

**Application No: BH2017/00175**

Morgan Carn Partnership  
Blakers House  
79 Stanford Avenue  
Brighton  
BN1 6FA

**BRIGHTON AND HOVE CITY COUNCIL**  
**Town and Country Planning Act 1990 (as amended)**  
**GRANT OF PLANNING PERMISSION**

**Address:** Land At Rear Of 67 To 81 Prince's Road Brighton

**Description:** Variation of condition 2, 10 & 20 of application BH2015/01983 (Variation of condition 2 of application BH2013/03782 to permit change to appearance of gatehouse and alterations to materials of approved development.) to allow alterations to gate house and refuse & recycling store to approved drawings. (Amended Plans)

In accordance with the application and plans submitted to the Council on 17 January 2017 and SUBJECT to compliance with any condition(s) specified hereunder:

Conditions:

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

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location and block plan	1394-P-108	P1	22 June 2015
Floor Plans Proposed	1391-P-104	P4	23 April 2015
Floor Plans Proposed	1391-P-105	P4	23 April 2015
Floor Plans Proposed	1391-P-106	P3	6 February 2015
Roof Plan Proposed	1391-P-107	P1	6 November 2013
Landscaping Proposed	P-001	P3	23 April 2015
Landscaping Proposed	P-002	P1	19 June 2015
Elevations and sections proposed	P-110	P1	6 February 2015
Detail	P-006	P1	23 April 2015
Material sample/detail	RENDER		22 April 2015
Material sample/detail	NATURAL ROOF SLATE		24 March 2015

Material sample/detail	STAINLES S STEELL BALUSTRA DE SAMP		27 May 2015
Detail	STAINLES S STEEL BALUSTRA DE SPEC		19 June 2015
Material sample/detail	TIMBER CLADDING		22 April 2015
Material sample/detail	TIMBER WINDOW FRAME		22 April 2015
Material sample/detail	PAVING THAKEHA ME SUSSEX GREY		24 March 2015
Material sample/detail	BRICK OLDE CHELFOR D RED		27 May 2015
Material sample/detail	CLAY ROOF PHALEMPI N N6	02-20-14B-2-4	27 May 2015
Material sample/detail	BRICK LITHIUM GREY 45		1 June 2015
Detail	1394-P-005	P1	28 October 2014
Other	SURFACE WATER DRAINAGE REPORT		28 October 2014
Other	REMIATI ON STRATEGY AND VERIFIC		28 October 2014
Other	ECOLOGIC AL DESIGN AND MAINTENA NC		18 November 2014
Detail	1394-P-003	P6	3 March 2017
Elevations Proposed	1394-P-004	P6	3 March 2017
Elevations Proposed	1394-P-007	P5	3 March 2017
Arboricultural Report			17 January

			2017
Refuse storage details	1394-P-009	P2	3 March 2017

2. not used.

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 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 CP15 of the Brighton and Hove City Plan Part One and policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

4. No development shall take place until measures to protect all trees which are to be retained within the site have been erected in accordance with BS 5837 (2012). The protection measures shall be retained in situ until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such protection measures.

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 policy CP12 of the Brighton and Hove City Plan Part One and policy QD16 of the Brighton & Hove Local Plan.

5. 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 CP8 of the Brighton & Hove City Plan Part One.

6. Three of the new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter. The remaining three dwellings shall, other than the access route to the dwellings which includes ambulant stairs, be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

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

7. The iron gate within the front wall shown on the approved plans shall be painted black prior to the occupation of the development hereby permitted and shall be retained as such.

Reason: To ensure a satisfactory appearance to the development and to comply with policy CP15 of the Brighton and Hove City Plan Part One and policy HE6 of the Brighton & Hove Local Plan.

8. The development hereby permitted shall be carried out in full accordance with the scheme 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 submitted and approved under application BH2014/03621. The development shall be retained as such thereafter.

Reason: To ensure that the development is car-free and to comply with policy CP9 of the Brighton & Hove City Plan.

