



**Brighton & Hove
City Council**

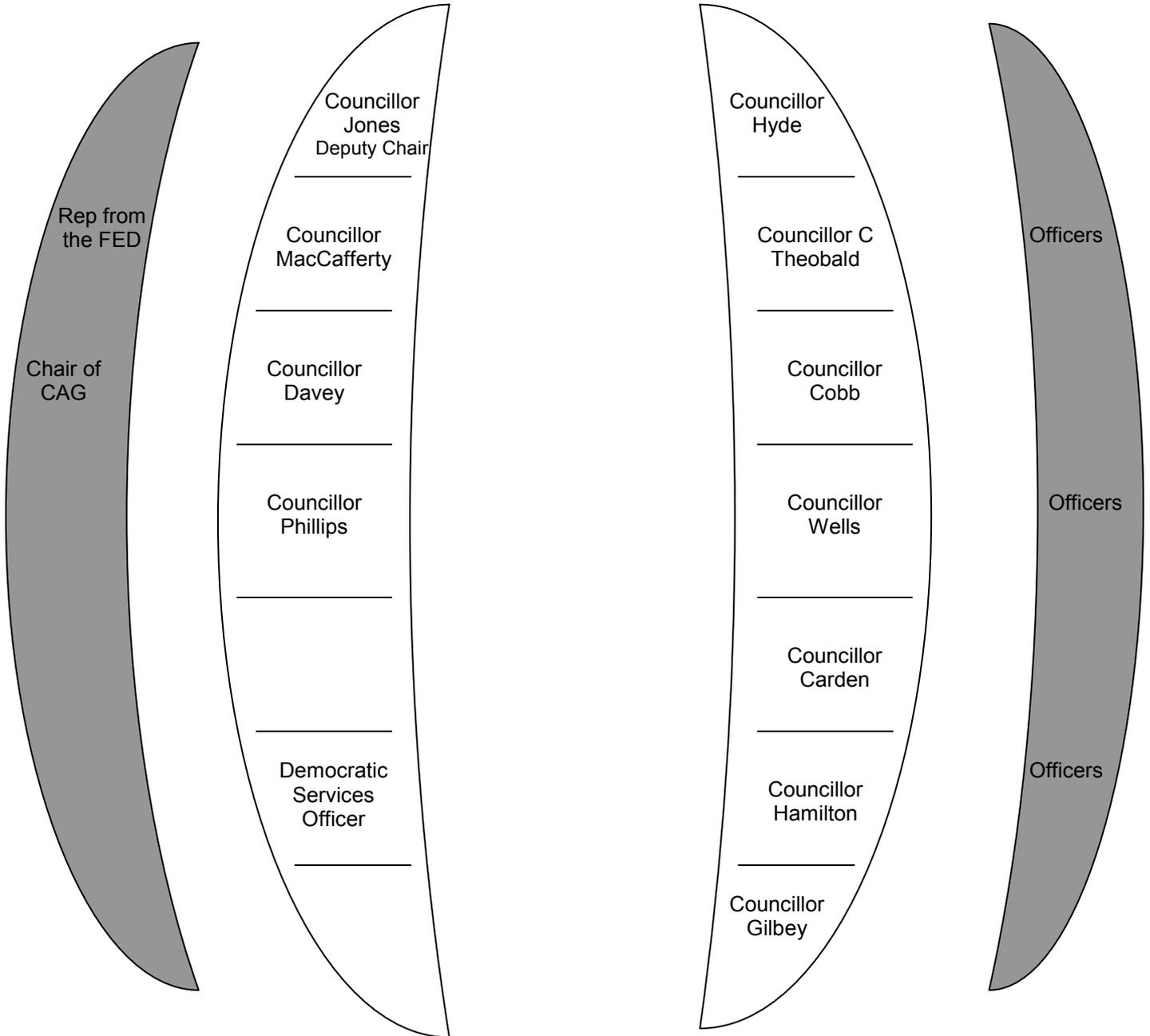
Planning Committee

Title:	Planning Committee
Date:	9 January 2013
Time:	2.00pm
Venue	Council Chamber, Hove Town Hall
Members:	<p>Councillors: Hawtree (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cobb, Davey, Gilbey, Hamilton, Mac Cafferty, A Norman, Phillips, C Theobald and Wells</p> <p>Co-opted Members: James Breckell (Conservation Advisory Group) and Chris Kift (The FED Centre for Independent Living)</p>
Contact:	<p>Ross Keatley Democratic Services Officer 01273 291064 ross.keatley@brighton-hove.gov.uk</p>

	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	<p>FIRE / EMERGENCY EVACUATION PROCEDURE</p> <p>If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:</p> <ul style="list-style-type: none"> • You should proceed calmly; do not run and do not use the lifts; • Do not stop to collect personal belongings; • Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and • Do not re-enter the building until told that it is safe to do so.

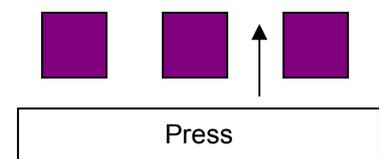
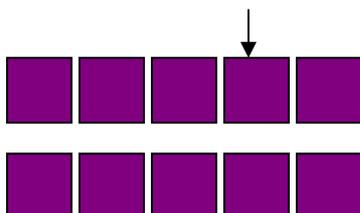
Democratic Services: Planning Committee

Senior Solicitor	Councillor Hawtree Chair	Head of Development Control	Presenting Officer
------------------	-----------------------------	-----------------------------	--------------------



Public Speaker	Public Speaker
----------------	----------------

Public Seating



AGENDA

126. PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest or Lobbying

- (a) Disclosable pecuniary interests not registered on the register of interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(d) All Members present to declare any instances of lobbying they have encountered regarding items on the agenda.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

127. MINUTES OF THE PREVIOUS MEETING

Minutes of the meeting held on 12 December 2012 (to follow).

PLANNING COMMITTEE

128. CHAIR'S COMMUNICATIONS

129. PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 2 January 2012.

130. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

131. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

MAJOR APPLICATIONS

- A. BH2012/03250 - Princes House, 53 Queens Road, Brighton - 1 - 12**
Full Planning Permission

Change of use of ground and first floors from office space (B1) to language school (D1).

Recommendation – MINDED TO GRANT

Ward Affected: St Peter's & North Laine

MINOR APPLICATIONS

- B. BH2012/02631 - 26A St Martins Place, Brighton - Full 13 - 30**
Planning Permission

Erection of four storey building to replace existing garage comprising of office accommodation on ground floor, 2no one bedroom flats and 3no two bedroom flats on upper floors, incorporating terraces, bicycle parking and associated works.

Recommendation – MINDED TO GRANT

Ward Affected: Hanover & Elm Grove

- C. BH2012/02416 - 151 & 151A Marine Drive, Rottingdean, Brighton - Full Planning Permission 31 - 48**

Demolition of existing houses and erection of 3no detached dwellings.

Recommendation – GRANT

Ward Affected: Rottingdean Coastal

PLANNING COMMITTEE

- D. BH2012/03343 - 26 Coombe Road, Brighton - Full Planning Permission 49 - 56**

Installation of new shopfront.

Recommendation – REFUSE

Ward Affected: Moulsecoomb & Bevendean

- E. BH2012/03100 - 14 Withdean Road - Full Planning Permission 57 - 68**

Erection of new detached 5no bedroom dwelling, swimming pool and pool house adjacent to existing house.

Recommendation – REFUSE

Ward Affected: Withdean

132. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS

INFORMATION ITEMS

- 133. APPEAL DECISIONS 69 - 94**

(copy attached).

- 134. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 95 - 96**

(copy attached).

- 135. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 97 - 98**

(copy attached).

- 136. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 99 - 104**

(copy attached).

- 137. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 105 - 202**

(copy attached)

Members are asked to note that plans for any planning application listed on the agenda are now available on the website at:

<http://www.brighton-hove.gov.uk/index.cfm?request=c1199915>

PLANNING COMMITTEE

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Ross Keatley, (01273 291064, email ross.keatley@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Monday, 31 December 2012

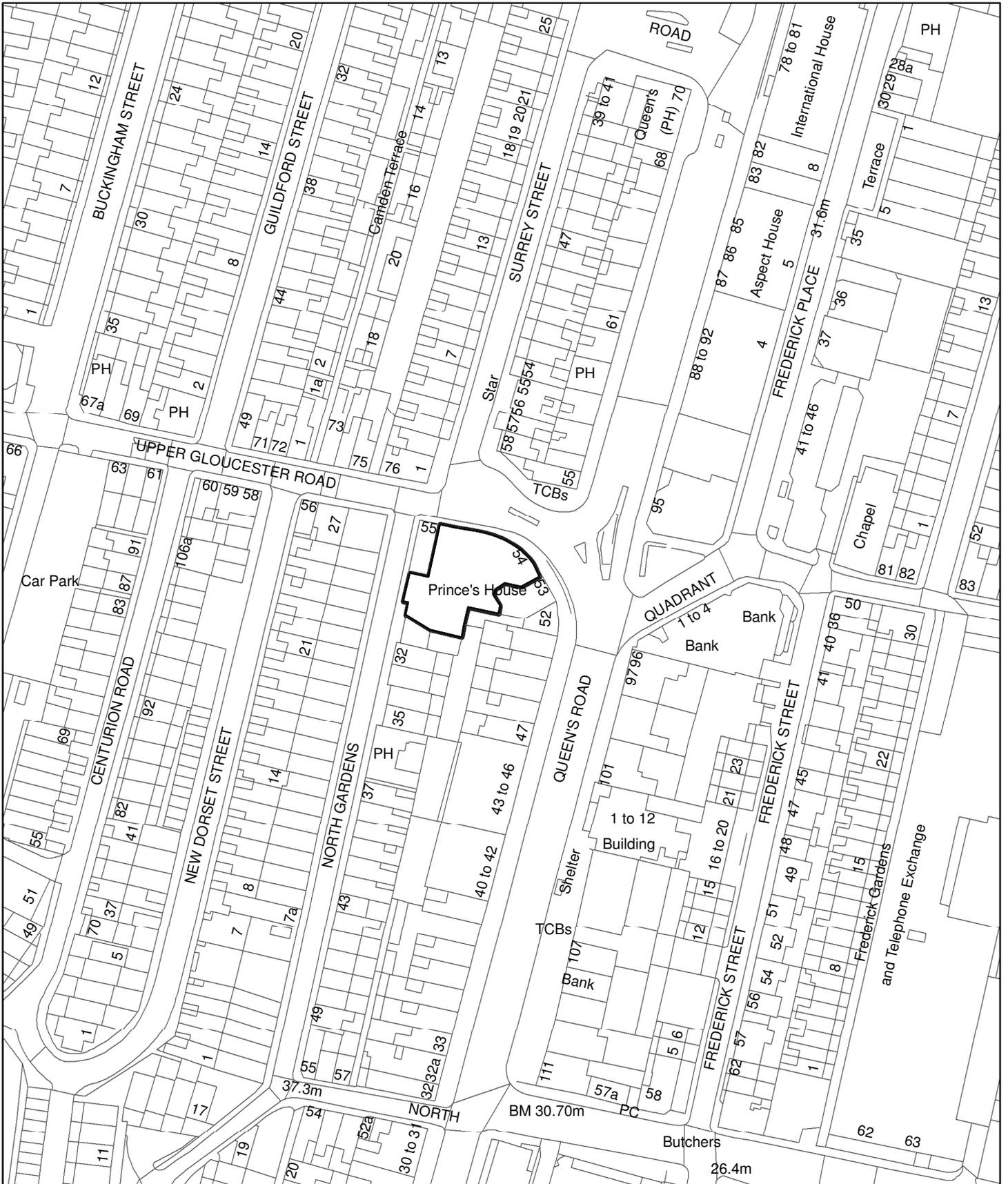
**PLANS LIST
ITEM A**

Princes House, 53 Queens Road, Brighton

**BH2012/03250
Full planning consent**

09 JANUARY 2013

BH2012/03250 Princes House, Queen's Road, Brighton



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2012/03250	<u>Ward:</u>	ST. PETER'S & NORTH LAINE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Princes House 53 Queens Road Brighton		
<u>Proposal:</u>	Change of use of ground and first floors from office space (B1) to language school (D1).		
<u>Officer:</u>	Jonathan Puplett Tel: 292525	<u>Valid Date:</u>	31/10/2012
<u>Con Area:</u>	West Hill	<u>Expiry Date:</u>	30/01/2013
<u>Listed Building Grade:</u>	Adjoins Grade II		
<u>Agent:</u>	RHPC, Stratfield House, 265 High Street, Crowthorne, Berkshire		
<u>Applicant:</u>	Hargreaves Management Ltd, Rustington House, Worthing Road, Rustington		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves that it is **MINDED TO GRANT** planning permission subject to the receipt of no further representations which raise new material planning considerations which have not already been considered within this report, and to the completion of a Section 106 Agreement and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a four-storey building with basement car park situated on the southern corner of the junction of Queen's Road and Upper Gloucester Road. The site forms part of the West Hill conservation Area and the building adjoins no. 52 Queen's Road which is a Grade II listed building. The ground and first floors of the building are currently vacant. The ground floor of the building has its own inset street entrance with a security shutter; the remainder of the building is accessed by a stepped communal entrance which leads to a communal stairway to the upper floors of the building and an internal entrance to the ground floor accommodation. The ground floor accommodation also has a fire escape door which opens on to North Gardens to the western side of the site. The basement car park of the building is accessed by a ramp from North Gardens; the vehicular entrance has a security shutter and the pedestrian access alongside has a door which requires an access card for entry.

3 RELEVANT HISTORY

BH2001/00474/FP: Installation of 3 No external ventilation louvres, 2 No external condensers and 1 No small opening, all to rear south elevation. Approved 30/03/2001.

90/0618/F: Elevational changes and addition of tank to roof. Approved 04/09/1190.

88/1045/F and 88/1046/CAC: Demolition of existing buildings and erection of a 3 and 4 storey office building (2722 sq. m.) including basement parking for 34 cars with access from North Gardens. Approved 12/05/1989.

4 THE APPLICATION

- 4.1 Planning permission is sought for the change of use of the ground and first floor of the building from office (Use Class B1) to Language School (Use Class D1). No external changes to the building area proposed, and no details of internal alterations have been submitted.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: One (1)** letter of representation has been received from no. **24 North Gardens** raising the following concerns:

- Anti-social behaviour takes place at the rear of no. 53 Queen's Road (on North Gardens) and within the recessed vehicular entrance. Litter is dropped in this location.

- 5.2 **Southern Water:** No objections.

- 5.3 **East Sussex Fire and Rescue Service:** No comment.

- 5.4 **Brighton & Hove Archaeological Society:** Recommend that the County Archaeologist be consulted.

- 5.5 **UK Power Networks:** No objections.

- 5.6 **Sussex Police Crime Prevention Officer:** Recommend security measures in relation to the car park access and internal access between the floors of the building.

- 5.7 **Environment Agency:** No comment.

Internal:

- 5.8 **Economic Development:** The application submission demonstrates that the ground and first floors of the property have been vacant and marketed for a considerable period. The proposed Language School would generate employment and it is proposed that substantial works to the property would be carried out to make it fit for purpose. No objections are raised.

- 5.9 **Planning Policy:** This application may not conflict with policy EM5 if the factors determining redundancy within policy EM5 are assessed as being met, as the application then meets the preferential uses of policy EM5. There are concerns regarding compliance with policy TR14.

- 5.10 **Sustainable Transport:** Recommend conditions to secure vehicular parking provision, disabled car parking provision, cycle parking, a travel plan, and the restriction of the permission to a Language School only as opposed to a general

D1 consent. It is advised that a contribution towards sustainable transport infrastructure in the vicinity of the site is required.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006);
 - Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.5 All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU9	Pollution and nuisance
SU10	Noise nuisance
QD27	Protection of amenity
EM5	Release of redundant office floorspace and conversions to other uses

Supplementary Planning Guidance:

SPGBH4 Parking Standards

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the principle of the change of use from office (Use Class B1) to Language School (Use Class D1), impact upon neighbouring amenity and transport matters. The scheme does not include any external alterations, therefore the impact on the appearance of the building or surrounding area is not a material consideration in the determination of this proposal.

Principle of development:

8.2 The change of use to a Language School would result in the loss of 1022m² of office floor floorspace. Policy EM5 of the Brighton & Hove Local Plan states that planning permission will not be granted for the change of use of office premises or office sites to other purposes, unless they are genuinely redundant because the site is unsuitable for redevelopment or the premises are unsuitable and cannot be readily converted to provide different types of office accommodation or where a change of use is the only practicable way of preserving a building of architectural or historic interest.

8.3 Redundancy will be determined by considering the following factors:

- a. the length of time the premises have been vacant; together with
- b. the marketing strategy adopted, in particular whether the building has been marketed at a price that reflects local market prices; and whether measures have been adopted to make the building attractive to different types of business user;
- c. the prevailing vacancy rate for the size and type of office in Brighton & Hove;
- d. the complexity of the floor layout, the floor to ceiling height, the number of storeys in relation to total floorspace and the prominence of the main entrance;
- e. links to public transport; and
- f. the quality of the building.

8.4 If following consideration of the above criteria, the offices and / or the sites are regarded as genuinely redundant, preference will be given to:

- alternative employment generating uses; followed by
- affordable housing.

8.5 In regard to criteria (a) and (b), the ground and first floors of the property have been vacant since August 2010, and have been actively marketed since May 2010. An explanation and evidence of the marketing strategy employed over the period from May 2010 to September 2012 has been submitted in support of the application.

8.6 The marketing agent has advised that there has been no firm offer made on the property in this time, with interested parties citing the curved walls of the property which result in non-standard floorplates, the additional entrance to the ground floor accommodation, and the lack of full height glazing at ground floor level as issues of concern.

- 8.7 The Economic Development Officer supports the proposed change of use and considers that the office use has been appropriately marketed during the period of vacancy.
- 8.8 In regard to criteria (e) and (f) above, no case is made as the building meets modern standards and is of high quality, and is extremely well served by public transport being situated directly alongside bus routes, a short walk from Brighton Station and in immediate proximity to the amenities of the city centre.
- 8.9 Overall it is considered that the office use has been demonstrated as redundant due to the length of time the property has been marketed and remained vacant.
- 8.10 The proposed change of use, if enacted, would bring the vacant floor of the building back into use. The proposed use would generate employment and therefore complies with the preferred alternative uses set out in Policy EM5. The Planning Statement submitted details that 7 full-time administration staff and 5 full-time teachers, along with approximately 25 part-time staff would be employed. It is stated that the applicant runs a number of Language Schools outside of the City at present and is seeking to establish a school within Brighton & Hove.
- 8.11 It is considered that the proposed use is acceptable in the terms of Policy EM5 and is acceptable in principle; the existing office use has been demonstrated as redundant and the proposed use is in compliance with this policy.

Neighbouring amenity:

- 8.12 Policy QD27 of the Brighton & Hove Local Plan seeks to protect the amenity of neighbouring occupiers. Policies SU9 and SU10 seek to ensure that development does not cause undue pollution, nuisance or noise disturbance. The Planning Statement submitted in support of the application details that up to 200 students could be taught within the building at any one time, with maximum class sizes of 15 and ages from 16 upwards. The stated average age of existing students of the Language School elsewhere in the country is 23. It is stated that the school would operate year round with a 2 week break for Christmas, operating primarily between 08.00 and 18.00 Monday to Friday. Some classes may also be held at evenings and at weekends. The agent for the application has been offered the opportunity to clarify the likely hours of use at evenings and weekends, this information has not however been provided.
- 8.13 Whilst Queen's Road and the area in front of the building are busy pedestrian and vehicular routes, there are residential properties situated in close proximity to the application property such as no. 55 Queens Road and the properties to either side of North Gardens. Due to the number of students which it is proposed could be taught within the building at any one time, it is considered that groups of students arriving or departing, or congregating outside of the entrances to the building or in the vicinity of the building, represent a level of activity which could potentially cause significant noise and disturbance to neighbouring occupiers. Such noise and disturbance would be more likely to cause significant harm late at night or early in the morning when activity and noise levels would generally be lower notwithstanding the central location of the

property. Students congregating outside of the entrances to the building or in the vicinity of the building and smoking could also cause nuisance by way of smoke dispersion.

- 8.14 For these reasons, it is considered reasonable and necessary for the Local Planning Authority to restrict the hours of operation of the school to ensure that such late night disturbance does not result. In the absence of any information regarding the likely hours of operation of the school at evenings and weekends, the Local Planning Authority considers that the following hours would be appropriate in this case:
- 08.00 - 22.00 Mondays to Saturdays
 - 09.00 - 20.00 on Sundays, Bank or Public Holidays.
- 8.15 It is considered necessary to secure a management plan for the proposed use, to ensure that students are informed and educated in regard to minimising impact upon neighbouring residents. The ramped vehicular and pedestrian access to the property on North Gardens, and the fire escape doors to this side of the building, if used regularly for entrance/ egress by large numbers of students, have the potential to cause significant disturbance on what is a primarily residential street. The main two entrances to the front of the building provide adequate access and egress for staff and students, it is however acknowledged that the ramped access on north Gardens would be used by those accessing the basement car park of the property, and that this access and the fire escape door on North Gardens may be used in emergency circumstances. It is therefore recommended that the use of the North Gardens accesses be restricted by planning condition.
- 8.16 Subject to these recommended conditions, it is considered unlikely that the proposed use would cause significant harm to neighbouring amenity.

Transport:

- 8.17 Policy TR1 requires that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling. At present the ground and first floor office accommodation of the property is allocated a total of 18 vehicular parking spaces in the basement of the property. A small number of cycle brackets are available for use within the basement, these brackets are not however of an acceptable standard due to their location and the level of security which they provide. A car parking plan has been submitted based upon which it appears that there are no car parking spaces of a size suitable for disabled parking provision. In regard to both cycle parking and disabled parking provision, it is recommended that details of appropriate measures and their implementation be secured by planning condition.
- 8.18 In regard to the overall transport impact of the proposed change of use, it has been calculated that the change would result in a significant net increase trip generation. The fact that up to 200 students may be taught within the building at any one time also indicates that the transport infrastructure within the vicinity of the site would face an additional burden in comparison to the current office use. The Sustainable Transport Officer has advised that a financial contribution

towards sustainable transport infrastructure of £11,000 is required to ensure compliance with policies TR1 and QD28. Such a contribution can be secured by a Section 106 legal agreement.

Other considerations:

- 8.19 The Crime Prevention Officer has recommended security measures relating to the access to the basement car park and access into each floor of the building. It was noted on site that such measures are already in place (security shutter to the vehicular entrance and an access card entry system throughout the building); this has been confirmed in writing by the agent for the application.
- 8.20 The Brighton & Hove Archaeological Society have recommended that the County Archaeologist be consulted. The proposed scheme does not however involve any penetrative works; such consultation is therefore not required.
- 8.21 A neighbouring resident has raised concerns regarding anti-social behaviour which takes place / has taken place in the past in the vicinity of the vehicular access to the application property on North Gardens. These matters, which appear to relate to public nuisance rather than any activities associated with the current use of the application property, are not considered to have a significant impact upon the recommendation which has been formed. Measures are proposed to restrict any impact upon neighbouring amenity which the proposed use may cause, as detailed above.

9 CONCLUSION

- 9.1 The proposed change of use is considered to be acceptable in this location. The existing office accommodation has been demonstrated redundant and the proposed Language School use would generate employment and contribute to the wider economy of the city. Subject to compliance with the conditions detailed above the proposed development would satisfactory address transport considerations and no significant harm to neighbouring amenity would result.

10 EQUALITIES

- 10.1 No changes to the entrances of the premises are proposed. The inset entrance to the front of the building provides level access and a clearance width suitable for wheelchair users. There is a lift within the building. A condition is recommended to ensure that disabled car parking facilities would be provided within the basement of the property.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106

A Section 106 obligation to secure the following;

- A contribution of £11,000 towards Sustainable Transport Strategy prior to commencement of the development.

PLANS LIST – 09 JANUARY 2013

11.2 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Location Plan	LOC 1		10/10/2012
Basement Plan	GN B1		02/11/2012
Ground Floor Plan	GN 01	A	31/10/2012
First Floor Plan	GN 02	A	31/10/2012
Second Floor Plan	GN 03		02/11/2012
Third Floor Plan	GN 04		02/11/2012
Marketing Report	GFD/		10/10/2012
Basement Car Park Plan			14/11/2012

- 3) The D1 use hereby approved shall be for a Language School only and for no other purpose including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification.
Reason: The Local Planning Authority would wish to retain control over the use of the premises in order to protect the amenities of the area in accordance with policy QD27 in the Brighton & Hove Local Plan.
- 4) The use hereby permitted shall not be open except between the hours of 08.00 and 22.00 on Mondays to Saturdays and 09.00 and 20.00 on Sundays, Bank or Public Holidays.
Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 5) The ramped access to the application property on North Gardens shall only be used to access / egress from the basement car park or for emergency purposes and shall not be used as a regular access / egress route by students of the Language School. The fire escape door from the ground floor accommodation to North Gardens shall be for emergency purposes only and shall not be used as a regular access / egress route by students of the Language School.
Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

11.3 Pre-Commencement Conditions:

- 6) Prior to the commencement of the use hereby approved a site management plan is to be submitted to and approved in writing by the Local Planning Authority. The management plan should include details for dealing with the arrival and departure of students for classes, congregation of students directly outside the building, the use of the access to the site on North Gardens which shall only be for access the basement car park or

for emergency purposes and shall not be used as a regular access / egress route by students of the language school, sound limiters for audio equipment, parking areas and general measures to ensure that the amenity of the neighbouring occupiers is not compromised. The management plan shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

- 7) Prior to the commencement of the use hereby approved the developer or owner shall submit to the Local Planning Authority for approval in writing a detailed Travel Plan (a document that sets out a package of measures tailored to the needs of the site, which is aimed at promoting sustainable travel choices by residents, visitors, staff, deliveries and parking management) for the development. The Travel Plan shall include such commitments as are considered appropriate, and should include as a minimum the following initiatives and commitments:-

- (i) Promote and enable increased use of walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use
- (ii) A commitment to reduce carbon emissions associated with business and commuter travel
- (iii) Increase awareness of and improve road safety and personal security
- (iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses
- (v) Identify targets focussed on reductions in the level of business and commuter car use
- (vi) Identify a monitoring framework, which shall include a commitment to undertake an annual staff travel survey utilising iTrace Travel Plan monitoring software, for at least five years, or until such time as the targets identified in section (v) above are met, to enable the Travel Plan to be reviewed and updated as appropriate.
- (vii) Following the annual staff survey, an annual review will be submitted to the Local Planning Authority to update on progress towards meeting targets
- (viii) Identify a nominated member of staff or post to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.

Reason: To ensure the promotion of sustainable forms of travel and comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

- 8) 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 policies TR1 and TR14 of the Brighton & Hove Local Plan.

- 9) The development hereby permitted shall not be commenced until details of disabled car parking provision for the staff and students of, and visitors to the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. This provision 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 a sufficient provision of disabled car parking provision and to comply with policies TR1 and TR18 of the Brighton & Hove Local Plan.

11.4 Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The proposed change of use is considered to be acceptable in this location. The existing office accommodation has been demonstrated redundant and the proposed language school use would generate employment and contribute to the wider economy of the city. Subject to compliance with the conditions detailed above the proposed development would satisfactory address transport considerations and no significant harm to neighbouring amenity would result.
2. In accordance with the National Planning Policy Framework the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

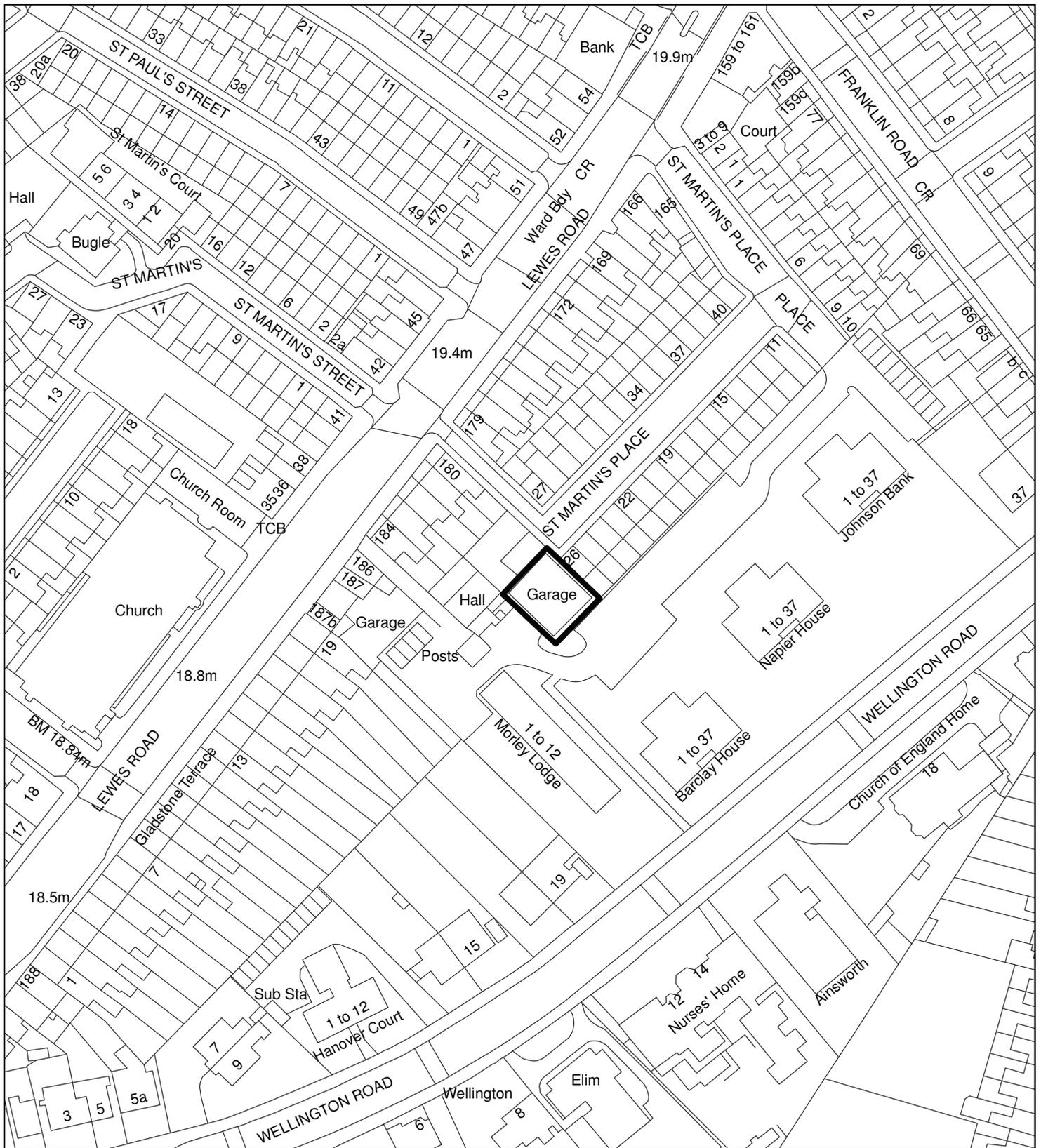
**PLANS LIST
ITEM B**

26A St Martins Place, Brighton

**BH2012/02631
Full planning consent**

09 JANUARY 2013

BH2012/02631 26a St Martins Place, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2012/02631	<u>Ward:</u>	HANOVER & ELM GROVE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	26A St Martins Place, Brighton		
<u>Proposal:</u>	Erection of four storey building to replace existing garage comprising of office accommodation on ground floor, 2no one bedroom flats and 3no two bedroom flats on upper floors, incorporating terraces, bicycle parking and associated works.		
<u>Officer:</u>	Sue Dubberley, tel: 293817	<u>Valid Date:</u>	23/08/2012
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	18/10/2012
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	LCE Architects, 164-165 Western Road, Brighton		
<u>Applicant:</u>	Mr Mark Buckle, Seadowns, 19 Ainsworth Avenue, Ovingdean, Brighton		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves it is **MINDED TO GRANT** planning subject to the completion of a S106 Agreement and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a site located in the SW corner of St Martins Place. The site is currently occupied by a single storey pitched roof building and in use as a car repair business. The footprint of the building occupies most of the site with an internal floorspace of 200sqm.
- 2.2 The garage is located adjacent to a row of 3 storey terraces houses in St Martins Place a narrow one way street. To the rear of the site are large blocks of 70's style flats. To the north west are the rear of residential terraced properties which front onto the Lewes Road.

3 RELEVANT HISTORY

BH2011/01776: Erection of four storey building to replace existing garage comprising of office accommodation on ground floor, 2no one bedroom flats and 3no two bedroom flats on upper floors incorporating terraces, bicycle parking and associated works. Refused 23/08/2011 for the following reasons:

1. *The proposed development would by reason of its design, bulk, materials and detailing be out of keeping with surrounding development and represents an incongruous feature that fails to respect the context of its*

setting. The proposal is therefore contrary to policies QD1, QD2, QD3, and QD5 of the Brighton & Hove Local Plan.

2. *The proposal would result in an overdevelopment of this site by reason of the number of units proposed, failure to respect the context of its setting and would be out of keeping with surrounding buildings and would consequently have an overbearing impact on the existing neighbouring development. The proposed development would therefore be contrary to policies QD1, QD2, and QD3, of the Brighton & Hove Local Plan.*
3. *The proposal does not provide for the travel demand it creates, and therefore represents an increased risk to users of the public highway due to the additional stopping turning and reversing traffic that would be created. It therefore fails to comply with policies TR1, TR7, and TR8*
4. *The proposed development would by reason of height, scale, layout, number of dwellings and internal floor layouts of flats lead to a significant level of overlooking and consequential loss of privacy to the rear gardens of neighbouring residential amenity and to the front windows of No26 St Martin's Place. The proposal would therefore be contrary to planning policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.*

BH1997/01004/CL: Continued use of open land for car sales with car repairs in main building. Approved 14/01/1998.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a four storey building to replace the existing garage comprising of office accommodation on ground floor, 2no one bedroom flats and 3no two bedroom flats on upper floors incorporating terraces, bicycle parking and associated works.
- 4.2 The proposed development comprises of:
 - Ground floor office space (145sqm)
 - First floor, 1 x 1 bed unit and 1 x 2 bed unit
 - Second Floor 1 x 1 bed unit and 1 x 2 bed unit
 - Third floor 1 x 2 bed unit
- 4.3 The development has a modern contemporary design with an irregular cruciform shaped footprint with three main storeys and a set back fourth floor. The proposed materials are aluminium windows and brickwork with photovoltaic panels proposed on the flat roof.

