

<u>No:</u>	BH2020/00440	<u>Ward:</u>	St. Peter's And North Laine Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	26 Gloucester Road Brighton BN1 4AQ		
<u>Proposal:</u>	Increase to the existing ridge height and rear roof extension to create an additional floor incorporating 4no dormers, solar panels & associated works.		
<u>Officer:</u>	Emily Stanbridge, tel: 293311	<u>Valid Date:</u>	17.02.2020
<u>Con Area:</u>	North Laine	<u>Expiry Date:</u>	13.04.2020
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	MA Architecture 79 Stanford Avenue Brighton BN1 6FA		
<u>Applicant:</u>	Mr Charles Bloomstein C/o MA Architecture 79 Stanford Avenue Brighton BN1 6FA		

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 **REFUSE** planning permission for the following reasons:

1. The proposed scheme represents an overdevelopment of the site which will result in an incongruous roof form that is poorly detailed and proportioned to the main building. The proposal would result in an inappropriate addition to the property that would also fail to enhance the character and appearance of the North Laine Conservation Area. The proposal fails to comply with policy HE6 of the Brighton and Hove Local Plan and policies CP12 and CP15 of the Brighton and 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. This decision is based on the drawings received listed below:

Plan Type	Reference	Version	Date Received
Location and block plan	1023-P-101		11 February 2020
Proposed Drawing	1023-P-104	D	27 April 2020
Proposed Drawing	1023-P-105	C	27 April 2020
Proposed Drawing	1023-P-106	C	27 April 2020

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The application site is located on the south-west corner of Gloucester Road and Kensington Gardens within the North Laine Conservation Area. The building is located at the termination of the vehicular road and the commencement of the pedestrianised area. The site is highly visible from several locations within the conservation area.
- 2.2. This application seeks permission to alter the current roof form of the property. The works proposed include increasing the ridge height of the existing roof, a rear roof extension and the addition of 4no. dormers. These works are to facilitate the creation of an additional floor of accommodation to extend an existing residential property.

3. RELEVANT HISTORY

- 3.1. PRE2017/00020: Written Response issued 07.04.2017.
This proposal was for an additional storey at second floor level to facilitate the creation of an additional 2 bedroom unit. It was considered that an additional storey would result in a dominant appearance to the application property and wider street scene. Therefore an objection was raised in principle to the scheme. Any smaller scale development was considered likely to raise similar design concerns

4. REPRESENTATIONS

- 4.1. **Two (2)** letters of representation have been received objecting to the proposed development on the following grounds:
 - The additional floor will block out natural light
 - Loss of privacy
 - Noise disturbance given that the existing property is used as air bnb further accommodation will worsen this
 - The proposal doesn't serve the community in anyway
 - Additional accommodation means more people staying at this short term let
 - The additional floor is not in keeping
 - The development will be an obstruction seen from various areas
- 4.2. A letter of representation has been received by **North Laine Community Association** objecting to the development on the following grounds:
 - The proposal will change the character of Gloucester Road
 - Will harm the historic integrity of the immediate neighbouring properties with traditional appearances
 - The development would be highly visible

- Bears no resemblance to the character of the area or the conservation area
 - The dormers and roof form are not characteristic
 - The development will lead to the gradual erosion of the area
- 4.3. **Seven (7)** letters of representation have been received supporting the proposed development on the following grounds:
- The proposal will provide high quality housing
 - The design is in keeping with the local area
 - The sensitive design enhances the area
 - The proposal will provide much needed accommodation
 - Improvement to the existing building
 - The North Laine requires bold development
 - The application incorporates contemporary innovations
 - The property already attracts a number of families and now more families can
 - Would be a brilliant addition to the area
- 4.4. **One (1)** letter of comment has been received raising the following:
- As long as the window overlooking my property is removed from the plans, then I am sure the work will be carried out in a professional way and improve the area.
 - No problem is had with it, as long as any work involved affecting my property, would be replaced at the owner's of 26 Gloucester Road's expense, and by mutual consent with me.
- 4.5. **Councillor Lizzie Deane** has objected to the proposed development. A copy is attached to the report.

5. CONSULTATIONS

5.1. **Conservation Advisory Group Objection**

An objection is raised on the following grounds:

- The loss of the simple roof form, typical of the North Laine, should be resisted.
- The proposed dormers and mansard roof are therefore inappropriate.
- The site is prominent and the proposals would harm views from several directions.

5.2. **Heritage Objection**

Original comments 03.04.2020

The proposed form and height of the proposal is considered too large for the location within the conservation area. The proposed mansard/gambrel with large flat roofed section will appear top-heavy and poorly proportioned especially when viewed from Gloucester Road when the single storey Kensington Gardens front extension can be seen.

