

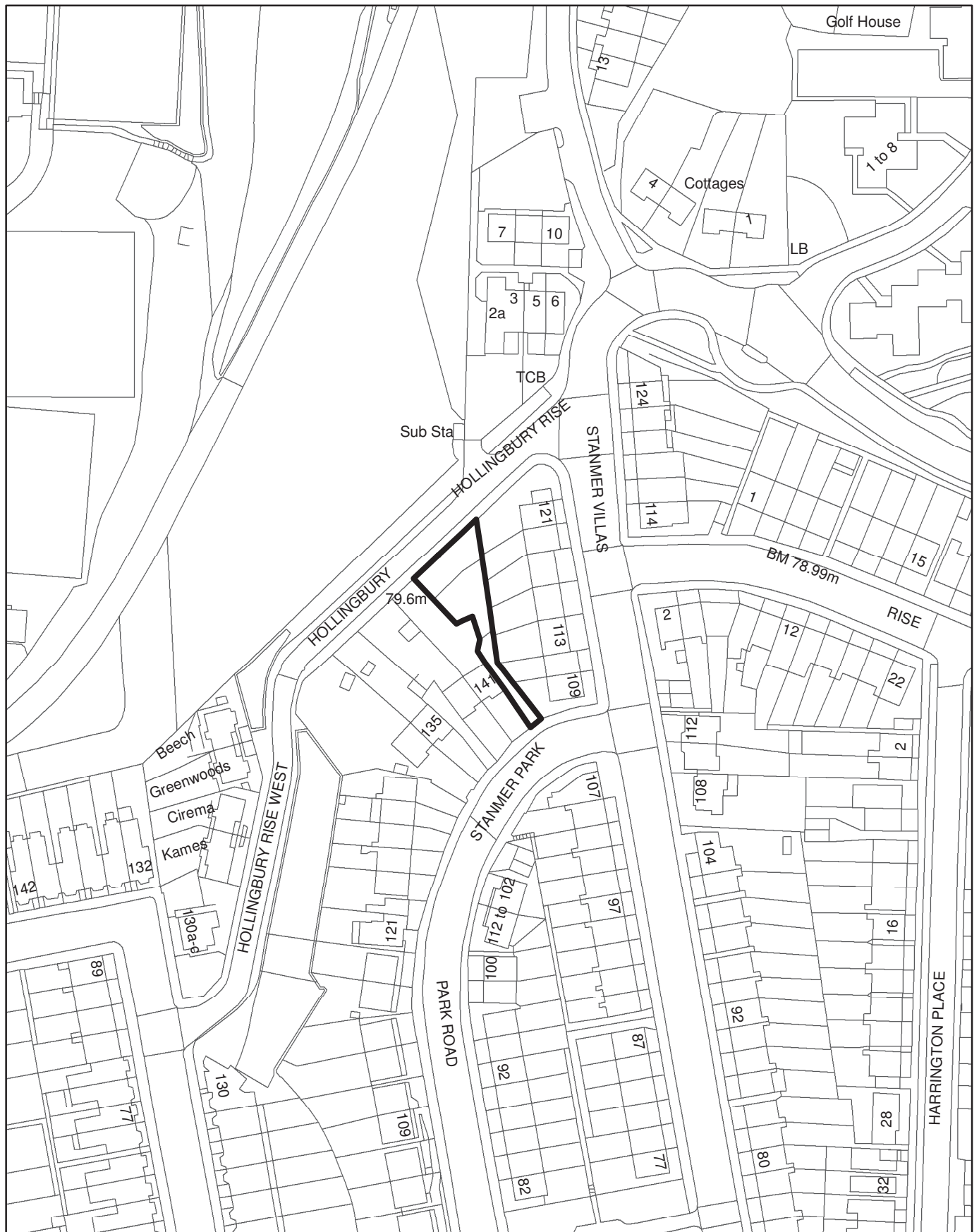
# **ITEM F**

**Land to Rear of 141 Stanmer Park Road,  
Brighton**

**BH2013/01296  
Full Planning**

**28 AUGUST 2013**

# BH2013/01296 Land to Rear of 141 Stanmer Park Road, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2013/01296</b>	<b><u>Ward:</u></b>	<b>HOLLINGDEAN &amp; STANMER</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Land To Rear of 141 Stanmer Park Road Brighton.</b>		
<b><u>Proposal:</u></b>	<b>Erection of 1no two bedroom detached dwelling.</b>		
<b><u>Officer:</u></b>	Liz Arnold Tel 291709	<b><u>Valid Date:</u></b>	03/05/2013
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	28 June 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Building Solutions Consultants Ltd, 96 Church Road, Hove, BN3 2EB		
<b><u>Applicant:</u></b>	Mr Daniel Barker, 96 Church Road, Hove, BN3 2EB		

This application was deferred by Planning Committee to allow a site visit to take place.

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to land to the rear of properties on Stanmer Park Road and Stanmer Villas. The site adjoins the rear garden areas of 141 Stanmer Park Road and 109, 117, 119 and 121 Stanmer Villas. Access to the site is gained via a pathway/driveway located between 141 Stanmer Park Road and 109 Stanmer Villas. It would appear that the land was formerly linked to 117 Stanmer Villas Road.
- 2.2 The northern section of the site comprises a steep slope, which is located adjacent to Hollingbury Rise West, as a result of the topology of the area.

## 3 RELEVANT HISTORY

### Land to the rear of 141 Stanmer Park Road

**BH2013/02419** - Application to extend time limit for implementation of previous approval BH2009/03177 for erection of a 2 storey residential dwelling to the rear of 141. Concurrent Application.

**BH2009/03177** - Erection of a 2 storey residential dwelling to the rear of 141. Approved 22/09/2010.

**BH2009/00531** - Erection of a 2 storey residential dwelling to the rear of 141. Refused 11/05/2009.

### 141 Stanmer Park Road

**BN75.896** – Erection of a detached garage to the rear of the existing premises. Granted 13.05.1975

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the erection of a single storey two bedroom detached dwelling, on land to the rear of 141 Stanmer Park Road, which is accessible via a driveway along side this neighbouring property.

