

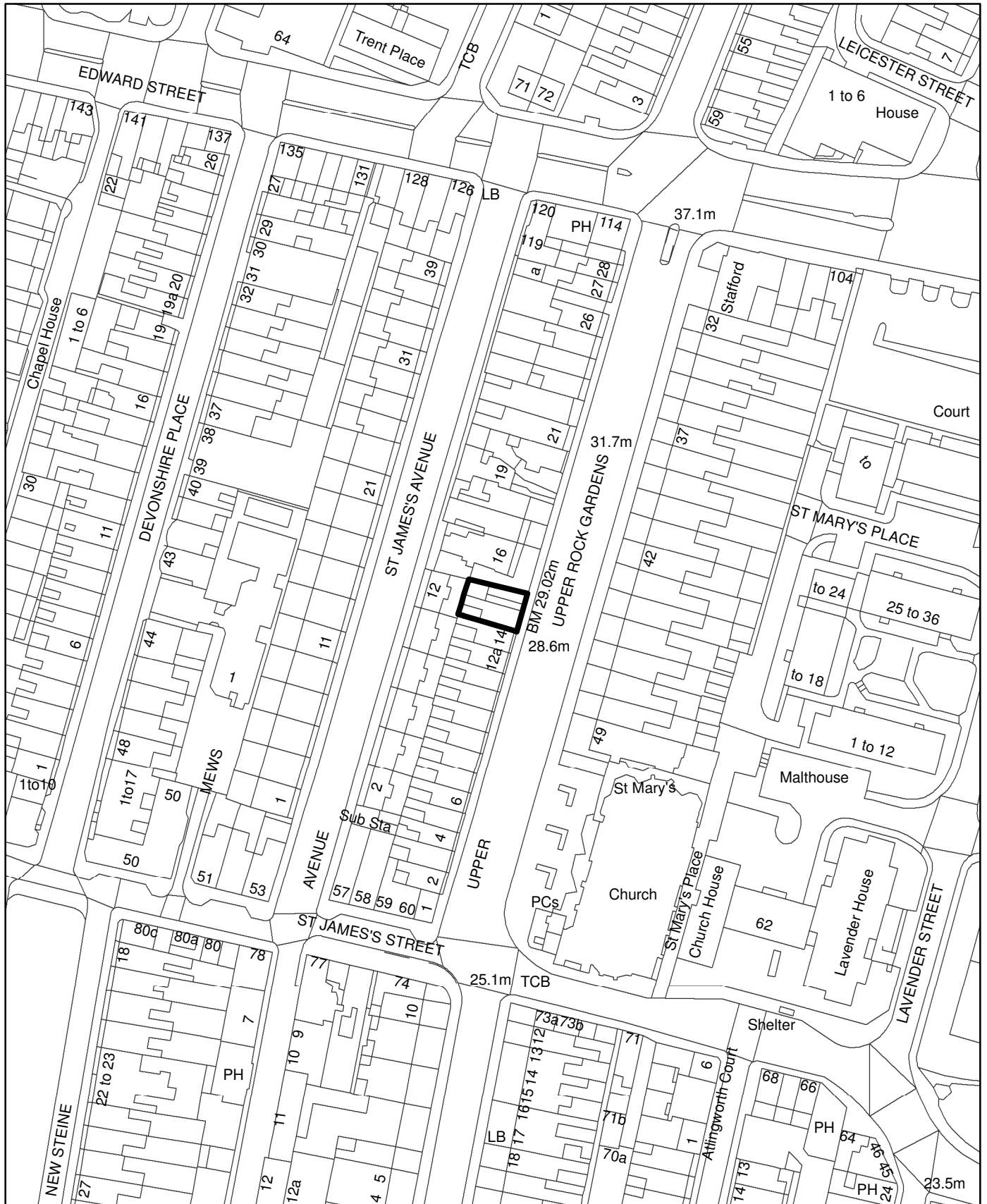
ITEM E

15 Upper Rock Gardens, Brighton

BH2014/00645
Full planning

08 OCTOBER 2014

BH2014/00645 15 Upper Rock Gardens, Brighton



**Brighton & Hove
City Council**



Scale : 1:1,250

<u>No:</u>	BH2014/00645	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	15 Upper Rock Gardens Brighton		
<u>Proposal:</u>	Erection of 1no two storey one bed house to side/rear of 15 Upper Rock Gardens.		
<u>Officer:</u>	Paul Earp, tel: 292454	<u>Valid Date:</u>	26 February 2014
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	23 April 2014
<u>Listed Building Grade:</u>	Grade II		
<u>Agent:</u>	Graham Johnson Designs, 134 Hollingbury Road, Brighton BN1 7JD		
<u>Applicant:</u>	David Beckley, 29 St Andrews Mews, Wells BA5 2LB		

