

<b><u>No:</u></b>	<b>BH2024/00553</b>	<b><u>Ward:</u></b>	<b>Patcham &amp; Hollingbury Ward</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>149 Surrenden Road Brighton BN1 6ZA</b>		
<b><u>Proposal:</u></b>	<b>Re-modelling of existing dwelling to include new pitched roof with front projecting gable and inset front balcony, erection of single storey side and rear extensions, new rooflights to existing rear projection, removal of existing conservatory, revised fenestration, landscaping alterations, raised area to the front of the property and associated works.</b>		
<b><u>Officer:</u></b>	Vinicius Pinheiro, 292454	tel: <b><u>Valid Date:</u></b>	05.07.2024
<b><u>Con Area:</u></b>	None	<b><u>Expiry Date:</u></b>	30.08.2024
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	05.11.2024
<b><u>Agent:</u></b>	Mr Tim Deacon 9 Longshore Drive Shoreham-by-Sea BN43 6DJ		
<b><u>Applicant:</u></b>	Mr & Mrs Cockle 149 Surrenden Road Brighton BN1 6ZA		

## 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	164.PL.04		8 October 2024
Proposed Drawing	164.PL.05		8 October 2024
Proposed Drawing	164.PL.06		8 October 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. The new windows at first-floor level to the east and west elevations of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows 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 DM20 and DM21 of Brighton & Hove City Plan Part 2.

4. 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 CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

5. Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat 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.

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.

**Biodiversity Net Gain**

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the legislation.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, unless an exception or a transitional arrangement applies, the planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be Brighton & Hove City Council.

## **2. SITE LOCATION**

- 2.1. The application relates to a detached property located on the north side of Surrenden Road. Directly opposite the site are the grounds of Varndean College. The property is not within a conservation area and there are no Article 4 Directions covering the site relating to extensions or alterations.
- 2.2. The street scene is residential in character and features largely two storey detached dwellings with pitched roofs. The character of the street scene is of substantial two storey dwellings which share some similar characteristics of hipped concrete roofs, projecting front bays, white render and a variety of brick types.
- 2.3. The application site is an extended bungalow which has been significantly altered and extended at the front and rear and currently presents as a two storey property by virtue of a large front facing dormer. The application site sits on a raised ground level, separated from the public highway by a banked front lawned garden. It has a sloped side vehicle access leading to a garage to the rear.
- 2.4. The building is materially finished with white render over a brick base and has a red tiled roof and dormer. The site presents as something of a visual anomaly within the street scene being of a different form from the majority of nearby properties and is smaller in height than both of its adjacent neighbours. The application site has undergone a number of extensions and alterations to the front and rear over the years including large front and rear dormers together with a number of pitched and flat roof extensions at the rear in a variety of forms and sized extensions.
- 2.5. A number of other rear extensions are present in the area, including at the adjoining property no. 147 Surrenden Road. Some of the properties within the street had their roofs extended, including no. 145 Surrenden Road.

## **3. APPLICATION DESCRIPTION**

- 3.1. Planning permission is sought for the significant re-modelling of the existing dwelling. The proposal would include raising the ridge by 3m to form a new pitched roof with side gables and remodelling the existing roof space to create a more formalised first floor. A front gable feature is proposed across ground and first floor, projecting forward of the existing front elevation by 1.3m with tile hanging and an inset front balcony at first floor.
- 3.2. The building would be extended to the rear at first floor level by approximately 4m to sit within the new remodelled roof, and the existing rear pitched and flat roof extensions at ground floor would also be part remodelled/rationalised and re-roofed. An existing conservatory would be removed from the rear elevation. Revised fenestration, landscaping alterations including a front raised planting bed and a raised front terrace area and associated works are also proposed as part of the application.

- 3.3. Following officer advice, the application has been significantly amended from an original scheme which first proposed additional extensions to the existing dwelling rather than the comprehensive remodelling now proposed.

#### **4. RELEVANT HISTORY**

- 4.1. **BH2003/01497/FP** - Single storey rear extension. Approved 08.07.2003

#### **5. REPRESENTATIONS**

- 5.1. **Six (6)** comments have been received to the initial consultation objecting to the proposal for the following reasons:
- Overdevelopment
  - Overshadowing
  - Restriction of view
  - Too close to the boundary
  - Poor design
  - Inadequate drawings
  - Inappropriate Height of Development
  - Overlooking
- 5.2. **Following re-consultation on the amendments to the application one (1)** comment has been received objecting to the proposal for the following reasons:
- Loss of privacy due to the conversion of the rear garage.
- 5.3. Full details of representations received can be found online on the planning register.

#### **6. CONSULTATIONS**

- 6.1. **Southern Water:** Approve with conditions 13.11.2024.  
The applicant has not provided details of the proposed means of disposal of foul and surface water drainage from the site. Southern Water is unable to comment fully on this Planning Consultation until such time as the relevant information is provided.

#### **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, revised October 2024);
- 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

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

DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
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
SPD17	Urban Design Framework

## 9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the design and appearance of the proposal and its impact on the street scene, and the impact on neighbouring amenity.
- 9.2. An officer site visit has been undertaken and the impacts of the proposal can also be clearly assessed from the plans, photographs and from recently taken aerial imagery of the site.

