

<b><u>No:</u></b>	<b>BH2019/01094</b>	<b><u>Ward:</u></b>	<b>Hove Park Ward</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>24 Shirley Drive Hove BN3 6UD</b>		
<b><u>Proposal:</u></b>	<b>Erection of single storey rear extension to replace existing extension and formation of raised patio terrace with steps to garden (Part Retrospective).</b>		
<b><u>Officer:</u></b>	Nicola Van Wunnik, tel: 294251	<b><u>Valid Date:</u></b>	12.04.2019
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	07.06.2019
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Mr Scott Theobold 14 Gladys Road Hove BN3 7GL		
<b><u>Applicant:</u></b>	Ms Lisa King 24 Shirley Drive Hove BN3 6UD		

## 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 Plan	02		10 June 2019
Proposed Drawing	105	B	26 July 2019
Proposed Drawing	06	B	26 July 2019

2. Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio 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. SITE LOCATION AND APPLICATION DESCRIPTION

- 2.1. The application site relates to a two storey detached property on the west side of Shirley Drive. Planning permission is sought for the erection of a single storey rear extension and rear terrace. At the time of the site visit the works had already started but had not been completed, therefore the application is part retrospective.

### **3. RELEVANT HISTORY**

- 3.1. **BH2019/00523** - Certificate of lawfulness for proposed loft conversion incorporating rooflights to front and dormer to rear. Approved 10/04/2019
- 3.2. **BH2017/02571** - Erection of two storey rear extension incorporating first floor terrace and associated alterations. Approved 07/11/2017
- 3.3. **BH2016/02885** - Application for Approval of Details Reserved By Condition (s) 3 of Application BH2014/03412. Approved 25/11/2016
- 3.4. **BH2014/03412** - Remodelling of existing dwelling including removal of existing ground floor side extension and rear conservatory. Extensions and alterations to roof including raising of eaves height to front and insertion of rooflights. Erection of two storey extension with terrace and creation of garden room at lower ground floor level below. Erection of pitched roof extension to front to facilitate creation of entrance porch, revised fenestration and associated works. Approved 25/03/2015

### **4. CONSULTATIONS**

None

### **5. REPRESENTATIONS**

- 5.1. **Seven (7)** letters has been received objecting to the proposed development on the following grounds:
- Height of development
  - Overlooking
  - Loss of visual and acoustic privacy
  - Overdevelopment

### **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:

## **7. CONSIDERATIONS & ASSESSMENT**

- 7.1. The main considerations in the determination of this application relate to the impact of the development on the appearance and character of the building, the wider street scene and surrounding area and the amenities of adjacent occupiers.
- 7.2. The application site has a planning history in regards to extensions and alterations. Planning application BH2017/02571 granted approval for a two storey rear extension incorporating a first floor roof terrace. Prior to that application, planning permission was granted for the remodelling of the property (BH2014/03412) which included a two storey rear extension with terrace, creation of a lower ground floor level and roof alterations.
- 7.3. During the course of this application, the agent was approached requesting some amendments in order to make the scheme more acceptable. Amended plans were submitted which reduced the width of the terrace so that it was no wider than the proposed extension.

### Design and Appearance

- 7.4. The pre-existing property featured a conservatory extension to the rear with steps leading down to the garden level. The proposed extension has replaced the conservatory and includes a centrally positioned roof light, windows to the side and sliding doors to the rear. The proposed extension has a depth of 3.7m and width of 6.9m. The raised terrace would project out by an additional 3m and include steps down to a lower patio area on both side of the terrace. The exterior finish of the extension is brickwork and the windows and doors are powder coated aluminium units.
- 7.5. Shirley Drive is partly characterised by large detached dwellings set within spacious plots. In this context, the proposed extension and associated terrace is considered a modest and subservient addition to the original building which would relate well with materials that do not differ greatly from that of the existing dwelling.
- 7.6. The proposed rear extension and raised terrace 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 and Hove Local Plan and SPD12 guidance.

### Impact on Amenity

- 7.7. The main impact of the proposed works is on the adjacent properties at number 22 and 26 Shirley Drive. Comments have been received objecting to the proposed works on the grounds of overlooking and a loss of privacy.
- 7.8. It was noted on a site visit that the property as existing features a first floor roof terrace which would provide views into neighbouring gardens. Therefore it is considered that due to the distance between the proposed terrace and the

adjoining properties, the screening provided by existing vegetation and boundary treatments, the extent of additional overlooking and loss of privacy is not considered to be significantly harmful to warrant refusal in this instance.

- 7.9. Therefore the proposed scheme is therefore not considered to cause significant harm to the adjacent properties in accordance with policy QD27 of the Brighton and Hove Local Plan.

**8. EQUALITIES**  
None identified.