

<u>No:</u>	BH2024/00477	<u>Ward:</u>	Rottingdean & West Saltdean Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	3 Westmeston Avenue Saltdean Brighton BN2 8AL		
<u>Proposal:</u>	Demolition of existing dwelling and erection of two storey replacement dwelling (C3) (part retrospective).		
<u>Officer:</u>	Steven Dover, tel:	<u>Valid Date:</u>	05.03.2024
<u>Con Area:</u>		<u>Expiry Date:</u>	30.04.2024
<u>Listed Building Grade:</u>		<u>EOT:</u>	
Agent:	EN Architects 171A Church Road Brighton BN3 2AB		
Applicant:	Singh 3 Westmeston Avenue Saltdean Brighton BN2 8AL		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

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

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

Plan Type	Reference	Version	Date Received
Location and block plan	002	C	21 February 2024
Proposed Drawing	160	G	21 February 2024
Proposed Drawing	150	H	21 February 2024
Proposed Drawing	170	C	21 February 2024
Proposed Drawing	006	B	21 February 2024
Proposed Drawing	161	E	21 February 2024

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

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with Policies DM20 and DM21 of Brighton & Hove City Plan Part 2.

3. The development hereby permitted shall incorporate at least 3 (three) swift bricks within the external walls of the development and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

4. The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development 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 DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.

5. At least one bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development

6. The residential dwelling hereby permitted shall not be occupied until it has been completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) and shall be retained in compliance with such requirement 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 DM1 of Brighton & Hove City Plan Part 2.

7. The hard surfaces within the landscaping 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 policies CP8 & CP11 of the Brighton & Hove City Plan Part One.

8. Prior to occupation of the development hereby permitted, a scheme for the landscaping and sustainable drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:

- a. details of all hard and soft surfacing to include type, position, design, dimensions and materials and any sustainable drainage system used;

- b. a schedule detailing sizes and numbers/densities of all proposed trees/plants including food-bearing plants and including details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period;
- c. details of all boundary treatments, including existing and proposed fencing to include type, position, design, dimensions and materials.

Any trees or plants within the site or directly adjacent to it on the north and west boundary 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.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area; to safeguard the residential amenities of local residents; and to comply with policies CP10, CP12 and CP13 of the Brighton & Hove City Plan Part One; and DM18, DM20, DM22, DM37 and DM43 of the Brighton & Hove City Plan Part Two.

- 9. Notwithstanding the proposal hereby permitted, the development hereby permitted shall not be occupied until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out and provided in full in accordance with the approved details prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policies CP8 of the Brighton & Hove City Plan Part One, DM21 of the Brighton & Hove City Plan Part Two, and WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

- 10. The residential unit development hereby approved shall not be operational until it has achieved as a minimum, an Energy Performance Certificate (EPC) rating 'B'.

Reason: To improve the energy cost efficiency of existing and new development and help reduce energy costs to comply with Policy DM44 of the Brighton & Hove City Plan Part Two.

- 11. The dwellinghouse hereby approved shall not be occupied until it has achieved a water efficiency standard of a minimum of 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 energy and water and to comply with policies SA6 and CP8 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. The applicant is advised that the application of translucent film to clear glazed panels does not satisfy the requirements of condition 2
3. Swift bricks/boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height of approximately 5 metres above ground level, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place where appropriate.
4. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.
5. The applicant should be aware that the site may be in a radon affected area. If the probability of exceeding the Action level is 3% or more in England and Wales, basic preventative measures are required in new houses, extensions, conversions and refurbishments (BRE2011). Radon protection requirements should be agreed with Building Control. More information on radon levels is available at <https://www.ukradon.org/information/ukmaps>
6. The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens'.
7. Where asbestos is found/suspected on site, it will fall under the Control of Asbestos Regulations 2012, overseen by the Health and Safety Executive. Further information can be found here: www.hse.gov.uk/asbestos.
8. The applicant is advised that Part L - Conservation of Fuel and Power of the Building Regulations 2022 now requires each residential unit built to have achieved a 31% reduction in carbon emissions against Part L 2013.
9. The applicant is advised under Part S of the Building Regulations that new dwellings providing a parking space now require an EV charging point.
10. The applicant is advised that Part O of Building Regulations 2022 has been introduced. This standard is aimed at designing out the need for mechanical air conditioning systems in dwellings that would otherwise be prone to overheating and limiting unwanted solar gains. There are optional methods to demonstrate compliance through the Building Regulations.
11. The applicant is advised that assessment under the CIBSE TM59 Thermal Model option should be submitted as part of a full Building Regulations application.
12. The applicant is advised that a formal application for connection to the public sewerage system is required in order to service this development. To initiate a

sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water.

The applicant is also advised to consult with the sewerage undertaker to agree a drainage strategy including the proposed means of foul water disposal and an implementation timetable. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk.

13. The water efficiency standard required 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.

2. SITE LOCATION

- 2.1. The application is part retrospective and relates to a pre-existing detached bungalow located on the western side of Westmeston Avenue in Saltdean, which has now been fully demolished, and works have commenced in respect of the proposed new dwelling. The pre existing bungalow was an L-shaped property with a hipped roof, and a modest flat-roofed extension on the northern side elevation creating a bedroom at the rear and garage to the front. It had an existing 'loft bedroom' created through a large dormer on the rear roof slope. Off street parking was provided with a concrete front driveway. It was finished in a mixture of red brick/off white render and white uPVC fenestration, with red/brown tiles to the roof.
- 2.2. The road, Westmeston Avenue, is characterised by a lack of uniformity in the design, style, scale of properties and plot sizes, with a mix of one and two storey residential houses. The rear of the application site backs onto farmland which forms part of the South Downs National Park, and the property is visible from within the park.
- 2.3. The site is not located in a conservation area or subject to any article 4 directions regarding extensions or alterations. The site does lie within an Archaeological Notification Area and policy DM31 therefore applies.

3. RELEVANT HISTORY

- 3.1. BH2023/02672 - Roof alterations and extension including raising the roof ridge height, erection of single storey front extension and two-storey rear extension. Widening of existing vehicle crossover. Approved at Planning Committee on 7 February 2024

7 Westmeston Avenue

- 3.2. BH2022/01280 - Erection of two-storey side and rear extension, alterations to fenestration, and associated works. Approved 18 July 2023

29 Westmeston Avenue

- 3.3. BH2022/02995 - Remodelling of the house and installation of facilities for wheelchair use including the installation of a lift and new staircase. Approved 27 October 2022
- 3.4. BH2021/03352 - Remodelling of the house and installation of facilities for wheelchair use including the installation of a lift and new staircase. Approved 23 November 2021

4. APPLICATION DESCRIPTION

- 4.1. As set out above the application is part retrospective as the former dwelling, which was on the site, has already been demolished and works have commenced in respect of building the proposed replacement dwelling.
- 4.2. The application seeks permission for the demolition of the former dwelling and erection of a two storey replacement dwelling (C3)
- 4.3. A previous, very similar application was approved at Planning Committee in February 2024 (ref. BH2023/02672) allowing the alteration and re-modelling of the pre-existing bungalow with a final form of development that is very close in appearance to that forming the current application. The agent advises the reason for the current application is that upon commencing works on site it was determined that the existing bungalow structure required complete demolition which was subsequently undertaken.
- 4.4. The plans submitted indicate that the changes from the previously approved application relate to amended windows and rooflights, with a change from the approved aluminium windows and doors to uPVC.
- 4.5. The approved application BH2023/02672 is still extant and was very recently approved so forms a material consideration in the determination of this application which is given significant weight. The principle of an almost identical form of development has already been found acceptable, albeit it can no longer be implemented as the bungalow has been removed.

