

<u>No:</u>	BH2017/02745	<u>Ward:</u>	Patcham Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	28 Braybon Avenue Brighton BN1 8HG		
<u>Proposal:</u>	Erection of single storey rear extension. Demolition of existing detached garage at rear and erection of new garage to front. Erection of single storey studio in rear garden.		
<u>Officer:</u>	Ayscha Woods, 292322	tel:	<u>Valid Date:</u> 21.08.2017
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	16.10.2017
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	20.12.2017
<u>Agent:</u>			
<u>Applicant:</u>	Mrs Kerry Bush 28 Braybon Avenue Brighton BN1 8HG		

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.

Plan Type	Reference	Version	Date Received
Location and block plan	PR-PL-01	A	28 September 2017
Floor Plans Proposed	PR-PL-01	B	6 November 2017
Elevations Proposed	EX-PR-EL-01	C	6 November 2017
Sections Proposed	EX-PR-SE-01	C	6 November 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 Access to both the roof of the rear extension and the studio roof hereby approved shall be for maintenance or emergency purposes only and the roofs shall not be used as roof gardens, terraces, patios or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 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 this permission relates solely to the use of the approved outbuilding as incidental to the main dwellinghouse at 28 Braybon Avenue. Any use as a self-contained unit of accommodation is not permitted and would require a separate application for planning permission.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1 The application site relates to a detached dwelling located to the south side of Braybon Avenue. The rear of the site backs on to Woodbourne Avenue. The site is situated on land which slopes steeply down to the north. There is an existing single storey garage located to the rear of the site with a subterranean garden room below which cuts into the existing land slope. The existing structure faces on to Woodbourne Avenue and is set back from the boundary with a driveway.
- 2.2 Permission is sought for the erection of a single storey rear extension, the demolition of existing detached garage at the rear and the erection of a new garage to the front with associated landscaping. A single storey studio in the rear garden is also proposed.

3. RELEVANT HISTORY

- 3.1 None relevant

4. CONSULTATIONS

- 4.1 None

5. REPRESENTATIONS

- 5.1 Five (5) letters have been received objecting to the proposed development on the following grounds:
 - Inaccurate and inconsistent plans
 - Scale of outbuilding too large and out of character with area
 - Proximity of the outbuilding to Woodbourne Avenue streetscene
 - Overlooking and loss of privacy from studio roof, and rear extension roof if used as a raised terrace
 - Proposed outbuilding built on the boundary
 - Noise disturbance from the proposed garage to the front and shingle
 - Rear extension obstruct views
 - Noise disruption from construction traffic

- 5.2 It is noted that there were originally seven (7) letters objection. One letter was withdrawn throughout the application and two letters were received from the same person and therefore represent a single objection.

6. **RELEVANT 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):

QD14 Extensions and alterations

QD27 Protection of Amenity

Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

7. **CONSIDERATIONS & ASSESSMENT**

- 7.1 It is noted that a number of objections have been received noting inconsistencies and a lack of clarity with the plans submitted and the existing arrangement at the application site. In addition, due to lack of clarity provided under the original plans, objections have been received with regards to the scale and height of the proposed outbuilding, its positioning up to the boundary and the impact on the Woodbourne Avenue streetscene to the rear.

- 7.2 Amendments were received throughout the course of this application addressing the concerns. Following the amendments the drawings are considered to accurately represent the existing application site and that which is proposed. In addition, the drawings clearly detail that proposed outbuilding would in fact be lower than the existing garage structure.

7.3 **Design and Appearance**

The existing garage measures 2.8m in height above ground level adjacent to Woodbourne Avenue street level. There is an existing subterranean garden room below the garage, and given the sloping landscape of the site, the existing structure measures a total height of 4.8m. The proposed new studio outbuilding would have a pitched roof with a maximum height of 0.3m above the ground level adjacent to Woodbourne Avenue street level. As such, whilst the outbuilding would be set closer to the boundary than the existing garage, the building would have a reduced impact on the Woodborne Avenue streetscene, with the majority of the building below the streetscene ground level and would be sufficiently screened by new fencing along the rear boundary. The scale and height of the outbuilding is considered acceptable.

- 7.4 There is an existing subterranean garden room situated below the existing garage structure. A site visit to the property confirmed that this space was currently in use as a small garden studio incidental to the main dwellinghouse.

The plans detail the proposed outbuilding as a 'Studio'. It has been confirmed that the studio would be for use incidental to the main dwellinghouse.

- 7.5 Whilst it is noted that the outbuilding proposes a small kitchenette and WC, given that the proposed outbuilding would have large sliding doors across the front, it would not be suitable for use as a habitable room. In addition, given the limited size of the outbuilding proposed, it would not be large enough to provide space to be used in a way which would not be incidental to the main dwellinghouse. Furthermore, there is existing access from the rear garden to Woodbourne Avenue. The proposed access down from the roof of the proposed outbuilding would not introduce a new access. As such, the proposed outbuilding is considered acceptable in this instance.
- 7.6 The proposed rear single storey extension would measure 4.4m in depth and 2.8m in height and is considered a suitable addition to the building that would not harm its appearance or that of the wider area, in accordance with policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.
- 7.7 The proposed garage to the front elevation would be similar to the garage and associated landscaping visible to the adjacent neighbouring property no. 26 to the west. As such the garage and landscaping to the front elevation is acceptable.
- 7.8 **Impact on Amenity:**
Concerns have been raised with the potential for the studio roof to be used as a raised terrace. Amendments were made throughout the course of the application removing the usable terrace from the studio roof.
- 7.9 In addition it is was noted that the original plans showed doors at first floor level out to the roof of the proposed single storey rear extension. This has also been removed from the proposed plans.
- 7.10 A suitable condition is attached to ensure the roofs would not be used for any amenity purposes.
- 7.11 **Other matters**
An objection has been received with regards to noise disturbance. The landscaping to the front with off-street parking would not result in an unacceptable level of noise disturbance. In addition, noise disruption from construction traffic does not form a material consideration in the determination of this application.

8. EQUALITIES

- 8.1 None identified