

<u>No:</u>	BH2023/03245	<u>Ward:</u>	Hangleton & Knoll Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	8 Wayfield Avenue Hove BN3 7LW		
<u>Proposal:</u>	Erection of a single storey Rear and Side Extension.		
<u>Officer:</u>	James Ing, tel: 290485	<u>Valid Date:</u>	22.01.2024
<u>Con Area:</u>	None	<u>Expiry Date:</u>	18.03.2024
<u>Listed Building Grade:</u>		<u>EOT:</u>	
Agent:			
Applicant:	Mr Wayne Nee 8 Wayfield Avenue Hove Brighton & Hove BN3 7LW United Kingdom		

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
Proposed Drawing	11939-1		5 December 2023
Location Plan	LOCATION PLAN		5 December 2023
Block Plan	BLOCK PLAN		5 December 2023

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 external finishes of the development hereby permitted shall be as follows:
- External walls to be finished with facing brick or render to match the existing dwelling.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies CP12 of the Brighton & Hove City Plan Part One and DM21 of the Brighton & Hove City Plan Part Two.

4. Access to the roof over the extension hereby approved shall be for maintenance or emergency purposes only and the 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 DM20 and DM21 of Brighton & Hove City Plan Part 2.

5. At least one 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 DM37 of Brighton & Hove City Plan Part 2, 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 and preferably adjacent to pollinator friendly plants.
3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.
4. The applicant should be aware that the site may be in a radon affected area. If the probability of exceeding the Action level is 3% or more in England and Wales, basic preventative measures are required in new houses, extensions, conversions and refurbishments (BRE2011). Radon protection requirements should be agreed with Building Control. More information on radon levels is available at <https://www.ukradon.org/information/ukmaps>

2. SITE LOCATION

- 2.1. The application relates to No. 8 Wayfield Avenue, which is a two storey (plus habitable loft space) semi-detached dwellinghouse located in the Hangleton and Knoll ward, on the southern side of Wayfield Avenue.
- 2.2. The application site features a white painted render finish to the front elevation, and a facing brick finish to the rear and side walls. The rear elevation benefits from a conservatory that leads on to a rear extension, and the side elevation benefits from a sheltered walkway.
- 2.3. Adjoining the western side of the application site is No. 10 Wayfield Avenue, whilst to the north is the side elevation of No. 6 Wayfield Avenue. To the east is No. 2 Wayfield Avenue, also known as 'Wayfield Avenue Resource Centre', which is a care home. To the south of the site is Nos. 29 and 31 Elm Drive. Tall

and dense foliage separates the application site and buildings to the south and east.

- 2.4. Wayfield Avenue largely consists of two storey terraced and semi-detached dwellings that share a similar design and character, resulting in a cohesive streetscene.
- 2.5. A site visit has not been undertaken in this instance; however, the impacts of the proposal can be clearly assessed from the plans provided by the applicants, and from recently taken aerial imagery of the site.

3. RELEVANT HISTORY

No relevant history.

4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the replacement of the existing rear conservatory and rear extension with a single storey flat roofed rear and side extension. The extension would be finished with facing brick to match the existing, and would feature rear facing bi-fold doors, 2no. high level west facing side windows, and a roof lantern. The side portion of the extension would also feature a front facing door.
- 4.2. It should be noted that this application is being brought before the Planning Committee because the applicant is an employee of the Local Planning Authority.

5. REPRESENTATIONS

None.

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 City Plan Part Two (adopted October 2022)

- 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).

8. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable Buildings
CP10	Biodiversity
CP12	Urban Design

Brighton & Hove City Plan Part Two

DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM37	Green Infrastructure and Nature Conservation

Supplementary Planning Documents:

SPD11	Nature Conservation and Development
SPD12	Design Guide for Extensions and Alterations
SPD17	Urban Design Framework

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 host building and the wider area, and the amenities of adjacent occupiers and future occupiers of the application site.

Design and Appearance:

- 9.2. The proposed extension would align with the design guidance of SPD12 by complementing the host dwelling with exterior walls that would match the existing; and by ensuring the proposed extension would be subservient to the host building.
- 9.3. The resulting footprint of the extension would not be dramatically different from the existing footprint, and would project the same distance from the original building as the existing additions.
- 9.4. The extension would not be readily visible from the public realm. Whilst the side portion of the extension would be visible from the front elevation, it would only be visible from the public realm when viewed head on, and the context of the site means this would be a view rarely afforded for anyone who is not intending to enter the application site. The side portion of the extension would also be set

back a notable distance from the front elevation. The extension would therefore have a negligible impact on Wayfield Avenue's streetscene, and is considered to be acceptable.

- 9.5. The proposed extension is considered to be a suitable addition to the application site that would not harm its appearance or that of the wider area, in accordance with policy DM18 and DM21 of City Plan Part 2 and SPD12 guidance.

Impact on Amenities:

- 9.6. Policy DM20 of City Plan Part 2 states that planning permission for any development 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.
- 9.7. The proposed fenestration would be appropriately placed, with minimal harm from overlooking or loss of privacy anticipated. The views resulting from the proposed alterations would be similar to those afforded by the existing situation. The proposed south facing fenestration would afford views of the rear of the application site's garden, the north facing door would face the public realm, and the west facing fenestration would be at a high level, only offering oblique views towards neighbours. The proposed roof lantern would largely only afford skyward views, and no east facing fenestration is proposed.
- 9.8. The flanking neighbours of the application site (Nos. 2 and 10 Wayfield Avenue) would not suffer from any notable loss of light as a result of the proposed extension, by virtue of the fact that the proposed extension is similar in scale to the existing. Furthermore, all three properties benefit from south facing gardens, which would continue to receive unimpeded natural light for much of the day.
- 9.9. The increase in footprint width may result in a slightly increased sense of enclosure for the occupants of No. 10, but not to a degree that would warrant refusal. No. 2 would be generally unaffected by any sense of enclosure, as tall and dense vegetation separates this property from the application site.
- 9.10. Nos. 29 and 31 Elm Drive would also be shielded from view by tall and dense vegetation, whilst the notable distance between them and the proposed extension would prevent any impact relating to light loss.
- 9.11. The impact on the adjacent properties has been fully considered in terms of daylight, sunlight, outlook and privacy and no significant harm has been identified.

Other Matters:

- 9.12. A condition requiring a bee brick has been attached to improve ecology outcomes on the site in accordance with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

Conclusion:

- 9.13. The proposed development is considered to be acceptable in terms of appearance and the impacts it is anticipated to have on the amenities of neighbours. For the foregoing reasons the proposal is considered to be in accordance with policies SS1 and CP12 of the Brighton and Hove City Plan Part One, and DM18, DM20 and DM21 of the City Plan Part Two, along with SPD12 guidance.

10. COMMUNITY INFRASTRUCTURE LEVY

- 10.1. Under the Regulations of the Community Infrastructure Levy (CIL) 2010 (as amended), Brighton & Hove City Council adopted its CIL on 23 July 2020 and began charging on all CIL liable planning applications on and from the 5 October 2020. The exact amount of money owed, if any, will be confirmed in the CIL liability notice which will be issued as soon as it practicable after the issuing of planning permission.

11. EQUALITIES

- 11.1. During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.