

**BRIGHTON & HOVE CITY COUNCIL**  
**LIST OF APPLICATIONS DETERMINED**

**PATCHAM**

**BH2008/03553**

**Co-op Supermarket 356 to 358 Carden Avenue Brighton**

New entrance door to existing shop-front.

**Applicant:** Co-operative Group (CWS) Ltd

**Officer:** Helen Hobbs 293335

**Approved on 05/02/09 DELEGATED**

**1) BH01.01**

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) BH03.03**

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

**BH2008/03700**

**12 Ladies Mile Road Patcham Brighton**

Erection of a two storey side extension.

**Applicant:** Mr John Lee-Falcon

**Officer:** Chris Swain 292178

**Refused on 10/02/09 DELEGATED**

**1) UNI**

The proposal, by reason of its siting, design, bulk, massing and height, coupled with its close proximity to Overhill Way would adversely affect the appearance and character of the Overhill Way street scene, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

**BH2008/03898**

**91 Peacock Lane Brighton**

First floor extension to the rear incorporating 1. No dormer, rooflight and roof dome.

**Applicant:** Mrs J Bellm

**Officer:** Aidan Thatcher 292265

**Approved on 06/02/09 DELEGATED**

**1) BH01.01**

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) BH02.05**

The side facing velux window shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

### **3) BH03.03**

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

### **BH2008/03937**

#### **25 Lyminster Avenue Brighton**

Roof extension incorporating change from hip to gable roof with window at rear and rooflights to front and side elevations. Repositioning of door opening and alterations to window at ground floor.

**Applicant:** Mr Victor Bennett

**Officer:** Helen Hobbs 293335

**Refused on 11/02/09 DELEGATED**

#### **1) UNI**

The proposed rooflights, by virtue of their number, size, design and positioning would form incongruous features resulting in a detrimental impact upon the character and appearance of the existing property and surrounding area, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 1 'Roof Extensions and Alterations'.

### **PRESTON PARK**

### **BH2008/00616**

#### **9 Southdown Road Brighton**

Insertion of conservation style rooflight to front roof slope and insertion of new window to rear at first floor level (Retrospective).

**Applicant:** Mr Dominic Peers

**Officer:** Chris Swain 292178

**Approved - no conditions on 25/02/09 DELEGATED**

### **BH2008/03380**

#### **Wellend Villas Springfield Road Brighton**

Installation of 2 no. illuminated sculptures on the communal terraces to rear of the residential development.

**Applicant:** Southern Housing Group

**Officer:** Sonia Kanwar 292359

**Approved on 18/02/09 PLANNING COMMITTEE**

#### **1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

### **BH2008/03415**

#### **2 Preston Road Brighton**

Proposed new entrance doorways to front elevation and proposed flat roof over rear access to allow for disabled WC provision. Alteration of windows to ground floor.

**Applicant:** J T Davies

**Officer:** Chris Swain 292178

**Approved on 11/02/09 DELEGATED**

#### **1) BH01.01**

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) BH03.03**

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

## **3) BH03.04**

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

*Reason: In the interests of the character and appearance of the building(s) and the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

## **REGENCY**

### **BH2008/03413**

#### **Pub du Vin 7 Ship Street Brighton**

Installation of 1no internally illuminated projecting sign, 1no internally illuminated menu board, 1no externally illuminated fascia plaque, and 1no flag mounted on existing pole.

**Applicant:** Mr Stephen Rodwell

**Officer:** Jonathan Puplett 292525

**Refused on 13/02/09 DELEGATED**

#### **1) UNI**

In conjunction with Policies HE1 and HE6, Policy HE9 of the Brighton & Hove Local Plan states that advertisements located on listed building and within conservation areas will only be permitted where they do not have an adverse effect on the architectural and historic character or appearance of the building, on a conservation area or on their settings. SPD09 provides more detailed design guidance in relation to advertisements. The projecting sign which has been installed represents an inappropriate addition by virtue of its design, use of materials, and method of illumination. The proposed flag sign would be an excessive advertisement which would harm the character of the listed building and the street scene. The menu board which has been installed is of inappropriate material, and the 'check-in sign and spotlight above are inappropriate by virtue of their design, use of materials and finishes. The signage has harmed the appearance of the listed building, contrary to the above policies and guidance.

### **BH2008/03422**

#### **Pub Du Vin 7 Ship Street Brighton**

Replacement of existing external air handling mechanical plant and new additional plant to roof. Creation of basement window with railings.

**Applicant:** Mr Stephen Rodwell

**Officer:** Jonathan Puplett 292525

**Approved on 24/02/09 DELEGATED**

#### **1) BH01.05**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

## **2) UNI**

The new basement sash window shall have a white painted moulded timber fillet around the outside of its sash box to match exactly the timber fillets around the sash windows on the floors above. The lead tray between the mathematical tiling and the solid masonry plinth of the building shall be dressed down to match exactly the original lead tray detail above the right hand basement opening.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.*

## **3) UNI**

The rendered boxing around the new vertical kitchen extract duct shall be painted to match exactly the colour of the walls and the terminal of the extract duct where it rises above the rendered boxing shall be painted dark grey. The air handling equipment and ducting on the flat roofs at the rear shall be painted grey to match the roofs.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

### **BH2008/03423**

#### **Pub Du Vin 7 Ship Street Brighton**

Replacement of existing external air handling mechanical plant and new additional plant to roof. Creation of basement window.

**Applicant:** Mr Stephen Rodwell

**Officer:** Jonathan Puplett 292525

**Approved on 24/02/09 DELEGATED**

#### **1) BH01.01**

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) UNI**

The new basement sash window shall have a white painted moulded timber fillet around the outside of its sash box to match exactly the timber fillets around the sash windows on the floors above. The lead tray between the mathematical tiling and the solid masonry plinth of the building shall be dressed down to match exactly the original lead tray detail above the right hand basement opening.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 and HE6 of the Brighton & Hove Local Plan.*

#### **3) UNI**

The rendered boxing around the new vertical kitchen extract duct shall be painted to match exactly the colour of the walls and the terminal of the extract duct where it rises above the rendered boxing shall be painted dark grey. The air handling equipment and ducting on the flat roofs at the rear shall be painted grey to match the roofs.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.*

### **BH2008/03620**

#### **33b Basement flat Montpelier Crescent Brighton**

Internal alterations and demolition of derelict outbuildings to rear.

**Applicant:** Mr M Hussein

**Officer:** Jason Hawkes 292153

**Approved on 25/02/09 DELEGATED**

#### **1) BH01.05**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

**2) BH13.11**

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation fronting a highway.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**3) BH13.15**

No works shall take place until details of the method of fire protection of the walls, floors, ceilings and doors, including 1:5 scale sections through walls and ceilings, 1:20 scale elevations of doors and 1:1 scale moulding sections have been submitted to and approved in writing by the Local Planning Authority. All existing original doors shall be retained and where they are required to be upgraded to meet fire regulations details of upgrading works shall be submitted to and approved in writing by the Local Planning Authority. Self-closing mechanisms, if required, shall be of the concealed mortice type. The works shall be carried out in accordance with the approved details.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**4) UNI**

All existing original fabric and architectural features including the cast iron cooking range and stoneware kitchen sink, floors, stone and internal and external brick paving, stone storage shelving, lathe and plasterwork, staircases, windows, doors, architraves, skirting boards, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained, and repaired and made good exactly like for like, and shall not be covered over, except where otherwise agreed in writing with the Local Planning Authority before work commences. The walls and ceilings shall not be skimmed over and only defective lathe and plaster shall be removed and shall be replaced exactly like for like using timber lathes and lime plaster.

*Reason: To ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**5) UNI**

All non-original doors, architraves, skirting boards, dados, cornices and other features shall be removed and replaced and all missing architectural features reinstated, to match exactly the originals, unless otherwise agreed in writing by the local planning authority before work commences.

*Reason: To ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**6) UNI**

The works shall be carried out and completed fully in accordance with the Internal Specification submitted on 14th January 2009.

*Reason: To ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**7) UNI**

All new works, including doors, architraves, skirting boards, picture rails, cornices, etc. shall match exactly the originals in materials, sizes, proportions and designs.

*Reason: To ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**8) UNI**

All existing surface mounted pipework and electrical and telecommunications cabling shall be removed and all new and replacement electrical and telecommunications cabling and pipework shall be concealed and not be surface

mounted, other than where it is not possible to run pipework or cabling under brick and stone floors.

*Reason: To ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**9) UNI**

The existing internal brick paver and stone floors and external brick pavers shall be retained and restored. Any defective or missing brick pavers shall be replaced with matching reclaimed pavers. Any paint on them shall be removed and they shall not be painted or covered over in any way, other than with loose rugs or mats. If the brick and stone floors need to be lifted and relaid, details of this work shall be submitted to and approved by the local planning authority before work commences.

*Reason: To ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**10) UNI**

All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and painted to match the colour of the background walls.

*Reason: To ensure the satisfactory preservation of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**BH2008/03721**

**Flat 5 147 Kings Road Brighton**

Single storey rear extension.

**Applicant:** Aurotos

**Officer:** Chris Wright 292097

**Approved on 06/02/09 DELEGATED**

**1) 01.05AA**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

**2) UNI**

The new conservatory shall be of painted timber and constructed using traditional joinery details and shall not have visible trickle vents. Joinery details, including 1:20 scale elevations of the doors and windows and 1:1 scale joinery sections shall be submitted to and approved by the Local Planning Authority before work commences, and the works shall be carried out and completed fully in accordance with the approved details.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**3) UNI**

The painted render finish of the walls to the extension hereby permitted shall be retained and the walls shall not be boarded over or covered up and their paint colour shall match exactly the colour of the exterior of the existing building. The conservatory glazing shall not be painted or covered over.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**4) UNI**

The interior floor of the extension hereby permitted shall be finished in a suitable external paving finish such as brick pavers or York stone, the details and samples of which shall be submitted to and approved by the Local Planning Authority before work commences, and the works shall be carried out and completed fully in accordance with the approved details.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**5) UNI**

The flat roof part of the extension hereby permitted shall be clad in lead and concealed behind a parapet wall up-stand.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**BH2008/03723**

**Flat 5 147 Kings Road Brighton**

Single storey rear extension.

**Applicant:** Mrs F Taheir

**Officer:** Chris Wright 292097

**Approved on 24/02/09 DELEGATED**

**1) BH01.01**

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) BH05.08**

No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

*Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.*

**BH2008/03752**

**Flat 16 Burleigh Court 1-2 Cavendish Place Brighton**

Removal of existing railings and gutter to roof terrace and replacement with rendered walls and box gutters. Installation of external lighting.

**Applicant:** Ms Katie Beadle

**Officer:** Jason Hawkes 292153

**Refused on 25/02/09 DELEGATED**

**1) UNI**

Policy HE1 of the Brighton & Hove Local Plan states that proposals involving the alteration of a listed building will only be permitted where the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building. The height of the north and south sides of the wall to 1.8m is excessive and will look visually intrusive and out of character with the building. The painted unrendered blockwork on the outside of the wall and the proposed flashing for weather protection are also deemed unacceptable and will detract from the appearance of the listed building. The proposal is therefore deemed to have an adverse impact on the historic and architectural character and appearance of the listed building and is contrary to the above policy.

**BH2008/03776**

**First Floor Flat 23 Montpelier Place Brighton**

Internal alterations.

**Applicant:** Mr Andrew Cato

**Officer:** Wayne Nee 292132

**Refused on 06/02/09 DELEGATED**

**1) UNI**

Policy HE1 states that proposals for listed buildings will only be permitted where the development would not have any adverse effect on the architectural character of the building. Furthermore, Policies HE4 and HE6 state that proposals should show the retention and the reinstatement of original features and small scale architectural details. The living room is the principal room of the building, and by creating an additional bedroom at the rear, the living room would be introduced with more clutter to the detriment of the room's character and visual qualities. The proposed developments would intensify the use of the building without any benefits to the building. Mitigation measures have been agreed in principle with the applicant, however insufficient details have been provided. In the absence of these, the degree of harm to the historic character, layout and appearance of the grade II listed building cannot be properly assessed. The proposal is therefore contrary to policies HE1, HE4 and HE6 of the Brighton & Hove Local Plan.

**BH2008/03901**

**30 Clifton Terrace Brighton**

Internal and External alterations to include extension and alterations to upper ground floor terrace, formation of covered storage area beneath terrace, replacement railings and doors/window to second floor balcony, replacement sash windows to replace modern casements to rear elevation at lower ground floor, replacement of sash windows to kitchen and second floor bathroom including enlarging existing openings. Formation of new stair over existing stairwell to replace existing ladder access to roof terrace.

**Applicant:** Nicky and Marika Rohl

**Officer:** Chris Wright 292097

**Approved on 10/02/09 DELEGATED**

**1) 01.05AA**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

**2) UNI**

The development hereby granted consent shall not commence unless and until section drawings of the roof, to include the position of the solar panels in relation to the rear parapet upstand around the roof terrace have been submitted to and approved in writing by the local planning authority. The works shall be carried out in strict accordance with the approved details.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**3) UNI**

The works hereby approved shall not commence unless and until 1:50 scale long and cross sections through the staircase compartment at second floor level and showing the new stairs up to the roof terrace, the existing stairs below, the new rooflight and any guard rail or barrier around it, have been submitted to and approved in writing by the local planning authority. The works shall be carried out in strict accordance with the approved details.



