

<b><u>No:</u></b>	<b>BH2022/01629</b>	<b><u>Ward:</u></b>	<b>Goldsmid Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>64, 66, 68 And 68A Old Shoreham Road Hove BN3 6GF</b>		
<b><u>Proposal:</u></b>	<b>Remodelling of 4no. detached dwellinghouses including raising roof heights to create additional storeys, alterations and extensions.</b>		
<b><u>Officer:</u></b>	Ayscha Woods, tel: 292322	<b><u>Valid Date:</u></b>	16.05.2022
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	11.07.2022
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	CMK Planning 11 Jew Street Hove BN1 1UT		
<b><u>Applicant:</u></b>	Mr A Bowen 66 Old Shoreham Road Hove BN3 6GF		

## 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>
Proposed Drawing	065 (Streetscene)	A	16 August 2022
Proposed Drawing	150	-	16 May 2022
Proposed Drawing	151	B	16 August 2022
Proposed Drawing	160	-	16 May 2022
Proposed Drawing	161	-	16 May 2022
Proposed Drawing	165	A	16 August 2022
Proposed Drawing	170	A	16 August 2022
Proposed Drawing	171	C	16 August 2022
Proposed Drawing	172	B	16 August 2022
Proposed Drawing	173	A	16 August 2022
Location and block plan	002	-	16 May 2022

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. At least one bee brick shall be incorporated within the external wall of each dwelling 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.

4. The second floor window in the east elevation of no. 64, the first floor window to the east elevation of no. 68, and the first floor side windows of no. 68A of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

**Reason:** To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

5. The works to nos. 64, 66, 68 and 68A Old Shoreham Road hereby permitted shall not be undertaken or completed as separate and individual developments.

**Reason:** To safeguard the visual amenities of the streetscene and wider area, and to comply with policies QD14 of the Brighton & Hove Local Plan, CP12 of the City Plan Part One and DM21 of City Plan Part Two.

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**

- 2.1. This application relates to four detached dwellings being, from east to west, nos. 64, 66, 68 and 68A, located on the southern side of Old Shoreham Road. The site is situated just south-east of the Hove Recreation Ground. The site is not located within a conservation area and there are no relevant Article 4 directions covering the site.
- 2.2. Nos. 64, and nos. 66 and 68 adjacent to the west are all similar in appearance, being two storeys in height with a traditional hipped and pitched roof form and finished in brickwork, with white windows and plain roof tiles.
- 2.3. No. 68A is the most westerly property which has a more contemporary appearance, finished in render, with black windows and a grey slate roof. It also has a taller front boundary with two gated entrances at each side of the frontage.

## **3. APPLICATION DESCRIPTION**

- 3.1. Planning permission is sought for the remodelling of four detached dwellinghouses, including raising the roof heights to create additional storeys, alterations and extensions. The existing more traditional pitched roofs would be replaced with flat roofs, set back and in from the outer edges of the lower floor.
- 3.2. It is noted that amendments were sought throughout the course of application. The amendments have been made to all four properties and include the following:
- Raised parapet wall at first floor by 300mm
  - Increased setback at front of second floor to 800mm
  - reduced overhang of roof at sides
  - reduced overhang of roof at rear so it lines up with rear elevation
  - front overhang maintained

#### 4. RELEVANT HISTORY

##### No. 64:

- 4.1. BH2015/03217 - Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 3.68m, and for which the height of the eaves would be 2.88m - Prior approval not required - 07/10/15
- 4.2. BH2015/00176 - Erection of a single storey front extension and part one part two storey rear extension with associated alterations - Refused - 27/03/15 for the following reason:
- "1) The proposed two-storey rear extension, by reason of its form, design and excessive depth, would create an unduly dominant addition which would not appear subservient to the existing dwellinghouse and which would harm the established character of the building and wider surrounding area. The siting and depth of the two-storey extension would also appear visually overbearing when viewed from 62 Old Shoreham Road. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan, and guidance within Supplementary Planning Document 12, Design Guide for Extensions and Alterations."*

