

Application No: BH2013/03968

Mr Simon Bareham
Lewis and Co Planning SE Ltd
2 Port Hall Road
Brighton
BN1 5PD

BRIGHTON AND HOVE CITY COUNCIL
Town and Country Planning Act 1990
PERMISSION TO DEVELOP LAND

IN PURSUANCE of their power under the above-mentioned Act, the Council hereby notify you that they PERMIT the following development:

Situation: St Andrews Day and Resource Centre St Andrews Road Brighton

Description: Demolition of existing single storey building and garages and erection of 4no three bedroom houses and 3no two bedroom houses with associated car parking.

In accordance with the application and plans (as modified by any under mentioned conditions) submitted to the Council on 21 November 2013 and SUBJECT to compliance with any condition(s) specified hereunder:

- 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 plan	TA540/01	A	21 November 2013
Existing site survey	TA540/02	C	19 February 2014
Existing sections	TA540/03	D	19 February 2014
Existing elevations 2	TA540/04	D	19 February 2014
Proposed block plan	TA540/10	C	21 November 2013
Proposed site layout	TA540/11	D	19 February 2014
Typical plans Units 1,2,3,4	TA540/12	C	21 November 2013
Typical plans Units 5,6,7	TA540/13	B	21 November 2013
Proposed elevations 1	TA540/14	C	21 November 2013
Proposed elevations 2	TA540/15	D	19 February 2014
Proposed elevations 3	TA540/16	D	08 January 2014
Proposed street elevation	TA540/17	C	21 November 2013

Site sections 1	TA540/18	C	21 November 2013
Proposed sections 2	TA540/19	C	21 November 2013
Site sections 3	TA540/20	C	21 November 2013
Existing section EE	TA540/05		19 February 2014
Proposed site section EE	TA540/21		19 February 2014
Levels survey	7215		19 February 2014
Levels survey	7215-ELEVS		19 February 2014

- 3 The side elevation bay windows servicing the bathrooms and WCs of all units hereby permitted shall be obscure glazed and thereafter permanently retained as such.

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

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

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

- 5 The vehicle parking areas 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 Notwithstanding the details on the approved plans, 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.

- 7 Prior to the occupation of the development the applicant shall reinstate the redundant sections of the existing vehicle crossover in St Andrews Road to the front of the property 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.

- 8 No development shall take place until detailed drawings, including levels, sections and constructional details of the access road within the site to include 'rumble strips', junction treatment, signage, surface water drainage, outfall disposal and street lighting to be provided have been submitted to and approved in writing by the Local Planning Authority. The works shall be designed to as near adoptable standards as is possible and be implemented in accordance with the details approved prior to the first occupation of the development and retained as such thereafter.

Reason: In the interests of highway safety and for the benefit of the public and to comply with policy TR7 of the Brighton & Hove Local Plan.

- 9 (i) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:

(a) 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;

(Please note that a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below. However, this will be confirmed in writing);

and unless otherwise agreed in writing by the local planning authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless 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 nomination of a competent person to oversee the implementation of the works.

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

a) built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

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

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

10 Notwithstanding the approved drawings, no development shall commence until details have been submitted and approved in writing by the Local Planning Authority to demonstrate the new dwellings hereby permitted will be constructed to Lifetime Homes standards. The development shall be carried out in accordance with the approved details prior to 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.

11 The hard surfaces 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.

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

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

13 No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

14 No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason: To safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policies QD2 and QD27 of the Brighton & Hove Local Plan.

- 15 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 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.
- 16 Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 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 No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.
Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 18 A method statement setting out how the existing boundary walls are to be protected, maintained, repaired and stabilised during and after demolition and construction works, shall be submitted to and approved by the Local Planning Authority before works commence. The demolition and construction works shall be carried out and completed full in accordance with the approved method statement.
Reason: To ensure satisfactory protection of the existing boundary walls which are considered to be an important feature within the conservation area, in accordance with policy HE6 of the Brighton & Hove Local Plan.

19 No development shall commence until details of the treatment to all boundaries to the site including details of any retained walling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details prior to first occupation of the development and retained 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.

20 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, boundary treatments, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

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

21 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.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. 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:

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
- 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
- HO13 Accessible housing and lifetime homes
- HO20 Retention of community facilities
- HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

- SPGBH4 Parking Standards

Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD08 Sustainable Building Design
- SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development
- ; and

(ii) for the following reasons:-

The proposed development would make a more efficient and effective use of this site. The proposed development can be adequately accommodated on site without detriment to existing or future occupiers. Subject to conditions to control the development in detail there would be no adverse impact upon the character or appearance the wider street scene and surrounding Preston Park Conservation Area. There would be no significant harm to neighbouring amenity. The proposal accords with Development Plan policies.

3) In relation to Condition 9, the phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy formed under the Environmental Protection Act 1990. 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. The local planning authority has determined the application on the basis of the information made available to it. It is strongly recommended that in submitting details in accordance with the above/below conditions that the applicant has reference to CLR 11, Model Procedures for the management of land contamination. This is available online as a pdf document on both the DEFRA website (www.defra.gov.uk) and the Environment Agency (www.environmentagency.gov.uk) website.

4) 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).

5) The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).

6) The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).

7) The applicant is advised that the proposed location of the refuse/recycling stores would block the footway and the cycle parking is considered inconvenient to access for a number of units. The details are considered unacceptable by the Highway Authority and alternative locations should be considered in relation to conditions 6 and 12.

Dated this 21 March 2014



Martin Randall

Head of Planning and Public Protection

For Executive Director Environment, Development & Housing

NOTICE is given that Section 35 of the East Sussex Act 1981 may apply to this development. This gives Local Authorities the power to reject applications deposited under the Building Regulations, unless after consultation with the fire authority they are satisfied that the plans show adequate means of access for the fire service.

NOTE: This decision does not give approval of plans for the purposes of the Building Regulations 1991. If an application for such approval has been made a decision has or will be given separately.