:</u></b>	Mrs Gill Thompson, Unit 1 Fairway Trading Estate Eastergate Road Brighton BN2 4QL		

## 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 **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to the residential development situated on the northern side of Clarendon Road. The development consists of 5 multi-storey flatted blocks (Conway Court, Clarendon House, Ellen House, Goldstone House, Livingstone House), with two storey link buildings, single storey garages, boundary walls, trees and planting. The development's primary frontage is on to Clarendon Road, Ellen Road to the rear of the site is a secondary frontage.
- 2.2 The southern side of Clarendon Road is characterised by terraced residential dwellings of traditional design and appearance. To the north of the site there are a number of commercial buildings.
- 2.3 To the east of the site, the boundary of Hove Station runs along the rear of the properties which front on to Goldstone Villas. The Grade II Listed Hove Station is to the north east of the site. To the west of the site, the Grade II\* St Barnabas

Church is situated on the southern corner of the junction of Sackville Road and Coleridge Street.

### **3 RELEVANT HISTORY**

**BH2015/03586:** Replacement of existing windows and doors with double glazed UPVC units to residential dwellings. Approved 14/12/2015.

**BH2015/01472:** Installation of insulated rendering to all elevations, new coverings to roof and replacement of existing windows and doors with double glazed UPVC units. Installation of windows and louvered smoke vents to existing open stairwells to Clarendon House, Ellen House and Goldstone House and alterations including repair and remedial works. Refused 16/07/2015.

**BH2014/03485:** Installation of insulated rendering to all elevations, new coverings to roof and replacement of existing windows and doors with double glazed UPVC units. Installation of windows and louvered smoke vents to existing open stairwells to Clarendon House, Ellen House and Goldstone House and alterations including repair and remedial works. Refused 05/03/2015.

### **4 THE APPLICATION**

- 4.1 Planning permission is sought for alterations to lift motor rooms including raising the roof height of these by 600mm, and the installation of UPVC framed doors / external smoke vents to serve communal areas.
- 4.2 The application description also refers to repair and redecoration works; these works are not considered to constitute development and do not therefore require planning permission.

### **5 PUBLICITY & CONSULTATIONS**

#### **External**

#### **5.1 Neighbours:**

**Seven (7) letters of representation have been received from no. 14 West Hill Place, no. 7 Conway Court, nos. 13 (saveHOVE), 37 and 39 Goldstone House (2 letters), no. 74 The Crescent (leaseholder of no. 25 Clarendon House) objecting to the application for the following reasons:**

- The required Article 13 Notice was not served on us as owners.
- Works have already begun; the submitted application form states that they have not.
- There are inaccuracies within the submitted application form and in the annotation of the submitted drawings.
- Insufficient detail has been submitted in respect of the proposed repair and redecoration works.
- Insufficient detail has been submitted in respect of the proposed new lift roof structures.
- Insufficient detail has been submitted in respect of the disposal of construction waste.



- Insufficient information has been submitted to demonstrate that the health of residents will be protected during construction works.
- No Design and Access Statement / Planning Statement has been submitted.
- There are trees and planting on the site; the submitted application form states that there are none.
- Will landscaping which has been damaged / removed during construction works be reinstated?
- I object to the practice of consultation using site notices instead of neighbour letters.
- The estimated costs associated with the proposed works are excessive.
- It has not been demonstrated that all of the proposed works are necessary.

**Internal:**

5.2 **Heritage:** No comment.

## **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 (adopted March 2016);
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
- 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 the relevant retained policies in the Brighton & Hove Local Plan 2005 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
- CP14 Housing density
- CP15 Heritage

Brighton & Hove Local Plan (retained policies March 2016):

- QD14 Extensions and alterations
- QD27 Protection of amenity
- HE3 Development affecting the setting of a listed building
- HE6 Development within or affecting the setting of conservation areas

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 resultant appearance of the proposed development (visual impact) and impact upon the setting of heritage assets in the vicinity of the site, impact on amenity, and environmental sustainability.
- 8.2 The proposed works consist of alterations to lift motor rooms including raising the roof height of these by 600mm, and the installation of UPVC framed doors / external smoke vents to serve communal areas.
- 8.3 There are three lift rooms atop Conway Court and Livingstone House. These would be increased in height by 600mm. To the side elevations of the rear projections of Conway Court and Livingstone House, and to the east facing side elevation of Livingstone House, a number of openings which serve communal areas would be enclosed by UPVC framed doors / smoke vents.
- 8.4 These works would not have a significant impact on the appearance of the buildings. Overall it is considered that an appropriate appearance would result and the setting of heritage assets in the vicinity of the site (St. Barnabus Church, Hove Station and the Hove Station Conservation Area) would not be harmed.
- 8.5 Repair and redecoration works are proposed; these works do not however require planning permission.

**Amenity:**

- 8.6 The proposed works would not cause significant harm to the amenity of residents of the application buildings and neighbouring amenity would not be harmed.

**Trees / landscaping:**

- 8.7 There are trees and areas of planting within the site. The erection of scaffolding and the movement of supplies within the site could potentially cause harm to these trees and areas of planting. It is therefore recommended that a condition be applied to secure a scheme of protection measures which must be submitted and agreed in writing, with all measures erected prior to works associated with the replacement windows and doors taking place.

**Other matters:**

- 8.8 Representations received raise concerns regarding the standard of the application submission; it is however considered that the submission provides an adequate level of detail in respect of the works which do require planning permission. As detailed above, works of repair and redecoration do not require planning permission.

**9 CONCLUSION**

- 9.1 The proposed works would not harm the appearance of the buildings. The setting of the heritage assets in the vicinity of the site would not be harmed. No significant harm to amenity would be caused and the protection of trees and planted areas can be secured by planning condition. The application is recommended for approval.

**10 EQUALITIES**

- 10.1 No implications 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location Plan	1107/OS		05/01/2016
Proposed Elevations and Roof Plan	1107/14	A	05/01/2016
Proposed Elevations and Roof Plan	1107/15	A	05/01/2016
Proposed Elevations and Roof Plan	1107/16	A	05/01/2016
Proposed Elevations and Roof Plan	1107/17	A	05/01/2016
Proposed Elevations and Roof Plan	1107/18	A	05/01/2016
Proposed Elevations and Roof Plan	1107/19	A	05/01/2016
Proposed Elevations and Roof Plan	1107/20	A	05/01/2016

PLANNING COMMITTEE LIST – 11 MAY 2016

Proposed Elevations and Roof Plan	1107/21	A	05/01/2016
Proposed Elevations and Roof Plan	1107/22	A	05/01/2016
Proposed Elevations and Roof Plan	1107/23	B	05/01/2016
Proposed Elevations and Roof Plan	1107/24	A	05/01/2016
Proposed Elevations and Roof Plan	1107/25	A	05/01/2016
Proposed Elevations and Roof Plan	1107/26	A	05/01/2016
Lift Room Plan and Roof Plan	5834/SK01		05/01/2016
Door Elevations	AQ026530		05/01/2016
Door Sections x 3			05/01/2016

11.2 Pre-Commencement Conditions:

- 3) No development shall commence until measures for the protection of trees and planting across the site have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The measures shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

**Reason:** As this matter is fundamental to protecting the trees and planting on the site during works in the interest of the visual amenities of the area and to comply with policy QD16 of the Brighton & Hove Local Plan.

11.3 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One 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 works would not harm the appearance of the buildings. The setting of the heritage assets in the vicinity of the site would not be harmed. No significant harm to amenity would be caused and the protection of trees and planted areas is secured by planning condition.

<b>PLANNING COMMITTEE</b>	<b>Agenda Item 192</b> Brighton & Hove City Council
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**Information on Pre-application Presentations and Requests 2016**

<b>Date</b>	<b>Address</b>	<b>Ward</b>	<b>Proposal</b>
TBC	Former Peter Pan playground, adj to Yellow Wave, Madeira Drive, Brighton	East Brighton & Queens Park	Mixed use development including A1/A3/D1/D2 uses and open air swimming pool and boardwalk access to sea.
TBC	76-80 Buckingham Road, Brighton	St Peters and North Laine	Conversion of historic townhouses (numbers 76-79) from D1 to residential. Demolition of number 80 and replacement with 21 flats and D1 use.
TBC	Selsfield Drive, Brighton	Hollingdean & Stanmer	Demolition of existing structures and erection of 6 storey building comprising 27 1, 2 & 3-bed flats, with associated parking and landscaping.

**Previous presentations - 2015 / 6**

<b>Date</b>	<b>Address</b>	<b>Ward</b>	<b>Proposal</b>
19 April 2016	65 Orchard Gardens, Hove	Hove Park	Demolition of existing buildings and erection of a five storey building comprising 324sqm offices (B1) on the ground floor, 23no one, two and three bedroom flats (C3) on the upper floors, 22no car parking spaces, cycle storage, refuse/recycling facilities, and associated landscaping.
29 March 2016	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.
29 March 2016	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
08 March 2016	Coombe Farm Westfield Avenue North	Rottingdean Coastal	Residential development comprising of 64 dwellings
16 February	University of Sussex	Hollingdean	Life Science building

**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.**

2016		and Stanmer	
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.
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 <sup>th</sup> November 2015	University of Sussex	Hollingdean and Stanmer	Reserved matters application for approximately 2000 new student accommodation bedrooms.
27 <sup>th</sup> October 2015	78 West Street & 7-8 Middle Street, Brighton	Regency	Demolition of vacant night club buildings and erection of mixed use building 5-7 storeys high plus basement comprising commercial A1/A3/A4 (retail/restaurant/bar) uses on ground floor & basement and C1 (hotel) use on upper floors with reception fronting Middle St.
4 <sup>th</sup> August 2015	121-123 Davigdor Road, Brighton	Goldsmid	Replacement of existing building with three-part stepped building comprising 48 residential flats and 153sqm of community floorspace.
23 <sup>rd</sup> June 2015	Land directly adjacent to American Express Community	Moulsecoomb & Bevendean	Erection of a 150 bedroom hotel.

Last updated: 10/03/2016 14:29

	Stadium, Village Way, Falmer		
23 <sup>rd</sup> June 2015	Former St. Aubyns School, High Street, Rottingdean	Rottingdean Coastal	Residential development of the site to provide 48 dwellings through refurbishment and conversion of Field House to provide 6no. apartments; refurbishment of 4no. existing curtilage listed cottages; demolition of remaining former school buildings and former headmaster's house; erection of 38 new dwellings and 62 bed care home; retention of sports pavilion and war memorial; provision and transfer of open space for public use; formation of accesses to Newlands Road and alterations to existing access off Steyning Road; provision of associated car parking and landscaping; alterations to flint wall.
2 <sup>nd</sup> June 2015	Land bound by Blackman Street Cheapside and Station Street, Brighton	St Peter's and North Laine	Proposed part nine, part seven storey building to provide office and student accommodation for Bellerby's College.
2 <sup>nd</sup> June 2015	Brighton College, Eastern Road, Brighton	Queens Park	Demolition of existing Sports and Science building fronting Sutherland Road and erection of new three storey Sports and Science building comprising swimming pool, Sports Hall, teaching rooms and rooftop running track and gardens.
10 <sup>th</sup> March 2015	106 Lewes Road, Brighton	St Peter's and North Laine	Eight storey block of student accommodation.





**PLANS LIST 11 May 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****BH2015/02334****Land between Bonheur & Rocklands Braypool Lane Brighton**

Erection of four bedroom detached house with cycle store, detached double garage and associated works.

**Applicant:** Mr Mark Ince

**Officer:** Chris Swain 292178

**Approved on 01/04/16 DELEGATED**

**BH2015/04365****All Saints Church Church Hill Brighton**

Repair and stabilisation works to front boundary wall.

**Applicant:** Brighton & Hove City Council

**Officer:** Laura Hamlyn 292205

**Approved on 19/04/16 DELEGATED**

**BH2015/04366****All Saints Church Church Hill Brighton**

Repair and stabilisation works to front boundary wall.

**Applicant:** Brighton & Hove City Council

**Officer:** Laura Hamlyn 292205

**Approved on 19/04/16 DELEGATED**

**BH2016/00022****256 Mackie Avenue Brighton**

Certificate of lawfulness for proposed demolition of existing garage and erection of workshop.

**Applicant:** Ms Tracey Williams

**Officer:** Molly McLean 292097

**Approved on 11/04/16 DELEGATED**

**BH2016/00236****Unit B1 Hollingbury Enterprise Estate 8 Crowhurst Road Brighton**

Formation of new storage area to lower ground floor with rear entrance door and access steps.

**Applicant:** In the Pipeline Ltd

**Officer:** Stewart Glassar 292153

**Approved on 06/04/16 DELEGATED**

**BH2016/00294**

**135 Surrenden Road Brighton**

Demolition of existing conservatory and erection of extensions at ground and first floor levels to rear.

**Applicant:** Ms C Starkey

**Officer:** Laura Hamlyn 292205

**Approved on 01/04/16 DELEGATED**

**BH2016/00351**

**88 Overhill Drive Brighton**

Certificate of lawfulness for proposed loft conversion and rear dormer.

**Applicant:** Miss C Aston

**Officer:** Laura Hamlyn 292205

**Approved on 06/04/16 DELEGATED**

**BH2016/00360**

**88 Overhill Drive Brighton**

Demolition of existing single storey side extension and erection of a two storey side extension

**Applicant:** Miss C aston

**Officer:** Laura Hamlyn 292205

**Approved on 06/04/16 DELEGATED**

**BH2016/00392**

**7 Sunnydale Avenue Brighton**

Erection of part one, part two storey rear extension.

**Applicant:** Mr & Mrs S Torres

**Officer:** Luke Austin 294495

**Approved on 15/04/16 DELEGATED**

**BH2016/00400**

**31 Hartfield Avenue Brighton**

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

**Applicant:** Ms Karen Prout

**Officer:** Molly McLean 292097

**Approved on 19/04/16 DELEGATED**

**BH2016/00447**

**34 Heston Avenue Brighton**

Erection of single storey rear extension.

**Applicant:** Mr & Mrs Coomber

**Officer:** Luke Austin 294495

**Approved on 04/04/16 DELEGATED**

**BH2016/00521**

**20 Ladies Mile Road Brighton**

Erection of single storey rear extension.

**Applicant:** Mrs Curson

**Officer:** Molly McLean 292097

**Approved on 05/04/16 DELEGATED**

**BH2016/00522**

**20 Ladies Mile Road Brighton**

Certificate of lawfulness for proposed loft conversion with hip to gable roof

Report from 31/03/2016 to 20/04/2016

extension, front rooflight, side window and rear dormer.

**Applicant:** Mrs Curson  
**Officer:** Molly McLean 292097  
**Approved on 11/04/16 DELEGATED**

**BH2016/00548**

**42 Hartfield Avenue Brighton**

Erection of single storey side extension.

**Applicant:** Mr & Mrs Jan & Richard Martin  
**Officer:** Molly McLean 292097  
**Approved on 18/04/16 DELEGATED**

**BH2016/00554**

**81 Vale Avenue Brighton**

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

**Applicant:** Mr Xiaojun  
**Officer:** Ross O'Ceallaigh 293817  
**Approved on 15/04/16 DELEGATED**

**BH2016/00578**

**14 Northfield Way Brighton**

Demolition of existing lean to and removal of decking. Excavation to facilitate erection of new basement and ground floor rear extension including rooflights and Juliette balcony.

**Applicant:** Mr R Saunders  
**Officer:** Molly McLean 292097  
**Refused on 18/04/16 DELEGATED**

**BH2016/00599**

**435 Ditchling Road Brighton**

Application for Approval of Details Reserved by Condition 6 of application BH2015/04269

**Applicant:** Perth Securities  
**Officer:** Sonia Gillam 292265  
**Approved on 12/04/16 DELEGATED**

**BH2016/00687**

**63 Wilmington Way Brighton**

Enlargement of single storey flat roof rear extension including rooflights and associated works.

**Applicant:** Mr & Mrs Steele  
**Officer:** Laura Hamlyn 292205  
**Approved on 20/04/16 DELEGATED**

**BH2016/00796**

**52 Greenfield Crescent Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5m for which the maximum height would be 3.3m, and for which the height of the eaves would be 2.5m.

**Applicant:** Mr & Mrs Colley  
**Officer:** Allison Palmer 290493  
**Prior approval not required on 14/04/16 DELEGATED**

Report from 31/03/2016 to 20/04/2016

## **PRESTON PARK**

### **BH2015/03122**

#### **24 Hythe Road Brighton**

Application for approval of details reserved by conditions 7, 10 and 13(i)c of application BH2014/02826.

**Applicant:** Mr Gary Brookes

**Officer:** Adrian Smith 290478

**Approved on 04/04/16 DELEGATED**

### **BH2015/03292**

#### **105B Beaconsfield Villas Brighton**

Erection of single storey flat roof rear extension and raised terrace with balustrade.

**Applicant:** Mr & Mrs Boote

**Officer:** Luke Austin 294495

**Approved on 13/04/16 DELEGATED**

### **BH2015/04228**

#### **51 Beaconsfield Villas Brighton**

Erection of detached garden lodge to rear.

**Applicant:** Katie Gale

**Officer:** Luke Austin 294495

**Approved on 08/04/16 DELEGATED**

### **BH2015/04272**

#### **TEN AND A HALF Preston Park Avenue Brighton**

Application for Approval of Details Reserved by Conditions 12 and 14 of application BH2013/03937.

**Applicant:** Mr & Mrs Franks

**Officer:** Wayne Nee 292132

**Approved on 04/04/16 DELEGATED**

### **BH2016/00154**

#### **57 Waldegrave Road Brighton**

Erection of single storey side extension and roof alterations incorporating rear dormer and rooflight.

**Applicant:** Joseph Weller

**Officer:** Luke Austin 294495

**Approved on 06/04/16 DELEGATED**

### **BH2016/00242**

#### **209 Preston Drove Brighton**

Replacement of existing windows to front elevation with UPVC windows.

**Applicant:** Mr Panayiotis Koullas

**Officer:** Molly McLean 292097

**Refused on 05/04/16 DELEGATED**

### **BH2016/00249**

#### **Basement 82 Beaconsfield Road Brighton**

Conversion of basement level from ancillary storage (A1) to 1no one bedroom flat  
Report from 31/03/2016 to 20/04/2016

(C3) with alterations including installation of patio doors to replace window to rear elevation.

**Applicant:** Mr E Ganpatsingh  
**Officer:** Mark Dennett 292321  
**Approved on 05/04/16 DELEGATED**

**BH2016/00397**

**38 Argyle Road Brighton**

Erection of single storey rear extension to ground floor of upper floor flat.

**Applicant:** Ms Richfield  
**Officer:** Luke Austin 294495  
**Refused on 15/04/16 DELEGATED**

**BH2016/00407**

**38 Preston Road Brighton**

Prior approval for change of use from retail unit (A1) to restaurant (A3) with associated alterations.

**Applicant:** Paradiso Holdings Ltd  
**Officer:** Chris Swain 292178  
**Prior Approval is required and is approved on 05/04/16 DELEGATED**

**BH2016/00428**

**54 Grantham Road Brighton**

Erection of single storey rear extension.

**Applicant:** Mrs Sawyer  
**Officer:** Charlotte Bush 292193  
**Approved on 18/04/16 DELEGATED**

**BH2016/00565**

**1 Beaconsfield Parade Beaconsfield Road Brighton**

Change of Use from retail (A1) to Tattoo Shop. (Sui generis)

**Applicant:** SMB Tattoo  
**Officer:** Stewart Glassar 292153  
**Approved on 06/04/16 DELEGATED**

**BH2016/00657**

**St Lukes Church Hall Exeter Street Brighton**

Replacement of existing ramp and steps with disabled access ramp.

**Applicant:** The Hall Get Involved Ltd  
**Officer:** Allison Palmer 290493  
**Approved on 18/04/16 DELEGATED**

**BH2016/00659**

**102 Preston Drove Brighton**

Prior approval for change of use from retail (A1) to cafe (A3).

**Applicant:** Sadie Emma Louise Lamb  
**Officer:** Chris Swain 292178  
**Prior approval not required on 18/04/16 DELEGATED**

**BH2016/00690**

**First Floor Flat 120 Springfield Road Brighton**

Roof alterations incorporating rear dormer and 2no rooflights.

**Applicant:** Mr Martyn Allen

Report from 31/03/2016 to 20/04/2016

**Officer:** Laura Hamlyn 292205  
**Approved on 20/04/16 DELEGATED**

**BH2016/00791**

**St Andrews Day and Resource Centre St Andrews Road Brighton**

Application for Approval of Details Reserved by Condition 4 of application  
BH2013/03968

**Applicant:** Mr Martyn Baxter

**Officer:** Wayne Nee 292132

**Approved on 06/04/16 DELEGATED**

**BH2016/00800**

**54 Coventry Street Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.29m for which the maximum height would be 3.60m, and for which the height of the eaves would be 2.76m.

**Applicant:** Joanna Conlon

**Officer:** Allison Palmer 290493

**Prior approval not required on 18/04/16 DELEGATED**

**REGENCY**

**BH2015/03381**

**Flat 10 65 - 66 Regency Square Brighton**

Enlargement of existing window opening and unblocking of existing bricked up window on Queensbury Mews elevation to allow for insertion of new double glazed timber sliding sash windows.

**Applicant:** Mahindra Chauhan

**Officer:** Emily Stanbridge 292359

**Approved on 14/04/16 DELEGATED**

**BH2015/03648**

**2 Clarence Square Brighton**

Creation of roof terrace to rear and replacement of existing window with new door to access roof terrace.