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 be **MINDED TO GRANT** planning permission subject to the receipt of satisfactory amended plans and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application is for the development of part of the garden of 15 Upper Rock Gardens. The property is a 5 storey end of terrace building which forms a House in Multiple Occupation (HMO), is Grade II listed and within the East Cliff Conservation Area.
- 2.2 The property has a garden to its north side which is approximately 4m wide x 15m which is slightly raised from the path and contains shrubs/hedge and a hard surface with outdoor furniture. The entrance to the existing house is situated within the north elevation facing the garden.

3 RELEVANT HISTORY

BH2014/00646 Listed Building Consent for the erection of 1no two storey one bed roomed house to side/rear of 15 Upper Rock Gardens. This is a tandem application in conjunction with this full planning application and is still under consideration.

BH2012/01816 Erection of 1no two storey one bed house to side/rear of 15 Upper Rock Gardens Brighton – full planning application refused 16/08/2012. There were three reasons for refusal, which were as follows:

1. Having regard to the lower window levels, the smaller storey heights and the overall height, the proposed extension to form a new dwelling would not respect the form and detail of the existing building. The position of the proposed front entrance in close proximity to the entrance portico of 15 Upper Rock Gardens would further add to the uncomfortable

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relationship between the existing building and the proposed dwelling. The proposal results in a negative impact on the character and appearance of the listed building. The scheme is therefore considered contrary to policies HE1 and HE6 of the Brighton & Hove Local Plan.

2. Policy QD27 of the Brighton & Hove Local Plan states that planning permission will not be granted for development that would cause material nuisance and loss of amenity to proposed, existing or adjacent users. The proposed development, by virtue of its overbearing height and its close proximity to 12 St. James's Avenue and 16 Upper Rock Gardens, would serve to significantly oppress and enclose the outlook to neighbouring residents, contrary to the above policy.
3. The proposed loss of the existing raised garden that serves as amenity space for residents at 15 Upper Rock Gardens would be detrimental to the existing and future occupiers of the building. For this reason the proposal is considered contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

The applicant subsequently appealed the decision and the appeal was dismissed in October 2013.

BH2012/01817 Erection of 1no two storey one bed house to side/rear of 15 Upper Rock Gardens Brighton – listed building consent was refused on the following ground on the 08/08/2012:

1. Having regard to the lower window levels, the smaller storey heights and the overall height, the proposed extension to form a new dwelling would not respect the form and detail of the existing building. The position of the proposed front entrance close to the entrance portico of the existing portico would further add to the uncomfortable relationship between the existing building and the proposed dwelling. The proposal results in a negative impact on the character and appearance of the listed building. The scheme is therefore considered contrary to policy HE1 of the Brighton & Hove Local Plan.

The appeal was subsequently allowed in October 2013.

BH2011/03873 Removal of rear fire escape at second and third floor levels – approved 13/02/2012

BH2006/01111 Formation of bedsit unit in roof space with proposed rear dormer and installation of velux roof light. New window to north elevation – refused 17/10/2006

BH2004/01101/LB Internal alterations to form 5 self-contained flats. Demolition of existing rear extensions. Six-storey side extension to create identical building to form 5 self-contained flats. Six-storey rear extension and two rear dormers – refused 02/06/2004 (Appeal dismissed 02/03/2005)

BH2004/01100/FP Internal alterations to change use of building from existing studio flats and HMO to form a total of 5 self-contained flats. Six storey side extension to create identical building to form 5 self-contained flats. Six-storey rear extension and two rear dormers – refused 04/06/2004 (Appeal dismissed 02/03/2005)

BH1999/02307/LB 5 Storey rear extension to provide new shower/w.c.

accommodation for 8 existing bedsit flats and 2 existing studio flats plus provision of 1 new studio flat. Demolition of existing extension – approved 02/12/1999

BH1999/02304/FP 5 storey rear extension to provide new shower/w.c accommodation for 8 existing bedsit flats and 2 existing studio flats plus provision of 1 new studio flat. Demolition of existing extension – approved 02/12/1999

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a two storey, one bedroomed house within the garden of 15 Upper Rock Gardens. The building would be attached to the side (north) elevation of the existing 5 storey building, and incorporates a small part of the existing building within the outrigger to form the kitchen to the proposed dwelling.