*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**4) UNI**

Prior to the commencement of works, 1:2 scale section drawings showing the details of the new staircase risers, spindles and handrails shall be submitted to and approved in writing by the local planning authority. The works shall then be carried out in strict accordance with the approved details.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**5) UNI**

No works shall take place until full details of the proposed second-mezzanine level balcony railings, including 1:20 scale sample elevations and 1:1 scale profiles of the railings have been submitted to and approved in writing by the local planning authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**6) UNI**

No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles, of both the new windows and doors, have been submitted to and approved in writing by the local planning authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**7) UNI**

No works shall take place until full details of the railings to the basement staircase, including 1:20 scale sample elevations and 1:1 scale profiles of the railings, have been submitted to and approved in writing by the local planning authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**8) UNI**

No works shall take place until full details of the materials and finishes to be employed in the construction of the basement steps have been submitted to and approved in writing by the local planning authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**BH2008/03908**

**181-185 Western Road Brighton**

Display of 1 no. non-illuminated hoarding.

**Applicant:** H & M Hennes

**Officer:** Jonathan Puplett 292525

**Approved on 12/02/09 DELEGATED**

**1) BH10.02**

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

*Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.*

**2) BH10.03**

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

*Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.*

**3) BH10.04**

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

*Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.*

**4) BH10.05**

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

*Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.*

**5) BH10.06**

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

*Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.*

**6) UNI**

The hoarding hereby approved on a temporary basis shall be removed no later than the 11th of May 2009.

*Reason: For the purposes of amenity and public safety, and to ensure an acceptable appearance to the building and the surrounding area in compliance with policies TR7, QD12 and QD27 of the Brighton & Hove Local Plan.*

**BH2008/03940**

**Pub du Vin 7 Ship Street Brighton**

Installation of 1no internally illuminated projecting sign, 1no internally illuminated menu board, 1no externally illuminated fascia plaque, and 1no flag mounted on existing pole.

**Applicant:** Mr Stephen Rodwell  
**Officer:** Jonathan Puplett 292525

**Refused on 12/02/09 DELEGATED**

**1) UNI**

In conjunction with Policy HE1, Policy HE9 of the Brighton & Hove Local Plan states that advertisements located on listed building and within conservation areas will only be permitted where they do not have an adverse effect on the

architectural and historic character or appearance of the building, on a conservation area or on their settings. SPD09 provides more detailed design guidance in relation to advertisements. The projecting sign which has been installed represents an inappropriate addition by virtue of its design, use of materials, and method of illumination. The proposed flag sign would be an excessive advertisement which would harm the character of the listed building and the street scene. The menu board which has been installed is inappropriate due to an inappropriate use of materials, and the 'check-in sign and spotlight above are inappropriate by virtue of their inappropriate design, use of materials and finishes. The signage has harmed the appearance of the listed building, contrary to the above policy and guidance.

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

### **BH2007/03942**

#### **30-33 Bath Street Brighton**

Demolition of existing buildings.

**Applicant:** Mr S Theobold

**Officer:** Kate Brocklebank 292175

**Approved on 05/02/09 PLANNING COMMITTEE**

#### **1) 01.04AA**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

#### **2) 13.07A**

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work is commenced in accordance with a scheme for which Planning Permission has been granted within a period of 6 months following commencement of demolition.

*Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.*

#### **3) UNI**

A detailed photographic record survey of the exterior of the buildings shall be carried out and submitted to the Local Planning Authority before demolition commences.

*Reason: For the Council's historical records in accordance with policy HE8 of the Brighton & Hove Local Plan.*

### **BH2007/03943**

#### **30-33 Bath Street Brighton**

Demolition of existing buildings, to be replaced with proposed development of 2 storey building to the rear with B1 office space on the ground floor and 2x1 bedroom apartments above and 3 storey building to the front with B1 office space on the ground floor and 5x2 bedroom apartments above, with refuse, cycle storage and amenity spaces. (Amended)

**Applicant:** Mr S Theobold

**Officer:** Kate Brocklebank 292175

**Approved on 05/02/09 PLANNING COMMITTEE**

#### **1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**2) 02.04A**

No cables, wires, aerials, pipework (except rainwater downpipes as shown on approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

*Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.*

**3) 04.02A**

The new dwelling(s) shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

*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.*

**4) 05.01A**

No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority which details measures to ensure that the development hereby approved will achieve a BREEAM rating of 'Very Good' or higher or a Code for Sustainable Homes rating of 'Level 3' or higher or an equivalent level of performance if an alternative independently assessed means of sustainability assessment is used. The agreed scheme shall be implemented in strict accordance with the approved details prior to the occupation of the development.

*Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and in accordance with policies S1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and SU2 of the Brighton & Hove Local Plan.*

**5) 05.02A**

No development shall take place until a written statement consisting of a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

*Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.*

**6) 08.01**

No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing by the Local Planning Authority:

- (a) A desk top study documenting all the previous and existing land uses of the site and adjacent land;
- (b) A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and
- (c) A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

The development hereby permitted shall not be occupied or brought into use until verification has been submitted to the Local Planning Authority by the agreed competent person that any remediation scheme has been implemented fully in

accordance with the approved details (unless varied with the written agreement of the Local Planning Authority). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress; and
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the approved remediation scheme.

*Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution and in accordance with policy SU11 of the Brighton & Hove Local Plan.*

#### **7) UNI**

No development shall take place until samples of the materials (including colour of render, paintwork and coloured panels) 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.*

#### **8) UNI**

No development shall take place until elevational details of the refuse and recycling storage indicated on the approved plans have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full as approved prior to occupation and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

*Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policies SU2 and QD27 of the Brighton & Hove Local Plan.*

#### **9) UNI**

The following details shall be submitted to and approved by the local planning authority before works commence:

- i) elevations and sections at 1:20 scale of the shopfronts and sample elevations and sections of the building including bays, windows, doors, parapets, balustrades, copings, eaves, brises soleil, bin stores, meter cupboards, cycle stores, and all other features,
- ii) sectional profiles at 1:1 scale of window, door and shopfront frames,
- iii) details and samples of materials,
- iv) details of colours and finishes,
- iv) a landscaping scheme including hard and soft landscaping, tree and shrub planting, level changes, reinstated paths, new paths and hard paved areas, fences, walls and gates, and the works shall be carried out in strict accordance with the approved details and maintained as such thereafter.

*Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.*

#### **10) UNI**

No development shall take place until elevational details of the cycle storage indicated on the approved plans have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full as approved prior to occupation and the cycle storage facilities shall thereafter be retained for use at all times.

*Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy TR14 of the Brighton & Hove Local Plan.*

### **11) UNI**

A scheme for the soundproofing of the building shall be submitted to the local planning authority and no development shall commence until a scheme is approved by the local planning authority. The end use of the premises shall not commence until all soundproofing works have been carried out to the satisfaction of the local planning authority.

*Reason: To safeguard the amenities of adjoining occupiers and to accord with policies QD27 and SU10 of the Brighton & Hove Local Plan.*

### **12) UNI**

A scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration shall be submitted to and approved by the local planning authority. The use of the premises shall not commence until all specified works have been carried out to the satisfaction of the local planning authority.

*Reason: To safeguard the amenities of adjoining occupiers and to accord with policies QD27 and SU10 of the Brighton & Hove Local Plan.*

### **13) UNI**

No external working in relation to the commercial units on the ground floor shall be carried out at any time.

*Reason: To safeguard the amenities of adjoining occupiers and to accord with policies QD27 and SU10 of the Brighton & Hove Local Plan.*

### **14) UNI**

The commercial units on the ground floor of the development hereby approved shall only be in use between the hours of 08:00 - 19:00 Monday to Friday and 09:00 - 18:00 on Saturdays. There shall be no working on Sundays, bank or public holidays and no deliveries shall take place outside these hours.

*Reason: To safeguard the amenities of adjoining occupiers and to accord with policies QD27 and SU10 of the Brighton & Hove Local Plan.*

### **15) UNI**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, and subsequent amendments, the commercial units on the ground floor of the development hereby approved shall be used only as B1 (a) and (b) and for no other purpose in Use Class B1.

*Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenity of the area in accordance with policy QD27 of the Brighton & Hove Local Plan.*

### **16) UNI**

All planting, seeding or turfing comprised in the approved details 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 accord with policy QD15 of the Brighton & Hove Local Plan.*

### **17) UNI**

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme for landscaping, which shall include permeable hard surfacing, means of enclosure, planting of the development.

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

**18) UNI**

No demolition shall take place during the Swift nesting season between May and August and a swift nesting box shall be attached to the building on completion of the scheme.

*Reason: To ensure protection of species on the site in accordance with policy QD18 of the Brighton & Hove Local Plan.*

**19) UNI**

No development shall take place until details of a scheme to provide sustainable transport infrastructure to support the demand for travel generated by the development and to remain genuinely car-free at all times has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

*Reason: To ensure that the proposed development does not put undue pressure on existing on-street car parking in the city and to comply with policies HO7 and SU15 of the Brighton & Hove Local Plan.*

**20) UNI**

All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron.

*Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.*

**21) UNI**

The windows shall have concealed trickle vents and all roof ventilation and extract outlets shall use flush, concealed slate or tile vents, to match the roof covering, and concealed ridge and eaves ventilators.

*Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.*

**22) UNI**

The walls of the new buildings shall be smooth rendered down to ground level and shall not have bell-mouth drips or channels.

*Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.*

**23) UNI**

A method statement setting out how the existing boundary walls are to be protected, maintained, repaired and stabilised during and after demolition and construction works, shall be submitted to and approved by the local planning authority before works commence. The demolition and construction works shall be carried out and completed full in accordance with the approved method statement.

*Reason: To ensure satisfactory protection of the existing boundary walls which are considered to be an important feature within the conservation area, in accordance with policy HE6 of the Brighton & Hove Local Plan.*

**24) UNI**

The windows servicing the bathrooms within the flats hereby approved shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining properties and to comply with policy QD27 of the Brighton & Hove Local Plan.*

**25) UNI**

All glazing to the balconies hereby approved shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining properties and to comply with policy QD27 of the Brighton & Hove Local Plan.*

**BH2008/03541**

**Brighton Museum & Art Gallery Church Street Brighton**

Replacement of air conditioning unit on roof.

**Applicant:** Brighton & Hove City Council

**Officer:** Sonia Kanwar 292359

**Approved on 09/02/09 DELEGATED**

**1) BH01.01**

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) UNI**

No works shall take place until details of the proposed colour scheme of the units have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

*Reason: As insufficient information has been submitted to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**BH2008/03651**

**Training Centre 10 Fleet Street Brighton**

Change of use from training centre (D1) to training centre (D1) and offices (B1).

**Applicant:** Sainsburys Supermarkets Ltd

**Officer:** Aidan Thatcher 292265

**Refused on 23/02/09 DELEGATED**

**1) UNI**

The application fails to demonstrate adequate marketing information to justify the loss of the existing Class D1 community facility (Training Centre). The marketing information submitted is both conflicting and incorrect and as such would be contrary to Policies HO20 and EM13 of the Brighton & Hove Local Plan and SPGBH03 Brighton Station Site Brief.

**2) UNI**

The application fails to demonstrate how the application would fulfil the requirements of the section 106 agreement associated with planning application BH2001/01811/OA, in which a training centre with a floorspace of 1,987 sq.m is required to be provided. As such the application is contrary to Policies HO20, EM13 and QD28 of the Brighton & Hove Local Plan and SPGBH03 Brighton Station Site Brief.

**WITHDEAN**

**BH2008/02641**

**Balfour Junior School Balfour Road Brighton**

Demolition of 3 existing single storey classrooms and replacement with a new 2 storey extension comprising 4 classrooms, ICT room, group room and administration areas. Extension to existing school hall and new single storey staff room/kitchen facilities. Adaptations to existing entrance footpaths. Conversion of existing lower ground floor store room into classroom with new windows and door. Formation of new disabled access ramp and external door from school to sports field on north elevation. New solar panels to existing school roof.

**Applicant:** Ms Gillian Churchill

**Officer:** Chris Wright 292097



## **Approved on 19/02/09 PLANNING COMMITTEE**

### **1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

### **2) BH03.02**

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 policies QD1 and QD14 of the Brighton & Hove Local Plan.*

### **3) UNI**

The south facing windows on the rear elevation of the temporary classrooms shall not be glazed otherwise than with obscured glass and thereafter kept as such for the period the temporary classrooms are retained.

*Reason: To safeguard the privacy of the occupiers of the adjoining properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

### **4) UNI**

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 at least one replacement tree for any lost as a result of the development, hard surfacing, means of enclosure, indications of all planting of the development (including siting and species) and method of maintenance. All hard surfacing shall be porous to air and water. All planting and seeding comprised in the approved details shall be carried out in the first planting and seeding seasons following the completion of the development, and any plants which within a period of 5 years from the completion of the development become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: To enhance the appearance of the development in the interests of the visual amenities of the area and promote natural drainage to reduce potential flooding and surface run-off and to comply with policies SU2, SU4, QD15 and QD17 of the Brighton & Hove Local Plan.*

### **5) UNI**

No development shall take place until a written statement consisting of a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

*Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03: 'Construction and Demolition Waste'.*

### **6) UNI**

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

*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, in accordance with policy SU2 of the Brighton & Hove Local Plan.*

**7) UNI**

The development hereby permitted shall not be commenced until details of secure cycle parking facilities 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 the private car, to comply with policy TR14 of the Brighton & Hove Local Plan.*

**8) UNI**

The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

*Reason: To ensure that satisfactory facilities for the car parking on site and to comply with policy TR1 of the Brighton & Hove Local Plan.*

**9) UNI**

The applicant shall submit a travel plan in consultation with the council's Schools Travel Plans team, indicating the measures to be applied to assure the council of the applicant's sustainable travel proposals, for both staff and pupils, within 6 months of the bringing into use and occupation of the development hereby approved. The travel plan should include a travel survey of staff and parents and details of staggered pick up and drop off times. The travel plan as approved shall be adhered to thereafter and submitted to the council for review at 12 month intervals subsequently.