5. REPRESENTATIONS

- 5.1. **Seven (7)** comments (including repeat comments) have been received from six (6) different interested parties objecting to the proposed development on the following grounds:
- Noise
 - Overdevelopment – too close to boundary

- Height
- Overshadowing / loss of daylight
- Not built as per the approved plans – disregard for planning rules
- Bungalow demolished
- Foundations deeper, but height the same
- Not a modular build
- Have not complied with enforcement notice – have continued to work
- Damage to fences from works
- Light survey incorrect as not being built in accordance with approved plans
- No party wall agreement in place before works commenced
- Different materials are being used from those approved
- Application form states no changes to existing hedges and trees, this is incorrect and leads to a loss of amenity
- No demolition notice served
- Concern re boundary walls and overlooking
- Damage to the highway from works

5.2. **Two (2)** comments (including repeat comments) have been received from two (2) different interested parties supporting the proposed development on the following grounds:

- Good design
- The rear windows would not increase overlooking
- No landscaping was required as part of the previous application
- Builders are polite and clean
- Broken pavement slabs would be replaced
- Build is not modular
- There is no visual difference between brick slips and bricks
- The applicant has carried out significant consultation with neighbours
- Applicant is being treated unfairly by neighbours

6. CONSULTATIONS

- 6.1. **County Archaeology:** Comment - previous application BH2023/02672
Based on available evidence, we do not believe that any significant archaeological remains are likely to be affected by this proposal.
- 6.2. **Brighton & Hove Archaeological Society:** Comment
Suggest County Archaeologist contacted for comment, due to finds in the area.
- 6.3. **Sustainable Transport:** Verbal Comment
There appears to be space for one vehicle to park on the hardstand without overhanging on the footway. Parking Standards SPD14 states a maximum of 1 car parking space for 3 - 4+ bedroom dwellings in outer areas. The proposed amount is within the maximum standards and therefore acceptable.
- 6.4. SPD14 requires a minimum of 2 cycle parking spaces for 3 - 4+ bedroom dwellings. The plans show cycle parking storage to the southern elevation for

two cycles. Further design details required, and we would therefore request a cycle parking scheme condition to be attached.

6.5. The proposed development is likely to increase the number of trips to the location however, those are unlikely to generate significant reason for objection.

6.6. **Southern Water: Comment**

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

6.7. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

7. MATERIAL CONSIDERATIONS

7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report.

7.2. The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016);
- Brighton & Hove City Plan Part Two (adopted October 2022);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- Shoreham Harbour JAAP (adopted October 2019).

8. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP1	Housing delivery
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP12	Urban design
CP13	Public streets and spaces
CP14	Housing density
CP19	Housing mix

Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
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DM3	Residential conversions and the retention of smaller dwellings
DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM22	Landscape Design and Trees
DM33	Safe, Sustainable and Active Travel
DM36	Parking and Servicing
DM37	Green Infrastructure and Nature Conservation
DM40	Protection of the Environment and Health - Pollution and Nuisance
DM42	Protecting the Water Environment
DM43	Sustainable Drainage
DM44	Energy Efficiency and Renewables

Supplementary Planning Document:

SPD06	Trees & Development Sites
SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards
SPD17	Urban Design Framework

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of development, the design and appearance of the proposal and the impact upon residential amenity.

Principle of development

- 9.2. As noted previously, the principle of the provision of a modernised house on this site has already been agreed through the grant of the previous permission (ref. BH2023/02672) with the present application resulting in only minor visible differences. In principle, therefore, the scheme has been found acceptable.

Design and Appearance:

- 9.3. As already noted, the bungalow that was on the site has been demolished which was not part of the previously-approved scheme which sought to alter and extend it. Although representative of current forms of development in the area, it was of no significant architectural merit and subject to a suitable replacement dwelling the loss is considered acceptable.
- 9.4. As was previously the case with the approved scheme, the proposed dwelling would be two storeys in height with a substantial dual gable ended roof scape and would have significant amounts of glazing to the front and rear with Juliette style balconies to the first floor front. It would have red brick on the ground floor and black timber cladding with Cedral fins at first floor. It would have brown tiles on the pitched roof areas and unlike the previous scheme, black uPVC (rather than aluminium) windows and doors, overall creating a contemporary appearance. It would follow the stepping-down of dwellings from north to south along this part of Westmeston Avenue, but with an increased ridge height of 0.98m more than the pre-existing bungalow.