**Applicant:** Mr & Mrs Taheri-Kadkhoda & Mr & Mrs Abrahams

**Officer:** Joanne Doyle 292198

**Refused on 01/04/16 DELEGATED**

**BH2015/03969**

**Flat 1 30 Montpelier Crescent Brighton**

Erection of detached garden house to replace existing shed and treatment of boundary wall.

**Applicant:** Ms Christine Oliver

**Officer:** Joanne Doyle 292198

**Approved on 06/04/16 DELEGATED**

**BH2015/03970**

**Flat 1 30 Montpelier Crescent Brighton**

Erection of detached garden house to replace existing shed and treatment of

Report from 31/03/2016 to 20/04/2016

boundary wall.

**Applicant:** Ms Christine Oliver  
**Officer:** Joanne Doyle 292198  
**Approved on 06/04/16 DELEGATED**

**BH2015/04022**

**57 Upper North Street Brighton**

Display of 3no externally illuminated fascia signs and 1no externally illuminated hanging sign. (Retrospective)

**Applicant:** The Laine Pub Company  
**Officer:** Justine Latemore 292138  
**Approved on 14/04/16 DELEGATED**

**BH2015/04023**

**57 Upper North Street Brighton**

Installation of flood lamps, swan neck lights, down lights, strip lights with associated signage. (Retrospective)

**Applicant:** The Laine Pub Company  
**Officer:** Justine Latemore 292138  
**Approved on 14/04/16 DELEGATED**

**BH2015/04087**

**19 Oriental Place Brighton**

Conversion of hotel (C1) to form 4no studio flats, 3no one bedroom flats and 1no two bedroom maisonette (C3) with associated alterations including rear extension at second floor level.

**Applicant:** Miss Stephanie Harding  
**Officer:** Helen Hobbs 293335  
**Refused on 08/04/16 DELEGATED**

**BH2015/04088**

**19 Oriental Place Brighton**

Conversion of hotel (C1) to form 4no studio flats, 3no one bedroom flats and 1no two bedroom maisonette (C3) with associated internal alterations to layout and external alterations including rear extension at second floor level.

**Applicant:** Miss Stephanie Harding  
**Officer:** Helen Hobbs 293335  
**Refused on 08/04/16 DELEGATED**

**BH2015/04132**

**Ship Street & Middle Street Entrances to Dukes Lane**

Display of 2no internally illuminated and 1no externally illuminated hanging signs, 1no totem pole and 1no internally illuminated fascia sign.

**Applicant:** DTZ Investors  
**Officer:** Justine Latemore 292138  
**Approved on 05/04/16 DELEGATED**

**BH2015/04283**

**Grand Hotel 97 Kings Road Brighton**

Erection of plant room with steel access staircase to rear of property.

**Applicant:** Grand Hotel Holdings  
**Officer:** Sonia Gillam 292265

Report from 31/03/2016 to 20/04/2016

**Approved on 19/04/16 DELEGATED**

**BH2015/04331**

**6 Montpelier Street Brighton**

Erection of single storey rear extension.

**Applicant:** Mr Jonathan Wrigley

**Officer:** Joanne Doyle 292198

**Approved on 06/04/16 DELEGATED**

**BH2015/04609**

**Kiosk 65 Kings Road (opposite bottom of West Street) Brighton**

Removal of kiosk to facilitate its repair, restoration and relocation to East Street Bastion and removal of a section of seafront railings and lampost.

(part -retrospective).

**Applicant:** Brighton & Hove City Council

**Officer:** Maria Seale 292175

**Approved on 31/03/16 DELEGATED**

**BH2015/04642**

**51 Ship Street Brighton**

Application for Approval of Details Reserved by Conditions 3, 6, 7, 8 and 9 of application BH2014/03208.

**Applicant:** Mrs Deborah Ley

**Officer:** Mark Thomas 292336

**Approved on 04/04/16 DELEGATED**

**BH2016/00102**

**21A Bedford Place Brighton**

Demolition of existing two storey retail unit (A1) and erection of four storey building comprising of 2no three bedroom maisonettes with work space and 5no two bedroom flats (C3).

**Applicant:** Taj Mahal

**Officer:** Wayne Nee 292132

**Refused on 07/04/16 DELEGATED**

**BH2016/00152**

**First Floor Flat 32 Bedford Square Brighton**

Remedial and repair works to front first floor balcony.

**Applicant:** Ms Jacqueline Sinclair

**Officer:** Joanne Doyle 292198

**Approved on 01/04/16 DELEGATED**

**BH2016/00153**

**Ground First & Second Floor Flats 32 Bedford Square Brighton**

Remedial and repair works to front first floor balcony and front bay structure.

**Applicant:** Ms Jacqueline Sinclair

**Officer:** Joanne Doyle 292198

**Approved on 01/04/16 DELEGATED**

**BH2016/00159**

**93 Montpelier Road Brighton**

Replacement of concrete roof tiles with slate and other associated works.

Report from 31/03/2016 to 20/04/2016



**Applicant:** Mr Alan Legg  
**Officer:** Tim Jefferies 293152  
**Approved on 07/04/16 DELEGATED**

**BH2016/00170**

**17A St Michaels Place Brighton**

Alterations to rear elevation incorporating replacement of existing timber window with UPVC bifolding doors and other revised fenestration (retrospective).

**Applicant:** Mr Amit Arora  
**Officer:** Charlotte Bush 292193  
**Approved on 05/04/16 DELEGATED**

**BH2016/00197**

**22C Sillwood Street Brighton**

Change of use from six bedroom small house in multiple occupation (C4) to seven bedroom house in multiple occupation (Sui Generis).

**Applicant:** Mr John Standing  
**Officer:** Sonia Gillam 292265  
**Refused on 04/04/16 DELEGATED**

**BH2016/00284**

**6A Stone Street & 13A Castle Street Brighton**

Application for Approval of Details Reserved by Conditions 7, 8, 9, 10, 11, 12, 14, 15 and 16 of application BH2014/02881.

**Applicant:** AKM(sussex) LLP  
**Officer:** Mark Thomas 292336  
**Refused on 04/04/16 DELEGATED**

**BH2016/00285**

**Regents Court 59-62 Regency Square Brighton**

Internal alterations to layout of flat. (Retrospective)

**Applicant:** Mr Chris Rhodes  
**Officer:** Tim Jefferies 293152  
**Approved on 05/04/16 DELEGATED**

**BH2016/00336**

**88 Upper North Street Brighton**

Internal alterations to dwelling including damp proofing works and other associated repair works.

**Applicant:** ReAssure  
**Officer:** Tim Jefferies 293152  
**Refused on 13/04/16 DELEGATED**

**BH2016/00365**

**7 Borough Street Brighton**

Certificate of Lawfulness for proposed erection of single storey rear extension and replacement of existing timber window and door with UPVC window and door.

**Applicant:** Mr Andrew Carter  
**Officer:** Molly McLean 292097  
**Approved on 01/04/16 DELEGATED**

Report from 31/03/2016 to 20/04/2016

**BH2016/00496**

**1-3 Brighton Place Brighton**

Demolition of existing conservatory and erection of single storey rear extension at first floor level.

**Applicant:** Donatello

**Officer:** Joanne Doyle 292198

**Refused on 12/04/16 DELEGATED**

**BH2016/00550**

**137 Western Road Brighton**

Display of internally-illuminated fascia sign and hanging sign.

**Applicant:** Yorkshire Building Society

**Officer:** Joanne Doyle 292198

**Approved on 12/04/16 DELEGATED**

**BH2016/00566**

**41-43 North Street Brighton**

Display of internally illuminated fascia sign, internally illuminated projecting sign and frosted glass panel.

**Applicant:** The Body Shop International Plc

**Officer:** Helen Hobbs 293335

**Approved on 11/04/16 DELEGATED**

**BH2016/00661**

**21B Sussex Heights 14 St Margarets Place Brighton**

Replacement of existing crittal windows with UPVC windows and creation of enclosed balcony.

**Applicant:** Mr A Teasdale

**Officer:** Charlotte Bush 292193

**Approved on 18/04/16 DELEGATED**

**BH2016/00669**

**Friends Meeting House Prince Albert Street Brighton**

Installation of 2no flues to roof.

**Applicant:** Mr Jim Wallace

**Officer:** Tim Jefferies 293152

**Approved on 20/04/16 DELEGATED**

**BH2016/00705**

**6 Regency Square Brighton**

Alterations to existing coal bunker at basement level including installation of 2no buttress walls.

**Applicant:** Mr Newitt

**Officer:** Charlotte Bush 292193

**Approved on 19/04/16 DELEGATED**

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

**BH2015/02375**

**95-97 London Road Brighton**

Display of internally illuminated and non-illuminated fascia signs and internally illuminated projecting sign. (Retrospective)

Report from 31/03/2016 to 20/04/2016

**Applicant:** British Heart Foundation  
**Officer:** Justine Latemore 292138  
**Approved on 12/04/16 DELEGATED**

**BH2015/02769**

**16 York Place Brighton**

Change of use from maisonette (C3) to small house in multiple occupation (C4) (part retrospective).

**Applicant:** Coastal Management Ltd  
**Officer:** Chris Swain 292178  
**Approved on 08/04/16 DELEGATED**

**BH2015/02802**

**21A Bond Street Brighton**

Certificate of lawfulness for the existing use of the property as a 3 bedroom small house in multiple occupation (C4).

**Applicant:** Laura Starbuck  
**Officer:** Adrian Smith 290478  
**Approved on 06/04/16 DELEGATED**

**BH2015/03540**

**49A London Road Brighton**

Certificate of lawfulness for existing use of first and second floor as small four bedroom house in multiple occupation (C4).

**Applicant:** Mr Richard Ellis  
**Officer:** Helen Hobbs 293335  
**Approved on 07/04/16 DELEGATED**

**BH2015/03781**

**19 Caledonian Road Brighton**

Change of use from six bedroom small house in multiple occupation (C4) to seven bedroom house in multiple occupation (Sui Generis) (Retrospective)

**Applicant:** Tamara Frangoul  
**Officer:** Joanne Doyle 292198  
**Refused on 07/04/16 DELEGATED**

**BH2015/03852**

**48 London Road Brighton**

Loft conversion to form 1 no one bedroom flat (C3) with associated alterations including raising of ridge height, erection of rear extension and front and rear rooflights.

**Applicant:** Starlow Management Ltd  
**Officer:** Chris Swain 292178  
**Refused on 13/04/16 DELEGATED**

**BH2015/04391**

**Lower Goods Yard 1A Trafalgar Arches Brighton**

Change of use to restaurant/café (A3), with internal and external alterations including installation of glazed curtain walls, new mezzanine floor, window and door infills including louvres, refurbishment works, hard landscaping and associated alterations.

**Applicant:** Network Rail Infrastructure Limited

Report from 31/03/2016 to 20/04/2016

**Officer:** Mark Thomas 292336  
**Approved on 08/04/16 DELEGATED**

**BH2015/04392**

**Lower Goods Yard 1A Trafalgar Arches Brighton**

Change of use to restaurant/café (A3), with internal and external alterations including installation of glazed curtain walls, new mezzanine floor, window and door infills including louvres, refurbishment works, hard landscaping and associated alterations.

**Applicant:** Network Rail Infrastructure Limited

**Officer:** Mark Thomas 292336

**Approved on 08/04/16 DELEGATED**

**BH2015/04468**

**33 Prestonville Road Brighton**

Conversion of ground floor shop (A1) into 1no one bedroom flat (C3) incorporating single storey rear extension and new door and bay window to front.

**Applicant:** Ms Maggi Healey

**Officer:** Joanne Doyle 292198

**Approved on 06/04/16 DELEGATED**

**BH2015/04518**

**Dyke Road Mews Dyke Road Brighton**

Installation of pair of security gates at entrance to Dyke Road Mews from Bath Street.

**Applicant:** Blue Green & Red Plateau Ltd

**Officer:** Ryan OSullivan 290480

**Approved on 01/04/16 DELEGATED**

**BH2015/04622**

**The Colonnades 160 - 161 North Street & 1-4 New Road Brighton**

Installation of replacement plant to rear of building including kitchen extract and air handling unit.

**Applicant:** Wahaca

**Officer:** Justine Latemore 292138

**Approved on 08/04/16 DELEGATED**

**BH2015/04623**

**The Colonnades 160 - 161 North Street & 1-4 New Road**

Installation of replacement plant to rear of building including kitchen extract and air handling unit.

**Applicant:** Wahaca

**Officer:** Justine Latemore 292138

**Approved on 08/04/16 DELEGATED**

**BH2015/04654**

**Derwent Court Dyke Road & 103 Buckingham Road Brighton**

Conversion of undercroft garages and part courtyard into 2no self-contained flats (C3) with patios, erection of single storey rear extension and associated alterations.

**Applicant:** Mr Jack Gilbert & Mr M DeSilva

**Officer:** Mark Thomas 292336

Report from 31/03/2016 to 20/04/2016

**Approved on 07/04/16 DELEGATED**

**BH2016/00122**

**149 North Street Brighton**

Display of internally illuminated fascia sign and projecting sign (Retrospective)

**Applicant:** Card Factory

**Officer:** Justine Latemore 292138

**Approved on 01/04/16 DELEGATED**

**BH2016/00237**

**Block K Cityview 103 Stroudley Road Brighton**

Application for Approval of Details Reserved by Condition 12(v) of application BH2008/01148.

**Applicant:** McAleer & Rushe Ltd

**Officer:** Maria Seale 292175

**Approved on 11/04/16 DELEGATED**

**BH2016/00280**

**11 & Part of 9 & 13 Crescent Road Brighton**

Erection of single storey rear extensions.

**Applicant:** Mrs Cathie Clearwater

**Officer:** Charlotte Bush 292193

**Refused on 05/04/16 DELEGATED**

**BH2016/00362**

**8 Howard Terrace Brighton**

Prior approval for change of use from storage (B8) to residential (C3) to form 2no residential units.

**Applicant:** Robert Talbot

**Officer:** Chris Swain 292178

**Prior Approval is required and is refused on 07/04/16 DELEGATED**

**BH2016/00363**

**38 Princes Road Brighton**

Certificate of Lawfulness for proposed erection of single storey rear extension.

**Applicant:** Mr Dave Warring

**Officer:** Molly McLean 292097

**Approved on 04/04/16 DELEGATED**

**BH2016/00401**

**16 Queens Place Brighton**

Application for variation of condition 2 of application BH2015/01945 (Erection of single storey roof extension to existing warehouse and office to form 1no two bedroom flat (C3) with alterations to ground floor entrance) to permit alterations relating to the addition of a lift from ground to second floor including a lift shaft overrun with associated internal alterations and fenestration alterations.

**Applicant:** Mr H Nicholson

**Officer:** Joanne Doyle 292198

**Refused on 15/04/16 DELEGATED**

**BH2016/00416**

**6 Beaconsfield Road Brighton**

Conversion of existing house to form 2no. one bedroom flats and 1no. three

Report from 31/03/2016 to 20/04/2016

bedroom maisonette (C3) with construction of external staircase to rear.

**Applicant:** Ms Carly Houston  
**Officer:** Wayne Nee 292132  
**Refused on 01/04/16 DELEGATED**

**BH2016/00460**

**60 Castle Square Brighton**

Display of non-illuminated and internally illuminated fascia signs, internally illuminated hanging signs and ATM surrounds, non-illuminated information sign and window vinyls.

**Applicant:** RBS  
**Officer:** Justine Latemore 292138  
**Approved on 07/04/16 DELEGATED**

**BH2016/00462**

**160 North Street Brighton**

Change of use of basement and ground floors from retail (A1) to restaurant (A3) for use in connection with existing restaurant at 160 - 161 North Street and 1-4 New Road.

**Applicant:** Wahaca Ltd  
**Officer:** Mark Dennett 292321  
**Approved on 20/04/16 DELEGATED**

**BH2016/00463**

**160 North Street Brighton**

Internal alterations to layout to facilitate change of use of basement and ground floors from retail (A1) to restaurant (A3) for use in connection with existing restaurant at 160 - 161 North Street and 1-4 New Road.

**Applicant:** Wahaca Ltd  
**Officer:** Mark Dennett 292321  
**Approved on 20/04/16 DELEGATED**

**BH2016/00487**

**27-33 Ditchling Road Brighton**

Application for Approval of Details Reserved by Conditions 9 and 10 of application BH2014/01431.

**Applicant:** Zise Ltd  
**Officer:** Jonathan Puplett 292525  
**Approved on 11/04/16 DELEGATED**

**BH2016/00568**

**97 Gloucester Road Brighton**

Erection of single storey rear extension with roof terrace over. (Retrospective)

**Applicant:** Ms Eileen Flynn  
**Officer:** Luke Austin 294495  
**Approved on 06/04/16 DELEGATED**

**BH2016/00572**

**Sainsburys 27 New England Street Brighton**

Application for Approval of Details Reserved By Condition 27 of application BH2015/02156

**Applicant:** Sainsburys Supermarkets Ltd  
**Officer:** Sonia Gillam 292265

Report from 31/03/2016 to 20/04/2016

**Approved on 05/04/16 DELEGATED**

**BH2016/00591**

**84 - 86 London Road Brighton**

Display of non-illuminated signs to front and side elevations.

**Applicant:** Brighton Film School

**Officer:** Justine Latemore 292138

**Refused on 14/04/16 DELEGATED**

**BH2016/00666**

**Leopold Lodge 6 Leopold Road Brighton**

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

**Applicant:** Leopold Lodge Properties

**Officer:** Charlotte Bush 292193

**Approved on 19/04/16 DELEGATED**

**BH2016/00686**

**36 Baker Street Brighton**

Application for Approval of Details Reserved by Condition 2 of application BH2015/01005.

**Applicant:** Mrs Lotus Loan-Thu Nguyen

**Officer:** Liz Arnold 291709

**Approved on 13/04/16 DELEGATED**

**BH2016/00827**

**5 St Georges Place Brighton**

Application for Approval of Details Reserved by Conditions 2 and 3 of application BH2015/01785.

**Applicant:** Mr Rob Darling

**Officer:** Liz Arnold 291709

**Refused on 06/04/16 DELEGATED**

**BH2016/00897**

**37 Park Crescent Terrace Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.70m, for which the maximum height would be 3.05m, and for which the height of the eaves would be 2.20m.

**Applicant:** Jason Traves

**Officer:** Molly McLean 292097

**Prior approval not required on 19/04/16 DELEGATED**

**WITHDEAN**

**BH2015/03635**

**31 Cornwall Gardens Brighton**

Erection of single storey side extension.

**Applicant:** Mr & Mrs Dabadie de Lurbe

**Officer:** Luke Austin 294495

**Refused on 11/04/16 DELEGATED**

**BH2016/00308**

Report from 31/03/2016 to 20/04/2016

### **42 Surrenden Park Brighton**

Certificate of Lawfulness for proposed conversion of garage into habitable living space incorporating replacement of garage door with new window.

**Applicant:** Mrs Bolton

**Officer:** Molly McLean 292097

**Approved on 05/04/16 DELEGATED**

### **BH2016/00334**

#### **17 Redhill Close Brighton**

Erection of single storey rear extension with associated roof alterations.

**Applicant:** Smart Lines Ltd

**Officer:** Molly McLean 292097

**Approved on 13/04/16 DELEGATED**

### **BH2016/00375**

#### **38 Withdean Road Brighton**

Variation of condition 2 of application BH2014/01091 (Demolition of existing dwelling and erection of 2no four bed detached dwellings.) to allow amendments to the approved drawings.

**Applicant:** Mr R Lazaro-Silver

**Officer:** Stewart Glassar 292153

**Approved on 13/04/16 DELEGATED**

### **BH2016/00409**

#### **41 Surrenden Road Brighton**

Alterations to front boundary wall, creation of hardstanding and other associated works.

**Applicant:** Mr Andrew Eades

**Officer:** Laura Hamlyn 292205

**Refused on 18/04/16 DELEGATED**

### **BH2016/00435**

#### **First Floor Flat 17 Millers Road Brighton**

Insertion of rooflights to rear.

**Applicant:** Mr Rob Friedrich

**Officer:** Laura Hamlyn 292205

**Approved on 18/04/16 DELEGATED**

### **BH2016/00495**

#### **Kingsmere London Road Brighton**

Application for Approval of Details Reserved by Condition 3 of application BH2015/02713.

**Applicant:** Spurpoint Ltd

**Officer:** Jonathan Puplett 292525

**Approved on 07/04/16 DELEGATED**

### **BH2016/00561**

#### **75 Millers Road Brighton**

Erection of raised timber decking to replace existing with balustrade and steps to garden level and associated revised fenestration to rear elevation.

**Applicant:** Ms Lesley Fairbairn

**Officer:** Molly McLean 292097

**Refused on 05/04/16 DELEGATED**

Report from 31/03/2016 to 20/04/2016



**BH2016/00638**

**24 Millcroft Brighton**

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

**Applicant:** Mr M Connock

**Officer:** Gareth Giles 293334

**Approved on 06/04/16 DELEGATED**

**BH2016/00641**

**148 Valley Drive Brighton**

Erection of two storey three bedroom single dwelling.

**Applicant:** Mr & Mrs P Cloherty

**Officer:** Mark Thomas 292336

**Refused on 20/04/16 DELEGATED**

**BH2016/00708**

**105 Tivoli Crescent North Brighton**

Application for Approval of Details Reserved by Condition 4 of application BH2014/03419.

**Applicant:** Channel Site Services

**Officer:** Mark Thomas 292336

**Approved on 06/04/16 DELEGATED**

**EAST BRIGHTON**

**BH2015/04685**

**68 St Georges Road Brighton**

Conversion of basement and ground floor into 2no bedroom maisonettes.

**Applicant:** Mr John Moore

**Officer:** Mark Thomas 292336

**Refused on 06/04/16 DELEGATED**

**BH2016/00209**

**11 Paston Place Brighton**

Installation of rooflights to rear elevation.