5 PUBLICITY & CONSULTATIONS

External:

- 5.1 **Neighbours: Fifty-three (53)** letters of representation have been received from **2, 11 (x2), 15 (x2), 19 (x2), 20 (x2), 21 (x2), 24(x2), 27(x2), 29 (x3), 30(x4), 37(x3), 38 (x3), 39 (x2), 42 (x2), St Martins Place, 180 (x3), 180A (x2) Basement Flat (x2), Upper maisonette, Flat 2, (x2) 181, 183 (x2) Lewes Road, 11 Edinburgh (x2), 15 Brewer Street, Road, 40 Hartington Road, 24 St Mary Magdalene Street, 12 Morley Lodge, Flat 2, 31 East Street, 108**

Court Farm Road Newhaven (freeholder of flats 181a and flat 2 181 Lewes Road), 82 Milnthorpe Road, Kendal, objecting to the application for the following reasons:

- Plans do not address the reasons for refusal on previous application
- Design is cubic in form, modern and out of character with the street's existing architecture.
- Building will impose a blank wall four storeys high to the rear gardens and rear of houses in St Martin's Place.
- Brickwork is planned to match Gladstone Terrace, a yellowish brick not found in the street.
- Overdevelopment and out of proportion with existing properties.
- Overlooking and overshadowing of existing houses in the street.
- Loss of light particularly in late afternoon and winter periods.
- Additional noise and disturbance from residents and office staff.
- Balconies and third floor terrace will cause overlooking.
- Increase in rubbish and litter in the street.
- No parking is proposed which will lead to an increase in parking pressure already many properties are in multi-occupancy with more than one car per house. Offers of bus tickets and car schemes are irrelevant.
- Potential land contamination on the site from the garage use.
- Loss of trees and wildlife located next to the site. Some trees have already been removed leading to further loss of privacy;
- Demolition of the garage would be a great loss to the community and at least two people would be made unemployed.
- Concerned that the flats would be let to students.
- Rented flats cause more problems with litter, parking problems and no interest in the environment with buy-to-lets and absentee landlords.
- Increase in refuse problems from multi-occupancy

5.2 Chair of the Wellington Road/Ainsworth House Tenants/Leaseholders & Residents Association. Supports the application for following reasons;

The Right of Access to the Estate, which runs directly behind the proposed Development, is a badly-lit point of congregation for many alcoholics, drug-users and the more Windows that overlook that area would dissuade a good many of these individuals from 'Lurking' in the Shadows there and would add to the safety of our Tenants and Residents.

Internal

5.3 Sustainable Transport: The Highway Authority would not wish to restrict grant of consent of this Planning Application subject to conditions in relation to cycle parking and the reinstatement of a redundant vehicle crossover and that the developer enters into a S106 Agreement to provide Travel Plan type measures and a contribution of £7050 towards bus waiting facilities at the bus stop opposite St Pauls Street.

5.4 Access Officer: There should be at least 300mm clearance between the leading edge of the main entrance door and any adjacent obstruction on the

‘pull’ side. Also, the main entrance door obstructs entry when open and should be hung opposite hand. Confirmation should be obtained that drainage will be provided in the floor zone in each unit to enable the fitting of a future level entry shower.

- 5.5 **Arboriculture Officer:** The Arboricultural Section is in full agreement with the Arboricultural report submitted with the application.
- 5.6 **Economic Development:** The senior economic development officer fully supports the application. (Comments made on previous application BH2011/01776).

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006);
 - Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.5 All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR8	Pedestrian routes
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste

QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Design – street frontages
QD15	Landscape design
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in housing schemes
HO7	Car free housing
HO13	Accessible housing and lifetime homes
EM3	Retaining the best sites for industry
EM6	Small industrial, business units and warehouse units

Supplementary Planning Guidance:
SPGBH4 Parking Standards

Supplementary Planning Documents:

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

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the proposed development, the suitability of the site to accommodate the proposed development having regard to the amenity requirements for the dwellings, the affect upon the character of the area and neighbouring residential amenity, traffic impact and sustainability.

Principle of development

- 8.2 Policies EM3 and EM6 seek to resist the loss of employment use within classes B1, B2 and B8 uses unless the site can be shown to be redundant in some way. There is an existing B2 use on the site which operates as a garage with car repairs. The proposal will provide 145 sqm of B1 office space on the ground floor which replaces a large proportion of the existing commercial space (200sqm repair garage). While the proposal represents an overall loss of some 55sqm of floorspace and could be viewed as contrary to policy. The Economic Development Officer had no objections to the previous application which proposed the same loss of floor space on the basis that, the scheme proposes to replace an unsightly single storey commercial building with a modern development providing high quality commercial space as part of the overall scheme. The fact that the office layout has been designed in such a way that the offices could be used by two separate occupiers or one larger occupier taking all the space is also welcomed. In addition the existing B2 use is not considered to be compatible with the residential properties which immediately

adjoin the site and the proposal replaces a large proportion of the existing floorspace with B1 office space which is considered to be more neighbourly than the existing use, for these reason an exception to policy is considered acceptable in this case.

- 8.3 The use of the site for residential use in this location is considered acceptable in principle, where there are number of existing residential uses in the vicinity, for example there is a terrace of 3 storey houses immediately adjacent to the site.

Design:

- 8.4 Local plan policies require new development to demonstrate a high standard of design and make a positive contribution to the visual quality of the environment. Unless a development proposal is within an area featuring a distinctive historic style of architecture, replication of existing styles and pastiche designs will be discouraged. Policy QD2 of the Brighton & Hove Local Plan requires developments to be designed to emphasise and enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics, in particular the height, scale, bulk and design of existing buildings. While Policy QD5 requires new development to pay particular attention to street frontages.
- 8.5 The existing building on the site is of no particular merit and its removal is not an issue. The previous scheme was refused on design grounds as the application was considered to be an overdevelopment which failed to respect the context of its setting, would be out of keeping with surrounding buildings and would have an overbearing impact on the existing neighbouring development. In addition the design, bulk, materials and detailing were also considered to be out of keeping with surrounding development.
- 8.6 The current application differs from the previous approval in that while the layout is similar the following changes have been made to address the earlier reasons for refusal:
- The building has now been set back significantly at its north-east corner, which faces the side of properties in St Martins Place and the rear of the site.
 - The building has also been set back on the south-eastern boundary, while the top floor has been set back on two sides, the south east and north eastern sides.
 - Internal stairs which abutted the adjoining terrace have been located more centrally to allow an offset of the top floor apartment to create a greater visual separating with the existing terrace at roof level.
 - A green wall is proposed in place of the former blank side elevation facing the adjoining electricity sub station. A honeycomb brick feature has also been added to this elevation.
- 8.7 The set back on the northeast side has resulted in a three storey element adjacent to the existing terrace of housing, which lines up with the eaves of the existing houses and provides a satisfactory integration with the neighbouring

buildings. The design would now complement the existing development in the street and the impact on the street scene is considered acceptable.

- 8.8 It is considered that the changes made to the design and the reduction in the overall mass of the scheme have sufficiently addressed the previous concerns regarding the scale and design of the proposed development, this aspect of the scheme is now considered acceptable.

Impact on Amenity:

- 8.9 The building is sited immediately adjacent to three storey terrace residential properties in St Martins Place. The fourth reason for refusal of the previous scheme related to the impact on existing residential properties in particular overlooking and loss of privacy to the rear gardens of adjoining properties in St Martin's Place and to the front windows of No.26 St Martin's Place. In order to address these issues the following changes have been made to the scheme:
- Omission of windows on the southeast corner to prevent overlooking of neighbouring gardens.
 - The setting in of the balconies on the southwest and southeast elevations.
 - The first and second floors have been set in a further 3m from the side boundary with the nearest property in St. Martins Place giving a total set back of 6.3m.
- 8.10 There have been objections from properties on Lewes Road whose rear elevations face onto the northwest side of the proposed development, there is some 19m between the rear wall of these properties and the proposed wall of the new development, which is considered acceptable, particularly in this densely populated location where there are examples of back to back terrace housing with only small rear gardens separating the rear of these houses.
- 8.11 The rear southwest and southeast elevations where the balconies to the flats are to be positioned on the development would look out onto the car parks of the large blocks of 70's style flats to the rear. The flats themselves are located some 29m in the case of Barclay House which would face the southeast elevation and 12m in the case of Morley Lodge which would face the southwest elevation. This relationship is considered acceptable in terms of overlooking and loss of privacy.
- 8.12 A terrace is proposed at fourth floor level however it would be located 6.7m from the side boundary with the adjoin property in St Matins Place and in addition a 2m high privacy screen in proposed. A condition requiring further details of the screen forms part of the recommendation.
- 8.13 While there may still be some oblique overlooking into the front windows of no.26 St Martin's Place from bedroom windows at the front of the site this is not considered to be significant enough to justify refusal on these grounds.

Standard of accommodation

- 8.14 The proposed internal layout of the flats is considered to be acceptable and would provide satisfactory accommodation.
- 8.15 Policy HO5 requires all new residential units to have private useable amenity space appropriate to the scale and character of the development. This application proposes that each flat on the first and second floor would have its own private balcony and the flat on the third floor would have access to two private balconies/terraces. Shared refuse and recycling storage are located within the entrance court.
- 8.16 Policy HO13 requires all of the residential units to be lifetime home compliant and the plans indicate that all the residential units would all be built to Lifetime Homes standards. A condition to ensure Lifetime Homes standards are met is included in the recommendation.

Sustainable Transport:

- 8.17 Policy TR1 stipulates that all new development should provide for the travel demand that it creates with a particular emphasis upon promoting sustainable modes of transport. The site is not situated within a controlled parking zone (CPZ) and the proposal has no off street car parking. Secure cycle parking would be provided.
- 8.18 The previous application was refused on traffic grounds as it was considered that the proposal did not provide for the travel demand it created, and therefore represented an increased risk to users of the public highway due to the additional stopping turning and reversing traffic that would be created, as the forecast level of overspill car parking could cause road safety issues.
- 8.19 In order to address the reasons for refusal the current application includes supporting information to forecast the likely number of vehicles associated with the proposed development and the amount of overspill parking. The report concludes that the forecast level of overspill would only be 4 vehicles.
- 8.20 The Council's Traffic Engineer has considered the transport report and commented that given the existing use (garage) has the benefit of a 9 space car park, there is not considered to be any level of overspill car parking from the existing use. It is predicted that the maximum level of parking demand generated by the office in any one hour period is 4 vehicles. Any parking demand associated with the office is forecast to be generated between the hours of 8am and 6pm. From the census data it is forecast that the parking demand for residential units would also be 4 vehicles. The highest parking demand associated with the residential units is likely to occur in the evenings and is unlikely to occur when the parking demand for the office is occurring. Therefore the forecast overspill car parking demand for the proposed development is forecast to be a maximum of 4 vehicles at any one point. This is likely to be associated with the office development in the day and the residential at evenings and weekends.

- 8.21 The applicant has also submitted an on-street parking survey to establish whether there is sufficient capacity in the surrounding streets to accommodate the forecast demand generated by the proposed development. The results of the survey are accepted; although the Traffic Engineer has commented that ideally this survey should have been undertaken later on in the evening to capture the worst case scenario. The survey indicates that at the times of highest residential parking stress, for when the survey was carried out, the parking availability ranged from 1 to 3 spaces on St Martin's Place. The applicant suggests that within the 400m survey area there were between 15 and 19 spaces available at the various times that they surveyed. While some of the streets included within the survey are deemed to be too far away from the proposed development to be attractive (Trinity Street, and the far ends of St Mary Magdalene Street and St Paul's Street) the relatively small number of overspill vehicles associated with the development can be mitigated by the measures suggested below.
- 8.22 Based upon the TRICS data submitted within the Transport Statement the forecast increase in vehicle trips between the hours of 7am and 7pm is by 29 vehicles from 40 vehicles to 69 vehicles. The Traffic Engineer considers that this level of trip generation is not considered to be deemed a reason for refusal given the mitigation measures detailed below.
- 8.23 In regard to disabled parking the Traffic Engineer has commented that it is unfortunate that due to site constraints it is not possible to provide any level of disabled car parking on-site. However it is noted that there are opportunities, if some what limited, in the form of on-street parking opportunities for disabled staff and visitors to park when visiting the site by car. Blue Badge holders are also able to park, where it is safe to do so, on double yellow lines for 3 hours. Therefore in this instance the Highway Authority would not consider the lack on off-site disabled car parking to be a reason for refusal.
- 8.24 The plans show ten cycle parking spaces located within the entrance court and the Traffic Engineer has asked for further details by condition.
- 8.25 As the existing vehicular access would be redundant it is also recommend that the existing crossover is reinstated back to footway via the inclusion of a Grampian condition, which forms part of the recommendation. This will ensure short, safe and attractive walking routes are provided from the site and also help prevent drivers from parking on the footway which would pose road safety issues.
- 8.26 A contribution to Sustainable transport is required of £7050 which will provide improvements to bus waiting facilities at the bus stop opposite St Pauls Street.
- 8.27 The travel plan proposes further mitigating measures against the proposed impact of the development and includes:
- Free membership for 2 years to a car club scheme to the new occupiers:

- A free bus pass for a period of 3 months for each new tenant after first occupation.

8.28 These measures are welcomed although the Traffic Engineer has suggested that other Travel Plan type measures are also secured to promote alternative means of travel to the private car, therefore a condition requiring a travel plan to be submitted is included in the recommendation.

Sustainability:

8.29 Policy SU2 seeks to ensure that development proposals are efficient in the use of energy, water and materials. Proposals are required to demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design. SPD08 – Sustainable Building Design requires the scheme to meet Code Level 3 of the Code for Sustainable Homes (CSH). The applicant is also required to submit a Sustainability Checklist.

8.30 A sustainability check list has been submitted which states that high levels of insulation along with technologies such as air source heat pumps and mechanical ventilation heat recovery will be used to achieve CSH Code Level 3. Solar panels are also shown on the roof and a green wall is proposed on the northwest elevation adjacent to the electricity sub-station. The Sustainability Officer has confirmed that Code level 3 would be required. The checklist confirms that the commercial element will undergo a BREEAM assessment although the level that will achieve is not specified. A condition requiring code Level 3 for the residential units and a BREEAM rating of at least 'Very Good' with a score of 50% or more in the energy and water sections for the offices forms part of the recommendation.

Arboriculture

8.31 To the west of the development site is an electricity sub-station. In between the electricity sub-station and the current is a strip of land approximately half a metre wide. In this half metre strip are two semi-mature Sycamores. An arboricultural report has been submitted which states the intention to remove the trees on structural grounds. The Council's Arboricultural Officer has also stated that the trees have bowed inwards towards the electricity sub-station wall, and actual structural damage is foreseeable to the garage, if it has not occurred already and therefore recommends that these trees should be removed regardless of whether the development proceeds.

8.32 A lime tree to the east of the site sits on a higher level and is behind a brick wall. It may need to be pruned back to the boundary to prevent damage during the course of the development, however, the Arboricultural Section would not object to this.

Additional Considerations:

8.33 A report on air quality was submitted with the application which concludes that the site is acceptable in terms of air quality.

8.34 While no comments have been received from Environmental Health it is clear that there may be the potential for land contamination on the site given the existing use and therefore a condition requiring land contamination desk top study forms part of the recommendation.

8.35 Some of the objections received have expressed concerns that the flats may be rented and right to light is infringed upon by the development; however these are not valid planning considerations.

9 CONCLUSION

9.1 The development will make efficient and effective use of land within the built up area without causing detriment to the character and appearance of the site or surrounding area, subject to conditions and Section 106. The development will not have a significant impact on amenity for occupiers of adjoining properties, or create a harmful demand for travel.

10 EQUALITIES

10.1 The residential units would all be built to Lifetime Homes standards.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Planning Obligation:

Section 106 to secure:

- A contribution of £7,050 to provide improvements to bus waiting facilities at the bus stop opposite St Pauls Street.

11.2 Regulatory Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan	11785/PA/001	B	23/08/12
Existing Plans and elevations	11785/PA/002		23/08/12
Existing sections & elevations	11785/PA/003	A	23/08/12
Proposed floor plans	11785/PA/010	A	23/08/12
Proposed Plans & elevations	11785/PA/020	A	23/08/12
Proposed sections & elevations	11785/PA/021	B	23/08/12
Proposed Plans & elevations	11785/PA/022		23/08/12
Detailed elevation study	11785/PA/023		23/08/12

3. The new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

4. 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

11.3 Pre-Commencement Conditions:

5. 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.

6. No residential development shall commence until:
 - (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
 - (b) a Design Stage/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. Unless otherwise agreed in writing by the Local Planning Authority, no non-residential development shall commence until:
 - a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve an BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development have been submitted to the Local Planning Authority; and
 - b) BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development 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.

8. 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.

9. (i) The development hereby permitted shall not be commenced until there has 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 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 BS10175:2001; and, unless otherwise 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 the 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 the competent person approved under the provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) above 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; 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 scheme approved under (i) (c).

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

- 10. No development shall commence until details of the proposed green walling, timetable for implementation and maintenance programme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

11.4 Pre-Occupation Conditions:

- 11. None of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.

- 12. None of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' 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.

- 13. Prior to the occupation of the development the applicant shall reinstate the redundant vehicle crossover in front of the development back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.

- 14. Prior to first occupation of the development a Travel Plan (a document setting out a package of measures tailored to the needs of the site and aimed at promoting sustainable travel choices and reduce reliance on the car) for the development shall be submitted to the Local Planning Authority. The Travel Plan shall be approved in writing prior to first

occupation of the development and shall be implemented as approved thereafter. The Travel Plan shall include a process of annual monitoring and reports to quantify if the specified targets are being met, and the council shall be able to require proportionate and reasonable additional measures for the promotion of sustainable modes if it is show that monitoring targets are not being met.

Reason: To seek to reduce traffic generation by encouraging alternative means of transport to private motor vehicles in accordance with policy TR4 of the Brighton & Hove Local Plan.

11.5 Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Brighton & Hove Local Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The development will make efficient and effective use of land within the built up area without causing detriment to the character and appearance of the site or surrounding area subject to conditions and Section106. The development will not have a significant impact on amenity for occupiers of adjoining properties, or create a harmful demand for travel.
2. The applicant is advised that the proposed highways works should be carried out in accordance with the Council's current standards and specifications and under licence from the Network Co-ordination team. The applicant should contact the Network Co-ordination Team (01273 293366).
3. The applicant is advised that the above condition on land contamination has been imposed because the site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. To satisfy the condition 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 (i) (b) and (i) (c) of the condition. It is strongly recommended that in submitting details in accordance with this condition the applicant has reference to Contaminated Land Report 11, Model Procedures for the Management of Land Contamination. This is available on both the DEFRA website (www.defra.gov.uk) and the Environment Agency website (www.environment-agency.gov.uk).

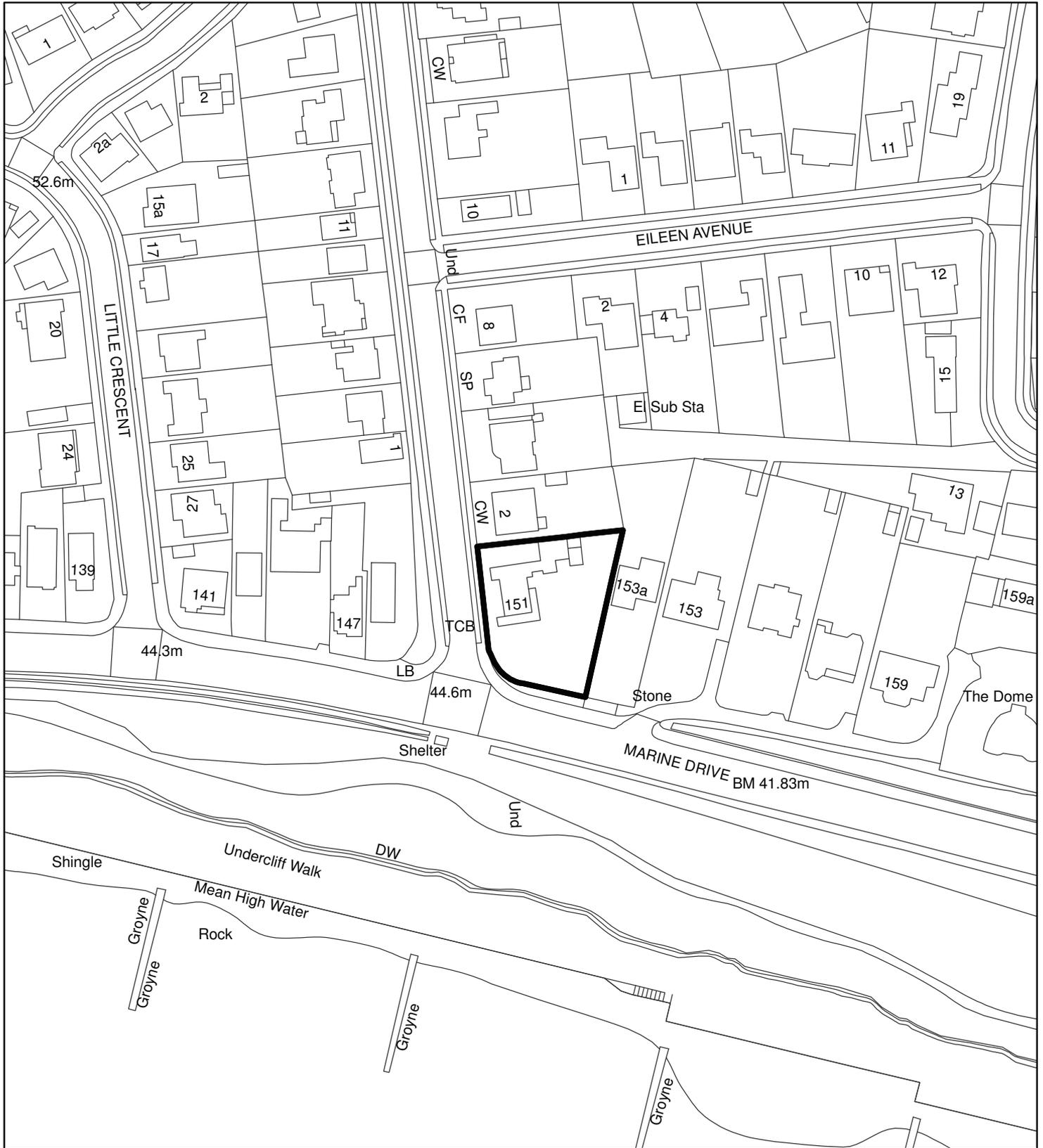
**PLANS LIST
ITEM C**

**151 & 151A Marine Drive, Rottingdean,
Brighton**

**BH2012/01545
Full planning consent**

09 JANUARY 2013

BH2012/01545 151 & 151a Marine Drive, Saltdean



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2012/01545	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	151 & 151A Marine Drive, Brighton		
<u>Proposal:</u>	Demolition of existing houses and erection of 3no detached dwellings.		
<u>Officer:</u>	Jonathan Puplett, Tel 292525	<u>Valid Date:</u>	07/06/2012
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	02/08/2012
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Kim Strasman Associates, The Studio, 1 Northgate Cottages, The Green, Rottingdean		
<u>Applicant:</u>	Mr Chris Endacott & Ms Mary Venturi, 7 Wilkinson Close, Rottingdean		

Deferred in order to allow the applicant sufficient time to submit the combination of materials proposed.

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is a corner plot situated on the eastern side of the junction of Marine Drive and Cranleigh Avenue. At present the plot contains two dwellings; no. 151 Marine Drive which is a two storey dwelling fronting onto Cranleigh Avenue, and 151A Marine Parade which is a small bungalow with accommodation in the roof situated alongside the northern boundary of the site behind no. 151, facing south. There is no formal separation between the two dwellings on the site, i.e. the garden is not divided. The garden area to the south of the two dwellings is open, with a retaining wall, a raised bank and a second retaining wall between the garden and the pavement on Marine Drive. The plot is on an elevated level in relation to Marine Drive, this in conjunction with the corner plot location of the site gives the property a prominent appearance in the Marine Drive street scene.
- 2.2 To the east of the site the properties along Marine Drive are of varying character and appearance, some dwellings have unusual and/or contemporary character eg. No. 157 Marine Drive. To the west of the site the properties along Marine Drive are of more traditional style and are a mix of bungalow and two-storey dwellings. There are a number of larger scale developments along Marine Drive, such as Frederick House which is situated on the eastern corner of the junction of Marine Drive and the western section of Little Crescent. Marine Drive has a varied character, a number of contemporary developments, and some corner plot buildings which are of a larger scale than the surrounding dwellings.

- 2.3 The Cranleigh Avenue street scene in the vicinity of the application site is of traditional character consisting of primarily two-storey detached dwellings with some bungalow style dwellings interspersed.
- 2.4 To the northern side of the site a driveway located between no. 151 and the boundary with no. 2 Cranleigh Avenue. No. 151A is set at the end of this driveway. The front section of the boundary wall alongside the driveway is approximately 1.5 metres high with hedging above, the wall rises to a height of approximately 2.5 metres high behind this. No 2 Cranleigh Avenue has two ground floor side windows and one first floor side window facing towards the northern elevation of no. 151 Marine Drive. To the garden area of the property the northern boundary is a 1.5 metre high brick wall with the rear garden of no. 2 Cranleigh Avenue beyond. The eastern boundary is a close board fence which is approximately 1-1.5 metres high in relation to the ground level of the application site, and is set on top of a retaining wall on no. 153a Marine Drive's side.

3 RELEVANT HISTORY

BH2007/01131: Demolition of two existing houses and construction of 6 residential dwellings comprising 1 four-bedroom house, 3 two-bedroom flats and 2 one-bedroom flats. Lower ground floor covered parking for 8 cars and 12 bicycles. Refused 19/06/2007.

BH2006/02167: Demolition of two existing houses and construction of 7 residential dwellings comprising 1 four bedroom house, 3 two bedroom flats and 3 one bedroom flats. Lower ground floor covered parking for 9 cars and 12 bicycles. Refused 11/09/2006. Appeal dismissed 28/06/2007.

BH2003/00191/OA: Outline application for 6 dwellings. Refused 11/03/2003. Appeal dismissed 18/06/2003.

BH2002/02004/OA: Demolition of existing house and the erection of 8 dwellings (outline application). Refused 11/12/2002. Appeal Dismissed 18/06/2003.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing two dwellings and the erection of three replacement dwellings and associated hard and soft landscaping and boundary treatments.
- 4.2 During the course of the application amended plans have been submitted which clarify the boundary treatments proposed and omit a garden store which was originally proposed to the front of the garden of the eastern dwelling. Two noise reports have also been submitted during the course of the application.

5 PUBLICITY & CONSULTATIONS

External:

- 5.1 **Neighbours: Seven (7)** Letters have been received from **nos. 149 153A 155 Marine Drive, no. 2 Cranleigh Avenue, no. 2 Eileen Avenue (x2) and an 'Elisabeth Rosser' (address not provided)** objecting to the proposed development for the following reasons:

- The proposed development will result in increased on-street parking in the vicinity of the site; Cranleigh Avenue is already heavily parked and is a bus route. Increased on-street parking would create an increased highway safety risk.
- The proposed western dwelling may be converted into flats in the future which would create a greater increase in on-street parking in the vicinity of the site.
- The proposed parking provision is insufficient.
- The proposed development does not respect the building line along Marine Drive.
- The proposed development of three dwellings would be an overdevelopment of the site.
- The proposed density of development is too high.
- The height and siting of the proposed three dwellings is inappropriate.
- Two dwellings would be a more appropriate development for the site.
- Brighton has a policy of no garden development.
- The submitted OS plans are inaccurate in that they do not show no. 2 Eileen Avenue which was constructed in 2004.
- The proposed development will cause increased overlooking of neighbouring properties.
- The proposed development will cause overshadowing of neighbouring properties.
- The proposed fencing is unlikely to withstand wind levels in this exposed location.
- The proposed roof line does not follow the gradient of the road.
- Use of the proposed vehicular access will cause noise and disturbance for the occupiers of no. 2 Cranleigh Avenue.

5.2 **Rottingdean Parish Council:** A letter has been received from objecting to the proposed development for the following reasons:

- The three detached houses will constitute an overcrowding of the site in an area which is characterised by single detached dwellings.
- The proposed development would result in increased overlooking of no. 153A Marine Drive.

Internal:

5.3 **Sustainable Transport:** Recommend conditions to secure the proposed cycle and vehicular parking provision. Works to the boundary wall alongside the public highway would necessitate the 'Approval in Principle' (AIP) process.

5.4 **Environmental Health** (initial comments 10/07/12): A noise report is required to demonstrate that future occupiers of the proposed development would not suffer detrimental levels of noise disturbance.

5.5 (Further comments 06/09/12 following the submission of a noise report): A noise report has now been submitted. The report is not considered to be thorough or robust. A more thorough and robust acoustic assessment needs to be undertaken, taking into account the worst case scenarios; properly referencing the requirements in the guidance and clearly showing how the assessment and

calculations were undertaken. In the absence of such information, refusal of planning permission is recommended.

- 5.6 (Further comments 26/11/12 following the submission of a second noise report): A second acoustic survey has been carried out; the methodology of this survey is considered appropriate. The report recommends mitigation measures in the form of thermal glazed double glazing and a ventilation system. It is recommended that these measures be secured by planning condition.
- 5.7 **Air Quality:** No objection.
- 5.8 **Access Consultant:** Minor concerns regarding W.C. layouts are raised.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006);
 - Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.5 All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU4	Surface water run-off and flood risk
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements

QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in housing schemes
HO7	Car free housing
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD06 Trees & Development Sites

SPD08 Sustainable Building Design

SPD11 Nature Conservation & Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the proposed development in this location, the standard of accommodation which the proposed dwellings would provide, accessibility, neighbouring amenity, transport / highways, sustainability, and landscaping / nature conservation.
- 8.2 The Inspector's decision relating to planning application BH2006/02167 is considered to be a significant material consideration. This application sought consent for:
'Demolition of two existing houses and construction of 7 residential dwellings comprising 1 four bedroom house, 3 two bedroom flats and 3 one bedroom flats. Lower ground floor covered parking for 9 cars and 12 bicycles.'
- 8.3 The Local Planning Authority refused this application on four grounds:
- 1. The proposed development, by virtue of its height, bulk and scale is considered to be an incongruous feature in this location to the detriment of the appearance of the street scene contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.*
 - 2. The proposed development, by virtue of its design and external appearance is considered to be out of character with, and detrimental too, the general character and appearance of the street scene and wider neighbourhood contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.*
 - 3. The density of the proposed development at approximately 72 dwellings per hectare is considered to be an overly intensive development in this location, out of character with the general pattern and intensity of development in the*

neighbourhood to the detriment of its character contrary to policy HO4 of the Brighton & Hove Local Plan.

4. *The pedestrian access from Cranleigh Avenue to the 4-bedroom dwelling via the vehicle access ramp and through the basement car park is considered to provide an unacceptable and inadequate level and form of pedestrian access to the detriment of the amenity of future occupants and visitors to the site contrary to policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.*

- 8.4 The Inspector did not support the Local Planning Authority's concerns regarding density or access, but did dismiss the appeal due to concerns regarding the design of the scheme proposed. Paragraph 6 of the Inspector's decision details these concerns:
*'6. I acknowledge the proposed buildings would be similar in overall height and siting to the existing buildings on the site. **The use of what would effectively be a flat roofed design as proposed would however mean the resultant buildings would have significantly more mass and bulk at a higher level than the existing buildings and would therefore have materially greater visual impact on the street scene. This greater mass at height would also mean they would not be in sympathy with nearby buildings.** Whilst the use of white rendering on parts of the elevations would reflect the use of similar finishes on other buildings in the locality, **the use of flat or nearly flat roof forms, the almost fully glazed southern elevations and the use of cedar weatherboarding on other elevations would mean the proposed buildings would have little relationship with nearby buildings such that they would have an overly conspicuous and incongruous appearance.** In this respect the proposed development would not comply with Policies QD1(a), (b) and (c), QD2(a) and QD3.'*

- 8.5 The Inspector therefore accepted the principle of the development proposed and the density of development proposed, but considered that the flat roofed glazed blocks proposed would be out of keeping with the locality. In relation to the current application the Inspector's decision must be given weight and it must be considered whether the current proposed overcomes the concerns raised at the time of this previous appeal.

- Planning Policy:**

- 8.6 Since this appeal decision dated 28/06/2007 the planning policy context has changed. The national planning policy which was in place at this time has been revoked and replaced by the National Planning Policy Framework (NPPF). The Brighton & Hove Local Plan (2005) remains the key local planning policy document, some new local planning guidance of relevance has been adopted, specifically SPD08 and SPD11.

- 8.7 The parts of the site which are within the footprints of the existing dwellings are classed as previously developed land (brownfield), the garden areas of the site are classed as 'greenfield'.

- 8.8 The principle of the type and scale of development proposed must be considered having regard to the National Planning Policy Framework, and policies HO4, QD1, QD2, QD3 and QD4 of the Brighton & Hove Local Plan.

- 8.9 Residential gardens do not fall within the definition of ‘previously developed land’ as set out in Annex 2 of the NPPF. The parts of the site which are within the footprints of the existing dwellings are classed as previously developed land (brownfield), the garden areas of the site are classed as ‘greenfield’ In regard to the development of residential gardens, paragraph 53 of the NPPF states that:
‘Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.’
- 8.10 The Brighton & Hove Local Plan does not specifically address garden development, Chapters 3 (Design) and 4 (Housing and community facilities) do however set out aims to secure a high standard of design and development with pays respects to site constraints and the character of the area surrounding the site. As such, a residential redevelopment of the site would not be resisted in principle, but must be carefully assessed and considered. It is considered that the principle of acceptability in this case relates to the density and scale of development proposed.
- 8.11 The density of the development proposed is of a lesser nature than that considered acceptable by the Inspector in relation to application ref. BH2006/02167. The density of development is considered to be in keeping with the character of the development which surrounds the site. In regard to the scale of development, the eastern two dwellings proposed are considered to be in keeping with the character of surrounding development; the central dwelling being of two storey character with a pitched roof form, and the eastern dwelling being of chalet bungalow character.
- 8.12 The western dwelling proposed is of a greater scale; whilst the dwelling is of two-full storeys with a pitched roof, the roof is of a considerable size and would provide a significant amount of additional accommodation. Thus this dwelling is of a scale greater than a typical two storey dwelling. It is considered in this case that a dwelling of this scale would sit comfortably as it’s corner plot location allows for a scale slightly greater than the development surrounding it. This principle has been established at other corner sites along Marine Drive such as Frederick House. Overall it is considered that the density and scale of development proposed is appropriate.