##### No. 66:

- 4.3. BH2018/03586 - Complete remodelling of house, with front and rear two storey extension, steep pitched roof with roof lantern, and associated works such as alterations to the existing windows and doors on the side elevations - Refused - 13/03/19 - for the following reason:
- "1) The proposed alterations by virtue of their overall size and form, design and choice of materials are considered to result in an incongruous - development visually disruptive within the streetscene and which would fail to respect the character of the host dwelling, adjoining properties and the surrounding area contrary to policy QD14 of the Brighton and Hove Local Plan and CP12 of the City Plan Part One."*
- 4.4. BH2006/00908 - Single storey front extension and conversion of garage to habitable room - Approved - 26/04/06

No. 68:

- 4.5. BH2022/00142 - Prior Approval for the erection of an additional storey to form a second floor - Withdrawn - 24/02/22
- 4.6. BH2021/03419 - Prior Approval for the erection of two additional storeys to form second and third floors - Prior approval required and refused for the following reason:  
“1) *The proposed additional storeys, and the significantly increased prominence of the dwellinghouse that results, would fundamentally alter its architectural composition, consequently having a harmful impact upon its external appearance and would provide an uncomfortable contrast with the prevailing scale of neighbouring buildings. This would adversely disrupt the continuity of the streetscene, therefore being out of keeping with the surrounding area and causing visual harm to the appearance of the area. The proposal would result in a top-heavy, cluttered appearance to the building due to the volume of fenestration and the lack of other features of visual interest. Accordingly, the external appearance of the dwellinghouse is not considered appropriate and therefore does not pass the requirements of Schedule 2, Part 1, Class AA.2(3)(a)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).*”

The above scheme was appealed but the appeal was withdrawn during the process.

- 4.7. BH2021/02907 - Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.0m, for which the maximum height would be 3.0m, and for which the height of the eaves would be 3.0m - Prior approval not required - 13/09/21
- 4.8. BH2020/02930 - Demolition of existing side store and erection of a single storey side extension. Formation of rear raised terrace onto existing flat roof with steps down to rear garden, balustrade and timber screening. Revised rear fenestration and installation 3no first floor side rooflights - Approved - 27/11/20
- 4.9. PRE2020/00187 - Single storey side extension to replace existing garage, changing rear window to door for access to a roof terrace at first floor and insertion of rooflights - 05/10/20

No. 68A:

- 4.10. BH2008/01603 - Two storey side and rear extensions and new front wall and gates (amended scheme) - Approved - 14/08/08
- 4.11. BH2007/00447 - Two-storey rear extension & relocate side chimney breast - Approved - 27/03/07
- 4.12. BH2006/03425 - Two storey extensions to side and rear elevations (after removal of existing extension) - Refused - 07/12/06 for the following reason:

*"1) The proposed side extension, by virtue of its excessive bulk and inappropriate design in a prominent position, would form an incongruous and unsympathetic feature, resulting in an overextended and incongruous addition poorly related to the house and detrimental to the visual amenity of the surrounding area. The proposal is therefore contrary to the objectives of development plan policies QD1 and QD14 of the Brighton and Hove Local Plan."*

4.13. BH2003/01745/FP - Two storey side extension to form garage and snooker room with bedroom and en-suite bathroom over. Demolition of existing garage & extension. (Resubmission) - Approved - 16/07/03

4.14. BH2003/00280/FP - Two storey side extension to form garages, snooker room with two bedrooms and bathroom over, existing single storey extension and garage to be demolished - Refused - 04/03/03 - for the following reasons:

*"1) The design of the proposed extension relates poorly to the parent building and is therefore harmful to the appearance of the existing dwelling, contrary to planning policies BE1 and BE19 of the Hove Borough Local Plan and QD14 and QD27 of the Brighton Hove Local Plan Second Deposit Draft 2001.*

*2) The design of the proposed extension relates poorly to streetscene and is therefore harmful to the visual appearance of the streetscape, contrary to planning policies BE1 and BE19 of the Hove Borough Local Plan and QD14 and QD27 of the Brighton Hove Local Plan Second Deposit Draft 2001."*