**Applicant:** Simmonds & Smith

**Officer:** Justine Latemore 292138

**Approved on 05/04/16 DELEGATED**

**BH2016/00342**

**70 St Georges Road Brighton**

Erection of single storey rear extension, formation of balustraded roof terrace over first floor flat roof and revised fenestration.

**Applicant:** Ms Lucie Barat

**Officer:** Allison Palmer 290493

**Refused on 15/04/16 DELEGATED**

**BH2016/00430**

**1 Bristol Mews Bristol Gardens Brighton**

Erection of single storey rear extension.

**Applicant:** Mr Sudirman Yusuf

Report from 31/03/2016 to 20/04/2016

**Officer:** Justine Latemore 292138  
**Approved on 01/04/16 DELEGATED**

**BH2016/00598**

**City College Brighton and Hove Wilson Avenue Brighton**

Application for approval of details reserved by conditions 17, 20, 21 and 22 of application BH2014/00459.

**Applicant:** City College Brighton & Hove

**Officer:** Sonia Gillam 292265

**Approved on 12/04/16 DELEGATED**

**HANOVER & ELM GROVE**

**BH2015/04196**

**30 Newmarket Road Brighton**

Change of use from six bedroom small house in multiple occupation (C4) to seven bedroom house in multiple occupation (Sui Generis).

**Applicant:** Ms Angela Gail Brooks

**Officer:** Gareth Giles 293334

**Refused on 19/04/16 DELEGATED**

**BH2015/04200**

**161 Elm Grove Brighton**

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

**Applicant:** Neil Ross

**Officer:** Mark Thomas 292336

**Refused on 05/04/16 DELEGATED**

**BH2016/00046**

**192 Elm Grove Brighton**

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

**Applicant:** Chris Gorsuch

**Officer:** Molly McLean 292097

**Approved on 04/04/16 DELEGATED**

**BH2016/00080**

**38 Montreal Road Brighton**

Removal of existing chimney and installation of wood burner flue. Installation of rooflights to front and rear.

**Applicant:** Mr Mike Connolly

**Officer:** Justine Latemore 292138

**Approved on 05/04/16 DELEGATED**

**BH2016/00310**

Report from 31/03/2016 to 20/04/2016

**23 Holland Street Brighton**

Certificate of Lawfulness for proposed loft conversion incorporating rear dormer with juliette balcony and insertion of 3no front rooflights.

**Applicant:** Ms Sian Rees

**Officer:** Molly McLean 292097

**Approved on 18/04/16 DELEGATED**

**BH2016/00374**

**23 Holland Street Brighton**

Erection of rear single storey extension at first floor level.

**Applicant:** Ms Sian Rees

**Officer:** Molly McLean 292097

**Approved on 18/04/16 DELEGATED**

**BH2016/00634**

**38 De Montfort Road Brighton**

Roof alterations incorporating increase in ridge height.

**Applicant:** Hi-Tech Ltd

**Officer:** Allison Palmer 290493

**Approved on 13/04/16 DELEGATED**

**BH2016/00676**

**119 Lewes Road Brighton**

Application for Approval of Details Reserved by Conditions 11 and 23 of application BH2015/01121.

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

**Officer:** Mick Anson 292354

**Approved on 01/04/16 DELEGATED**

**BH2016/00717**

**101 Ewart Street Brighton**

Erection of rear dormer extension including raised ridge height and front rooflight.

**Applicant:** Miss Hannah Woodruff

**Officer:** Justine Latemore 292138

**Refused on 18/04/16 DELEGATED**

**BH2016/00726**

**12 Hanover Crescent Brighton**

Change of use from residential care home (C2) to residential dwelling (C3).

**Applicant:** Sussex Partnership NHS FT

**Officer:** Gareth Giles 293334

**Approved on 20/04/16 DELEGATED**

**BH2016/00840**

**26A St Martins Place Brighton**

Application for Approval of Details Reserved by Condition 10 of application BH2012/02631

**Applicant:** Pam Ken Ltd

**Officer:** Nicola Hurley 292114

**Approved on 11/04/16 DELEGATED**

**BH2016/00930**

Report from 31/03/2016 to 20/04/2016

### **116 Islingword 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 3.9m for which the maximum height would be 3.95m, and for which the height of the eaves would be 3.0m.

**Applicant:** Joe & Ellen Power

**Officer:** Justine Latemore 292138

**Prior Approval is required and is approved on 13/04/16 DELEGATED**

## **HOLLINGDEAN & STANMER**

### **BH2015/01562**

#### **70 Barnett Road Brighton**

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

**Applicant:** Mr Lee Bolingbroke

**Officer:** Helen Hobbs 293335

**Approved on 13/04/16 COMMITTEE**

### **BH2015/03131**

#### **Varley Park Coldean Lane Brighton**

Application for variation of condition 53 of BH2010/00235 as amended by BH2015/02345 -Demolition of existing student halls of residence to provide replacement facilities between 3 and 5 storeys including 564 bed spaces, seminar rooms, a café/bar, laundry facilities, car parking, cycle parking and associated landscaping) to allow for minor material amendments including an increase in number of rooms in Hill House 1 from 48 to 59 with revised fenestration on the ground floor, additional rooflights on third and fourth floor and relocation of ICT and general store to ground floor and additional kitchen facilities, an increase in number of rooms in Hill House 2 from 54 to 66 with revised fenestration on the ground floor, additional rooflights on the third and fourth floors and relocation of ICT store to ground floor and additional kitchen facilities and alterations to the substation.

**Applicant:** University Of Brighton

**Officer:** Sarah Collins 292232

**Approved after Section 106 signed on 14/04/16 DELEGATED**

### **BH2015/04049**

#### **Unit 3 Wholesale Meat Market Upper Hollingdean Road Brighton**

Temporary change of use from trade sales/storage (SG08/B8) to trade sales and retail (SG08/A1) up to 5 years.

**Applicant:** Malpass Markets

**Officer:** Chris Swain 292178

**Approved on 14/04/16 DELEGATED**

### **BH2015/04568**

#### **Unit 4 Home Farm Business Centre Home Farm Road**

Display of non-illuminated logo and lettering signs.

**Applicant:** Paxton Access Ltd

Report from 31/03/2016 to 20/04/2016

**Officer:** Justine Latemore 292138  
**Approved on 08/04/16 DELEGATED**

**BH2015/04569**

**Unit 4 Home Farm Business Centre Home Farm Road**

External alterations including removal of roller shutters and canopies and installation of structural glazing to South and East elevations, new canopies and new entrance to East elevation.

**Applicant:** Paxton Access Ltd  
**Officer:** Justine Latemore 292138  
**Approved on 08/04/16 DELEGATED**

**BH2016/00140**

**12 Hollingdean Road Brighton**

Conversion of existing dwelling house (C3) to form 1 no one bedroom flat, 1 no two bedroom flat and 1 no three bedroom flat.

**Applicant:** Metrocity Consultants Ltd  
**Officer:** Emily Stanbridge 292359  
**Refused on 15/04/16 DELEGATED**

**BH2016/00180**

**118 Rushlake Road Brighton**

Erection of 1 no two storey two bedroom dwelling attached to 118 Rushlake Road with off street parking and associated alterations.

**Applicant:** Mr John Channon  
**Officer:** Mark Dennett 292321  
**Refused on 11/04/16 DELEGATED**

**BH2016/00230**

**224A Ditchling Road Brighton**

Conversion of loft space to form 1 no additional flat (C3) incorporating rooflights to front and rear, dormer to rear and rear roof terrace with glazed balustrade.  
Erection of bicycle shed in rear garden.

**Applicant:** Mr Rob Grice  
**Officer:** Mark Dennett 292321  
**Refused on 04/04/16 DELEGATED**

**BH2016/00296**

**Pevensey 1 Building University of Sussex Brighton**

Internal alterations to layout. (Part retrospective)

**Applicant:** University of Sussex  
**Officer:** Tim Jefferies 293152  
**Approved on 15/04/16 DELEGATED**

**BH2016/00306**

**52 Hollingbury Park Avenue Brighton**

Certificate of lawfulness for proposed loft conversion incorporating rear dormer and 2 no rooflights and conversion of lower ground floor store to habitable space.

**Applicant:** Ms Macpherson  
**Officer:** Molly McLean 292097  
**Approved on 15/04/16 DELEGATED**

**BH2016/00445**

Report from 31/03/2016 to 20/04/2016

**6 Woodview Close Brighton**

Erection of two storey side extension.

**Applicant:** Mrs Susan Mills

**Officer:** Justine Latemore 292138

**Approved on 04/04/16 DELEGATED**

**BH2016/00446**

**6 Woodview Close Brighton**

Certificate of lawfulness for proposed single and two storey rear extension.

**Applicant:** Mrs Susan Mills

**Officer:** Charlotte Bush 292193

**Refused on 15/04/16 DELEGATED**

**BH2016/00610**

**University of Sussex Lewes Road Falmer Brighton**

Prior approval for the installation of PV solar panel equipment to roof of Sussex House, Arts C, BSMS Medical School, Institute of Development Studies, Fulton and Swanborough North, Central and South buildings.

**Applicant:** Sussex Estates & Facilities LLP

**Officer:** Chris Swain 292178

**Prior Approval is required and is approved on 15/04/16 DELEGATED**

**BH2016/00631**

**6 Ashburnham Drive Brighton**

Erection of a part one/part two storey front and side extension with revised fenestration and associated alterations.

**Applicant:** Mr Yang

**Officer:** Charlotte Bush 292193

**Approved on 15/04/16 DELEGATED**

**BH2016/00808**

**Land Adjacent to Watts Building University of Brighton Lewes Road Brighton**

Non Material Amendments to BH2015/02004 to relocation of the internal lift and entrance door. Change to the building materials and modular glazing. Alterations to the opening on all four elevations. New external enclosed storage area.

**Applicant:** University of Brighton

**Officer:** Mick Anson 292354

**Approved on 08/04/16 DELEGATED**

**MOULSECOOMB & BEVENDEAN**

**BH2015/03513**

**Rear of 190 Bevendean Crescent Brighton**

Erection of 1 no two bedroom single dwelling.

**Applicant:** Mr J Panteli

**Officer:** Rebecca Fry 293773

**Refused on 12/04/16 DELEGATED**

**BH2015/03885**

**76 78 & 80 Baden Road Brighton**

Report from 31/03/2016 to 20/04/2016

Erection of 3no five bedroom dwellings (C3) accessed from Bevendean Road with associated parking and landscaping.

**Applicant:** Mr M Deller

**Officer:** Chris Swain 292178

**Approved on 01/04/16 DELEGATED**

**BH2015/04080**

**2A Buller Road Brighton**

Demolition of existing lock up garages and erection of 2no detached houses (C3) with associated parking and creation of vehicular crossover.

**Applicant:** Mr Robert Trosino

**Officer:** Mark Thomas 292336

**Refused on 02/04/16 DELEGATED**

**BH2016/00001**

**22 Fitch Drive Brighton**

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

**Applicant:** Mr Douglas Baird

**Officer:** Wayne Nee 292132

**Approved on 18/04/16 DELEGATED**

**BH2016/00141**

**Virgin Active Village Way Brighton**

Creation of overflow car park comprising of 24no spaces, entrance and associated infrastructure.

**Applicant:** Virgin Active

**Officer:** Mark Dennett 292321

**Approved on 01/04/16 DELEGATED**

**BH2016/00231**

**40 Bodiam Avenue Brighton**

Erection of single storey rear extension and alterations to existing side lean-to.

**Applicant:** Mr Ross Scrivener

**Officer:** Justine Latemore 292138

**Approved on 14/04/16 DELEGATED**

**BH2016/00344**

**16 Riley Road Brighton**

Conversion of existing integral garage at front of property to 1no studio apartment (C3) with associated alterations and erection of front boundary wall with gate.

**Applicant:** Squires Property

**Officer:** Mark Dennett 292321

**Refused on 13/04/16 DELEGATED**

**BH2016/00606**

**Brighton Aldridge Community Academy Lewes Road Brighton**

Application for Approval of Details Reserved by Conditions 4, 5 and 6 of application BH2014/01768.

**Applicant:** Brighton Aldridge Community Academy

**Officer:** Stewart Glassar 292153

**Approved on 13/04/16 DELEGATE**

Report from 31/03/2016 to 20/04/2016

**BH2016/00694**

**Ground Floor Flat 90 Riley Road Brighton**

Erection of single storey rear extension.

**Applicant:** Ms Nicola Ashby

**Officer:** Justine Latemore 292138

**Refused on 20/04/16 DELEGATED**

**QUEEN'S PARK**

**BH2015/02443**

**Units 2-8 The Terraces Madeira Drive Brighton**

Demolition and replacement of existing oval glass pavilion on lower tier level to form new café (A3). Demolition of existing circular building on upper tier level. Change of use of units 6-8 on lower tier level from restaurants (A3) to Members Club (SG) together with construction of two new pavilions above at upper tier level consisting of restaurant and bar (A3/A4) with indoor and outdoor seating, open air plunge pool with changing facilities and terraced area with sunbeds solely for the use of the Members Club (SG). Alterations and refurbishment of existing public restaurants (A3) at lower tier units 2-5 including revised fenestration. Other associated works including the external and internal refurbishment of the existing 1920s pavilion.

**Applicant:** Brighton Seafront Regeneration Ltd

**Officer:** Sue Dubberley 293817

**Approved after Section 106 signed on 20/04/16 COMMITTEE**

**BH2015/02846**

**Unit 9 The Terraces Madeira Drive Brighton**

Display of 2.no non-illuminated signs and non-illuminated vinyl adverts to be displayed on the outside of windows and doors. (Part- retrospective)

**Applicant:** Sussex Sign Company

**Officer:** Joanne Doyle 292198

**Approved on 13/04/16 DELEGATED**

**BH2016/00034**

**134 Edward Street Brighton**

Conversion of existing dwelling (C3) into 1no one bedroom maisonette and 1no two bedroom maisonette (C3) including erection of a first floor rear extension with terrace at second floor level, new entrance door to front and associated works.

**Applicant:** Grosvenor Landscape Technologies Ltd

**Officer:** Nicola Hurley 292114

**Approved on 13/04/16 DELEGATED**

**BH2016/00150**

**Carlton Hill Primary School Sussex Street Brighton**

Demolition and rebuilding a section of boundary flint wall with installation of 3m anti climb Weld mesh fencing above and installation of buttressing.

**Applicant:** Brighton & Hove City Council

**Officer:** Stewart Glassar 292153

**Approved on 04/04/16 DELEGATED**

**BH2016/00196**

Report from 31/03/2016 to 20/04/2016



**Flat 3 39 Marine Parade Brighton**

Internal alterations to layout of flat.

**Applicant:** Mr Jose-Luis Aguirre

**Officer:** Tim Jefferies 293152

**Approved on 31/03/16 DELEGATED**

**BH2016/00235**

**Brighton College Eastern Road Brighton**

Application for Approval of Details Reserved by Conditions 9, 14(i)(a), 14(i)(b) and 15 of Application BH2014/02054 (allowed on appeal).

**Applicant:** Brighton College

**Officer:** Adrian Smith 290478

**Split Decision on 04/04/16 DELEGATED**

**BH2016/00307**

**32-34 Old Steine Brighton**

Display of internally illuminated fascia sign.

**Applicant:** StageFleet Ltd

**Officer:** Allison Palmer 290493

**Refused on 07/04/16 DELEGATED**

**BH2016/00390**

**25 Canning Street Brighton**

Installation of rear dormer and rooflight to front and rear elevations.

**Applicant:** Jodi Lea-Trowman

**Officer:** Justine Latemore 292138

**Approved on 13/04/16 DELEGATED**

**BH2016/00412**

**14 Cuthbert Road Brighton**

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

**Applicant:** Mr Thomas Booker

**Officer:** Chris Swain 292178

**Approved on 01/04/16 DELEGATED**

**BH2016/00486**

**12 Queens Park Terrace Brighton**

Erection of single storey side/rear extension with monopitched roof and rooflights and new stepped access to garden.

**Applicant:** Ms Lucy Morris

**Officer:** Allison Palmer 290493

**Approved on 08/04/16 DELEGATED**

**BH2016/00526**

**80B St James's Street Brighton**

Change of use from tattoo/piercing studio (Sui Generis) to retail (A1).

**Applicant:** Mr Terry

**Officer:** Joanne Doyle 292198

**Approved on 11/04/16 DELEGATED**

**BH2016/00653**

**20 Freshfield Street Brighton**

Report from 31/03/2016 to 20/04/2016

Relocation of existing external staircase and alterations to fenestration.

**Applicant:** Mrs Siobhan Collett  
**Officer:** Allison Palmer 290493  
**Approved on 13/04/16 DELEGATED**

**BH2016/00750**

**Queens Park Villas 30 West Drive Brighton**

Application for Approval of Details Reserved by Condition 2 of application BH2014/02728.

**Applicant:** Ms Amanda Godfrey  
**Officer:** Nicola Hurley 292114  
**Approved on 06/04/16 DELEGATED**

**BH2016/00760**

**Brooke Mead Albion Street Brighton**

Application for Approval of Details Reserved by Conditions 10 and 21 of application BH2015/02228.

**Applicant:** Mr Graham Parkinson  
**Officer:** Adrian Smith 290478  
**Approved on 06/04/16 DELEGATED**

**ROTTINGDEAN COASTAL**

**BH2014/03431**

**Land at Brighton Marina comprising Outer Harbour West Quay and Adjoining Land**

Application for Approval of Details Reserved by Conditions 3, 12, 35, 46, 54, 55, 59, 64, 68, 69 and 70 of application BH2014/02883 for Phase 1 and Phase A only.

**Applicant:** Brunswick Developments Group Plc  
**Officer:** Sarah Collins 292232  
**Split Decision on 13/04/16 DELEGATED**

**BH2015/02618**

**11A Lewes Crescent Brighton**

Installation of timber window to replace existing.

**Applicant:** Mr A Ashford  
**Officer:** Luke Austin 294495  
**Approved on 12/04/16 DELEGATED**

**BH2015/02619**

**11A Lewes Crescent Brighton**

Installation of timber window to replace existing, internal alterations to layout and installation of oak flooring above existing flooring.

**Applicant:** Mr A Ashford  
**Officer:** Luke Austin 294495  
**Approved on 12/04/16 DELEGATED**

**BH2015/03303**

**14 Church Place Brighton**

Installation of damp proof treatment, internal and external gas pipework and flue to side elevation.(Part-Retrospective)

Report from 31/03/2016 to 20/04/2016

**Applicant:** Miss Karen Keene  
**Officer:** Justine Latemore 292138  
**Approved on 05/04/16 DELEGATED**

**BH2015/03660**

**14 Waterfront Brighton Marina Brighton**

Display of 6no non illuminated fascia signs

**Applicant:** Mr L Ryan  
**Officer:** Justine Latemore 292138  
**Approved on 08/04/16 DELEGATED**

**BH2015/04104**

**86B High Street Rottingdean Brighton**

Change of use at first floor level from bank (A2) to 1no three bedroom self-contained flat (C3) with associated alterations to fenestration, removal of external rear fire escape and creation of balcony.

**Applicant:** Penstead Ltd  
**Officer:** Chris Swain 292178  
**Approved on 11/04/16 DELEGATED**

**BH2015/04179**

**116 Lustrells Vale Saltdean Brighton**

Erection of a single storey rear extension and extension at first floor level to rear to facilitate creation of 1no two bedroom maisonette (C3).

**Applicant:** Russell Builders (Southern Ltd)  
**Officer:** Mark Thomas 292336  
**Refused on 06/04/16 DELEGATED**

**BH2015/04496**

**5 Bevendean Avenue Saltdean Brighton**

Roof alterations incorporating hip to gable extension, side dormer and side rooflights and front and rear windows.

**Applicant:** Mr Patrick Fernado  
**Officer:** Luke Austin 294495  
**Approved on 08/04/16 DELEGATED**

**BH2015/04655**

**15 Bevendean Avenue Saltdean Brighton**

Erection of trellis to rear boundary wall. (Retrospective)

**Applicant:** Mr David Selway  
**Officer:** Justine Latemore 292138  
**Approved on 18/04/16 DELEGATED**

**BH2016/00019**

**Bristol Mansions 19-20 Sussex Square Brighton**

Internal installation of extraction fan.

**Applicant:** Abbeywillow Properties Ltd  
**Officer:** Tim Jefferies 293152  
**Approved on 15/04/16 DELEGATED**

**BH2016/00143**

**Cavendish The Green Rottingdean Brighton**

Application for approval of details reserved by conditions 3 and 4 of application

Report from 31/03/2016 to 20/04/2016

BH2015/01885.

**Applicant:** Mr & Mrs Amin  
**Officer:** Mark Thomas 292336  
**Refused on 15/04/16 DELEGATED**

**BH2016/00144**

**Cavendish The Green Rottingdean Brighton**

Application for Approval of Details Reserved by Condition 2 of application BH2015/01886.

**Applicant:** Mr & Mrs Amin  
**Officer:** Mark Thomas 292336  
**Refused on 15/04/16 DELEGATED**

**BH2016/00167**

**102 Longhill Road Brighton**

Installation of dormers to front and rear elevations and creation of balcony to front elevation.

**Applicant:** Chris Ellison  
**Officer:** Emily Stanbridge 292359  
**Refused on 12/04/16 DELEGATED**

**BH2016/00171**

**110 Dean Court Road Rottingdean Brighton**

Erection of single storey rear extension, enlargement of existing garage and insertion of rooflights.

**Applicant:** Mr Steve Edwards  
**Officer:** Emily Stanbridge 292359  
**Approved on 12/04/16 DELEGATED**

**BH2016/00189**

**4 Meadow Parade Rottingdean Brighton**

Alterations to windows and doors to front and rear elevation.

