

<b><u>No:</u></b>	<b>BH2017/00042</b>	<b><u>Ward:</u></b>	<b>Preston Park Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>2 And 2A Stafford Road Brighton BN1 5PF</b>		
<b><u>Proposal:</u></b>	<b>Demolition of garages and erection of 1no one bedroom dwelling, alterations to existing flats including alterations to fenestration, installation of front rooflights and rear dormers and associated works.</b>		
<b><u>Officer:</u></b>	Molly McLean, tel: 292097	<b><u>Valid Date:</u></b>	09.01.2017
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	06.03.2017
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	John Whiting Architect	John Whiting	14 Bates Road Brighton BN1 6PG
<b><u>Applicant:</u></b>	Mr Jon Wright	6 South Avenue Brighton	BN2 0BP

## 1. RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

### 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	1609/P/001		6 January 2017
Floor Plans Proposed	1609/P/101		6 January 2017
Floor Plans Proposed	1609/P/102		6 January 2017
Floor Plans Proposed	1609/P/103	A	18 August 2017
Roof Plan Proposed	1609/P/104	A	18 August 2017
Sections Proposed	1609/P/201		6 January 2017
Sections Proposed	1609/P/202		6 January 2017
Elevations Proposed	1609/P/203		6 January 2017
Elevations Proposed	1609/P/204		6 January 2017
Elevations Proposed	1609/P/205		6 January 2017
Elevations Proposed	1609/P/206	A	18 August 2017

- 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 of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):
- a) Samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
  - b) Samples of all cladding to be used, including details of their treatment to protect against weathering
  - c) Samples of all hard surfacing materials
  - d) Samples of the proposed window, door and balcony treatments
  - e) Samples of all other materials to be used externally

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

- 4 No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A - D 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.

- 5 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.

- 6 Prior to first occupation of the development hereby permitted a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to first occupation of the development and shall thereafter be retained at all times.

**Reason:** To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD27 of

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

- 7 The landscaping scheme detailed on drawing no. 1609/P/101 received on 6 January 2017 shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.
- 8 Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development 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 Prior to the first occupation of the development hereby permitted the redundant vehicle crossover on Buxton Road shall be reinstated to a footway by raising the existing kerb and footway.  
**Reason:** In the interests of highway safety and to comply with policies TR7 of the Brighton and Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One.
- 10 The dwelling hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.  
**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 residential unit hereby approved shall not be occupied until the residential unit built has achieved an energy efficiency standard of a minimum of 19% CO2 improvement over Building Regulations requirements Part L 2013 (TER Baseline).  
**Reason:** To ensure that the development is sustainable and makes efficient use of energy to comply with policy CP8 of the Brighton & Hove City Plan Part One.

- 12 The residential unit hereby approved shall not be occupied until the residential unit built has achieved a water efficiency standard using 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.

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 the proposed highways works should be carried out in accordance with the Council's current standards and specifications and under licence from the Streetworks team. The applicant should contact the Streetworks Team (permit.admin@brighton-hove.gov.uk 01273 293366) at their earliest convenience to avoid delay.
3. The applicant is advised that accredited energy assessors are those licensed under accreditation schemes approved by the Secretary of State (see Gov.uk website); two bodies currently operate in England: National Energy Services Ltd; and Northgate Public Services. The production of this information is a requirement under Part L1A 2013, paragraph 2.13.
4. The water efficiency standard required under condition 12 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.

## **2. SITE LOCATION & APPLICATION DESCRIPTION**

- 2.1 The application relates to a two-storey end of terrace property on Stafford Road, on the junction with Buxton Road. The property at present is subdivided into two flats. The property is situated at the end of a uniform row of terraced houses, characterised by their double fronted, two-storey bay windows and render finish. The Buxton Road street scene, to which the rear of the property faces, is also characterised as a row of Victorian terraced houses with symmetrical gable end features with a brick finish.
- 2.2 The property at present features a small single storey rear extension, acting as a porch to serve the entrance to one of the flats, and a single storey garage extension to the side both of which are later additions to the property.

- 2.3 The application relates to the corner plot of the site currently serving the garage extension. The proposal seeks alterations to the existing property including the construction of two rear dormer windows, and the erection of a two-storey dwelling on the side of the existing property.

### 3. RELEVANT HISTORY

BH2001/01880/FP: Creation of vehicular access in Buxton road. Approved 19/10/2001.