9. The development hereby permitted shall be carried out in full accordance with the submitted materials approved under application reference BH2015/00399, including the brick sample received on 1 June 2015 under this application.

Reason: To ensure a satisfactory appearance to the development and to comply with policy CP15 of the Brighton and Hove City Plan Part One and policy HE6 of the Brighton & Hove Local Plan.

10. The development hereby permitted shall be carried out in full accordance with the submitted details of the gatehouse door shown on drawing 1394-P-004-P6 received on 13/03/2017 and shall be retained as such.

Reason: To ensure a satisfactory appearance to the development and to comply with policy CP15 of the Brighton and Hove City Plan Part one and policy HE6 of the Brighton & Hove Local Plan.

11. No development shall take place until protection measures for the TPO Horse Chestnut tree at the entrance to the site set out in the tree report received on 06 November 2013 and the Arboricultural Method Statement received on 17th January 2017 have been fully implemented. Once the measures are in place the Local Planning Authority shall be informed in writing no less than 14 days prior to development commencing on site. The development shall then be carried out in strict accordance with these protection measures.

Reason: To ensure adequate protection of the trees in accordance with QD16 of the Brighton & Hove Local Plan.

12. The development hereby permitted shall be carried out in full accordance with the details of the ambulant stairs including railings submitted and approved under application BH2014/03621.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to ensure a satisfactory appearance to the development and to comply with policies CP12 and CP15 of the Brighton and Hove City Plan Part One and HO13 of the Brighton & Hove Local Plan.

13. The development hereby permitted shall be carried out in full accordance with the submitted scheme for landscaping approved under application reference BH2015/00399

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies CP12 of the Brighton and Hove City Plan Part One and QD15 of the Brighton & Hove Local Plan.

14. The development hereby permitted shall be carried out in full accordance with the scheme to enhance the nature conservation interest of the site submitted and approved under application BH2014/03621.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy CP10 of the Brighton & Hove City Plan Part One.

15. The development hereby permitted shall be carried out in full accordance with the scheme to enhance the Code level 4 Design Stage/Interim Code for Sustainable Homes Certificates submitted and approved under application BH2014/03621.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.

16. (i) The development hereby permitted shall be carried out in full accordance with the remedial strategy submitted and approved under application BH2014/03621.

(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.

17. The development hereby permitted shall be carried out in full accordance with the scheme for the provision of surface water drainage works submitted and approved under application BH2014/03621.

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.

18. 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.

19. 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 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.

20. 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.

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 CP12 of the Brighton and Hove City Plan Part One and QD15 of the Brighton & Hove Local Plan.

22. The development hereby permitted shall not be occupied until the noise mitigation measures set out in the 'Planning Noise Assessment' received on 19 February 2014, specifically the installation of an appropriate whole house ventilation system to each dwelling, and the installation of 'Velfac 200' Sound Reduction Windows to all window openings and in regard to those facing the railway line, the installation of windows which will achieve an acoustic performance of at least 33 Rw. These measures shall be fully operation prior to first occupation of the dwellings hereby approved and shall be retained as such thereafter.

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

Informatives:

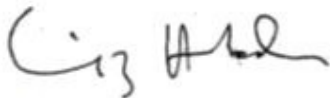
1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning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

2. The applicant is advised that 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](http://www.communities.gov.uk)).

3. Prior to any works commencing on site, the applicant is advised to contact Network Rail to inform them of intention to commence works no less than 6 weeks prior to the date of works commencing on site. Any scaffolding which may be constructed within 10m of the railway boundary fence must be erected in such a manner that at no time any poles shall over-sail the railway and protective netting around the scaffolding must be installed.

4. The applicant is advised to contact the Council's Arboriculturalist prior to development commencing on site once the protection measures for the Chestnut tree at the entrance to the site as set out in the tree report submitted with the application have been put in place.

Dated this 24 April 2017



Liz Hobden  
Head of Planning  
City Development and Regeneration

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.