**Applicant:** Mr Keith Wakeham  
**Officer:** Charlotte Bush 292193  
**Refused on 06/04/16 DELEGATED**

**BH2016/00352**

**Saltdean Lido Saltdean Park Road Brighton**

Application for Approval of Details Reserved by Conditions 3 and 9 of application BH2015/01048

**Applicant:** Mr Michael Harris  
**Officer:** Luke Austin 294495  
**Approved on 11/04/16 DELEGATED**

**BH2016/00354**

**Saltdean Lido Saltdean Park Road Brighton**

Application for Approval of Details Reserved by Condition 2 of application BH2014/03416

**Applicant:** Mr Michael Harris  
**Officer:** Luke Austin 294495  
**Approved on 11/04/16 DELEGATED**

**BH2016/00482**

Report from 31/03/2016 to 20/04/2016

### **43 Gorham Avenue Brighton**

Erection of single storey rear extension, side car port, front porch and conversion of existing garage into habitable living space with associated alterations

**Applicant:** Mr David Calderhead

**Officer:** Allison Palmer 290493

**Refused on 04/04/16 DELEGATED**

### **BH2016/00542**

#### **27 Ashdown Avenue Saltdean Brighton**

Creation of balcony with glass balustrade to front elevation and alterations to fenestration.

**Applicant:** Mr Sirko Harder

**Officer:** Emily Stanbridge 292359

**Approved on 05/04/16 DELEGATED**

### **BH2016/00587**

#### **3 Challoners Cottages Falmer Road Rottingdean Brighton**

Replacement of existing timber windows with UPVC sliding sash windows.

**Applicant:** Mr & Mrs Hall

**Officer:** Charlotte Bush 292193

**Refused on 11/04/16 DELEGATED**

### **BH2016/00660**

#### **25 Falmer Road Rottingdean Brighton**

Prior approval for 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 4.45m, and for which the height of the eaves would be 4.1m.

**Applicant:** Mr Mark Saxby

**Officer:** Molly McLean 292097

**Prior Approval is required and is refused on 04/04/16 DELEGATED**

## **WOODINGDEAN**

### **BH2015/04565**

#### **6 Seaview Road Brighton**

Creation of side dormers and insertion of rooflights.

**Applicant:** Miss Gemma Bonwick

**Officer:** Luke Austin 294495

**Approved on 05/04/16 DELEGATED**

### **BH2016/00004**

#### **78 The Brow Brighton**

Erection of single storey rear extension, revised fenestration and associated alterations.

**Applicant:** Jason Hugbo

**Officer:** Emily Stanbridge 292359

**Approved on 20/04/16 DELEGATED**

### **BH2016/00205**

#### **Oak Cottage Warren Road Brighton**

Installation of rear external staircase to replace existing incorporating revised access at first floor.

Report from 31/03/2016 to 20/04/2016

**Applicant:** Oak Cottage Nursey  
**Officer:** Allison Palmer 290493  
**Approved on 04/04/16 DELEGATED**

**BH2016/00427**

**2 Merston Close Brighton**

Creation of front dormer with Juliet balcony.

**Applicant:** Carl Sedge  
**Officer:** Allison Palmer 290493  
**Refused on 15/04/16 DELEGATED**

**BRUNSWICK AND ADELAIDE**

**BH2015/03468**

**48 Brunswick Street West Hove**

Self-containment of existing two bedroom flat (C3) at first floor level with creation of a new entrance to front elevation.

**Applicant:** Mr Marco Rummery  
**Officer:** Emily Stanbridge 292359  
**Approved on 14/04/16 DELEGATED**

**BH2015/04359**

**Intergen House 65 - 67 Western Road Hove**

Additions to existing telecommunications equipment to form new rooftop base station including 6no. face mounted antennas and 2no. face mounted dishes to north, east and west elevations, 4no. new equipment cabinets and 1no. air conditioning unit housed in existing outbuilding, new cable trays to roof and south elevation together with other associated works.

**Applicant:** EE Ltd & Hutchinson 3G Uk Ltd  
**Officer:** Mark Thomas 292336  
**Approved on 11/04/16 DELEGATED**

**BH2016/00020**

**39a Salisbury Road Hove**

Erection of ground floor extension to dental surgery (D1).

**Applicant:** Concordia Dental Healthcare  
**Officer:** Mark Dennett 292321  
**Approved on 05/04/16 DELEGATED**

**BH2016/00245**

**119-120 Western Road Hove**

Display of 1no. non-illuminated fascia sign.

**Applicant:** Alno Uk Ltd  
**Officer:** Joanne Doyle 292198  
**Approved on 06/04/16 DELEGATED**

**BH2016/00314**

**32 Brunswick Terrace Hove**

Internal fire precaution works including emergency lighting, call points and heat and smoke detectors.

**Applicant:** Corkwood Services Limited  
**Officer:** Tim Jefferies 293152

Report from 31/03/2016 to 20/04/2016

**Approved on 11/04/16 DELEGATED**

**BH2016/00348**

**Beta House St Johns Road Hove**

Removal of existing bollards to form vehicle parking for use of office with wall mounted charging point and installation of solar panels to roof of building.

**Applicant:** Beta House Ltd

**Officer:** Wayne Nee 292132

**Approved on 13/04/16 DELEGATED**

**BH2016/00387**

**31 Selborne Road Hove**

Erection of a two storey rear extension at basement and ground floor levels.

**Applicant:** Hardwick Hartley Partnership

**Officer:** Joanne Doyle 292198

**Refused on 18/04/16 DELEGATED**

**BH2016/00498**

**Flat 9 37 Brunswick Terrace Hove**

Internal alterations to layout and replacement of timber balustrade to mezzanine with glass balustrade.

**Applicant:** Weal Management Services Limited

**Officer:** Tim Jefferies 293152

**Approved on 18/04/16 DELEGATED**

**BH2016/00569**

**3 Brunswick Street West Hove**

Internal and external alterations including alterations to fenestration, installation of laylight and other associated alterations.

**Applicant:** Ms Heer

**Officer:** Joanne Doyle 292198

**Approved on 12/04/16 DELEGATED**

**CENTRAL HOVE**

**BH2015/03556**

**10 Seafield Road Hove**

Application for variation of condition 7 of application BH2013/02543 (Conversion of ground, first and second floor of 10 Seafield Road Hove, from hostel (C1) to 5no self contained flats incorporating revised entrance and associated works) to allow changes to proposed parking.

**Applicant:** SoBo

**Officer:** Nicola Hurley 292114

**Refused on 19/04/16 DELEGATED**

**BH2015/03650**

**27A Ventnor Villas Hove**

Replacement of 2no UPVC windows and double door to rear elevation with 1no double and 2no single timber doors (retrospective).

**Applicant:** Mrs Stassia Clegg

**Officer:** Kate Brocklebank 292454

**Refused on 13/04/16 DELEGATED**

Report from 31/03/2016 to 20/04/2016

**BH2015/04016**

**Lower Ground Floor 20 Victoria Terrace Hove**

Conversion of lower ground floor from retail storage (A1) to self-contained flat (C3) incorporating revised fenestration to rear (part-retrospective).

**Applicant:** Mr Abdul Khaliq Qureshi

**Officer:** Adrian Smith 290478

**Approved on 11/04/16 DELEGATED**

**BH2016/00124**

**Flat 10 Ascot House 18 Third Avenue Hove**

Replacement of existing timber windows and door with UPVC windows and door.

**Applicant:** Mrs Lauren Moseby

**Officer:** Charlotte Bush 292193

**Refused on 05/04/16 DELEGATED**

**BH2016/00148**

**St Andrews Church 163 Church Road Hove**

Display of non-illuminated information signs.

**Applicant:** St Andrews Church

**Officer:** Mark Thomas 292336

**Approved on 19/04/16 DELEGATED**

**BH2016/00166**

**9B Wilbury Road Hove**

Replacement of existing door and window with UPVC window and door.

**Applicant:** Rob Adams

**Officer:** Charlotte Bush 292193

**Refused on 01/04/16 DELEGATED**

**BH2016/00181**

**16 Hova Villas Hove**

Conversion of existing flat and maisonette (C3) to form 2no two bedroom flats and 1no three bedroom maisonette (C3) including erection of side extension at basement, ground and first floor level, conversion of garage into habitable space, installation of new entrance steps, rooflights to side and rear roof slopes and associated works.

**Applicant:** Mr Howard Alexander

**Officer:** Helen Hobbs 293335

**Refused on 31/03/16 DELEGATED**

**BH2016/00373**

**Land to rear of 33 Sackville Road Hove**

Application for Approval of Details Reserved by Condition 6 of application BH2011/00897 (allowed on appeal)

**Applicant:** Mr & Mrs Colasurdo

**Officer:** Emily Stanbridge 292359

**Approved on 01/04/16 DELEGATED**

**BH2016/00450**

**Flat 13 Normandy House 18 The Drive Hove**

Installation of UPVC patio doors to replace existing door and windows with associated alterations.

**Applicant:** Mrs Sarah Barton

Report from 31/03/2016 to 20/04/2016



**Officer:** Chris Swain 292178  
**Approved on 18/04/16 DELEGATED**

**BH2016/00612**

**4A Blatchington Road Hove**

Application for Approval of Details Reserved by Condition 1 of application BH2015/03541.

**Applicant:** Homemakers Property Ltd

**Officer:** Mark Thomas 292336

**Approved on 18/04/16 DELEGATED**

**BH2016/00714**

**97 George Street Hove**

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

**Applicant:** Bonmarche

**Officer:** Helen Hobbs 293335

**Approved on 14/04/16 DELEGATED**

**BH2016/00970**

**30 Brooker Street Hove**

Prior approval for a single storey rear extension, which would extend beyond the rear wall of the original house by 5.9m, for which the maximum height would be 3.1m, and for which the height of the eaves would be 2.6m.

**Applicant:** Paul & Trudi Ford-Hutchison

**Officer:** Gareth Giles 293334

**Prior Approval is required and is refused on 15/04/16 DELEGATED**

**GOLDSMID**

**BH2015/04413**

**Dalua Highdown Road Hove**

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

**Applicant:** Mr Jeremy Radtke

**Officer:** Molly McLean 292097

**Approved on 04/04/16 DELEGATED**

**BH2015/04463**

**2 The Bungalows Somerhill Road Hove**

Demolition of existing garage and replacement with two storey extension including integral garage.

**Applicant:** Mr & Mrs Patey

**Officer:** Justine Latemore 292138

**Approved on 12/04/16 DELEGATED**

**BH2015/04614**

**West View The Drive Hove**

Erection of additional floor to provide 4no. new flats with additional car parking at ground floor level.

**Applicant:** Anstone Properties Limited

**Officer:** Wayne Nee 292132

Report from 31/03/2016 to 20/04/2016

**Approved on 14/04/16 DELEGATED**

**BH2016/00272**

**100 Livingstone Road Hove**

Installation of rooflights to front and rear roof slopes.

**Applicant:** Georgia Hamilton

**Officer:** Helen Hobbs 293335

**Approved on 14/04/16 DELEGATED**

**BH2016/00389**

**Flat 6 61-63 Wilbury Road Hove**

Replacement of 2no single glazed metal windows with double glazed UPVC windows to side elevation.

**Applicant:** Ms Allison Farley

**Officer:** Sonia Gillam 292265

**Approved on 06/04/16 DELEGATED**

**BH2016/00408**

**The Wardley Hotel 10 Somerhill Avenue Hove**

Application for Approval of Details Reserved by Condition 2 of application BH2014/03826.

**Applicant:** The Wardley Hotel

**Officer:** Justine Latemore 292138

**Approved on 05/04/16 DELEGATED**

**BH2016/00454**

**121 Davigdor Road Hove**

Application for Approval of Details Reserved by Condition 10 of application BH2015/02917.

**Applicant:** J Sparkes

**Officer:** Adrian Smith 290478

**Approved on 01/04/16 DELEGATED**

**BH2016/00574**

**1 Nizells Avenue Hove**

Application for Approval of Details Reserved by Conditions 6, 7, 8 & 9 of Application BH2014/03311. (Allowed on Appeal).

**Applicant:** Mr D Owen

**Officer:** Stewart Glassar 292153

**Approved on 12/04/16 DELEGATED**

**BH2016/00588**

**66 Palmeira Avenue Hove**

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

**Applicant:** Ms Jayashree Srinivasah

**Officer:** Charlotte Bush 292193

**Approved on 13/04/16 DELEGATED**

**BH2016/00775**

**34 Shirley Street Hove**

Prior approval for a single storey rear extension, which would extend beyond the rear wall of the original house by 5.9m, for which the maximum height would be

Report from 31/03/2016 to 20/04/2016

3.3m, and for which the height of the eaves would be 2.6m.

**Applicant:** Tim Pulham

**Officer:** Allison Palmer 290493

**Prior Approval is required and is refused on 12/04/16 DELEGATED**

## **HANGLETON & KNOLL**

### **BH2015/03872**

#### **1 Farmway Close Hove**

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

**Applicant:** Mr A Magryous

**Officer:** Justine Latemore 292138

**Approved on 13/04/16 COMMITTEE**

### **BH2015/04464**

#### **The Bungalow 11 Hangleton Lane Hove**

Installation of 12 no. photovoltaic solar panels.

**Applicant:** Mr J Philips

**Officer:** Molly McLean 292097

**Refused on 14/04/16 DELEGATED**

### **BH2015/04582**

#### **38 Holmes Avenue Hove**

Extensions and alterations to church hall including refurbishment of external play area, installation of photovoltaic panels to south roof slope and rooflights to north roof slope.

**Applicant:** Bishop Hannington Church PCC

**Officer:** Emily Stanbridge 292359

**Approved on 15/04/16 DELEGATED**

### **BH2016/00052**

#### **259 Hangleton Road Hove**

Widening of existing crossover.

**Applicant:** Mrs Anna Stylianou

**Officer:** Molly McLean 292097

**Approved on 04/04/16 DELEGATED**

### **BH2016/00107**

#### **22 Windmill Close Hove**

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

**Applicant:** Mr J Scrase

**Officer:** Molly McLean 292097

**Approved on 04/04/16 DELEGATED**

### **BH2016/00361**

#### **The Hyde, 95 Rowan Avenue Hove**

Erection of 4 no. four bedroom houses and access road from Rowan Avenue.

**Applicant:** MCity Partnership Housing

**Officer:** Stewart Glassar 292153

**Refused on 14/04/16 DELEGATED**

### **BH2016/00489**

Report from 31/03/2016 to 20/04/2016

**305 Hangleton Road Hove**

Application for Approval of Details Reserved by Condition 4 of application BH2015/04525

**Applicant:** Mr & Mrs Smyth

**Officer:** Emily Stanbridge 292359

**Approved on 01/04/16 DELEGATED**

**BH2016/00551**

**169 Nevill Avenue Hove**

Certificate of Lawfulness for proposed loft conversion incorporating hip to barn end roof extension, rear dormer, side window and rooflights to front and rear.

**Applicant:** Mr Nathaniel Sly

**Officer:** Justine Latemore 292138

**Approved on 13/04/16 DELEGATED**

**BH2016/00642**

**315 Hangleton Road Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.8m, and for which the height of the eaves would be 2.8m.

**Applicant:** Mr B Mascard

**Officer:** Charlotte Bush 292193

**Prior Approval is required and is refused on 01/04/16 DELEGATED**

**BH2016/00664**

**24 Dale View Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.35m, and for which the height of the eaves would be 2.7m.

**Applicant:** Mrs Charlotte Laing

**Officer:** Charlotte Bush 292193

**Prior approval not required on 07/04/16 DELEGATED**

**BH2016/00780**

**45 Fallowfield Crescent Hove**

Prior approval for a single storey rear extension, which would extend beyond the rear wall of the original house by 6.00m, for which the maximum height would be 3.75m, and for which the height of the eaves would be 3.15m.

**Applicant:** Liz Breen

**Officer:** Allison Palmer 290493

**Prior Approval is required and is refused on 12/04/16 DELEGATED**

**BH2016/00797**

**33 Hangleton Valley Drive Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m for which the maximum height would be 2.75m, and for which the height of the eaves would be 2.70m.

**Applicant:** Mr Mohammad Shafiqur Rahman

**Officer:** Justine Latemore 292138

**Prior Approval is required and is approved on 13/04/16 DELEGATED**

## **NORTH PORTSLADE**

### **BH2015/04493**

#### **Portslade Aldridge Community Academy Chalky Road Portslade**

Change of use from a classroom (D1) to offices (B1) for a period of five years.

**Applicant:** Portslade Aldridge Community Academy

**Officer:** Mark Thomas 292336

**Approved on 13/04/16 DELEGATED**

## **SOUTH PORTSLADE**

### **BH2015/03056**

#### **131 Mill Lane Portslade**

Demolition of 131 Mill Lane Portslade.

**Applicant:** Capital Investment Properties (Portsmouth) Ltd

**Officer:** Kate Brocklebank 292454

**Prior approval not required on 12/04/16 DELEGATED**

### **BH2015/04058**

#### **79 Trafalgar Road Portslade**

Conversion of existing basement into 1no one bedroom flat (C3) including alterations to fenestration to front and rear elevations.

**Applicant:** Mr O Olorenshaw

**Officer:** Mark Thomas 292336

**Refused on 01/04/16 DELEGATED**

### **BH2015/04340**

#### **5 Station Road Portslade**

Installation of 2no grills, 2no air conditioning units, 2no refrigeration condensers and an acoustic enclosure to the rear. (Retrospective)

**Applicant:** Mr Rajeev Sharma

**Officer:** Laura Hamlyn 292205

**Approved on 15/04/16 DELEGATED**

### **BH2015/04555**

#### **Regency House North Street Portslade**

Prior approval for the installation of PV solar panel equipment to roof of building.

**Applicant:** Price & Co

**Officer:** Wayne Nee 292132

**Prior Approval is required and is approved on 19/04/16 DELEGATED**

### **BH2016/00386**

#### **51 Gladstone Road Portslade**

Formation of crossover with dropped kerb.

**Applicant:** Darren Payne

**Officer:** Molly McLean 292097

**Approved on 13/04/16 DELEGATED**

### **BH2016/00421**

#### **43 Benfield Way Portslade**

Erection of single storey rear extension (Part Retrospective).

**Applicant:** Mrs Lidia Cloherty

**Officer:** Molly McLean 292097

Report from 31/03/2016 to 20/04/2016

**Approved on 08/04/16 DELEGATED**

**BH2016/00635**

**131 Mill Lane Portslade**

Application for Approval of Details Reserved by Conditions 4, 5 and 13 of application BH2015/02118

**Applicant:** Mr Joe Ringart

**Officer:** Mark Dennett 292321

**Approved on 06/04/16 DELEGATED**

**HOVE PARK**

**BH2015/03632**

**39-41 & Land Adjacent to 39-41 Queen Victoria Avenue Hove**

Erection of three storey building to end of terrace comprising ground floor office (B1) and one bedroom maisonette (C3) above accessed via existing entrance to 41 Edward Avenue.

**Applicant:** Cook Brighton Ltd

**Officer:** Helen Hobbs 293335

**Refused on 08/04/16 DELEGATED**

**BH2015/03898**

**34 Woodland Drive Hove**

Demolition of existing side extensions and rear conservatory and erection of two storey extension to South side, single storey extension to North side and part single, part two storey rear extension with associated alterations. Roof extension with front and side rooflights, new roof slates and solar panels to side. Erection of cladding, rear patio, terrace and outbuilding to rear.

**Applicant:** Mr Peter Spark

**Officer:** Justine Latemore 292138

**Refused on 01/04/16 DELEGATED**

**BH2015/04397**

**72 Shirley Drive Hove**

Erection of detached timber garden room.

**Applicant:** Mrs Eva Peel

**Officer:** Laura Hamlyn 292205

**Refused on 11/04/16 DELEGATED**

**BH2015/04454**

**Waitrose Nevill Road Hove**

Display of non-illuminated signage banners.

**Applicant:** Waitrose Ltd

**Officer:** Jonathan Puplett 292525

**Approved on 15/04/16 DELEGATED**

**BH2015/04455**

**Waitrose Nevill Road Hove**

Formation of outdoor seating area.

**Applicant:** Waitrose Ltd

**Officer:** Jonathan Puplett 292525

**Approved on 12/04/16 DELEGATED**

Report from 31/03/2016 to 20/04/2016

**BH2015/04583**

**2 Barrowfield Lodge Barrowfield Drive Hove**

Alterations to front elevation incorporating pumps with screening (Retrospective).

**Applicant:** Mr Georges Praud

**Officer:** Luke Austin 294495

**Refused on 18/04/16 DELEGATED**

**BH2016/00043**

**53 King George VI Drive Hove**

Demolition of existing detached garage and erection of single storey side and rear extension. Formation of front porch.

**Applicant:** Mr Matthew Thompson & Jane Howes

**Officer:** Laura Hamlyn 292205

**Refused on 06/04/16 DELEGATED**

**BH2016/00133**

**Unit 13 St Josephs Business Park St Josephs Close Hove**

Partial change of use at ground floor from storage (B8) to storage (B8) and retail (A1) with creation of mezzanine floor.

**Applicant:** Mr Phil Jones

**Officer:** Mark Dennett 292321

**Approved on 05/04/16 DELEGATED**

**BH2016/00192**

**26 Woodland Drive Hove**

Erection of a single storey rear extension. (Part retrospective)

**Applicant:** Mr & Mrs A Rollings

**Officer:** Laura Hamlyn 292205

**Approved on 13/04/16 DELEGATED**

**BH2016/00206**

**5 Hill Drive Hove**

Erection of single storey side extension at first floor level, enlargement of existing roof and associated alterations.