The proposal consists of:

- Removal of the existing single storey timber shed/store.
- Erection of a two storey structure to form a one bedroomed house, set back 6.1m from the front elevation of the existing house and to extend (in part) to the rear boundary of the site.
- Property to be maximum of 6.4m wide x 7.1m deep x 5.8m in height.
- Layout: Ground floor – living room/dining room, kitchen, w.c, floor area approximately 28m² floorspace. First floor – bedroom, bathroom - 21m² floorspace. Total floorspace 49m².
- Detailing:
Front elevation: segmental bay with timber framed sliding sash windows at ground and first floor levels, panelled front door with recessed dummy window panel above at first floor level, cornice to parapet wall at roof level.
Rear elevation: mono-pitched roof with rooflight in lower portion, to be obscure glazed and fixed shut. French doors to patio.
- Materials: walls – rendered, roof – dark grey slates, windows/doors – painted soft wood.
- Amenity space: rear patio area 4m².

Existing building:

- Rear area of outrigger at ground floor level, 2.0m x 3.3m deep, currently forming store and laundry room, to be incorporated into proposed dwelling, to form kitchen.
- Provision of timber framed rooflight within mono-pitched roof to outrigger to proposed kitchen.

This application is accompanied with Listed Building Consent application BH2014/00646.

5 PUBLICITY & CONSULTATIONS

External:

- 5.1 **Neighbours: Thirteen (13)** letters of representation have been received from the occupiers of **140 Marine Parade; 12 St James's Avenue; 12, 14, 16**

(flats 2, 3, 4), 17, 27, 33, 34, 45, 47 Upper Rock Gardens objecting to the application for the following reasons:

- The site is the garden of a Grade II Listed Building within a Conservation Area. A modern house in its garden, a very small piece of land, which adjoins a listed property is inappropriate and detrimental to the setting of the Listed Building and Conservation Area.
- An overdevelopment of the site. No need to cram a house on this site. There is very little space without building a house.
- The height of the building and proximity to northern and western boundaries would significantly overshadow adjacent properties and gardens.
- Loss of light and privacy to adjoining properties.
- Fails to provide for disabled and elderly.
- Character of the existing building will be lost with external changes visible from the street.
- Disturbance due to increase of people living at the same building.
- Loss of trees.
- Development will cause more parking problems.
- Foundations of the proposed building will damage the footings of boundary wall to 12 St James's Avenue.
- Disturbance during construction, with difficulties from deliveries with trucks blocking roads, pavements, reducing parking.

5.2 **CAG:** Recommend approval of the application. CAG made no objection to the previous scheme and noted that the previous listed building application had been approved on appeal and that this application is for minor amendments.

Internal:

5.3 **Heritage:** No objection. This is a Grade II Listed Building in the East Cliff Conservation Area and is part of a mixed terrace which displays a range of historic detailing. This application takes a very similar form to the proposal under application BH2012/01817 and /01816, the heritage aspects of which were dismissed by the planning inspector. It is therefore not proposed to object to this application however the details of materials, cornice profile, window and door joinery etc are all very important for a successful result and as inadequate information has not been provided; details should be sought by condition.

5.4 **Environmental Health:** No comment.

5.5 **Access Officer:** The internal layout has been amended to take into account detailed comments to meet Lifetime Homes Standards.

5.6 **Sustainable Transport:** No objection. Any approval should be subject to a condition to provide adequate cycle parking provision.