- 9.5. The proposed dwelling would result in a substantial increase in the size, bulk and massing over the pre-existing property, and would have a much more modern design which would be visible in views along Westmeston Avenue but this has been accepted in the grant of the previous permission so it would be unreasonable to resist the present scheme on this basis.
- 9.6. The design and appearance of the new dwelling is considered to be acceptable and would not significantly harm the streetscene or appearance of the wider area, in accordance with policy DM18 of the Brighton and Hove City Plan Part 2 and SPD12 guidance.

Standard of accommodation

- 9.7. The 'Nationally Described Space Standards' (NDSS) were introduced by the Department for Communities and Local Government in 2015 to establish acceptable minimum floor space for new build developments. These space standards have now been formally adopted into the Brighton and Hove City Plan, within Policy DM1 of City Plan Part Two.
- 9.8. The Local Planning Authority considers both quantitative and qualitative issues raised with regards to the standard of accommodation for future occupiers.
- 9.9. There is no change to the standard of accommodation provided over that in the previously-approved scheme which was acceptable in terms of sufficient space being provided for future occupants, both inside and in external amenity space.
- 9.10. The new dwelling would be subject to a condition requiring that it is built in accordance with the Building Regulations Requirement M4(2) in the interest of equal accessibility.
- 9.11. It is therefore considered that the proposed dwelling would meet the needs of future occupiers and would be in compliance with Policies DM1, DM18 and DM20 of the City Plan Part Two.
- 9.12. On this basis the standard of accommodation for future residents is considered acceptable.

Impact on Residential Amenity:

- 9.13. A site visit has been carried out, which included internal and external access to the application property before it was demolished, and No.1 Westmeston Avenue to the south.
- 9.14. Crucially, there would be no change to the impact on neighbouring residents over that of the previously-approved scheme.
- 9.15. As previously, there would be some increased impact on the neighbouring properties, over the pre-existing bungalow with the height and bulk of the proposed dwelling increasing the enclosure and overshadowing of No.1 Westmeston Avenue. However, the footprint of the development would not extend past the rear of this property, it would be set back from the boundary with

a pitched roof form sloping away, and the majority of work being alongside the side elevations of the respective properties so the level of harm is not considered significant. There would be some loss of sky views and daylight from the northern kitchen windows, but the outlook would not be significantly diminished as the existing boundary between No.3 and No.1 currently has a high level close-boarded fence. The views and outlook to the west from the existing kitchen window of No.1 would remain unaltered. It is considered the multiple windows ensure sufficient light and outlook to the kitchen of No.1.

- 9.16. The proposed development would result in an increased impact on No.5 Westmeston Avenue with a significant increase in bulk and massing on the boundary due to the new roof, which is higher than the pre-existing bungalow extension. However, the garage of No.5 is located on the boundary, with the main dwelling set back nearly 4 metres from the boundary fence. The degree of overshadowing and overbearing is therefore limited, with the drop in land levels to No.3 also lessening the effects. The windows on the southern elevation of the ground floor will lose some views to the south, but the outlook that remains is considered acceptable.
- 9.17. A daylight and sunlight report has been provided which examines the proposed development and concludes, using BRE guidance, that the levels of light/sunlight would remain at an acceptable level to No.1 and No.5 Westmeston Avenue.
- 9.18. The development would result in an increase of overlooking from the rear first floor but is considered limited due to the size and design of the proposed bedroom windows, with the Cedral fins providing further oblique screening to the south west. The amount of rear first floor clear glazing is now comparable to the pre-existing bungalow situation (albeit located south of the pre-existing dormer position). The other proposed windows at the rear would be obscured glazed and non-opening below 1.7m in height, which would be secured by condition. The proposed roof light to the side elevation would be high level and serving the proposed stairwell, providing skyward views, and are not considered to cause any significant overlooking. The front facing windows and Juliet balconies would be looking over front garden areas and the highway towards development on the other side of the road so would cause little, if any harm to amenity due to the high levels of existing mutual overlooking at ground and first floor for properties on the avenue, which would remain.
- 9.19. It is therefore considered, with proposed conditions, that the proposed dwelling and works would not cause significant harm to amenity, in accordance with Policy DM20 of City Plan Part Two.