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

##### **External**

- 5.1 **Neighbours: Six (6) letters of representation have been received from 111, 113, 117, 119, 121 Stanmer Villas and 141 Stanmer Park Road objecting to the application for the following reasons:**

- The size and appearance of the development is not suitable for the area,
- Increase in noise and disturbance from comings and goings of extra traffic and late night use,
- Overshadowing,
- Overlooking and loss of privacy,
- Proposal for another property in such a close proximity is too congestive and access to the site is very limited,
- 7 trees will be removed aligned along Hollingbury Rise West which will cause irreversible damage to the road leading to Hollingbury Park Avenue. 11 out of the 13 trees on the plot have long term preservation orders. The works that are detailed in the Arboricultural report dated 2009 are contradictory to those preservation orders.
- Land was sold with understanding that plot would not be developed, was sold for storage of a boat,
- In last 6 years site has not been maintained, in this time the area has increased substantially in wildlife activity,
- Development would be intrusive to neighbouring properties,
- The removal of trees would leave neighbours wide open to Hollingbury Rise West, which is a busy road meaning more noise and pollution normally absorbed by the trees,
- The development would encroach on rights of way, impinging legal rights,
- The lane and land is too small to service further use,
- Access to the property is not safe, cars would be driving too close to existing properties and would be dangerous to pedestrians traversing the pavement in Stanmer Road,
- The new dwelling will substantially alter the current landscape of the area, which will include the removal of several established old trees which provide a haven of greenery in the summer months,
- When the property is built/access route resurfaced the new structure will decrease the rate of permeability for the area significantly altering the hydrography of the area, and
- When shared access way is upgraded to asphalt or concrete this will increase the maintenance costs for drainage/sewerage system.