**Applicant:** Mr C Demetriou

**Officer:** Laura Hamlyn 292205

**Approved on 15/04/16 DELEGATED**

**BH2016/00299**

**22 Cobton Drive Hove**

Erection of single storey side extension and revised fenestration to facilitate conversion of existing garage into habitable accommodation.

**Applicant:** Mrs Chantal Hartfil

**Officer:** Laura Hamlyn 292205

**Approved on 06/04/16 DELEGATED**

**BH2016/00309**

**21 Hill Brow Hove**

Application for variation of condition 9 of application BH2014/04173 (Demolition of existing house and erection of 1no two storey house with basement (C3) and associated landscaping) to require the development to meet the current standards for energy and water.

**Applicant:** Mr & Mrs Leo Nugent

Report from 31/03/2016 to 20/04/2016

**Officer:** Joanne Doyle 292198  
**Approved on 01/04/16 DELEGATED**

**BH2016/00402**

**Blatchington Mill School Nevill Avenue Hove**

Erection of a single storey mobile classroom in school car park.

**Applicant:** Education Property Management

**Officer:** Mark Dennett 292321

**Approved on 19/04/16 DELEGATED**

**BH2016/00464**

**54 Woodruff Avenue Hove**

Erection of single storey rear extension and roof extension incorporating increase to ridge height, 3no dormers to front and 3no dormers to rear.

**Applicant:** Mrs Carmel Shane

**Officer:** Luke Austin 294495

**Refused on 07/04/16 DELEGATED**

**BH2016/00549**

**55 Woodland Drive Hove**

Remodelling of existing dwelling including raising of roof height to create additional storey. Erection of porch, canopy and creation of garage at lower ground floor level to front elevation. Alterations and enlargement of existing rear patio, creation of access steps either side of dwelling and revised fenestration.

**Applicant:** Mr & Mrs Chambers

**Officer:** Helen Hobbs 293335

**Refused on 11/04/16 DELEGATED**

**BH2016/00778**

**1 Nevill Road Hove**

Prior approval for 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 2.85m.

**Applicant:** Mrs Zoe Tamplin

**Officer:** Charlotte Bush 292193

**Prior approval not required on 12/04/16 DELEGATED**

**BH2016/00921**

**215 Nevill Road Hove**

Application for Approval of Details Reserved by Condition 8 of application BH2014/01552.

**Applicant:** Bowles Developers & Building Contractors

**Officer:** Nicola Hurley 292114

**Approved on 19/04/16 DELEGATED**

**BH2016/01013**

**4 Orpen Road Hove**

Application for Approval of Details Reserved by Condition 9 of Application BH2011/01541.

**Applicant:** Mr David Walker

**Officer:** Adrian Smith 290478

**Approved on 14/04/16 DELEGATED**

Report from 31/03/2016 to 20/04/2016



## **WESTBOURNE**

### **BH2015/03657**

#### **17 & 19 Aymer Road Hove**

Formation of rear conservatory to link properties.

**Applicant:** Abbeyfield South Downs Ltd

**Officer:** Joanne Doyle 292198

**Approved on 06/04/16 DELEGATED**

### **BH2015/04425**

#### **30A Walsingham Road Hove**

Roof alterations incorporating rear dormer and rooflights to front and side.

**Applicant:** Miss Kate Lownds

**Officer:** Joanne Doyle 292198

**Approved on 07/04/16 DELEGATED**

### **BH2016/00058**

#### **21 New Church Road Hove**

Application for variation of condition 4 of application BH2014/01240 (Application for variation of condition 2 and 3 of application BH2014/00022 (Change of Use from residential (C3) to mixed use residential and dental surgery (C3/D1) ) to substitute plan no. 0335-PP2 to allow for additional dental surgery at ground floor level) to permit the dental practice to be open on Saturdays between the hours of 8.30 to 17.30 and to extend the closing time on Tuesdays, Wednesdays, Thursdays and Fridays to 20.00.

**Applicant:** TwentyOneDental

**Officer:** Mark Thomas 292336

**Approved on 13/04/16 DELEGATED**

### **BH2016/00224**

#### **16 and Part of 15 Westbourne Villas Hove**

Erection of brick pier to front boundary of 16 and 15 Westbourne Villas. (Part Retrospective)

**Applicant:** Mr Martin Knight

**Officer:** Charlotte Bush 292193

**Approved on 04/04/16 DELEGATED1) UNI**

### **BH2016/00244**

#### **74A New Church Road Hove**

Change of use from garage (sui generis) to office (B1) with associated alterations including erection of single storey front extension and extension of pitched roof above.

**Applicant:** Mr Ardeshir Diznabi

**Officer:** Mark Dennett 292321

**Approved on 05/04/16 DELEGATED**

### **BH2016/00247**

#### **Land to the Rear of 4-6 Pembroke Gardens Hove**

Demolition of garage and erection 1no three bedroom dwelling (C3).

**Applicant:** Julia Besser

**Officer:** Mark Dennett 292321

**Refused on 12/04/16 DELEGATED**

Report from 31/03/2016 to 20/04/2016

**BH2016/00290**

**33 Westbourne Villas Hove**

Creation of 1no two bedroom flat at second floor level, front and rear dormers, 2no front rooflights and roof terrace to the rear.

**Applicant:** Mr Colin Rhodes

**Officer:** Mark Dennett 292321

**Refused on 15/04/16 DELEGATED**

**BH2016/00326**

**76 Langdale Road Hove**

Erection of single storey rear extension

**Applicant:** Mr S Bailey

**Officer:** Sonia Gillam 292265

**Approved on 14/04/16 DELEGATED**

**BH2016/00366**

**56 Portland Road Hove**

Certificate of lawfulness for proposed loft conversion incorporating rear dormer.

**Applicant:** Mr Raja Hussain

**Officer:** Molly McLean 292097

**Refused on 15/04/16 DELEGATED**

**BH2016/00527**

**Garages 1-6 Rear of 187 Kingsway Hove**

Demolition of existing garages and erection of 2no two bedroom single storey houses.

**Applicant:** Welstead Properties Ltd

**Officer:** Mark Dennett 292321

**Refused on 07/04/16 DELEGATED**

**BH2016/00644**

**Flat 25 Fairlawns 159 Kingsway Hove**

Replacement of existing sliding door with double glazed sliding door to front elevation.

**Applicant:** Mrs H Dobbs

**Officer:** Sonia Gillam 292265

**Approved on 14/04/16 DELEGATED**

**WISH**

**BH2015/03024**

**85 New Church Road Hove**

Creation of new vehicle crossover and hardstanding with alterations to front boundary wall (part retrospective).

**Applicant:** Mr Anthony Naddeo

**Officer:** Joanne Doyle 292198

**Approved on 06/04/16 DELEGATED**

**BH2015/03066**

**Garages North of 173 New Church Road Hove**

Demolition of existing garage and granny annexe and erection of two storey three bedroom chalet bungalow.

Report from 31/03/2016 to 20/04/2016

**Applicant:** Ghassan Consulting  
**Officer:** Sonia Gillam 292265  
**Approved on 07/04/16 DELEGATED**

**BH2015/04477**

**2 Boundary Road Hove**

Conversion of existing mixed used commercial and residential floor space (sui generis) into 2no. self-contained flats (C3), incorporating pitched roof extension to create second floor and associated alterations.

**Applicant:** Hardwick Hartley  
**Officer:** Sonia Gillam 292265  
**Approved on 07/04/16 DELEGATED**

**BH2016/00303**

**Flat 3 31 Leicester Villas Hove**

Installation of rooflights to front, side and rear.

**Applicant:** Liberty Hall Management Ltd  
**Officer:** Molly McLean 292097  
**Approved on 31/03/16 DELEGATED**

**BH2016/00369**

**1 Brittany Road Hove**

Application for Approval of Details Reserved by Condition 4 of application BH2015/02120.

**Applicant:** Mr & Mrs Babbayan  
**Officer:** Clare Flowers 290443  
**Approved on 01/04/16 DELEGATED**

**BH2016/00391**

**Former Gala Bingo 193 Portland Road Hove**

Application for Approval of Details Reserved by Condition 7 of application BH2011/02263.

**Applicant:** Affinity Sutton  
**Officer:** Sonia Gillam 292265  
**Approved on 06/04/16 DELEGATED**

**BH2016/00442**

**33 Rothbury Road Hove**

Certificate of Lawfulness for proposed loft conversion incorporating hip to barn end roof extension, front rooflight and rear dormer.

**Applicant:** Mr David Burns  
**Officer:** Adrian Smith 290478  
**Approved on 11/04/16 DELEGATED**

**BH2016/00473**

**46 St Leonards Gardens Hove**

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

**Applicant:** Laura Glynn  
**Officer:** Molly McLean 292097  
**Approved on 13/04/16 DELEGATED**

**BH2016/00481**

Report from 31/03/2016 to 20/04/2016

**29 Rothbury Road Hove**

Erection of single storey rear extension.

**Applicant:** Mr M Bardsley

**Officer:** Molly McLean 292097

**Approved on 04/04/16 DELEGATED**

**BH2016/00609**

**42 Jesmond Road Hove**

Erection of single storey rear extension.

**Applicant:** Mr Tim Jackson

**Officer:** Luke Austin 294495

**Refused on 14/04/16 DELEGATED**

**BH2016/00721**

**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

**Approved on 06/04/16 DELEGATED**

**BH2016/00783**

**17 Linton Road Hove**

Prior approval for a single storey rear extension, which would extend beyond the rear wall of the original house by 4.2m, for which the maximum height would be 3.125m, and for which the height of the eaves would be 2.85m.

**Applicant:** Prospective Planning Limited

**Officer:** Allison Palmer 290493

**Prior approval not required on 18/04/16 DELEGATED**

**BH2016/00784**

**Britannia House 336 Kingsway Hove**

Prior approval for change of use from office (B1) to residential (C3) to create 1no studio flat, 3no one bedroom flats and 2no two bedroom flats.

**Applicant:** Dixon Hurst Kemp

**Officer:** Helen Hobbs 293335

**Prior Approval is required and is approved on 05/04/16 DELEGATED**

**Withdrawn Applications**

**BH2015/04018**

**Ground Floor Flat 6 Worcester Villas Hove**

Erection of outbuilding in rear garden (Part Retrospective).

**Applicant:** Ms Korina Biggs

**Officer:** Charlotte Bush 292193

**WITHDRAWN ON 07/04/16**

**PLANS LIST****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****PRESTON PARK****Application No: BH2016/00681****35 Preston Park Avenue, Brighton**

1no Lime Removal of any crossing and dead branches.

Applicant: Mr Mark Evans

Approved on 07 Apr 2016

**REGENCY****Application No: BH2016/00614****15 Heather Court Montpelier Terrace Brighton**

1no Chestnut (T1) Reduce by 1.5 metres and thin to reduce risk of branch failure on old pollard points. 1no Norway Maple (T2) Reduce remaining crown by 1.5m.

1no Hawthorn (T3) reduce to previous points to maintain shape and size on small area situated.

Approved on 15 Apr 2016

**Application No: BH2016/00766****31 Vernon Terrace Brighton**

1no Cherry T1 - reduce by upto a maximum of 2 metres so the tree is sufficiently cut back away from adjacent dwelling.

Applicant: Ms Tara Thomas

Approved on 22 Apr 2016

**Application No: BH2016/01312****19 Montpelier Crescent, Brighton**

1no Judas Tree - Crown reduce height by upto 2m by selective thinning of taller branches by upto 30% and reduce lateral spread by upto 1.5m. Crown lift over pavement and street light to 3.5m.

1no Magnolia Crown thin by 30%.

Applicant: Miss L Everett

Approved on 22 Apr 2016

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

**Application No: BH2016/00555**

**3 Chatham Place, Brighton**

1no Sycamore

Reduce by 2-3m

Applicant: Mr Shane Matthews

Approved on 08 Apr 2016

**WITHDEAN**

**Application No: BH2016/00095**

**21 Cedars Gardens, Brighton**

Within BT land

6 Elm- Reduce back to 1m below previous points.

7 Norway maple x3- Reduce back to 2m below previous points.

8 Leyland cypress- Reduce to same height of Norway maples.

Along Snakey Lane/Station Road

9 Sycamore-Reduce back to previous points. Reduce stem closest to 21 Cedars Gdns to 1 m below previous points.

11 Lime x3- Reduce back to previous points. Reduce right hand tree to match left trees. Elm x4 & x1 Ash-Reduce x3 Elms & x1 Ash back to previous points and reduce Elm adjacent to these (with Russian Vine) to same height.

Applicant: Mr Paul Marsh

Approved on 08 Apr 2016

**Application No: BH2016/01166**

**Ground Floor Flat 75 Preston Drove, Brighton**

1no Sycamore - Reduce crown by 30% and crown lift by 2m

Applicant: Miss Rachel Fine

Approved on 20 Apr 2016

**HOLLINGDEAN & STANMER**

**Application No: BH2016/01143**

**Hertford Infant School, Hertford Road, Hollingdean**

1no Sycamore Reduce and reshape crown by approximately 2m T1

Applicant: Mr Rob Stevens

Approved on 20 Apr 2016

**Application No: BH2016/01176**

**Brighton University Watts Building, Lewes Road, Brighton**

10no Cherry trees - Crown raise by 1m.

Applicant: Mr Mark Heffernan

Approved on 06 Apr 2016

## **QUEEN'S PARK**

**Application No: BH2016/00615**

**Clarendon Lodge, Clarendon Place, Brighton**

Fell 1no Ash (The levels of damage to the surrounding built structures (listed) caused by the Ash are not sustainable and is at a level where alternative remedies are not to be reasonably borne by the homeowner.)

Applicant: Mr Michael Winkworth

Approved on 14 Apr 2016

**Application No: BH2016/00685**

**10 Dorset Gardens, Brighton**

1no Sycamore -Reduce height by 2-3m back to live growth points, leaving 3-4m.

Applicant: Mrs Nicola Ashmore

Approved on 07 Apr 2016

**Application No: BH2016/00744**

**26 East Drive Brighton**

1no Walnut- Reduce in height by approx. 2m and shape. Retain lateral low screen. 1no Euonymous (climbing up Walnut)- Reduce down to approx. 2m. 1no Cherry- Remove large limb over path. 1no Ash- Crown reduce by approx. 2.5m all around. Lift to 2.5m.

Applicant: Mr Jonny Webb

Approved on 15 Apr 2016

## **ROTTINGDEAN COASTAL**

**Application No: BH2016/00763**

**13 Lindfield Close Brighton**

1no Elm T1 - 1.5m crown reduction.

Applicant: Mr Alex Jasper

Approved on 01 Apr 2016

**Application No: BH2016/01207**

**The Rectory, Greenways, Ovingdean**

1no Sycamore T8 Shorten canopy all over by upto 2.5m to growth points. 1no Sycamore T9- Shorten canopy all over by upto 4m, crown lift over neighbours garden by up to 7m, selective shape low growth points for low screening.

Applicant: Mr R Green

Approved on 20 Apr 2016

**Application No: BH2016/01407**

**13 Grange Farm Cottages, Greenways, Ovingdean, Brighton**

Fell 1no Ash. Fell 1no Elder. (Trees have little or no amenity value)

Applicant: Mr R Green

Approved on 22 Apr 2016

## **BRUNSWICK AND ADELAIDE**

**Application No: BH2016/01088**

**Gwydyr Mansions, Holland Road, Hove**

Fell 1no Floxglove Tree (Tree has clear public visibility and adds to the amenity of the local landscape; however it has been planted far too close to the building and has now outgrown the space available to it. This is not sustainable in the long term)

Applicant: Mr Luke Ellis

Approved on 08 Apr 2016

**Application No: BH2016/01091**

**15 Cambridge Road, Hove**

2no Lime - Crown lift to 3m, reduce canopies by 40%

Applicant: Mr Richard Atkinson

Approved on 14 Apr 2016

**Application No: BH2016/01292**

**26 Brunswick Road, Hove**

1no Sycamore T1 Reduce back from property by 2-3m

Applicant: Mr G O'Flanagan

Approved on 14 Apr 2016

## **CENTRAL HOVE**

**Application No: BH2016/00602**

**9 Grand Avenue, Hove**

Fell 1no - Forsythia.

Fell 1no Griselinia. Fell 1no Cherry. Fell 1no Lilac.

Applicant: Mr Donald Reid

Approved on 01 Apr 2016

**Application No: BH2016/01170**

**30 Albany Villas, Hove**

1no Lime - Remove branches growing towards house, Reduce height by 5m and thin by 20%

Applicant: Ms Lesley Baker

Approved on 20 Apr 2016

**Application No: BH2016/01203**

**4 Albany Mews, Hove**

1no Sycamore T1 - reduce in height by 3m, remaining tree at 4m.

Applicant: Mr S Duance

Approved on 07 Apr 2016

## **GOLDSMID**

**Application No: BH2016/01065**

**58 The Drive, Hove**

1no Poplar T1 - Reduce height by 6-8m and reduce radial growth by 6-8m leaving tree at 8m.



Applicant: Mr Stephen Duance  
Approved on 14 Apr 2016

**Application No: BH2016/01093**

**Saffron Gate, Wilbury Road, Hove**

1no Yew - Reduce height and spread by up to 1m. Crown lift to 3m.

Applicant: Mr G O'Flanagan

Approved on 21 Apr 2016

**HOVE PARK**

**Application No: BH2016/00608**

**8 Greyfriars Close, Hove**

1no Holm Oak (Quercus ilex) T1

Remove large low bough + 1 smaller primary branch directly above extending towards 57 The Martlet, leaving remaining crown structure with a more upright habit.

Crown reduce remainder by no more than 2m

Applicant: Mr Adam King

Approved on 20 Apr 2016

**WESTBOURNE**

**Application No: BH2016/00789**

**105 Pembroke Crescent Hove**

1no Sycamore -Re-pollard back to old pruning points

Applicant: Mr Joiner

Approved on 22 Apr 2016

**Application No: BH2016/01194**

**8 Princes Square, Hove**

1no Bay - Clear over alleyway and greenhouse, reduce height 2-3m, reduce remainder by 1-2m

Applicant: Mr Rustom Irani

Approved on 07 Apr 2016



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

BH2015/03111

Land to the rear of 114, 116 &amp; 118 Carden Avenue Brighton

Erection of 2no semi-detached houses to rear of existing building.

APPEAL LODGED

31/03/2016

Delegated

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

BH2015/01788

1 Goldstone Street Hove

Part demolition of single storey part of existing retail unit (A1) and erection of 1no two storey, two bedroom house (C3).

APPEAL LODGED

01/04/2016

Delegated

**WARD****APPEAL APP NUMBER**  
**ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ST. PETER'S & NORTH LAINE**

BH2015/03726

4 Frederick Gardens Brighton

Erection of single storey rear extension, replacement of existing UPVC windows with timber sash windows and replacement of front door.

APPEAL LODGED

04/04/2016

Delegated

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

BH2015/03519

99 Blatchington Road Hove

Prior approval for change of use of part of first floor retail unit (A1) to residential (C3) to form 1no self-contained flat with associated creation of first floor terrace.

APPEAL LODGED

01/04/2016

Delegated

**WARD****APPEAL APP NUMBER****HANOVER & ELM GROVE**

BH2015/02709

<u>ADDRESS</u>	Gladstone Court Hartington Road Brighton
<u>DEVELOPMENT DESCRIPTION</u>	Erection of two storey side extension to form 5no one bedroom flats.
<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	31/03/2016
<u>APPLICATION DECISION LEVEL</u>	Delegated

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<b><u>WARD</u></b>	<b>HANOVER &amp; ELM GROVE</b>
<u>APPEAL APP NUMBER</u>	BH2015/02159
<u>ADDRESS</u>	Plot next to 26a St Martins Place Brighton
<u>DEVELOPMENT DESCRIPTION</u>	Erection of three bedroom dwelling.
<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	01/04/2016
<u>APPLICATION DECISION LEVEL</u>	Delegated

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<b><u>WARD</u></b>	<b>BRUNSWICK AND ADELAIDE</b>
<u>APPEAL APP NUMBER</u>	BH2015/02679
<u>ADDRESS</u>	Flat 3 16 Palmeira Avenue Hove
<u>DEVELOPMENT DESCRIPTION</u>	Conversion of existing 1no three bedroom flat into 2no one bedroom flats.
<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	08/04/2016
<u>APPLICATION DECISION LEVEL</u>	Delegated

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<b><u>WARD</u></b>	<b>HANOVER &amp; ELM GROVE</b>
<u>APPEAL APP NUMBER</u>	BH2015/01877
<u>ADDRESS</u>	171 Elm Grove Brighton
<u>DEVELOPMENT DESCRIPTION</u>	Change of use from a five bedroom small house in multiple occupation (C4) to a 8 bedroom large house in multiple occupation (Sui Generis) (Retrospective).
<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	08/04/2016
<u>APPLICATION DECISION LEVEL</u>	Delegated

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<b><u>WARD</u></b>	<b>WISH</b>
<u>APPEAL APP NUMBER</u>	BH2015/04158
<u>ADDRESS</u>	5 Portland Avenue Hove
<u>DEVELOPMENT DESCRIPTION</u>	Erection of single storey rear extension and installation of rear rooflights and side dormer (Part retrospective).
<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	11/04/2016
<u>APPLICATION DECISION LEVEL</u>	Delegated

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

BH2015/04591

29 Downsway Brighton

Demolition of garage and part of existing rear extension and erection of single storey side extension incorporating roof extensions, raised ridge height, rooflights and associated works.

APPEAL LODGED

14/04/2016

Delegated

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

BH2015/02049

67 Falmer Road Rottingdean Brighton

Demolition of existing house and garage and erection of 9no four bedroom houses.