Landscaping

- 9.20. The proposed dwelling would have a revised front and rear garden with new terraced areas and planting, but no significant detail has been provided. It is considered reasonable and relevant for a condition to be attached requiring a landscaping plan to be submitted to approved by the LPA to ensure that the proposed planting and design is appropriate and of a sufficient quality for the new dwelling, with any potential improvements for biodiversity.

Other Matters

- 9.21. Objections have been raised in respect of the complete demolition of the property and commencement of development works onsite. These are noted and the Planning Enforcement Officers have been on site and advised the applicant that they are commencing works without planning permission and at their own risk. The fact that the works have already commenced, and the current application is partly retrospective, does not alter any of the determining factors in the current application or weigh negatively or positively against it. The applicant has the right to apply for retrospective planning permission.
- 9.22. Objectors have stated that the works have continued even though they have been told to stop by Enforcement Officers. This is not correct - no stop or cease notice has been served.
- 9.23. Objectors have stated that the building is not being developed in accordance with the approved plans (in reference to BH2023/02672). Enforcement Officers have visited the site and taken measurements and state that it appears to be built in accordance with plans approved under BH2023/02672, with the exception of the bungalow having been demolished which the present application seeks to rectify.
- 9.24. Comments have been made in relation to the methodology and calculations used for the daylight and sunlight report. The LPA has no reason to believe the methodology or conclusion is fundamentally flawed. The sources of information state that Ordnance Survey data and mapping and proposed drawings have been used to inform the report.

10. EQUALITIES

- 10.1. During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of the implications for those with protected characteristics namely age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication that those with any of these protected characteristics would be disadvantaged by this development.
- 10.2. The proposed development would provide level access to the front entrance, improving accessibility for those with mobility or visual impairments. A condition would be attached to ensure that it meets Building Regulations Requirement M4(2) in the interest of equal accessibility as it appears this could be accommodated within the available layout.

11. CLIMATE CHANGE/BIODIVERSITY

- 11.1. The Council has adopted the practice of securing minor design alterations to schemes with the aim of encouraging the biodiversity of a site, particularly with regards to protected species such as bumblebees and swifts. A suitably worded

pair of conditions will be attached to secure an appropriate number of bee bricks and swift bricks within the proposal in order to help meet the requirements of policies CP10 of the CPP1 and DM37 of the CPP2 as well as Supplementary Planning Document 11: Nature Conservation.

- 11.2. The proposed solar panels to the southern roof slope would lessen reliance on unsustainable forms of energy production and are welcomed.

12. COMMUNITY INFRASTRUCTURE LEVY & DEVELOPER CONTRIBUTIONS

- 12.1. Under the Regulations of the Community Infrastructure Levy (CIL) 2010 (as amended), Brighton & Hove City Council adopted its CIL on 23 July 2020 and began charging on all CIL liable planning applications on and from the 5 October 2020.
- 12.2. The development is considered liable for CIL on the whole of the new residential floorspace created, as the self-build exemption cannot be utilised as works have commenced without permission, and the existing dwelling (residential floorspace) has been demolished and ceased to exist. The exact amount will be confirmed in the CIL liability notice which will be issued as soon as is practicable after the issuing of planning permission.