- 5.2 **115 Stanmer Villas, comments on the scheme and advises whilst there are no objections to the current or previous application per se there are some concerns regarding the rear access and neighbouring right of way, which is included in house deeds, from rear garden gates during construction and longer term. Seek**

assurance that this access will be maintained at all times during construction and long term. The necessary construction operations will require deep drainage construction as it is proposed to provide main sewer and unless pumped this will need to be located on the access way. There will obviously be significant construction material deliveries and waste removal by vehicles. Would like clarification on the trees to be removed as discrepancies in report, does not object to the removal of trees 4, 5, 8, 10, 11, 12, and 13.

5.3 **107B Stanmer Villas**, has no objections but would like to see conditions added for construction hours.

5.4 A **petition** signed by **25 signatories** objecting to the application on the grounds that:

- The proposed site is not suitable for the area,
- The appearance and size of a new building is inappropriate and insensitive,
- Adjoining residents will suffer overshadowing, overlooking and loss of privacy,
- There will be a large increase in noise and disturbance,
- New and existing roadways will be unsafe for pedestrians and other road users, and
- The removal of a number of trees with Tree Preservation Orders in place is unacceptable for development purposes.

5.5 **Councillor Lepper**, objects to the application - letter attached.

5.6 **County Ecologist**: The level of the submitted Bat Survey is sufficient. There was no evidence of roosting bats within the survey area. A visual check for bats by a competent climbing arborist (with suitable experience) is still required.

**Internal:**

5.7 **Access Officer**:

(Original comments 20/05/2013) Comments that the required 300mm leading edge clearance is absent on the entrance door and the bedroom 1 door. Confirmation is required of the provision of floor drainage for a future level entry shower.

5.8 (Additional comments 12/06/2013 following receipt of amended drawings) The amendments are fine.

5.9 **Arboriculturist**: No objection subject to suitable conditions being attached to any planning consent granted regarding tree protection and landscaping.

5.10 **Environmental Health**: No comment.

5.11 **Sustainable Transport**: Recommends approval, the Highway's comments from the previous application (BH2009/031777) still stand. There are no objections to the application subject to conditions relating to cycle parking details and a vehicle turning table and an informative relating to a vehicle crossover.

## 6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## 7 RELEVANT POLICIES & GUIDANCE

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods

## PLANNING COMMITTEE LIST – 28 AUGUST 2013

QD3	Design – efficient and effective use of sites
QD5	Design – street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD27	Protection of Amenity
QD28	Planning obligations
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

### Planning Advice Note

PAN05	Design Guidance for the Storage and Collection of Recyclable Materials and Waste
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### Supplementary Planning Guidance:

SPGBH4	Parking Standards
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### Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development

### Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 In the determination of the application the main issues for consideration are the principle of the development, secondly the design and visual amenity impacts upon the Stanmer Park Road and Hollingbury Rise West street scenes and the wider area, thirdly the impacts upon the amenities of neighbouring properties, fourthly sustainable issues, fifthly transport issues and finally the adequacy of living conditions for future occupiers.

### **Principle of Development:**

- 8.2 There is an extant consent BH2009/03177 for a dwelling on this site. This previous permission is unimplemented and is due to expire in September 2013. Therefore there is no objection to the principle of the development.

### **Design and Visual Amenities Impact:**

- 8.3 Policies QD1, QD2 and QD3 set out the design criteria for applications of this nature. Although policies discourages the replication of existing styles and pastiche design, unless a development proposal is within an area featuring a distinctive historic style of architecture the design policies require proposals to make an efficient and effective use of the site, contributing positively to the visual quality of the environment, addressing key principles for the



neighbourhoods in terms of height, scale, bulk and design whilst providing an interesting and attractive street frontage where appropriate. As such, a residential redevelopment of the site would not be resisted in principle, but must be carefully assessed and considered in respect of the areas set out below.