6 MATERIAL CONSIDERATIONS

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any

determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities

HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in housing schemes
HO7	Car free housing
HO9	Residential conversions and the retention of smaller dwellings
HO13	Accessible housing and lifetime homes
HE1	Listed buildings
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 This application is subsequent to the refusal of application BH2012/01816 for the erection of a two storey one bedroomed house, and the tandem listed building application BH2012/01817, in August 2012. Both refusals were appealed with the listed building application granted at appeal and the planning application dismissed in October 2013.
- 8.2 The planning application was refused for the following reasons:
1. Having regard to the lower window levels, the smaller storey heights and the overall height, the proposed extension to form a new dwelling would not respect the form and detail of the existing building. The position of the proposed front entrance in close proximity to the entrance portico of 15 Upper Rock Gardens would further add to the uncomfortable relationship between the existing building and the proposed dwelling. The proposal results in a negative impact on the character and appearance of the listed building. The scheme is therefore considered contrary to policies HE1 and HE6 of the Brighton & Hove Local Plan.
 2. Policy QD27 of the Brighton & Hove Local Plan states that planning permission will not be granted for development that would cause material nuisance and loss of amenity to proposed, existing or adjacent users. The proposed development, by virtue of its overbearing height and its close proximity to 12 St. James's Avenue and 16 Upper Rock Gardens, would serve to significantly oppress and enclose the outlook to neighbouring residents, contrary to the above policy.
 3. The proposed loss of the existing raised garden that serves as amenity space for residents at 15 Upper Rock Gardens would be detrimental to the existing and future occupiers of the building. For this reason the proposal is considered contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

- 8.3 The appeal decision is a material consideration in the determination of this application. The decision letter states the main issues to be the effect of the proposal on the significance of the Listed Building and its setting within the East Cliff Conservation Area, and the effect of the development on the living conditions of neighbouring occupiers, with particular regard to outlook and amenity space. The appeal decision concluded that the formation of a new dwelling in this sustainable urban location would not adversely affect the Listed Building or its setting, nor the character and appearance of the East Cliff Conservation Area. The Inspector did, however, raise concerns in respect of the siting of the building and concluded that the height of the proposed house would have impaired the outlook and enjoyment of the amenity space of a neighbouring dwelling and would leave the host building with inadequate amenity space, contrary to development plan policies.
- 8.4 To overcome the previous reasons for refusal the proposal has been amended by:
- Reducing the height of the building by substituting a pitched roof with a mono-pitch. The proposed height of the front parapet wall remains the same, but the overall height of building at the rear has been reduced from 6.1m to 4.8m.
 - Within the rear elevation, the two windows proposed at first floor level on the refused scheme have been deleted as a consequence of reducing the bulk of the building at the rear with the provision of a mono-pitched roof.
 - The proposed upper rooflight within the mono-pitch has also been removed and the roof now contains only one rooflight within the lower part.
 - The footprint of the building remains the same as on the refused scheme.

Principle of Development:

- 8.5 The site is located within the built-up area as designated in the Brighton & Hove Local Plan and currently consists of a store building and side garden of the HMO. Policy HO4 aims to make full and effective use of land for housing.

- 8.6 At present, there is no agreed up-to-date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (20,000 units) as the basis for the five year supply position. The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The specific impacts of the development are considered fully below.

Impact on Amenity:

- 8.7 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or

adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

- 8.8 To overcome concerns of the impact of the development on the residential amenities of adjacent properties, the roofline of the proposed dwelling has been changed from a pitched roof which projected above the roof parapet, to a mono-pitch below the parapet. The roof is flat behind the parapet and then falls at a 30 degree pitch to the height of the existing boundary wall to the rear. The property to the rear, 12 St James's Avenue, is a 2 storey plus basement, single dwelling house. The small rear yard is already enclosed by the boundary walls. The basement has french doors which are below the height of the existing boundary fence. The ground floor window would face the roofslope of the proposed dwelling but the proposal meets the 45 degree guideline as outlined in policy QD14 for assessing the impact of a development on daylight. Whilst the existing view of the sky would be replaced by a roofslope, given that the roof slopes away from No.12 rather than a part vertical wall as previously proposed, and thereby reducing the bulk of the proposed roof, it is not considered that the impact on No.12 is sufficient to warrant refusal. The property to the north, No.16 Upper Rock Gardens, is approximately 4m from the proposed dwelling. The existing side window at ground floor level to No.16 mainly faces the existing boundary wall, and whilst the side window at first floor level to No.16 appears to be a secondary window, it would meet the 45 degree guideline. For these reasons it is considered that the proposed alterations to the roof form overcome the previous reason for refusal relating to the impact of the proposed building on the residential amenities of the occupiers of adjacent properties.

Design and Appearance:

- 8.9 Policies QD1 and QD2 aim to ensure that new development is of a high standard of design which will enhance the positive qualities of the local neighbourhood. Policy HE6 relates to buildings within conservation areas and aims to preserve and enhance the character and appearance of the conservation area. Policy HE3 state that development will not be permitted where it would have an adverse impact on the setting of a listed building.