*Reason: To ensure that traffic generation is adequately managed and reliance on private motor vehicles reduced by making travel to and from the school safer and by encouraging walking, cycling and use of public transport, in compliance with policies TR1, TR2, TR4, TR7 and TR14 of the Brighton & Hove Local Plan.*

**10) UNI**

The temporary classrooms hereby permitted shall be permanently removed from the site within two years of the date of this decision, and the land reinstated to its former condition and use, or a condition which is acceptable to the Local Planning Authority and agreed in writing.

*Reason: In order to allow the council to review the need for the structures and their impact on the local environment following the commencement of the development hereby permitted.*

**BH2008/02924**

**32 Windmill Drive Brighton**

Loft conversion to existing bungalow to create first floor with ground floor extension to front and rear and associated alterations.

**Applicant:** Mr Will Macintosh

**Officer:** Adrian Smith 01273 290478

**Approved on 25/02/09 DELEGATED**

**1) BH01.01**

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) BH02.04**

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 further windows other than those expressly authorised by this permission shall be constructed 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 QD14 and QD27 of the Brighton & Hove Local Plan.*

**3) UNI**

The external materials of the development hereby permitted shall match in colour, style, bonding, and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

**4) UNI**

The west flank first floor window shall not be glazed otherwise than with obscured glass, fixed shut and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

**5) UNI**

The southern boundary of the development site shall be securely fenced throughout the works subject to this grant of permission and no access for personnel, equipment or materials shall be permitted into the Bramble Rise Copse Site of Nature Conservation Importance (SNCI) at any time.

*Reason: To protect the SNCI and as supported by policy NC4 of the Brighton & Hove Local Plan.*

**BH2008/03059**

**26B Withdean Road Brighton**

Proposed rear orangery at existing patio level with an underground gymnasium below and extended patio to the rear. Creation of an open car port on the north side.

**Applicant:** Mr & Mrs Bharat Chotai

**Officer:** Jason Hawkes 292153

**Approved on 13/02/09 DELEGATED**

**1) BH01.01**

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) UNI**

No development shall take place until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved by the Local Planning Authority. The details shall be implemented strictly in accordance with the approved scheme.

*Reason: To safeguard the amenity of the occupiers of the adjoining properties and to comply with policy QD27 of the Brighton & Hove Local Plan.*

**3) UNI**

The side elevation (south facing) of the proposed conservatory shall not be glazed otherwise than with obscured glass and fixed shut and thereafter permanently retained as such, unless otherwise agreed with the local planning authority.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

**4) UNI**

The external finishes of the extension at lower ground floor level hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

**5) UNI**

Notwithstanding the Waste Management Statement submitted with the application, no development shall take place until a more detailed Waste Minimisation Statement indicating how the scheme will endeavour to reduce the amount of waste going to landfill, including detail of proposed waste contractors, has been submitted to and approved in writing by the Local Planning Authority. The contractors must be registered with the Environment Agency.

*Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03: Construction and Demolition Waste.*

**BH2008/03660**

**Flat E Upperdene Court 2 Westdene Drive Brighton**

Replacement of existing windows with double glazed UPVC windows.

**Applicant:** Mrs Marie-Louise Pearson

**Officer:** Mark Thomas 292336

**Approved on 13/02/09 DELEGATED**

**1) BH01.01**

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.*

**BH2008/03888**

**88 Wayland Avenue Brighton**

First floor rear extension with pitched roof over.

**Applicant:** Mr Nick Hunt

**Officer:** Mark Thomas 292336

**Approved on 09/02/09 DELEGATED**

**1) BH01.01**

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) BH03.03**

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

**BH2008/03943**

**195 Surrenden Road Brighton**

Erection of detached garage.

**Applicant:** Mr & Mrs G Lock

**Officer:** Chris Wright 292097

**Refused on 25/02/09 DELEGATED**

**1) UNI**

The proposed development would, by reason of the siting, form, height and massing, breach the established building line with adjoining dwellings and appear

unduly dominant in relation to the house and partially obscure from view its façade, to the detriment of visual amenity and the character of the street scene. As such the proposal is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

## **EAST BRIGHTON**

### **BH2008/03806**

#### **Lower Ground Floor 88 Marine Parade Brighton**

Replacement of existing front door with new window and existing window with new front door. Removal of internal partitions, installation of new ceiling and insulated floors and damp proofing works.

**Applicant:** Ms K Lester

**Officer:** Aidan Thatcher 292265

#### **Approved on 11/02/09 DELEGATED**

##### **1) BH01.05**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

##### **2) BH13.03**

All new windows shall be painted softwood, double hung vertical sliding sashes with joinery details to match originals, where existing, and shall be retained as such.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

##### **3) UNI**

The new external door shall be a painted softwood door with recessed timber panels and bolection mouldings to the lower panels and clear glazing to the upper panels.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

##### **4) UNI**

No development shall commence until full details of any new steel beams that are required to be inserted to the building as part of the proposed development, including section details at a scale of 1:20 shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

##### **5) UNI**

Notwithstanding the submitted plans, full details of the proposed internal fireplaces, including materials and design shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

##### **6) UNI**

Notwithstanding the submitted plans, full details of the proposed cornice detail shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**7) UNI**

Full details of the internal door details, at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**8) UNI**

Notwithstanding the submitted plans, the replacement floors hereby approved, shall only be constructed of concrete where a concrete floor currently exists as shown on drawing numbered 8909/1 submitted on 6 February 2009, and all floors shall be replaced with timber.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**BH2008/03815**

**2 Portland Place Brighton**

Reinstatement of rear infill two-storey extension, together with general repairs to internal fabric of building.

**Applicant:** Mr John Atkins

**Officer:** Anthony Foster 294495

**Approved on 12/02/09 DELEGATED**

**1) BH01.01**

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) BH13.01**

No works 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 works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**3) BH13.12**

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**4) BH13.13**

All existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. Any fireproofing to doors should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

### **5) UNI**

Prior to the commencement of the development 1:1 sections and 1:20 elevations of the proposed fenestration shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

*Reason: To comply with policy HE1 of the Brighton & Hove Local Plan and ensure the satisfactory preservation of this listed building.*

### **6) UNI**

Prior to the commencement of the development details relating to the method of damp proofing shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

*Reason: To comply with policy HE1 of the Brighton & Hove Local Plan and ensure the satisfactory preservation of this listed building.*

### **7) UNI**

The measures set out in the waste minimisation statement submitted with this application shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure that development would include the reuse of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.*

## **HANOVER & ELM GROVE**

### **BH2008/03777**

#### **82 Carlyle Street Brighton**

Certificate of lawfulness for proposed single storey rear extension.

**Applicant:** Ms Sue Bradley

**Officer:** Chris Swain 292178

**Approved on 13/02/09 DELEGATED**

### **BH2008/03971**

#### **56 Coleman Street Brighton**

Certificate of Lawfulness for a proposed development of a single storey rear extension incorporating 1no. rooflight.

**Applicant:** Mr A Bailey

**Officer:** Helen Hobbs 293335

**Approved on 10/02/09 DELEGATED**

## **HOLLINGDEAN & STANMER**

### **BH2008/03069**

#### **Pevensey Building III North South Street University of Sussex**

Refurbishment of rooms SC10 and SC11 of Pevensey III to include installation of ceiling mounted heating and cooling system with condenser fixed to external rear elevation.

**Applicant:** Mr Mike Stace

**Officer:** Louise Kent 292198

**Approved on 06/02/09 DELEGATED**

### **1) BH01.01**

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.*

## **BH2008/03662**

### **86 Davey Drive Brighton**

Certificate Of Lawfulness for a proposed development of the erection of rear decking, including removal of lower deck and provision of shed.

**Applicant:** Mr Kevin Cohen

**Officer:** Liz Holt 291709

**Refused on 23/02/09 DELEGATED**

#### **1) UNI**

The proposed decking constitutes a raised platform due to part of the decking having a height in excess of 300mm. The decking does not therefore benefit from the permitted development rights of Class A, Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended.

## **QUEEN'S PARK**

## **BH2007/00905**

### **Ground Floor 13-15 Old Steine Brighton**

Alterations to part of shop front and alterations to form new stairs and goods lift.

**Applicant:** Mr A Khan

**Officer:** Liz Holt 291709

**Approved on 05/02/09 DELEGATED**

#### **1) UNI**

Within three months of the date of this permission, the works hereby permitted shall be completed in strict accordance with approved plans.

*Reason: To ensure a satisfactory completion to the development, to enhance the character and appearance of the East Cliff and Valley Gardens conservation areas and to accord with policies QD1, QD10 and HE6 of the Brighton & Hove Local Plan and supplementary planning document SPD02 (Shopfront design).*

#### **2) UNI**

Prior to the installation of the new openings on the east elevation, detailed drawings at 1:20 scale of the proposed openings and doors shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

*Reason: To ensure a satisfactory completion to the development, to enhance the character and appearance of the East Cliff and Valley Gardens conservation areas and to accord with policies QD1, QD10 and HE6 of the Brighton & Hove Local Plan.*

## **BH2007/03485**

### **159 Edward Street Brighton**

Change of use from shop to sui generis mixed use incorporating coffee/sandwich bar, jazz club, bar, music editing suite and ancillary accommodation. Formation of new first floor level accommodation, including insertion of dormer windows and rooflights, rear extension to basement level and construction of rear emergency stairway. (Amended Description).

**Applicant:** Mr AM Lavender

**Officer:** Liz Holt 291709

**Approved on 12/02/09 PLANNING COMMITTEE**

#### **1) BH01.01**

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) BH02.07**

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.*

## **3) BH12.01**

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 HE6 of the Brighton & Hove Local Plan.*

## **4) BH12.05**

The rooflights in the approved development shall be of 'conservation style' 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.*

## **5) UNI**

Notwithstanding condition 3 or the drawings submitted as part of the application the rooflights hereby approved shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

## **6) UNI**

Notwithstanding drawings submitted as part of the application the first floor window within the south elevation of the property hereby approved shall not be glazed otherwise than with obscured glass, the side windows shall be fixed shut and the middle bottom hung inward opening and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

## **7) UNI**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any amendments thereto, this premises shall be used as a mixed use coffee/sandwich bar and jazz club only and for no other purpose including any Sui Generis use.

*Reason: The Local Planning Authority would wish to retain control over any subsequent use of these premises in the interests of safeguarding the amenities of the local residents and the local area in accordance with policy QD27 of the Brighton & Hove Local Plan.*

## **8) UNI**

All plant and machinery shall operate at least 5dB(A) below the background noise level (expressed as an L90).

*Reason: In order to protect the amenities of surrounding units and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

## **9) UNI**

All fire doors at the rear of the premises, shall remain closed and not be opened for any purpose, other than for emergency access and for deliveries/collections to and from the beer chiller and refuse room.

*Reason: In order to protect the amenities of surrounding units and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **10) UNI**

The rear ground floor terrace area shall not be used by staff as an external amenity area or as a smoking area.

*Reason: In order to protect the amenities of surrounding units and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **11) UNI**

The rear ground floor terrace area shall not be used by customers for any purpose, other than for emergency access.

*Reason: In order to protect the amenities of surrounding units and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **12) UNI**

During the premises opening hours all rear ground floor windows shall be closed.

*Reason: In order to protect the amenities of surrounding units and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **13) UNI**

Other than for purposes of access and egress, the rear ground floor door, serving the rear terrace, shall remain closed.

*Reason: In order to protect the amenities of surrounding units and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **14) UNI**

Prior to the opening of the uses hereby approved the obscurely glazed balustrade hereby approved, to be located to the western side of the rear terrace, shall be installed and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

#### **15) UNI**

Noise mitigation measures shall be carried out in accordance with the specifications detailed in the acoustic reports dated the 14<sup>th</sup> November 2005 prepared by Acoustic Design Services Limited and 18th August 2008 prepared by Acoustic Associates. Noise mitigation measures shall also be carried out in accordance with the specifications detailed on the Urban Arc Limited plans submitted on the 23rd of December 2008.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **16) UNI**

The basement jazz club, ground floor bar and first floor music editing suite shall not be open or in use except between the hours of 20:00 to 01:00 the following day on Monday to Saturday (inclusive) and 20:00 to 23:00 on Sundays and Bank Holidays.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **17) UNI**

The ground floor café shall not be open or in use except between the hours of 08:00 to 18:00 each day of the week.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

### **BH2008/03129**

#### **100 St James's Street Brighton**

Use of rear garden area for A3 Cafe - ancillary to existing sandwich bar (A1).  
Formation of new window opening to ground floor rear elevation.

**Applicant:** Mr John Dewsbury

**Officer:** Aidan Thatcher 292265

**Approved on 25/02/09 PLANNING COMMITTEE**

### 1) UNI

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) UNI

The use hereby permitted shall not be open to customers except between the hours of 08.00 and 19.00 Monday to Sunday, and the area should be cleared by 19.00.

*Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

### 3) UNI

The use hereby approved shall not commence until a plan distinguishing the areas of the premises to be used for A1 and A3 use has been submitted to and approved in writing by the Local Planning Authority. The uses shall be implemented in strict accordance with the approved plan.

*Reason: For the avoidance of doubt and to comply with policy SR5 of the Brighton & Hove Local Plan.*

## **BH2008/03246**

### **80 Grand Parade Brighton**

Removal of existing railings entrance to be replaced with glazed entrance screen to form enclosed foyer.

**Applicant:** Grand Parade Properties

**Officer:** Sonia Kanwar 292359

**Approved on 10/02/09 DELEGATED**

### 1) BH01.01

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) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.*

## **BH2008/03375**

### **Flat 2 The Old Court House 15-17 Princes Street Brighton**

New stud wall to lounge. MF ceiling to existing lounge/bedroom area. Reinstate original cornices. Install new original fireplace. Renew water heater with larger tank. New flooring to main hallway. Re-form doors, with new back door. New Gypliner wall in main bedroom to follow same dimensions as old wall. All original features to be left in tact.

**Applicant:** Mr Anthony Fair

**Officer:** Chris Swain 292178

**Refused on 19/02/09 DELEGATED**

### 1) UNI

The new walls to the kitchen would sub-divide the main living area to an extent where the original proportions of the room are compromised, detracting from the architectural and historic appearance and character of the listed building, contrary to policy HE1 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Listed Building Interiors (SPG11).

## **2) UNI2**

The suspended ceiling compromises the proportions of the living area, cutting across the window head mouldings, hiding the existing cornice and detracting from the architectural and historic appearance and character of the listed building, contrary to policy HE1 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Listed Building Interiors (SPG11).

## **3) UNI3**

The proposed suspended ceiling to the two bedrooms would compromise the proportions of the respecting rooms, hide the existing corning and detract from the architectural and historic appearance and character of the listed building, contrary to policy HE1 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Listed Building Interiors (SPG11).

## **4) UNI4**

The fireplace, by reason of its design is an incongruous feature within the main living area and relates poorly to the interior of the listed building, detracting from the architectural and historic appearance and character of the listed building, contrary to policy HE1 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Listed Building Interiors (SPG11).

## **5) UNI5**

The proposed timber flooring would introduce an incongruous feature into the listed building, hiding the existing tiled flooring and would detract from the architectural and historic appearance and character of the listed building, contrary to policy HE1 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Listed Building Interiors (SPG11).

### **BH2008/03591**

#### **17 Sutherland Road Brighton**

Erection of new extract duct to North elevation fronting Hendon Street.

**Applicant:** Mr Kamry Miah

**Officer:** Sonia Kanwar 292359

**Refused on 24/02/09 DELEGATED**

#### **1) UNI**

The proposal, by reason of its size, width, location and visibility, would be unduly prominent within the street scene and would therefore detract from the appearance of the building and adversely affect the visual amenities enjoyed by neighbouring properties within the College Conservation Area. The proposal is therefore contrary to policies QD1, QD2 and QD14 and HE6 of the Brighton & Hove Local Plan.

### **BH2008/03621**

#### **1-3 The Colonnade Madeira Drive Brighton**

Internal alterations and change of use of nos 1 and 2 from retail (A1) to public house (A4) and night club (Sui Generis) as an extension to no 3. Installation of extract flue to front elevation. (Amended description).

**Applicant:** Mr J Papanicola

**Officer:** Liz Holt 291709

**Approved on 05/02/09 DELEGATED**

#### **1) BH01.05**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

#### **2) BH13.06**

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling,

corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

### **3) BH13.12**

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

### **4) UNI**

No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of the opening within the dividing wall and the new stud wall to the kitchen hereby approved have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

### **5) UNI**

No works shall take place until full details of the proposed extract duct have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

### **6) UNI**

Prior to the commencement of the works hereby approved a sample of the colour of the proposed extract grille shall be submitted to and approved in writing by the Local Planning Authority. The extract grille shall be painted fully in accordance with the approved details within 14 days of installation and retained as such thereafter.

*Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

## **BH2008/03790**

### **Basement Flat 301 Queens Park Road Brighton**

Replacement of front windows and door with UPVC.

**Applicant:** Mr T Burrows

**Officer:** Sonia Kanwar 292359

**Approved on 10/02/09 DELEGATED**

### **1) BH01.01**

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.*

### **BH2008/03841**

#### **24 New Steine Brighton**

The demolition of a shed and single storey extension to form rear lower ground and ground floor extension incorporating internal alterations.

**Applicant:** Mr Richard Kirby

**Officer:** Aidan Thatcher 292265

**Refused on 05/02/09 DELEGATED**

#### **1) UNI**

The proposed development, by virtue of the excessive footprint, bulk, and design of the rear extension and the loss of the historic garden, would create an overly dominant alteration causing harm to the character and appearance of the listed building and its setting. As such the proposal is contrary to policies HE1 and HE3 of the Brighton & Hove Local Plan.

### **ROTTINGDEAN COASTAL**

### **BH2008/01053**

#### **Badgers Walk Ovingdean Road Brighton**

Erection of buildings to provide 3 loose boxes, hay store, food store and tack room, with enclosing fence and yard.

**Applicant:** Mr Peter McDonnell

**Officer:** Liz Holt 291709

**Refused on 12/02/09 DELEGATED**

#### **1) UNI**

The proposed development, by virtue of its design, excessive size including height, and bulk would be an incompatible feature within the countryside, the Wanderdown Road Open Space Site of Nature Conservation Importance and Sussex Downs Area of Outstanding Natural Beauty the contrary to policies QD1, NC4, NC5, NC6 and NC8 of the Brighton & Hove Local Plan.

#### **2) UNI**

The site is located within the countryside outside of the defined built up area where development is not normally permitted, and no exceptional circumstances have been submitted to justify a departure from adopted policy NC6 of the Brighton & Hove Local Plan.

#### **3) UNI**

The proposed development, by virtue of its isolated location and distance from the existing property is contrary to policy NC6 of the Brighton & Hove Local Plan which requires acceptable developments to be sited adjacent to existing buildings or building groups.

### **BH2008/02531**

#### **The Meadows 18 Roedean Way Brighton**

Demolition of existing house and erection of new dwelling.

**Applicant:** Mr & Mrs Golding

**Officer:** Steve Lewis 292321

**Refused on 19/02/09 PLANNING COMMITTEE**

#### **1) UNI**

The proposal, by reason of its prominent location, design, height, bulk and increased massing would result in the building appearing incongruous and out of character and would be of detriment to the character and appearance of the street scene contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

#### **2) UNI2**

The proposal is likely to have an adverse impact upon the amenities of the

occupiers of adjoining dwellings by reason of loss of privacy and outlook and an increased sense of dominance. This is contrary to policies QD1 and QD27 of the Brighton & Hove Local Plan.

**BH2008/03402**

**McDonalds Restaurant Brighton Marina Village Brighton**

Variation of condition 3 of planning application 95/0190/RM to allow the opening hours to be extended to 5am to 2am Sunday to Thursday and 24 hours on Friday and Saturday.

**Applicant:** McDonalds Restaurants Ltd

**Officer:** Aidan Thatcher 292265

**Approved on 12/02/09 DELEGATED**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**BH2008/03648**

**1 Meadow Close Rottingdean**

Demolition of existing dwellings and replacement with 3 no. two storey houses.

**Applicant:** South Eastern Construction

**Officer:** Anthony Foster 294495

**Refused on 09/02/09 DELEGATED**

**1) UNI**

Cumulatively the proposal, by virtue of design, size, density and impact on neighbouring amenity represents an unsuitable, overdevelopment of the site. As such the proposal is contrary to policies QD1, QD2, QD3, QD27 and HO4 of the Brighton & Hove Local Plan.

**2) UNI2**

The proposed redevelopment of this plot to create three townhouses would be out of keeping with the established built form and character of the area which is comprised predominately of bungalows set within modest plots. The proposal fails to enhance the positive qualities of the key neighbourhood principles of the area and does not respect the spacing characteristics of the neighbourhood. As such the development is considered to be contrary to policies QD2 and QD3 of the Brighton & Hove Local Plan.

**3) UNI3**

The proposal, by virtue of its design, detailing and materials, does not represent a high quality design in its own right and does not make a positive contribution to the visual amenity of the street scene. As such the proposal would represent a visually inappropriate and unacceptable development on this site, which would harm the character and appearance of the street scene. The proposal is therefore contrary to policies QD1, QD2 and QD5 of the Brighton & Hove Local Plan.

**4) UNI4**

The proposal, by virtue of its proximity to neighbouring properties, in particular number 3 Meadow Close, increase in height and increase in windows in the south elevation would result in an overbearing impact, loss of privacy, the perception of being overlooked and potential noise disturbance for occupants of neighbouring properties. As such the proposal is contrary to policies SU9 and QD27 of the Brighton & Hove Local Plan.

## 5) UNI5

The proposed development has insufficient outdoor private amenity space for future occupiers and as such is contrary to policy HO5 of the Brighton & Hove Local Plan.

### **BH2008/03757**

#### **22 Lustrells Crescent Brighton**

Erection of a single storey rear conservatory.

**Applicant:** Mr & Mrs O'Mahoney

**Officer:** Chris Swain 292178

**Approved on 12/02/09 DELEGATED**

#### **1) BH01.01**

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) BH02.04**

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 window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed 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 QD14 and QD27 of the Brighton & Hove Local Plan.*

#### **3) BH03.03**

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

#### **4) UNI**

The windows on the north eastern facing elevation shall not be glazed otherwise than with obscured glass and fixed shut and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

### **BH2008/03765**

#### **Land Adjacent To Greenways, Ovingdean**

Use of land as temporary construction compound in connection with waste water flow infrastructure approved by Planning Permission BH2005/05602 (revised area of compound).

**Applicant:** Southern Water Services Ltd

**Officer:** Aidan Thatcher 292265

**Approved on 18/02/09 DELEGATED**

#### **1) BH03.02**

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 policies QD1 and QD14 of the Brighton & Hove Local Plan.*



## **2) BH07.07**

No development shall commence until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

## **3) BH15.01**

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained.

*Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.*

## **4) BH15.02**

No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete rubble.

*Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.*

## **5) UNI**

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. The date of commencement shall be provided to the local planning authority in writing within two weeks of its commencement and the works shall be completed and the requirements of condition 2 met within a period of two years from that date.

*Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and the works approved are not considered suitable as a permanent form of development.*

## **6) UNI**

Before any works or excavations commence on the site, details of the proposals for the removal, reinstatement and maintenance of the land shall be submitted to and approved by the Local Planning Authority. Only those details as may be approved by the Local Planning Authority shall thereafter be implemented.

*Reason: To ensure the land re-establishes in a satisfactory manner and to comply with policies QD17 & NE6 of the Brighton & Hove Local Plan.*

## **7) UNI**

Before development commences, details for the provision of wheel cleaning facilities shall be submitted to and agreed in writing with the Local Planning Authority. Such facilities shall be made available, employed and maintained at all times during the development to prevent the deposit of any detritus on the public highway. Any detritus deposited on the highway shall be removed immediately and in any event at the end of each working day.

*Reason: To ensure the road is kept free from dirt and debris associated with the development and to comply with policy TR7 of the Brighton & Hove Local Plan.*

## **8) UNI**

Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work

should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Such facilities shall be constructed and completed in accordance with plans approved by the Local Planning Authority.

*Reason: To prevent pollution of the water environment in accordance with policy SU3 of the Brighton & Hove Local Plan.*

#### **9) UNI**

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the local planning authority and the works shall be undertaken in accordance with the approved details.

*Reason: In order to protect and record archaeological remains as the development is likely to disturb remains of archaeological interest and to comply with policy S1(j) of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and policy HE12 of the Brighton & Hove Local Plan.*

### **BH2008/03766**

#### **Land Off Marine Drive (A259)**

Use of land for Temporary Construction Compound in connection with Waste Water Flow Infrastructure approved by Planning Permission BH2005/05606 (Revised area of compound).

**Applicant:** Southern Water Services Ltd

**Officer:** Aidan Thatcher 292265

**Approved on 18/02/09 DELEGATED**

#### **1) BH03.02**

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 policies QD1 and QD14 of the Brighton & Hove Local Plan.*

#### **2) BH07.07**

No development shall commence until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **3) BH15.01**

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained.

*Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.*

#### **4) BH15.02**

No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete rubble.

*Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan.*

#### **5) UNI**

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. The date of commencement shall be provided to the local planning authority in writing within two weeks of its commencement and the works shall be completed and the requirements of condition 2 met within a period of two years from that date.

*Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and the works approved are not considered suitable as a permanent form of development.*

#### **6) UNI**

Before development commences, details for the provision of wheel cleaning facilities shall be submitted to and agreed in writing with the Local Planning Authority. Such facilities shall be made available, employed and maintained at all times during the development to prevent the deposit of any detritus on the public highway. Any detritus deposited on the highway shall be removed immediately and in any event at the end of each working day.

*Reason: To ensure the road is kept free from dirt and debris associated with the development and to comply with policy TR7 of the Brighton & Hove Local Plan.*

#### **7) UNI**

Before any works or excavations commence on the site, details of the proposals for the removal, reinstatement and maintenance of the land shall be submitted to and approved by the Local Planning Authority. Only those details as may be approved by the Local Planning Authority shall thereafter be implemented.