### 4. REPRESENTATIONS

- 4.1 **Fifty-eight (58)** letters of objection have been received raising the following points:

- The design of the new dwelling is out of character with the wider street scene and would be an eyesore
- The scale and mass of the dwelling is inappropriate for the site
- The modern design would detract from the prevailing character of the area
- The proposed rear dormers are contrary to policy and would be incongruous in the street scene, setting a precedent for other properties
- The patio area could cause noise nuisance
- The new windows and second floor turret would be obtrusive and would cause overlooking to neighbouring properties
- The new dwelling would cause overshadowing
- The works are contrary to the NPPF and the Council's SPD12 guidance
- Road safety would be compromised due to restricted vision at the junction
- The removal of the porch could allow for overlooking into the garden and reduces security for 4 Stafford Road
- The demolition of the garage will exacerbate existing problems with parking
- The large area of blank fenestration to the rear could be prone to graffiti
- Concern around thermal efficiency
- The neighbourhood should be a conservation area

- 4.2 **Three (3)** letters of support has been received raising the following points:

- The existing garage structure is not in keeping with the surrounding architecture and the proposed contemporary building is welcomed.
- A new dwelling should be encouraged during the acute housing crisis in Brighton
- A number of properties in Buxton Road have unsightly dormer windows and the proposal will replicate the original rounded turrets on houses along the south-east side of Buxton Road

- 4.3 **One (1)** letter has been received commenting on the application as follows:

- The façade of the house looks to be in keeping with the area
- The front dormer at the top of the building is unusual but not strongly opposed as unusual additions can enhance the character of an area

4.4 **Councillor Kevin Allen** objects to the application, a copy of the letter is attached.

## **5. CONSULTATIONS**

5.1 **Sustainable Transport:** No objection.

5.2 **Cycle parking:**

The applicant has offered to install 4 cycle parking spaces, however there is a lack of detail therefore cycle parking is requested by condition.

5.3 **Disabled Parking:**

The site is outside of a controlled parking zone so there is free on-street parking available. In this instance the Highway Authority considers the proposal acceptable in this regard.

5.4 **Vehicular Access:**

The applicant is proposing to extinguish the existing vehicle access arrangements onto the adopted (public) highway and for this development this is deemed acceptable. The Reinstatement of Redundant Vehicle Crossing condition and informative should be attached to any permission granted.

5.5 **Car Parking:**

The proposed level of car parking (zero space) is in line with the maximum standards and is therefore deemed acceptable in this case.

5.6 **Trip Generation - Vehicles and Highway Impact**

There is not forecast to be a significant increase in vehicle trip generation as a result of these proposals therefore any impact on carriageways will be minimal and within their capacity so the application is deemed acceptable.

## **6. MATERIAL CONSIDERATIONS**

6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report

6.2 The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016);
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);

- 6.3 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

## **7. POLICIES**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part One

- SS1 Presumption in Favour of Sustainable Development
- CP1 Housing delivery
- CP12 Urban design
- CP13 Public streets and spaces
- CP14 Housing density

#### Brighton and Hove Local Plan (retained policies March 2016):

- TR4 Travel plans
- TR14 Cycle access and parking
- QD5 Design - street frontages
- QD14 Extensions and alterations
- QD27 Protection of amenity
- HO5 Provision of private amenity space in residential development
- HO9 Residential conversions and the retention of smaller dwellings

#### Supplementary Planning Guidance:

- SPD14 Parking Standards

#### Supplementary Planning Documents:

- SPD12 Design Guide for Extensions and Alterations

## **8. CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the impact of the proposed development on the appearance and character of the building, the wider street scene and the amenities of adjacent occupiers and future occupants.

### **8.2 Principle of development:**

The City Plan Part 1 Inspector's Report was received in February 2016. The Inspector's conclusions on housing were to agree the target of 13,200 new homes for the city until 2030 as a minimum requirement. It is against this minimum housing requirement that the City's five year housing land supply position is assessed annually. The most recent land supply position was published in the 2016 SHLAA Update (February 2017) which demonstrates a 5.6 year supply position. The Council can therefore demonstrate an up to date housing supply position in accordance with the NPPF.

- 8.3 In the context of the prevailing policy background and given that the site is within an established residential area, the erection of a one bedroom dwelling is acceptable in principle.

**8.4 Design and appearance:**

The application site as existing is formed of a two-storey double fronted end of terrace property on Stafford Road on the junction with Buxton Road. The property is subdivided into two flats, with a single storey rear extension acting as a porch entrance to one of the flats, and a single storey side garage. Both of these structures are later additions to the property and are unsympathetic to the traditional form of the houses along the terrace. Their removal is welcomed. The Stafford Road street scene is characterised by a predominantly uniform row of Victorian double fronted white render properties. The Buxton Road street scene is characterised as a similarly uniform row of Victorian properties with symmetrical gable end features with a brick finish. The houses on the south-east side of Buxton Road have second floor bay window features protruding from front roofslopes.