APPEAL LODGED

13/04/2016

Planning (Applications) Committee

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

BH2015/03258

8 Benfield Crescent Portslade

Erection of first floor rear extension including roof extension, removal of existing chimney and insertion of 2no rooflights.

APPEAL LODGED

18/04/2016

Delegated

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

BH2015/03679

3 Wayland Avenue Brighton

Alterations to roof including raised ridge height, roof extensions, Juliet balcony to rear and rooflights to side and rear. Erection of single storey front extension, alterations to fenestration and associated works.

APPEAL LODGED

19/04/2016

Delegated

**WARD****APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****ST. PETER'S & NORTH LAINE**

BH2015/02982

99 &amp; 100 North Road Brighton

Erection of additional storey to create 2no two bedroom flats and 1no one bedroom flat (C3)

APPEAL LODGED

APPEAL RECEIVED DATE 18/04/2016  
APPLICATION DECISION LEVEL Delegated

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**WARD** **HOLLINGDEAN & STANMER**  
APPEAL APP NUMBER BH2015/04020  
ADDRESS 41 The Crestway Brighton  
DEVELOPMENT DESCRIPTION Change of use from six bedroom single dwelling (C3) to seven bedroom house in multiple occupation (Sui Generis).  
APPEAL STATUS APPEAL LODGED  
APPEAL RECEIVED DATE 18/04/2016  
APPLICATION DECISION LEVEL Delegated

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**WARD** **CENTRAL HOVE**  
APPEAL APP NUMBER BH2015/04075  
ADDRESS 23 Third Avenue Hove  
DEVELOPMENT DESCRIPTION Conversion of existing garage into 1no studio flat (C3).  
APPEAL STATUS APPEAL LODGED  
APPEAL RECEIVED DATE 18/04/2016  
APPLICATION DECISION LEVEL Delegated

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**WARD** **WOODINGDEAN**  
APPEAL APP NUMBER BH2015/04343  
ADDRESS 436 Falmer Road Brighton  
DEVELOPMENT DESCRIPTION Roof alterations including dormers and rooflight to sides, windows to front and rear and raised roof height.  
APPEAL STATUS APPEAL LODGED  
APPEAL RECEIVED DATE 19/04/2016  
APPLICATION DECISION LEVEL Delegated

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**WARD** **GOLDSMID**  
APPEAL APP NUMBER BH2015/03461  
ADDRESS The Hideaway Furze Hill Hove  
DEVELOPMENT DESCRIPTION Creation of additional floor with external terrace and glass balustrading to front. Removal of existing side extension and erection of garage.  
APPEAL STATUS APPEAL LODGED  
APPEAL RECEIVED DATE 20/04/2016  
APPLICATION DECISION LEVEL Delegated

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**INFORMATION ON HEARINGS / PUBLIC INQUIRIES**

11<sup>th</sup> May 2016

**Brighton & Hove  
City Council**

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

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**None**



**APPEAL DECISIONS**

	<b>Page</b>
<b>A – 17 PEMBROKE AVENUE, HOVE – WESTBOURNE</b>	<b>127</b>
<p>Application BH2015/02855 – Appeal against refusal to grant planning permission for erection of a single storey rear extension with associated landscaping and works to boundary wall. <b>APPEAL ALLOWED</b> (delegated decision)</p>	
<b>B – 117 SHIRLEY DRIVE, HOVE – HOVE PARK</b>	<b>131</b>
<p>Application BH2015/00305 – Appeal against refusal to grant planning permission for retention of ground floor and basement level front extensions incorporating revised driveway, new boundary wall with gated entrances and associated alterations. <b>APPEAL ALLOWED</b> (delegated decision)</p>	
<b>C – 31 COLDEAN LANE, BRIGHTON – HOLLINGDEAN &amp; STANMER</b>	<b>135</b>
<p>Application BH2015/03779 – Appeal against refusal to grant planning permission for two-storey side extension. <b>APPEAL DISMISSED</b> (delegated decision)</p>	
<b>D – 4 TUDOR CLOSE, DEAN COURT ROAD, ROTTINGDEAN – ROTTINGDEAN COASTAL</b>	<b>137</b>
<p>Application BH2015/00258 &amp; BH2015/00259 – Appeal against refusal to grant planning permission for insertion of a light shaft from the north-east pitch of the roof to the ground floor &amp; insertion of a light shaft from the north-east pitch of the roof to the ground floor. <b>APPEALS DISMISSED</b> (delegated decision)</p>	
<b>E – 19 WITHDEAN ROAD, BRIGHTON – WITHDEAN</b>	<b>141</b>
<p>Application BH2015/01308 – Appeal against refusal to grant planning permission for demolition of existing house and construction of new 6 bed detached house. <b>APPEAL DISMISSED</b> (delegated decision)</p>	
<b>F – 164 UPPER LEWES ROAD, BRIGHTON – ST. PETER’S &amp; NORTH LAINE</b>	<b>145</b>
<p>Application BH2015/01893 – Appeal against refusal to grant planning permission for rear extension to create a new bathroom. <b>APPEAL ALLOWED</b> (delegated decision)</p>	

**G – 102 MONTGOMERY STREET, HOVE – WESTBOURNE 149**

Application BH2015/02325 – Appeal against refusal to grant planning permission for three storey flat roofed rear extension, loft conversion with flat roofed rear dormer and Velux rooflight in front elevation roofslope. **APPEAL DISMISSED** (delegated decision)

**H – 6 CRESCENT ROAD, BRIGHTON – ST. PETER’S & NORTH LAINE 151**

Application BH2015/02126 – Appeal against refusal to grant planning permission for rear side extension, loft conversion and internal alterations to 1st floor flat. **APPEAL DISMISSED** (delegated decision)

**I – 2 THORNHILL AVENUE, BRIGHTON – PATCHAM 155**

Application BH2015/03135 – Appeal against refusal to grant planning permission for removal of existing roof and construction of new first floor with flat roof to detached bungalow and general alterations. **APPEALS ALLOWED** (delegated decision)

**J – 73 NORTH ROAD (DIPLOCKS YARD), BRIGHTON – ST. PETER’S & NORTH LAINE 159**

Application BH2015/00445 – Appeal against refusal to grant planning permission for construction of a new part single storey/part two storey development to provide 299 sq metres of office space. **APPEAL DISMISSED** (delegated decision)

**K – 1 SUSSEX ROAD, HOVE – CENTRAL HOVE 163**

Application BH2015/02785 – Appeal against refusal to grant planning permission for removal of part of a pitched roof and construction of a roof terrace over an existing rear extension. Forming a new opening at first floor level for a doorway to the roof terrace. **APPEAL DISMISSED** (delegated decision)

## Appeal Decision

Site visit made on 22 March 2016

**by Richard S Jones BA(Hons) BTP MRTPI**

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

**Decision date: 4 April 2016**

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**Appeal Ref: APP/Q1445/D/15/3138820**  
**17 Pembroke Avenue, Hove BN3 5DA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs B Harrison against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/02855, dated 4 August 2015, was refused by notice dated 19 October 2015.
  - The development proposed is the erection of a single storey rear extension with associated landscaping and works to boundary wall.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension with associated landscaping and works to boundary wall at 17 Pembroke Avenue, Hove BN3 5DA, in accordance with the terms of the application, Ref BH2015/02855, dated 4 August 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: 313PA17/01 (as existing ground floor and roof plans, location and block plans); 313PA17/02 (as existing rear and side elevations); 313PA17/03 (proposed ground floor and roof plans) and 313PA17/04 (proposed block plan and elevations).
  - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

### Preliminary matter

2. I have used the description of the proposal set out in the Council's decision notice. It adequately and simply describes the proposal instead of the more detailed description given in the application form. This amended description also reflects that provided by the appellant in the appeal form.

### Main Issue

3. The main issue is the effect of the proposal on the living conditions of the neighbours at No 19 Pembroke Avenue with particular reference to outlook.
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## Reasons

4. The host property is an attractive two storey semi-detached dwelling with a two storey rear bay window incorporating doors at ground floor level. This feature is replicated in a symmetrical manner at the adjoining property at No 19, positioned either side of the common boundary.
5. As a bay window, part of the ground floor window of No 19 would be orientated, at an angle, towards the side wall of the extension. At present, the immediate built focus in terms of outlook is the existing brick and timber trellis boundary treatment. Although somewhat higher than this, the extension would not appear excessively large. In this respect, being materially less than half of the depth of the main house, the extension would accord with the Council's guidance for single storey rear extensions located adjacent to a shared boundary, as set out in Supplementary Planning Document 12<sup>1</sup>.
6. As a result of its relatively modest depth and height as well as its flat roof design, the outlook from the bay window at No 19 would not be dominated by the built form of the extension to an extent whereby its effects would be unduly overbearing or oppressive, and not to an extent which would warrant dismissing the appeal.
7. The effect would also be mitigated by the main glazed doors being orientated down the length of the garden and their existing projection from the main rear elevation, which would reduce the relative depth of the proposed extension. Moreover, the comfortable width and length of the garden at No 19 is such that the extension would occupy only a relatively short depth along the boundary and would not result in an undue sense of enclosure.
8. I therefore find that the extension would not result in effects to the living conditions of the occupants of No 19, with particular reference to outlook, which would result in conflict with Policies QD14 and QD27 of the Brighton and Hove Local Plan 2005<sup>2</sup> (LP), and guidance within Supplementary Planning Document 12. These state, amongst other matters, that planning permission for extensions or alterations will only be granted if the proposed development would not result in significant loss of outlook or amenity to neighbouring properties.

## Other matters

9. The appeal site is located within the Pembroke and Princes Conservation Area. Having regard to the design, size and siting of the development, I agree with the Council that the proposal would preserve the character and appearance of the Conservation Area, the desirability of which is fully anticipated by section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and LP Policy HE6.

## Conditions

10. In addition to the standard condition that limits the lifespan of the planning permission, I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. In the interests of preserving the character

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<sup>1</sup> Supplementary Planning Document 12, Design Guide for Extensions and Alterations, adopted 20 June 2013.

<sup>2</sup> Brighton and Hove Local Plan Policies Retained on Adoption of the Brighton & Hove City Plan Part One (March 2016).

and appearance of the conservation area, I also consider a 'samples' condition to be necessary rather than in this instance rely on the standard 'matching' materials condition.

**Conclusion**

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

*Richard S Jones*

Inspector







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## Appeal Decision

Site visit made on 24 March 2016

**by Philip Willmer BSc Dip Arch RIBA**

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

**Decision date: 07 April 2016**

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### **Appeal Ref: APP/Q1445/D/15/3139884**

### **117 Shirley Drive, Hove, East Sussex, BN3 6UJ.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Edward Hamilton against the decision of Brighton and Hove City Council.
  - The application Ref BH2015/00305, dated 30 January 2015, was refused by notice dated 16 October 2015.
  - The development proposed is retention of ground floor and basement level front extensions incorporating revised driveway, new boundary wall with gated entrances and associated alterations.
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### **Decision**

1. The appeal is allowed and planning permission is granted for ground floor and basement level front extensions incorporating revised driveway, new boundary wall with gated entrances and associated alterations at 117 Shirley Drive, Hove, East Sussex, BN3 6UJ in accordance with the terms of the application, Ref BH2015/00305, dated 30 January 2015, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby authorised shall be carried out in accordance with the following plans: drawings numbered: ED120418 6B, 16A, 17A, 18A, 19A, 21E and 22.
  - 2) The development hereby approved shall be constructed and finished in external materials to match those of the existing house.

### **Procedural Matters**

2. Various planning permissions have been granted for, amongst other things, ground floor and basement level extensions with associated works to the driveway and front garden of this house. The Council advises that the development, as built, has not been carried out in total compliance with the approved schemes. The scheme proposal, the subject of this appeal, seeks permission for a revised design to overcome the Council's concerns that, as built, the extensions and alterations cause harm to the character and appearance of the existing property.
3. The Council is content that the revised design does address a number of its concerns. However, two issues remain; firstly, the substantial excavation of the front driveway and garden and, secondly, the fenestration of the basement

extension as it faces Shirley Drive. While I will confine my considerations to these two matters my determination will be made on the entire proposal.

4. The Council has confirmed that it adopted the Brighton and Hove City Council's Development Plan – *Brighton and Hove City Plan Part One* on the 24 March 2016. However, Policy QD14 of the Brighton and Hove Local Plan (2005) (LP) has not been replaced by any policy in the new plan and remains a retained saved policy. Further, I am advised that Supplementary Planning Document 12: *Design Guide for Extensions and Alterations* (spd 12) has also been retained. I shall proceed to determine the appeal on this basis.

### **Main Issue**

5. I consider the main issue to be the effect of the proposed development on the architectural integrity of the host building and thereby the character and appearance of the street scene and surrounding area.

### **Reasons**

6. The property the subject of this appeal, 117 Shirley Drive, is a detached bungalow. It is one of a group of similar bungalows, located on rising ground on the north side of the road, the majority of which have been altered over time. The area is predominately residential, comprising an eclectic mix of residential building forms, designs and architectural styles.
7. The introduction of windows at the new basement level would render the bungalow, as extended, more prominent than the approved scheme incorporating glass blocks. However, when approaching the property from the east, the new basement is already well screened by the existing boundary planting in the garden of number 155. In addition, the area in front of the basement windows is to be used for the parking of cars that would provide some intermittent screening to the front basement wall from the street. Furthermore, once the proposed planting to the boundary wall to the street and the area in front of the new patio has been established, the visual impact of the new windows and thereby the prominence of the bungalow as extended would be significantly diminished.
8. On balance, therefore, providing the development is completed as designed, I consider that the proposed basement would not appear so incongruous or unduly dominant as to cause harm to the character and appearance of the host property, street scene and surrounding area.
9. The scheme design includes a steep ramped access up to the garden store located on the west side of the property. Further, there would be an equally steep flight of steps on the west side leading to the main entrance. Visually, therefore, although the slope of the ground in front of the basement extension would be less than that previously approved, the main dwelling would, in my opinion, nevertheless still have the same visual relationship to the topography of the area as the neighbouring properties.
10. Furthermore, once surfaced the level of the parking area in front of the basement extension would be little different to that which currently serves number 155. Again, on balance, I am not persuaded that the change in levels proposed over that previously approved would, in itself, serve to increase the

visual prominence of the basement level as to cause significant harm to the character and appearance of the property or street scene.

11. I therefore conclude in respect of the main issue that the proposed development, if completed in accordance with the application drawings, would not cause significant harm to the character and appearance of the property, street scene and surrounding area. The proposal would therefore accord with the aims of LP Policy QD14 and SPD 12 as they relate to the quality of design and the impact of new development on adjoining properties and the surrounding area.

### **Conditions**

12. The conditions follow from those suggested by the Council. Where necessary, in the interests of precision and enforceability, I have reworded the suggested conditions.

13. I agree, as development has already started and is well advanced, that the standard time condition is not necessary. However, I consider that in order to ensure a high quality development a condition about materials is required, in addition to a requirement that the development is carried out in accordance with the approved plans.

### **Conclusions**

14. For the reasons given above and having regard to all other matters raised, I conclude that the proposal would be in accordance with the development plan, when read as a whole, and therefore the appeal should be allowed.

*Philip Willmer*

INSPECTOR





## Appeal Decision

Site visit made on 24 March 2016

by **Philip Willmer BSc Dip Arch RIBA**

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

Decision date: 07 April 2016

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**Appeal Ref: APP/Q1445/D/16/3142070**

**31 Coldean Lane, Brighton, East Sussex, BN1 9GD.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Clive Morgan against the decision of Brighton and Hove City Council.
  - The application Ref BH2015/03779, dated 14 October 2015, was refused by notice dated 23 November 2015.
  - The development proposed is for a two-storey side extension.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The Council has confirmed that it adopted the Brighton and Hove City Council's Development Plan – *Brighton and Hove City Plan Part One* on the 24 March 2016. However, Policy QD14 of the Brighton and Hove Local Plan (2005) (LP) has not been replaced by any policy in the new plan and remains a retained saved policy. Further, I am advised that Supplementary Planning Document 12: *Design Guide for Extensions and Alterations* (spd 12) has also been retained. I shall proceed to determine the appeal on this basis.

### Main Issue

3. I consider the main issue to be the effect of the proposed development on the architectural integrity of the host building and thereby the character and appearance of the street scene.

### Reasons

4. The property the subject of this appeal, 31 Coldean Lane, is one half of a semi-detached pair of houses. The pair is, in turn, one of four similar pairs of houses located to the south of Coldean Lane and directly facing towards it. They were designed with matching hipped roofs that extend down, via a 'catslide', to a low eaves line just above the head of the ground floor windows at either end. While two of the houses have flat roofed dormers built into these lower slopes, the three-dimensional symmetrical form of the roofs remains a distinctive feature of all the houses in this group.
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5. As I saw the group of houses, of which this is one, is a prominent feature in the street scene due to its elevated position alongside a busy road with limited screening.
6. The appellants propose a two-storey side extension with dormer. The proposal is to extend the width of the house by about 1.5 metres. The addition would have a matching roof configuration that would maintain the eaves, ridge height and detailing. However, despite the modest size of the proposed extension, by reason of extending the length of the ridge, it would unbalance the semi-detached pair when viewed from the street. As identified by the appellants the form of the roofs of a number of other houses, outside this distinctive group, have been altered thereby creating an imbalance in the semi-detached pair of which they are part. However, I am not persuaded that this is sufficient justification for the proposed roof alterations here.
7. Two of the houses in this group, as well as a number of other dwellings elsewhere in the locality, have side dormers. Nevertheless, in this case, due to the overall height, length and three-dimensional form of the proposed dormer, it would add significantly to the bulk of the roof, as extended, drawing further attention to the loss of symmetry.
8. In itself the extension as designed would be well mannered. Nevertheless, I consider, on balance, it would be unacceptable due to the harm that would ensue to the semi-detached pair, the group and thereby the surrounding street scene.
9. I therefore conclude, in respect of the main issue, that the proposed development would cause significant harm to the architectural integrity of the host building and the group of which it is part and thereby the character and appearance of the street scene. To allow it would therefore be contrary to the objectives of LP Policy QD14 and guidance within spd 12 as they relate to the quality of design and the impact of new development on adjoining properties and the surrounding area.

### **Other Matters**

10. The appellants have drawn my attention to an appeal decision, APP/Q1445/A/02/1098145, which amongst other things considers the impact of a flat roof side dormer on the balance of number 29 Coldean Lane, also one half of a semi-detached pair of houses. In addition to that decision preceding both the National Planning Policy Framework and the current development plan, as far as I can tell the proposal did not include for either a ground floor side extension or alteration to the main roof as proposed here. Accordingly, while I have noted the Inspector's comments, I have considered this appeal on its individual planning merits.

### **Conclusions**

11. For the reasons given above and having regard to all other matters raised, I conclude that the proposal would not be in accordance with the development plan, when read as a whole, and therefore the appeal should be dismissed.

*Philip Willmer*

INSPECTOR

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## Appeal Decisions

Site visit made on 6 April 2016

**by Cullum J A Parker BA(Hons) MA MRTPI**

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

**Decision date: 08 April 2016**

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### **Appeal A Ref: APP/Q1445/W/15/3135017**

#### **4 Tudor Close, Dean Court Road, Rottingdean, East Sussex BN2 7DF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Trevor Hopper against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/00258, dated 21 January 2015, was refused by notice dated 4 June 2015.
  - The development proposed is insertion of a light shaft from the north-east pitch of the roof to the ground floor.
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### **Appeal B Ref: APP/Q1445/Y/15/3133373**

#### **4 Tudor Close, Dean Court Road, Rottingdean, East Sussex BN2 7DF**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Mr Trevor Hopper against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/00259, dated 21 January 2015, was refused by notice dated 4 June 2015.
  - The works proposed are insertion of a light shaft from the north-east pitch of the roof to the ground floor.
- 

## **Decisions**

### *Appeal A*

1. The appeal is dismissed.

### *Appeal B*

2. The appeal is dismissed.

## **Background and Main Issue**

3. This decision letter deals with two appeals, labelled A and B. The former relates to an application for planning permission, whilst the latter seeks listed building consent. The works sought for both schemes would involve the insertion of a rooflight adjacent to an existing dormer in order to provide for a light tunnel to illuminate to an internal ground floor room within a Grade II listed building.
4. The main issue, therefore, for both appeals is whether the proposed works would preserve the special architectural or historical features of the Grade II listed building.

## Reasons

5. The appeal building forms part of a larger residential complex dating from around the late 1920s and is located within the Rottingdean Conservation Area. The building has a distinct 'Tudorbethan' style, with features such as gable ends with ornamental barge boards, mock timber framing, and clay roof tiles all contributing to its character. In particular, the roofscape is complex, with a mixture of chimneys, catslides, dormers and gables making further contributions to the aesthetic charm of the buildings. It is the combination of these factors which contribute to the significance of the Grade II listed building and the Rottingdean Conservation Area as designated heritage assets.
6. The appeal scheme would see the insertion of a rooflight in the roof slope at No 4 Tudor Close, directly adjacent to an existing gabled dormer. Rooflights in particular are few and far between on the roof of nearby buildings, and not present on the appeal roof. The proposed rooflight would consist of a 400mm by 400mm opening with flashing surrounds. With an absence of rooflights on the roof slope, the proposal would introduce an incongruent feature at odds with the character of the roofs facing into the courtyard and add visually intrusive clutter to the roof slope.
7. The appellant points to the lack of prominence of the rooflight within the roof slope. I saw that it would, in the main, be hidden from view from ground level owing to its location low down on the roof and also by a lantern serving the ground floor. Whilst views would be possible from some nearby windows, these are roughly 35 metres away, and would be glances rather than constant views of the rooflight. Nevertheless, absent or limited visibility does not constitute grounds for the acceptability of works to a listed building, where that work may result in harm to the listed building.
8. Internally, the works would involve the removal of some fabric of the building; however it is unclear as to whether this is 'original' fabric or later additions to the building. Moreover, I saw that most of the internal work involved would be relatively minor, reversible and unlikely to result in permanent damage to the historic fabric of the building. I do not find that the internal works would result in harm to the significance of the designated heritage asset.
9. Nevertheless, the introduction of an incongruent rooflight would have a negative impact on the listed building and therefore fail to preserve its special interest. In accordance with Paragraph 134 of the National Planning Policy Framework (the Framework) and given the possible reversibility of the works, I consider that they would result in less than substantial harm to the significance of the designated heritage asset. Such harm should be weighed against the public benefits of the proposal. In this case, the benefits identified are private, being limited to the illumination of an internal area of the property.
10. Having special regard to the statutory duty to preserve the special architectural and historical features of listed buildings, as required under Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, I find that the works in this instance would fail to achieve these aims. For similar reasons, the proposal would fail to preserve the character or appearance of the Rottingdean Conservation Area as required under S 72(1) of the same Act.