## **5. REPRESENTATIONS**

5.1. Fourteen (14) letters have been received objecting to the proposed development for the following reasons:

- Inappropriate Height of Development
- Overdevelopment
- Too close to the boundary
- Out of keeping with character of area
- Impact on streetscene
- Overlooking from additional floors
- Loss of privacy
- Harm to amenity
- Noise
- Overshadowing/loss of light due to height
- Poor Design
- Restriction of view
- Potential for conversion to HMO
- Impact from additional traffic/parking
- Detrimental effect on property value
- Poor design
- Set a precedent
- Impact on trees

- 5.2. Four (4) letters have been received supporting the proposed development for the following reasons:
- Good design
  - Fits in with variety of character of properties in streetscene and area
  - No harmful overshadowing or loss of light
  - No evidence for HMO claims, they are family homes
  - Would support attractive neighbourhood
- 5.3. Four (4) additional letters have been received from Councillor Bagaeen, Councillor Ebel, Councillor Allcock, and Councillor O'Quinn objecting to the proposed development for the following reasons:
- Overdevelopment
  - Poor design
  - Impact on residential amenity
  - Loss of privacy
  - Loss of sunlight
  - Out of character
  - Additional height
  - Noise impact
  - Overlooking
  - Potential overshadowing
  - Potential HMO
  - Overbearing
  - Over-dominant
- 5.4. Copies of the councillors' objections are appended to this report.

## **6. CONSULTATIONS**

None

## **7. MATERIAL CONSIDERATIONS**

- 7.1. 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
- 7.2. 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 JAAP (adopted October 2019).

- 7.3. 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.

## 8. RELEVANT POLICIES

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part Two (Proposed Submission October 2020):

The Inspector published her Final Report into the Examination of the City Plan Part Two 19 July 2022. The Report is a material consideration. The Inspector has concluded that with her recommended changes (the schedule of changes as appended to the Report) that Plan is sound and can be adopted. The Inspector's report concludes the examination of City Plan Part Two. City Plan Part Two policies, as amended by the Inspector's schedule of Main Modifications, can be afforded significant weight but they will not have full weight until the City Plan Part Two is formally adopted.

DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations

#### Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP10	Biodiversity
CP12	Urban Design

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

QD14	Extensions and alterations
QD18	Species protection
QD27	Protection of amenity
HE6	Development within or affecting the setting of conservation areas

#### Supplementary Planning Documents:

SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations

## 9. CONSIDERATIONS & ASSESSMENT

- 9.1. 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, surrounding streetscene and wider area, and the amenities of the neighbouring properties.

### **Design and Appearance:**

- 9.2. The existing buildings at numbers 64, 66 and 68 are similar in appearance, finished in brickwork with white windows and plain roof tiles and have hipped roofs. There are considered to be fairly standard suburban dwellings which do not exhibit any particular architectural merit. No. 68A has been remodelled and

is finished in a contemporary design, with a render finish, black windows and grey slate roof tiles.