- 8.5 The proposed three-storey dwelling would be situated in the triangular shaped corner plot, replacing the existing garage. The footprint of the building would be triangular in shape to reflect the shape of the plot. The elevation fronting Stafford Road would have a two-storey canted bay, and the south elevation forming the intersection would be curved with a turret feature at roof (second floor) level. The east elevation would be flat to sit flush with the existing rear elevation at 2 Stafford Road.
- 8.6 The proposed two-storey canted bay element on the western elevation would relate well to the wider Stafford Road street scene and is considered acceptable.
- 8.7 The proposed northeast elevation would feature large areas of blank wall. This is considered acceptable given that this elevation should appear as the rear elevation of the property, thus respecting the existing layout and urban grain of the area.
- 8.8 The proposed turret on the roof of the curved element of the new building would be highly prominent in the street scene and would introduce a contemporary feature to the street scene. This is not unacceptable in itself, particularly given the prevalence of large second floor bay window features protruding from the front roofslopes on the southeast side of Buxton Road. On balance, whilst not explicitly matching the form of other roof features along the street, the turret does represent a contemporary design interpretation of the existing features along the street.
- 8.9 The new dwelling would feature large windows at ground and first floor level on the south and southwest elevations of the new dwelling. Whilst large, the fenestration layout would reflect the intentional contemporary design and appearance of the new dwelling. As referenced above, the layout does not explicitly mirror the form and detailing of other houses in the area but does reflect the overall style and form, thus paying respect to the prevailing character.
- 8.10 The palette of materials is based around white render which is a common and characteristic tone within the Stafford Road street scene. It is noted that the use of zinc and grey aluminium are non-traditional materials in this area but their



tone relates well to the white render, presenting a modern appearance whilst preserving the surrounding character.

- 8.11 The proposed dormers on the rear roofslope have been amended during the course of the application. The revised structures have been reduced to be no larger than the windows below, set well off the ridgeline, sides and eaves of the main roof. The dormers represent subservient additions to the roof and are considered to be in accordance with Policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance. Whilst it is acknowledged that the dormers would be readily visible from street level, the northeast elevation is clearly recognisable as the rear elevation of the property and as such, two suitably sized and positioned dormers are appropriate and would not disrupt the uniformity of the front roofslopes on surrounding properties.
- 8.12 For the reasons stated above, the application is considered to be in accordance with Policy CP12 of the Brighton & Hove City Plan and Policy QD14 of the Brighton & Hove Local Plan.
- 8.13 **Standard of accommodation:**  
The proposal seeks to reconfigure the layout of the existing flats, including an extra bedroom to the upper floor flat. The revised layout would ensure that each flat has spacious communal rooms and bedrooms with sufficiently sized bathrooms and utility rooms.
- 8.14 The proposed one bedroom dwelling would be split over three levels, with a kitchen/dining area at ground floor level, bedroom with en-suite at first floor level and a sitting room at second floor level. The overall floorspace for the dwelling would be 66m<sup>2</sup> and the layout complies with the national described space standards. Each floor would receive good levels of natural light and would offer good outlook from the windows.
- 8.15 There would be a small patio area (5.5m<sup>2</sup>) to the side of the new dwelling. Whilst small, the amenity space is considered to be acceptable for a one bedroom house.
- 8.16 The host property has no garden as existing; therefore no amenity space is lost or proposed in this application for the two flats.
- 8.17 **Impact on neighbouring amenity:**  
The proposed dwelling would infill the intersection between Stafford Road and Buxton Road. Given the location of the structure on a corner plot and the separation distance to adjacent properties, the proposal is unlikely to cause any significant overshadowing or sense of enclosure to neighbouring properties.
- 8.18 The proposed dwelling would feature full-length windows on the west and south elevations at ground and first floor level, and a large area of glazing on the turret at second floor level. Given the residential density of the area and the existing arrangement of dwellings, overlooking from houses on either side of Stafford Road and Buxton Road already occurs. Whilst the introduction of another dwelling on the corner plot of Stafford Road would introduce further overlooking

to some degree, this would not be any worse than what exists at present from other properties in the immediate vicinity. The level of overlooking is mitigated by the fact that there is a highway between the application site and the nearest adjacent property, and when considering the benefit of the application by providing a net gain of one new dwelling the potential harm caused by overlooking is not of a magnitude to warrant recommending refusal of the application.

8.19 On balance, the potential harm identified is outweighed by the benefit of a net gain of one new dwelling and the application is recommended for approval.

## **9. EQUALITIES**

9.1 None identified.