

<b>No:</b>	<b>BH2021/03171</b>	<b>Ward:</b>	<b>Regency Ward</b>
<b>App Type:</b>	<b>Approval of Details Reserved by Cond</b>		
<b>Address:</b>	<b>9 - 12 Middle Street Brighton BN1 1AL</b>		
<b>Proposal:</b>	<b>Approval of Details reserved by Conditions 17 (SUDS) and 18 (Drainage Strategy) of application BH2019/03590.</b>		
<b>Officer:</b>	Russell Brown, tel: 293817	<b>Valid Date:</b>	31.08.2021
<b>Con Area:</b>		<b>Expiry Date:</b>	26.10.2021
<b>Listed Building Grade:</b>			
<b>Agent:</b>	Morgan Carn Partnership Brighton BN1 6FA	Blakers House	79 Stanford Avenue
<b>Applicant:</b>	Nick Mager 113 Brent Street London NW4 2DX		

## RECOMMENDATION

**APPROVE** the details pursuant to the condition(s) subject to full compliance with the submitted details.

- The details submitted in respect of Condition 17 and 18 of application BH2019/03590 are acceptable.

### Informatives:

- This decision is based on the drawings listed below:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Report/Statement	Drainage / SUDS Maintenance Strategy		31 August 2021
Proposed Drawing	220208-MNP-XX-GF-DR-C-1800	P6	4 November 2021
Proposed Drawing	220208-MNP-XX-GF-DR-C-1801	P7	4 November 2021
Detail	Storm Sewer Design Criteria		4 November 2021

## RELEVANT HISTORY

**BH2019/03590:** Demolition of existing building and construction of a part three storey (to rear), part six storey, plus basement with associated roof top plant mixed use replacement building incorporating B1, A3 (Café) and A3/A4 (Restaurant/Bar) uses with associated hard and soft landscaping, ancillary cycle parking and other associated works. Approved 18 September 2020

## **CONSULTATIONS**

**Sustainable Drainage:** Following further information, Conditions 17 and 18 may now be discharged.

## **POLICIES**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

Brighton & Hove Local Plan (retained policies March 2016)

SU3 Water resources and their quality

SU5 Surface water and foul sewage disposal infrastructure

Brighton & Hove City Plan Part 2:

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications. The weight given to the relevant CPP2 policies considered in determining this application is set out in the Considerations and Assessment section below where applicable.

DM42 - Protecting the Water Environment

## **CONSIDERATIONS & ASSESSMENT**

Condition 17:

The development hereby permitted shall not be commenced (other than demolition works) until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods as per the recommendations of the Preliminary Drainage and Flood Strategy 15648/01/FRA submitted with the application has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented and maintained in perpetuity accordance with the approved detailed design.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

Following information being provided on the final dimensions of the attenuation tank and updated MicroDrainage calculations, the details are considered acceptable and therefore this condition is recommended for discharge.

Condition 18:

No development above basement slab level of any part of the development hereby permitted shall take place until a drainage strategy detailing the proposed means of foul water disposal and an implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage

undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

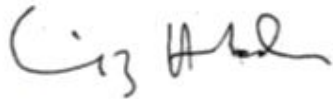
Reason: To ensure adequate foul sewage drainage/treatment is available prior to development commencing and to comply with policy SU5 of the Brighton & Hove Local Plan.

Details are agreed and therefore this condition is recommended for discharge.

## **EQUALITIES**

None beyond those identified within the original planning application.

I have considered and agree with the reasoning in this report and authorise the approval of the details pursuant to the conditions.



Liz Hobden  
Head of Planning  
City Development and Regeneration

Signature of Reviewing Officer: Nicola Hurley

Dated: 22 November 2021