Visual Impact:

- 8.13 As detailed above, the scale of the proposed dwellings is considered to be acceptable. The dwellings are of traditional pitched roof form and are considered to address the concerns raised by the Inspector in relation to application ref. BH2006/02167. Balconies and supporting framework are proposed to the two eastern dwellings, a balcony is also proposed to the eastern dwelling. The dwellings would be detailed in a contemporary nature. Proposed materials are as follows:
- Walls: White painted render and blue grey bricks below dpc line, grey cladding.
 - Roofs: Dark grey slate and lead clad dormers.
 - Windows and doors: Blue grey powder coated aluminium framed windows and grey painted timber doors.

- Boundary treatments: Timber panel fences and stone walls.
- 8.14 The proposed dwellings would be of contemporary character which would contrast with the predominantly traditional dwellings in the immediate vicinity of the site. As detailed above however there is a mix of property styles along Marine Drive, and as a corner plot it is considered that a slightly different scale and character of development can be accommodated without appearing incongruous. The proposed boundary treatments between the three garden areas consist of timber fencing with planting to the front sections of the boundaries. It is considered that this would result in an acceptable appearance when viewed in the Marine Drive street scene. Full details of materials and design details can be secured by planning condition.
- 8.15 Overall it is considered that the proposed development would have an acceptable visual impact. The proposed design is considered to overcome the concerns raised by the Inspector in relation to application BH2006/02167.

Neighbouring amenity:

- 8.16 The proposed dwellings, in comparison to the existing, do represent an overall increase in bulk and would have an impact upon neighbouring amenity. The properties most affected would be no. 2 Cranleigh Avenue to the north and no. 153a Marine Drive to the east. Neighbouring properties in the wider vicinity would be impacted upon to some extent, by for example a change to their outlook and some increased overlooking, the impact on these wider properties would not be of a magnitude which would warrant the refusal of planning permission and was not an issue raised by the Inspector on the dismissed appeal.
- 8.17 The outlook from the south facing side windows of no. 2 Cranleigh Avenue would be enclosed to some extent, as would the rear garden of no. 2 Cranleigh Avenue. The outlook from a west facing first floor side windows of no. 153a Marine Drive would be enclosed to some extent. The proposed development would significantly alter the aspects from the side windows and rear gardens of these two neighbouring properties; the resulting situation is would not however be significantly detrimental in comparison to the existing situation. Some increased overshadowing would result; it is not however considered that this impact would be of a magnitude which would warrant the refusal of planning permission, and again was not an issue or reason for refusal raised by the previous Inspector.
- 8.18 In regard to privacy, the proposed south facing windows and balconies are not of concern as they would primarily provide views across Marine Drive and beyond. Some north facing windows are proposed to each dwelling at first floor level and one north facing window at roof level to the western dwelling. These windows can be controlled by condition as obscure glazed to ensure that neighbouring amenity would not be harmed.
- 8.19 The relationships created between the three dwellings would be relatively close knit and is considered acceptable. The proposed balconies would result in some mutual overlooking of garden areas and balconies within the proposed development; this is not however considered to warrant the refusal of planning permission.

8.20 The addition, in the future, of features such as windows, roof alterations, and extensions to the dwellings proposed could cause significant harm to neighbouring amenity. It is therefore considered necessary and appropriate to restrict permitted development rights by planning condition.

8.21 Overall it is considered that the proposed development would have an acceptable impact upon neighbouring amenity.

Standard of accommodation:

8.22 In regard to the internal layouts and garden areas proposed, it is considered that the dwellings have the potential to provide an acceptable standard of accommodation. Each dwelling would benefit from vehicular parking, cycle storage, refuse and recycling storage, and a usable private outdoor amenity space.

8.23 A fundamental concern has been raised by the Environmental Health Officer; due to the proximity of Marine Drive which is heavily trafficked at some times of the day, the applicant is required to demonstrate that future occupiers of the development would not suffer detrimental levels of noise disturbance. To this effect, Environmental Health in their initial comments requested that a noise report be carried out.

8.24 A noise report was submitted by the applicant. This report was not considered to be robust and it was recommended that further survey work be carried out. A second report was submitted by the applicant on the 23rd of November 2012. The methodology of the survey work carried out in relation to this second report is considered to now be appropriate and robust. The report recommends that, in order to ensure acceptable noise levels for future occupants of the proposed development, mitigation measures be included in the development in the form of thermal double glazed windows and a ventilation system. The ventilation system would ensure that future occupiers could keep the windows of the properties closed and still benefit from adequate ventilation. It is considered that further details of such mitigation measures and the implementation of these measures can be appropriately secured by planning condition.

8.25 Overall, subject to compliance with appropriate conditions, it is considered that the proposed development would provide an acceptable standard of accommodation.

Access:

8.26 Policy HO13 states that Planning permission will only be granted for new residential dwellings that are built to a lifetime homes standard whereby they can be adapted to meet the needs of people with disabilities without major structural alterations. The proposed dwelling layouts provide broad compliance with these standards and full compliance can be secured by planning condition.

Transport:

8.27 Policies TR1 and TR19 of the Local Plan require development to cater for the travel demand generated and meeting the maximum parking standards and minimum cycle parking standards set out in SPGBH4: Parking standards.

- 8.28 The proposed development would result in an uplift in trip generation. The development would create an increased impact on sustainable transport infrastructure within the vicinity of the site; the Sustainable Transport Team have therefore advised that a contribution towards such infrastructure would be required to ensure compliance with policy TR1 of the Brighton & Hove Local Plan. Under current short term recession measures, improvements to / contributions toward improvements to sustainable transport infrastructure would not however be sought in relation to a development of the scale proposed.
- 8.29 Vehicular parking is proposed; two spaces in association with the western dwelling and one space each for the other two dwellings. This parking provision is below the maximum standards set out in SPGBH4 and is considered to be acceptable. It is proposed that the existing vehicular crossover from Cranleigh Avenue would be utilised. Cycle storage is proposed; a separate store for each dwelling would be provided. The proposed vehicular and cycle storage can be secured by planning condition.
- 8.30 Neighbouring occupiers have raised concerns that the proposed development would result in increased demand for on-street parking and may therefore create an increased highway safety risk, particularly on Cranleigh Avenue which is a bus route. Local planning policies and guidance specify maximum parking standards; the Local Planning Authority does not therefore have a remit to require additional off-street vehicular parking over and above the provision proposed. It is accepted that the development could create additional on-street parking; it is not however considered that this would necessarily cause an increased highway safety risk. Furthermore any increased on-street parking caused is unlikely to be of a magnitude which would cause significant harm to neighbouring amenity and is acceptable.

Sustainability:

- 8.31 Policy SU2 requires that all developments demonstrate a high standard of efficiency in the use of energy, water and materials. SPD08 provides detailed guidance as to how the requirements of policy SU2 can be met having regard to the scale and type of development proposed. Were the site to be entirely brownfield, SPD08 advises that a Code for Sustainable Homes rating of Level 3 should be met. Were the site to be entirely greenfield, SPD08 advises that a Code for Sustainable Homes rating of Level 5 should be met. As detailed above, the application site is classified as part-brownfield and part-greenfield. It is proposed that a Code for Sustainable Homes rating of Level 4 would be met; this level of sustainability is considered to be acceptable in this case and can be secured by planning condition.

Landscaping and nature conservation:

- 8.32 Policies QD15 and QD17, and the guidance set out in SPD11 require that development proposals include high quality landscaping and nature conservation enhancements.
- 8.33 The submitted layout plans show some landscaping; it is considered that details and implementation of a full landscaping condition can be secured by planning condition. Details and implementation of nature conservation features can be secured by condition to ensure compliance with policy QD17.

Other matters:

- 8.34 Neighbouring occupiers have raised concerns that the western dwelling proposed could be converted in to flats in the future. This is not a matter to be considered under the current application. Any such proposal would require planning permission and would be considered at the time of a formal application being submitted.

9 CONCLUSION

- 9.1 The proposed development would deliver a net increase of two housing units suitable for family occupation. The proposed development would result in an acceptable appearance, would provide an acceptable standard of accommodation, and would not cause significant harm to neighbouring amenity. Compliance with policies relating to sustainability, transport, landscaping and nature conservation can be secured by planning condition. Approval is recommended.

10 EQUALITIES

- 10.1 The proposed dwellings layouts provide broad compliance with Lifetime Homes Standards and full compliance can be secured by planning condition.

11 CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Site levels survey			21/05/2012
Location plan	P01		21/05/2012
Block plan	P02		21/05/2012
Block plan	P03	A	07/08/2012
Site plan	P04	A	07/08/2012
Proposed ground floorplans	P05	A	07/08/2012
Proposed first floor plans	P06		21/05/2012
Attic and roof plans	P07		21/05/2012
Street elevations	P08		21/05/2012
Site elevations facing street	P09		21/05/2012
Site elevations facing street	P10		21/05/2012
Plot 1- west house propose elevations	P11		21/05/2012
Plot 2- middle house proposed elevations	P12		21/05/2012

PLANS LIST – 09 JANUARY 2013

Plot 3- east house proposed elevations	P13		06/06/2012
Existing block plan	P14		06/06/2012
Noise assessment	1181		23/11/2012

- 3) 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 dwellinghouses hereby approved shall be carried out without planning permission obtained from the Local Planning Authority.
Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan
- 4) All north facing (rear) first floor, second floor and roof level windows to the dwellings hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 5) The dwellings hereby permitted shall be constructed to Lifetime Homes standards and shall be retained as such thereafter.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
- 6) 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 each 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.
- 7) The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.
Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

11.2 Pre-Commencement Conditions:

- 8) No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - (a) Samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development
 - (b) 1:20 sample elevations and 1:1 sections, and samples of windows and doors to be installed.

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

- 9) Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until:
- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and
 - (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

- 10) No development shall take place until details of noise mitigation measures including thermal double glazing and ventilation systems have been submitted to and approved in writing by the local planning authority. These measures shall be implemented in accordance with the approved details prior to the first occupation of the development hereby approved.

Reason: To ensure that future residents of the development do not suffer harmful noise disturbance and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

- 11) 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.

- 12) No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

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

11.3 Pre-Occupation Conditions:

- 13) Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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.

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

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

- 15) The 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.

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

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

11.4 Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The proposed development would deliver a net increase of two housing units suitable for family occupation. The proposed development would result in an acceptable appearance, would provide an acceptable standard of accommodation, and would not cause significant harm to neighbouring amenity. Compliance with policies relating to sustainability, transport, landscaping and nature conservation is secured by planning condition.

PLANS LIST – 09 JANUARY 2013

2. The applicant is advised that this planning permission does not override the need to go through the Approval in Principle (AIP) process for the necessary works adjacent to the highway, prior to the commencement of any construction works. Please contact the Council's Highway Engineering & Projects Team for further information. Specifically Bo Furdas (Senior Project Engineer), Tel: 01273 292 237, Email: bo.furdas@brighton-hove.gov.uk.

**PLANS LIST
ITEM D**

26 Coombe Road, Brighton

**BH2012/03343
Full planning consent**

09 JANUARY 2013

BH2012/03343 26 Coombe Road, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2012/03343	<u>Ward:</u>	MOULSECOOMB & BEVENDEAN
<u>App Type:</u>	Full Planning		
<u>Address:</u>	26 Coombe Road, Brighton		
<u>Proposal:</u>	Installation of new shop front.		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	06/11/2012
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	01'01/ 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Rapeed Group Design, 106 Lower Addiscombe Road, Croydon		
<u>Applicant:</u>	Mr Fergus Inglis, Sharps Pharmacy, 26 Coombe Road, Brighton		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The site relates to a two storey terraced building to the southern side of Coombe Road. There is an A1 retail unit (chemist) to ground floor level with a residential flat above. The retail unit is sited within a parade of shops that continue up to the junction with Riley Road to the east. The road slopes steeply up from west to east.

3 RELEVANT HISTORY

88/2156/F: Single storey rear extension to shop, improvements to first floor flat and new shop front. Approved on 13 December 1988.

4 THE APPLICATION

- 4.1 Planning permission is sought for a replacement aluminium shopfront.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** Six (6) letters of representation have been received from **No.16, Tenantry Road, Nos. 22 and 30 Coombe Road, No. 66 Ewhurst Road, No. 52A Blatchington Road and No. 4 Ladysmith Road** supporting the application for the following reasons:
- A new shopfront is badly needed to keep in line with other modern shops in the area.

Internal:

- 5.2 **Sustainable Transport:** No objection. The proposed shopfront is deemed acceptable and a level threshold is provided to ensure all members of society can access the shop.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006);
 - Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.5 All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

- QD1 Design – quality of development and design statements
QD2 Design – key principles for neighbourhoods
QD5 Design – street frontages
QD10 Shop fronts
QD27 Protection of Amenity
SU13 Minimisation and re-use of construction industry waste

Supplementary Planning Documents:

- SPD02 Shop Front Design

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate the impact of the proposal upon the character and appearance of the building, the Coombe Road street scene and the wider surrounding area.

Planning Policy:

8.2 Policy QD10 of the Brighton & Hove Local Plan states:

'Replacement shopfronts and alterations to existing shopfronts will be permitted provided that the proposed shopfronts and fascia:

- a. respect the style, proportions, detailing, colour and materials of the parent building and surrounding shopfronts / buildings;*
- b. retain a visible means of support to the buildings above and do not interrupt any architectural details;*
- c. are part of an overall design strategy which covers all elements of the shopfront, including shop-shutters, blinds, advertisements and signs; and*
- d. allow access for everyone including wheelchair users, the visually impaired and other people with disabilities'.*

Design:

- 8.3 The proposal involves the replacement of the existing timber framed frontage with a more contemporary, aluminium framed shopfront. The proposed shopfront would run flush along the frontage of the unit with a centrally located entrance. There would be a full height, glazed panel either side of the door and another glazed panel above the entrance. The existing recessed timber door and frame to the first floor flat would be retained. The aluminium shopfront would be finished in a grey, powder coated finish. The existing fascia board and unsightly box shutter would remain.
- 8.4 The use of aluminium frames is considered an inappropriate material on this building. The existing shopfront is timber framed and there is no justification in design terms to replace with aluminium frames which fail to respect the traditional character of the building or the area.
- 8.5 Other than No.20 Coombe Road, all of the properties in the parade have timber framed shopfronts. The majority of these shopfronts are also traditional in design and make a positive contribution to the appearance and character of the area.
- 8.6 No. 20 Coombe Road has an unsympathetic aluminium shopfront. This was granted permission in 1986 before the current Brighton & Hove Local Plan and the Supplementary Planning Document "Shopfronts" (SPD02) were adopted and does not set a precedent for future unacceptable development in the area. Furthermore SPD02 specifies that replacement shopfronts must offer an enhancement over the existing shopfront and must represent a clear improvement in design quality. The purpose of the policy is to ensure that over a period of time the quality of design of an entire street scene can be improved to enhance the surrounding area.
- 8.7 The proposal clearly fails to provide a clear improvement in the design of the existing shopfront.
- 8.8 QD10 states:
'Many local shopfronts incorporate traditional features such as a recessed doorway, a timber frame and fascia with mouldings and a rendered or brick stall

riser. These features make a valuable contribution and their retention will be sought'.

- 8.9 The failure to incorporate a stall riser or a fanlight detracts from the traditional character and appearance of the shopfront. The stall riser and fanlight are important traditional features that one would expect to be present on a shopfront of this period. Furthermore, the existing recessed doorway forms part of the traditional character of the shopfront and the failure to replicate this feature would further harm the appearance or character of the building.
- 8.10 The bland, featureless proposed frontage has little visual interest, fails to respect the traditional character of the building and would result in an incoherent and incongruous alteration that would be detrimental to the appearance and character of the building and the Coombe Road street scene. The proposed contemporary design and use of aluminium would also jar with the existing timber entrance door and surround of the adjoining first floor flat and would further harm the appearance and character of the building.
- 8.11 Overall, the proposed shopfront is considered to be inappropriate in regards to both the design and proposed materials and would detract significantly from the appearance and character of the property, the Coombe Road street scene and the wider surrounding area.

Impact on Amenity:

- 8.12 The proposed shopfront would not extend beyond the existing building frontage and there would not be any harm to the amenity of neighbouring occupiers.

9 CONCLUSION

- 9.1 The proposal, by reason of design, materials and detailing would result in an unsympathetic and visually harmful alteration that fails to represent an improvement in the design of the existing shopfront and is detrimental to the character and appearance of the existing building, the Coombe Road street scene and the wider surrounding area.

10 EQUALITIES

- 10.1 None.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reason for Refusal:

1. The proposal, by reason of design, materials and detailing would result in an unsympathetic and visually harmful alteration that fails to represent an improvement in the design of the existing shopfront and is detrimental to the character and appearance of the existing building, the Coombe Road street scene and the wider surrounding area. As such the proposal is contrary to policies QD1, QD2 and QD10 of the Brighton & Hove Local Plan and the Supplementary Planning Document on Shop Front Design (SPD02).

PLANS LIST – 09 JANUARY 2013

11.2 Informatives:

1. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Proposed shop front elevation (1:50)	001		06/11/2012
Proposed shop front elevation (1:25)	001		19/10/2012
Existing shop front elevation	002		01/11/2012
Existing shop front plan	003		01/11/2012
Proposed shop front plan	004		01/11/2012
Proposed shop front section	005		01/11/2012
Site location Plan			19/10/2012

2. In accordance with the National Planning Policy Framework the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

**PLANS LIST
ITEM E**

14 Withdean Road, Brighton

**BH2012/03100
Full planning consent**

09 JANUARY 2013

BH2012/03100 14 Withdean Road, Brighton



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2012/03100	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Full Planning		
<u>Address:</u>	14 Withdean Road, Brighton		
<u>Proposal:</u>	Erection of new detached 5no bedroom dwelling, swimming pool and pool house adjacent to existing house.		
<u>Officer:</u>	Adrian Smith Tel: 290478	<u>Valid Date:</u>	11/10/2012
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	06/12/2012
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Alan Phillips Architects, 31 Montefiore Road, Hove		
<u>Applicant:</u>	Mr & Mrs Pierson, 14 Withdean Road, Brighton		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission for the reason set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises the side garden to a large detached house located on the east side of Withdean Road, Brighton. The surrounding street is formed of a mix of large detached houses set in generous plots on land that slopes from west to east. Those on the east side of the street are set below street level with most having basement levels opening onto their rear gardens. The character of the area is defined by a variety of detached houses completed in red brick, render and dark tiles and set in large highly verdant plots. Larger and more individualistic properties lie further to the north, out of view from the site.
- 2.2 No.14 forms a substantial detached house with a basement level opening onto a large side and rear garden. The main body of the plot is 40m in width and 60m in depth, with the main garden extending a further 65m to the north side and sloping down towards a railway line beyond. The side garden is approximately 22m in width and forms an undeveloped plot set between Nos.10 and 14 Withdean Road.

3 RELEVANT HISTORY

No.14 Withdean Road

BN/78/758: Outline Application for the erection of a house and garage adjacent to existing house. Approved 16/05/1978.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a five-bedroom detached house within the side garden to No.14 Withdean Road.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** Eleven (11) letters of representation have been received from **132 Woodland Drive; 10, 15 & 16 Withdean Road; 9 Glen Rise; 27 Osmond Road; 41 Stafford Road; 25 Wilbury Gardens; 336 Dyke Road; 6 Hilltop; and 28 Hove Park Road** in the form of a standard letter, supporting the application.

Internal:

- 5.2 **Sustainable Transport:** No objection
- 5.3 **Environmental Health:** No Comment
- 5.4 **Arboriculturalist:** No objection subject to conditions. An Arboricultural Impact Assessment and Method statement should be required by condition, identifying those trees to be retained and their protection during works.
- 5.5 **Access:** Comment. The entrance floor level is too far below street level to meet the 1:12 gradient required under Lifetime Homes.
- 5.6 **Sustainability:** No objection.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006);
 - Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.5 All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

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

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of residential use of the site, the design of the new building and its impact on the character and appearance of the area, its impact on the amenities of adjacent occupiers, and the traffic implications and sustainability of the development.

Principle of Development:

- 8.2 The site is located within the Built-up Area as designated in the Brighton & Hove Local Plan. Policy QD3 states that new development will be required to make efficient and effective use of a site, including sites comprising derelict or vacant land and buildings. The site proposed for the new dwelling appears to have originally been a development plot on Withdean Road that was never built on, but has subsequently become part of No.14. This is evidenced in the numbering of the street, which omits No.12 between the existing houses at Nos 10 & 14.
- 8.3 Although set on previously undeveloped garden land, it is clear that the plot was at one stage intended for development. The gap it forms in the street scene would allow a new dwelling to fit within the building line and general development pattern to the street. As such no objection is raised to the principle

of developing this particular site with a new residential property, subject to the acceptability of the other material considerations as detailed above.

Design and Appearance:

- 8.4 Policies QD1 and QD2 of the Brighton & Hove Local Plan seek to ensure all new development demonstrates a high standard of design and makes a positive contribution to the visual quality of the environment; with policy QD3 seeking to make efficient and effective use of sites, subject to the intensity of development being appropriate to the locality and/or the prevailing townscape.
- 8.5 The site as existing forms a large plot approximately 40m in width, with the large two-storey detached house at No.14 set to the north side. The plot is split in depth such that it is 125m in depth to the north half of the site, and 60m in depth to the south side. The proposed house would sit in the southern half of the plot, in a plot 17.5m in width and 60m in depth. The plot would also include the extended garden to the north side, truncating the remaining garden to 14 Withdean Road from 100m in depth to approximately 25m in depth. The site sits on sloping land such that the rear part of the plot (at a depth of 60m from the street) is approximately 9m lower than street level. Consequently, many of the properties on the east side of Withdean Road have basement levels opening directly onto their rear gardens.
- 8.6 The proposed house would be two storeys in height (with rooms in a gable-fronted roof) and would be set 1.5m from the northern boundary of the site and 2.5m from the southern boundary. It would be recessed 12m from the pavement following the staggered building line to Withdean Road, and would be no taller than No.14 adjacent. The width (13m) and height of the building demonstrates that a new dwelling can be incorporated into the street without breaking the building line or sitting uncomfortably close to the side boundaries. This reinforces the view that the site is indeed a developable plot.
- 8.7 In terms of overall design and detailing, the building would be two storeys in height from the street with a forward-facing gabled roof and an offset projecting garage and porch at ground floor level. The detailing of the frontage would depart from the traditional domestic architecture of the immediate area and would instead be formed of a series of angled roof planes, overhanging sections, and irregularly sized and spaced horizontal windows. This complexity continues to the rear elevation which contains overhanging sections at second floor/roof level, and the 8.5m deep projecting element with a half-glazed pitched roof. The projecting section would include a 4.5 deep half gable above at second floor level opening onto a south/side facing roof terrace. The building would be finished with rendered walls, a pitched slate roof, and hardwood windows. This contrasts with the more muted red brick, whitewash and dark tile that characterises the current street scene. Whilst these materials do not directly reflect the palette of materials in the area, it is not considered that this necessarily represents poor design in an area characterised by its variety of built forms and finishes. The proposed building would not be wholly out of keeping with this eclectic mix therefore the design approach proposed is considered acceptable.

- 8.8 The main concern is with regard the scale of the building to the rear. As stated the building would be of an appropriate scale when viewed from the street, however to the rear an 8.5m deep projection would extend from ground floor level, including a secondary 4.5m half-gable projection at first floor level above. Owing to the fall in land through the site, the ground floor of the projection would effectively sit at first floor level in relation to the adjacent gardens. In turn, the half-gable section would effectively sit a second floor level. Further, the depth of these projections would significantly break the rear building line to Nos 6-16 Withdean Road. In order to reduce the bulk of the rear projection when viewed from neighbouring properties the application proposes to raise the rear garden level by 2m, including 2m high boundary fences on top. The raised garden and fencing would disguise a basement level and partially surround a sunken swimming pool, and give the projection the illusion of being at ground floor level. In design terms, given the scale of the plot and the position of the projecting element 2.5m off the site boundary, it is considered that the raising of the rear garden level is sufficient to ensure that the projection would not be an excessively dominant design feature to the building. The two projecting elements would step down from the main roof level, forming a profile that responds to the general fall in land through the site. This is considered a suitable arrangement.
- 8.9 On balance it is considered that the modern design approach proposed, expressed in the complex form, detailing and stark use of materials, would not be sufficiently harmful to the character of the street to warrant the refusal of permission. As such the development represent an appropriate design standard as required under policies QD1 and QD2 of the Brighton & Hove Local Plan, and general policy guidance contained within the NPPF.

Pool House

- 8.10 The application proposes a 6m by 6m 4.8m tall single storey pitched roof pool/guest house within the south east corner of the garden, to serve a large swimming pool to be set rear of the main house. The pool house would take the form of a studio with a kitchen, bathroom and open plan lounge/bedroom. Whilst it would be capable of independent living, it would clearly be used in association with the main house given its isolated position within the rear garden. Subject to a condition restricting its use to occupants and visitors of the house, its scale and use would not be harmful to the site or surrounding area.

Trees and Landscaping:

- 8.11 The site as existing contains considerable planting within the side garden to No.14 and three trees that would likely require removal to facilitate the development. To the rear, the existing lawns would be raised in height by 2m with a large swimming pool sunk in to the land. No precise details have been provided of the trees that would be removed, or any that would be planted to compensate. Given the loss of the side garden to No.14, it is considered necessary to require a strong landscaping scheme in order to retain a vegetated frontage to the site and street in general. This would be secured by condition if the scheme were otherwise acceptable.

Standard of accommodation:

- 8.12 The proposed dwelling would have five bedrooms with all rooms of a suitable size and outlook, and a large garden to the rear. In this respect the development would provide for a good standard of residential accommodation in accordance with policies QD27 and HO5 of the Brighton & Hove Local Plan.
- 8.13 The design and access statement confirms that the lifetime homes standards have been incorporated into the design. Although there is no precise point-by-point analysis in the statement, it is clear from the plans that the majority of the standards can be incorporated with ease and secured by condition. Owing to the sloping nature of the site, access to the front door does not meet the 1:12 gradient required, however the integral garage would provide direct level access into the building. Subject to the recommended conditions, the development would be able to fully meet the requirements of policy HO13.

Impact on Amenity:

- 8.14 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.15 A levels survey has been submitted of the site along with section drawings along each side boundary that help to understand how the raised garden level and rear projection would relate to the rear windows and lower garden levels to Nos 10 & 14.
- 8.16 To the north, the rear projections to the building would extend 11m from the rear elevation to No.14, breaking the 45 degree line from the nearest window by approximately 5m. The half-gable section above would break the same 45 degree line by approximately 1m. When viewed from the rear ground floor windows to No.14, the proposed building would extend considerably into the rear garden both at ground and first floor level. From garden level, the ridge levels to the ground and first floor elements to the rear projection would sit approximately 8.1m and 11.8m above garden level to No.14. The eaves levels would sit 6.5m and 9m above garden level respectively. In addition, the raised garden level to the proposed house would result in a boundary retaining wall and fence 4m above the garden level to No.14. Given the position of the proposed building to the south of No.14, it is considered that the scale of the proposed boundaries, raised garden level, and rear projections would be significantly oppressive to the outlook and general amenities of the occupiers of No.14 Withdean Road.
- 8.17 To the south, it is not considered that the scale of the proposed building would impact on the amenities of No.10. However, the existing boundary fencing is to be raised into a retaining wall and fence 4m above their garden level. Although the retaining wall and fence would replace existing 4m high hedging, the permanence of the solid structures would be oppressive to the general amenities of this property. Further amenity harm would be afforded by a south facing balcony set within the first floor of the rear projection. Although at a

separation of approximately 12m, the height of the balcony above the rear terrace and garden level to No.10 would result in a significant degree of overlooking. This, combined with the oppressive scale of the raised garden level, would significantly harm the amenities of No.10 Withdean Road.

- 8.18 For the above reasons the proposed development would result in significant harm to the amenities of both Nos.10 & 14 Withdean Road, by virtue of the raised garden level and boundaries, the depth of the rear projection, and the presence of a first floor south facing balcony, contrary to policy QD27 of the Brighton & Hove Local Plan.

Sustainable Transport:

- 8.19 Brighton & Hove Local Plan policy TR1 requires new development to address the related travel demand, and policy TR7 requires that new development does not compromise highway safety.
- 8.20 The application proposes an integral garage for one vehicle and four bicycles, with a hardstanding to the front for further vehicles. This is sufficient for a development of this scale and the Sustainable Transport officer has raised no objection accordingly. The hardstanding is sufficient to allow vehicles to turn and exit the site in a forward gear safely onto Withdean Road via a new crossover. It is not therefore considered that the proposal would result in increased highway safety concerns, in general accordance with policies TR1 and TR7 of the Brighton & Hove Local Plan.

Sustainability:

- 8.21 Policy SU2 of the Brighton & Hove Local Plan, including SDP08 'Sustainable Building Design', requires new development to demonstrate a high level of efficiency in the use of water, energy and materials. Proposals for new residential development on greenfield land that has not previously been developed should include a completed sustainability checklist, should achieve Level 5 of the Code for Sustainable Homes, and should meet all Lifetimes Homes Standards.
- 8.22 The application states that the dwelling will meet Code for Sustainable Homes level 5, and has provided a supplementary sustainability statement to compliment the Checklist. The statement confirms that measures to achieve Level 5 have been considered from the outset in the design. These measures include integrated solar electric roof slates, high levels of insulation including triple glazing, rainwater and greywater harvesting, a mechanical heat recovery system, a ground source heat pump, and a 100% improvement in the dwelling emission rate over Part L of the Building Regulations 2006. These measures provide a high degree of comfort that the proposed dwelling will meet the appropriate sustainability standards. Appropriate refuse and recycling facilities are detailed within the integral garage.

9 CONCLUSION

- 9.1 The principle of developing the site with a single dwelling is considered acceptable, whilst the modern design approach proposed is not considered

PLANS LIST – 09 JANUARY 2013

excessively harmful to the prevailing character of this section of Withdean Road. However, the raised rear garden level and its associated boundaries, along with the scale and depth of the rear projection and the presence of a first floor south facing balcony, would be oppressive to the amenities of both Nos.10 & 14 Withdean Road and result in significant loss of privacy to No.10 Withdean Road. Consequently the proposal represents a harmful development contrary to development plan policies.

10 EQUALITIES

10.1 The new dwelling would be constructed to lifetime homes standards.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reason for Refusal:

1. The proposed development, by virtue of the scale of the raised rear garden level and associated boundaries, the scale and depth of the rear projection, and the presence of a first floor south facing balcony, would be oppressive to the amenities of both Nos.10 & 14 Withdean Road, and result in significant loss of privacy to No.10 Withdean Road, contrary to policy QD27 of the Brighton & Hove Local Plan.

11.2 Informatives:

1. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Site plan	12 WR.01	-	27/09/2012
Block plan	12 WR.02	A	04/12/2012
Site photographs and aerial views	12 WR.03	-	27/09/2012
	12 WR.05	-	27/09/2012
Site survey plan	12 WR.04	-	27/09/2012
Proposed floor plans, elevations and sections- main house	12 WR.07	A	04/12/2012
	12 WR.08	A	04/12/2012
	12 WR.09	A	04/12/2012
	12 WR.10	A	04/12/2012
	12 WR.11	A	04/12/2012
	12 WR.12	A	04/12/2012
	12 WR.13	A	04/12/2012
	12 WR.14	A	04/12/2012
	12 WR.15	A	04/12/2012
	12 WR.16	A	04/12/2012
	12 WR.17	A	04/12/2012
	12 WR.27	-	11/12/2012
	12 WR.28	-	11/12/2012
	12 WR.29	-	11/12/2012
	12 WR.30	-	11/12/2012
Proposed floor plans, elevations and sections- guest house	12 WR.18	A	04/12/2012
	12 WR.19	A	04/12/2012
	12 WR.20	A	04/12/2012
	12 WR.21	A	04/12/2012

PLANS LIST – 09 JANUARY 2013

	12 WR.22	A	04/12/2012
	12 WR.23	A	04/12/2012
Proposed	12 WR.25	-	05/12/2012
	12 WR.26	-	05/12/2012

2. In accordance with the National Planning Policy Framework the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

APPEAL DECISIONS

	Page
A – 115 CARDEN HILL – PATCHAM	71
<p>Application BH2011/02708 – Appeal against refusal to grant a certificate of lawful use or development (LDC) for a parking area to an existing dwelling.. APPEAL DISMISSED (delegated decision)</p>	
B – 62 CLYDE ROAD – ST PETERS & NORTH LAINE	75
<p>(a) Appeal against an enforcement notice; the breach of planning control as alleged in the notice is the conversion of the premises into four self contained flats without the benefit of planning permission (Ref 2011/0805). APPEAL DISMISSED – ENFORCEMENT NOTICE UPHELD (delegated decision)</p>	
<p>(b) Application BH2011/03878 – Appeal against refusal to grant planning permission for the conversion of a single dwelling into 3 flats. APPEAL DISMISSED (delegated decision)</p>	
C – 17 STEINE GARDENS – QUEENS PARK	81
<p>Application BH2012/00999 – Appeal against refusal to grant planning permission for new roof terrace on top of the property accessed via an opening skylight at the top of a new staircase from an open plan 2nd floor, which accommodates the kitchen, lounge and dining areas. New bi-folding doors at the rear of the second floor opening onto a new one metre wide balcony. Replacement of the roof at the front and rear of the property beyond the boundary of the roof terrace with glass. Bedrooms and bathroom relocated to the first floor and creation of a new en-suite shower room on the first floor.. APPEAL DISMISSED (delegated decision)</p>	
D – 7 LULLINGTON AVENUE – HOVE PARK	85
<p>Application BH2012/01891 – Appeal against refusal to grant planning permission for single storey rear extension. APPEAL DISMISSED (delegated decision)</p>	

E – 78 PLYMOUTH AVENUE – MOULSECOOMB & BEVENDEAN 87

Application BH2012/01729 – Appeal against refusal to grant planning permission for roof extension and improvement works. **APPEAL DISMISSED** (delegated decision)

F – 83 UPPER NORTH STREET – REGENCY 89

Application BH2011/03803 – Appeal against refusal to grant planning permission for formation of French doors to the rear elevation at ground floor level.. **APPEAL ALLOWED** (committee decision)

G – 34 LUSTRELLS VALE, SALTDEAN – ROTTINGDEAN COASTAL 91

Application BH2012/01373 – Appeal against refusal to grant planning permission for two storey and a single storey rear extension. **APPEAL DISMISSED** (delegated decision)

H – 16 RUDYARD CLOSE, WOODINGDEAN – WOODINGDEAN 93

Application BH2012/01870 – Appeal against refusal to grant planning permission for erection of a pre fabricated double size garage to the rear. **APPEAL ALLOWED** (delegated decision)



Appeal Decision

Site visit made on 19 November 2012

by Bridget M Campbell BA(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 November 2012

Appeal Ref: APP/Q1445/X/12/2169949
115 Carden Hill, Brighton BN1 8DA

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr G Guttierrez against the decision of Brighton & Hove City Council.
 - The application Ref BH2011/02708, dated 6 September 2011, was refused by notice dated 11 November 2011.
 - The application was made under section 191(1)(b) of the Town and Country Planning Act 1990 as amended.
 - The development for which a certificate of lawful use or development is sought is a parking area to an existing dwelling.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr G Guttierrez against the Council. This application is the subject of a separate decision.