11. I therefore conclude that the proposed development and work would fail to preserve the special architectural or historical features of the Grade II listed building. Accordingly, the proposals would be contrary to Policies QD14, HE1 and HE6 of the *Brighton and Hove Local Plan 2005*, which amongst other aims seek to ensure that proposals involving the alteration of a listed building will only be permitted if the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building. The appeal scheme would also be contrary to the Policies of the Framework, which include conserving heritage assets in a manner appropriate to their significance.

**Conclusion**

12. For the reasons given above, I conclude that both appeals; A and B, should be dismissed.

*Cullum J A Parker*

INSPECTOR



## Appeal Decision

Site visit made on 22 March 2016

**by Richard S Jones BA(Hons) BTP MRTPI**

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

**Decision date: 11 April 2016**

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**Appeal Ref: APP/Q1445/W/15/3139186**  
**19 Withdean Road, Brighton, Sussex BN1 5BL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Kevin Fitzpatrick against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/01308, dated 2 April 15, was refused by notice dated 11 September 2015.
  - The development proposed is the demolition of existing house and construction of new 6 bed detached house.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this appeal are:
  - the effect on the living conditions of neighbouring residents with particular reference to outlook; and
  - the effect of the proposal on the character and appearance of the area.

### Reasons

#### *Living conditions*

3. The appeal dwelling would extend significantly beyond the rear building line of No 17 Withdean Road, which, for the majority of its width is single storey, including that part of the dwelling closest to the appeal site. I appreciate that efforts have been made to set the appeal dwelling further away from the common boundary between these two properties and that the design is in part intended to avoid overlooking. However, the rearward projection of the appeal dwelling would present 2 storeys of largely unrelieved blank wall that is higher than the ridgeline of No 17. Consequently, the outlook from the rear windows and amenity space of No 17 would be dominated by a mass of built form in a way that I consider would be overbearing and oppressive.
  4. The third storey would be less obvious, due to its set back, however, this would add further to the overall mass of the building and resulting impacts. I do not consider that the existing boundary treatment at this point would acceptably mitigate this harm.
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5. The more central position of the side of No 21 Withdean Road, relative to the side of the appeal dwelling, is such that the forward and rear projections would be much less significant. Moreover, given the comparable overall scale of both dwellings and greater separation, I do not find that the proposal would result in comparable effects on the occupiers of No 21.
6. Whilst the existing bungalow is set back behind the building line of the two flanking dwellings, given its relatively modest height and the established natural boundary screening at this point, it has little impact on those dwellings. Therefore, because of the significant increase in scale of the appeal dwelling, I do not agree that moving its footprint forward within the plot would result in the house being much less visible from the flanking properties.
7. I acknowledge that the proposal would not have unacceptable effects in terms of overlooking and loss of privacy, however the lack of such harm cannot weigh in favour of the proposal and should properly be considered as neutral in the planning balance. It follows therefore that this cannot mitigate the harm I have explained above.
8. I therefore conclude on this main issue that the proposal would cause significant harm to the living conditions of the occupants of No 17, contrary to Policy QD27 of the Brighton & Hove Local Plan 2005 (LP), which states that planning permission will not be granted where it would cause material nuisance and loss of amenity to adjacent residents.

#### *Character and appearance*

9. I agree with the Council's characterisation of this part of Withdean Road, which is that of 'a very low density residential area of large detached houses in their own grounds surrounded by extensive mature trees bordering woodland, with an almost rural feel.' The appeal site is characteristic in this respect and presently accommodates a bungalow set back from and above the road frontage.
10. The immediate built context for the site comprises a part two storey and part single storey dwelling to the south and a large two storey dwelling situated to the north, located at Nos 17 and 21 respectively. Both dwellings are traditional in style and therefore contrast strongly with the highly contemporary design of the appeal proposal. However, given the variety to the dwellings in the area, including other highly contemporary dwellings to the north along Withdean Road, I agree that there is no reason in principle to resist a modern approach to the design and materials used at the appeal site.
11. In terms of the design as proposed, I accept the massing of the dwelling along with its strong horizontal emphasis would combine to create a sense of bulk which would appear greater than that of its neighbouring properties and that the two storey element of the appeal dwelling would be appreciably higher than the eaves height of No 21. However, in overall terms the maximum heights of both dwellings would be the same. Moreover, although the top of the second floor level would clearly be much higher than the eaves of the single storey part of No 17, it would not be unduly higher than its ridgeline. The set back of the third storey would also assist the visual transition in scale from No 21 and the appeal site to No 17.

12. Because of the screening provided by the trees and vegetation along the Withdean Road frontage and in front of the appeal site and flanking dwellings, it is only possible to achieve glimpsed views of each along the street scene and it is not possible to view the dwellings as a combined street elevation as shown on the supporting plans. Consequently, the dwelling would not appear unduly dominant or discordant in relation to the two neighbouring properties and the wider street.
13. In terms of width, the new dwelling would be slightly narrower than the existing dwelling and similar to that of the neighbouring properties and there is sufficient separation off both boundaries to ensure that the dwelling would not appear unduly cramped. In character and appearance terms there would also be a benefit to bringing the dwelling forward within the plot.
14. For these reasons I am satisfied that the dwelling could be accommodated at the appeal site without material harm to the character and appearance of the area. Accordingly I find no conflict with LP Policies QD1 and QD2, which state, amongst other matters, that all proposals for new buildings must demonstrate a high standard of design and make a positive contribution to the visual quality of the environment and should be designed to emphasise and enhance the positive qualities of the local neighbourhood by taking into account local characteristics.

### **Other matters**

15. The appellant has stated that it is common ground that the Council is unable to demonstrate a five year supply of housing land and has referred to Paragraph 49 of the NPPF. This states that housing applications should be considered in the context of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. However, in this case LP policies QD1, QD2 and QD27 relate to design and the protection of amenity. They are not therefore relevant to the supply of housing. Moreover, as stated by the appellant, the principle of the proposed development is acceptable as it is a replacement dwelling within the development boundary. Also, replacing one family sized home with another, albeit larger one, the appeal proposal does not increase the supply of housing as anticipated by paragraph 47 from the Framework.
16. Nevertheless, in consideration of the 3 dimensions of sustainable development, as set out in paragraph 7 of the Framework, I acknowledge that the proposal would make a short term contribution to the economic role through the construction of the dwellings. I have also not found undue harm to the environmental role and note that the building would be built to a high level of energy efficiency. However, I have found significant harm to the living conditions of the occupants of No 17 such that the proposal would not meet the social dimension of sustainable development. Thus the appeal scheme is not sustainable development when considered against the policies in the Framework taken as a whole.
17. As explained by paragraph 211 of the Framework, policies should not be considered out of date simply because they were adopted prior to the publication of the Framework. Rather, paragraph 215 explains that due weight should be given to relevant policies according to their degree of consistency with the Framework. In this regard, I do not find inconsistency with LP Policies

QD1, QD2 and QD27 and have therefore given them full weight. It is the conflict with Policy QD27 that leads me to conclude that the appeal should be dismissed.

**Conclusion**

18. For these reasons, and taking all other matters into consideration, the appeal does not succeed.

*Richard S Jones*

Inspector

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## Appeal Decision

Site visit made on 9 February 2016

**by Karen Radford BA (Hons), Dip Arch, Dip Arch Cons, IHBC**

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

**Decision date: 12 April 2016**

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**Appeal Ref: APP/Q1445/W/15/3135314**

**164 Upper Lewes Road, Brighton, Sussex, BN2 3FB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs H Roberts against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/01893, dated 27 May 2015, was refused by notice dated 20 August 2015.
  - The development proposed is a rear extension to create a new bathroom.
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### Decision

1. The appeal is allowed and planning permission is granted for rear extension to form a new bathroom, at 164 Upper Lewes Road, Brighton, Sussex BN2 3FB in accordance with the terms of the application, Ref: BH2015/01893, dated 27 May 2015, subject to the conditions set out in the attached schedule.

### Procedural Matters

2. I have given consideration to the recently adopted City Plan Part One and note that following the adoption of it on 24 March 2016, the development plan for the City changed and some but not all, of the Brighton & Hove Local Plan 2005 policies were removed and superseded by new policies.
3. Furthermore, I note that the City Plan Part One along with the retained Local Plan Policies form part of the Development Plan for Brighton & Hove, and the retained Local Plan policies will continue to apply until replaced by the City Plan Part Two Development Plan Document at some future date.
4. In the case of this appeal, Local Plan Policies QD14 (extensions and alterations) and QD27 (protection of amenity), have both been retained and I have given them full weight.

### Main Issue

5. The main issue of the appeal is the effect of the development on the character and appearance of the existing building and the surrounding area.

### Reasons

6. The appeal building is a traditional mid-terraced property dating from the late 19<sup>th</sup> century, which is on a steeply sloping site with the land falling from the
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front towards the rear of the site. The appeal relates to the ground and first floor maisonette.

7. The property has an existing two storey rear outrigger extension with a mono-pitch roof. There is a similar two-storey outrigger extension with mono-pitch roof on the adjacent neighbouring building, No 163 which is located to the north-east of the appeal site. Whilst, on the other adjacent neighbouring property No 165, which is located to the south-west, there is an existing three storey out-rigger extension. Although the appeal site is part of a traditional terrace, the land to the south-west and immediately to the south has been developed with modern blocks of flats.
8. The proposed development would be for the erection of a rear extension at first floor level to the existing outrigger, which due to the falling land levels would make the outrigger three storey. The proposed form of the roof would be a mono-pitched roof.
9. I consider that the proposed roof form would match the existing roof and also copy the shape, form and height of the existing outrigger to the adjacent property at No 165.
10. I have noted that the Council have acknowledged that the rear of the terrace does not have a uniform appearance and there are properties and later extensions of different design and scale. I agree that this is the case and also consider that the architectural appearance of the area at the rear of the appeal site is varied.
11. In addition, I have considered that the Council have commented that the proposal would be an overly dominant addition. Whilst I accept that it would be higher than the roofline of the immediately neighbouring outrigger at No 163, I do not accept that it would be overly dominant particularly when considered in relation to the roofline to No 165 and the varied appearance of the surrounding area.
12. The Council have commented that the proposed horizontal proportions of the rear window would be at odds with vertical emphasis of the existing fenestration. However, given that this new window is similar in proportion to the existing window in No 165 and again given the varied appearance of the area, then on balance I conclude the proportions of the proposed window would not harm the character and appearance of the area.
13. Therefore, because of the architectural variety in the immediate surrounding area and also considering that the proposed mono-pitch roof form would correspond in appearance to the adjacent property at No 165; I conclude that the proposed extension would not harm the character and appearance of the appeal building or the surrounding area. Consequently it would not be contrary to Policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extension and Alterations (SPD12).

### **Other Matter**

14. The Council have noted that there is no planning history for the existing raised rear terraced area and steps. However, these steps and terraced area are not included within the remit of this appeal and in any case are a matter for the concern of the Council.



### **Conditions**

15. I have considered the Council's suggested planning conditions, and in addition to the standard condition which sets a time limit for the commencement of development, it is also appropriate that there is a condition requiring that development is carried out in accordance with the approved plans to provide certainty.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, the Council have suggested a condition to control new windows, dormer windows roof-lights or doors in the side elevations of the approved extension, and I consider that this condition is necessary to protect the amenities of the occupiers of the nearby properties and to comply with the retained Policies QD14 and QD27 of the Brighton & Hove Local Plan.
17. A condition relating to proposed materials is necessary to ensure that the appearance and detailed design of the development is of a high standard, and not adversely impacting on the appearance of the surrounding area.

### **Conclusion**

18. Therefore for the reasons given above, and taking all other matters into consideration, I conclude that the appeal should be allowed.

*Karen Radford*

### **INSPECTOR**

### **SCHEDULE OF CONDITIONS**

1. The development hereby permitted shall be commenced within three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans, ref: P.100 version A (existing plans and elevations), P.101 version A (proposed plans and elevations), and P.102 version A (site and location plan).
3. The materials to be used on the external surfaces of the extension shall be in accordance with those specified in the application and shall match in material, colour, style, bonding and texture those of the existing building.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed in the side elevations of the extension hereby permitted, without planning permission obtained from the Local Planning Authority.



## Appeal Decision

Site visit made on 22 March 2016

by **David Reed BSc DipTP DMS MRTPI**

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

Decision date: 12 April 2016

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**Appeal Ref: APP/Q1445/D/15/3139781**

**102 Montgomery Street, Hove, East Sussex BN3 5BD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr M Tate against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/02325, dated 24 June 2015, was refused by notice dated 10 September 2015.
  - The development proposed is a three storey flat roofed rear extension, loft conversion with flat roofed rear dormer and Velux rooflight in front elevation roofslope.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and the effect of the proposal on the living conditions of the occupiers of Nos 100 and 104 Montgomery Street in relation to outlook, light and privacy.

### Reasons

#### *Character and appearance*

3. No 102 is a narrow three storey (including the basement level) terraced house on the southern side of Montgomery Street. It lies in a continuous terrace and backs onto a similar terrace on the northern side of Wordsworth Street. The proposal is for a flat roofed three-storey rear extension about 1.5 m deep across the full width of the property, together with a large rear facing dormer.
4. The appeal property is in a mid-terrace position where there is a long and consistent rear building line except for a number of hanging first floor extensions to the west. Although only about 1.5 m deep the proposal would break this consistent rear facade with an incongruous full height rear extension. The flat roof and contemporary rear fenestration proposed would draw further attention to the extension which would be the only three-storey rear extension in the vicinity. In my view the existing rear elevation of the terrace is pleasantly uniform rather than bland and does not want for further character, articulation and interest.
5. Whilst the proposed extension would be on the rear elevation it would be highly visible from adjacent rear gardens and the numerous rear windows of properties in Wordsworth Street which face the rear of No 102 in this densely developed area.

6. The proposed rear dormer would extend almost the full width and height of the rear facing roof slope resulting in a bulky addition giving the appearance of a full fourth floor to the property. Whilst there are a few similar dormers to the east these demonstrate the intrusive and overbearing appearance of large dormers in this location and do not justify further examples. The dormer would further disrupt the consistent and attractive rear roof slopes of the terrace which again are highly visible from adjacent rear gardens and the numerous rear windows of properties in Wordsworth Street.
7. The appellant states that the dormer has been designed in accordance with permitted development rights. However, from the information submitted it is not clear that this is the case, for example whether the extension has been set back 200 mm from the eaves. In any event, a dormer complying with these requirements could be pursued separately with the Council.
8. For these reasons the proposal would significantly harm the character and appearance of the area in conflict with saved Policy QD14 of the Brighton and Hove Local Plan 2005 (the Local Plan) which requires extensions to be well designed in relation to adjoining properties and the surrounding area. It would also conflict with the Council's Design Guide for Extensions and Alterations 2013 (the Design Guide) which states that flat roof extensions will generally be unacceptable and full width/height box dormers are an inappropriate design.

#### *Living conditions*

9. Although not a reason for refusal raised by the Council, objections have been made to the impact of the proposal on neighbouring occupiers. The rear extension would run across the full width of the property between the common boundaries on either side. As such, it would project out very close to the first and second floor rear facing windows of Nos 100 and 104, three of which appear to be living room windows. Even though the extension would only be about 1.5 m deep these windows are so close that the 45° rule would be breached. The outlook from these windows would be adversely affected to a significant extent and there would be some loss of light within the rooms.
10. In relation to privacy there is already much mutual overlooking from rear windows into rear gardens and between rear windows. In these circumstances the addition of a further overlooking dormer window would not be significant.
11. For these reasons the proposal would cause significant harm to the living conditions of the occupiers of Nos 100 and 104 Montgomery Street in relation to outlook and light. This would conflict with saved Policy QD14 of the Local Plan which precludes extensions which would result in the loss of outlook or light to neighbouring properties. It would also conflict with the Design Guide which states two/three storey rear extensions to terraced properties will generally be unacceptable owing to their close proximity to neighbouring windows and should also comply with the 45° rule to avoid harming neighbouring amenity.

#### **Conclusion**

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

*David Reed*

INSPECTOR

## Appeal Decision

Site visit made on 22 March 2016

**by David Reed BSc DipTP DMS MRTPI**

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

**Decision date: 14 April 2016**

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**Appeal Ref: APP/Q1445/W/15/3139880**  
**6 Crescent Road, Brighton BN2 3RP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Daniel Shrimpton against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/02126, dated 20 April 2015, was refused by notice dated 10 September 2015.
  - The development proposed is rear side extension, loft conversion and internal alterations to 1st floor flat.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - the effect of the proposal on the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Round Hill Conservation Area (CA); and
  - the effect of the proposal on the living conditions of the occupiers of nearby properties in relation to outlook, light and privacy.

### Reasons

#### *Character and appearance*

3. No 6 comprises the first floor and roofspace of a two storey mid terraced house on the western side of Crescent Road. It lies close to the junction with a side road, which means that the rear of Nos 36b and 36c Princes Road face the site from the side. Unusually, to the rear of No 6 there is no garden but a further two storey property No 6a, which also includes the ground floor under No 6.
4. No 6 already has a flat roof extension to the rear at first floor level which is about 8 m long. In width this runs from the common boundary with No 8 but stops short of the boundary with No 4a on the other side by just over 1 m. The proposal is to increase the width of this extension to abut the boundary with No 4a together with a loft conversion involving a large rear facing dormer and a front facing rooflight.

5. The existing first floor rear extension of No 6 is both flat roofed and bulky, and as such has a negative impact on the appearance of the area. It can be clearly seen from numerous rear facing windows nearby and adjacent rear gardens. However, the proposed side extension would only add a small extra width to the extension, thus squaring off the building, and this would not add significant additional harm to the current situation in terms of appearance.
6. On the other hand, the proposed rear dormer would extend almost the full width and height of the rear facing roof slope resulting in a bulky addition giving the appearance of a full third floor to the original property. In addition, the proposed window would be excessively wide, just short of the width of the roof and wider than the window at the rear of the proposed first floor extension. Whilst there are a number of similar dormers in the vicinity these demonstrate the intrusive and overbearing appearance of large dormers in this location and do not justify further examples. The dormer would not be sympathetic or subordinate to the roofscape of the terrace and would be highly visible from numerous rear facing windows nearby and adjacent rear gardens.
7. The front facing rooflight would be located centrally within the roofslope but would be quite small and discreet. It would therefore not cause significant harm to the appearance of the wider street scene.
8. For these reasons the proposed rear dormer would cause significant harm to the character and appearance of the area and would not preserve the character or appearance of the Round Hill CA. This would conflict with saved Policies QD14 and HE6 of the Brighton and Hove Local Plan 2005 (the Local Plan). These require the formation of rooms in the roof to be well designed in relation to the property concerned and the surrounding area, and proposals within a CA to show a high standard of design and to have no harmful effect on the townscape or roofscape. It would also conflict with the Council's Design Guide for Extensions and Alterations 2013 (the Design Guide) which states that full width/height box dormers are an inappropriate design.

#### *Living conditions*

9. Whilst not being unduly harmful to the existing appearance of the building, the additional width of the first floor rear extension would bring it up to the common boundary with No 4a. This boundary is currently formed by the single storey side wall of No 6a, to which a second storey would be added. As seen from the adjacent rear facing windows of No 4a the wall would be about 8 m long and about 7 m high, somewhat less to the rear where the back garden steps up. Although the existing first floor rear extension of No 6 already has an overbearing impact on these windows the proposal would further exacerbate this effect, over dominating the outlook from the windows and rear garden. It would also lead to a significant further loss of daylight and sunlight to these rooms and rear garden, made worse by its orientation to the south of No 4a and the position of the two storey section of No 6a behind No 6.
10. In relation to privacy the extension would have the benefit of removing the first floor rear door which allows access to the flat roof outside and thus the potential for overlooking nearby rear gardens. It would also substitute the existing side facing bathroom and wc windows with two high level windows, above eye level when inside the rooms. However, there would be a significant increase in the size of the first floor rear facing window and the rear dormer would introduce a further window overlooking adjacent rear gardens.

11. Whilst the concerns relating to privacy are understood, there is already much mutual overlooking from rear windows into rear gardens and between rear windows in the vicinity. In these circumstances the larger rear facing window and addition of a further overlooking dormer window would not be unduly significant.
12. For these reasons the proposed rear extension would cause serious harm to the living conditions of the occupiers of No 4a Crescent Road in relation to outlook and light. This would conflict with Policy QD27 of the Local Plan which precludes development where it would cause material nuisance and loss of amenity to adjacent residents and occupiers. It would also conflict with the Design Guide which states two storey rear extensions to terraced properties will generally be unacceptable owing to their close proximity to neighbouring windows and should also comply with the 45° rule to avoid harming neighbouring amenity.

