

|                                      |   |                                |  |
|--------------------------------------|---|--------------------------------|--|
| <b><u>No:</u></b>                    | <b>BH2024/00879</b>   | <b><u>Ward:</u></b>            | <b>Hollingdean &amp; Fiveways<br/>Ward</b> |
| <b><u>App Type:</u></b>              | <b>Householder Planning Consent</b>   |                                |  |
| <b><u>Address:</u></b>               | <b>3 Surrenden Park Brighton BN1 6XA</b>                                      |                                |  |
| <b><u>Proposal:</u></b>              | <b>Erection of a 2no storey side extension and associated alterations.</b>    |                                |  |
| <b><u>Officer:</u></b>               | Charlie Partridge,<br>292193  | tel: <b><u>Valid Date:</u></b> | 19.04.2024                                 |
| <b><u>Con Area:</u></b>              | N/A   | <b><u>Expiry Date:</u></b>     | 14.06.2024                                 |
| <b><u>Listed Building Grade:</u></b> | N/A   | <b><u>EOT:</u></b>             | 07.08.2024                                 |
| <b><u>Agent:</u></b>                 | Mr James Burton 1 12 whittingehame gardens Brighton BN1 6PU<br>United Kingdom |                                |  |
| <b><u>Applicant:</u></b>             | Mrs Emma Lucas-Kirkwood 3 Surrenden Park Brighton Brighton &<br>Hove BN1 6XA  |                                |  |

## 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> |
|------------------|------------------|----------------|----------------------|
| Existing Drawing | 2023/100         |                | 8 April 2024         |
| Proposed Drawing | 2023/101         | C              | 7 June 2024          |

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. 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, DM37 of the Brighton & Hove City Plan Part Two and SPD11 Nature Conservation and Development.

4. A swift brick or box 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 Policies CP10 of the Brighton & Hove City Plan Part One and DM37 of the Brighton & Hove City Plan Part Two, and 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. 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>
3. 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.
4. Swift bricks / boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place.

## **2. SITE LOCATION**

- 2.1. The application site relates to a two-storey semi-detached dwellinghouse on the south side of Surrenden Park. The site is not within a conservation area and there are no Article 4 Directions covering the site relating to extensions or alterations.

## **3. RELEVANT HISTORY**

- 3.1. **BH2001/02028/FP** Erection of single storey extension to rear of garage. Approved 05.11.2001
- 3.2. **96/1116/FP** Amendment to previous consent (96/0830/FP) for the erection of a two storey rear extension involving alteration to flat roof. Approved 04.02.1997
- 3.3. **96/0830/FP** Erection of rear two-storey extension. Approved 11.09.1996

## 4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the erection of a two-storey side extension and associated alterations.
- 4.2. During the course of determining the application, the proposal was amended to add glazing bars to the proposed first floor front windows and replace the proposed first floor rear Juliet balcony with a window. A proposed roof plan was also added to the drawings.

## 5. REPRESENTATIONS

- 5.1. Six (6) representations have been received, objecting to the proposed development on the following grounds:
  - Inappropriate height
  - Overdevelopment
  - Rainwater issues
  - 'Proposed' floor plans labelled as 'existing'
  - Not in keeping with estate
  - Poor design
  - Lack of glazing bars on front elevation window
  - Proximity to substation
- 5.2. Three (3) representations have been received in support of the proposed development for the following reasons:
  - Good design
  - Local precedent for extensions
  - No harm to appearance of estate
  - Covenant outdated and not relevant to planning
- 5.3. One (1) representation has been received stating that the Surrenden Park Residents' Association neither objects nor supports the proposed development.
- 5.4. One (1) representation has been received from the UK Power networks, objecting to the proposed development by reason of its proximity to the existing substation. The objection noted the need for a Party Wall Notice.

## 6. CONSULTATIONS

- 6.1. **Sustainable Transport:** Acceptable subject to cycle parking scheme condition
  - The applicant does not indicate any cycle parking for this proposal. Parking Standards SPD14 requires a minimum of 2 cycle parking spaces for 3 - 4+bedroom dwellings. A minimum of 2 cycle parking spaces are required. There appears to be space on site for secure cycle parking. Cycle parking scheme condition to be attached.
  - The proposed amendments to the garage are considered acceptable.

- The proposed changes are likely you increase the number of trips to the site however, those are unlikely to generate reason for objection.

## **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 |
| CP10 | Biodiversity                                     |
| CP12 | Urban Design                                     |
| CP15 | Heritage   |

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

|      |  |
|------|--|
| DM18 | High quality design and places               |
| DM20 | Protection of Amenity                        |
| DM21 | Extensions and alterations                   |
| DM26 | Conservation Areas                           |
| DM33 | Safe, Sustainable and Active Travel          |
| DM37 | Green Infrastructure and Nature Conservation |

#### Supplementary Planning Document:

|       |   |
|-------|---|
| SPD09 | Architectural Features                      |
| 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 scheme's impact on the character and appearance of the area, and on

neighbouring amenity. The impact of the proposal on biodiversity and the public highway also requires consideration. A site visit was undertaken as part of the assessment of this application.