- 8.4 The site to which the application relates is located to the rear of 141 Stanmer Park Road and nos. 109 to 121 Stanmer Villas. The southern most elevation of the proposed dwelling would be set back from Stanmer Park Road by approximately 33m.
- 8.5 Except for a slight extension on the south-eastern side, the footprint of the dwelling now proposed is the same as the previously approved ground floor level and would accommodate the provision of two bedrooms, a living room/dining room, a kitchen and bathroom across one floor level.
- 8.6 The proposed dwelling would have a footprint of approximately 8m by 8m although the south-eastern most corner would be set in from the rest of the southern elevation by approximately 0.9m. In the previously approved application this set back was approximately 3.1m to accommodate the provision of a light well to the lower ground floor.
- 8.7 The main entrance to the dwelling would be located within the south-western elevation. Full height bi-folding glazed doors would be inserted in the north-western and south-eastern elevations in relation to the proposed living/dining room and the two bedrooms. Windows would also be inserted within the south-eastern and south-western elevations in relation to the proposed kitchen and bathroom areas.
- 8.8 The proposed flat roof would include a parapet feature with a height which exceeds the flat roof by approximately 0.3m.
- 8.9 As part of the application a plan has been submitted which shows that the internal floor level of the proposed dwelling would have an Ordnance Survey Datum (OSD) height of 74.8m whilst the parapet of the roof would be 77.8m OSD. The submitted plan also shows that the eaves of no. 141 Stanmer Park Road are located 80.4m OSD whilst the pavement level of Hollingbury Rise West, located to the north of the site measures 80.3m OSD.
- 8.10 Due to the design of the proposed dwelling and the existing urban form of nos. 109 to 121 Stanmer Park Villas and 141 Stanmer park Road the proposed dwelling would not be easily viewable from within Stanmer Park Road or Stanmer Park Villas. Hollingbury Rise West is set at a much higher level than the site due to the topography of the area. Although some trees along the northern boundary of the site would be removed to accommodate the proposal, an issue discussed in more detail below, it is not considered that the proposed dwelling would be highly visible from within this northern neighbouring street scene. Overall the proposed modern design is considered appropriate in this location which would not compromise the quality of the local environment.



**Living Conditions for Future Occupiers:**

- 8.11 Policy HO5 requires new residential development to provide adequate private and usable amenity space for occupiers, appropriate to the scale and character of the development. The proposed 2 bedroom dwelling would have sole use of the rest of the plot surrounding the property, which would be landscaped. This proposed external amenity space is of a size considered to be acceptable for the scale and character of the development.
- 8.12 Policy HO13 requires new residential dwellings to be built to Lifetime Homes Standards, which enables units to be adapted at a later date to meet the changing needs of occupants, without the need for major structural alterations. There are sixteen standards relating to Lifetime Homes and as the proposal is for a new build development all of the standards must be incorporated into the design (except the standard relating to communal staircases and lifts). A comprehensive Lifetime Homes Checklist has been submitted as part of the application setting out how the proposal would comply with all the relevant Lifetime Homes Standards. Since submission of the application the floorplans have been amended to address issues raised by the Council's Access Officer, with regards to a 300mm leading edge clearance to the main entrance door and the door of bedroom 1 and confirmation that floor drainage would be provided for a future level entry shower. It is recommended that a condition is attached to an approval to ensure full compliance with policy HO13.

**Impact Upon Amenities of Neighbouring Properties:**

- 8.13 The proposed dwelling will be located to the rear of 141 Stanmer Park Road and nos. 109 to 121 Stanmer Villas. The main entrance to the dwelling will be in the west elevation.
- 8.14 The orientation of the property results in the proposed south facing glazed folding doors, which relate to bedroom 2, facing along the proposed access route.
- 8.15 No windows are proposed which would face towards the neighbouring properties located along Stanmer Park Villas.
- 8.16 The proposed full height glazed doors which would be installed in the north-west facing elevation of the new dwelling would face onto the garden area and beyond towards the boundary with Hollingbury Rise West, which is set at a higher level.
- 8.17 Due to the single aspect of the proposed dwelling and the and the existing treatments on all boundaries of the site, namely standard height solid garden fencing and a brick built structure to the rear of 141 Stanmer Park Road, it is not considered that the development will have a significant adverse impact upon the amenities of the neighbouring properties with regards to overlooking, loss of privacy, overshadowing or loss of sunlight/daylight.

**Sustainability Issues:**

- 8.18 Policy SU2 and SPD08 seeks to ensure that development proposals are efficient in the use of energy, water and materials. Proposals are required to

demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design.