- 5.3. The proposed additional storey does not respect the scale, roof forms and general appearance of the streetscape within this section of North Laine and will be a visibly dominant and poorly proportioned structure viewed from several key locations within the conservation area.
- 5.4. The proposal includes four dormers within the mansard/gambrel roof. The size of the dormers are larger than the first floor windows, contrary to the traditional building hierarchy. Historically, the size of windows decrease as the height of the building increases. This is especially important when determining the size of dormers. Traditionally, dormers were kept as small as possible and were clearly a subordinate addition to the roof. In addition the proposal does not comply with the requirements of SPD12.
- 5.5. Overall, the proposal fails to preserve or enhance the character and appearance of the conservation area by introducing a poorly proportioned and incongruous roof form contrary to SPD12 and policy HE6.

Additional comments following receipt of amended plans 16.04.2020

- 5.6. The amended plans now show a steeply pitched roof with a gable end to the north and a hip to the south. The large section of flat roofing has not been altered. The cover email states that the dormer sizes have been reduced however it appears that the cheek sizes not the dormers have been reduced in size.
- 5.7. The proposed pitched roof (replacing the proposed mansard) is sprung off the proposed new front and side parapet. This is a very atypical architectural detail and has undoubtedly been included to provide additional head height in the attic space. As a result, this poor detail will result in the dormers sitting almost directly on top of the parapet without any setback as traditionally seen. This poor visual result can be seen in the 'architects' impression'.
- 5.8. The proposed pitched roof is a steep angle and further identifies why an additional storey on this property is unsuitable. As discussed in the initial heritage comments, the additional storey will appear top-heavy and poorly proportioned especially when viewed from Gloucester Road when the single storey Kensington Gardens front extension can be seen.
- 5.9. The amended scheme represents an overdevelopment of the site which will result in a poorly detailed and oddly proportioned building. The proposal fails to enhance the character and appearance of the North Laine conservation area and does not meet the guidance on roof alterations in SPD09. Therefore, the proposal is not supported.

Additional comments following receipt of amended plans 30.05.2020

- 5.10. Two amendments have been made to the scheme including a slight reduction in the overall size of the dormers and the roof pitch now matched the existing roof pitch.
- 5.11. As previously advised the scheme (as amended) represents an overdevelopment of the site which will result in a poorly detailed and oddly

proportioned building. The proposal fails to enhance the character and appearance of the North Laine conservation area and does not meet the guidance on roof alterations in SPD09.

- 5.12. Typically, parapets within Brighton are used to hide a shallow pitched or flat roof. The proposal to use a parapet as a springing point for the large pitched roof is out of character not only with the surrounding conservation area but also the architectural details of wider Brighton. The introduction of a parapet also gives the impression of a grander building, when it is a simple two-storey building with a pitched roof and no eaves, similar to the property opposite at 25 Gloucester Road.
- 5.13. Issues raised in the previous heritage comments have not been sufficiently addressed and the principle of an additional storey to this building is not supported. The proposal fails to demonstrate that it would preserve or enhance the character or appearance of the North Laine conservation area as required by HE6 and fails to meet the guidance on roof alterations in SPD09 and is not supported.

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);
 - Shoreham Harbour Joint Area Action Plan (adopted October 2019).
- 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 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 but any greater weight to be given to individual policies will need to await the outcome of the Regulation 19 consultation. The council will consider the best time to carry out the consultation after the coronavirus (Covid-19) restrictions are lifted.

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development
CP12 Urban design
CP15 Heritage

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

QD5 Design - street frontages
QD27 Protection of amenity
HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste
SPD12 Design guidance for extensions and alterations

8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this application relate to the principle of the development, the impact of the character and appearance of the scheme upon the wider streetscene and conservation area, the standard of accommodation provided and impact on neighbouring amenity.

Design and Appearance:

- 8.2. The application site is located on the south-west corner of Gloucester Road and Kensington Gardens and is within the North Laine Conservation Area. The site and its surrounding context have a tight urban grain, which has evolved over time, as such any changes within the area need to be sensitive to the wider streetscene. Whilst the surrounding buildings are a varied in height the application property is a low key building within the streetscene.
- 8.3. When considering whether to grant planning permission for development in a conservation area the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 8.4. Case law has held that the desirability of preserving a listed building or its setting or the character or appearance of a conservation area must be given "considerable importance and weight".
- 8.5. The proposal for a roof extension to create additional floor space will result in a three-storey corner development with ground floor commercial and first and second floor residential. Amendments have been received during the lifetime of the application to alter the height and pitch of the main roof.

