



**Brighton & Hove
City Council**

City Development & Regeneration
Hove Town Hall
Norton Road
Hove BN3 3BQ

Application No: BH2022/00775

Lewis And Co Planning SE Ltd
Lewis & Co Planning
2 Port Hall Road
Brighton
BN1 5PD

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

Address: Land At 6 Withdean Road And Rear Of 6 To 10 Withdean Road Brighton
BN1 5BL

Description: Erection of 2no detached dwellings (C3) at rear of site and 1no dwelling (C3) to replace existing dwelling at front of site. Creation of vehicular access along north side of site, landscaping and associated works.

In accordance with the application and plans submitted to the Council on 3 March 2022 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.

Plan Type	Reference	Version	Date Received
Block Plan	RS 1090/10	P	3 March 2022
Proposed Drawing	RS 1090/11	M	3 March 2022
Proposed Drawing	RS 1090/12	Q	3 March 2022
Location and block plan	RS 1090/01	J	3 March 2022
Proposed Drawing	RS 1090/23	D	3 March 2022
Proposed Drawing	RS 1090/25	B	3 March 2022
Proposed Drawing	RS 1090/32	D	3 March 2022
Proposed Drawing	RS 1090/15	E	3 March 2022
Proposed Drawing	RS 1090/34	D	3 March 2022
Proposed Drawing	RS 1090/22	B	3 March 2022
Proposed Drawing	RS 1090/24	B	3 March 2022
Proposed Drawing	RS 1090/36	E	3 March 2022
Proposed Drawing	RS 1090/20.1	A	3 March 2022
Proposed Drawing	RS 1090/20.2	A	3 March 2022
Proposed Drawing	RS	A	3 March 2022

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	1090/21.1		
Proposed Drawing	RS 1090/21.2	A	3 March 2022
Proposed Drawing	RS 1090/14	F	3 March 2022
Report/Statement	NJCL 985_02_17 0122		3 March 2022
Arboricultural Report	Arboricultur e Assessment and Outline Method Statement		3 March 2022
Proposed Drawing	RS 1090/16	B	3 March 2022
Proposed Drawing	RS 1090/37	D	3 March 2022
Report/Statement	NJCL 985_01_17 0122		3 March 2022
Proposed Drawing	RS 1090/31	D	3 March 2022
Proposed Drawing	RS 1090/35	E	3 March 2022

2. 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.

3. No development above ground floor slab level apart from the demolition hereby permitted shall take place until all external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority including:

- a) samples of all brick and tiling
- b) product specification sheets for the proposed windows, rooflights, doors, porches and balcony treatments

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 QD14 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

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 Plan, Policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

5. No extension, enlargement, alteration of the dwellinghouses or provision of buildings, etc incidental to the enjoyment of the dwellinghouse within the curtilage of the of the dwellinghouses as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) (England) Order 2015, 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 and CP12 of the Brighton & Hove City Plan Part One.

6. Prior to occupation of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:

- a. details of all hard and soft surfacing to include type, position, design, dimensions and materials and any sustainable drainage system used as well as measures to protect Root Protections Areas (RPAs);
- b. a schedule detailing sizes and numbers of all proposed trees and plants including details of tree pit design, use of guards or other protective measures and confirmation of location, species, maturity and sizes, and defect period;
- c. details of all boundary treatments to include type, position, design, dimensions and materials.

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.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area, to protect Root Protections Areas (RPAs) and to comply with Policies QD15 and QD16 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One and SPD06: Trees and Development Sites.

7. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), the scheme for the protection of the retained trees, including the tree protection plan (TPP) and measures within the Arboricultural Assessment & Preliminary Method Statement (Nicholas Jones Consultants Limited, received March 2022) shall be implemented and carried out as approved.

Reason: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and to comply with Policies QD16 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One and SPD06: Trees and Development Sites.

8. The vegetative screening to the rear and side boundaries of the site shall be maintained during demolition and construction and retained as such thereafter. 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.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with Policies QD16 and QD27 of the Brighton & Hove Local Plan and SPD06: Trees and Development Sites and emerging policy DM20 of the Brighton and Hove City Plan Part Two.

9. The development hereby permitted shall not be occupied until secure, dry and practical cycle parking facilities in the location 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 and SPD14: Parking Standards.

10. The vehicle parking areas shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved and shall be maintained so as to ensure their availability for such use at all times.

Reason: To ensure that adequate parking provision is retained and to comply with Policy CP9 of the Brighton & Hove City Plan Part One and SPD14: Parking Standards.

11. None of the residential units hereby approved shall be occupied until each residential unit built has achieved as a minimum, a water efficiency standard of not more than 110 litres per person per day maximum indoor water consumption.

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

12. A bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

13. Nine(9) swift bricks shall be incorporated within the external walls of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

14. Notwithstanding the plans hereby approved, no development shall commence until a scheme detailing the design of the access road / driveway has been submitted to and

approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

The submitted scheme shall include full details of the following where changes occur:

- New and extended vehicle crossovers
- Reinstatement of redundant vehicle crossovers
- Geometry and layout, including dimensions, radii and visibility splays (pedestrian and vehicle)
- Vehicle Swept Path Analysis (VSPA) drawings for a standard size fire engine, large ambulance and standard size waste disposal vehicle
- Traffic Regulation Order (TRO) for any changes to the existing TRO
- Pavement materials, constructions and surfacing, kerbs and edge restraints, levels and gradients, including to both sides of any interfaces with the adopted (public) highway
- Lighting
- Drainage
- Posts, road signs and road markings
- Street furniture including bollards, telecommunication and energy cabinets, masts and poles and inspection chambers and covers
- Hard landscaping including its heights above named levels
- Soft landscaping including its heights above named levels, embankments, trees, verges, other planting, growing media and planting aids

The approved scheme shall be implemented prior to first occupation of the development.

Reason: In the interest of highway safety, inclusivity, sustainability, quality design and public amenity and to comply with Policies TR7, SU5 and QD27 of the Brighton & Hove Local Plan, CP9 and CP12 of the Brighton & Hove City Plan Part One and DM18, DM20, DM22 and DM33 of the emerging Brighton & Hove City Plan Part Two.

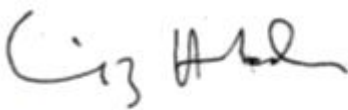
Informatives:

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 water efficiency standard required under Condition 13 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1. The applicant is advised this standard can be achieved through either: (a) using the 'fittings approach' where water fittings are installed as per the table at 2.2, page 7, with a maximum specification of 4/2.6 litre dual flush WC; 8L/min shower, 17L bath, 5L/min basin taps, 6L/min sink taps, 1.25L/place setting dishwasher, 8.17 L/kg washing machine; or (b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

3. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.
4. Swift bricks/boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place.
5. The applicant is advised that Part L - Conservation of Fuel and Power of the Building Regulations 2022 now requires each residential unit built to have achieved a 31% reduction in carbon emissions against Part L 2013.
6. The applicant is advised under Part S of the Building Regulations that new dwellings providing a parking space now require an EV charging point.
7. The applicant is advised that following the simplified assessment method under Part O of the 2022 Building Regulations is unlikely to achieve the required standard unless it is a single dwelling. In addition, single façade flats, dwellings adjacent to noise and pollutants are unlikely to achieve the required standard of Part O.
8. CIBSE TM59 Thermal Model - The applicant is advised that assessment model under this option should be submitted as part of a full Building Regulations application.

Dated this 7 July 2022



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.