Reasons

3. The application is to ascertain whether the work carried out to form an off street parking area at the appeal property, which the application form indicates was completed in about June 2010, was lawful on the date of the application. In this case to be lawful, the work must either not amount to development within the meaning of s55 of the Act or, if it does comprise development, then planning permission must have been granted for it.
4. Section 55 of the Act says development includes the carrying out of building, engineering, mining or other operations in, on, over or under land. The work involved to form the parking area included raising the level of part of the front garden by a considerable amount using infill material, the maintenance of that new level through the construction of retaining walls, and the provision of a gravel surface. There is no argument made that the work undertaken does not comprise development. Having regard to the substance of the operations involved I concur. The provision of the parking area comprised development within the meaning of s55 of the Act for which, s57 says, planning permission is required.
5. Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO) grants planning permission for classes of

development described as permitted development in Schedule 2 to the Order. Class F of Part 1 describes as permitted development the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such. Thus a gravel surface (which would be porous and so comply with the condition attached to the permission granted) used for car parking would be permitted by way of Class F of Part 1. However, in this case the works that have been carried out go well beyond the simple provision of a hard surface. They involved substantial work to raise the previous terraced levels of the front garden to one uniform ground level using infill material and retaining walls. Those are engineering operations which are significant in scale and exceed the works that could reasonably be regarded as incidental to the provision of a hard surface as allowed by way of Class F.

6. Similarly, it cannot be said, as the Appellant argues, that the development is permitted by way of Class A of Part 2 of Schedule 2. Whilst that permits the erection of fences, walls or other means of enclosure, the one development here for which planning permission is required involves far more than the erection of walls. The walls are part and parcel of a much larger discrete operation which comprises one overall piece of operational development. It is not possible to separate out parts of the development and suggest that those parts are permitted by way of the GPDO. Either the whole development is permitted by the GPDO or it is not. This follows the line taken in *Garland v MHLG* (1968) 20 P & CR 93¹ that if the whole operation is not permitted then neither is any part of it. The whole development would need to benefit from the permission granted by the GPDO for it to be lawful.
7. As a matter of fact and degree I find the works that have been undertaken take the development beyond that which is permitted by way of Class F of Part 1 of Schedule 2 and beyond that permitted by way of Class A of Part 2 of the Schedule. Nor is the development permitted by any other Class. I conclude that the work undertaken comprises development within the meaning of s55 of the Act and that permission for it has not been granted either expressly or by way of the permission granted by Article 3 of the GPDO. It was not, therefore, lawful at the date of the application.
8. The photographs of other raised parking areas in the vicinity do not assist in the determination of this appeal because determination as to whether planning permission is required for the appeal development is a matter of law.
9. For the reasons given above I conclude that the Council's refusal to grant a certificate of lawful use or development in respect of a parking area to the existing dwelling was well-founded and that the appeal should fail. I exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act as amended.

Bridget M Campbell

Inspector

¹ See Encyclopedia of Planning Law and Practice 3B-2070.1 (also set out in the extract from 'Permitted Development - Second Edition' by Malcolm Grant submitted by the Appellant)



Costs Decision

Site visit made on 19 November 2012

by Bridget M Campbell BA(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 November 2012

Costs application in relation to Appeal Ref: APP/Q1445/X/12/2169949 115 Carden Hill, Brighton BN1 8DA

- The application is made under the Town and Country Planning Act 1990, sections 195, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
 - The application is made by Mr G Gutierrez for a full award of costs against Brighton & Hove City Council.
 - The appeal was against the refusal of a certificate of lawful use or development for a parking area to an existing dwelling.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. The application for costs and the response for the Council were made in writing. In essence, the Appellant claims that it was unreasonable of the Council not to submit a statement to substantiate its case and to submit the appeal questionnaire late. The Appellant has thus been put to unnecessary expense in having to pursue the appeal. The Council responds by saying the decision notice sets out clearly two reasons for refusal and that those were considered in depth in the Officer's delegated report.
3. Circular 03/2009 advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
4. Taking the Council's decision notice first, this refers in reason for refusal 1 to "Class F above" but gives no explanation as to what Class F is or where it is to be found. The second reason for refusal is somewhat better in that it refers to Class F of the Town and Country Planning (General Permitted Development) Order 1995 as amended. However, even that is imprecise. The Class F to which the Council is referring is to be found in Part 1 of Schedule 2 to the Order. There are other Class Fs in other parts of Schedule 2 and the Appellant should not have had to work out which one the Council was referring to. Nonetheless, it is clear that the professionally represented Appellant did know what the reference to Class F meant.¹
5. Turning then to the Council's questionnaire, this should have been submitted in a timely manner but of greater significance is the fact that the Officer's delegated report, to which the Council has referred, was not attached. No

¹ See Appellant's Statement January 2012 – paragraph 6.1

further statement was submitted by the Council. It was therefore necessary to rely entirely on the reasons for refusal given on the decision notice to understand the Council's case. Notwithstanding the imprecision identified, the reasons given do indicate why the Council considered a LDC could not be issued.

6. In my view, the Council's behaviour in issuing a decision notice with reasons for refusal worded with insufficient precision and its omission in not sending the Officer's report with the appeal questionnaire might be considered to be unreasonable. A Council should exercise its duties and responsibilities with due care. However, even if that was unreasonable behaviour, an award of costs is not justified unless that behaviour can be shown to have resulted in wasted expense for the Appellant. In this case, the Appellant was able to understand from the Council's decision notice why a LDC had been refused. With that before him he chose to pursue his case to appeal and that appeal failed. Thus any wasted expense arose from his decision to pursue the appeal and not from any action of the Council.
7. I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in Circular 03/2009, has not been demonstrated.

Bridget M Campbell

Inspector



Appeal Decisions

Site visit made on 19 November 2012

by Bridget M Campbell BA(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 November 2012

Appeal A: APP/Q1445/C/12/2176487 62 Clyde Road, Brighton BN1 4NP

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr L Chrzaszcz against an enforcement notice issued by Brighton & Hove City Council.
- The Council's reference is 2011/0805.
- The notice was issued on 23 April 2012.
- The breach of planning control as alleged in the notice is the conversion of the premises into four self contained flats without the benefit of planning permission.
- The requirements of the notice are:
 1. cessation of the use of the house as four self contained residential units;
 2. removal of the kitchen facilities from all but one of the self contained residential units;
 3. restoration of the property to one residential unit; and
 4. removal of all resultant debris.
- The period for compliance with the requirements is 6 months.
- The appeal is proceeding on the grounds set out in section 174(2) (a), (f) and (g) of the Town and Country Planning Act 1990 as amended.

Summary of Decision: The appeal is dismissed and the enforcement notice is upheld with variations.

Appeal B: APP/Q1445/A/12/2177613 62 Clyde Road, Brighton BN1 4NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr L Chrzaszcz against the decision of Brighton & Hove City Council.
- The application Ref BH2011/03878, dated 13 December 2011, was refused by notice dated 29 March 2012.
- The development proposed is the conversion of a single dwelling into 3 flats.

Summary of Decision: The appeal is dismissed.

Appeal A, ground (a)

Main Issues

1. The main issues in this case are the effects of the proposals on the Council's housing strategy and on the living conditions of the occupiers of the units taking into account the standard of accommodation, cycle parking facilities and lifetime homes criteria.

Reasons

2. Criterion (a) of saved policy HO9 of the Brighton and Hove Local Plan 2005, allows for the conversion of dwellings into smaller units of self contained accommodation when the original floor area is greater than 115 sqm or where the dwelling has more than 3 bedrooms as originally built. Although there is disagreement as to the original number of bedrooms – the appellant counting rooms in the basement – the Council is content that the floor area exceeded the 115 sqm minimum. There is thus no objection in principle to a suitable conversion.
3. Criterion (b) of HO9 requires at least one unit to be suitable for family occupation with a minimum of two bedrooms. The Local Plan recognises the contribution that the conversion of larger properties makes in meeting the needs of a growing number of smaller households but it also identifies the need to cater for the high level of demand for smaller dwellings suitable for family accommodation. None of the units in the existing layout provides family accommodation as required and there is thus conflict with criterion (b) of policy HO9. The appeal is to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. To allow the appeal contrary to policy without special justification would make it difficult for the Council to resist other similar conversions with this particular shortcoming, the cumulative effect of which would be to seriously undermine the Council's housing strategy.
4. The Council has no adopted or advisory standards for flat conversions. It considers that the one bedroom flats on the ground and lower ground floors provide an adequate standard of accommodation and I find no reason to disagree. The size is not generous in either case but both have a decent kitchen with sufficient space for a small table and chairs, and both have a modest, but usable, bedroom, bathroom and living room. Cupboards for storage are also provided and the ground floor has an additional toilet. Each has the added benefit of access to its own small private garden.
5. As existing there are two further flats at first and second floors. The one bedroom flat at first floor is considerably smaller than the two below. The circulation space between rooms is minimal which is claustrophobic and causes difficulties when more than one person is present and the bedroom is barely adequate in size as the sole bedroom for the unit. However, the principal shortcoming is the exceptionally small kitchen. Not only is it not very long but it is so narrow that an open oven or cupboard door would leave no room to get by. It is too cramped to provide a reasonable standard of accommodation.
6. The room in the attic space is wholly unsuitable as a separate residential unit. It is lit by two high level rooflights which provide no outlook. Headroom over most of the floor area is extremely limited and I found that I had to stand directly under the recess of one of the rooflights in order to stand upright in the corner fitted out with kitchen units. It provides a very poor cramped standard of living accommodation.
7. The existing layout provides no secure, covered cycle parking for residents as is required by criterion (d) of HO9. For smaller units of accommodation, close to the city centre, cycling might well be a preferred means of travel if suitable facilities were available. Whilst I saw that there is a cycle stand opposite this property, the area is densely developed by similar housing, including flat

- conversions, with little opportunity to provide on site cycle storage facilities. The four residential units are likely to increase demand for on street cycle parking with no provision made to accommodate that increased demand.
8. Saved policy HO13 indicates that proposals for conversions and changes of use to provide residential accommodation will be expected to demonstrate wherever it is practicable, that lifetime homes criteria have been incorporated into the development. Notwithstanding the inclusion of this policy in the reasons for issuing the enforcement notice, the Council's access officer has commented that the existing building does not meet the criteria and that there would be no benefit in attempting to apply the policy in this instance. Since both entrances to the property from the street involve negotiating a set of stairs this seems to me to be a logical conclusion. Nonetheless, this finding does not outweigh the other harm that I have found.
 9. Concluding on the main issues: in failing to provide a suitable unit of family accommodation the development unacceptably undermines the Council's housing strategy; the cramped layout fails to provide satisfactory living conditions for the occupiers of the property; and there are no cycle parking facilities as required by policy. The development conflicts with saved Local Plan policies QD27, HO9 and TR14 which attract significant weight as they are broadly consistent with advice in the National Planning Policy Framework (NPPF).¹
 10. I have taken into account all other matters raised in support of the development including the letters from the existing tenants, the argument that there is no 5 year supply of housing land and reference to paragraph 49 of the NPPF, and that there is a demand for small units of residential accommodation. However neither these nor any of the other matters raised provide justification for poor quality residential accommodation which clearly conflicts with Development Plan policy. I note the examples of other schemes in the area drawn to my attention by the Appellant, but I have had regard to the specific circumstances evident at the appeal property.
 11. The appeal on ground (a) fails and permission will be refused on the deemed application for planning permission.

Appeal B

12. In this application, the intention is to leave the lower ground and ground floor flats as they are and to combine the first floor and attic accommodation to provide a two bed flat. The Appellant considers that this would provide a unit suitable for family accommodation in a less cramped 3 flat layout and so would address the Council's objections to the existing 4 flat layout. The main issues are the same as those set out above.
13. Having found the first floor kitchen to be too small to adequately serve the existing one bedroom dwelling, the cramped conditions in that room are clearly even less suited to serve a family dwelling. Where more than one person would be resident in the flat, that room would be positively hazardous to use if two people wanted access at the same time. In addition the living room accommodation would have to provide for all social living and dining activities for a family. That room is limited in size and this cannot be compensated for by access to any outdoor living space as the accommodation on the upper

¹ See para 215 of the NPPF

floors is divorced from the garden areas. The flat does not provide suitable family accommodation. Thus the revised layout would maintain the conflict with criterion (b) of HO9 and the unsatisfactory living conditions in the "family" unit would conflict with policies QD27 and HO5.

14. The proposed layout shows space for 3 bicycles at the front of the property at lower ground floor level. This is not secure covered parking as is required by criterion (d) of HO9. Moreover it is too cramped, access up and down a narrow staircase is unsatisfactory, and use of the area would be likely to cause loss of privacy and disturbance for the occupier of the lower ground floor flat. The proposed provision is not satisfactory. Whilst there is an indication that off-site provision might be possible by way of an appropriate contribution, there is nothing in place to demonstrate that this could be achieved (for example if monies were made available to the Council is the opportunity there to make relevant provision?), and a monetary contribution is not, in any event, an appropriate requirement for a planning condition.
15. The proposed revised layout for 3 flats does not overcome the objections identified in the existing 4 flat layout and thus the conclusions on the main issues remain the same. The appeal fails.

Appeal A, ground (f)

16. The Appellant claims that the requirements of the notice exceed what is necessary to remedy the breach of planning control because it requires all but one of the kitchens to be removed and it is claimed that there was a kitchen on the ground floor and another on the lower ground floor before the conversion to 4 flats took place.
17. The requirements of the notice cannot go beyond requiring remedy of the breach and thus it would be unreasonable to require anything to be removed that was there before the breach took place. Similarly requiring the property to be returned to use as a single family dwelling would go beyond remedying the breach. I therefore intend to vary the steps to require the use to cease and for the property to be restored to its condition before the breach took place. To this extent the appeal on ground (f) succeeds.

Appeal A, ground (g)

18. The Appellant considers 6 months insufficient to comply with the requirements of the notice. Upholding the notice will interfere with people's homes and it seems to me that the 12 months sought would be more reasonable to enable sufficient time for alternative accommodation to be sought before the works are undertaken. This would strike the appropriate balance when weighing the interests of the private individual against the public interest such that the response would be a proportionate one and there would be no violation of the Appellant's or the occupiers' Human Rights. To this limited extent the appeal on ground (g) succeeds.

Formal Decisions

Appeal A: APP/Q1445/C/12/2176487

19. The enforcement notice is varied by:
 - i) The deletion of the whole of the content of paragraph 5 and the substitution therefor of the following: "*cease the use of the house as 4 self contained*

residential units and restore the property to its condition before the breach took place"; and

- ii) The deletion from paragraph 6 of the words "6 months" and the substitution therefor of the words "12 months" as the period for compliance with the requirements of the notice

20. Subject to these variations the appeal is dismissed and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Appeal B: APP/Q1445/A/12/2177613

21. The appeal is dismissed.

Bridget M Campbell

Inspector



Appeal Decision

Site visit made on 21 November 2012

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 November 2012

Appeal Ref: APP/Q1445/D/12/2182980
17 Steine Gardens, Brighton BN2 1WB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Bougourd against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/00999 was refused by notice dated 8 June 2012.
 - The development proposed is a new roof terrace on top of the property accessed via an opening skylight at the top of a new staircase from an open plan 2nd floor, which accommodates the kitchen, lounge and dining areas. New bi-folding doors at the rear of the second floor opening onto a new one metre wide balcony. Replacement of the roof at the front and rear of the property beyond the boundary of the roof terrace with glass. Bedrooms and bathroom relocated to the first floor and creation of a new ensuite shower room on the first floor.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the application stage, the proposed development included a number of elements as set out in the above description of development. The Appellant has indicated that at the appeal stage he only wishes to pursue the roof terrace element of the proposal. However the appeal necessarily relates to the application that was refused and it is therefore incumbent on me to address all aspects of the proposed development, for which planning permission would be required and which formed part of the application. Any revised proposal would need to be the subject of a fresh application to the Council.
3. Notwithstanding the above, and although I have been provided with no information relating to whether or not the property benefits from its permitted development rights, internal works relating to the re-arrangement of accommodation would be unlikely to require planning permission. I note that the Council did not include these elements in its description of development.

Main issues

4. The main issues raised in this appeal are
 - a) the effect of the proposed roof terrace and rear balcony on the living conditions of the surrounding neighbours, with particular regard to overlooking and loss of privacy, and

- b) the effect of the proposed external works on the character and appearance of the East Cliff Conservation Area.

Reasons

Issue a) Living Conditions

5. The appeal property is a mid terraced property within a short terrace of three properties of recent construction, in a narrow cul de sac of residential properties comprising both traditional dwellings as well as more modern development. Most of the properties are two storeys with dormers in pitched roofs, compared with the terrace containing the appeal property which has a third storey set within a mansard roof.
6. The appeal property is in a densely developed, mixed use area with predominantly residential properties in Steine Gardens but a wider mix of uses in the adjoining streets. It has not been possible to draw a precise conclusion about the extent of residential neighbours within the adjoining properties in Princes Street to the rear and Edward Street to the side from my site visit and the submitted information. Given the close knit form of development in this local area, some overlooking between windows of nearby properties is already present.
7. However, I consider that the proposed balcony at the rear at second floor level would create direct overlooking and loss of privacy for the immediate neighbours in Steine Gardens when in their rear gardens, as well as overlooking of other windows and consequent loss of privacy for other residential neighbours to the rear. Furthermore, from my site visit as well as the submitted information I consider that there would also be overlooking of neighbours' windows on the opposite side of the street as a result of the roof terrace. The Appellant has suggested that the re-arrangement of accommodation would reduce the extent of overlooking but the use of the accommodation would be outside of planning control and the way in which internal accommodation is used is a matter of personal choice. In terms of the rear of the roof terrace I agree with the Appellant that the set back proposed would assist in reducing direct overlooking of the immediate neighbours on either side but would not, in my view, and on the basis of the limited information before me, be sufficient to remove direct overlooking of windows to residential neighbours to the rear.
8. As a result of the close proximity of these neighbouring properties, and notwithstanding the overlooking that is already present, it is my view that the direct overlooking and loss of privacy that would be introduced from the rear balcony and roof terrace would materially harm the living conditions of surrounding neighbours. I also share the Council's concern, and notwithstanding the general noise levels within this urban area, that there would also be the possibility of increased noise and disturbance from the use of the roof terrace and the rear balcony in close proximity to bedrooms of adjoining properties, and this would add to the harm I have concluded. Whilst I note the Appellant's comments about noise levels, the balcony and roof terrace, if granted would also endure for future residents.
9. I therefore conclude that the proposed development, and in particular the proposed rear balcony at second floor level as well as the proposed roof terrace, would materially harm the living conditions of surrounding neighbours.

This would conflict with Policies QD14 and QD27 of the Brighton and Hove Local Plan, both of which seek to ensure that new development does not harm the amenities of neighbours. These policies accord with the National Planning Policy Framework which confirms, as one of its core planning principles, that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Issue b) Character and appearance

10. The appeal property and adjoining dwellings are in the East Cliff Conservation Area, which predominantly comprises the historic pattern of traditional Regency terraces together with more modern development, providing an attractive and diverse urban form. The Council has raised concerns about the impact of the proposed development and, in particular, the roof terrace, if visible from public view points. On the basis of the information before me and my site visit, and given the narrowness of Steine Gardens and the proposed set back of the roof terrace, it is my assessment that the roof terrace, or even part of it, and the other proposed roof changes would be barely glimpsed from the street, including from Edward Street.
11. The proposed rear balcony and window changes, given their siting at the rear would not be visible from the street. Both the roof terrace, roof changes, change to the second floor rear window and balcony changes would be visible from surrounding properties but given the more modern form of the appeal property and the attractive eclectic mix of properties in the local area, I do not consider that these changes would detract from the character and appearance of the existing building or of the local area. Although Nos 16, 17 and 18 Steine Gardens were built to the same design, I do not consider, given the variety of development in the local area, that changes to one of the properties would unbalance the development or detract from the street scene, particularly as part of its attractive character and appearance is as a result of its varied form of development.
12. As a result, I conclude that the proposed development would not harm, but would preserve the character and appearance of the East Cliff Conservation Area. There would be no conflict with Policies QD14 and HE6 of the Brighton and Hove Local Plan which seek to ensure the new development respects the local context, with specific policy guidance for Conservation Areas under Policy HE6. However, my conclusion on this issue does not outweigh the harm I have concluded under my first issue.
13. The Appellant has drawn my attention to a range of other roof terraces within the local area, some of which appear to have been integral to recent developments and others later additions to older properties. Each planning proposal must be considered on its individual merits. However, and notwithstanding the lack of information regarding each of the roof terraces shown and the extent to which they benefit from planning permission, I have nonetheless taken them into account. However, my principal concern in this appeal relates to the effect of the proposal on the living conditions of the surrounding neighbours to the appeal property, and therefore my consideration has focussed on the particular circumstances of the case before me.
14. I have sympathy with the Appellant's reasons for seeking the proposed changes to his living accommodation. However, the harm I have found to the

living conditions of immediate neighbours is compelling and on its own justifies refusal of planning permission.

15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR



Appeal Decision

Site visit made on 4 December 2012

by John R Mattocks BSc DipTP MRTPI FRGS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 December 2012

Appeal Ref: APP/Q1445/D/12/2183820
7 Lullington Avenue, Hove, BN3 7EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jeanette Ashton against the decision of the Brighton & Hove City Council.
 - The application ref. BH2012/01891 was refused by notice dated 13 August 2012.
 - The development proposed is a single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main issue

2. The main issue in this appeal is the effect of the proposal on the living conditions of the occupants of No. 5 Lullington Avenue.

Reasons

3. I am informed that the proposed extension has been advanced with the full agreement of the occupiers of No. 5. I have no independent verification of that fact, although the submitted plans show that the southern cavity wall of the proposed extension would be on the boundary between Nos. 5 and 7 with the outer wall on land within the curtilage of No. 5. It would not, therefore, be possible to construct the extension without a formal agreement.
4. Be that as it may, one of the core planning principles set out in paragraph 17 of the National Policy Planning Framework is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, as an aspect of sustainable development. Policies QD14 and QD27 in the adopted Brighton and Hove Local Plan are in line with that core principle. It may be that the existing occupiers of No. 5 do not object to the proposal, possibly because of their own future plans to extend to the rear of their property, but any such intentions might change. Greater weight is to be placed on the nature of the relationship between buildings and the effect on quality of the living environment than on individual perceptions.
5. The proposed development would result in the presence of a 3.5 m. long wall immediately to the side of the rear glass double doors of No. 5 at a minimum (eves) height of 2.36 m. rising to 3.46 m. where the sloping roof would meet the rear wall of Nos. 5 and 6. As that wall would be on the north side of No. 5 there would be no loss of sunlight but the wall would be a dominant feature when viewed through the glass doors from the habitable room within. The

building would extend well beyond a 45 degree line drawn from the centre of the glass doors, as mentioned in paragraph 3.57 of the Local Plan in explanation of policy QD14. In isolation, bearing in mind the northerly aspect, that might be acceptable but there is already a rear extension at the rear of No. 5, albeit shorter than that proposed. The combination of the two would result in a high degree of enclosure significantly constricting the outlook from the habitable room in No. 5.

6. The proposal would, therefore, result in an unsatisfactory relationship between the buildings. The degree of enclosure would be such as to represent a significant loss of outlook for the occupiers of No. 5 contrary to Local Plan policy QD14 and a loss of amenity in terms of policy QD27. There would be a significantly detrimental effect on living conditions for the occupiers of No. 5.
7. Permitted development rights do not apply to development crossing curtilage boundaries. I acknowledge that a 3 m. extension within the curtilage of No. 7 would be permitted but it would have a lesser visual impact than the current proposal. I give little weight to the Government's proposals to amend the permitted development rights for rear extensions in that they are currently subject to consultation and may not be adopted in their current form. Although a 2 m. wall might be constructed along the whole boundary under permitted development rights that is not part of the proposal and there is no indication that is a likely scenario.
8. I have taken into account all of the other matters drawn to my attention in the representations made, including the permission for a rear extension to No. 23 Lullington Avenue but the plans of that development show that a full width extension already existed at No. 25. I do not have information as to the exact circumstances relating to that permission and, as every proposal must be considered on its individual merits, it is not a factor which carries sufficient weight to counter the identified conflict with development plan policy.
9. For the above reasons, the appeal is dismissed.

John R Mattocks

INSPECTOR



Appeal Decision

Site visit made on 3 December 2012

by P Jarvis Bsc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 December 2012

Appeal Ref: APP/Q1445/D/12/2185216
78 Plymouth Avenue, Brighton, BN2 4JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms C Pringle against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/01729 was refused by notice dated 19 July 2012.
 - The development proposed is roof extension and improvement works.
-

Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect on (a) the character and appearance of the area and (b) the living conditions of the occupiers of the adjoining property, no. 80 Plymouth Avenue.

Reasons

3. The proposal consists of two separate extensions to the front and rear of the existing roof which has a steeply sloping fully hipped form. The front addition would extend the existing ridge forward and form a new 'half' gable end across the width of the roof. Although not a full hip to gable extension, it would comprise a substantial addition to the higher part of the roof. Due to the topography of the area and its sloping nature, the roof is a particularly prominent feature in the streetscene of Plymouth Road and the views afforded from its higher level means that the proposal would be readily seen within it. In my view, it would introduce a disproportionately large and unsympathetically designed roof addition adding considerably to its bulk. Whilst I acknowledge that there is a variety of roof designs visible within the immediate streetscene, including full gables and large dormer extensions, I consider that it would be unduly prominent.
4. The proposed rear roof extension would comprise a full hip to gable alteration which, given the considerable depth of the existing roof, would result in a significant enlargement of its bulk. This would in turn alter the overall proportions of the dwelling resulting in a very large expanse of roof compared to the lower elements of the dwelling. Whilst it would have less impact in the streetscene of Lustrells Vale, it would be visible from the footpath which runs to the side and rear of the site from which, due to the topography of the area, it would appear as an unduly large and prominent addition. The overall effect would be to unacceptably increase the overall scale and bulk of the roof which would unduly increase its prominence within the wider area.

5. I note that the Council considers that the rear balcony proposed as part of the rear roof addition would be an incongruous addition. However, as a design feature I do not find it to be inappropriate or out of keeping with the property. Notwithstanding this, the overall size and design of the proposed additions would be harmful for the reasons set out.
6. I therefore find that the proposal would be harmful to the character and appearance of the host dwelling and wider area. This would be in conflict with Policies QD2 and QD14 of the Brighton and Hove Local Plan (2005) which seek to ensure that development takes into account the scale and design of existing buildings, and is well designed and sited in relation to both the host and adjoining properties. These policies are generally consistent with the National Planning Policy Framework (the Framework) and therefore in accordance with paragraph 215, significant weight can be afforded to them.
7. It would also fail to satisfy the guidance in the Council's Roof Alterations and Extensions Supplementary Planning Guidance (1999) which seeks to ensure that roof extensions respect the scale and character of the existing roof form. Whilst this guidance is somewhat dated, its general aims and objectives are consistent with the more up to date policies referred to above.
8. In relation to the neighbouring property, the proposed rear roof projecting balcony would appear to be large enough to accommodate a standing or sitting person and thus extend the views that would be possible from a 'normal' flush window. Whilst the dwelling on the appeal site is sited further back into its plot compared to the neighbouring dwelling, I consider that the balcony would afford views of much of its private rear garden area. This would be exacerbated by the elevated position of the proposed balcony relative to the lower lying garden area, which slopes down from the rear of the dwelling, the effect of which could not in my view be fully mitigated by a side screen such as that proposed.
9. Notwithstanding that there is already a level of overlooking from the rear terrace of the dwelling on the appeal site, I consider that this would introduce an unacceptable additional level of overlooking and loss of privacy to the neighbouring property. This would be in conflict with LP Policies QD14 and QD27 which seek to prevent loss of amenity to adjacent properties.

Other Matters

10. I note that a lawful development certificate (LDC) has been granted for a rear hip to gable roof extension. It is almost identical in terms of overall size and design to that now proposed but does not incorporate a rear projecting balcony nor a front roof extension. The harm arising from these additional elements is sufficient to render the appeal scheme unacceptable for the reasons set out. Therefore the fact that this LDC has been granted and would appear to provide a 'fall back' situation is not sufficient to alter my conclusions.

Conclusions

11. I conclude that the appeal should be dismissed.

P Jarvis

INSPECTOR



Appeal Decision

Site visit made on 3 December 2012

by David Prentis BA BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 December 2012

Appeal Ref: APP/Q1445/E/12/2180655
83 Upper North Street, Brighton BN1 3FL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Rita McCormack against the decision of Brighton & Hove City Council.
 - The application Ref BH2011/03803, dated 9 December 2011, was refused by notice dated 21 March 2012.
 - The works proposed are the formation of French doors to the rear elevation at ground floor level.
-

Decision

1. The appeal is allowed and listed building consent is granted for the formation of French doors to the rear elevation at ground floor level at 83 Upper North Street, Brighton BN1 3FL in accordance with the terms of the application Ref BH2011/03803, dated 9 December 2011, and the plans submitted with it, subject to the following condition:
 - 1) The works hereby permitted shall begin not later than three years from the date of this decision.

Main issue

2. The main issue is the effect of the proposal on the special interest of the listed building and its setting within the Montpelier and Cliftonhill Conservation Area.

Reasons

3. The appeal relates to a 3 storey terraced house which is a Grade II listed building forming part of a group of similar houses at Nos 77 – 89 (consecutive) Upper North Street. The listing description notes that the houses date from the early 19th century. The front elevations have fluted Ionic pilasters and balconies with cast iron railings and most of the houses have sash windows of original design. The houses have historic and architectural interest as good examples of the town houses of the period. The consistent use of architectural details on the front elevations creates an impressive street scene, making an important contribution to the significance of the group. The subject building has significance both as part of the wider group and in its own right. The interior spatial arrangement appears to be generally well preserved and this contributes to its significance as a heritage asset.
4. The proposed alteration would be in an inconspicuous location at the rear of the house between a rear projection on the appeal building and a high boundary wall. It would have no impact on the street elevation. The rear elevation of

- the terrace has been subject to many changes. Whilst it still has group value, it does not have anything like the consistency of architectural detailing found on the street elevation. In this context the works proposed would not have any impact on the group value of the terrace as a whole.
5. The Council does not suggest that the proposal would harm the internal spatial quality of the house or result in the loss of any important internal features. I share that view.
 6. There would be some loss of historic fabric, comprising a sash window and a small area of masonry below it. The Council has published a Supplementary Planning Document (SPD 09) on *Architectural features*. It makes the general point that original or historic windows should be retained unless beyond economic repair. It also advises that the conversion of windows into French doors will normally only be acceptable at the rear, at ground floor level, where the window to be altered is not a historic feature of the building. Where acceptable, the width of the opening should not be enlarged and the style of the door should relate to the character of the building.
 7. The sash window may be original or early fabric although there is no conclusive evidence on this point. The upper floor windows appear to have been replaced with casements so the sash window is no longer part of a coherent composition. The proposed works would not alter the width of the opening and would maintain the general proportions of the rear elevation. Joinery details have been provided which show that the new door would be sympathetic to the period of the building. In these respects the proposal would accord with SPD 09.
 8. The proposal would not accord fully with SPD 09 because the window opening to be altered is likely to be an original feature of the building. However, whilst I take account of the general guidance of SPD 09, in this case I consider that the removal of the sash window and a small area of masonry would have a minimal impact on the significance of the heritage asset. The special interest of the building would be preserved and the proposal would accord with Policy HE1 of the Brighton & Hove Local Plan 2005 which seeks to protect the character and appearance of listed buildings.
 9. The alteration would not be readily apparent from viewpoints beyond the curtilage of the subject property and, in any event, the general character of the rear elevation would be maintained. There would be no harm to the character and appearance of the conservation area, which would be preserved.
 10. The Council suggests a condition requiring the works to be carried out in accordance with the plans. As listed building consent is only granted for the works shown on the submitted plans such a condition is not necessary.
 11. For the reasons given above, the appeal should be allowed.

David Prentis

Inspector



Appeal Decision

Site visit made on 3 December 2012

by P Jarvis Bsc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 December 2012

Appeal Ref: APP/Q1445/D/12/2185749

34 Lustrells Vale, Saltdean, Brighton, BN2 8FE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr I Still against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/01373 was refused by notice dated 26 July 2012.
 - The development proposed is a two storey and a single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main issue

2. The effect on the character and appearance of the host property and wider area.

Reasons

3. The appeal site is located along a residential street characterised by detached chalet bungalow style dwellings which appeared to be of mainly two uniform roof designs. The first type, like the dwelling on the appeal site, has a steeply sloping pitched roof with full gable ends and accommodation in the roofspace served by flat roofed dormers. The other type is similar but has half hipped gable ends.
4. The proposed two-storey extension would be of the same height as the existing dwelling and its design would incorporate a much higher eaves level and different roof form than the host dwelling such that at the rear it would have the appearance of a full two storey height dwelling.
5. The proposed depth of the ground floor element of the extension, at 3 metres, would not in my view be disproportionate compared to the existing dwelling. However, due to its size, design and appearance, incorporating an incongruous central flat roof, I consider that the upper part of the extension would not be sympathetic to the form and design of the existing dwelling. It would add considerably to the overall depth of the property at this level and given that it would be the same height as the main central ridge of the host dwelling and extend across almost the entire width, I consider that it would appear as a large and bulky addition to it.
6. In my view it would be a disproportionately large addition, which would be unsympathetic to the appearance of the host dwelling. Furthermore, whilst the proposal would be set in slightly from the flank elevations of the host dwelling,

the proposed flanks would be visible in the streetscene where the disproportionate size of the extension would be apparent.