- 8.6. The proposed pitched roof is situated on top of the proposed new front and side parapet. Typically, parapets within Brighton are used to hide a shallow pitched or flat roof. This is an uncharacteristic architectural detail which is likely to have been incorporated to provide additional headspace. Given the corner plot of the property, the resultant impact of this design is prominent to both Kensington Gardens and Gloucester Road. The proposal to use a parapet as a springing point for the large pitched roof is out of character not only with the surrounding conservation area but also the architectural details of wider Brighton.
- 8.7. The application also proposes 4no. dormers, three to the Kensington Gardens (front) elevation and one to the side elevation facing Gloucester Road. As a result of the pitched roof and parapet design, the dormers would have little set back as traditionally is seen. This would result in a poor visual appearance.
- 8.8. The rhythm of rooflines in this area is a key visible element within the street scene, therefore any poorly designed or excessively bulky additions can have a significantly harmful impact on both the appearance of the building and the continuity of the streetscape. The proposed additional storey does not respect the scale, roof forms and general appearance of the streetscape within this section of North Laine and will be a visibly dominant and poorly proportioned structure viewed from several key locations within the conservation area.
- 8.9. With regard to roof extensions and alterations in conservation areas, SPD12 specifically states that 'The original form, shape and fabric of the main roof must not be altered and its ridge height must not be raised. Exceptions to this may only be considered where the roof is not a visible feature of the building and its alteration would not harm group value.'
- 8.10. Where a street has developed with buildings of varying height and scale, and where a varied roof-line is an important aspect of its character, this should be respected, and any tendency to level up buildings to a uniform height, will be resisted.
- 8.11. To the rear of the site a large flat roofed section is proposed which will appear top-heavy and poorly proportioned especially when viewed from Gloucester Road. This rear roof projection is bulky and does not respect the scale, roof form or general appearance of neighbouring properties within the North Laine area.
- 8.12. The proposed extension would result in a large blank façade to the north, facing Gloucester Road. It is considered that the lack of fenestration at second floor level would relate poorly to the streetscene. This is a busy commercial and highly visible corner and as such the facade proposed would not contribute to the visual amenities of Gloucester Road.
- 8.13. The amended scheme represents an overdevelopment of the site which will result in an incongruous roof form that is poorly detailed and proportioned to the main building. The proposal fails to enhance the character and appearance

of the North Laine conservation area and contrary to SPD12 and policy HE6 of the Local plan and policy CP12 of the Brighton and Hove City Plan Part One.

Impact on Amenity:

- 8.14. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.15. The proposals are unlikely to significantly impact upon the amenities of the neighbouring properties on Kensington Gardens to the south and east, nor to 25 Gloucester Road which is positioned on the opposite side of Kensington Gardens to the east.
- 8.16. Both the corner property opposite and 13-14 Kensington Gardens are taller than the proposals at No.26 and as such the increased ridge height would not cause overshadowing to either of these properties. The impact of the development upon No.16 Kensington Gardens and No.25 Gloucester Road is further reduced given the separation distance between the buildings as a result of the pedestrian street.
- 8.17. No.13-14 Kensington Gardens is notably taller than the application site and as a result features a flank shared party wall above the ridge height of the application site. This extends from the front of the application site and beyond the rear wall. As a result the additional height and proposed flat roof extension would not be visible from this neighbouring property as the extensions would not project beyond the rear wall of this neighbouring property. As such no harmful impact would be had to this neighbouring occupier.
- 8.18. To the west of the application site is 26A Gloucester Road. The increased ridge height is unlikely to impact upon the light received to front elevation of this property which faces onto Gloucester Road. The flat roof extension is built on an existing flat roof form to the rear of the site, set behind the flat roof of No.26A. A look at google maps indicates that there are no rooflight openings to this property and therefore the rear roof extension is unlikely to cause harmful impact to this neighbour. Were any roof lights present, any harm would not be significant given the light received from the front of the property.
- 8.19. Further to the west of the site is No.27-28 Gloucester Road. An application for a first floor extension was recently approved at this property and photographs from the agent confirm that these building works have since been carried out.
- 8.20. The new development consists of an extension at first floor level in place of the existing neighbouring terrace. The extension would extend along the majority of the depth of the side elevation of No.27-28 and would have a flank wall facing the application site. The extension to this neighbouring property would extend up to the bedroom window of the proposed scheme at No.26 and would feature a single opening in its rear elevation to serve a kitchen/dining area.

- 8.21. Given the position of the neighbouring window opening and that of the proposed window to the master bedroom, it is considered unlikely that harmful views would be had to this neighbouring occupier. Were any views to be had, these would be oblique.
- 8.22. It is also noted that two existing roof lights would be located below the bedroom window, however views to these roof lights would be limited and no objection was raised on amenity grounds by officers in the determination of the adjacent extension which features a window opening.
- 8.23. As such the proposed development would be in accordance with policy QD27 of the Brighton and Hove Local Plan.

Standard of accommodation:

- 8.24. The Local Planning Authority considers both quantitative and qualitative issues raised with regards to the standard of accommodation for future occupiers.
- 8.25. This application would provide additional accommodation to an existing residential unit. The additional floorspace as a result of the proposed extensions would provide two bedrooms, a bathroom and a dressing room at second floor.
- 8.26. Whilst it is acknowledged that the pitched roof would cause restricted head height in certain areas on this floor, given the additional floorspace would increase the standard of accommodation across the unit as a whole, this is considered acceptable. In addition each of the habitable rooms proposed would benefit from acceptable levels of light and outlook. The unit overall would provide 80sqm of living accommodation over two floors which would be suitable for family occupation.

Additional considerations:

- 8.27. Comments have raised the possibility of additional noise and disturbance due to the potential of the property in use as short term holiday lets. The authorised use of the property is a single family dwelling house and the application has been assessed on that basis.

9. EQUALITIES
None identified

