

<u>No:</u>	BH2020/00867	<u>Ward:</u>	Central Hove Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	12 Sussex Road Hove BN3 2WD		
<u>Proposal:</u>	Erection of a single storey side extension and the installation of 3no. rooflights.		
<u>Officer:</u>	Sam Bethwaite, 292138	tel: <u>Valid Date:</u>	20.03.2020
<u>Con Area:</u>	Cliftonville	<u>Expiry Date:</u>	15.05.2020
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	HADAI 19 Lancaster Court Kingsway Hove BN3 2TQ		
<u>Applicant:</u>	Mr And Mrs Leslie 12 Sussex Road Hove BN3 2WD		

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 Plan	01		20 March 2020
Block Plan	02		20 March 2020
Proposed Drawing	04		20 March 2020

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. The powder coated aluminium windows hereby approved shall be coloured white and shall be retained as such thereafter.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
4. The rooflights hereby approved shall have steel or cast metal frames colour-finished black or dark grey, fitted flush with the adjoining roof surface and shall not project above the plane of the roof.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

5. A bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

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. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The application site is a three-storey end of terrace house with a converted roof space that provides an additional bedroom, bathroom and roof terrace. Located at the southern end of Sussex Road on the east side, it is within the Cliftonville conservation area.
- 2.2. The proposal is for the erection of a single storey extension in the rear courtyard space. This will have a mono-pitched glazed roof, a rendered finish and powder coated aluminium doors. Three rooflights are to be installed in the roof of the existing outrigger. The slate roof tiles of the outrigger are to be replaced with fibre cement tiles. New powder coated aluminium windows are proposed to existing apertures that are to be reduced in size in the lower ground floor reception room and first floor bathroom.

3. RELEVANT HISTORY

3.1. BH2008/02579

Creation of a new first floor rear extension, alteration of windows to south elevation and extension of existing stair enclosure at second floor. - Refused 04.11.2008 - Appeal Dismissed

3.2. BH2003/02570/FP

Alterations to existing rear dormer and alterations to windows and doors on the rear ground floor. - Approved 03.10.2003

4. CONSULTATIONS

- 4.1. **Arboriculture:** No Objection

There is no mention of it within the application, online objections make note of a tree located within the rear garden of 12 Sussex Road. It is rare to find any tree established in such close proximity to the shoreline, as such Arboriculture requested further information with a visibility assessment being undertaken.

- 4.2. Unfortunately, the unspecified species (the current COVID-19 requirements have made a formal site visit impossible, photographs provided by the applicant do not enable a clear species identification) is not visible from a public space, with a very restricted view even via the rear alleyway. Although consideration is taken for rarity within the street scene as well as threat from development, the condition of the tree, limited lifespan, siting within a raised bed in close proximity to a boundary wall, coupled with a lack of visibility to the public at large, means the tree does not have sufficient merit on the TEMPO (Tree Evaluation Method for Preservation Orders) assessment for an order to be served.
- 4.3. Arboriculture have no formal objection to the proposed development.

5. REPRESENTATIONS

- 5.1. **Seventeen (17)** letters have been received, objecting to the proposed development on the following grounds:
- Removal of a protected tree that is rare for the setting and important to local wildlife
 - Increased sense of enclosure
 - Overdevelopment of site
 - Detrimental impact on neighbouring amenity
 - Light pollution
 - Increased noise
 - Reduction in privacy
 - Potential use of property as Air B&B or a party house
 - Increase pressure for local car parking
 - Inappropriate materials

6. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part Two

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
CP15	Heritage

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

QD14	Extensions and alterations
QD16	Trees and hedgerows
QD27	Protection of Amenity
HE6	Development within or affecting the setting of a conservation area

Supplementary Planning Documents:

SPD12	Design Guide for Extensions and Alterations
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7. CONSIDERATIONS & ASSESSMENT

- 7.1. The main considerations in the determination of this application relate to the design and appearance of the extension, its impact upon the wider conservation area and the impact upon neighbouring amenity.

Design and Appearance

- 7.2. The mono-pitched roof design of the proposed extension relates well to the roof form of the existing outrigger. The glazed roof is acceptable as it is located to the rear of the site not visible in the street scene. The rendered finish to match the existing house is welcomed.
- 7.3. The fenestration on site is a mix of white painted timber and white UPVC units. The proposed powder coated aluminium units will add another material to the rear of the site. However, as they are to the rear of the building and given the tight pattern of development, the rear is not widely visible and thus do not cause harm to the conservation area. The windows will be conditioned to be coloured white to match the existing fenestration. This will prevent them from jarring with the site and wider area.
- 7.4. The addition of three rooflights to the roof of the outrigger is considered acceptable. Rooflights are not an incongruous feature to the rear of the wider terrace and as such are considered an appropriate addition for the site. A condition will be attached requiring the rooflights to be conservation style and coloured either black or dark grey.
- 7.5. 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.
- 7.6. Case law has held that the desirability of preserving the character or appearance of a conservation area must be given "considerable importance and weight".

- 7.7. In this particular instance, the proposal is not considered to cause harm to the conservations in terms of its character or appearance and accordingly the proposed extension and alterations are considered suitable additions to the building that would not harm its appearance or that of the wider area, in accordance with policies QD14 and HE6 of the Brighton & Hove Local Plan and SPD12 guidance.

Impact on Amenity

- 7.8. The existing site has a small courtyard that is approximately 6.6m long and 2m wide. This will be reduced to approximately 2.8m in length with no reduction in width. This does not constitute a large amount of external space for a four bedroom dwelling. In this instance the presence of a roof terrace, that adds 4.78 sqm of external amenity space and so the property will retain a commensurate level of amenity space with similarly sized properties in the street. The close proximity of the seafront provides additional amenity space options. As a result of this the proposed extension does not have a detrimental impact on the amenity of current or future occupiers of the site.
- 7.9. The property most directly affected by the proposed extension is the neighbour to the north, 13 Sussex Road. The existing boundary between the sites is a rendered wall with a timber slatted fence above. The boundary will be replaced by the flank wall of the proposed extension. The existing boundary is taller than the northern elevation of the proposed extension. It is noted that the timber slatted fence is not an entirely solid structure and that the replacement structure will be a masonry wall. It is considered that the proposed extension will change the outlook slightly for this neighbour but any perceived sense of additional enclosure would not be to a level sufficient to warrant refusal of this application.
- 7.10. The proposed extension will not result in a significant increase in overshadowing towards no.13 as a result of the orientation of the site and the presence of taller structures.
- 7.11. The proposed windows and rooflights will not result in additional overlooking towards the neighbouring properties on Sussex Road and Victoria Cottages.
- 7.12. The impact on the adjacent properties at 13 Sussex Road, 3 & 4 Victoria Cottages and Medina House has been fully considered in terms of daylight, sunlight, outlook and privacy following review of site photographs provided by the agent and no significant harm has been identified.

Other Considerations

- 7.13. Comments have been received raising concerns about the potential use of the site as a short term let or party house. This application does not include a change of use of the site and as such any potential issues relating to a change of use are not material to this application.
- 7.14. A condition requiring a bee brick has been attached to improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton &

Hove City Plan Part One and Supplementary Planning Document SPD11
Nature Conservation and Development.

- 7.15. The loss of the tree from within the garden of the application site as a result of the proposed extension is regrettable. The tree has been assessed against the criteria for protection under a Tree Preservation Order (TPO) by the Arboricultural Officer. It was found not to merit protection and as such its removal does not warrant refusal of this planning application.

8. EQUALITIES
None identified.