7. A number of nearby properties have been extended to the rear with various sized extensions, including two-storey additions and dormer windows, the side elevations of which I was able to see from the street. In particular I noted one at No. 22, a similar design dwelling to that on the appeal site, which is referred to by the appellant. Whilst it appeared to extend across the whole width of the dwelling, it did have a lower ridge height than the host dwelling and the Council has indicated that it does not extend to as great a depth as that proposed on the appeal site. In terms of the streetscene impact, it seems to me that it is not the same as would be the case with the appeal proposal.
8. The property adjoining the appeal site, No. 36, also has a two-storey rear extension. It is not as wide as that proposed at the appeal site but is of the same overall height. The host dwelling in this case is one that incorporates the half-hip roof form, the design and eaves level of which is reflected in the extension, and which therefore appears sympathetic in terms of roof design. On the basis of what I could see on site and on the information provided by both parties, none of these existing extensions appear to provide a direct comparison with the existing proposal. In any event, I am of the opinion that the scale and design of the proposal before me would not be sympathetic for the reasons given.
9. I therefore find that the proposal would be harmful to the character and appearance of the host dwelling and wider area. This would be in conflict with Policies QD1 and QD14 of the Brighton and Hove Local Plan (2005) which seek to ensure that development is of a high standard of design which makes a positive contribution to the visual appearance of the area and is well designed and sited in relation to the host dwelling, adjoining properties and the surrounding area. These policies are generally consistent with the National Planning Policy Framework (the Framework) and therefore in accordance with paragraph 215, significant weight can be afforded to them.
10. The appellant has referred to a number of extensions that have been carried out to properties in the road. I have referred to these above and acknowledge that a number relate to two storey rear extensions. However, many appear to pre-date the current local plan and in my view it is difficult to make ready comparisons with the appeal scheme, which I have decided on its merits.
11. I have noted the concerns expressed by the neighbour in respect of the impact on their property. However, bearing in mind the distance retained to the boundary and the relative position of windows, I do not find that any unacceptable impacts in relation to living conditions would arise.

Conclusion

12. I conclude that the appeal should be dismissed.

P Jarvis

INSPECTOR



Appeal Decision

Site visit made on 10 December 2012

by **Jim Metcalf BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 December 2012

Appeal Ref: APP/Q1445/D/12/2183918

16 Rudyard Close, Woodingdean, Brighton, Sussex, BN2 6UA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Matthews against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/01870, dated 19 June 2012, was refused by notice dated 28 August 2012.
 - The development proposed is the erection of a pre fabricated double size garage to the rear.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a pre fabricated double size garage to the rear at 16 Rudyard Close, Woodingdean, Brighton, Sussex, BN2 6UA in accordance with the terms of the application, Ref BH2012/01870, dated 19 June 2012, subject to the condition that the development hereby permitted shall begin not later than three years from the date of this decision.

Main Issue

2. I consider that the main issue is the effect of the garage on the character and appearance of the surrounding area.

Reasons

3. The proposed garage would be sited in a private car parking area, used by a number of the surrounding houses and enclosed by the rear gardens of houses in Rudyard Close, Catherine Vale and Crescent Drive North. Although there is no formal layout evident, different parts of the car park are owned by individual properties. The appellant has constructed a concrete base where he proposes to erect the garage. Because the ground slopes, the base is raised at the front, with a projecting ramp to allow vehicular access, and cut slightly into the higher ground behind.
 4. There are no other garages in the parking area. Nos 10, 12 and 14 Rudyard Close each has a garage in their rear gardens with access from the drive that leads into the parking area. Garages and other ancillary buildings, such as sheds are commonly seen in the locality and are built in a variety of forms from differing materials.
-

5. The garage would be about 5m wide, 5.5m deep and 2.4m high at the front. It would have a flat roof with walls formed from pre-fabricated concrete units with a brownstone finish. At the front the raised foundation would increase the overall height of the garage somewhat. Even so, the garage would be screened from the houses in Crescent Drive North by a fence and foliage and would not be readily visible from the houses in Rudyard Close or Catherine Vale that back onto the parking area. Furthermore, in the position proposed, the garage would not be readily visible from the nearest street, Catherine Vale.
6. The garage would sit in the currently open parking area but, in this situation, would not be unreasonably dominant or overbearing or have a significantly adverse effect on the character and appearance of the surrounding area. I find that the garage would be compliant with Policies QD1 and QD2 of the Brighton and Hove Local Plan.
7. The Council have not suggested any conditions should be imposed in the event that planning permission is granted, and I have not imposed any, except for the standard condition that limits the time available for implementation.

Jim Metcalf

INSPECTOR

NEW APPEALS RECEIVED

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

ST. PETER'S & NORTH LAINE

BH2012/01473

75 Upper Gloucester Road, Brighton

Replacement of timber windows and doors to front elevation with new UPVC double glazed units.

APPEAL LODGED

22/11/2012

Delegated

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

WOODINGDEAN

BH2012/00409

137 Crescent Drive South, Brighton

Erection of new single storey three bed dwellinghouse.

APPEAL LODGED

03/12/2012

Delegated

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

CENTRAL HOVE

BH2012/01890

Flat 3, Winchester House, 8 Fourth Avenue, Hove

Construction of first floor balcony with railings to rear elevation.

APPEAL LODGED

03/12/2012

Delegated

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

ROTTINGDEAN COASTAL

BH2012/01652

Land adjacent to 2 Longhill Road, Brighton

Erection of a new two storey dwelling.

APPEAL LODGED

05/12/2012

Planning Committee

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

ROTTINGDEAN COASTAL

BH2012/00856

93 Marine Drive, Rottingdean, Brighton

Demolition of existing dwelling, garage and swimming pool and erection of new three storey dwelling and detached garage.

APPEAL LODGED

04/12/2012

Delegated

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

ROTTINGDEAN COASTAL

BH2012/02371

Land Adjacent to 19 Roedean Road, Brighton

Erection of a two storey 3 bed end of terrace house.

APPEAL LODGED

07/12/2012

Delegated

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

ST. PETER'S & NORTH LAINE

BH2012/01743

100-101 Queens Road, Brighton

Change of use of ground floor to A1 or A2 or A3 or B1 use and installation of new shopfront (part retrospective)

APPEAL LODGED

04/12/2012

Delegated



**Brighton & Hove
City Council**

INFORMATION ON HEARINGS / PUBLIC INQUIRIES
09 January 2013

This is a note of the current position regarding Planning Inquiries and Hearings

None to report.

Information on Pre-application Presentations and Requests

Date	Address	Ward	Proposal
17 March 2010	Former Nurses Accommodation, Brighton General Hospital	Hanover & Elm Grove	Demolition of the former nurses accommodation buildings and the construction of three residential apartment blocks comprising 95 units and a 105 square metre community facility with associated car parking and landscaping.
27 April 2010	Open Market	St Peter's & North Laine	Proposed replacement, covered market, 87 affordable housing units, 12 x B1 workshops and public realm improvements.
29 June 2010	Former Royal Alexandra Children's Hospital, Dyke Road, Brighton	Regency	<i>A) Conversion scheme</i> Conversion of a retained main building to provide 118 units. The scheme is 100% private housing and does not include provision of a GP surgery. <i>B) New building scheme</i> Demolition of all existing buildings with a new development comprising 136 units with 54 affordable units (40%) and a GP surgery.
20 July 2010	The Keep, Wollards Field, Lewes Road, Brighton	Moulsecoomb & Bevendean	A new historical resource centre for East Sussex, Brighton & Hove.
10 August 2010	Former Sackville Hotel, Kingsway, Hove	Westbourne	Construction of 47 flats (mix of 1, 2, 3, & 4 bed units) within 6 to 9 floor building, and to incorporate basement parking of 49 spaces, and 2 spaces at ground floor level.
21 September 2010	3Ts	East Brighton	3T's (teaching, tertiary & trauma). Comprehensive redevelopment of southern half of RSCH on Eastern Road to provide replacement modern clinical facilities over three phases.

NOTE: The Pre Application Presentations are not public meetings and as such are not open to members of the public. All Presentations will be held in Hove Town Hall on the date give after scheduled site visits unless otherwise stated.

Date	Address	Ward	Proposal
14 December 2010	Brighton Station, Block J	St Peters & North Laine	Proposed mixed use scheme comprising 3500 sq m B1 commercial office space, 147 residential units, 3* hotel in buildings of between 5-8 storeys, provision of civic square, Southern SNCI, and 250 sq m A1 retail / A3 café
11 January 2011	Park House	Hove Park Ward	Demolition of former residential language school buildings and the residential redevelopment of the site by way of flats in buildings of between 4 and 5 storeys.
15 March 2011	Anston House, 137-147 Preston Road	Preston Park	Demolition of existing building and proposed mixed scheme. Exact details of the scheme are not finalised. The presentation is to show Cllrs the concept of the scheme and how they have come to the point that they are now at.
15 July 2011	3Ts	East Brighton	3T's (teaching, tertiary & trauma). Comprehensive redevelopment of southern half of RSCH on Eastern Road to provide replacement modern clinical facilities over three phases and erection of a helipad on top of the Thomas Kemp Tower.
20 September 2011	Ice Rink & No.11 Queens Square	St Peter's & North Laine	Demolition of former ice rink and no.11 Queens Square and erection of 5-6 storey building to provide ApartHotel (58 serviced apartments) with associated restaurant/café and alterations to public realm.
22 November 2011	Park House	Hove Park	Demolition of former residential language school buildings and the residential redevelopment of the site by way of flats in buildings of between 4 and 5 storeys.

Date	Address	Ward	Proposal
21 February	Anston House, 137-139 Preston Road, Brighton	Preston Park	Demolition of existing building and proposed mixed scheme. Exact details of the scheme are not finalised. The presentation is to show Cllrs the concept of the scheme and how they have come to the point that they are now at.
24 April 2012	PortZed, 9-16 Aldrington Basin, Land south of Kingsway, Basin Road North, Portslade	Wish	Demolition of business unit to east of Magnet showroom. Erection of new five and a half storey building at Kingsway level and a further one and half storeys of car parking beneath Kingsway ground floor accessed via Basin Road North. Development comprises mixed use commercial premises with associated new access and car parking at Kingsway level and 52 residential units in 6 blocks.
15 May 2012	1. Brighton Station, Block J 2. Woolards Field, Lewes Road	1. St Peters & North Laine 2. Moulsecomb & Bevendean	1. The commercial and residential blocks will be developed separately. An amended 6/8 storey mixed use commercial building, plus basement, comprising hotel, office and retail uses, is proposed at the southern end of the site. 2. A 1-3 storey building to be used as a make ready ambulance centre including cleaning, maintenance and preparation of ambulances with office, staff facilities, training and education facilities. Associated landscaping car parking (158 spaces) and cycle parking.
28 August 2012	Infinity Foods, Norway Street	South Portslade	An office block (Class B1) of 743sqm, served by 15 parking spaces accessed from Franklin Street to the north of the site. 1 2, 3 and 4 bed dwellings including 12 affordable housing units served by 50 parking

			spaces access from Norway Street and Franklin Road.
09 October 2012	<p>1. Hannington Lane</p> <p>2. Brighton Square</p>	<p>1. Regency</p> <p>2. Regency</p>	<p>1. Creation of new retail shopping lane behind the former Hanningtons Store connecting Meeting House Lane with Brighton Place, with new links to North St and Brighton Square. Accommodation comprising 9 new residential units (approx 900 sqm) and office accommodation (approx 520 sqm) over 21 new/refurbished/extended retail units (A1/A3 mix TBA) (approx 1,300 sqm). Please note that approximately half of the retail area is to be within existing building envelopes. Relocation of sub-station.</p> <p>2. Remodelling facades of Brighton Square. New 50 bedroom hotel and reception (approx 1,500sqm) fronting Brighton Place with rooftop café/restaurant (approx 75sqm) and roof terrace and 5 new residential units (approx 500 sqm), office accommodation (approx 300 sqm) over 7 new/refurbished/extended retail units (A1/A3 mix TBA) (approx 300 sqm).</p>
30 October 2012	Brighton & Hove Bus Depot, Industrial House, Gill House, Tecore House & The Builder Centre all on Conway Street, Units 1 – 3 Ellen Street & The Agora, Ellen Street	Goldsmid	Demolition of all buildings expect for The Agora, Ellen Street. Redevelopment of the site to comprise the following: A1 retail unit (food) of 3,716 square metres and an A1 retail unit (non food) of 4,650 square metres; 4 No. A1 (non food) retail units (but could also be A3/A4 restaurant/bar uses) totalling 1,716 square metres; 8 No. A3/A4 restaurants/bars totalling 2730 square metres; Exhibition space 232 metres; B1 office units totalling 8,820 square metres; 9 screen D2 cinema of

			3,875 square metres. 400 Residential units to be mainly provided at upper levels including 5 tower blocks ranging in height of between 10 and 25 storeys. Car parking for 800 vehicles.
20 November 2012	City College, Pelham Street	St Peters & North Laine	Demolition of all buildings. Redevelopment of the site to provide a 11,800 sqm educational building, a building accommodating 501 student units, 22 townhouses, two buildings containing 72 residential flats and a public square.

PLANS LIST 09 JANUARY 2013**BRIGHTON & HOVE CITY COUNCIL**
LIST OF APPLICATIONS DETERMINED BY THE HEAD OF PLANNING &
PUBLIC PROTECTION UNDER DELEGATED POWERS OR IN
IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION**PATCHAM****BH2012/03125****15 Glenfalls Avenue Brighton**

Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension and rear dormer, rooflights to front roofslope and single storey rear extension. Replacement windows (UPVC) to front elevation.

Applicant: FCM Renovations Limited

Officer: Chris Swain 292178

Refused on 26/11/12 DELEGATED

BH2012/03202**166 Cuckmere Way Brighton**

Erection of conservatory to the rear.

Applicant: Mr Roger Marshall

Officer: Wayne Nee 292132

Approved on 06/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Block plan	n/a		11 October 2012
Conservatory dimensions	n/a		04 October 2012
Existing ground floor plan	n/a		11 October 2012
Proposed ground floor plan	n/a		11 October 2012
Existing elevations	n/a		11 October 2012
Proposed elevation	n/a		11 October 2012

BH2012/03225**81 Carden Hill Brighton**

Application for Approval of Details Reserved by Condition 6 of application BH2010/01177.

Applicant: Mr Nick Wells

Officer: Sue Dubberley 293817

Refused on 10/12/12 DELEGATED

1) UNI

It has not been demonstrate that both of the new residential units will achieve the

PRESTON PARK

BH2012/01136

Flat E 33 Beaconsfield Villas Brighton

Replacement of existing windows with new double glazed units.

Applicant: Ms Nina Caplan

Officer: Pete Campbell 292359

Approved on 12/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Location plan			11/05/2012
Window design drawings			31/07/2012
Sash window specification sheet			31/07/2012
Supporting photographs			12/04/2012
Window profile information			12/04/2012
Window specification guide			12/04/2012

BH2012/02430

Flat 1 100 Ditchling Rise Brighton

Replacement of 3no existing wooden sash windows with new UPVC double glazed vertical sliding sash windows to front.

Applicant: Miss Sue Kempshall

Officer: Robin K Hodgetts 292366

Refused on 30/11/12 DELEGATED

1) UNI

The proposal, by reason of its material, would be an unsympathetic and incongruous alteration that fails to relate well to the street scene and is detrimental to the character and appearance of the surrounding area. The proposal is therefore contrary to policy QD14 of the Local Plan.

BH2012/02831

St Andrews Day and Resource Centre St Andrews Road Brighton

Demolition of single storey building and rear garages and erection of 4no three bedroom houses and 3no two bedroom houses with associated car and cycle parking and landscaping.

Applicant: Stonerix Ltd

Officer: Wayne Nee 292132

Refused on 30/11/12 DELEGATED

1) UNI

No information has been submitted to clarify what is to happen to the existing community use and no information has been submitted to establish the site as genuinely redundant for this use or for other community facilities. No exceptions to this policy have been demonstrated. The proposed development would therefore be contrary to policy HO20 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development of seven new dwellings with associated access roads and parking would result in an overdevelopment of the site, out of keeping with the character and density of surrounding development. The rear garden areas of the new dwellings would be significantly smaller than is the case at the majority of surrounding sites. The proposal is therefore contrary to policies HO4, QD1, QD2, and QD3 of the Brighton & Hove Local Plan.

3) UNI3

The proposed dwellings, by reason of the roof form as well as the projecting bays and porches, would not relate well to the characteristics of existing properties on the surrounding streets. The proposed design would not preserve or enhance the character of the conservation area, which is contrary to policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

4) UNI4

The proposed dwellings, by reason of the height and proximity to the site boundary, would represent a cramped and overbearing development to the detriment of the amenities of the occupiers of neighbouring properties. Furthermore the proposed access road within the site would be significantly detrimental to future occupiers of the proposed dwellings by reason of excessive noise and disturbance. The proposal would therefore be contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2012/02832

St Andrews Day and Resource Centre St Andrews Road Brighton

Demolition of single storey building and rear garages.

Applicant: Stonerix Ltd

Officer: Wayne Nee 292132

Refused on 30/11/12 DELEGATED

1) UNI

In the absence of an acceptable replacement scheme for the site, the demolition of the existing buildings would result in the creation of an unsightly area of land that would be detrimental to the character and appearance of the Preston Park Conservation Area, contrary to policy HE8 of the Brighton & Hove Local Plan.

BH2012/03134

143 Ditchling Road Brighton

Change of use from shop (A1) to takeaway (A5) with the installation of extract duct to side elevation.

Applicant: Mr Rajab Haq

Officer: Richard Elder 292321

Refused on 10/12/12 DELEGATED

1) UNI

The proposed change of use from A1 retail to A5 takeaway is considered to be unacceptable by virtue of its isolated location falling outside of easy walking distance to a local, district, town centre or regional shopping centre and it has not been adequately demonstrated that the premises are within easy walking distance of a comparable shop. The proposal is, therefore, contrary to criteria a of Policy SR8 of the Brighton & Hove Local Plan.

2) UNI2

It has not been adequately demonstrated that the existing A1 retail unit is not economically viable and no marketing information has been submitted to demonstrate that there is no demand for that particular unit for another type of A1 retail occupier. As such, the proposal is contrary to criteria b of Policy SR8 of the Brighton & Hove Local Plan.

3) UNI3

The proposed ducting, silencer, and carbon filter, associated with the extraction of cooking fumes, is considered to be unacceptable by virtue of its positioning, noise and direction of extraction close to residential windows of the existing building and surrounding windows detrimental to the amenities of the residential occupiers. As such, the proposal is contrary to criteria c of Policy SR8 and Policy QD27 of the Brighton & Hove Local plan.

4) UNI4

The proposed ducting, silencer, and carbon filter, associated with the extraction of cooking fumes would constitute an unsightly structure, visible from Ditchling Road and would be detrimental to the character and appearance of the conservation area, contrary to Policy HE6 of the Brighton & Hove Local Plan.

BH2012/03277

4 Upper Hamilton Road Brighton

Erection of ground floor single storey rear and side extension and erection of second floor level roof terrace with obscure glazed screening.

Applicant: Mr Lee Davies

Officer: Louise Kent 292198

Refused on 06/12/12 DELEGATED

1) UNI

The proposed roof terrace, due to its position, height, and siting would result in a loss of privacy to adjoining neighbouring properties. As such the proposal would adversely impact on the levels of residential amenity currently enjoyed by those properties, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed rear extension and boundary wall, by reason of the depth and height would result in a loss of light and overbearing impact to the adjoining neighbours, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2012/03278

78 Edburton Avenue Brighton

Insertion of rooflight to front roofslope.

Applicant: Val Shore

Officer: Louise Kent 292198

Approved on 03/12/12 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) BH12.05A

The rooflight[*s*] hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	12/054/03		12 October 2012
Block Plan	12/054/04		12 October 2012
Existing & proposed front elevation	12/054/02		12 October 2012
Technical rooflight details			12 October 2012

BH2012/03358

53 Springfield Road Brighton

Non Material Amendment to BH2009/01940 to change in shape, reduction in height and alter glazing.

Applicant: Mr C Newson

Officer: Jonathan Puplett 292525

Refused on 11/12/12 DELEGATED

1) UNI

The proposed revisions to the scheme approved under application BH2009/01940 are considered material and warrant the submission of a further application for planning permission

REGENCY

BH2012/02302

29 Western Road Brighton

Change of use from retail (A1) to retail/cafe (A1/A3) and alterations to shopfront including additional extract grille to front elevation & replacement of existing side windows with doors.

Applicant: Mr Pie Retail

Officer: Adrian Smith 290478

Approved on 03/12/12 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 doors hereby permitted to the east side elevation shall not be used for access or egress purposes, shall open internally only, and be retained as such at all times.

Reason: to avoid obstructing the public footpath and to comply with policies QD10 and TR7 of the Brighton & Hove Local Plan.

3) UNI

The entrance doors hereby permitted shall open internally only, and thereafter be retained as such at all times.

Reason: to avoid obstructing the public footpath and to comply with policies QD10 and TR7 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and proposed drawings	1-17		26/11/2012

5) UNI

The use hereby permitted shall not be open to customers except between the hours of 07.00 and 20.00 on Mondays to Fridays, and between 08.00 and 20.00

Saturdays, Sundays and Bank or Public Holidays, and all activity at the site shall cease thirty minutes after the premises has closed to customers.

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

BH2012/02303

29 Western Road Brighton

Display of internally illuminated projecting signs and externally illuminated fascia signs.

Applicant: Mr Pie Retail

Officer: Adrian Smith 290478

Approved on 03/12/12 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) 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.

3) 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.

4) 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.

5) 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.

6) 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.

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

BH2012/02604

Top Floor Flat 3 Powis Square Brighton

Removal of rear escape ladder, installation of French doors and casement window to rear and 2no rooflights with light wells to the central valley. Installation of new railings and refurbishment of rear balcony. Internal alterations to layout at second and third floor level.

Applicant: Mr & Mrs Jacobs

Officer: Robert McNicol 292322

Refused on 06/12/12 DELEGATED

1) UNI

By virtue of being incongruous and a historic features, relating poorly to the design of the recipient property, the proposed rear door, additional window and glazed balustrading would have a detrimental impact on the historic character and appearance of the grade II listed building. The proposal is therefore contrary to policy HE1 of the Brighton & Hove Local Plan 2005.

BH2012/02605

Top Floor Flat 3 Powis Square Brighton

Removal of rear escape ladder, installation of French doors and casement window to rear and 2no rooflights with light wells to the central valley. Installation of new railings and refurbishment of rear balcony.

Applicant: Mr & Mrs Jacobs

Officer: Robert McNicol 292322

Refused on 06/12/12 DELEGATED

1) UNI

By virtue of being incongruous and a historic features, relating poorly to the design of the recipient property, the proposed rear door, additional window and glazed balustrading would have a detrimental impact on the historic character and appearance of the grade II listed building and the wider Montpelier & Clifton Hill conservation area. The proposal is therefore contrary to policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan 2005.

2) UNI2

By virtue of allowing increased overlooking of neighbouring gardens and into the rear first floor window of 3 Powis Square, and by virtue of causing increased noise nuisance for neighbouring properties, the proposed roof terrace would have a detrimental impact on the amenity of neighbouring residents. The proposal is therefore contrary to policy QD14 and QD27 of the Brighton & Hove Local Plan 2005.

BH2012/02648

31 Hampton Place Brighton

Installation of alarm bell box to front elevation at basement level and associated control box (Retrospective).

Applicant: Mrs Sally Evans

Officer: Jason Hawkes 292153

Approved on 23/11/12 DELEGATED

BH2012/02705

11 Dyke Road Brighton

Installation of fascia sign and window graphics to front elevation. (Retrospective)

Applicant: Liquid Lounge UK Limited

Officer: Clare Gibbons 292454

Refused on 29/11/12 DELEGATED

1) UNI

The advertisements by reason of their number, proposed materials and position would appear incongruous and unduly prominent and cause harm to the character and appearance of this Grade II listed building, contrary to policies HE1, HE4, HE9 and QD12 of the Brighton & Hove Local Plan 2005 and SPD07 (Advertisements).

BH2012/02706

11 Dyke Road Brighton

Display of non illuminated fascia sign and window vinyl. (Retrospective)

Applicant: Liquid Lounge UK Limited

Officer: Clare Gibbons 292454

Refused on 29/11/12 DELEGATED

1) UNI

The advertisements by reason of their number, proposed materials and position would appear incongruous and unduly prominent and cause harm to the character and appearance of this Grade II listed building, contrary to policies HE1, HE4, HE9 and QD12 of the Brighton & Hove Local Plan 2005 and SPD07 (Advertisements).

BH2012/02910

44 Market Street Brighton

Display of non illuminated fascia sign and hanging sign.

Applicant: Artique Galleries

Officer: Robert McNicol 292322

Approved on 12/12/12 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) 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.

3) 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.

4) 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.

5) 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.

6) 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.

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

BH2012/02911

44 Market Street Brighton

Display of non illuminated fascia sign and hanging sign and repainting of shopfront and windows.

Applicant: Artique Galleries

Officer: Robert McNicol 292322

Approved on 07/12/12 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 timber windows on the front elevation at first floor and second floor level shall be painted white.

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 fixing holes in the mathematical tiles relating to the two signs that are to be removed shall be filled with a 1 part lime to 3 parts fine sand mortar mix with a black mineral pigment additive.

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

BH2012/02944

54-56 West Street Brighton

Display of internally and externally-illuminated fascia signs, externally-illuminated hanging signs and internally-illuminated ATM surround signs.

Applicant: Nationwide Building Society

Officer: Robert McNicol 292322

Approved on 03/12/12 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) 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.

3) 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.

4) 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.

5) 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.

6) 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.

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

BH2012/02947

133 - 134 Kings Road Brighton

Display of externally-illuminated fascia sign and internally-illuminated projecting sign.

Applicant: Ms Catherine Smith

Officer: Robert McNicol 292322

Approved on 29/11/12 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) 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.

3) 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.

4) 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.

5) 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.

6) 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.

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

BH2012/02948

133 - 134 Kings Road Brighton

Alteration to shop front including restoration works to fascia and pilasters.

Applicant: Meat & Drink Ltd

Officer: Robert McNicol 292322

Approved on 29/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan			03/10/2012
Existing plans	01-02	B	04/10/2012
Existing elevations	01-04	L	26/11/2012
Proposed plans	02-01	B	04/10/2012
Proposed elevations	02-04	L	26/11/2012

BH2012/03023

80-82 North Street Brighton

Display of internally illuminated fascia signs.

Applicant: Metro Bank PLC

Officer: Guy Everest 293334

Approved on 30/11/12 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) 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.

3) 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.

4) 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.

5) 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.

6) 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.

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

BH2012/03024

80-82 North Street Brighton

Installation of new shop front.

Applicant: Metro Bank PLC

Officer: Guy Everest 293334

Approved on 30/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site Location Plan	BRS.3509_03-1		21/09/2012
Existing Ground Floor Plan	E1.0		21/09/2012
Existing First Floor Plan	E2.0		21/09/2012
Existing Exterior Elevation	E3.0		21/09/2012
Existing Shopfront and Signage Section	E4.0		21/09/2012
Proposed Ground Floor Plan	A1.0		21/09/2012
Proposed First Floor Plan	A2.0		21/09/2012
Proposed Exterior Elevation	A3.0		21/09/2012
Proposed Storefront and Signage Sections (at entry bay)	A4.0		21/09/2012
Proposed Signage Elevation (at entry bay)	A4.0.1		21/09/2012
Proposed Storefront and Signage Sections (at typical shopfront bays)	A4.1		21/09/2012
Proposed Signage Elevation (at typical shopfront bays)	A4.1.1		21/09/2012

BH2012/03067**80-82 North Street Brighton**

Change of use of basement and ground floors from retail (A1) to bank (A2) and retention of part of first floor office (B1).

Applicant: Metro Bank PLC

Officer: Guy Everest 293334

Approved on 30/11/12 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 Class A2 use hereby permitted shall not commence operation until the second floor office suites identified on approved drawing no. BRS.3509_06-1 have been renovated in accordance with the works outlined in Pegasus Planning Group Statement dated September 2012 (para. 5.25) and have been made available for occupation.

Reason: To ensure that the development would provide an appropriate level and standard of office accommodation and to comply with policy EM5 of the Brighton & Hove Local Plan.

3) UNI

The Class A2 use hereby permitted shall not commence operation until the first floor office accommodation, as identified on approved drawing no. A2.0, has been provided and made available for occupation.

Reason: To ensure that the development would provide an appropriate level and standard of office accommodation and to comply with policy EM5 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	BRS.3509_03-1		25/09/2012
Existing Basement Plan	BRS.3509_05-1		25/09/2012
Existing Ground Floor Plan	E1.0		25/09/2012
Existing First Floor Plan	E2.0		25/09/2012
Proposed Basement Floor Plan	A0.0a		16/10/2012
Proposed Ground Floor Plan	A1.0		25/09/2012
Proposed First Floor Plan	A2.0		25/09/2012
Second Floor Office Suites - Existing Plan	BRS.3509)07-1		25/09/2012
Second Floor Office Suites - Proposed Renovation Plan	BRS.3509_06-1		25/09/2012

BH2012/03075**2 Clifton Hill Brighton**

Application for Approval of Details Reserved by Conditions 2 and 3 of application BH2012/00582.

Applicant: Andrew Collin

Officer: Christopher Wright 292097

Approved on 27/11/12 DELEGATED

BH2012/03094

Kiosk Old Steine Brighton

Erection of single storey extension to South East elevation.

Applicant: Mr Robert Webb

Officer: Pete Campbell 292359

Refused on 12/12/12 DELEGATED

1) UNI

The proposal would represent an overly dominant extension to the building which would result in a loss of original form and significantly change the visual appearance of the building. This in turn is deemed harmful to the character and architectural merit of the listed building, as well as the wider conservation area contrary to policies QD14, HE1 and HE6 of the Brighton & Hove Local Plan 2005.

2) UNI2

The proposed extension of the building would encroach upon existing open public space deemed of significant value to the area. The loss of this space is contrary to policy QD20 of the Brighton & Hove Local Plan 2005.

BH2012/03095

Kiosk Old Steine Brighton

Erection of single storey extension to South East elevation.

Applicant: Mr Robert Webb

Officer: Pete Campbell 292359

Refused on 12/12/12 DELEGATED

1) UNI

The proposal would represent an overly dominant extension to the building which would result in a loss of original form and significantly change the visual appearance of the building. This in turn is deemed harmful to the character and architectural merit of the listed building, contrary to policy HE1.

BH2012/03123

Prince Regent Hotel 29 Regency Square Brighton

Removal of rear external fire escape balconies.

Applicant: Prince Regent Hotel

Officer: Robert McNicol 292322

Approved on 07/12/12 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

All of the steelwork shall be dug out of the walls to prevent rusting and cracking of the masonry and the walls made good, rendered and painted to match.

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

BH2012/03218

44 Market Street Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2012/01689.

Applicant: Mr Richard Colley

Officer: Adrian Smith 290478

Approved on 03/12/12 DELEGATED

BH2012/03273

44 Russell Square Brighton

Application for Approval of Details Reserved by Conditions 4 and 5 of application BH2012/01677.

Applicant: Mr Martin Culverhouse

Officer: Christopher Wright 292097

Approved on 10/12/12 DELEGATED

BH2012/03276

6 Bartholomews Brighton

Internal alterations to facilitate change of use of first, second, third and fourth floors from offices (B1) to 4no studio flats.

Applicant: Mrs Nazila Blencowe

Officer: Adrian Smith 290478

Refused on 10/12/12 DELEGATED

1) UNI

The proposed works to facilitate the change the use of the building from office to residential occupation, by virtue of the addition of modern partitions to the rear rooms and the inclusion of a raised floor at fourth floor level, would have a significantly harmful impact on the historic character of this Grade II listed building, contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2012/03285

6 Bartholomews Brighton

Change of use of first, second, third and fourth floors from offices (B1) to 4no. studio flats.

Applicant: Mrs N Blencowe

Officer: Adrian Smith 290478

Refused on 10/12/12 DELEGATED

1) UNI

The proposed works to facilitate the change the use of the building from office to residential occupation, by virtue of the addition of modern partitions to the rear rooms, would have a significantly harmful impact on the historic character of this Grade II listed building, contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2012/03351

Churchill Guest House 44 Russell Square Brighton

Application for Approval of Details Reserved by Condition 3, 4, 5 and 6 of application BH2012/01678.

Applicant: Mr Martin Culverhouse

Officer: Christopher Wright 292097

Approved on 10/12/12 DELEGATED

ST. PETER'S & NORTH LAINE

BH2012/02001

19A & Workshop 19A Bath Street Brighton

Construction of mansard roof with front and rear dormers to form an additional floor, alterations to fenestration to front and rear elevations, installation of glass balustrade to rear roof terrace and associated works.

Applicant: Mr Christopher Korodyski

Officer: Anthony Foster 294495

Approved on 28/11/12 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

No works shall take place until details of the renovation of the existing fuel pumps to the front of the property have been agreed in writing by the Local Planning Authority. The works shall be implemented prior to occupation of the development in strict accordance with the agreed details and the fuel pumps shall be retained as such thereafter.

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

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing ground, first and roof plans and elevations, Block plan, Location Plan	1052012/01		29 June 2012
Proposed floor plans and front / rear elevations indicating adjoining property	1052012/02	B	12 October 2012
Proposed Sections A-A, B-B, and C-C	1052012/03	B	12 October 2012

BH2012/02091

17-19 Oxford Street Brighton

Application for variation of conditions 8 and 9 of application BH2011/02903 (Demolition of existing building and erection of four storey building comprising 5no one bedroom flats, 4no two bedroom flats and 2no commercial units to be used as either Retail (A1), Financial and Professional Services (A2) or Restaurant and Cafe (A3).) to state that an alternative accredited rating such as SKA should be required instead of the previously stated BREEAM at the preoccupation stage of the non-residential units.

Applicant: Art Leisure Ltd

Officer: Sue Dubberley 293817

Approved on 22/11/12 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) BH02.07

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) 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.

4) BH04.01A

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

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

5) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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.

6) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a SKA Post Construction Review Certificate confirming that the non-residential development built has achieved a 'Silver' rating 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

7) UNI

The Development shall be constructed in accordance with the materials approved under application BH2012/02620.

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

8) UNI

The development hereby permitted shall not be occupied until the cycle parking facilities approved under application BH2012/02620 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

9) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	2011/04/01		04/07/12
Basement and ground floor plans	2011-04-02		27/09/11
Proposed first floor plan	2011-04-03		27/09/11
Proposed second floor plan	2011-04-04		27/09/11
Proposed third floor plan	2011-04-05		27/09/11
Proposed roof plan	2011-04-06		27/09/11
Survey	07/771/01		27/09/11
Basement plan	07/771/02		27/09/11
First floor plan	07/771/04		27/09/11
Second floor plan	07/771/05		27/09/11
Roof plan	07/771/06		27/09/11
Proposed Sections	2011/04/07		07/11/11
Proposed south elevation	2011/04/08		07/11/11
Proposed north elevation	2011/04/09		07/11/11
Existing ground floor plan	07/771/03		07/11/11

10) UNI

The ground floor commercial units shall not be open to customers except between the hours of 08.00 to 20.00 Monday to Saturdays and 10.00 to 16.00 on Sundays.