*Reason: To ensure the land re-establishes in a satisfactory manner and to comply with policies QD17 & NE6 of the Brighton & Hove Local Plan.*

#### **8) UNI**

Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Such facilities shall be constructed and completed in accordance with plans approved by the Local Planning Authority.

*Reason: To prevent pollution of the water environment in accordance with policy SU3 of the Brighton & Hove Local Plan.*

#### **9) UNI**

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the local planning authority and the works shall be undertaken in accordance with the approved details.

*Reason: In order to protect and record archaeological remains as the development is likely to disturb remains of archaeological interest and to comply with policy S1(j) of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and policy HE12 of the Brighton & Hove Local Plan.*

**BH2008/03897**

**30 Roedean Crescent Brighton**

Additional terrace in rear garden (Retrospective).

**Applicant:** Mr Jonathan Allen

**Officer:** Liz Holt 291709

**Approved - no conditions on 05/02/09 DELEGATED**

**WOODINGDEAN**

**BH2008/03713**

**89 The Ridgway Brighton**

Certificate Of Lawfulness for proposed replacement of existing shed with a single garage.

**Applicant:** Mr R Chamberlain

**Officer:** Helen Hobbs 293335

**Refused on 05/02/09 DELEGATED**

**1) UNI**

The proposed side garage does not constitute permitted development under Class A of Part 1 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended by the 2008 Order.

**BH2008/03739**

**Police Box The Ridgway Woodingdean Brighton**

Replacement of existing timber windows with double glazed UPVC windows.

**Applicant:** Sussex Police Authority

**Officer:** Helen Hobbs 293335

**Approved on 25/02/09 DELEGATED**

**1) BH01.01**

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.*

**BH2008/03838**

**59 Warren Way Brighton**

Single storey rear extension with pitched roof (part retrospective).

**Applicant:** Ms Peggy Fenton and Mr Andrew Pratley

**Officer:** Sonia Kanwar 292359

**Approved on 10/02/09 DELEGATED**

**1) BH03.02**

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 policies QD1 and QD14 of the Brighton & Hove Local Plan.*

**BH2008/03920**

**87 Balsdean Road Brighton**

Construction of replacement front boundary wall. Reposition existing access to create disabled access. Engineering operation to change ground levels of front garden area (Part Retrospective).

**Applicant:** Mr Peter Barnard

**Officer:** Aidan Thatcher 292265

**Approved on 10/02/09 DELEGATED**

**1) UNI**

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

*Reason: To regularise the existing unauthorised position, to ensure there is no continued harm to the street scene, to comply with policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and to ensure that the Local Planning Authority retains the right to review unimplemented permissions.*

**BRUNSWICK AND ADELAIDE**

**BH2007/02213**

**Garages Opposite 6-10 St Johns Road Hove**

Demolition of garages.

**Applicant:** Coulson Motors

**Officer:** Nicola Hurley 292114

**Approved on 25/02/09 PLANNING COMMITTEE**

**1) 01.04AA**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

**2) 13.07A**

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work is commenced in accordance with a scheme for which Planning Permission has been granted within a period of 6 months following commencement of demolition.

*Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.*

**BH2007/02214**

**6-10 St Johns Road Hove**

Construction of 3 town houses following demolition of 6-8 St Johns Road and conversion of 10 St Johns Road to provide 2 self-contained flats.

**Applicant:** Coulson Motors

**Officer:** Nicola Hurley 292114

**Approved on 25/02/09 DELEGATED**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**2) 02.02A**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed 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 QD14 and QD27 of the Brighton & Hove Local Plan.*

**3) 02.04A**

No cables, wires, aerials, pipework (except rainwater downpipes as shown on approved plans), meter boxes or flues shall be fixed to any elevation facing a

highway.

*Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.*

**4) 02.06A**

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full as approved prior to occupation and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

*Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policies SU2 and QD27 of the Brighton & Hove Local Plan.*

**5) 05.01A**

No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority which details measures to ensure that the development hereby approved will achieve an EcoHomes rating of 'Very Good' or higher or a Code for Sustainable Homes rating of 'Level 3' or higher or an equivalent level of performance if an alternative independently assessed means of sustainability assessment is used. The agreed scheme shall be implemented in strict accordance with the approved details prior to the occupation of the development.

*Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and in accordance with policies S1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and SU2 of the Brighton & Hove Local Plan.*

**6) 06.03A**

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 at all times.

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

**7) 13.01A**

No development shall take place until samples of the materials (including colour of render, paintwork or 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 HE6 of the Brighton & Hove Local Plan.*

**8) 13.06A**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no extension, enlargement or other alteration of the building(s) 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 or to the character of the area, and for this reason would wish to control any future development proposals to comply with policy HE6 of the Brighton & Hove Local Plan.*

**9) 13.07A**

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have

been entered into by the developer to ensure that building work is commenced in accordance with a scheme for which Planning Permission has been granted within a period of 6 months following commencement of demolition.

*Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.*

#### **10) UNI**

Prior to commencement of development full details of land levels of the proposed development relative to surrounding properties shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels and the development shall be constructed in accordance with the agreed details.

*Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

#### **11) UNI**

Notwithstanding the approved floor plans, no development shall take place until revised floor plans which demonstrate how the proposal complies with lifetime home standards have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the agreed details and thereafter retained.

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

#### **12) UNI**

No development shall take place until a scheme demonstrating how rainwater recycling facilities will be incorporated into the scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the dwellings and shall be retained for use as such thereafter.

*Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and in accordance with policies S1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and SU2 of the Brighton & Hove Local Plan.*

#### **13) UNI**

Notwithstanding the submitted Waste Minimisation Statement, no development shall take place until a written statement, consisting of a Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

*Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, WLP11 of the East Sussex and Brighton & Hove Waste Local Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.*

#### **14) UNI**

No development shall take place until 1:20 sections and profiles and samples have been submitted to and agreed in writing by the Local Planning Authority in respect of windows, doors, balconies, canopies, parapets and eaves. The scheme shall be implemented fully in accordance with the agreed details and retained thereafter.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

## **15) UNI**

Prior to commencement of development, details of the bollards shall be submitted to and approved in writing by the Local Planning Authority. The bollards shall be implemented fully in accordance with the approved details and retained as such thereafter.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.*

## **16) UNI**

(i) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority: (A desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below, however, this will all be confirmed in writing).

(a) A desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and unless otherwise agreed in writing by the Local Planning Authority

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175; and unless other wise agreed in writing by the Local Planning Authority

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

## **17) UNI**

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i) c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise:

(a) as built drawings of the implemented scheme;

(b) photographs of the remediation works in progress;

(c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (i) c.

*Reason: Previous historical activities associated with this site may have potentially caused, or have the potential to cause, contamination of controlled waters and to ensure that the proposed site investigations and remediation will not cause pollution of controlled waters and in accordance with policies SU3 and SU11 of the Brighton & Hove Local Plan.*

## **BH2007/02217**

### **6-10 St Johns Road Hove**

Demolition of 6 & 8 St Johns Road.

**Applicant:** Coulson Motors

**Officer:** Nicola Hurley 292114

**Approved on 25/02/09 PLANNING COMMITTEE**

**1) 01.04AA**



The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

**2) 13.07A**

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work is commenced in accordance with a scheme for which Planning Permission has been granted within a period of 6 months following commencement of demolition.

*Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.*

**BH2007/02257**

**Garages opposite 6-12 St Johns Road Hove**

Construction of two-storey B1 offices following demolition of existing garages.

**Applicant:** Coulson Motors

**Officer:** Nicola Hurley 292114

**Approved on 25/02/09 DELEGATED**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**2) 02.04A**

No cables, wires, aerials, pipework (except rainwater downpipes as shown on approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

*Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.*

**3) 02.06A**

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full as approved prior to occupation and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

*Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policies SU2 and QD27 of the Brighton & Hove Local Plan.*

**4) 05.01AA**

Prior to the commencement of development, details of the measures to ensure that the development achieves a "Very Good" or "Excellent" BREEAM rating shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

*Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and in accordance with policies S1 of the East Sussex and Brighton & Hove Structure Plan 1991 - 2011 and SU2 of the Brighton & Hove Local Plan.*

**5) 06.03A**

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 at all times.

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

**6) 13.01A**

No development shall take place until samples of the materials (including colour of render, paintwork or 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 HE6 of the Brighton & Hove Local Plan.*

**7) 13.07A**

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work is commenced in accordance with a scheme for which Planning Permission has been granted within a period of 6 months following commencement of demolition.

*Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.*

**8) UNI**

Prior to commencement of development full details of land levels of the proposed development relative to surrounding properties shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels and the development shall be constructed in accordance with the agreed details.

*Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

**9) UNI**

Notwithstanding the submitted Waste Minimisation Statement, no development shall take place until a written statement, consisting of a Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

*Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, WLP11 of the East Sussex and Brighton & Hove Waste Local Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.*

**10) UNI**

The commercial units shall not be open or in use except between the hours of 08.00 and 18.00 Mondays to Saturdays and not at any time on Sundays or Bank Holidays.

*Reason: To safeguard residential amenity and to comply with policy QD27 of the Brighton & Hove Local Plan.*

**11) UNI**

No vehicular movements for the loading or unloading of vehicles to the commercial units at ground floor level shall take place between the hours of 18.00 to 08.00 on Monday to Saturday and not at any time on Sundays and Bank Holidays.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and in accordance with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

## **12) UNI**

No development shall take place until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration is submitted to and agreed in writing by the Local Planning Authority. The use of the premises shall not commence until all specified works have been carried out in accordance with the agreed details and thereafter be retained to the satisfaction of the Local Planning Authority.

*Reason: To protect residential amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

## **13) UNI**

Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises shall not exceed a level 5dB below the existing LA90 background noise level. Rating level and existing background noise levels to be determined as per the guidance provided in BS 4142: 1997.

*Reason: To safeguard the amenities of neighbouring occupiers and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

## **14) UNI**

No development shall take place until a scheme for the fitting of odour control equipment to the building has been submitted to and agreed in writing by the Local Planning Authority. The use of the premises shall not commence until all odour control equipment works have been carried out in accordance with the approved details and thereafter be retained to the satisfaction of the Local Planning Authority.

*Reason: To protect residential amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

## **15) UNI**

No development shall take place until a scheme for sound insulation of odour control equipment referred to in the condition set out above shall be submitted to and agreed in writing by the Local Planning Authority. The use of the premises shall not commence until all sound insulation works have been carried out in accordance with the agreed details and thereafter be retained to the satisfaction of the Local Planning Authority.

*Reason: To protect residential amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

## **16) UNI**

No development shall take place until details of the external lighting of the site has been submitted to and approved in writing by the Local Planning Authority. The lighting installation shall comply with the recommendations of the Institution of Lighting Engineers (ILE) "Guidance Notes for the Reduction of Light Pollution" (dated 2005) for zone E or similar guidance recognised by the council. A certificate of compliance signed by a competent person shall be submitted with the details. The approved installation shall be maintained and operated in accordance with the approved details and thereafter be retained to the satisfaction of the Local Planning Authority.

*Reason: To protect residential amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

## **17) UNI**

Prior to commencement of development, details of the bollards shall be submitted to and approved in writing by the Local Planning Authority. The bollards shall be implemented fully in accordance with the approved details and retained as such thereafter.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and HE6 of*

*the Brighton & Hove Local Plan.*

**18) UNI**

No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority: (A desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below, however, this will all be confirmed in writing).

(a) A desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and unless otherwise agreed in writing by the Local Planning Authority

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175; and unless other wise agreed in writing by the Local Planning Authority a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning authority verification by a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i) c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise:

(b) as built drawings of the implemented scheme;

(c) photographs of the remediation works in progress;

(d) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (i) c.

*Reason: Previous historical activities associated with this site may have potentially caused, or have the potential to cause, contamination of controlled waters and to ensure that the proposed site investigations and remediation will not cause pollution of controlled waters and in accordance with policies SU3 and SU11 of the Brighton & Hove Local Plan.*

**BH2007/02589**

**17 Palmeira Square & 68-72 Western Road Hove**

New build 1st to 5th floor levels above 68-70 Western Road to form 3 x 2 bedroom flats & 1 x 3 bedroom maisonette. Refurbishment of 17 Palmeira Square.

**Applicant:** Florina Sayidhum

**Officer:** Lawrence Simmons 290478

**Refused on 20/02/09 DELEGATED**

**1) UNI**

Policy HE1 of the Brighton & Hove Local Plan states that all proposals for the alteration, extension and change of use of a listed building will only be permitted where the proposal would not have any adverse effects on the architectural and historic character and appearance of the interior or exterior of the building or its setting. The proposed internal conversion works would result in unsympathetic alterations to the Listed Building which fails to respect the architectural setting of

the internal spaces. Externally, the works involve unsympathetic additions which are considered inappropriate. Furthermore, the applicant has failed to demonstrate whether the proposed structure of the retail units would be affected by the development.

## **2) UNI2**

The proposed development, by reason of its form, bulk, scale and positioning in the site and external appearance, would be out of keeping with surrounding development and represents an incongruous feature that fails to respect the context of its setting of the adjoining Listed Buildings. The development is also considered to overwhelm the character of the listed buildings below and to the west. The development would not respect the architectural integrity or setting of the adjoining Listed Building. The proposal is therefore contrary to policies QD1, QD2, QD3, QD5, HO3, HO4, HE1 and HE6 of the Brighton & Hove Local Plan.