- 9.3. The four properties are similar in height, both to the eaves and ridgeline.
- 9.4. The application seeks to raise the roof heights of the four dwellings to create an additional storey to each building, introducing a flat-roofed design, in addition to some extensions and alterations, including a contemporary material finish.
- 9.5. The Old Shoreham Road streetscene is varied in character, with differing designs and materials. There is a mix of traditional designs, mock Tudor, and modern and contemporary appearances with render finishes and anthracite windows and grey roof tiles. There are also modern flatted developments in close proximity, and some re-modelling of dwellings utilising contemporary materials.
- 9.6. In the immediate vicinity of the site is no. 31 opposite and no. 50 adjacent to the east on Old Shoreham Road, and no. 1 Radinden Manor Road to the north, all of which have contemporary designs, along with a block of modern flats to the south of the site along The Upper Drive. There are also a number of flat-roofed buildings in the area, including properties at 17 The Upper Drive, numerous properties on Goldstone Crescent, and 58 Palmeira Avenue.
- 9.7. Given this context, it is considered that the proposed design of the buildings could be incorporated successfully in the streetscene and would not be out of keeping or incongruous with the wider area sufficient to warrant refusal of the application.
- 9.8. The roofs would be remodelled to create additional upper storeys, and numbers 66 and 68 would also be extended to the rear. The dwellings are of a smaller scale than the majority of the neighbouring dwellings, with both No.62 to the immediate east and No.112 The Drive to the immediate west being taller than the existing properties. The proposed height increase in comparison to the existing buildings would therefore be minimal, and the dwellings would have a lower roofline than both of the adjacent buildings.
- 9.9. The proposed upper storeys would be set back from the front and side elevations, and would be clad with materials which help to minimise their visual impact. Amendments were received throughout the course of the application setting the second storey additional back further to 800mm. The properties and the extensions would remain subservient to the host and surrounding buildings and the extensions would not compromise the established building lines.
- 9.10. To ensure the impact on the streetscene is acceptable, a condition is proposed requiring that the properties are not developed independently of each other. If only one of the properties was to come forward, it would result in an eaves line significantly higher than the existing properties, a differing roof form, different spacing, and a significant disparity in appearance that would be so detrimental to the harm of the streetscene as to warrant refusal.



9.11. On the basis of the above, the overall design, scale and appearance of the scheme is considered to be appropriate to this area and would successfully integrate into the existing streetscene, in accordance with policies QD14 of the Brighton & Hove Local Plan, CP12 of the City Plan Part One and DM21 of the emerging City Plan Part Two (which holds more weight than QD14).

**Impact on Amenity:**

9.12. Policy QD27 of the Brighton & Hove Local Plan and emerging Policy DM20 of City Plan Part 2 (which can be given more weight than the Local Plan policy) state 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.

9.13. Following a site visit, the impact on the adjacent properties at 62 Old Shoreham Road to the east, and nos. 108, 110 and 112 The Drive to the west has been fully considered in terms of daylight, sunlight, outlook and privacy, and no significant harm has been identified.

9.14. It is acknowledged that the proposal would introduce additional height and massing above the existing, in close proximity to the adjacent properties. However, the additional storeys would be set in from the front and away from the sides and the overall height would still be lower than the adjacent properties. It would therefore not be overbearing, or introduce any significant loss of light.

9.15. The scheme would include a new side window to no. 64 to the east elevation at second floor level with the potential, therefore, for increased overlooking. However, this would be set in, would serve a toilet, and would be obscure glazed, as detailed on the plans submitted. This requirement would also be secured by condition. There would be no side windows to no. 66 above ground floor level.

9.16. There would be a side window in the eastern elevation of no. 68 which would be at first floor level which would be in a similar position to the existing, and again would be obscure-glazed, which would be secured by condition. Similarly, the side windows on no. 68A at first floor level would serve a bathroom and en-suite, and a condition is proposed to secure these to be obscure glazed.

9.17. On this basis, the impact of side-facing windows on privacy is considered acceptable.

9.18. It is noted that the upper floors of the scheme include rear-facing windows which may afford some additional overlooking. However, this would be to no greater degree than those achievable with rear dormers which are commonplace in suburban settings. Such development is widely accepted in suburban environments such as this and indeed, is often allowed under 'permitted development' rights. Further, the existing properties already have a degree of mutual overlooking of their rear garden spaces due to the first floor windows. On this basis, the impact on privacy resulting from the additional floors is considered acceptable.

- 9.19. Concerns in regards to the impact upon Caister's Close is noted, however, the rear gardens of the proposal properties sits adjacent with the road of Caister's Close and whilst the proposal may introduce more of a view of the fronts of some properties in Caister's Close the separation is considered to be sufficient to alleviate substantial harm. It is not considered that the additional views would result in a harmful level of overlooking which would warrant refusal of this application.

**10. CLIMATE CHANGE/BIOVIERSITY:**

- 10.1. The works would modernise and refurbish the existing building, providing additional living accommodation in a site in a sustainable location, helping to reduce the need for greenfield development. At least one bee brick to each dwelling would be secured by condition.

**11. EQUALITIES**

None identified.