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

BH2012/02313

1 Buckingham Place Brighton

Removal of existing roof. Replacement roof with dormers to facilitate the creation of 2no 1 bed flats and 1no studio flat.

Applicant: No Way Out Restaurants

Officer: Sue Dubberley 293817

Approved on 22/11/12 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) BH02.02

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 for this reason would wish to control any future development to comply with policy QD14 of the Brighton & Hove Local Plan.

3) 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.

4) BH05.03B

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 Ecohomes (or an equivalent or successor assessment tool) and a Design Stage Assessment Report showing that the development will achieve an Ecohomes Refurbishment rating for all residential units have been submitted to the Local Planning Authority; and
- (b) a BRE issued Design Stage Certificate demonstrating that the development has achieved an Ecohomes Refurbishment rating 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.

5) BH05.04B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until an Ecohomes Design Stage Certificate (or certificate from equivalent or successor assessment tool) and a Building Research Establishment issued Post Construction Review Certificate confirming that each residential unit built has achieved an Ecohomes Refurbishment rating 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.

6) BH06.05

The development hereby permitted shall not begin until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

Reason: To ensure that the development is car-free and to comply with policy HO7 of the Brighton & Hove Local Plan.

7) UNI

Notwithstanding the details on the submitted drawings no development shall take place until timber joinery details of the windows, drawn at a scale of 1:1 have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and maintained as such thereafter.

Reason: In order to protect the visual amenities of the building and to preserve and enhance the character of the Conservation Area and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

8) UNI

The dormers shall have painted timber vertical sliding sash windows and the cheeks and roofs shall be clad in lead. The works shall be implemented and maintained strictly in accordance with the approved drawings.

Reason: In order to protect the visual amenities of the building and to preserve and enhance the character of the Conservation Area and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

9) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	Unnumbered		9/08/12
Existing plans	857.01		9/08/12
Existing sections	857.02		9/08/12
Existing elevations	8570.3		9/08/12
Sketch scheme 1 plans	8507.04	C	9/08/12
Sketch scheme 1 sections	8507.05	d	9/08/12
Sketch scheme 1 elevations	8507.06		9/08/12
Lifetime Homes	8507.07		9/08/12
Dormer window details	10		9/08/12

10) UNI

Notwithstanding the details on the submitted drawings no development shall take place until details of the rooflights shall be submitted to and approved in writing by the Local Planning Authority before development commences. The works shall be implemented in accordance with the approved details and maintained as such thereafter.

Reason: In order to protect the visual amenities of the building and to preserve and enhance the character of the Conservation Area and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2012/02498

124 Dyke Road Brighton

Installation of replacement condenser unit to first floor flat roof area to rear.

Applicant: The Co-operative Group

Officer: Steven Lewis 290480

Approved on 28/11/12 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 the proposed condenser unit being brought into use it shall be painted to match the exterior of the building and shall thereafter be retained as such.

Reason: in the interests of the visual amenity of the area and to accord with policy QD14 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing and Proposed Details	1985.01		13/08/2012
Location and Block Plan	1985.02		13/08/2012

4) UNI

Noise associated with plant and machinery incorporated within the development hereby permitted 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. In addition, there should be no significant low frequency tones present.

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.

BH2012/02704

63 Buckingham Road Brighton

Alteration to front elevation including installation of rooflights, new window, railings to first floor windows & replacement of existing windows with double glazed timber sash windows.

Applicant: Mr Ashim Paun

Officer: Louise Kent 292198

Approved on 06/12/12 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.

3) UNI

All new sash windows hereby approved shall be of painted softwood and shall not have visible trickle vents and their joinery sections shall match exactly those of the original windows of the building.

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

4) UNI

The window cill baskets shall be of cast iron and shall match exactly the original window cill baskets at nos. 59 and 60 Buckingham Road. Before development commences detailed sample elevations and sections at 1:1 scale shall be submitted to an approved by the local planning authority in writing and the works shall be carried out and completed fully 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.

5) UNI

The bracketed hood moulding above the first floor window over the door shall be formed in render and shall match exactly the original hood mouldings of nos. 59 to 62 Buckingham Road.

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

6) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	12/040/05		31/08/2012
Block plan	12/040/06		31/08/2012
Window details x4			12/10/2012
Alterations to front elevation	12/040/04A	Amended	15/11/2012

BH2012/02707

Brighthelm Church & Community Centre North Road Brighton

Erection of single storey building in garden incorporating cafe with kiosk, training room and external decked dining area. Erection of temporary demountable structure, new gates and railings and landscaping.

Applicant: Mr Mike Southcombe

Officer: Anthony Foster 294495

Refused on 30/11/12 DELEGATED

1) UNI

The proposed café by virtue of its proposed design and multiple roof form is not considered to be of satisfactory design, which would represent an uncharacteristic and incongruous addition which would significantly detract from the character and appearance of the existing street scene, North Laine Conservation area and adjacent listed building, contrary to policies QD1, D2, HE3 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed railings, due to their design and appearance, would be out of keeping with the character and appearance of the surrounding area, contrary to policies QD1, QD2, HE3 and HE6 of the Brighton & Hove Local Plan.

3) UNI3

The proposed development would result in the loss of two no. category "B" trees which are protected by a TPO, which are of great public amenity in such a densely populated area of the town contrary to policy QD16 of the Brighton & Hove Local Plan.

4) UNI4

The proposed landscape scheme by virtue of its design, loss of grassed areas and hard landscaping is considered to be to the detriment of the character and appearance to the existing open space, North Laine Conservation area and adjacent listed building, contrary to policies QD15 HE3 and HE6 of the Brighton & Hove Local Plan.

5) UNI5

The proposal is considered to cause harm to the amenities of neighbouring residential occupiers as it fails to demonstrate that the proposed plant would not harm residential amenity by reason of increased noise and odour nuisance. As such the proposal fails to comply with policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.

BH2012/02889

18 Baker Street Brighton

Change of use from retail (A1) to retail (A1) and tattoo studio (Sui Generis)

Applicant: Mr Stephen Shannon

Officer: Anthony Foster 294495

Approved on 03/12/12 DELEGATED

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 premises shall not be open or in use except between the hours of 08.00 and 20.00 hours on Monday to Saturday, and between 11.00 to 17.00 hours on Sunday.

Reason: To safeguard the amenities of the locality in accordance with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			5 October 2012
Existing Ground Floor and Upstairs			8 October 2012
Proposed Ground Floor and Upstairs			8 October 2012

4) UNI

The first floor level shall only be used as a tattoo studio. Upon cessation of the use hereby approved the premises shall be reinstated to the former retail use (Use Class A1).

Reason: To protect the future vitality and viability of the local shopping centre, in accordance with policy SR5 of the Brighton & Hove Local Plan.

5) UNI

Access to the shared facilities, including adequate storage space and the use of the toilet facilities at ground floor level of 18 Baker Street should be provided for the use of the A1 retail shop at ground floor level and retained as such thereafter at all times.

Reason: To protect the viability of the ground floor A1 retail use at No. 18 Baker Street, in accordance with policy SR5 of the Brighton & Hove Local Plan.

BH2012/02905

Komedia 44 - 47 Gardner Street Brighton

Installation of fibreglass and steel structures and retractable awning to front elevation.

Applicant: Mrs Lyn Goleby

Officer: Robin K Hodgetts 292366

Approved on 04/12/12 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 legs and shoe approved shall not be illuminated except between the hours of 12.00 to 23.00 on Monday to Friday, 10.30 to 23.00 on Saturdays and 10.30 to 23.00 on Sundays, Bank or Public Holidays.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan	P2/01		28/09/12
Existing elevations	P2/02		28/09/12
Photo of existing elevation	P2/03		28/09/12
Proposed elevations	P2/04	A	28/09/12

Report from: 22/11/2012 to: 12/12/2012

Proposed elevations - photos	P2/05	A	28/09/12
Existing roof plan	P2/06		28/09/12
Proposed roof plan	P2/07		28/09/12
Proposed legs sign	P2/08		28/09/12
Proposed shoe sign	P2/09		28/09/12
Existing ground plan	P2/10	A	28/09/12
Proposed ground plan	P2/11	A	28/09/12

BH2012/02924

45-46 Gardner Street Brighton

Display of internally illuminated fascia sign, hanging signs and a menu box.

Applicant: Gourmet Burger Kitchen

Officer: Robin K Hodgetts 292366

Refused on 23/11/12 DELEGATED

1) UNI

The proposed fascia and hanging signs represent incongruous additions to the building and would harm the character and appearance of the North Laine Conservation Area by reason of their materials, design and method of illumination. The signage would be detrimental to the visual amenity of the locality and setting of the North Laine conservation area and is contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan, and to the provisions of SPD07: Advertisements.

BH2012/02960

19 Park Crescent Brighton

Installation of steel and timber valley support beams to support original valley support beam. (Retrospective)

Applicant: Dr Peter Bushell

Officer: Jonathan Puplett 292525

Approved on 03/12/12 DELEGATED

BH2012/02971

15 Kew Street Brighton

Replacement powder coated white aluminium windows and French doors to front elevation and installation of bay window to replace existing garage door.

Applicant: Mrs Alison Aukett

Officer: Chris Swain 292178

Approved on 10/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan			17/09/2012
Existing and Proposed plans and elevations	AKS/01	Rev.1	29/10/2012
Sectional details document1			15/10/2012
Sectional details document2			15/10/2012
Window elevational details		Rev.1	29/10/2012

BH2012/03055**St Bartholomews C of E Primary School Ann Street Brighton**

Erection of weldmesh fence to playground to replace existing.

Applicant: The School Governors**Officer:** Pete Campbell 292359**Approved on 04/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Existing plan	2123.15/8		24/09/2012
Existing elevations	2123.15/9		24/09/2012
Proposed plan	2123.15/10		24/09/2012
Proposed elevations	2123.15/11		24/09/2012
Fence details	2123.15/12		24/09/2012
Location and block plan	2123.15/13	A	09/10/2012

BH2012/03062**80 London Road Brighton**

Change of use from retail (A1) to take away (A5).

Applicant: Mr M Waheed**Officer:** Anthony Foster 294495**Refused on 03/12/12 DELEGATED****1) UNI**

The proposal is considered to cause harm to the amenities of neighbouring residential occupiers by reason of the late opening hours and fails to demonstrate that the proposed plant would not harm residential amenity by reason of increased noise and odour nuisance. As such the proposal fails to comply with policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.

2) UNI2

The proposed rear ducting would result in an incongruous addition to the rear of the building which would be overly dominant and would fail to integrate effectively with the rear façade. As such the proposal would be contrary to policy QD14 of the Brighton & Hove Local Plan.

BH2012/03087**13 Lewes Road Brighton**

Change of use from sunbed studion (Sui Generis) to sandwich bar (A1), and installation of an awning to the front elevation.

Applicant: Mr Michael Massingham**Officer:** Wayne Nee 292132**Approved on 27/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site plan			10/10/2012
Existing and proposed			10/10/2012
Proposed			25/09/2012
Proposed side elevation			22/11/2012
Proposed internal plan			22/11/2012

BH2012/03093

Lombard House 20-22 Gloucester Place Brighton

Change of use of first floor office to 2no one bedroom flats and 1no studio flat with associated alterations including replacement of existing windows to first, second and third floors to front elevation and first floor to rear elevation.

Applicant: Mr Dhari Alajmi

Officer: Wayne Nee 292132

Refused on 11/12/12 DELEGATED

1) UNI

The proposed residential units, due to the poor layout and the cramped form, would result in an overdevelopment of the first floor of the building. The proposed development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan which seeks to protect the amenity of future occupiers.

2) UNI2

The proposed alterations to the front elevation windows at first floor level would result in an awkward and untidy arrangement of glazed windows in a prominent position on the building. This would be detrimental to the street scene and would fail to preserve or enhance the character and appearance of Valley Gardens Conservation Area. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

3) UNI3

There is potential for significant disturbance for future occupants of the proposed residential units from road traffic noise. Insufficient information has been submitted with the application to properly assess the potential effect upon future residents. The proposal is therefore contrary to the aims of policies SU10 and QD27.

BH2012/03101

First Floor Flat 3 Gloucester Street Brighton

Replacement of existing single glazed painted softwood sash and painted steel windows with double glazed painted softwood sash windows.

Applicant: Mrs Kerrie Monks

Officer: Chris Swain 292178

Approved on 04/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site Location plan and first floor plan	P01	A	27/09/2012
Annotated photographs	P02	A	27/09/2012
Window schedule	P03	A	09/10/2012
Window details	P04	A	09/10/2012
Window elevations 1	P05		03/12/2012
Window elevations 2	P06	A	03/12/2012

BH2012/03105

Flat 2 100A Trafalgar Street Brighton

Loft conversion incorporating mansard roof extension with front and rear dormers.

Applicant: Mr Chris Farmile

Officer: Jonathan Puplett 292525

Refused on 22/11/12 DELEGATED

1) UNI

The proposed mansard roof extension would be visible from street level and would appear as an unsympathetic addition harming the appearance of the building which forms part of a group of buildings with parapets and concealed pitched roofs set behind the parapet. The proposed addition would harm the appearance and character of the group of buildings and the North Laine Conservation Area, and the setting of the Grade II listed Pelham Square, contrary to policies QD14, HE3 and HE6 of the Brighton and Hove Local Plan, and the guidance set out in SPGBH1: Roof Alterations and Extensions.

BH2012/03109

23 Roundhill Crescent Brighton

Installation of timber decking to existing raised patio and erection of timber shed and mono-pitch roofed garden room. (Part retrospective).

Applicant: Mr Karl Simpson & Ms Annette Fowler

Officer: Wayne Nee 292132

Refused on 23/11/12 DELEGATED

1) UNI

The combination of the proposed shed and garden room, by virtue of the height and bulk at an elevated height in a prominent part of the site, would create overly dominant additions 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.

BH2012/03110

23 Roundhill Crescent Brighton

Installation of timber decking to existing raised patio and erection of timber shed and garden room. (Part retrospective).

Applicant: Mr Karl Simpson & Ms Annette Fowler

Officer: Wayne Nee 292132

Refused on 07/12/12 DELEGATED

1) UNI

The combination of the proposed shed and garden room, by virtue of their height and bulk at an elevated height in a prominent part of the site, would create overly dominant additions causing harm to the character and appearance of the listed building, its setting, and the wider conservation area. As such the proposal is contrary to policies HE1, HE3 and HE6 of the Brighton & Hove Local Plan.

BH2012/03141

Combined Engineering Depot New England Road Brighton

Reconfiguration of fenestration at ground floor level to provide new fire escape door and new larger windows. Replacement of existing high level windows and access ramp to front elevation.

Applicant: Southern Railway Limited

Officer: Chris Swain 292178

Approved on 10/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Location plan	5428/00/00	P1	1 October 2012
Plan as existing	5428/00/01	P1	1 October 2012
Elevations: existing and proposed	5428/01/01	P1	1 October 2012
Plan as proposed	5428/02/01	P1	1 October 2012
Plan as proposed	5428/02/02	P1	1 October 2012
Elevations as proposed	5428/02/03	P1	1 October 2012
Window details as proposed	5428/08/01	P1	1 October 2012
Mechanical layout	00-M-MF-ALL-0		1 October 2012

BH2012/03231

33 Marlborough Place Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2012/01846.

Applicant: Ms Lyn Turpin

Officer: Jonathan Puplett 292525

Approved on 04/12/12 DELEGATED

BH2012/03263

Brighton Station Queens Road Brighton

Installation of LCD information screen in ticket hall. (Retrospective).

Applicant: Network Rail

Officer: Liz Arnold 291709

Approved on 27/11/12 DELEGATED

BH2012/03325

Unit 3 5-8 London Road Brighton

Display of internally illuminated fascia and projecting signs.

Applicant: Poundland

Officer: Robin K Hodgetts 292366

Approved on 10/12/12 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) 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.

3) 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.

4) 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.

5) 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.

6) 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.

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

8) BH10.08

The advertisements shall not be illuminated later than 22.00 or after the premises are closed to the public (whichever is the earlier) and shall not be illuminated before 07.00 on any day.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

BH2012/03460

Theobald House Blackman Street Brighton

Application for Approval of Details Reserved by Condition 4 of application BH2012/01315.

Applicant: Mr Austen Hunter

Officer: Liz Arnold 291709

Approved on 06/12/12 DELEGATED

BH2012/03689

12 St Georges Place Brighton

Application for Approval of Details Reserved by Condition 5, 6 and 8 of application BH2011/01707.

Applicant: Mrs Caroline Alexander

Officer: Jonathan Puplett 292525

Approved on 07/12/12 DELEGATED

WITHDEAN

BH2012/02917

8 Bavant Road Brighton

Replacement UPVC windows to front elevation. (Retrospective).

Applicant: Mr David Owers

Officer: Guy Everest 293334

Refused on 06/12/12 DELEGATED

1) UNI

The windows, by virtue of their material, design and detailing, have harmed the character of the building, unbalanced the semi-detached pair of properties and eroded the character in this part of the Preston Park Conservation Area. The replacement windows therefore fail to preserve or enhance the character or appearance of the Preston Park Conservation Area and are contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and the provisions of Supplementary Planning Document 09, Architectural Features.

BH2012/02922

Westdene Primary School Bankside Brighton

Installation of extract fan and air handling unit to kitchen flat roof with associated safety barrier.

Applicant: Brighton & Hove City Council

Officer: Adrian Smith 290478

Approved on 04/12/12 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

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 the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The railings and ducting shown on the approved plans shall be painted black prior to the commencement of their use and shall be retained as such thereafter.

Reason: In the interests of the character and appearance of the development and the visual amenities of the area and to comply with policy QD1 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan and block plan	A-001	A	14/09/2012
	A-002	A	14/09/2012
Existing plans and elevations	A-300	A	14/09/2012
	A-301	A	14/09/2012
	A-302	A	14/09/2012
Proposed plans and elevations	A-303	A	14/09/2012
	A-304	A	14/09/2012

BH2012/03049

67 Kingsmere London Road Brighton

Removal of crittal windows and replaced with UPVC windows. (Retrospective)

Applicant: Mrs Shirley Back

Officer: Guy Everest 293334

Approved on 04/12/12 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
1:1250 Site Location Plan			12/10/2012
Brighton Trade Windows - Specification			24/09/2012

BH2012/03172

28 Friar Road Brighton

Erection of single storey rear extension.

Applicant: Mrs Lucy Fenwick

Officer: Jason Hawkes 292153

Approved on 10/12/12 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) BH02.09

Access to the flat roof over the extension 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.

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

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

Plan Type	Reference	Version	Date Received
Rear Extension	JW/12/074		16/10/2012

5) UNI

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 shall be installed in the side (east elevation) of the proposed extension without planning permission being obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the character of the area and for this reason would wish to control any future development to comply with policy QD14 of the Brighton & Hove Local Plan.

BH2012/03192

Park Manor London Road Preston Brighton

Replacement UPVC double glazed windows to common ways.

Applicant: Anstone Properties Ltd

Officer: Robert McNicol 292322

Approved on 04/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Proposed elevations and window details AC / Park Manor Windows	01		3 October 2012
Location and block plan AC/ParkManorWindows	02		3 October 2012
Photographic schedule Figures 1-6			3 October 2012

BH2012/03205**11 Glen Rise Brighton**

Certificate of Lawfulness for proposed loft conversion and single storey rear extension.

Applicant: Ann Grant

Officer: Robert McNicol 292322

Approved on 06/12/12 DELEGATED

BH2012/03212**1 Hillcrest Brighton**

Erection of ground floor side extension, extension to roof incorporating front, rear and side dormers.

Applicant: Mr A Embling

Officer: Jason Hawkes 292153

Approved on 29/11/12 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location and Block Plan	977.00	A	8th October 2012
Existing Ground Floor Plan	977.01		8th October 2012
Existing Attic & Roof Plan	977.02	A	8th October 2012
Existing Section A-A & Section B-B	977.03	A	8th October 2012
Existing Elevations	977.04	A	8th October 2012
Proposed Ground Floor Plan	977.39	B	8th October 2012
Proposed First Floor & Roof Plan	977.40	B	8th October 2012
Proposed Sections A-A & B-B	977.41	C	8th October 2012
Proposed Front, Rear & Side Elevations	977.42	C	8th October 2012

BH2012/03224**1 Withdean Crescent Brighton**

Application for Approval of Details Reserved by Condition 4 of application BH2012/01907.

Applicant: Mr D Gearing

Officer: Jason Hawkes 292153

Refused on 29/11/12 DELEGATED

1) UNI

Insufficient details have been received regarding the protection of adjacent trees in order to discharge the details required by condition 4.

Report from: 22/11/2012 to: 12/12/2012

BH2012/03233

10 Tongdean Rise Brighton

Loft conversion incorporating front and rear dormers.

Applicant: Mr J McCluskey

Officer: Christopher Wright 292097

Refused on 27/11/12 DELEGATED

1) UNI

The proposed dormer roof extensions would, by reason of their form, design, scale, position on the roof slopes, and large areas of blank dormer cheek, result in oversized and unduly dominant additions to the roof of the recipient building, which would detract from its character and appearance and have a detrimental impact on visual amenity. As such the proposal is contrary to the requirements of policy QD14 of the Brighton & Hove Local Plan 2005.

BH2012/03319

15 The Beeches Brighton

Erection of single storey side and rear extension incorporating conversion of existing garage.

Applicant: Mrs Olivia Olorenshaw

Officer: Christopher Wright 292097

Refused on 29/11/12 DELEGATED

1) UNI

The proposed extension would, by reason of the design, detailing, scale and siting, have an excessively dominant appearance and integrate poorly with the existing dwelling in visual terms, to the detriment of visual amenity. As such the proposal is contrary to the requirements of policy QD14 of the Brighton & Hove Local Plan 2005.

2) UNI2

The proposed extension would, by reason of its length, height and position adjacent to the site boundary, have an overbearing impact on neighbouring residents, to the detriment of residential amenity and contrary to the requirements of policies QD14 and QD27 of the Brighton & Hove Local Plan 2005.

EAST BRIGHTON

BH2012/01737

9 Eaton Place Brighton

Removal of external fire escape to rear and opening blocked up. Renovation works including repainting of front and rear of building and installation of black painted steel balustrading to rear.

Applicant: Mr David Waldron

Officer: Robin K Hodgetts 292366

Refused on 26/11/12 DELEGATED

1) UNI

By virtue of being unable to gain access to the rear of the property, insufficient information has been provided to enable the Local Planning Authority to fully assess the impact of this proposal on the property and the amenities of the neighbouring properties.

BH2012/02285

9 Eaton Place Brighton

Removal of external fire escape to rear and opening blocked up. Renovation works including repainting of front and rear of building and installation of black painted steel balustrading to rear.

Applicant: David Waldron
Officer: Robin K Hodgetts 292366

Refused on 26/11/12 DELEGATED

1) UNI

By virtue of being unable to gain access to the rear of the property, insufficient information has been provided to enable the Local Planning Authority to fully assess the impact of this proposal on the property and the amenities of the neighbouring properties.

BH2012/02415

Sweda Court Chesham Street Brighton

Replacement of existing metal framed windows to common ways on north and western elevations with new UPVC windows.

Applicant: Edenbrook Enterprises Ltd

Officer: Jonathan Puplett 292525

Approved on 22/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site plan			01/08/2012
Block plan and elevation photographs			01/08/2012
Windows product survey sheet	2320		01/08/2012
Door and window design			27/09/2012
Window design			27/09/2012
Sections			01/08/2012
Window brochure			27/09/2012

BH2012/02476

Brighton Health Care NHS Trust Training Centre 2-4 Bristol Gate Brighton

Application for Approval of Details Reserved by Conditions 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 of application BH2011/02181.

Applicant: Macmillan Cancer Support

Officer: Kathryn Boggiano 292138

Split Decision on 27/11/12 DELEGATED

1) UNI

The details pursuant to conditions 6, 7, 8, 9a, 10, 11, 12, 13, 14, 15, and 17, subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 9b and 16.

BH2012/03034

83 St Georges Road Brighton

Erection of timber fence to replace existing to southern boundary (Retrospective).

Applicant: Proud Group Ltd

Officer: Anthony Foster 294495

Approved on 05/12/12 DELEGATED

Report from: 22/11/2012 to: 12/12/2012

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Block Plan: Site Plan	BF.GA.01		10/10/2012
Site Plan: Existing Plan	BF.GA.02		21/09/2012
Site Plan: Proposed Plan	BF.GA.03		21/09/2012
Block Plan: Block Plan	BF.GA.04		10/10/2012
Site Plan : Section AA	BF.SE.01		21/09/2012
Site Plan : Section BB	BF.SE.02		21/09/2012
Site Plan : Section CC	BF.SE.03		21/09/2012
Site Plan : Section DD	BF.SE.04		21/09/2012

2) UNI

The development hereby approved shall be painted in a colour to match 83 St Georges Road within 3 months of this permission and shall be retained as such thereafter.

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

BH2012/03035

83 St Georges Road Brighton

Erection of timber fence to replace existing to southern boundary (Retrospective).

Applicant: Proud Group Ltd

Officer: Anthony Foster 294495

Approved on 05/12/12 DELEGATED

1) UNI

The development hereby approved shall be painted in a colour to match 83 St Georges Road within 3 months of this permission and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2012/03102

17 Wilson Avenue Brighton

Erection of single storey rear extension and adjoining two storey rear extension with hipped roof.

Applicant: Mr Mike Macfarlane

Officer: Pete Campbell 292359

Approved on 07/12/12 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) UNI

The development hereby permitted shall be carried out in accordance with the

approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Existing	A.01	A	27/09/2012
ProposedD.01	B		07/12/2012

4) UNI

The new ground floor kitchen window in the south elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property of 15 Wilson Avenue and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2012/03119

St Marys Hall Eastern Road Brighton

Application for Approval of Details Reserved by Conditions 5, 6, 7 and 9 of application BH2011/00351.

Applicant: Brighton & Sussex University Hospitals NHS Trust

Officer: Mick Anson 292354

Approved on 06/12/12 DELEGATED

BH2012/03121

St Marys Hall Eastern Road Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2011/00350.

Applicant: Brighton & Sussex University Hospitals NHS Trust

Officer: Mick Anson 292354

Approved on 23/11/12 DELEGATED

BH2012/03237

40 St Georges Road Brighton

Certificate of lawfulness for existing use of rear part of ground floor as a self-contained studio flat.

Applicant: Mr D Golding

Officer: Louise Kent 292198

Approved on 04/12/12 DELEGATED

BH2012/03264

1-2 Percival Terrace Brighton

Installation of metal gate to side elevation to replace existing.

Applicant: 1 & 2 Percival Terrace (Freehold) Ltd

Officer: Chris Swain 292178

Approved on 05/12/12 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 hereby approved gate shall be painted black within one month of installation

and retained as such thereafter.

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

3) UNI

No works shall take place until 1:1 scale drawings showing details of the ironwork of the proposed gate, specifically showing details of the top rail, the rods, and the finials 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.

BH2012/03291

32 Cowfold Road Brighton

Certificate of lawfulness for proposed erection of single storey rear extension with flat roof.

Applicant: Mr Ben Keith

Officer: Jonathan Puplett 292525

Approved on 10/12/12 DELEGATED

HANOVER & ELM GROVE

BH2008/01204

26 Picton Street Brighton

New roof structure and covering, resulting in increase in ridge height.

Applicant: Miss Anna Jones

Officer: Aidan Thatcher 292265

Finally Disposed of on 04/12/12 DELEGATED

BH2012/02503

10 Hanover Crescent Brighton

External alterations including installation of new extract grills, boiler flues, air vents at lower ground floor level and 3no velux rooflights. (Part retrospective)

Applicant: Mr D Curley

Officer: Wayne Nee 292132

Refused on 07/12/12 DELEGATED

1) UNI

Insufficient information has been submitted with the application to demonstrate that the proposed works are suitable additions and alterations. The applicant has consequently failed to demonstrate that the proposed works would preserve original features or would be appropriate for this listed building and would preserve the Valley Gardens Conservation Area. Furthermore the applicant has failed to demonstrate that the roof lights would not cause a loss of amenity. The scheme is therefore contrary to policies QD14, QD27, HE1 and HE6.

2) UNI2

The application seeks consent for external alterations to an existing residential dwelling. The Local Planning Authority is unable to give full and proper consideration to the proposed external alterations in isolation as they are integral to a scheme to create a separate basement flat, for which no planning permission has been granted.

BH2012/02505

10 Hanover Crescent Brighton

Conversion of existing dwelling to form self contained flat at lower ground floor level and upper floor maisonette (part retrospective).

Applicant: Mr D Curley

Officer: Wayne Nee 292132

Refused on 07/12/12 DELEGATED

1) UNI

There is insufficient information regarding the original layout of the dwelling and the proposed layout of the resultant upper floor maisonette. The applicant has consequently failed to demonstrate that the proposed works would result in the retention of family accommodation, and that the character of the listed building would be preserved. The scheme is therefore contrary to policy HO9.

BH2012/02771

126 Lewes Road Brighton

Application for variation of condition 9 of application BH2011/02115 (conversion of basement storage area to form 1no. one bed flat). to state that the development permitted shall be carried out in accordance with the drawing 031012.

Applicant: James Summers

Officer: Richard Elder 292321

Approved on 29/11/12 DELEGATED

1) 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.

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) 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.

4) UNI

The development shall be carried out in strict accordance with the approved sustainability details approved under application BH2012/00476 on 11/04/2012.

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. site location plan (unreferenced) received on 15.07.11 and drawing nos. 320-11 PL 1 1 and 320-11 PL 2 2 received on 20.11.12.

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

6) UNI

The development shall be carried out in strict accordance with the approved soundproofing details approved under application BH2012/03265 on 29/11/2012 and 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.

7) UNI

Notwithstanding the details shown on the approved plan (320-11 PL 2 2) the front railings to enclose the front stairwell hereby permitted shall exactly match the design of the existing railings along the joint boundary between nos. 126 and 127 Lewes Road and shall be painted black within 2 weeks of their erection and shall be retained as such.

Reason: In the interests of the character and appearance of the development and the visual amenities of the area and to comply with policy QD1 of the Brighton & Hove Local Plan.

8) UNI

The development hereby permitted shall be commenced within the time frames set out in condition 1 of planning permission BH2011/02115.

BH2012/02780

32 Jersey Street Brighton

Certificate of Lawfulness for proposed loft conversion incorporating front rooflight and rear dormer with Juliet balcony.

Applicant: Mr Michael Owens

Officer: Louise Kent 292198

Approved on 03/12/12 DELEGATED

1) UNI

The development is permitted under Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

BH2012/03009

145 Lewes Road Brighton

Replacement shopfront to provide separate access for ground floor retail unit and upper floor residential accommodation.

Applicant: CPJ Field Co Ltd

Officer: Wayne Nee 292132

Approved on 27/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Floor plans	CPJLEWRD01	D	20/09/2012
Existing elevations	CPJLEWRD02		05/10/2012
Proposed elevations	CPJLEWRD03	D	20/09/2012
Block plan	CPJLEWRD04		20/09/2012
Site plan	CPJLEWRD05		04/10/2012
Sections	CPJLEWRD06	B	20/09/2012

BH2012/03090

147 & 149 Queens Park Road Brighton

Erection of 2no single storey rear extensions.

Applicant: Mr & Mrs Noland and Mr & Mrs Constantine

Officer: Richard Elder 292321

Refused on 03/12/12 DELEGATED

1) UNI

The proposed single storey rear extension is unacceptable by virtue of its excessive length to no.147 Queens Park Road, inappropriate and dominant roof shape and awkward, disjointed layout in relation to the rear of no.147 Queens Park Road which fails to respect the height relationships with regard to the differing land levels of both properties, relationship to first floor windows, and the original plan form of the building. As such, the proposal fails to be subordinate to the existing building and is out of keeping with the character and appearance of the building contrary to Policy QD14 of the Brighton & Hove Local Plan 2005.

2) UNI2

The design of the proposed single storey rear extension to no.147 Queens Park Road is ill-conceived by virtue of its unsympathetic materials to the rear elevation, inappropriate positioning of rainwater downpipes, squat appearance to the rear elevation and inconsistent design of glazed doors with regard to appearance, size and method of opening which fail to relate to and respect the design and dimensions of the fenestration of the existing house. As such, the proposal would be contrary to Policy QD14 of the Brighton & Hove Local Plan 2005.

BH2012/03265

126 Lewes Road Brighton

Application for Approval of Details Reserved by Condition 6 and 7 of application BH2011/02115.

Applicant: James Summers

Officer: Richard Elder 292321

Approved on 29/11/12 DELEGATED

BH2012/03270

14 Richmond Terrace Brighton

Application for Approval of Details Reserved by Conditions 5, 10, 11, 12 and 13 of application BH2012/02043.

Applicant: Mr Rabbi Pesach Efune

Officer: Jonathan Puplett 292525

Approved on 06/12/12 DELEGATED

BH2012/03362

Covers Yard Melbourne Street Brighton

Application for Approval of Details Reserved by Condition 4 of application BH2009/00655 (appeal ref APP/Q1445/A/09/2119295)

Applicant: Hyde New Build Homes Ltd

Officer: Anthony Foster 294495

Approved on 12/12/12 DELEGATED

HOLLINGDEAN & STANMER

BH2012/02809

Cirema Hollingbury Rise West Brighton

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

Applicant: Mr Clarke & Miss Powell

Officer: Pete Campbell 292359

Approved on 22/11/12 DELEGATED

BH2012/02834

Former Esso Petrol Filling Station Hollingdean Road Brighton

Alterations to existing building comprising reduction in height of finished floor levels(A), raising of lift shaft roof level(B), revised balcony glazing(C), revised fenestration details(D/H/J/K), addition of dry riser inlet(E), removal of solar panels(F), addition of low level brick plinth to render areas(G), adjustment of parapet heights on parts of third and fourth floors(L/M), alterations to materials of rendered and spandrel panels(Q) and alterations to vehicle entrance gate and adjacent car park grills(P). (Part retrospective).