- 8.19 As previously stated the proposal is considered to constitute a Greenfield development. In order to comply with SPD08 the proposed new dwelling should be constructed to Code for Sustainable Homes Level 5. Since submission of the application an amended Sustainability Checklist has been submitted in which it is stated that the proposed dwelling would be constructed to Code for Sustainable Homes Level 5. It is also stated within the Checklist that the development would include measures such as the use of locally sourced materials, timber certified from sustainable sources, re-used/recycled materials, the provision of rain water butts and an air source heat pump. A condition should be attached to any approval to ensure that the development is constructed to Level 5.
- 8.20 Policy SU2 of the Brighton & Hove Local Plan requires all new developments to make provision for adequate refuse and recycling facilities. The plans submitted show the provision of refuse and recycling storage along part of the eastern boundary of the site, within the proposed rear garden amenity space. It is recommended that a condition is attached to any approval to ensure the provision of such facilities.

**Transport Issues:**

- 8.21 Policy TR1 requires new development to address the demand for travel which the proposal will create and requires the design of the development to promote the use of sustainable modes of transport on and off site, so that public transport, walking and cycling are as attractive as use of a private car. Policy TR7 requires that new development does not increase the danger to users of adjacent pavements, cycle routes and roads. Policy TR14 requires the provision of cycle parking within new developments, in accordance with the Council's minimum standards as set out in SPGBH4. Policy TR19 requires development to accord with the Council's maximum car parking standards, as set out in SPGBH4.
- 8.22 The site is located outside of the City's controlled parking zones and free on-street parking is provided within the vicinity of the site.
- 8.23 A driveway is located along the side of 141 Stanmer Park Road, which the applicant intends to use for both pedestrian and vehicular access to the new dwelling. In association with the new dwelling, one off-street parking space would be provided.
- 8.24 A car turntable was proposed within the approved application BH2009/03177 to address concerns raised in application BH2009/00531. The installation of a car turntable is retained in the current application, which would allow one vehicle at a time to enter and leave in a forward gear.
- 8.25 Plans submitted as part of the application show the provision of cycle storage adjacent to the eastern boundary of the site. It is recommended that a condition is attached to ensure that such facilities are provided.

- 8.26 It is acknowledged that third party letters of objection refer to the fact that some neighbours have access rights to some of the land and raise concerns regarding impacts that the proposal would have upon use of this right; however such issues are civil matters and therefore are not material planning considerations. With regards to comments regarding the resurfacing of this access the plans submitted do not indicate any intention to resurface the access driveway. However under Class F of the Town and Country Planning (General Permitted Development) Order 2008 the applicant/developer could resurface the driveway without planning permission subject to the surface being made of porous material or provision being made for direct run-off to permeable/porous areas if the area exceeds 5m<sup>2</sup>.

**Landscaping:**

- 8.27 Thirteen of the trees located within the site boundary are covered by a Tree Preservation Order. The applicant intends to remove seven of these existing trees for reasons of sound Arboricultural Management or as the trees are of low quality and value. The Council's Arboriculturist is in full agreement with the Arboricultural Report submitted as part of the application. However, if approved, it is recommended that conditions should be attached for the protection of the retained trees during construction works and the submission of a landscaping scheme, additional to the landscaping shown on the plans submitted, to mitigate the loss of seven trees.

**Bats:**

- 8.28 Since submission of the application an up-to-date Bat Survey has been submitted in which it is stated that no evidence of bat activity at the site was found and that there is limited potential for roosts in the trees within the site. It is however recommended by the County Ecologist that, as with the 2009 application, a visual check by a competent climbing arborist is carried out and that a suitably qualified bat surveyor should be available on site when the trees proposed for removal are felled. It is recommended that a condition is attached requiring such action.

**9 CONCLUSION**

- 9.1 The development would make efficient and effective use of the site. Its height, design and bulk would relate well to that of other properties within the vicinity of the site and would not compromise the quality of the local environment. The standard of accommodation provided is considered acceptable and adequate private usable amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, waste management, parking standards and refuse and recycling storage. In addition it is deemed that the new residential property would not have a significant adverse impact upon the amenities of neighbouring properties.