## **BH2007/02600**

### **17 Palmeira Square & 68-72 Western Road Hove**

New build 1st to 5th floor levels above 68-70 Western Road to form 3 x 2 bedroom flats and 1 x 3 bedroom maisonette. Refurbishment of 17 Palmeira Square.

**Applicant:** Florina Sayidhum

**Officer:** Lawrence Simmons 290478

**Refused on 20/02/09 DELEGATED**

## **1) UNI**

The proposed development, by reason of its form, bulk, scale and positioning in the site and external appearance, would be out of keeping with surrounding development and represents an incongruous feature that fails to respect the context of its setting. The development would also fail to preserve or enhance the character and appearance of the Brunswick Town Conservation Area and would not respect the architectural integrity or setting of the adjoining Listed Building. The proposal is therefore contrary to policies QD1, QD2, QD3, QD5, HO3, HO4, HE1 and HE6 of the Brighton & Hove Local Plan.

## **2) UNI2**

Policy HE1 of the Brighton & Hove Local Plan states that all proposals for the alteration, extension and change of use of a listed building will only be permitted where the proposal would not have any adverse effects on the architectural and historic character and appearance of the interior or exterior of the building or its setting. The proposed internal conversion works would result in unsympathetic alterations to the Listed Building which fails to respect the architectural setting of the internal spaces. Furthermore, the applicant has failed to demonstrate whether the proposed structure of the retail units would be affected by the development. The development is also considered to overwhelm the character of the listed buildings below and to the west.

## **3) UNI3**

The proposed development would by reason of its height, scale and positioning in close proximity to the southern boundary of the site lead to a significant overbearing effect and increased sense of enclosure to neighbouring properties to the detriment of the living conditions of existing occupiers. The proposal would therefore be contrary to planning policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

## **4) UNI4**

The proposed development would by reason of its positioning in the site together with the internal floor layouts of flats lead to a significant level of overlooking and consequential loss of privacy to the occupiers of adjoining properties to the detriment of neighbouring residential amenity. The proposal would therefore be contrary to planning policies QD1, QD2 and QD27 of the Brighton & Hove Local

Plan.

**5) UNI5**

The proposal would result in an unsatisfactory level of private amenity space which would be to the detriment of the living conditions of any future residents of the scheme and is contrary to policies HO5 and QD27 of the Brighton & Hove Local Plan.

**6) UNI6**

Policy HO13 of the Brighton & Hove Local Plan requires new residential dwellings to be built to a lifetime homes standard whereby the accommodation can be adapted to meet the needs of people with disabilities without major structural alterations. The scheme fails to incorporate lifetime home standards to the design of the flats and is therefore contrary to policy HO13 of the Brighton & Hove Local Plan and PAN03 Accessible Housing and Lifetime Homes.

**7) UNI7**

The application proposes internal bathrooms throughout the development which would be reliant on artificial lighting and mechanical ventilation to an unacceptable level and main bedrooms not benefiting from natural ventilation. The proposed development is therefore contrary to policy SU2 of the Brighton & Hove Local Plan.

**BH2007/04452**

**7 Brunswick Street West Hove**

Insertion of new windows to front and rear ground floor (part retrospective). Amended scheme.

**Applicant:** Mr R Rigg

**Officer:** Clare Simpson 292454

**Approved on 18/02/09 PLANNING COMMITTEE**

**1) UNI**

Within six months of the date of the approval, unless otherwise agreed in writing, the windows on the front elevation of the building shall be removed and the windows hereby approved shall be fully installed, with external finishes to match that of the existing building and shall be retained as such thereafter. The approved windows shall exactly follow the design and detailing of windows installed at no.9 Brunswick Street West.

*Reason: To ensure satisfactory appearance to the development and to improve the character and appearance of the street scene and the wider Brunswick Town Conservation Area and to comply with policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan*

**2) UNI**

Within three months of the date of the permission, unless otherwise agreed in writing, full details of the proposed rear sliding sash window shall be submitted to and approved by the Local Planning Authority in writing. The approved windows shall be installed within six months of the date of this permission, unless otherwise agreed in writing, and shall be retained in place thereafter. The finishing around the new windows shall exactly match the existing finishes on the rear elevation and retained as such thereafter.

*Reason: To preserve the historic character of the rear elevation of the existing building and 28 and 29 Brunswick Terrace and to comply with policies HE1 of the Brighton & Hove Local Plan.*

**BH2008/02787**

**64 Brunswick Street West, Hove**

Change of use from Snooker Hall (D2) to Music School (D1) and associated rear external alterations.

**Applicant:** No.7 Ltd

**Officer:** Clare Simpson 292454

**Approved on 18/02/09 PLANNING COMMITTEE**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**2) BH02.08**

No development shall take place 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 in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

**3) BH05.07**

No development shall take place until a written Site Waste Management Plan, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in strict accordance with the approved details.

*Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.*

**4) BH05.09**

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

*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.*

**5) BH06.02**

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.*

**6) BH06.04**

No development shall take place until details of a scheme to provide sustainable transport infrastructure to support the demand for travel generated by the development has been submitted to and approved in writing by the Local

Planning Authority. This shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

*Reason: To ensure that the proposed development provides for the demand for travel it creates and does not put undue pressure on existing on-street car parking in the city and to comply with policies TR1 and SU15 of the Brighton & Hove Local Plan.*

**7) BH07.02**

No development shall commence until a scheme for the soundproofing of the building has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

**8) BH07.07**

No development shall commence until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

**9) UNI**

Amplified music or other noise from within the premises shall not be audible at any adjacent residential premises.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policy QD27 of the Brighton & Hove Local Plan.*

**10) UNI**

The external finishes of the rear extension works hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

**11) UNI**

The premises shall not be open or in use except between the hours of 8.30 am and 6.30 pm on Monday to Saturday, and not at any time on Sunday or Bank Holidays.

*Reason: To safeguard the amenities of the locality and to comply with policy QD27 of the Brighton & Hove Local Plan.*

**12) UNI**

Before development commences, a travel plan shall be submitted to and approved in writing by the Local Planning Authority indicating measures to encourage the use of walking, cycling and public transport and carry out on-site improvements to assist in this aim, together with a schedule for implementation. The scheme shall thereafter be carried out in accordance with the agreed details and where applicable, thereafter implemented at all times the music school is in operation.

*Reason: To seek to reduce traffic generation in accordance with policy TR4 Travel Plan of the Brighton & Hove Local Plan.*

**13) UNI**

Before development commences, a management plan shall be submitted to and approved in writing by the Local Planning Authority indicating measures to ensure students arrive at and depart the site with minimal impact on neighbouring residential occupiers and to avoid large numbers of students congregating outside the premises, together with a schedule for implementation. The agreed



management plan shall be implemented at all times the music school is in operation.

*Reason: To seek to reduce potential noise and disturbance from the use of the premises as a music school in accordance with policy QD27 of the Brighton & Hove Local Plan.*

#### **14) UNI**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any subsequent similar re-enactment, this permission shall be for a music school with ancillary offices and no other purposes including any other uses within Class D1 of the Schedule to the Order without the prior consent of the Local Planning Authority to whom a planning application shall be made.

*Reason: Having regard to the location of the premises, parking, traffic generation and residential amenity, the need to retain community facilities and to comply with policies HO20 and QD27 of the Brighton & Hove Local Plan.*

#### **15) UNI**

Before development commences, full details of the extent of the works required to the windows on the front elevation of the property and the roof of the property shall be submitted to and approved by the Local Planning Authority. The schedule of works shall include 1:20 joinery details and samples as appropriate.

*Reason: As insufficient information as been submitted and to protect the listed building in compliance with policy HE1 of the Brighton & Hove Local Plan.*

### **BH2008/02788**

#### **64 Brunswick Street West Hove**

Internal and rear external alterations in association with change of use from snooker hall (D2) to music school (D1).

**Applicant:** No.7 Ltd

**Officer:** Clare Simpson 292454

#### **Approved on 18/02/09 PLANNING COMMITTEE**

##### **1) 01.05AA**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

##### **2) UNI**

The external finishes of the rear extension works hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.*

##### **3) UNI**

Before development commences, full details of the extent of the works required to the windows on the front elevation of the property and the roof of the property shall be submitted to and approved by the Local Planning Authority. The schedule of works shall include 1:20 joinery details and samples as appropriate. The works shall be carried out in strict accordance with the approved details and shall be retained as such thereafter.

*Reason: As insufficient information as been submitted and to protect the listed building in compliance with policy HE1 of the Brighton & Hove Local Plan.*

##### **4) UNI**

Before development commences, full detail of the soundproofing requirements shall be submitted to and approved by the Local Planning Authority in writing. The schedule of works shall include 1:20 joinery details as appropriate. The works shall be carried out in strict accordance with the approved details and shall be retained as such thereafter.

*Reason: As insufficient information as been submitted and to protect the listed building in compliance with policy HE1 of the Brighton & Hove Local Plan.*

**BH2008/03154**

**19 Norfolk Square Brighton**

Installation of air conditioning unit in courtyard (retrospective).

**Applicant:** Mr Hasan Kara

**Officer:** Chris Wright 292097

**Refused on 06/02/09 DELEGATED**

**1) UNI**

Policies QD14 and HE6 of the Brighton & Hove Local Plan support alterations to buildings which employ a high standard of design reflecting the character and appearance of the locality and the host building, and use building materials and finishes which are sympathetic to the area. The air conditioning unit and enclosure, by reason of the external appearance, finishes, size and materials, relate poorly with the host building in visual terms and detract from its historic character and appearance. Accordingly the proposal conflicts with the development plan.

**BH2008/03225**

**Flat 2 14 Adelaide Crescent Hove**

Replacement of all existing UPVC doors and windows with softwood casement windows and timber doors. Alterations to rear of building including the replacement of an existing sloping roof with a revised roof form, including 2 rooflights, the creation of an enlarged side window opening, and the creation of two obscured glass block windows to rear elevation. (Amended description).

**Applicant:** Mr Daniel Grant

**Officer:** Jonathan Puplett 292525

**Approved on 18/02/09 DELEGATED**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**2) UNI**

The lower sections of the enlarged window to 'bedroom 2' shown on drawing nos. 05 and 06, and the window to the 'master bedroom / bedroom 1' shown on drawing no. 06, which face onto the rear garden area of no. 13 Adelaide Crescent, shall be fixed shut, and shall not be glazed otherwise than with obscured glass. The windows shall thereafter be permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

**BH2008/03234**

**Flat 2 14 Adelaide Crescent Hove**

Internal alterations to layout of flat. Replacement of all existing UPVC doors and windows with softwood casement windows and timber doors. Alterations to rear of building including the replacement of an existing sloping roof with a revised roof form, including 2 rooflights, creation of an enlarged side window opening, and the creation of two obscured glass block windows to rear elevation. (Amended description)

**Applicant:** Mr Daniel Grant

**Officer:** Jonathan Puplett 292525

**Approved on 25/02/09 DELEGATED**

### **1) BH01.05**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

### **BH2008/03387**

#### **25 Chapel Mews Hove**

Proposed roof terrace on existing flat roof.

**Applicant:** Mr Christopher Drye

**Officer:** Mark Thomas 292336

**Refused on 05/02/09 DELEGATED**

#### **1) UNI**

Policy QD14 of the Brighton & Hove Local Plan requires extensions and alterations will only be granted if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed roof terrace and parapet wall, by virtue of its proximity to neighbouring boundaries, would result in significant overlooking and loss of privacy for the residents of the properties at no. 24 Chapel Mews, and nos. 64 and 65 Waterloo Street. It is also considered that the proposed development would result in significant increased sense of enclosure to no. 24 Chapel Mews, and loss of light and overshadowing to no. 24 Chapel Mews and lower floors of no. 65 Waterloo Street. Further, the use of the roof of no. 25 Chapel Mews as private amenity space, would result in significant noise disturbance to the residents of no. 24 Chapel Mews. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

### **BH2008/03578**

#### **27A and C Wilbury Road Hove**

Certificate of Lawfulness for proposed conversion of ground floor flat and upper maisonette to a single family dwelling.

**Applicant:** Mr Dexter Tirani

**Officer:** Jonathan Puplett 292525

**Approved on 13/02/09 DELEGATED**

### **BH2008/03633**

#### **Flat 3 17 Brunswick Terrace Hove**

Replacement of existing metal framed windows with traditional box sashes.

**Applicant:** Goodman Property Investments

**Officer:** Chris Wright 292097

**Approved on 24/02/09 DELEGATED**

#### **1) BH01.01**

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) UNI**

The glazing bars of the replacement windows hereby permitted shall not exceed 20mm in width and the box frames shall be concealed behind the existing outer leaf of brickwork and set on the inner face of the wall.

*Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.*

**BH2008/03915**

**24 Palmeira Avenue Hove**

Formation of balcony to rear above existing flat roof. Reinstatement of glazed lean to roof to rear elevation and formation of French door openings below.

**Applicant:** Mr & Mrs Lubert

**Officer:** Clare Simpson 292454

**Approved on 05/02/09 DELEGATED**

**1) BH01.01**

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) UNI**

Prior to occupation, the screening proposed for the south elevation of the balcony shall be erected in accordance with the details shown on drawing TA 360/13a and shall be retained as such thereafter.

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

**CENTRAL HOVE**

**BH2007/03828**

**Langfords Hotel 8-16 Third Avenue Hove**

Demolition of lift tower and link corridor and construction of new disabled lift, link corridor and 3 additional bedrooms (one disabled bedroom included) on 3 floors plus basement.