Applicant: Mr Richard Hill

Officer: Jonathan Puplett 292525

Approved on 04/12/12 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Proposed fourth floor plan	L(20)500	C8	25/11/2012
Proposed site plan	L(90)200	C2	25/11/2012
Proposed west elevation	L(04)101	C5	25/11/2012
Proposed east elevation	L(04)103	C5	25/11/2012
Proposed north elevation	L(04)100	C5	25/11/2012
Proposed south elevation	L(04)102	C5	25/11/2012
Coloured elevation drawings	L(04)050	P2	25/11/2012
Proposed external Door elevations	A(31)200	C3	25/11/2012
Proposed external window elevations	A(31)100	C4	25/11/2012
External works details	A(90)001	C1	25/11/2012
Vehicle gate design visual			04/12/2012
Design statement			11/09/2012
External materials schedule			11/09/2012
External door schedule			11/09/2012
Window schedule			11/09/2012
Location plan and block plan	L(00)001	C2	25/11/2012
Viewpoint analysis	P-SK100	P1	25/11/2012
Proposed ground floor plan	L(20)100	C8	25/11/2012
Proposed first floor plan	L(20)200	C7	25/11/2012
Proposed second floor plan	L(20)300	C7	25/11/2012
Proposed third floor plan	L(20)400	C7	25/11/2012

BH2012/03169**18 Hollingbury Park Avenue Brighton**

Certificate of Lawfulness for proposed single storey rear extension.

Applicant: Ms Marisa Corsi**Officer:** Pete Campbell 292359**Approved on 23/11/12 DELEGATED****BH2012/03308****58 Hollingbury Park Avenue Brighton**

Demolition of existing lean to at rear, erection of single storey infill extension incorporating 3no rooflights and revised rear fenestration.

Applicant: Mr Simon Isted**Officer:** Chris Swain 292178**Approved on 11/12/12 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) UNI**

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

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

Plan Type	Reference	Version	Date Received
Site and location plan			16 October 2012
Proposed plans	967/02	A	16 October 2012
Existing plans	967/01		16 October 2012

MOULSECOOMB & BEVENDEAN**BH2012/02599****95 Ewhurst Road Brighton**

Erection of rear extension at first floor level.

Applicant: Lee Thompson**Officer:** Jonathan Puplett 292525**Refused on 29/11/12 DELEGATED****1) UNI**

The proposed extension would result in an overly prominent and dominant appearance due the proximity of neighbouring dwellings and gardens. The proposed development is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

2) UNI2

The proposed extension would have an overbearing and enclosing impact upon the occupiers of no. 93 Ewhurst Road and no. 46 Coombe Road, and would cause significantly increased overlooking of these properties. The proposed development is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2012/03140

43 Carlyle Avenue Brighton

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

Applicant: Mr Adrian Palmer

Officer: Robin K Hodgetts 292366

Approved on 28/11/12 DELEGATED

1) UNI

The development is permitted under Schedule 2, Part 1, Classes B, C & G of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2012/03463

Former Falmer High School Lucraft Road Brighton

Application for Approval of Details reserved by condition 22 of application BH2010/03481

Applicant: Brighton & Hove City Council

Officer: Jonathan Puplett 292525

Approved on 07/12/12 DELEGATED

QUEEN'S PARK

BH2012/02642

6-8 St James Street Brighton

Installation of acoustic panelling to fixed freezer unit incorporating alterations including new double doors, roller and pitched roof. Installation of waste storage area within service yard. Removal of Dawsons Chiller Unit and storage containers, removal of existing palisade fencing and erection of new acoustic fencing and gates to service yard. (Retrospective)

Applicant: Wm Morrison Supermarkets Plc

Officer: Chris Swain 292178

Refused on 10/12/12 DELEGATED

1) UNI

The installed fencing, by reason of its material, results in an overly dominant, featureless façade that detracts from the appearance and character of the site and the wider conservation area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The side extension housing the freezing unit, by reason of its detailing and materials results in an incongruous addition that detracts from the appearance and character of the site and the wider conservation area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

3) UNI3

The installed fencing on the northern boundary, adjacent to No.15 Dorset Mews, by reason of its height, design and close proximity to the boundary results in an unacceptably overbearing impact to the occupier of this property, to the detriment of their residential amenity. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI4

Acoustic information has not been submitted relating to the freezer housing addition and the fencing as constructed and as such it is not considered that there is sufficient information to assess whether the performance of these sound mitigation measures would adequately protect the residential amenity of neighbouring properties in regards to noise and disturbance. As such the proposal is contrary to policies SU9 and SU10 of the Brighton & Hove Local Plan.

BH2012/02689**9 Queens Park Terrace Brighton**

Erection of single storey extension. (Part Retrospective)

Applicant: Mr Matthew Westgarth**Officer:** Wayne Nee 292132**Approved on 03/12/12 DELEGATED****1) 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.

2) UNI

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

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

Plan Type	Reference	Version	Date Received
Block plan	440(PL)1		31 August 2012
Existing and proposed	440(PL)2	a	31 August 2012

BH2012/02737**19 Queens Park Terrace Brighton**

Loft conversion incorporating dormer to rear and installation of rooflight to front facing roofslope.

Applicant: Mr Frasier Trewick**Officer:** Louise Kent 292198**Refused on 03/12/12 DELEGATED****1) UNI**

The rear dormer, due to its siting, height, design and bulk, is not well designed in relation to the existing property and adjoining terraced properties. As such, it would form an unsympathetic and incongruous addition and would be detrimental to the character and appearance of the existing property and the adjoining terraced properties, contrary to SPGBH1 and policies QD14 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed rear dormer, due to its height, bulk, massing and prominent location would form an intrusive and incongruous feature that would significantly harm the building's appearance, the character and appearance of the Queen's Park conservation area and the setting of the adjoining listed building, St Luke's School. The development is therefore contrary to policies QD1, QD2, QD14, HE3 and HE6 of the Brighton & Hove Local Plan.

BH2012/02748**Greenwoods 99 St James's Street Brighton**

Display of externally illuminated fascia sign. (Part Retrospective)

Applicant: Mos**Officer:** Pete Campbell 292359**Approved on 03/12/12 DELEGATED****1) BH10.01**

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) 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.

3) 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.

4) 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.

5) 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.

6) 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.

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

8) UNI

The advertisements shall not be illuminated later than 23:00 or after the premises are closed to the public (whichever is the earlier) and shall not be illuminated before 07:00 on any day.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

BH2012/02777

The School Clinic and Children's Welfare Centre Morley Street Brighton

Installation of a pair of gates to car park and pedestrian gate with associated fencing and anti-climb device to existing boundary wall.

Applicant: Sussex Community NHS Trust

Officer: Chris Swain 292178

Refused on 04/12/12 DELEGATED

1) UNI

The proposed development, by virtue of its size, height, siting, design and materials would form an incongruous and unsympathetic feature which would appear overly dominant and out of keeping with the prevailing character and appearance of the site, the Ivory Place street scene and the wider surrounding area, contrary to policies QD5 and QD14 of the Brighton & Hove Local Plan.

BH2012/02836

Gala Bingo Hall Freshfield Way Brighton

Display of internally illuminated fascia signs, non illuminated fascia signs and poster frames.

Applicant: Gala Leisure Limited

Officer: Pete Campbell 292359

Refused on 03/12/12 DELEGATED

1) UNI

The proposed signage by virtue of their size, design, number and visual prominence would impact negatively upon both the character of the building and the surrounding street scenes as well as the visual amenity of neighbouring occupants. The application is contrary to policies QD12 and Q27 of the Brighton & Hove Local Plan and Supplementary Planning Document 07 on advertisements.

BH2012/02898

18 Princes Street Brighton

Internal and external alterations at basement and ground floor level including removal and re-siting of internal doors, re-siting of front door and increase in size of rear basement window opening.

Applicant: Mr & Mrs Haywood

Officer: Pete Campbell 292359

Approved on 30/11/12 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

No works shall take place until full details of the proposed vent 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.

3) UNI

No works shall take place until full details of the proposed front door including 1:1 scale joinery profiles 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.

BH2012/03098

7 Queens Park Terrace Brighton

Erection of single storey rear infill extension.

Applicant: Mrs Siobhan Fitzgerald

Officer: Wayne Nee 292132

Refused on 03/12/12 DELEGATED

1) UNI

The proposed rear infill extension, by virtue of its depth in close proximity to the site boundary as well as its height, would result in an un-neighbourly form of development that would have an overbearing impact on the residents of the neighbouring property at no. 6 Queens Park Terrace to the detriment of residential amenity. The scheme is therefore contrary to policies QD14 and QD27.

BH2012/03176

Flats 7 & 8 58 Marine Parade Brighton

Certificate of lawfulness for the proposed conversion of two existing flats into one maisonette.

Applicant: Mr David Felton

Officer: Anthony Foster 294495

Approved on 26/11/12 DELEGATED

BH2012/03177

24 Richmond Place Brighton

Application for removal of conditions 2 and 4 of application BH2009/02154 (Change of use from estate agent (A2) to residential flat and insertion of rear fire escape staircase) which relate to the external rear staircase which is no longer required.

Applicant: Waremoss Ltd

Officer: Liz Arnold 291709

Approved on 27/11/12 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Omega Fire Alternative Fire Engineering Solution Issue 1			14/11/2011
E-mail from James Boy of BPM			13/11/2011
E-mail from James Boys of BPM			19/11/2012

2) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities, as approved under application ref: BH2012/00924, 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) UNI

The development hereby permitted shall not be occupied until the cycle parking facilities, as approved under application ref: BH2012/00924, have been fully implemented and made available for use. The cycle parking facilities shall

thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

4) UNI

The new dwelling 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.

5) UNI

The development hereby approved shall not be occupied until the sustainability measures, as approved under application ref: BH2012/00924, have been fully implemented.

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.

6) UNI

Access to the existing rear flat roof of the building 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.

BH2012/03196

174 Edward Street Brighton

Installation of new shopfront.

Applicant: Maldwyn Bowden International Sales Ltd

Officer: Chris Swain 292178

Approved on 26/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan			3 October 2012
Existing plan	001		3 October 2012
Proposed plan	002		3 October 2012
Existing front elevation	003		3 October 2012
Proposed front elevation	004		3 October 2012
Existing side elevation	005		3 October 2012
Proposed side elevation	006		3 October 2012
Plan and section through front elevation	007		3 October 2012

BH2012/03197

75 Freshfield Road Brighton

Erection of single storey rear extension.

Applicant: Mr C Nicholson

Officer: Richard Elder 292321

Approved on 29/11/12 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location and block plans	318-P01		04 Oct 2012
Existing ground floor plan and elevations	318-P02		04 Oct 2012
Proposed ground floor plans and elevations	318-P03		04 Oct 2012
Photographs	318-P04		04 Oct 2012

BH2012/03262

Flats 7 & 8 58 Marine Parade Brighton

Internal alterations to facilitate conversion of 2no flats into 1no maisonette.

Applicant: David Felton

Officer: Anthony Foster 294495

Approved on 26/11/12 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

Any internal or external drainage pipes and/or ventilation equipment associated with the existing kitchen in flat 8 shall be removed and surrounding areas made good to match the existing finish.

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

3) 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 replacement doors, baluster and spindles 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.

BH2012/03315

Crescent Villa 13 Bristol Road Brighton

Application for Approval of Details Reserved by Conditions 4, 5, 6, 7 and 8 of application BH2012/01455.

Applicant: Mr Bevan Duncan

Officer: Liz Arnold 291709

Approved on 12/12/12 DELEGATED

BH2012/03316

Crescent Villa 13 Bristol Road Brighton

Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2012/01454.

Applicant: Mr Bevan Duncan

Officer: Liz Arnold 291709

Approved on 12/12/12 DELEGATED

ROTTINGDEAN COASTAL

BH2012/02527

The Library The Grange The Green Rottingdean Brighton

Partial rebuilding and stabilisation of existing flint walls.

Applicant: Brighton & Hove City Council

Officer: Jonathan Puplett 292525

Approved Secretary of State on 03/12/12

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

No weephole details shall be formed until full details of such features have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the submitted details and shall be retained as such thereafter.

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

3) UNI

No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority:

- (a) Samples of the brick and mortar
- (b) Sample of the brick coping
- (c) A sample panel of flintwork which shall be constructed on the site.

Works shall be carried out to match the approved samples and shall be retained as such thereafter.

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

BH2012/02651

63 Westmeston Avenue Brighton

Erection of first floor side extension.

Applicant: Armand Vigneswaren

Officer: Pete Campbell 292359

Approved on 27/11/12 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Location: Revised Site Plan	06:1996:A3:15	C	31/10/2012
Elevations as Existing, Under Construction	06:1996:A3:14		31/10/2012
Plans as Existing, Under Construction	06:1996:A3:13		31/10/2012
Elevations as Proposed	06:1996:A3:24	A	31/10/2012
Floor Plans as Proposed	06:1996:A3:23		31/10/2012
Roof Plan as Proposed	06:1996:A3:25		31/10/2012

BH2012/02883

4 Tudor Close Dean Court Road Rottingdean Brighton

Replacing existing brick external access steps and hard standing to front door with Victorian reclaimed brick steps and hard standing.

Applicant: Mr & Mrs Trevor Hopper

Officer: Liz Arnold 291709

Refused on 27/11/12 PLANNING COMMITTEE

1) UNI

The design of the steps is out of keeping and therefore detrimental to the character of the listed building, the adjoining buildings and the setting of the courtyard, contrary to policies HE1 and HE3 of the Brighton & Hove Local Plan 2005. The steps and hardstanding should replicate the original design.

BH2012/02956

31A Longhill Road Brighton

Erection of single storey side extension to replace existing.

Applicant: Mr B Tucker

Officer: Chris Swain 292178

Approved on 26/11/12 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			19/09/2012
Block plan			19/09/2012
Proposed block plan			19/09/2012
Existing layout	01-0912		19/09/2012
Proposed layout	01-0912a		19/09/2012
Existing and proposed elevations	01-0912b		19/09/2012
Existing and proposed roof plans	01-0912c		19/09/2012

BH2012/02999

Flat 5 38 Sussex Square Brighton

Internal alterations to layout of flat.

Applicant: Helen Leigh

Officer: Pete Campbell 292359

Approved on 27/11/12 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

All new cupboards positioned against walls as part of the kitchenette shall be scribed around the existing skirting boards unless 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) UNI

All existing architectural features including doors, architraves, skirtings, dados, picture rails, fireplaces, cornices, 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.

4) UNI

All new pipe work shall be run in the floor void unless 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.

BH2012/03054

Land at rear of 50 Roedean Crescent Brighton

Application for removal of condition 10 of application BH2010/00065, (construction of a two storey detached dwelling with partially sunken garage incorporating waste and cycle stores. Formation of a new entrance to Roedean Vale with associated vehicle crossover), which states that no development shall take place until details of a scheme to provide sustainable transport infrastructure has been submitted to and approved in writing by the Local Planning Authority.

Applicant: Natterjack Construction

Officer: Anthony Foster 294495

Approved on 22/11/12 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) BH02.03

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 to the character of the area 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) BH02.051

The first floor side elevation south west facing windows shall not be glazed otherwise than with obscured glass and fixed shut and thereafter permanently retained as such unless otherwise agreed in writing with the Local Planning Authority.

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) 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.

5) BH04.01

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.

6) 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.

7) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

8) 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.

9) 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.

10) BH14.01

No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

11) BH14.02

No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

12) BH15.06

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

13) UNI

Notwithstanding the details shown on the approved plans, no development shall commence until full details of a screen on the balcony at first floor level facing south shall be submitted to and agreed in writing by the Local Planning Authority.

The screen shall be 1.7m in height. The scheme shall be implemented in strict accordance with the approved details and maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development, to protect residential amenity and to comply with policies QD1, QD2, QD14 and QD27 of the Brighton & Hove Local Plan.

14) UNI

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) 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 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.

16) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall not be occupied until a Building Research Establishment issued Final Code Certificate confirming that the 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.

17) UNI

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 Code level 3 for the residential unit 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 the residential unit 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.

18) UNI

The development shall be implemented in strict accordance with the Waste Minimisation Statement submitted as part of this application.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of landfill is reduced and to comply with policy SU13 of the Brighton & Hove Local Plan.

19) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Site Plan	0905/1	A	11 January 2010
Existing Ground Floor Plan	0905/4	A	11 January 2010
Existing First Floor Plan	0905/5	A	11 January 2010
Proposed Ground Floor Plan	0905/6	A	11 January 2010
Proposed First Floor Plan	0905/7	A	11 January 2010
Proposed South East and sectional Elevation A	0905/8	A	11 January 2010
Proposed North West and North West sectional Elevation B	0905/9	A	11 January 2010
Proposed South West and North East Elevations	0905/10	A	11 January 2010
Existing Elevations	0905/11	A	11 January 2010

BH2012/03059

Ovingdean Hall College Greenways Brighton

Demolition of the art block and mower store.

Applicant: Mr T Racke

Officer: Sue Dubberley 293817

Approved on 12/12/12 DELEGATED

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.

BH2012/03148

15 Lenham Avenue Saltdean Brighton

Demolition of existing dwelling and erection of 2no detached dwellings.

Applicant: Mrs Kathryn O'Connell

Officer: Sue Dubberley 293817

Refused on 07/12/12 DELEGATED

1) UNI

The proposed development, by reason of its design detailing and roof form would fail to provide a suitable standard of design and appearance for new development. In particular the proposed rear dormers are of a large bulky 'box' design, fail to relate to the fenestration below and result in a top heavy appearance to the roof form.. The proposal is therefore contrary to policies QD1, QD2, and QD3 of the Brighton & Hove Local Plan and the guidance set out in

BH2012/03160

2 Hilgrove Road Saltdean Brighton

Certificate of Lawfulness for proposed hip to gable loft conversion incorporating rear and side dormers and 1no rooflight to front roof slope.

Applicant: Miss Linda Melton-Brokks

Officer: Louise Kent 292198

Approved on 30/11/12 DELEGATED

1) UNI

The development is permitted under Schedule 2, Part 1, Classes B, C and G of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

BH2012/03178

74 High Street Rottingdean Brighton

Replacement of 1no existing window to rear with door (Retrospective).

Applicant: Denes Rottingdean Properties

Officer: Liz Arnold 291709

Approved on 23/11/12 DELEGATED

BH2012/03199

26 Chichester Drive East Saltdean Brighton

Erection of single storey rear extension (Part retrospective).

Applicant: Mr M Walters

Officer: Chris Swain 292178

Approved on 03/12/12 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location and Block Plan	12377-Loc		4 October 2012
Existing floor plans and elevations	12377-201		4 October 2012
Proposed floor plans and elevations	12377-200		4 October 2012

BH2012/03259

Ketts Ridge Ovingdean Road Brighton

Application for Approval of Details Reserved by Condition 6 of application BH2011/03784.

Applicant: Ken Christie

Officer: Jonathan Puplett 292525

Approved on 29/11/12 DELEGATED

BH2012/03293

Court House The Green Rottingdean Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2012/01964.

Applicant: Professor Adrian Wood

Officer: Liz Arnold 291709

Approved on 10/12/12 DELEGATED

BH2012/03294

Court House The Green Rottingdean Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2012/01963

Applicant: Professor Adrian Wood

Officer: Liz Arnold 291709

Approved on 10/12/12 DELEGATED

BH2012/03564

15 Withyham Avenue Saltdean Brighton

Non material amendment to BH2012/01826 to alter position of doors front to side of conservatory.

Applicant: Mrs Eleanor Barber

Officer: Pete Campbell 292359

Approved on 07/12/12 DELEGATED

WOODINGDEAN

BH2012/02820

15 Burnham Close Brighton

Erection of single storey side and rear annexe extension with balustrated patio area and other alterations including raised balustrated patio area to main house, new steps to garden and revised fenestration.

Applicant: Mr & Mrs Ralph Davey

Officer: Jonathan Puplett 292525

Approved on 03/12/12 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) UNI

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, door or other alteration shall be constructed to the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location plan and block plan	AS.603		06/09/2012
Existing elevations & floorplans	AS.603	2	06/09/2012
Proposed floor plans	AS.603	D	05/10/2012
Proposed elevations	AS.603. 1	B	05/10/2012

5) UNI

The side bathroom window of the extension hereby approved shall not be glazed otherwise than with obscured glass and shall be retained as such thereafter.

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.

BRUNSWICK AND ADELAIDE

BH2012/02541

Basement Flat 3A Lansdowne Square Hove

Installation of external vent to replace existing window and associated remedial works to front elevation.

Applicant: Mrs Susan Gorman

Officer: Jason Hawkes 292153

Approved on 26/11/12 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 vent must be fitted flush with the face of the wall and painted to match the surrounding render.

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 render must be a matching lime based mix with the same texture as the existing render and painted to match the surrounding wall.

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

BH2012/02762

70A Brunswick Place Hove

Internal alterations to layout of flat and replacement of rear window with timber French doors.

Applicant: Mr Robert Swain

Officer: Jason Hawkes 292153

Approved on 10/12/12 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 timber doors shall be painted to match the colour of the existing windows on the building.

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

BH2012/02763

70A Brunswick Place Hove

Replacement of rear window with timber French doors.

Applicant: Mr Robert Swain

Officer: Jason Hawkes 292153

Approved on 10/12/12 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 timber doors shall be painted to match the colour of the existing windows on the 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

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

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

Plan Type	Reference	Version	Date Received
Proposed Ground and Basement Plan	105-01		04/09/2012
Existing Ground and Basement Plan	105-02		04/09/2012
Location Plan	105-03	A	03/10/2012
Existing and Proposed Sections	105-04	A	03/10/2012
Existing Window Elevation	105-05	A	03/10/2012
Proposed Entrance Doors	105-06	A	11/10/2012
Proposed & Existing Elevation	105-07		04/09/2012
Proposed Replacement Doors (D01)	105-08		04/09/2012
Proposed Replacement Doors (D02)	105-09		04/09/2012
Proposed Replacement Doors (D03)	105-10		04/09/2012

BH2012/02895**First & Second Floor Flat 6 Farm Road Hove**

Replacement of existing wooden framed single glazed casement window with new wooden framed double glazed sliding sash bay window to front at second floor level. Replacement of existing wooden framed single glazed sliding sash window with new wooden framed double glazed sliding sash window to rear at first floor level.

Applicant: Miss Lorna Overstall

Officer: Guy Everest 293334

Approved on 27/11/12 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

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
1:1250 Site Location Plan			13/09/2012
Box Frame Joinery Details			13/09/2012
Higgins Joinery Sliding Sash details	SS1 & SS2		25/10/2012

BH2012/02904**Flat 6 33 Cambridge Road Hove**

Removal of existing loft hatch and small pitched roof on front elevation and replacement of existing windows with timber doors and window to roof terrace.

Applicant: Mr Joseph Doherty

Officer: Robert McNicol 292322

Approved on 04/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Block plan, site plan, existing and proposed plans, elevations and sections	JD101		12/09/2012
Door specificationsDXD0510 Hemlock	310 E20		03/10/2012

BH2012/02918

9 Gwydyr Mansions 40 Holland Road Hove

Replacement of existing window with timber double doors to West elevation.

Applicant: Lucy Hughes

Officer: Adrian Smith 290478

Approved on 23/11/12 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 doors hereby permitted shall be completed in painted timber and retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site plan			28/09/2012
Existing and proposed layout plans and elevations (3 drawings)			11/09/2012

BH2012/02982

14A Brunswick Place Hove

Alterations to fenestration including replacement of window with timber French doors, removal of door and blocking up of opening and reinstating a door. Internal alteration to layout of flat.

Applicant: Paul Whyles

Officer: Christopher Wright 292097

Approved on 30/11/12 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 infilling of the external door opening between the lounge and patio should be carried out in masonry to the full wall thickness as opposed to a timber frame.

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

3) 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 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.

4) UNI

No works shall take place until samples of the brick paver materials to be used for the external surface of the front courtyard 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.

5) UNI

All new joinery shall be timber and any trickle vents required shall be concealed and retained as such thereafter.

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

BH2012/02983

14A Brunswick Place Hove

Alterations to fenestration including replacement of window with timber French doors, removal of door and blocking up of opening and reinstating a door.

Applicant: Paul Whyles

Officer: Christopher Wright 292097

Approved on 30/11/12 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 infilling of the external door opening between the lounge and patio should be carried out in masonry to the full wall thickness as opposed to a timber frame.

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

3) 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 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.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			20 Sept 2012
Design and Access Statement	A		10 Oct 2012
Courtyard - East Elevations	01-0010		22 Oct 2012
Courtyard - North Elevations	01-0011		22 Oct 2012
Existing Original Internal Door Detail	01-0040		20 Sept 2012
Proposed Front Door Detail	01-0041		20 Sept 2012
Proposed Fire Door Detail	01-0042		20 Sept 2012
Proposed Bathroom Door Detail	01-0043		20 Sept 2012

Report from: 22/11/2012 to: 12/12/2012

Proposed External Kitchen Door Detail	01-0044		20 Sept 2012
Proposed External Lounge Door Detail	01-0045		20 Sept 2012
Proposed Fireplace Detail	01-0050		20 Sept 2012
Existing Floor Plan & Notes	01-0001-1		5 Oct 2012
Existing Floor Plan	01-0001		5 Oct 2012
Proposed Floor Plan	01-0002		20 Sept 2012

5) UNI

All new joinery shall be timber and any trickle vents required shall be concealed and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan 2005.

BH2012/03004

Flat 2 24 Brunswick Place Hove

Erection of single storey rear extension.

Applicant: Mrs Helen Leigh

Officer: Steven Lewis 290480

Refused on 28/11/12 DELEGATED

1) UNI

The extension by reason of its siting, scale, form and detailing would fail to preserve or enhance the special architectural and historical character of the listed building or positively reflect the character and appearance of the Brunswick Town conservation area or visual amenity of the area, this is contrary to policies HE1, HE6, QD1, QD2 and QD14 of the Brighton & Hove Local Plan 2005.

BH2012/03005

Flat 2 24 Brunswick Place Hove

Erection of single storey rear extension and internal alterations to layout of flat.

Applicant: Mrs Helen Leigh

Officer: Steven Lewis 290480

Refused on 29/11/12 DELEGATED

1) UNI

The extension and by reason of its siting, scale, form and detailing would fail to preserve the special architectural and historical character of the listed building, this is contrary to policy HE1 of the Brighton & Hove Local Plan 2005.

2) UNI2

The internal alterations and submitted information fail to demonstrate that the relocation of the kitchen and loss of a portion of external wall would preserve special architectural and historical character of the listed building, this is contrary to policy HE1 of the Brighton & Hove Local Plan 2005.

BH2012/03099

2 Lansdowne Place Hove

Alterations to front entrance steps including installation of asphalt covering and replacement tiles.

Applicant: Mr S A Sattin

Officer: Clare Gibbons 292454

Approved on 06/12/12 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) BH13.02

The external finishes of the 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.

BH2012/03271

5 Western Street Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2012/02185.

Applicant: Mrs Robin Gorna

Officer: Clare Gibbons 292454

Approved on 05/12/12 DELEGATED

CENTRAL HOVE

BH2012/01949

Land to Rear of 16 - 18 Blatchington Road Hove

Erection of a 3no bedroom detached house with associated alterations to parking.

Applicant: First Charterhouse Investment Ltd

Officer: Guy Everest 293334

Refused on 29/11/12 DELEGATED

1) UNI

The development by reason of its form, detailing and use of materials would create a contrast, in relation to adjoining properties and the wider surroundings, which would harm the existing character and appearance of the area. The development would appear incongruous and fail to emphasise and enhance the positive qualities of the local neighbourhood and is therefore contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

2) UNI2

The development by reason of its proximity to the rear of 16 & 18 Blatchington Road would result in significant loss of light and outlook for occupants of these properties, to the detriment of their amenity. The development therefore fails to protect neighbouring amenity and is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2012/02102

81 St Aubyns Hove

Conversion of former dining and kitchen areas on the lower ground floor to 2no studio units and reduction in depth of the existing single storey rear extension (Retrospective).

Applicant: Mr H Toussi

Officer: Guy Everest 293334

Refused on 27/11/12 DELEGATED

1) UNI

The studio units by reason of their size, layout and absence of amenity space (in the case of the rearmost unit) provide a cramped and unsatisfactory standard of residential accommodation, which as a result fails to meet the likely needs of future occupiers. The proposal is therefore contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

2) UNI2

The proposal, due to removal of the access through lower ground floor level, results in the loss of communal amenity space for occupants of the building. As a result the proposal would contribute towards a poor standard of accommodation

for occupants and is therefore contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

BH2012/02896

The Priory 8 St Catherines Terrace Hove

Erection of mild steel staircase to balcony to access roof garden above. (Part retrospective)

Applicant: Mr Mark Mangan

Officer: Clare Gibbons 292454

Refused on 29/11/12 DELEGATED

1) UNI

The proposed structure would appear as an incongruous and unsympathetic addition that would cause harm to the character and appearance of the Cliftonville Conservation Area, contrary to policy HE6 of the Brighton & Hove Local Plan 2005.

2) UNI2

The use of the roof as an amenity area is likely to result in unacceptable noise and disturbance and loss of privacy thereby having a detrimental impact on the amenity of neighbouring residential properties, contrary to policy QD27 of the Brighton & Hove Local Plan 2005.

BH2012/03043

Medina Cottage Medina Place Hove

Replacement of windows to front, side and rear elevations with timber framed sash windows.

Applicant: Sean Cufley

Officer: Robert McNicol 292322

Approved on 30/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Existing elevations	MC/01		19/09/2012
Proposed elevations	MC/02B		28/09/2012
Casement window elevations detail	MC/03A		28/09/2012
Sash window sections	MC/05B		28/09/2012
Sash window elevations detail	MC/06A		28/09/2012
Site location and block plan	MC/07		19/09/2012

BH2012/03056

Flat 21 Bath Court Kings Esplanade Hove

Replacement of existing windows with white UPVC windows. Replacement of existing balcony doors with white powder coated aluminium doors.

Applicant: Mr Benjamin Tobin

Officer: Steven Lewis 290480

Approved on 07/12/12 DELEGATED

1) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			16/10/2012
RD Goatley Ltd Technical Specification			24/09/2012
Smart Visfold Door Specification			16/10/2012

BH2012/03066

Flat 4 26 The Drive Hove

Conversion of rear garage to habitable space and revised rear fenestration.

Applicant: Mr B Nicholas

Officer: Jason Hawkes 292153

Approved on 03/12/12 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.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Proposed Alterations	9645-1		08/10/2012
Site Plan			21/09/2012
Block Plan			21/09/2012

BH2012/03120

Flat 5 Bath Court Kings Esplanade Hove

Replacement of existing metal windows with UPVC at second floor level to north and south elevations.

Applicant: Christine Stewart

Officer: Steven Lewis 290480

Approved on 04/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site Plan			08/10/2012
Urban Windows Specification - Page 1			24/09/2012
Urban Windows Specification - Page 2			24/09/2012
Advance 70 Technical Specification			24/09/2012
Photographs			24/09/2012

BH2012/03180

1 Kings Gardens Hove

Installation of collapsible safety handrail to roof.

Applicant: 1 Kings Gardens Ltd

Officer: Christopher Wright 292097

Approved on 10/12/12 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 collapsible safety handrail hereby permitted shall remain in its collapsed state, protruding no more than 250 millimetres above the plane of the existing roof area on which it is to be sited, unless required to be made upright for access to the roof for repair or maintenance purposes only.

Reason: To ensure the satisfactory preservation of this listed building and safeguard the amenity of adjoining occupants, and in order to comply with policies HE1 and QD27 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Design & Access Statement	K48PC/PL/D+ A	A	8 Oct 2012
Location and Block Plans	K48PC/PL/01		16 Oct 2012
Existing Roof Plan	K48PC/PL/02		2 Oct 2012
Existing Part North Elevation	K48PC/PL/03		2 Oct 2012
Proposed Roof Plan	K48PC/PL/04		2 Oct 2012
Proposed Part North Elevation	K48PC/PL/05		2 Oct 2012
Photomontage	K48PC/PL/06		2 Oct 2012
Versirail Freestanding Guardrail (Straight) Detail SheetVER	24		2 Oct 2012

BH2012/03303

1 Kings Gardens Hove

Installation of collapsible safety handrail to roof.

Applicant: 1 Kings Gardens Ltd

Officer: Christopher Wright 292097

Approved on 10/12/12 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 collapsible safety handrail hereby permitted shall remain in its collapsed state, protruding no more than 250 millimetres above the plane of the existing roof area on which it is to be sited, unless required to be made upright for access to the roof for repair or maintenance purposes only.

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

GOLDSMID

BH2012/02630

Cambridge House 121-123 Davigdor Road Hove

Display of non illuminated window vinyls.

Applicant: Charterhouse Ltd

Officer: Robert McNicol 292322

Refused on 27/11/12 DELEGATED

1) UNI

By virtue of their size, positioning, extent and amount, the advertisements dominate and detract from the appearance of the recipient property and the wider street scene, thereby harming the visual amenity of the building and the wider area. The advertisements are therefore contrary to policy QD12 of the Brighton & Hove Local Plan 2005.

BH2012/02694

7 Ranelagh Villas Hove

Erection of single storey rear extension.

Applicant: Mr Nicholas Taylor-Parry

Officer: Helen Hobbs 293335

Approved on 04/12/12 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	51202/08		30/08/2012
Block Plan	51202 04	A	31/10/2012
Existing Plans	51202 01		30/08/2012
Proposed Plans	51202 03	B	01/11/2012

BH2012/02942**10 Hartington Villas Hove**

Erection of new rear infill extension incorporating 4no rooflights, revised fenestration and garden access.

Applicant: Dr Jacqueline Thomas

Officer: Robert McNicol 292322

Approved on 22/11/12 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Block plan			17/09/2012
Site location plan			17/09/2012
Existing plan			17/09/2012
Existing rear elevation			17/09/2012
Existing side (west) elevation			17/09/2012
Proposed plan			17/09/2012
Proposed rear elevation			17/09/2012
Proposed side (west) elevation			17/09/2012

BH2012/03014**Flat 3 60 The Drive Hove**

Internal alterations to layout of flat.

Applicant: Bygreen Properties Ltd

Officer: Robert McNicol 292322

Approved on 22/11/12 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 bathroom door and its panelling, transom, architraves and borrowed light above shall match exactly the existing original bedroom door and the reveals of the arched opening in the partition wall shall have a moulding that matches exactly the moulding in the existing archway in the hallway.

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

3) UNI

New ceiling cornices shall be run around both sides of the new partition walls and a new skirting board shall be run around the bedroom side of the partition wall both to match exactly the originals in the room.

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

4) UNI

On removal of the WC and built in cupboard in the kitchen, the ceiling corning in this location shall be repaired and reinstated to match exactly the original.