The propped dwelling would adjoin a Grade II Listed Building and is within the East Cliff Conservation Area. The proposed building is of the same design and footprint of the previously refused scheme. The bulk has been reduced by lowering the height and pitch of the roof. The Inspector in the determination of the appeal reiterated the Heritage Officer's comments that there is scope for a small building in this location, subject to appropriate detailing. The Inspector concluded that the proposed dwelling would not adversely affect the Listed Building or the Conservation Area. For this reason neither the Heritage Officer or CAG object to this application. It is considered that the proposed design, which echoes that of the existing listed building, to be an appropriate approach for an infill building on this site.

Standard of Accommodation:

- 8.10 The proposed building would accommodate a one-bedroom house with an internal floor area of 49m² with rear patio of 4m². The existing garden which is

to the side of the existing house, which forms an HMO, is approximately 22m in length and would be reduced to 12m in order to form the plot for the proposed dwelling. The area to be retained would be for the use of the occupants of the HMO and a boundary wall is proposed to separate the garden from the proposed dwelling.

- 8.11 The one-bedroom house as proposed is of adequate size with acceptable provision of natural light and ventilation. Whilst the kitchen has only a roof light, the other habitable rooms have windows. The proposal incorporates level entrance access and rooms would have sufficient turning area for wheelchair use. Detailed comments on the internal layout have been taken into account for the proposed dwelling to meet Lifetime Homes standards and a condition is recommended to ensure the scheme complies with lifetime home standards.
- 8.12 Policy HO5 seeks the provision of private amenity space in residential development. Whilst the proposed rear garden is small, the provision of private amenity space for the proposed dwelling is welcomed, especially given that most residential units in the locality are flats lacking outdoor space provision. Unlike the previous scheme, the garden area at the side of the existing HMO (to the front of the proposed house), is now allocated to the existing HMO. The Inspector in dismissing the previous full planning application at appeal raised concerns regarding the lack of amenity space attached to the HMO. The previous scheme allocated the raised area to the front of the proposed house to be used by the occupiers of the proposed house. The current scheme, now allocates this space for the occupiers of the existing HMO.
- 8.13 The amount of garden for the occupiers of the HMO will be reduced as a consequence of the development and the Inspector's previous concerns are noted. However, the remaining provision is considered to be acceptable when the loss of part of the garden is balanced against the benefit of the increase in the housing stock. Concern is raised, however, regarding the quality of the space and the use of the space in respect of the privacy and potential for overlooking to the future occupiers of the dwelling. The plans do not show any boundary treatment and the installation of a boundary treatment could impinge and appear unneighbourly given the fenestration arrangements and layout of the proposed dwelling. It is therefore considered appropriate for the space to be allocated for use by the occupiers of the proposed dwelling and occupiers of the HMO and amended plans are currently awaited.

Sustainable Transport:

- 8.14 Policy TR1 state that development proposals should provide for the demands for travel they create and maximise the use of public transport, walking and cycling.
- 8.15 No parking spaces are proposed. The site is centrally located and well placed to take advantage of public transport and services, and is located within a controlled parking zone. The Traffic Manager raises no objection to the scheme and takes the view the proposal would not significantly increase

parking demand.

- 8.16 Policy TR14 states that development should incorporate secure and covered cycle parking spaces. A Sheffield stand to accommodate 2 cycles is proposed to the front of the proposed dwelling, which is a convenient location.

Sustainability:

- 8.17 Policy SU2 of the Brighton & Hove Local Plan, including SDP08 'Sustainable Building Design', requires new development to demonstrate a high level of efficiency in the use of water, energy and materials. Proposals for new build residential development on brownfield land should include a completed sustainability checklist, should achieve Level 3 of the Code for Sustainable Homes, and should meet all Lifetimes Homes Standards. The completed sustainability checklist states that the proposal would use locally sourced materials with timber from certified sustainable sourced and recycled materials used where appropriate. The dwelling is to incorporate the use of low or zero carbon heat technologies with an efficient gas boiler. It is considered that the proposal is in line with the requirements of SPD08 subject to appropriate conditions.

- 8.18 Policy SU2 requires all new developments to make provision for adequate refuse and recycling storage facilities. Refuse storage is identified as being on the common area to the rear of the front boundary wall.