**Applicant:** Langfords Hotel

**Officer:** Guy Everest 293334

**Refused on 05/02/09 DELEGATED**

**1) UNI**

The development, by reason of inadequate information relating to the finish and detailing of the glazed link, would harm the form and setting of the original buildings and the appearance of The Avenues Conservation Area. The proposal is therefore contrary to policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan.

**BH2007/03829**

**Langfords Hotel 8-16 Third Avenue Hove**

Demolition of lift tower and link corridor.

**Applicant:** Langfords Hotel

**Officer:** Guy Everest 293334

**Refused on 05/02/09 DELEGATED**

**1) UNI**

The existing lift tower and link corridor is of little merit. However, in the absence of acceptable detailed plans for a replacement scheme its demolition could have a negative impact on the character and appearance of the Willett Estate Conservation Area. The proposal is therefore contrary to policy HE8 of the Brighton & Hove Local Plan.

**BH2008/03061**

**Flat 1 6 Clarendon Villas Hove**

Replacement of existing front bay windows with double glazed UPVC windows

**Applicant:** Mrs Laurice Shehadeh

**Officer:** Wayne Nee 292132

**Approved on 06/02/09 DELEGATED**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**BH2008/03290**

**6 Wilbury Grove Hove**

Erection of a first floor rear single storey conservatory and raised deck.

**Applicant:** Mr Chris O'Neil

**Officer:** Weahren Thompson 290480

**Refused on 19/02/09 DELEGATED**

**1) UNI**

The proposed rear conservatory including the wall opening, together with the timber decking, balcony and boundary treatment at first floor level would represent an incongruous feature on this mews property, the setting of the mews and the adjoining buildings as a whole by virtue of its location, position and design, in that it would disrupt the existing general rear building line of the group of buildings in which the site lies and would be detrimental to the character and appearance of this part of the Willett Estate Conservation Area that would neither be preserved or enhanced. The proposal would be visually obtrusive, would not harmonise with the original building, in particular the historic horse tunnel feature in the form of a half barrel vaulted arch at ground level and would cause demonstrable harm to the form and appearance of the building. The proposal is therefore contrary to policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan and to the provisions of Supplementary Planning Guidance SPGBH1 Roof Alterations and Extensions.

**2) UNI2**

The proposed development by reason of its close proximity to site boundaries, would adversely affect the residential amenities of existing and future occupiers of neighbouring properties. The use of the flat roof as a roof terrace and the provision of a raised deck would be visually intrusive. The proposal would result in an unacceptable degree of direct overlooking and loss of privacy to the rear garden and habitable room windows at ground floor to the neighbouring property of 11 Wilbury Road and loss of privacy and loss of outlook to bedroom and bathroom windows at first floor to the adjoining property of The Stables, 8A Wilbury Grove. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and to the provisions of Supplementary Planning Guidance SPGBH1 Roof Alterations and Extensions.

**BH2008/03315**

**Flat 7 Normandy House 18 The Drive Hove**

Replacement of 4 no white UPVC windows and 1 no white UPVC door.

**Applicant:** Mr Stuart Vernon & Ms Alice Smee

**Officer:** Wayne Nee 292132

**Approved on 05/02/09 DELEGATED**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**BH2008/03664**

**GFF 6 Ventnor Villas Hove**

Conversion of existing garage into additional ground floor living area.

**Applicant:** Mr & Mrs Hunter

**Officer:** Jason Hawkes 292153

**Refused on 05/02/09 DELEGATED**

**1) UNI**

Policies QD1 and QD2 of the Brighton & Hove Local Plan seek to ensure that developments demonstrate a high standard of design which take into account the height, scale, and bulk of existing buildings. Policy QD14 states that extensions to buildings should be well designed and detailed in relation to the property to be extended and the surrounding area. Policy HE6 also states that development within or affecting the setting of conservation areas should preserve or enhance the character or appearance of the area. Having regard to the design, size and position of the proposed window, the scheme is deemed to form an unsympathetic and unsightly addition which will detract from the character and appearance of the host building and surrounding conservation area. The proposed scheme is therefore deemed contrary to the above policies.

**BH2008/03689**

**13-14 George Street Hove**

Change of use from retail (A1) to coffee shop (A3) with ancillary retail (A1) and external seating to George Street, with new door opening to rear elevation.

**Applicant:** Costa Coffee

**Officer:** Guy Everest 293334

**Approved on 10/02/09 DELEGATED**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**2) UNI**

The rear door opening to the rear elevation of the premises shall only be opened for emergencies and for no other purpose whatsoever.

*Reason: To safeguard the amenities of the occupiers of adjoining properties, to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

**3) UNI**

Amplified music or other entertainment noise from within the premises shall not be audible at any adjacent residential premises.

*Reason: To safeguard the amenities of the occupiers of adjoining properties, to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

**BH2008/03798**

**19 Vallance Gardens Hove**

Two-storey rear extension to existing care home.

**Applicant:** ACH Ltd

**Officer:** Guy Everest 293334

**Refused on 16/02/09 DELEGATED**

**1) UNI**

The two-storey rear extension by reason of its scale, siting, form and design in relation to the existing building would appear an incongruous and unsympathetic addition detrimental to the visual amenities of the site and surrounding area; and would result in significant loss of light and outlook to a bedroom window at first floor level ('bed 6'). The proposal is therefore contrary to policies QD1, QD2, QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

## **GOLDSMID**

### **BH2008/01800**

#### **Somerhill County Junior School Hove**

Erection of solar panels on roof of school building.

**Applicant:** Mr Ben Parkhurst

**Officer:** Jonathan Puplett 292525

**Approved on 09/02/09 DELEGATED**

#### **1) BH01.01**

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.*

### **BH2008/02169**

#### **Davidgor Infants School Somerhill Road Hove**

Installation of mobile classroom unit for a temporary period of 2 years (retrospective).

**Applicant:** Mr Ged Cotton

**Officer:** Jason Hawkes 292153

**Approved on 19/02/09 PLANNING COMMITTEE**

#### **1) UNI**

The temporary classroom hereby permitted shall be removed and the land restored to its former condition on or before 31 August 2010 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

*Reason: The building hereby approved is not considered suitable as a permanent form of development to safeguard residential amenity and to comply with policy QD27 of the Brighton & Hove Local Plan.*

#### **2) UNI**

The south facing windows shall not be glazed otherwise than with obscured glass and fixed shut and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

### **BH2008/02542**

#### **1 Fonthill Road Hove**

Change of use from shop (A1) to residential unit (C305).

**Applicant:** Mrs Andree Hawkins

**Officer:** Jason Hawkes 292153

**Refused on 24/02/09 DELEGATED**

#### **1) UNI**

Policy SR8 of the Brighton & Hove Local Plan states that planning permission for changes of use of individual shops from Class A1 use will be permitted provided that it has been adequately demonstrated that the A1 retail use is no longer economically viable. Applicants are expected to submit documentary evidence, including a comparison with units in a similar location, to demonstrate active marketing of the unit on competitive terms. Insufficient information has been submitted indicating appropriate marketing. The proposal is therefore contrary to the requirements of the above policy.

**BH2008/03006**

**100 Goldstone Villas Hove**

Advertisement consent for 3 x awnings to front elevation.

**Applicant:** Mrs Celia Tobin

**Officer:** Jonathan Puplett 292525

**Refused on 25/02/09 DELEGATED**

**1) UNI**

In conjunction with Policy HE6, Policy HE9 of the Brighton & Hove Local Plan states that advertisements located on listed building and within conservation areas will only be permitted where they do not have an adverse effect on the architectural and historic character or appearance of the building, on a conservation area or on their settings. SPD09 provides more detailed design guidance in relation to advertisements. The proposed awnings by virtue of their non-traditional design, materials, and protruding housings, represent inappropriate features which would appear incongruous having regard to the historic character of the building. The proposed signage would harm the appearance of the building and the surrounding conservation area, contrary to the above policies and guidance.

**BH2008/03153**

**The Station PH 100 Goldstone Villas Hove**

Installation of metal gates, railings and awnings to front elevation. New 3 no. large umbrellas in side garden.

**Applicant:** Spirit Group PLC

**Officer:** Jonathan Puplett 292525

**Refused on 25/02/09 DELEGATED**

**1) UNI**

Policy HE6 of the local plan seeks to ensure that all proposals within a conservation area preserve or enhance the character and appearance of the area, and policy QD14 seeks to ensure that all proposal for extensions and alterations are appropriate in regard to their visual impact. The proposed modern awnings by virtue of their non-traditional design, materials, and protruding housings, represent inappropriate features which would appear incongruous having regard to the historic character of the building. The proposed railings, gates and umbrellas are also considered inappropriate features which would harm the appearance of the property, to the detriment of the visual amenities of the area, and the character of the surrounding conservation area.

**BH2008/03348**

**20 Denmark Villas Hove**

Removal of existing rear roof terrace at raised ground floor level and erection of a new external staircase, landing, handrails and balustrades leading to rear garden.

**Applicant:** Mr Tony Adams

**Officer:** Chris Wright 292097

**Refused on 25/02/09 DELEGATED**

**1) UNI**

Policies QD14 and QD27 of the Brighton & Hove Local Plan seek to ensure that alterations and additions to properties do not have a harmful impact upon neighbouring and adjoining residents' quality of life and residential amenity. The proposed staircase and landing would be situated directly over and in front of the kitchen window to the basement flat respectively, which in conjunction with the east facing aspect, height of existing planting and low level of the window in relation to rear garden height, would lead to an unacceptable sense of enclosure and loss of light and outlook, to the detriment of the basement occupiers' amenity and living conditions.



**BH2008/03727**

**18 Colbourne Road Hove**

Certificate of Lawfulness for proposed single storey rear extension and internal alterations.

**Applicant:** Mr Nick Sullivan

**Officer:** Mark Thomas 292336

**Approved on 09/02/09 DELEGATED**

**BH2008/03738**

**Aylesbury York Avenue Hove**

Replacement of existing windows to common area with double glazed UPVC windows.

**Applicant:** Aylesbury Property Ltd

**Officer:** Mark Thomas 292336

**Approved on 13/02/09 DELEGATED**

**1) BH01.01**

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.*

**HANGLETON & KNOLL**

**BH2008/03442**

**107 Boundary Road Hove**

Demolition of existing house and construction of 2-storey building with pitched roof and lightwell to form 7 flats. (Amended Description).

**Applicant:** Smart Property (Sussex) Ltd

**Officer:** Jason Hawkes 292153

**Refused on 16/02/09 PLANNING COMMITTEE**

**1) UNI**

The proposed development would result in an overdevelopment of the site by reason of its excessive bulk, inappropriate design, poor standard of accommodation at lower ground floor and second floor level and absence of private external amenity space appropriate to the scale of the development. The scheme therefore fails to respect the context of its setting and would be out of keeping with the surrounding area. The proposal is therefore contrary to policies QD1, QD2, QD3, QD5, QD27, HO3, HO4 and HO5 of the Brighton & Hove Local Plan.

**2) UNI**

Policies QD1, QD2, and QD3 of the Brighton & Hove Local Plan seek to ensure that developments demonstrate a high standard of design which take into account the height, scale, and bulk of existing buildings. The proposed building by virtue of its excessive scale and inappropriate design results in an incongruous addition which detracts from the character and appearance of the street scene. The scheme is therefore contrary to the above policies.

**3) UNI**

Policy QD27 states that permission for development will not be granted where it would cause material nuisance and loss of amenity to existing and proposed adjacent residents as well as future occupiers. The proposal to provide residential units within the basement and roof space results in a poor layout for the residential units with insufficient sized living areas and inadequate outlook and light. The scheme is therefore judged to provide an inappropriate and poor standard of accommodation and a cramped and confined internal environment that would provide inadequate living conditions for future occupiers. The

proposal is therefore contrary to the above policy.

#### **4) UNI**

Policy HO13 of the Brighton & Hove Local Plan requires new residential dwellings to be built to a lifetime homes standard whereby the accommodation can be adapted to meet the needs of people with disabilities without major structural alterations. The scheme fails to fully incorporate lifetime home standards to the design of the flats and has not provided suitable access for people with disabilities or wheelchair users. The scheme is therefore contrary to the above policy.

#### **5) UNI**

The proposal would result in an unsatisfactory level of private amenity space which would be to the detriment of the living conditions of any future residents of the scheme and is contrary to policies HO5 and QD27 of the Brighton & Hove Local Plan.

### **BH2008/03449**

#### **Land to rear 107 Boundary Road Hove**

Construction of new partially sunken 3 bedroom single storey dwelling with flat roof and rooflights.

**Applicant:** Smart Property (Sussex Ltd)

**Officer:** Jason Hawkes 292153

#### **Refused on 16/02/09 PLANNING COMMITTEE**

#### **1) UNI**

Policies QD1, QD2, and QD3 of the Brighton & Hove Local Plan seek to ensure that developments demonstrate a high standard of design which take into account the height, scale, and bulk of existing buildings. Policy HO4 states that residential development will be permitted at higher density where it can be demonstrated that the proposal exhibits a high standard of design. The proposed dwelling by virtue of its excessive scale is considered to be an overdevelopment of the site resulting in a cramped form of development, which fails to respect the constraints of the site and its relationship to surrounding residential properties. The scheme is therefore contrary to the above policies.

#### **2) UNI**

Policy QD27 states that permission for development will not be granted where it would cause material nuisance and loss of amenity to existing and proposed adjacent residents as well as future occupiers. The partially sunken dwelling results in a poor layout for the residential unit with inadequate outlook and light. The scheme is therefore judged to provide an inappropriate and poor standard of accommodation that would provide inadequate living conditions for future occupiers. The proposal is therefore contrary to the above policy.