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

5) UNI

The new partition walls shall be scribed around the existing ceiling cornices and skirting boards which shall be retained and not cut into and the new partition wall shall not encroach on the adjacent window's architraving.

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

BH2012/03127

84 Shirley Street Hove

Erection of a rear and side extension with two rooflights.

Applicant: Ms Knowles

Officer: Clare Gibbons 292454

Approved on 06/12/12 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	ADC514/LP		01/10/2012
Block Plan	ADC514/BP		01/10/2012
As Existing	ADC514/01		01/10/2012
As Proposed	ADC514/02A		23/11/2012

HANGLETON & KNOLL

BH2012/02567

22 Clarke Avenue Hove

Erection of conservatory to rear.

Applicant: Mrs Zahara Ganji

Officer: Christopher Wright 292097

Approved on 28/11/12 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 lower sill of the high level windows on the northwest flank elevation of the conservatory extension hereby permitted shall be a minimum of 1.7 metres in height above internal finished floor level and the windows shall be non opening, and retained as such thereafter, unless otherwise approved by the Local Planning Authority in an application on that behalf.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan 2005.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Conservatory Details (3 pages)			22 Oct 2012
Existing Plan	01		17 Aug 2012
Proposed Plan	02		17 Aug 2012
Elevation 03			17 Aug 2012
Side Elevation	04		11 Sep 2012

BH2012/02579

108 Hangleton Valley Drive Hove

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

Applicant: Mrs M Marks

Officer: Robert McNicol 292322

Refused on 05/12/12 DELEGATED

1) UNI

The application property is not considered to be a detached property due to the physical link with the neighbouring house. The proposed extension would be more than 3 metres from the rear wall of the original property, and therefore does not meet the tolerances set out in Class A.1 (e) of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2012/02965

18 Poplar Avenue Hove

Erection of single storey rear extension with pitched roof.

Applicant: Mr James Welham

Officer: Robert McNicol 292322

Refused on 27/11/12 DELEGATED

1) UNI

By virtue of its depth and height, breaking the '45 degree' rule and being positioned to the south of the adjoining property, the proposed rear extension would cause a loss of outlook from the rear patio doors of the adjoining property and a loss of light into the room served by those doors. The proposal would therefore have a detrimental impact on the residential amenity of the neighbouring residents, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan 2005.

BH2012/02966**152 Poplar Avenue Hove**

Replacement of existing concrete balcony and steps with raised timber decking with storage beneath and steps to garden. Installation of new fence and gate to side elevation.

Applicant: Mr Robert Dagg

Officer: Steven Lewis 290480

Approved on 12/12/12 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) UNI

The increased side height in boundary treatment indicated on the North boundary of the development hereby permitted shall be constructed prior to the use of the new terrace and 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 2005.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan			17/09/2012
Existing Floor Plan			19/10/2012
Proposed Floor Plan			19/10/2012
Side boundary			04/12/2012
Existing rear elevation			19/10/2012
Proposed rear elevation			19/10/2012
Side elevations			19/10/2012
Block plan			17/09/2012
Photographs			17/09/2012

BH2012/03179**149 Godwin Road Hove**

Erection of a 2no bedroom house adjoining existing dwelling with new entrance to side.

Applicant: Mr Andrew Carter

Officer: Christopher Wright 292097

Refused on 11/12/12 DELEGATED**1) UNI**

The proposed dwelling would, by reason of the plot width, scale, form and siting, have a cramped appearance, incongruous with the pattern of existing development and detrimental to the visual amenity and character of the area. As such the proposal is contrary to policies QD1, QD2, QD3 and HO4 of the Brighton & Hove Local Plan 2005.

2) UNI2

The proposed dwelling would, by reason of the scale and narrow footprint, result in cramped and unsatisfactory living conditions for any future occupiers and consequently would have a harmful impact on amenity, contrary to the requirements of policy QD27 of the Brighton & Hove Local Plan 2005.

NORTH PORTSLADE

BH2012/03203

63 North Lane Portslade

Certificate of Lawfulness for proposed single storey rear extension with pitched roof.

Applicant: Mrs Janet Sallis

Officer: Jason Hawkes 292153

Approved on 26/11/12 DELEGATED

BH2012/03207

12 Hillcroft Portslade

Erection of two storey side extension with single storey rear extension.

Applicant: Mr Martin Quinn

Officer: Jason Hawkes 292153

Approved on 06/12/12 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) BH02.09

Access to the flat roof over the extension 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.

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

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

Plan Type	Reference	Version	Date Received
Plans & Elevations as Existing	01		5th October 2012
Plans & Elevations as Proposed	02		5th October 2012
Block & Location Plan	04		5th October 2012

SOUTH PORTSLADE

BH2012/02640

Unit 7A Victoria Road Trading Estate Victoria Road Portslade

Alterations to facilitate subdivision and create smaller warehouse including replacement of loading bay door with new pedestrian entrance and windows to front elevation.

Applicant: Endeavour Holdings Ltd

Officer: Clare Gibbons 292454

Approved on 29/11/12 DELEGATED

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

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

Plan Type	Reference	Version	Date Received
Block plan	PL05		29/08/2012
Site location	PL04		29/08/2012
Location plan			29/08/2012
Ground floor plan	SY01		29/08/2012
Elevations & sections	SY03		29/08/2012
Proposed ground floor plan	PL06		29/08/2012
Proposed first floor plan	PL6.1		29/08/2012
Proposed elevations	PL07		29/08/2012
Proposed car parking	PI08		29/08/2012

3) UNI

The trade counter shall be used solely ancillary to the main warehousing (Class B8) use of the hereby approved unit and not as a separate retail unit without planning permission being obtained from the Local Planning Authority.

Reason: To ensure the primary use is within Class B8 and a separate use does not commence without due consideration of its impact and to comply with policy EM1 of the Brighton & Hove Local Plan 2005.

4) UNI

The vehicle parking area shown on the approved plan shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan 2005.

5) UNI

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants.

Reason: To prevent pollution of the water environment and to comply with policy SU3 of the Brighton & Hove Local Plan 2005.

6) UNI

The development hereby permitted shall not be commenced until details of

Report from: 22/11/2012 to: 12/12/2012

secure cycle parking facilities for the occupants of, and visitors to, the 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 2005.

7) UNI

The development hereby permitted shall not be commenced until details of disabled car parking provision 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 the development provides for the needs of disabled staff and visitors to the site and to comply with Local Plan policies TR1, TR18 and SPG4.

8) UNI

Unless otherwise agreed in writing by the Local Planning Authority no development shall commence until a risk assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall be carried out by a competent individual and shall incorporate a scoring system and suitable control measures for the laying of any drainage and utilities which require the breaking of the existing hard standing and/or floor slab.

Reason: To minimise the risk to human health, buildings and/or controlled waters and to comply with policies SU3 and SU11 of the Brighton & Hove Local Plan 2005.

9) UNI

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the alterations hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The 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 2005.

BH2012/02879

7 South Street Portslade

Installation of ATM cash machine to front elevation.

Applicant: Bank of Ireland

Officer: Robert McNicol 292322

Refused on 10/12/12 DELEGATED

1) UNI

By virtue of the presence of individuals using and queuing to use the proposed ATM, the proposal would cause disturbance and a loss of privacy to the residents of 9 South Street. Further, by virtue of attracting visitors to the area using the ATM at night, the proposal would cause an increase in noise disturbance to residents living in the vicinity. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan 2005.

2) UNI2

By virtue of causing an unbalanced appearance and interrupting the rhythm of the shopfront, and by having an unattractive glazed surround to the ATM, the proposal would have a detrimental impact on the appearance of the recipient property. The proposal is therefore contrary to policy QD10 of the Brighton & Hove Local Plan 2005.

BH2012/02919**77 Fairway Crescent Portslade**

Erection of single storey rear extension including associated extension of garden room.

Applicant: Mr Edmonds

Officer: Robert McNicol 292322

Approved on 22/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Existing and proposed floor plans and elevations and proposed section A-A	1222012/01		11/09/2012
Existing and proposed lower ground floor plans	1222012/03		27/09/2012
Location and block plan			27/09/2012

BH2012/03129**131 Mill Lane Portslade**

Erection of single storey rear extension with associated external alterations.

Applicant: C/O PLC Architects

Officer: Christopher Wright 292097

Refused on 06/12/12 DELEGATED

1) UNI

The proposed development would, by reason of the scale, footprint, form, siting and design, relate poorly and unsympathetically to the design and detailing of the recipient building, and would appear unduly dominant and incongruous within the site context, having a detrimental impact on the character and setting of the recipient building, the street scene, and the visual amenities of the locality. As such the proposal is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan 2005.

2) UNI2

The proposed extension would increase the capacity and intensify the use of the land as a public house, likely to result in nuisance and increased disturbance to nearby residents contrary to the requirements and objectives of policies QD27 and SR12 of the Brighton & Hove Local Plan 2005.

BH2012/03608**103 Applesham Way, Brighton**

Holm Oak - crown reduce by approximately 2m and balance, cut back on road.

Applicant: Affinity Sutton

Officer: Di Morgan 292929

Approved on 23/11/12 DELEGATED

1) BT1.03

The extent of the lopping shall be agreed with the Local Planning Authority before any work is commenced. The work shall be carried out within two years under the supervision and to the satisfaction of the Local Planning Authority.

2) TP0.01

All tree work must be carried out in accordance with BS3998:2010, Tree Work - Recommendations.

HOVE PARK

BH2012/02739

Marche House Woodland Drive Hove

Erection of a new two storey dwelling.

Applicant: Threadneedle Entertainments Ltd

Officer: Steven Lewis 290480

Refused on 26/11/12 DELEGATED

1) UNI

The proposal by reason of its scale, detailing, form and siting would be an over development of the site, the building would form an incongruous addition which would fail to emphasise or enhance the positive qualities of the neighbourhood by failing to take into account the design of the existing buildings, character of the area, the layout of streets and spaces and the developed background against which it is set. This is contrary to policies QD1, QD2, QD3 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development provides insufficient usable private amenity space reflective of the scale and character of the development contrary to policy HO5 of the Brighton & Hove Local Plan 2005.

BH2012/02915

6 Barrowfield Close Hove

Erection of a first floor rear extension with balcony and a single storey side extension with associated external alterations. Installation of new gate and associated widening of entrance to front boundary.

Applicant: John Standing

Officer: Robert McNicol 292322

Approved on 26/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Existing and proposed elevations	201		10/09/2012
Existing and proposed plans	202		10/09/2012
Location plan, block plan and gate details	003	A	10/09/2012

BH2012/02921**6 Dyke Close Hove**

Erection of single storey front and side extension with enlargement of front car parking area & external works including new front gable end & alterations to fenestration.

Applicant: Mr Gary & Mrs Amy White

Officer: Steven Lewis 290480

Approved on 04/12/12 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) 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.

4) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Site & Block Plan			13/09/2012
Layout as Existing	805/1		13/09/2012
Ground Floor and Site Layout as Existing	805/2		13/09/2012
First Floor as Existing	805/3		13/09/2012
Roof Plan as Existing	805/4		13/09/2012
Sections as Existing	805/5		13/09/2012
South elevation as Existing	805/7		13/09/2012
Front elevation as Existing	805/8		13/09/2012
Side elevation as Existing	805/9		13/09/2012
Contextual as Existing	805/10		13/09/2012
Site Layout plan as Proposed	805/F11		13/09/2012
Ground Floor & Site Layout As Proposed	805/F12	A	13/09/2012
First Floor Proposed	805/F13	A	13/09/2012

Roof Plan as Proposed	805/F14	A	13/09/2012
Sections as Proposed	805/F15	A	13/09/2012
Contextual elevations	805/F16	A	13/09/2012
Side Elevation proposed (South)	805/F17	A	13/09/2012
Side Elevation proposed (North)	805/F18		13/09/2012
Front elevation as proposed	805/19	A	13/09/2012

BH2012/03046

5 Onslow Road Hove

Application to extend time limit for implementation of previous approval BH2009/01980 for erection of two storey side and first floor rear extension.

Applicant: Mr Mark Woodward

Officer: Steven Lewis 290480

Approved on 07/12/12 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) UNI

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 in the walls or roof of the extensions hereby permitted without first obtaining planning permission 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.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Floor Plans	TA1126/01	B	16/09/2009
Existing elevations	TA1126/02	B	16/09/2009
Existing Elevations & Section	TA1126/03	A	14/08/2009
Site Plan	TA1126/04	B	20/09/2012
Proposed Floor Plans	TA1126/05	C	03/11/2009
Proposed Elevations	TA1126/06	B	03/11/2009
Proposed Sections	TA1126/07	B	03/11/2009

5) UNI

The windows on the west facing elevation shall be obscure glazed and non-opening, unless any parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall

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 2005.

BH2012/03068

Land to Rear of 19 Mallory Road Hove

Application for variation of condition 2 of application BH2011/02311, (Demolition of existing garage and erection of 1no three bedroom house), which states that the development shall be carried out in accordance with the approved drawings, to incorporate a basement floor within the proposal. Removal of condition 5 to permit clear glazing to bedroom 3 on the first floor East elevation.

Applicant: Jeary Developments

Officer: Steven Lewis 290480

Split Decision on 23/11/12 DELEGATED

Approve the variation of condition 2 of BH2011/02311 which states that the development shall be carried out in accordance with the approved drawings, to incorporate a basement floor within the proposal subject to the following conditions:

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plan	TA667/01		25/09/2012
Proposed Site Plan	TA602/02	A	24/10/2012
Proposed Floor Plans	TA677/10		25/09/2012
Proposed Sections	TA677/11		25/09/2012
Proposed Front & Rear elevations	TA667/12		25/09/2012
Proposed Side Elevations	TA667/13		25/09/2012
Proposed Contextual Street Scene	TA667/14		25/09/2012

1) BH02.03

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 to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

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) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling hereby permitted shall be constructed to Lifetime Homes standards prior

to their first occupation and shall be retained as such thereafter.

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

4) BH05.02B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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.

5) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

6) 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.

7) UNI

The development shall be built in strict accordance with materials Samples and Specification Sheets and Code for Sustainable Homes Interim Certificate received 24/10/2011 & Arbworx Method Statement and Jeary Drawings 1044/OR-09 Rev A approved in application BH2011/03197 and received on 11/11/2011.

Reason: For the avoidance of doubt and in the interests of proper planning, To enhance the appearance of the development in the interest of the visual amenities of the area, to ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply policies QD1, QD2, QD15, QD16, QD27 and SU2 of the Brighton & Hove Local Plan.

8) UNI

The window of bedroom 3 in the east elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the part of the window which can be opened are more than 1.7m above the floor of the room in which they are installed, and thereafter permanently retained as such. The window shall be allowed to be operable for the purposes of emergency escape only.

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 2005.

9) UNI

The height of the building hereby approved in relation to the adjoining properties shall be constructed in strict compliance with contextual drawing no. 602/07/A received on 13th September 2011.

Reason: For the avoidance of doubt to ensure a satisfactory appearance to the property, to safeguard the amenity of residents of neighbouring properties, and to

comply with policies QD1, QD2, QD14 and QD27 of the Brighton & Hove Local Plan 2005.

10) UNI

All planting, seeding or turfing comprised in the approved scheme of landscaping approved under application BH2011/03197 shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

11) UNI

All trees to be retained, including the on-street Elm, shall be protected to BS 5837 (2005) Trees in Relation to Construction. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the area enclosed by such fences.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

12) UNI

The window of bedroom 3 in the east elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the part of the window which can be opened are more than 1.7m above the floor of the room in which they are 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 2005.

14) UNI

The removal of condition 5 of planning permission BH2011/02311 that would have permitted the use of clear glazing to bedroom 3 on the first floor East elevation for the following reason:

The use of clear glazing and opening parts to the window is considered to result in an overbearing presence which would lead to the perceived overlooking of the rooms and amenity space of 14 Mallory Road and a loss of privacy. This is contrary to policies QD1, QD14 and QD27 of the Brighton & Hove Local Plan 2005.

BH2012/03126

28 Leighton Road Hove

Certificate of lawfulness for proposed loft conversion including raising of roof line to facilitate erection of a side dormer with one opening window and one fixed obscured glass window and a rear dormer with double doors and Juliet balcony.

Applicant: R Herriott

Officer: Jason Hawkes 292153

Refused on 22/11/12 DELEGATED

BH2012/03142

Burger King Goldstone Retail Park Newtown Road Hove

Installation of black metal cladding to existing structure.

Applicant: Mr Leon Kennedy

Officer: Christopher Wright 292097

Refused on 27/11/12 DELEGATED

1) UNI

The proposed cladding of the external walls of the flat roof tower structure on the northern elevation of the building would, by reason of the materials, colour and readily visible position within an open retail park and adjacent to a busy highway, have a discordant and unsympathetic visual relationship with the style, materials, form and character of the building and would have the appearance of an unduly dominant, incongruous and alien feature that would be detrimental to visual amenity and out of keeping with the site context. As such the proposal is contrary to the requirements of policy QD14 of the Brighton & Hove Local Plan 2005.

BH2012/03279

Flat 2 13 Leighton Road Hove

Loft conversion incorporating velux windows.

Applicant: John Pescod

Officer: Steven Lewis 290480

Approved on 27/11/12 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) UNI

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

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

Plan Type	Reference	Version	Date Received
Loft Conversion	PE/01		12/10/2012

WESTBOURNE

BH2006/02153

Sackville Hotel 189 Kingsway Hove

Demolition of Hotel (Retrospective).

Applicant: Sackville Hotel Limited

Officer: Adrian Smith 290478

Approved on 26/11/12 DELEGATED

BH2012/02963

Flat 1, 6 New Church Road Hove

Erection of single storey timber outbuilding in rear garden.

Applicant: Mr & Mrs Hesketh

Officer: Steven Lewis 290480

Approved on 30/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site Plan			21/09/2012
Block Plan			21/09/2012
Design layout Plan			21/09/2012
Design Layout Plan (Foundation plan)	B82012/02963		12/11/2012

3) UNI

The development hereby approved shall be carried out in strict accordance with the timber foundation and construction method statement submitted on 12/11/2012. The foundations shall thereafter be retained.

Reason: In the arboricultural interests of the trees upon the site and of the visual amenity of the area and to accord with policies QD1, QD14, QD15 and QD16 of the Brighton & Hove Local Plan.

BH2012/02998

92 Sackville Road Hove

Certificate of lawfulness for proposed installation of metal gates at rear and creation of vehicle access and dropped kerb.

Applicant: Mr Gulsin

Officer: Clare Gibbons 292454

Refused on 27/11/12 DELEGATED

1) UNI

The proposal is not permitted under Schedule 2, Part 2, Class B of the Town & Country Planning (General Permitted Development) Order 1995 as the proposed crossover would be in connection with the provision of gates in the rear boundary wall, which is specifically excluded from being permitted development by the aforementioned legislation.

BH2012/03051

Flat 2 13 Rutland Gardens Hove

Replacement of existing timber sliding sash windows to side and rear projecting wall at first floor level with UPVC windows.

Applicant: Mr David M Sutcliffe

Officer: Steven Lewis 290480

Approved on 30/11/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site & Block Plan	12.076.100		05/10/2012
Window Details			24/09/2012
Spectus Window System Specification			24/09/2012

Report from: 22/11/2012 to: 12/12/2012

BH2012/03168

142 Portland Road Hove

Change of use of ground floor level from shop (A1) to restaurant (A3) and takeaway (A5) with the installation of extract duct to rear elevation.

Applicant: Mr Maged Safar

Officer: Clare Gibbons 292454

Refused on 07/12/12 DELEGATED

1) UNI

The proposed change of use would lead to a break of more than ten metres of retail use in the frontage. Also insufficient evidence has been submitted to demonstrate that the unit is no longer economically viable as retail premises. Therefore, the proposal has an adverse impact on the vitality and viability contrary to policy SR6 of the Brighton & Hove Local Plan 2005.

2) UNI2

Insufficient details have been submitted in respect of odour control to demonstrate that there would not be nuisance. Therefore, the proposed duct is contrary to policies QD27 and SU9 of the Brighton & Hove Local Plan 2005.

BH2012/03170

11 Westbourne Gardens Hove

Construction of vehicle crossover, formation of hard standing and dropped kerb.

Applicant: Mr R Levy

Officer: Clare Gibbons 292454

Refused on 03/12/12 DELEGATED

1) UNI

The removal of the front boundary wall and one pier together with the amount of hardstanding proposed would appear discordant and out-of-keeping with the prevailing character of the area and as such would be an incongruous and unsympathetic form of development, contrary to policy QD2 of the Brighton & Hove Local Plan 2005.

BH2012/03174

130 Cowper Street Hove

Change of use from car valeting (B1) to car repair garage (B2).

Applicant: R & R Developments

Officer: Clare Gibbons 292454

Refused on 29/11/12 DELEGATED

1) UNI

The maintenance and repair of cars, by reason of the noise, dust and fumes generated, would have a detrimental impact on the amenity of neighbouring residential occupiers contrary to policies EM3 and QD27 of the Brighton & Hove Local Plan 2005.

BH2012/03210

6 Pembroke Crescent Hove

Demolition of existing porch and replacement with new porch.

Applicant: Mrs Beverley Ouanounou

Officer: Jason Hawkes 292153

Approved on 11/12/12 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.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location & Block Plan			05/10/2012
Existing and Proposed Porch Drawings	01	B	06/12/2012

WISH

BH2012/01776

Wickenden Garage Scott Road Hove

Addition of first floor with pitched roof to form 1no three bed flat and associated works including a new terrace to rear.

Applicant: Wickendens

Officer: Helen Hobbs 293335

Refused on 30/11/12 DELEGATED

1) UNI

The projecting rear element of the proposed extension is not considered appropriately designed and detailed in relation to the building to be extended by reason of the form, scale, siting and design. The development would have an unduly dominant and incongruous appearance that would be detrimental to visual amenity, contrary to the requirements of policies QD1, QD2, QD3, QD14 and HO4 of the Brighton & Hove Local Plan 2005.

2) UNI2

Insufficient information has been submitted in respect of levels of noise and disturbance generated by the existing automobile engineer/garage use and how the amenity and living conditions of future occupants of the proposed flat may be affected by noise and disturbance. As such no assurance is provided that future occupiers' amenity would not be compromised and the proposal is contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan 2005.

3) UNI3

The projecting rear element of the proposed extension would, by reason of its scale, siting, bulk and massing, together with the close proximity of the pitched roof to the rear garage workshop, have an overbearing impact and result in an increased sense of enclosure for adjoining residents that would be detrimental to residential amenity. As such the proposal is contrary to the requirements of policies QD14 and QD27 of the Brighton & Hove Local Plan 2005.

4) UNI4

The proposed roof terrace would be accessible only through the two rear bedrooms and would not be accessible from a habitable room. As the proposal is for a 3 bedroom flat that could be inhabited by a family the means of access to the roof terrace is not considered appropriate to the scale and nature of the development and conflicts with policy HO5 of the Brighton & Hove Local Plan 2005.

BH2012/02127

233A New Church Road Hove

Change of use of ground floor of dwelling house to osteopath and acupuncture clinic (D1) in association with use of first floor as residential. (Retrospective)

Applicant: Mr Peter Barber

Officer: Helen Hobbs 293335

Approved on 05/12/12 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 use of the property hereby permitted shall be as a live / work unit only, comprising a mixed Use Class D1 (in accordance with the requirements of condition 3) and Use Class C3 in accordance with the approved floor plans, and shall exclude the use of the whole premises for an individual Class D1 or Class C3 use.

Reason: For the avoidance of doubt and in order to secure a mixed live / work use and in order to retain the residential use on site in compliance with policy HO8 of the Brighton & Hove Local Plan.

3) UNI

Within 3 months of the date of this permission, details of secure cycle parking facilities for a minimum of one cycle space, for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. These facilities shall then be fully implemented and made available for use within 6 months of the date of this approval.

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

4) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the residential unit of accommodation at first floor level hereby permitted shall, where practicable, accommodate Lifetime Homes Standards and be retained as such thereafter.

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

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Pre existing floor plans	0153.01	C	3rd July 2012
Existing floor plans	0153.02	D	19th July 2012
Site location plan	0153.03		3rd July 2012

6) UNI

The ground floor of the premises shall only be used as an Osteopath/Acupuncturist and for no other purpose) including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class with or without modification).

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

amenities of the area and to comply with policy QD 27 of the Brighton & Hove Local Plan.

BH2012/02600

283 Portland Road Hove

Demolition of front wall and creation of new paved driveway with associated retaining walls and steps.

Applicant: Ms Lynne Porter

Officer: Robert McNicol 292322

Approved on 12/12/12 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) BH05.10

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.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing plan, elevation and section	01		19 October 2012
Proposed plan, elevation and section	02		19 October 2012
Site location plan	03		19 October 2012

BH2012/02916

322A Portland Road Hove

Conversion of existing maisonette into 2no two bedroom flats and 1no studio flat with associated loft conversion incorporating a rear dormer, new windows to side elevation and rooflights.

Applicant: Barker James Developments Ltd

Officer: Guy Everest 293334

Refused on 26/11/12 DELEGATED

1) UNI

The proposal constitutes an overdevelopment of the site which, by reason of habitable rooms of an inadequate size, would provide a cramped and unsatisfactory standard of residential accommodation, be unsuitable for family occupation and fail to incorporate 'Lifetime Homes' standards in the design. The proposal would therefore fail to meet the likely needs of future occupiers and is contrary to policies QD27, HO9 and HO13 of the Brighton & Hove Local Plan.

BH2012/03217

54 Berriedale Avenue Hove

Erection of conservatory to the rear.

Applicant: Mr Duthie

Officer: Steven Lewis 290480

Approved on 03/12/12 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 development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Proposed Conservatory	JW/12/075		08/10/2012
Existing elevation			08/10/2012
Existing Ground Floor Plan			08/10/2012

3) UNI

The solid panel indicated within the south elevation of the development hereby permitted shall 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 2005.

PLANS LIST 9 January 2013

BRIGHTON AND HOVE CITY COUNCIL

LIST OF APPLICATIONS DETERMINED BY THE HEAD OF CITY INFRASTRUCTURE UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION

PRESTON PARK

Application No: BH2012/03497
96 Stanford Avenue

Fell 2no Sycamores (T2, T3). Fell 1no Elm (T4) - although visible from public areas they are all small and suppressed and have no long term amenity value thus would not warrant a TPO.

Applicant: Mr James Cox
Approved on 30 Nov 2012

Application No: BH2012/03498
96 Stanford Avenue

1no Lime (T1) remove basal suckers, prune back branches overhanging garden and road by up to 3 metres.

Applicant: Mr James Cox
Approved on 30 Nov 2012

Application No: BH2012/03779
169 Preston Road, Brighton

Fell one Beech - the tree has ustulina and if it were to fail it would fall across London Road, with a high potential of fatal injury. Replacement condition species - Tulip tree or an Elm.

Applicant: Mr M Carter
Approved on 30 Nov 2012

Application No: BH2012/03781
8 Preston Park Avenue, Brighton

1no Elm - reduce all branches by 1.5m

Applicant: Tom Fellows

Approved on 30 Nov 2012

Application No: BH2012/03783
8 Preston Park Avenue, Brighton

Fell 2no Sycamore - trees are not visible from any public area thus have no public amenity value.

Applicant: Tom Fellows
Approved on 30 Nov 2012

WITHDEAN

Application No: BH2012/03307
ROCC Computers Ltd Stanford Gate South Road Brighton

Fell 1no Sycamore (T1) - the tree is dying.

Applicant: Mr Gould
Approved on 30 Nov 2012

Application No: BH2012/03437
Kingsmere, London Road

2no Lime (T9,13) 25% crown reduction and 25% crown thin. 1no Beech (T7) 25% crown thin and prune to give 2m clearance from garage roof. 1no Lime (T11) reduce height to 4m to allow regrowth. 1no Oak (T21) 20% crown thin and deadwood. 1no Holly (T22) remove epicormics. 1no Yew (T23) 3m crown lift. 1no Lime (T49) remove epicormics, 25% crown thin. 1no Norway Spruce (T50) remove deadwood. 1no Silver Birch (T56) reshape crown and deadwood.

Applicant: Mr Philip Else
Approved on 12 Dec 2012

Application No: BH2012/03794
Land opposite 14 Peacock Lane, Brighton

2no Elm - remove two overhanging branches and prune straggly growth on 3no Elms.

Applicant: Mrs Carol Reid
Approved on 30 Nov 2012

Application No: BH2012/03870
Withdean Court, London Road, Brighton

Fell to ground level one Holly (T5) - visibility from public area is limited thus has restricted public amenity. Proximity to structure makes it of short term potential. Replace with Fastigate Oak in marked location coloured red.

Applicant: Mr Nyall Thompson
Approved on 07 Dec 2012

Application No: **BH2012/03889**
Cransley Lodge, 32 Dyke Road Avenue

2no Castanea sativa (T1 Group A) - Remove one limb and reduce the other. (Group B T2)
2no Sycamore - crown thin to improve air flow through the canopy. 1no Ash - crown thin to improve air flow through the canopy.

Applicant: Mrs Suzanne Kinder
Approved on 14 Dec 2012

Application No: **BH2012/03972**
Kingsmere, London Road

1no Hornbeam (T1), 2no Lime (T4,12), 1no Sweet Chestnut (T52), 1no Norway Maple (T57) 25% crown reduction and 25% crown thin. 1no Yew (T2) 25% crown reduction and crown thin, cut back from carpark to give 3m clearance. 1no Lime (T3) remove lower growth, 2.5m crown lift, 25% crown reduction and thin. 1no Yew (T5) 25% crown reduction and 2m clear of garage roof. 1no Beech (T7) 25% crown reduction. 1no Yew (T8) 25% crown reduction and reduce to 4m and cut back to make hedge inline with kerb. 1no Horse Chestnut (T10) remove epicormic growth, 25% crown reduction and crown thin. 1no Holly (T14) reshape and reduce by 25%. 1no Beech(T15) 25% crown thin. 1no Copper Beech (T45) 25% crown reduction and reshape. 1no Sweet Chestnut (T47) 25% crown thin and deadwood. 1no Larch (T48) 4m crown lift and 25% crown thin. 1no Yew (T51) 25% crown thin and crown reduction and deadwood. 1no Yew (T53) 25% crown reduction and 3m crown lift clear of roadway. 1no Silver Birch (T58) 25% crown reduction and reshape top.

Applicant: Mr Philip Else
Refused on 12 Dec 2012

HOLLINGDEAN & STANMER

Application No: **BH2012/03731**
William Moon Lodge, The Linkway

1no Wych Elm - remove limb causing damage to shed roof.

Applicant: Mr Derek Shrubbs
Approved on 30 Nov 2012

ROTTINGDEAN COASTAL

Application No: **BH2012/03227**
11 Wilkinson Close Brighton

3no Sycamore (T1-3) - reduce crowns to 1m below previous pruning point. Raise crowns by removal of epicormic growth to give a minimum clearance of 5m.

Applicant: Mr Nicolas Jacobs
Approved on 30 Nov 2012

Application No: **BH2012/03960**
Ovingdean Hall College

Fell - 19 Sycamore, Elm, Elder in woodland area, mostly self-seeded, growing against listed boundary wall - causing or likely to cause actual structural damage.

Applicant: Mr A Spicer
Approved on 12 Dec 2012

Application No: **BH2012/03961**
Ovingdean Hall College

Fell - 1 x Acer spp - twin stemmed at .5m, one stem removed previously, base now rotten and lacks sound holding wood. Fell - 1 x Sycamore - deep basal cavity beyond industry guideline, lack of sound holding wood.

Applicant: Mr A Spicer
Approved on 12 Dec 2012

Application No: **BH2012/03962**
Ovingdean Hall College

15 x Elm / Sycamore - prune back overhang from neighbouring gardens by maximum 60% to suitable growth points, selective limb removal to mitigate against woodland encroachment. 1 x Elm - crown lift and prune back to facilitate development in immediate vicinity.

Applicant: Mr A Spicer
Approved on 12 Dec 2012

CENTRAL HOVE

Application No: **BH2012/03881**
Flat 1, 10 Tisbury Road, Hove

2no Sycamores - prune away from house by 2m.

Applicant: Tom Fellows
Approved on 07 Dec 2012

GOLDSMID

Application No: **BH2012/03385**
Eaton Hall, Eaton Gardens

3 x Silver Birch - reduce and reshape canopy by approx 30%.

Applicant: Mr Jon Lee

Approved on 30 Nov 2012

Application No: BH2012/03804

48 & 56 Wilbury Road, Hove

6no Maples & 1no Lime - to have sides taken off and a 30% reduction - The trees have very little visibility from Wilbury Road, they are visible from the cricket ground but reduction will not compromise their long term retention.

Applicant: Mr S Goodridge

Approved on 30 Nov 2012

NORTH PORTSLADE

Application No: BH2012/03381

8 Crest Way

1 x Sycamore - 40% thin, 1.5m reduction to crown - both to allow more light into property.

Applicant: Mr Mark Haddock

Approved on 30 Nov 2012

HOVE PARK

Application No: BH2012/03409

7 Greyfriars Close

1no Holm Oak (T1) - reduce and reshape crown by pruning crown; branch diameters not to exceed 50mm or 1.5m in length. All pruning cuts to be made to a suitable pruning point and leave the crown outline in proportion.

Applicant: Mr J Hatch

Approved on 30 Nov 2012

Application No: BH2012/03623

43 Dyke Road Avenue, Hove

2no Beech (T1 & T2) - crown raise to 3m and reduce canopy by 25%, 1no Ash (T3) -- crown raise to 4m and reduce canopy by 25%.

Applicant: Mr P Fuller

Approved on 30 Nov 2012

Application No: BH2012/03791

16 Tongdean Road, Hove

London Plane - reduce the crown by removal of secondary lateral branches with a diameter not to exceed 50mm, remaining crown to be thinned by 20% by removal of branches with diameter not to exceed 50mm.

Applicant: Mr J Hatch
Approved on 14 Dec 2012

WESTBOURNE

Application No: BH2012/03747
5 Pembroke Gardens

Fell 1no Fir (T1). (Whilst the Cypress does have some public amenity, it is outweighed by the structural damage it is causing.)

Applicant: Mr Keith Gordon
Approved on 03 Dec 2012

Application No: BH2012/03787
3 Princes Square, Hove

Fell 5no conifers. (Trees not visible from the street, thus have no public visibility or amenity.)

Applicant: Mr C Foord
Approved on 03 Dec 2012

Application No: BH2012/03789
3 Princes Square, Hove

Tree 2 on plan - reduce tree by approximately 25% top and customer's side; Tree 3 on plan - crown raise and reduce overhanging branches just on the customer's side.

Applicant: Mr C Foord
Approved on 03 Dec 2012