**10 EQUALITIES**

- 10.1 The development would be required to comply with all reasonable Lifetime Homes criteria and to meet Part M of the Building Regulations.

**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 and Block Plans	AL-100	-	24 <sup>th</sup> April 2013
Proposed Ground Floor Plan	AL-101	Rev. B	26 <sup>th</sup> June 2013
Proposed Roof Plan	AL-102	Rev. A	26 <sup>th</sup> June 2013
Proposed South and East Elevations and Sections	AL-103	Rev. A	27 <sup>th</sup> June 2013
Proposed North and West Elevations	AL-104	-	24 <sup>th</sup> April 2013
Proposed Site Sections	AL-105	-	24 <sup>th</sup> April 2013
Existing Site Plan	AL-106	-	3 <sup>rd</sup> May 2013

- 3) No extension, enlargement, alteration or provision within the curtilage of the dwellinghouse hereby approved as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.  
**Reason:** The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed within the eastern or southern elevations of the dwellinghouse hereby approved without planning permission obtained from the Local Planning Authority.  
**Reason:** To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.
- 5) Access to the flat roof over the dwellinghouse hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

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

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

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

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

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

#### 11.2 Pre-Commencement Conditions:

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

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

- 9) No residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves Code level 5 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

- 10) No works to trees on the site shall take place until a visual check for bats has been carried out by a competent climbing arborist in accordance with the recommendation set out in the RW Green Limited Bat Survey, submitted on 17 July 2013. Tree felling shall only take place when a suitably qualified bat surveyor is available on site in accordance with the recommendation set out in the RW Green Limited Bat Survey.

**Reason:** To mitigate any impact from the development hereby approved on the ecology and biodiversity of the site and to comply with Policy QD17 of the Brighton & Hove Local Plan.



- 11) No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.  
**Reason:** To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.
- 12) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, boundary treatments, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.  
**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

11.3 Pre-Occupation Conditions:

- 13) 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.
- 14) 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.
- 15) The residential unit hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.  
**Reason:** To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.
- 16) The development shall not be occupied until the parking area has been completed and the vehicle turning table has been installed and is fully operational in accordance with the approved plans. The parking area and

vehicle turning table shall thereafter be retained and shall not be used other than for the parking and turning of motor vehicles.

**Reason:** To ensure the safety of persons and vehicles entering and leaving the access and entering/leaving the public highway and to comply with policy TR7 of the Brighton & Hove Local Plan.

11.4 Informatives:

- 1) In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
- 2) The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website ([www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)).
- 3) The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)), on the Department for Communities and Local Government website ([www.communities.gov.uk](http://www.communities.gov.uk)) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website ([www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.
- 4) This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-

The development would make efficient and effective use of the site. Its height, design and bulk would relate well to that of other properties within the vicinity of the site and would not compromise the quality of the local environment. The standard of accommodation provided is considered acceptable and adequate private usable amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, waste management, parking standards and refuse and recycling storage. In addition it is deemed that the new residential property would not have a significant adverse impact upon the amenities of neighbouring properties.



Development Control  
Hove Town Hall  
Norton Road  
Hove

For the attn: Liz Arnold.

15<sup>th</sup> May 2013

**Planning Application No. BH 2013/01296 : Land to the rear 141 Stanmer Park Road, Brighton.**

I would like to register my objection to the above application for the development of a two bedroom dwelling on this site. This small plot of land lies behind properties in Stanmer Park Road and Stanmer Villas and such a development would have a detrimental impact on these properties. They would suffer overshadowing and loss of privacy. There are also access problems which would also impact on neighbouring houses.

I also understand that for this development to proceed it would mean that several mature trees would have to be felled, many of them having tree preservation orders. The land is on an incline and the steep road at the back, Hollingbury Rise West, could also be adversely affected if this application is approved.

Please can you place this letter before the Planning Committee when it come to consider this application.

Jeane Lepper

Councillor, Hollingbury and Stanmer.