#### **3) UNI**

Policy HO5 requires the provision of private useable amenity space in new residential development. The proposed lawned area for the dwelling does not provide an adequate outside private amenity space for the new dwelling as it will be overshadowed and overlooked by the adjacent dwelling. The private decked area is also of an insufficient size to provide a suitable outside private amenity area suitable to the scale of the development. The proposal is therefore contrary to the policy.

### **BH2008/03539**

#### **Court Farm Barn Devils Dyke Road Hove**

Application for Variation of Condition 1 of BH2005/02256/FP to read 'The mast hereby permitted shall be for a limited period only, expiring on 31st September 2015 after which the land shall be reinstated to its former condition'.

**Applicant:** Airwave Solutions Ltd

**Officer:** Clare Simpson 292454

**Approved on 06/02/09 DELEGATED**

**1) UNI**

The mast is hereby permitted for a limited period only expiring on 31 September 2015 after which the land shall be reinstated to its former condition.

*Reason: The barn provides a screen and its removal would expose the mast to wider views than at present, the mast without the screening would be inappropriate in an Area of Outstanding Natural Beauty and to comply with policies QD23, QD24, NC6, NC7 & NC8 of the Brighton & Hove Local Plan.*

**BH2008/03617**

**335 Hangleton Road Hove**

Creation of a crossover.

**Applicant:** Mrs Carol Boyce

**Officer:** Wayne Nee 292132

**Approved on 23/02/09 DELEGATED**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**SOUTH PORTSLADE**

**BH2008/03554**

**19 Mill Close Portslade Brighton**

Certificate of Lawfulness for an existing development of a loft conversion incorporating 1no dormer to the rear and 2no rooflights to the front.

**Applicant:** Mr Oliver Steer

**Officer:** Jonathan Puplett 292525

**Approved on 16/02/09 DELEGATED**

**STANFORD**

**BH2008/01824**

**St. Agnes Church Newtown Road Hove**

Conversion of existing roof void to form 5 maisonettes with associated alterations. Continued use of ground and lower ground floors as gymnasium.

**Applicant:** Mr Dudley Sizen

**Officer:** Ray Hill 293990

**Approved on 13/02/09 DELEGATED**

**1) BH01.01**

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) BH03.01**

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.*

### **3) BH04.01**

The new dwellings shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

*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.*

### **4) BH05.09**

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

*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.*

### **5) BH06.02**

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.*

### **6) BH11.01**

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, means of enclosure, 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.*

### **7) BH11.02**

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.*

### **8) UNI**

The flat roof (excluding the dedicated patio areas) at first floor level on the southern side of the building shall be used for access, emergency and maintenance purposes only, and shall not be used as a terrace, patio or similar amenity area.

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

**9) UNI**

The staircase at the south-eastern corner of the building, linking the ground floor entrance hall to the first floor level flat roof, shall be used only in case of emergency and for no other purpose.

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

**10) UNI**

No development shall take place until details of a scheme to provide sustainable infrastructure to support the demand for travel created by the development has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

*Reason: To ensure that the proposed development provides for the proposed travel demands that it creates and to comply with policies TR1, SU15 and QD28 of the Brighton & Hove Local Plan.*

**11) UNI**

Details (including materials and finishes) of the proposed first floor level balcony on the western elevation of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict 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.*

**12) UNI**

Unless otherwise agreed in writing with the Local Planning Authority, the measures for the recovery and re-use of demolition and construction waste shall be implemented in strict accordance with the submitted Site Waste Management Plan.

*Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of landfill is reduced, to comply with policy W10 of the East Sussex and Brighton & Hove Structure Plan, WLP11 of the East Sussex and Brighton & Hove Waste Local Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction & Demolition Waste.*

**BH2008/02761**

**49 Hill Drive Hove**

Addition of second storey to form 4 bedrooms including formation of balcony to rear elevation. (resubmission of BH2008/01385).

**Applicant:** Mr Rob Star

**Officer:** Clare Simpson 292454

**Approved on 19/02/09 PLANNING COMMITTEE**

**1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

**2) BH03.03**

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

### **3) UNI**

Prior to development commencing, full details of the screening on the rear balcony shall be submitted to and approved by the local planning Authority in writing. The approved screening shall be erected prior to the terrace being brought in to use and shall be retained in place thereafter:

*Reasons to protect the residential amenity of neighbouring properties in accordance with policy QD27 of the Brighton & Hove Local Plan submission of details to provide screening on the rear balcony.*

#### **BH2008/03082**

##### **47 Hill Drive Hove**

Alterations to garden landscaping. Change of roof coverings from previous approved concrete tile to natural slate and change of windows from previously approved UPVC to powder coated aluminium (amendment to previously approved application BH2007/01722).

**Applicant:** Mr Farnood Asghari-Coliveri

**Officer:** Clare Simpson 292454

**Approved on 06/02/09 DELEGATED**

### **1) UNI**

Within three months of the date of this permission, samples of the roof tile to be used in the construction of the external surfaces of the development hereby permitted shall be 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.*

#### **BH2008/03384**

##### **42 Tongdean Avenue Hove**

Proposed demolition of existing bungalow and erection of a pair of semi-detached dwellings with garages and cycle store (Resubmission of BH2008/00596).

**Applicant:** Mr & Mrs Bernstein

**Officer:** Clare Simpson 292454

**Approved on 09/02/09 PLANNING COMMITTEE**

### **1) BH01.01**

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) BH02.01**

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 extension, enlargement or other alteration of the dwellinghouse(s) 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 for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

### **3) BH02.05**

The side windows first and second floor shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.*

#### **4) BH02.07**

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.*

#### **5) BH04.01**

The new dwellings shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

*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.*

#### **6) BH05.01**

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until:

(a) evidence that the development is registered with the Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage Report showing that the development will achieve New build residential Code level 3 for all residential units have been submitted to the Local Planning Authority; and

(b) a BRE issued Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 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.*

#### **7) BH05.02**

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Building Research Establishment issued Final Code Certificate confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.*

#### **8) BH05.08**

No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

*Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.*

#### **9) BH05.10**

The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

*Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.*

**10) BH06.03**

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.*

**11) BH06.04**

No development shall take place until details of a scheme to provide sustainable transport infrastructure to support the demand for travel generated by the development has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

*Reason: To ensure that the proposed development provides for the demand for travel it creates and does not put undue pressure on existing on-street car parking in the city and to comply with policies TR1 and SU15 of the Brighton & Hove Local Plan.*

**12) BH11.01**

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, means of enclosure, 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.*

**13) BH11.02**

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.*

**14) BH11.03**

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 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.*



### **15) BH12.01**

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 HE6 of the Brighton & Hove Local Plan.*

### **16) BH12.07**

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 extension, enlargement or other alteration of the dwellinghouse(s) 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 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.*

### **17) UNI**

For the avoidance of doubt access to the flat roof over the living room 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.*

### **18) UNI**

Before development commences, full details of the method of enclosure to the second floor terrace shall be submitted to and approved by the Local Planning Authority in writing. The details shall include a suitable method for screening the terraces to preserve the privacy of neighbouring properties.

*Reason: As insufficient information has been submitted and to preserve the privacy of neighbouring properties and to comply with policy QD27 of the Brighton & Hove Local Plan.*

## **BH2008/03481**

### **42 Tongdean Avenue Hove**

Conservation Area Consent for demolition of existing bungalow.

**Applicant:** Mr & Mrs Bernstein

**Officer:** Clare Simpson 292454

### **Approved on 18/02/09 PLANNING APPLICATIONS SUB-COMMITTEE**

#### **1) BH01.04**

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

*Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

#### **2) BH12.08**

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

*Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.*

**BH2008/03755**

**15 Orchard Avenue Hove**

Certificate of Lawfulness for a proposed development of loft conversion incorporating 1 no. dormer to rear and 1 no. rooflight to front.

**Applicant:** Russell Muschamp

**Officer:** Wayne Nee 292132

**Approved on 23/02/09 DELEGATED**

**BH2008/03778**

**10 Radinden Manor Road Hove**

Two storey front and side extensions.

**Applicant:** Mr & Mrs Kendrick

**Officer:** Jason Hawkes 292153

**Refused on 16/02/09 DELEGATED**

**1) UNI**

Brighton & Hove Local Plan policies QD1, QD2 and QD3 require new development to be of a high standard of design that would make a positive contribution to the surrounding area and emphasises and enhances the positive characteristics of the local neighbourhood. Policy QD14 also states that extensions to buildings should be well designed and detailed in relation to the property to be extended and surrounding area. Supplementary Planning Guidance Note 1 outlines the Council's guidelines for roof extensions. The proposal is deemed inappropriate in terms of its appearance by virtue of the excessive number of pitched roofs to the front elevation which leads to an over dominant and unsympathetic appearance. The proposal is therefore deemed detrimental to the character and appearance of the host building and street scene and is contrary to the above policies and supplementary planning guidance.

**2) UNI**

Policies QD14 and QD27 of the Brighton & Hove Local Plan seek to protect the amenity of an area, its users, residents and occupiers. Having regard to the position and bulk of the side extension in close proximity to adjacent property to the south west, the proposal will be overbearing and will result in a significant loss of light, overshadowing and a heightened sense of enclosure to a ground floor kitchen / dining room. The proposal therefore leads to a loss of amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

**BH2008/03917**

**85 Woodland Avenue Hove**

First floor side extension and roof extension above existing garage, single storey rear extension, and one rooflight to rear.

**Applicant:** Mr Mathew Duffel & Mrs Jackie Duffel

**Officer:** Jonathan Puplett 292525

**Approved on 10/02/09 DELEGATED**

**1) BH01.01**

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) BH02.04**

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 window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed 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 QD14 and QD27 of the Brighton & Hove Local Plan.*

### **3) BH03.03**

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

## **WESTBOURNE**

### **BH2008/03584**

#### **First Floor Flat 54 Sackville Road Hove**

Insertion of two velux rooflights, one to front roof slope and one to rear.

**Applicant:** Mr N Hale

**Officer:** Wayne Nee 292132

**Approved on 19/02/09 DELEGATED**

#### **1) 01.01AA**

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

*Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.*

### **BH2008/03616**

#### **30 Carlisle Road Hove**

Conversion of rest home (C2) to single dwelling (C3) (retrospective).

**Applicant:** Mr D O'Reilly

**Officer:** Clare Simpson 292454

**Approved on 10/02/09 DELEGATED**

#### **1) UNI**

Within three months of the date of the permission, a written statement including an Energy Saving Trust Home Energy Report shall be submitted to and approved by the Local Planning Authority in writing. The report shall demonstrate how the development will result in a reduction in the energy and water use for the property. Measures outlined in the report shall be implemented prior to occupation and retained as such thereafter.

*Reason: As insufficient information has been submitted and in accordance with policy SU2 of the Brighton & Hove Local Plan and the Supplementary Planning Document SPD08 - Sustainable Building Design.*

### **BH2008/03819**

#### **199 Kingsway Hove**

Removal of existing fire-escape from rear elevation of the property.

**Applicant:** Ellman Henderson

**Officer:** Jonathan Puplett 292525

**Approved on 10/02/09 DELEGATED**

#### **1) BH01.01**

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.*

## **BH2008/03952**

### **33 Sackville Road Hove**

Conversion of single dwelling into 1 x 2 bedroom flat, 2 x 1 bedroom flats and 1 x studio flat, including front rooflight and refuse/recycling store.

**Applicant:** Mr & Mrs Colasurdo

**Officer:** Jason Hawkes 292153

**Refused on 12/02/09 DELEGATED**

#### **1) UNI**

Policy QD27 states that permission for development will not be granted where it would cause material nuisance and loss of amenity to existing and proposed adjacent residents as well as future occupiers. The proposed conversion to provide 4 residential units results in a poor layout for the flats with insufficient sized living areas. The scheme is therefore considered over-development and is judged to provide an inappropriate and poor standard of accommodation and a cramped and confined internal environment that would provide inadequate living conditions for future occupiers. The proposal is therefore contrary to the above policy.

#### **2) UNI**

Policy HO13 of the Brighton & Hove Local Plan requires new residential dwellings to be built to a lifetime homes standard whereby the accommodation can be adapted to meet the needs of people with disabilities without major structural alterations. Three of the bathrooms proposed do not allow for side transfer and the necessary 1.1m in front of the WC. The kitchen to Flat 4 is also too narrow to allow adequate wheelchair access. The scheme therefore fails to fully incorporate lifetime home standards to the design of the flats and is contrary to the above policy.

#### **3) UNI**

The proposal does not provide a satisfactory level of private amenity space for all the flats which would be to the detriment of the living conditions of any future residents of the scheme and is contrary to policies HO5 and QD27 of the Brighton & Hove Local Plan.

## **WISH**

## **BH2008/03899**

### **258 New Church Road Hove**

Demolition of existing garage and construction of new garage.

**Applicant:** Mr Haldane

**Officer:** Mark Thomas 292336

**Approved on 09/02/09 DELEGATED**

#### **1) BH01.01**

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) BH03.03**

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

**BH2008/03966**

**218 New Church Road Hove**

Erection of single storey side extension.

**Applicant:** Mr M Greenop

**Officer:** Weahren Thompson 290480

**Approved on 16/02/09 DELEGATED**

**1) BH01.01**

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) BH03.03**

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

*Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