### **Conclusion**

13. The benefit of additional living accommodation and a bedroom in the roofspace is appreciated. However, the rear dormer as proposed would cause significant harm to the character and appearance of the area and the additional width of the first floor rear extension would cause serious harm to the living conditions of the occupiers of No 4a. In these circumstances the appeal should be dismissed.

*David Reed*

INSPECTOR





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## Appeal Decision

Site visit made on 8 April 2016

**by Timothy C King BA (Hons) MRTPI**

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

Decision date: 18 April 2016

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**Appeal Ref: APP/Q1445/D/16/3143312**  
**2 Thornhill Avenue, Brighton, BN1 8RG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Kevin Colburn against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/03135, dated 25 August 2015 was refused by notice dated 17 December 2015.
  - The development proposed is '*Removal of existing roof and construction of new first floor with flat roof to detached bungalow and general alterations.*'
- 

### Decision

1. The appeal is allowed and planning permission is granted for a first floor extension and new flat roof to the bungalow with associated alterations at 2 Thornhill Avenue, Brighton, BN1 8RG in accordance with the terms of the application Ref BH2015/03135, dated 25 August 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: PL 1503-01, PL 1503-02, PL 1503-03, PL 1503-04, PL 1503-05, PL 1503-06 and PL 1503-07.
  - 3) The extended dwelling shall, in whole, be suitably finished in either a white or off-white render.

### Preliminary Matters

2. Since the appeal was lodged the Council, on 24<sup>th</sup> March 2016, adopted its City Plan Part 1 document (CP). Nonetheless, Policy QD14 of the Brighton & Hove Local Plan 2005 (LP), as cited in the Council's Reason for Refusal is retained, and in reaching my decision I have had regard to the overarching CP Policy SS1 which promotes sustainable development. In the circumstances, and as the Council's objection related to only to the design and appearance of the resultant extended dwelling and its relationship with the streetscene, I am satisfied that the adoption of the CP document does not materially affect this appeal.
-

3. I have slightly altered the proposal's description to more closely focus on the development involved.

### **Main Issue**

4. I note that neighbouring occupiers have raised objections in their consideration that the proposal would affect their living conditions. The Council did not advance this issue as a Reason for Refusal and, from my findings when undertaking the site visit, I agree with the Council's approach. As such, the main issue in this appeal is the effect of the proposal on the character and appearance of both the host dwelling and the surrounding area.

### **Reasons**

5. The appeal dwelling is a small detached bungalow set in a residential street characterised in the main by bungalows of a semi-detached nature, many of which have been altered over time with some also showing physical additions in the form of roof projections or dormer extensions visible from the street. The street level rises steadily proceeding northwards and the heights of the bungalows graduate, accordingly.
6. LP Policy QD14 holds a requirement that, for extensions or alterations to existing buildings, planning permission will only be granted if, amongst other things, the extension is well designed, sited and detailed in relation to the host dwelling, adjoining properties and the surrounding area. The external materials used should also be sympathetic to the dwelling itself. The Council has also adopted a Supplementary Planning Document 'Design Guide for Extensions and Alterations' (SPD) which reinforces the policy's aim and, where front extensions are proposed, requires that they do not detract from the appearance of the property, the street's general character and the prevailing building line.
7. In this instance the appeal dwelling, although detached unlike the immediate neighbouring properties, is one of the smallest bungalows in the street and, from its outward appearance, is in need of some significant renovation. The appeal proposal would change the building's character to that of a two-storey dwelling, albeit with the upper storey recessed on all sides, especially on the dwelling's north flank and to the rear. The front building line would not alter and, although the existing roof is hipped with a central ridge, the proposal to change to a contemporary flat-roofed design, whilst spreading the massing, would involve a height increase of approximately only 1m. Given the respective separation distances from No 4, which sits on a higher ground level and 'Normanhurst', set at a lower level, I am satisfied that, along with the recessed upper storey's recesses, the appeal site and the dwelling itself could satisfactorily accommodate the roof's heightening.
8. The redesigned dwelling's integration within the streetscene is of particular concern to the Council and whilst respecting local character is important, I consider that with the various bungalows in the street having undergone alterations to their original appearance which are readily visible to the general public the introduction of a modernist type design, whilst prominent in appearance, would not constitute visual harm or detriment. Paragraphs 60 and 63 of the National Planning Policy Framework (the Framework) comment that planning decisions should not stifle innovation or initiative in order to conform to certain development form or styles and great weight should be given to

outstanding design in this regard. I consider that the proposed development is a case in point and I disagree with the Council as to the design being top-heavy; the upper-storey being instead integral to the holistic contemporary approach. CP Policy SS1's objective of achieving sustainable development, due to the intended incorporation of energy efficient measures, would also be met.

9. I consider this proposal to be a most individual case with particular factors and circumstances which, on balance, weigh in favour of the development, and would not compromise the aims and requirements of adopted design related policies nor the Council's SPD. Neither do I find that the proposal would significantly affect the living conditions of the occupants of either of the immediate neighbouring properties. The extension's separation distance to No 4 is adequate and undue overshadowing or overlooking would not result. The submitted plan PL 1503-05 indicates that the flat roof would be accessed for maintenance only and with the side facing north and the rear to the east any use to the contrary would be unlikely to occur. Moreover, removal of the intended Juliet Balcony to the rear for such purposes would be a material alteration, controllable by a planning condition requiring that the proposal be implemented in accordance with the approved plans. I am also satisfied that the publicity for the original planning application was sufficient in the circumstances, with both immediate neighbours making representations in writing.
10. In conclusion I find that the proposal would neither be harmful to the character and appearance of the host dwelling nor the surrounding area. It would also not materially conflict with the aims of LP Policy QD14, CP Policy SS1 or the Council's SPD and would satisfy relevant advice within the Framework.
11. For the above reasons, and having had regard to all matters raised, the appeal succeeds. In terms of conditions, by the nature of the proposal I impose a condition which requires for the extended dwelling to be rendered in its entirety and, for the avoidance of doubt and in the interest of good planning a condition is attached which requires full observance and implementation of the approved plans.

*Timothy C King*

INSPECTOR



## Appeal Decision

Site visit made on 22 March 2016

by **David Reed BSc DipTP DMS MRTPI**

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

Decision date: 19 April 2016

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### **Appeal Ref: APP/Q1445/W/15/3138676 73 North Road, Brighton BN1 1YD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr John Blake, Sussex Property Investments Ltd against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/00445, dated 9 February 2015, was refused by notice dated 19 August 2015.
  - The development proposed is the construction of a new part single storey/part two storey development to provide 299 sq metres of office space.
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### **Decision**

1. The appeal is dismissed.

### **Preliminary Matter**

2. During the course of the application the proposal was amended by the substitution of a pitched roof with central ridge for the mansard roof originally proposed. I have dealt with the appeal on this basis and have accordingly deleted the reference to the mansard roof in the description of the proposed development which was on the application form.

### **Main Issues**

3. The main issues are:
  - whether the proposal would preserve or enhance the character or appearance of the North Laine Conservation Area (CA); and
  - the effect of the proposal on the living conditions of the occupiers of Nos 40 - 46 Queens Gardens in relation to outlook, daylight, sunlight and privacy.

### **Reasons**

#### *Character and appearance*

4. The appeal proposal is to construct a series of eight office units on a narrow rectangular site known as Diplocks Yard between Nos 40 – 46 Queens Gardens and Nos 40 – 42 Upper Gardner Street. These are two rows of terraced buildings with a variety of uses which back onto each other with the narrow site running between them. The site is accessed through an entrance under No 73 North Road at one end and is currently used as a flea market and covered by a low pitched roof of temporary construction.

5. The proposed office building would be about 7 m wide and about 38 m long, almost completely filling the width of the site. The building would be single storey to the eaves but would have a pitched roof with central ridge allowing a mezzanine floor for six of the eight units. Units 3 and 4, about a third of the way along, would be single storey with a sedum flat roof. There would be a pedestrian access way along the eastern (Upper Gardner Street) side and at the entrance a disabled toilet, refuse/recycling storage and cycle parking.
6. The site lies centrally within the North Laine CA which is characterised by an irregular grid iron street pattern of early nineteenth century terraced housing which today has a lively mixture of residential, shopping and commercial uses. It would seem historically that the yard was open and used for the storage of market barrows but in recent times it has become a covered flea market, the use being last revived in 2009.
7. This use of the site appears to have support locally and much of the discussion at the meeting of the Council's Planning Committee on 5 August 2015, when the application was refused, appears to have been concerned with the loss of the market. However, there is no detailed historical, conservation or policy justification before me to support such an objection in principle. The North Laine CA Study 1995 does not refer to the site, and neither the Council's Heritage Team nor the Conservation Advisory Group (CAG) object to its development. Whilst paragraph 23 of the National Planning Policy Framework (NPPF) invites local planning authorities to consider drawing up policies to retain and enhance existing markets, the Council have not pursued such a policy in this case.
8. There have also been two dismissed appeals relating to the site when the principle of development has not been in dispute. Both were for very similar proposals to the current scheme, although proposing different roof forms. The first was in 2009 (when the site was vacant) and the second in 2015<sup>1</sup>.
9. The buildings along Queens Gardens and Upper Gardner Street on either side of the site are continuous and between two and four storeys high plus roofs when viewed from the street. The proposed building would therefore be unseen from either street and it would also be screened by No 73 from views down Tichborne Street. It might just be possible to glimpse the building through the entrance gates if left open. Consequently, the proposal would have no perceptible visual impact on the wider conservation area. It would however be seen in private views from the rear of the adjacent properties.
10. In this backland context the 2009 Inspector found no harm to the CA in a building of the scale proposed with a barrel roof, whilst the 2015 Inspector found the series of monopitch roofs then proposed would be very prominent features that would dominate the very confined space. The current proposal is for a simple slate pitched roof with central ridge which the Heritage Team find acceptable, although preferring a lower ridge height. In my view this common roof form reflects the surrounding North Laine CA. The flat roof section disrupts the design to some degree but would not be widely seen.
11. The Council are concerned by the height, scale, bulk and design of the building but do not elaborate, whilst the CAG regard the proposal as overdeveloping the site in a way which detracts from the character of the historic yard. If the site

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<sup>1</sup> APP/Q1445/A/08/2086874 and APP/Q1445/A/14/2223048 respectively.

is to be developed in principle I see little substance in these rather unspecific objections. The building would not be visible from the surrounding streets and consequently would have no material effect on the appearance of the North Laine CA. In relation to the character of the CA as a busy commercial and residential district, the proposal would replace a market with offices which would increase employment in the area and continue to generate a significant level of activity, albeit of a different nature.

12. For these reasons I conclude that the proposal would preserve the character and appearance of the North Laine CA. It would therefore comply with Policy CP12 of the Brighton & Hove City Plan (Part 1) 2016 which seeks to ensure respect for the city's diverse character and urban grain. It would also comply with saved Policy HE6 of the Brighton & Hove Local Plan 2005 (the Local Plan) which requires proposals within a CA to show a high standard of design and detailing reflecting the scale, layout and building forms of the area, and to have no harmful effect on the townscape or roofscape.

#### *Living conditions*

13. Although not a reason for refusal raised by the Council, a number of objections have been made to the impact of the proposal on neighbouring occupiers. This was also a determinative issue in the case of the 2015 appeal.
14. The appeal site is bounded on one side by Nos 40 – 46 Queens Gardens, a line of terraced houses, and on the other by Nos 40 – 42 Upper Gardner Street, a range of buildings in a number of uses but including some flats. These flats are alongside the single storey section of the proposed building where the flat roof would effectively maintain their open aspect over the site.
15. On the other side Nos 40 - 46 Queens Gardens are a line of terraced houses which appear two storey from the street but have basements which give three storeys of accommodation at the rear. Some of these houses have small basement level courtyards, only about 3-4 m long, which back onto the tall wall forming the common boundary with the appeal site, whilst others have short rear extensions. Two have small roof terraces accessed from first floor level which overlook the appeal site.
16. Of these houses, Nos 44 and 45 would back onto the single storey section of the proposed building which would maintain their open aspect. However, Nos 40 – 43 and 46 would back onto a pitched roof section which would rise well above the existing boundary wall and significantly higher than the existing temporary low pitched roof cover.
17. During the site visit I was able to assess the impact of the proposal from the rear windows, basement courtyards and roof terraces of Nos 40 and 43, and from this to also judge the impact on Nos 41 and 42. The rear basement courtyards in all these cases are very small and highly enclosed by the boundary wall, which limits their amenity. Whilst the 2015 proposal with its monopitch roofs would have added to the sense of enclosure in these spaces, the roof in the current proposal would pitch away from behind the boundary wall, and as a result would be barely perceptible from within the courtyards.
18. However, from the rear facing windows at ground floor, first floor, and to a lesser extent basement level the steeply pitched roof would be very obvious rising above the boundary wall. The cross sections show that the ridge of the building would be about the same height as the eaves of Nos 40 – 43, and

because the rear courtyards are so short and the appeal site so narrow, the ridge would only be about 7 m back from the rear elevations. Consequently, the outlook from these windows would be significantly compromised and the rooms made less attractive places to live. Cross section CC also illustrates how the outlook from these windows would be affected.

19. These windows currently look out towards the rear elevations of Nos 40 – 42 Upper Gardner Street, but these buildings are further away and therefore less dominant. Significantly, the extra distance also allows a greater view of the sky above the buildings which is important to the ambience of the rooms concerned. Cross section DD shows the highest building on this part of Upper Gardner Street rather than the lower building to its north, and in isolation understates the impact of the proposed roof on the outlook from many of the rear windows in Queens Gardens.
20. The 2009 appeal involved a barrel roof but this was about 0.7 m lower to the ridge than the current proposal, a significant difference in the circumstances. The Inspector concluded that, without suitable reflective materials, there would be some loss of light harming neighbouring occupiers' amenities, but did not consider the separate issue of loss of outlook at all. In this case the appellant has submitted a Daylight, Sunlight and Overshadowing Report which predicts a reduction in both daylight and sunlight to some of the windows concerned, albeit from an existing low level. Although the reductions broadly meet the relevant BRE guidance<sup>2</sup>, this illustrates the loss of outlook from these windows (in terms of sky at least).
21. The outlook from the small roof terraces behind Nos 40 and 43 would be less seriously affected because they offer an all round wider view of the sky than the rear windows, and from a high level. In relation to privacy, the proposal would involve a series of low level and ridge level rooflights, but these would be at a high level within the offices and thus not a cause for concern.
22. For these reasons I conclude that the proposal would significantly harm the living conditions of the occupiers of Nos 40 – 43 Queens Gardens in relation to outlook. This would be in conflict with Policy QD27 of the Local Plan which precludes development where it would cause material nuisance and loss of amenity to adjacent residents and occupiers.

### **Conclusion**

23. Although the proposal would preserve the character and appearance of the North Laine Conservation Area it would cause significant harm to the living conditions of the occupiers of Nos 40 – 43 Queens Gardens in relation to outlook. Consequently, notwithstanding the benefits of the proposal in terms of modern office floorspace, regeneration, local employment and its sustainable location, the appeal should be dismissed.

*David Reed*

INSPECTOR

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<sup>2</sup> "Site Layout Planning for Daylight and Sunlight, a Guide to Good Practice" - Building Research Establishment Ltd.



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# Appeal Decision

Site visit made on 14 April 2016

**by Lynne Evans BA MA MRTPI MRICS**

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

**Decision date: 19 April 2016**

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## **Appeal Ref: APP/Q1445/D/16/3143319**

### **1 Sussex Road, Hove BN3 2WD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr John Whelan against the decision of Brighton & Hove City Council.
  - The application Ref: BH2015/02785 dated 29 July 2015, was refused by notice dated 18 November 2015.
  - The development proposed is removal of part of a pitched roof and construction of a roof terrace over an existing rear extension. Forming a new opening at first floor level for a doorway to the roof terrace.
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### **Decision**

1. The appeal is dismissed.

### **Preliminary Matters**

2. At the appeal stage, the Appellant has offered to undertake a number of amendments to the scheme proposals in order to try and overcome the Council's reasons for refusal. The Appellant has described them as 'non-material' amendments but in seeking to overcome the reasons for refusal of planning permission, I am not persuaded that they can be considered in this way. Moreover, there is no opportunity within the appeal procedures to enable the proposed changes to be considered by the Council or to be the subject of consultation with surrounding neighbours. Whilst I understand the Appellant's willingness to seek to address the reasons for refusal, I am unable to take these proposals into account and must necessarily consider the appeal on the basis of the refusal and the plans that were determined at the application stage.

### **Main Issues**

3. The main issues in this appeal are:
    - a) The effect of the proposal on the living conditions of surrounding neighbours, with particular regard to overlooking and loss of privacy and
    - b) The effect of the proposal on the character and appearance of the existing property and of the Cliftonville Conservation Area.
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## **Reasons**

### ***Issue a) Living Conditions***

4. The appeal property is a terraced residential property in a mixed use area, including residential dwellings as well as commercial and retail uses in a closely developed area between Kingsway and King's Esplanade. It is one of four residential properties in a short terrace on the west side of Sussex Road with a retail/commercial use on its northern side, which in turn adjoins the rear of premises fronting the south side of Kingsway and known as Victoria Terrace. These premises are in a mix of retail and commercial uses at ground floor, some of which are currently vacant and there are separate entrances to the upper floors, although the uses of all of upper floors is not, in each case, readily apparent. There is an alley way to the rear of the appeal property and neighbouring properties which runs between Nos 17 and 18 Victoria Terrace along the rear of the residential properties and re-joins Sussex Road to the south of No 4.
5. The proposal seeks to introduce a rear roof terrace at the appeal property, with access from a new door at first floor level. The terrace would be created by removing part of the pitched roof to the rear projection and building up the surrounding walls. I appreciate that the proposal has been designed to try and avoid direct overlooking of the rear gardens to the adjoining properties to the south. In order to try and achieve this a planter has been designed in along the southern edge of the roof terrace to try and prevent people standing close to the southern edge of the roof terrace. However I am not satisfied that this feature would prevent people encroaching closer to the southern edge of the roof terrace or that the planter could be required to be retained in perpetuity. It is my view that there could be direct overlooking over parts of the neighbouring gardens to the south with a resultant material loss of privacy.
6. Furthermore, I agree with the Council that, given the very close relationship between the properties, there would also be the opportunity for overlooking of some of the rear windows in the adjoining property with a consequent material loss of privacy.
7. The use of the upper floors of all of the properties within Victoria Terrace is not clear, although there seems to be no dispute between the Appellant and the Council that there is residential use in at least parts of Nos 16 and 17. The residential use of part of No 17 has also been confirmed in representations at the application stage. I consider that from the proposed roof terrace, it would be possible for direct views, at short range, towards the rear windows serving habitable rooms of Nos 16 and 17 Victoria Terrace with a consequent material loss of privacy for these neighbours. There would also be direct views towards the rear gardens and yards of properties further to the west along Victoria Terrace although, and notwithstanding the comments of the Appellant, there is no definitive information before me as to whether any of these areas are used in connection with residential uses of the upper floors of those properties.
8. I therefore conclude that the proposal would materially harm the living conditions of adjoining neighbours, with particular regard to overlooking and loss of privacy and particularly in respect of the immediate neighbours in Sussex Road as well as in Victoria Terrace. This would conflict with one of the

Core Principles of the National Planning Policy Framework (Framework) as well as Policies QD14 and QD27 of the adopted Brighton & Hove Local Plan (Local Plan) and the Council's Supplementary Planning Document 12: Design Guide for Extensions and Alterations (SPD), all of which seek a high quality of design which respects the amenities of existing and future occupiers.

***Issue b) Character and Appearance***

9. The appeal property lies just within the south-west boundary of the designated heritage asset of the Cliftonville Conservation Area, which extends from Holy Trinity Church in the north along predominantly residential streets to King's Esplanade, with a variety of attractive properties, mainly from the mid Victorian period. Although there have been many alterations and additions to individual properties over time, the traditional mid-Victorian pattern of development sets the character and appearance of the local area.
10. In the immediate vicinity of the appeal site there are a number of rear additions including flat roof extensions. However, the proposal the subject of this appeal would have a varied form in terms of the height of its enclosing walls, and the curved walls and the introduction of three round recess features on the northern elevation would be alien features which would detract from the more traditional form and appearance of the property. There would also, in my view, be an awkward relationship in terms of the height of the enclosing walls to the roof terrace with the remaining pitched roof to the rear projection. I consider that the proposal would result in an incongruous addition to the appeal property which would detract from its traditional character and appearance at the rear.
11. Although the proposal would not be visible from the front within Sussex Road, it would be clearly visible from the alley way to the rear and from surrounding properties. In these views, the proposed roof addition would stand out as a discordant feature which would detract from the character and appearance of the local area and would not preserve the character and appearance of the Cliftonville Conservation Area. This would conflict with the Framework as well as Policies QD14 and HE6 of the Local Plan and the SPD, all of which seek a high quality of design which respects the local context and protects the character and appearance of designated heritage assets.
12. I have noted the varied height of the parapet enclosing the flat roof to No 17 Victoria Terrace. Each proposal must be considered on its individual merits and the existence and form of the roof terrace at No 17 does not persuade me that this proposal should be permitted, given the harm I have concluded.
13. I understand the Appellant's desire to achieve further and improved outdoor amenity space and the benefits that this would confer to the residents of the property, and that such improvements are supported in policy. However, these benefits would not outweigh the harm I have concluded under both of my main issues.
14. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

***L J Evans***

INSPECTOR