**Impact on Character and Appearance of the Area:**

- 9.2. The extension is considered to relate well to the existing features of the house and would remain subservient to it. It would be set back from the front elevation, set down from the ridge and would extend the main eaves of the property. The main roof of the extension would be tiled and hipped, and the walls of the extension would be finished in brickwork to match the existing external finishes of the dwellinghouse. It would feature a garage door and first floor window to the front and two ground floor and one first floor windows to the rear.
- 9.3. The original design of the proposal included a Juliet balcony which was subsequently amended to a window in response to officer concerns regarding overlooking of neighbours' gardens. The proposed front window did not originally feature any glazing bar subdivisions. This was also amended to include a similar glazing bar arrangement to the existing front windows. Following these amendments, the scheme is considered acceptable in terms of its design.
- 9.4. As this property is situated at the end of the group of houses, a sizeable gap exists between it and the adjacent property to the east No.1 Surrenden Park so there is considered to be scope for a two-storey side extension in this location. Whilst it is noted that the appearance of the nearby properties is relatively uniform when viewed from the streetscene, due to its location at the end of the group, the proposed two storey side extension would not interrupt the visual rhythm of the pairs of semi-detached houses and single storey garages between them. Furthermore, many of the properties have been extended to the side and rear within the immediate vicinity of the site, so the addition of the two-storey side extension is unlikely to be overly detrimental to the appearance of the host property or wider streetscene.
- 9.5. It has been asserted in the representations received that the proposed development would constitute an overdevelopment of the site. Whilst the proposed two storey extension would add significant mass to the property, the total footprint of the house would not significantly increase as it would involve the replacement of the existing garage.
- 9.6. The proposal would therefore be in accordance with Brighton & Hove City Plan Part Two policies DM21 and DM26.

**Impact on Residential Amenity:**

- 9.7. With regard to amenity, no significant adverse impacts are expected as a result of the proposed development.
- 9.8. The proposed extension would not feature any side windows and the proposed first floor rear window is not expected to provide overlooking beyond that expected in such a residential area. This opening was originally proposed to be a Juliet balcony however this was amended to a window to reduce the potential for harmful overlooking.

- 9.9. No overbearing impact is expected to occur to the adjacent or adjoining neighbouring properties. The proposed two storey extension would be on the opposite side of the dwelling from the adjoining neighbour No.5 Surrenden Park, so no impacts are expected to occur to the occupants of this property.
- 9.10. Due to its proximity to the shared boundary, it may result in some loss of outlook to the nearest adjacent neighbour at No.1 Surrenden Park. However, it would be set away at least 7.5m from the neighbouring ground floor rear extension. As such, any overbearing impact or loss of light would not be considered significant enough to warrant a refusal of the application, particularly as the proposed extension would be situated to the northwest of No.1.
- 9.11. The extension would not be in proximity to any other neighbouring properties so no further impacts relating to neighbouring amenity are expected to occur. It is considered that for the reasons set out above, the proposed development would not cause harm to the amenity of neighbours and would comply with policy DM20 of the Brighton and Hove City Plan Part 2.
- 9.12. The proposal facilitates the provision of an additional bedroom to this property so the acceptability for its residents must be considered. It would be at first floor level and would benefit from sufficient outlook and natural light via the proposed rear window. It would have an internal floor which exceeds the standard for two bedspaces of 11.5m<sup>2</sup>. The space created would therefore be in general accordance with CPP2 Policy DM1.

### **Transport**

- 9.13. The Local Highways Authority (LHA) was consulted on the application and did not object subject to the imposition of a cycle parking scheme condition. The agent confirmed that the applicants intend to store their bicycles in the new garage in the ground floor of the proposed extension, so this condition was not considered necessary. No impacts to the safety of the public highway have been identified.

### **Biodiversity**

- 9.14. The Council has adopted the practice of securing minor design alterations to schemes with the aim of encouraging the biodiversity of a site, particularly with regards to protected species such as bees and swifts. Conditions requiring the installation of both a bee brick and a swift brick/box have been attached to achieve a net gain in biodiversity and generally improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One, Policy DM37 of the Brighton & Hove City Plan Part Two and SPD11 Nature Conservation and Development.

## **10. EQUALITIES**

- 10.1. Section 149(1) of the Equality Act 2010 provides:
- 1) A public authority must, in the exercise of its functions, have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.2. Officers considered the information provided by the applicant, together with the responses from consultees (and any representations made by third parties) and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.