Waste Management:

- 8.19 Policy SU13 and Supplementary Planning Document 03 on Construction and Demolition Waste seek to reduce construction waste and require a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme in order to reduce the amount of waste being sent to landfill. The submitted Waste Minimisation Statement states that where possible all demolished materials will be re-used on site, materials are to be delivered when required to avoid over-ordering and minimise over-order waste and reduce on-site storage, and separate recycling containers are to be provided for different materials.

Landscaping/Biodiversity:

- 8.20 Policy QD15, QD16, QD17 and QD18 relate to landscape design, trees and hedgerows, protection and nature conservation, and species protection respectively.

- 8.21 The land to be developed is mainly covered by an outbuilding which is of little merit and leads to the loss of some of the garden. The application is accompanied with a Biodiversity Checklist which indicated that there are no biodiversity indicators on site which would be affected.

9 CONCLUSION

- 9.1 The main difference between this and the previously refused scheme which was also dismissed on appeal is the alteration to the roof, which by reducing the massing to the rear now has less effect on adjacent buildings. The

proposed roof now slopes away from the property to the rear and it is now considered that the proposed overcomes the Inspectors concern that the development by virtue of its sitting and height would impair the outlook and enjoyment of the amenity space of the adjoining dwelling.

- 9.2 With regard to the loss of part of the garden the appeal decision states that the development on the site would leave the host building with inadequate amenity space. In the previous scheme, the garden at the front was allocated to the new dwelling. In order to address this concern, the raised area to the front is now allocated to the HMO. Amended plans are currently expected to create a shared space for the occupiers of both the proposed house and the HMO. It is considered that the loss of part of the garden is outweighed by the benefit of providing a new residential unit, particularly as some garden is to be retained. In addition many units in the vicinity similarly do not benefit from private amenity space. For these reasons it is considered the scheme now overcomes the previous reasons for refusal.

10 EQUALITIES

- 10.1 The property would have a level threshold and would need to comply with Lifetime homes standards.

11 CONDITIONS / INFORMATIVES

Regulatory Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be undertaken in accordance with the Waste Minimisation Statement received on 26 February 2014.
Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.
3. No extension, enlargement or other alteration of the dwellinghouse as provided for within Schedule 2, Part 1, 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 character of the area and for this reason would wish to control any future development proposals to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.
4. No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Class[es 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

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permission obtained from the Local Planning Authority. **Reason:** The Local Planning Authority considers that further development could cause detriment to the character of the area and to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development proposals to comply with policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

5. No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority. **Reason:** To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
6. The rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof. **Reason:** To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
7. 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.
8. 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 Plan	31837/4		26 February 2014
Block Plan			26 February 2014
Existing details	31837/2		26 February 2014
Proposed floor plans, rear area, main building	1181/1	B	26 February 2014
Proposed details of cottage	31837/4	C	2 May 2014
Waste Minimisation Statement			26 February 2014
Heritage Statement			26 February 2014
Sustainability Checklist			26 February 2014
Design and Access Statement			26 February 2014
Biodiversity Checklist			26 February 2014

Pre-Commencement Conditions:

9. No development shall take place until samples of the materials (including a sample of the texture of the proposed render is to be submitted for approval. The finish should be a wet render in a lime based mix with no bell stops or drips or expansion joints) 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 HE6 of the Brighton & Hove Local Plan.
10. No development shall take place until full details of all new sash windows and their reveals and cills including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The windows shall be single glazed painted timber vertical sliding sashes with concealed trickle vents. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
11. No development shall commence until details at a scale of 1:10 of the construction and profile of the cornice and porch/hood mould over door are submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
12. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments. The boundary treatments shall be provided in accordance with the approved details before the building is occupied. Development shall be carried out in accordance with the approved details.
Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD1, QD15, HE6 and QD27 of the Brighton & Hove Local Plan.
13. The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times. **Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.
14. Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level

3 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.

Pre-Occupation Conditions:

15. 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.
16. Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall 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 3 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.
17. The development hereby permitted shall not be occupied until the sustainability measures including the gas efficient boiler detailed within the Sustainability Checklist received on the 26 February 2014 have been fully implemented, and such measures shall thereafter be retained as such. **Reason:** To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

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).
3. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the

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Department for Communities and Local Government website (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). 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 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 would not adversely affect the character or appearance of the adjacent Listed Building or the East Cliff Conservation Area wherein it is situated. The increase in the housing stock is to be welcomed and the accommodation is of a satisfactory standard which includes private amenity space and cycle storage. The development would not significantly adversely affect the residential amenities of the occupiers of adjacent properties.