### **Design and Appearance**

#### New Pitched roof with front projecting gable and front balcony

- 9.3. The new roof would have a ridgeline approximately 3m higher than the existing ridge. Whilst the new roof would substantially change the appearance of the property, it is considered to improve and consolidate the frontage, and the finished ridge height would remain suitably between the heights of the neighbouring properties at 147 and 151 Surrenden Crescent. Therefore the

increase in height would assimilate well within and reflect the changing heights within the existing street scene.

- 9.4. The front projecting gable would include an inset balcony at first floor level. The projecting bay is a common feature of many of the houses within the street so it is considered to be in keeping with the character of the area. Whilst it would extend forward of the existing front elevation of the property by 1.3m there is variation in the building lines in the street scene and the host property is already set marginally further back from the public highway than its immediate neighbours. Whilst balconies are not a common feature of the street it would not project forward of the roofline and would not be visible except when directly opposite the site.
- 9.5. At ground floor level, a terrace area is provided to the front of the property along with a raised planting bed and the installation of powder coated aluminium doors. Whilst the installation of metal railings to the balconies and new fenestration would vary in material from the existing, it is noted that there is already considerable variation on the existing property and also wider street scene in regard to size, form and colour of frames. No concerns are raised in this regard.
- 9.6. The overall material treatment to the front would largely reflect the palette of materials found within the wider area with tile hanging at first floor and a render finished ground floor. Overall it is considered that the visual appearance of the proposed development would assimilate well and be a visual improvement over the existing property, causing no harm within the street scene or wider area.

#### Side extension

- 9.7. The application includes a single storey side extension which would be 8.5 metres in depth and some 3 metres in height with a flat roof. The single-storey extension would be set back from the property's front elevation and the walls would be finished in white render. The extension would largely house the cycle and refuse storage and due to the set back from the front elevation would cause no visual harm.

#### Ground Floor Rear Extension

- 9.8. The application proposes a rationalisation of the existing ground floor rear extensions which would be contained to the rear of the property and would not be visible from public vantage points. Whilst the footprint of extensions and alterations at the rear is substantial the overall form proposed is similar to the existing and utilises much of the existing footprint.
- 9.9. The most significant alterations to the existing rear extensions would involve the removal of the existing conservatory structure in the northern part of the site and the reroofing of the existing structures with rooflights. The existing pitched roof projection on the eastern side would undergo some minimal changes to the roof form and the link with the main house, however the changes do not increase the overall form or bulk of the existing extension.
- 9.10. The existing single storey garage is proposed to be converted to additional bedroom and office accommodation. The building would retain its existing form

although the garage door would be replaced with opening doors to the garden courtyard. No concerns are raised in this regard.

- 9.11. Overall, the alterations proposed to the host building are considered to result in sympathetic additions that would not cause harm to the character and appearance of the street scene or wider area in accordance with DM18 and DM21 of the Brighton and Hove City Plan Part Two and CP12 of the Brighton and Hove City Plan Part One.

#### Impact on Neighbouring Amenity

- 9.12. 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 or occupiers.
- 9.13. The impact on the adjacent properties have been fully considered in terms of overshadowing, daylight, sunlight, outlook and privacy and no significant harm as a result of the proposed development has been identified.
- 9.14. The overall increase in ridge height would cause no harm to neighbouring amenity through overshadowing beyond the existing situation. The alterations would add some additional overall bulk to the building at the rear, particularly at first floor, however, given the existing rear dormer, chimney, roof and form of the existing extensions this increase would not appreciably impact upon neighbouring properties over and above the existing situation.
- 9.15. The alterations and revised fenestration to the rear extensions are not considered to create any harmful overlooking as a result of the proposal and due to the single storey nature is furthermore not considered to give rise to any appreciable impacts with regards to being overbearing or causing loss of outlook.
- 9.16. The conversion of the garage to additional accommodation (bedroom and office) would potentially create some new views back towards the western neighbouring property and therefore a condition is recommended to ensure that the office doors are obscure glazed to minimise the likelihood of harm to neighbouring amenity from overlooking or loss of privacy.
- 9.17. Subject to the recommended condition it is considered that the proposed development would not cause adverse harm to the amenity of neighbours and would comply with DM20 of the Brighton and Hove City Plan Part 2.

#### Standard of Accommodation

- 9.18. As a result of the works, the number of bedrooms would be increased from 5 to 6 at ground and first-floor level. The bedrooms would meet the minimum floorspace standards and minimum widths required by policy DM1. All the accommodation provided and altered would benefit from sufficient outlook and natural light and would otherwise improve the overall floorspace and standard of accommodation complying with policy DM1 of the Brighton and Hove City Plan Part Two.

### Other Matters

- 9.19. The majority of representations received have related to the earlier scheme and many of these objections are considered to be resolved with the amended scheme which has reduced the height and bulk of some of the rear alterations and visually improved the scheme. Loss of view is not material planning consideration.
- 9.20. The existing garage is proposed to be converted into habitable space. The loss of the garage is acceptable considering that parking space is being retained on the driveway.

### Biodiversity Gain Plan

- 9.21. This scheme was considered exempt from the need to secure mandatory biodiversity net gain under Schedule 7A of the TCPA because it is a Householder application.

### **Conclusion**

- 9.22. The proposed works are considered to improve the appearance of the building, consolidating previous extensions into a form which is more in keeping with the site and streetscene. The impact on neighbours would be acceptable, with the accommodation provided meeting the required standards. The scheme accords with development plan policy and taking into account planning policy and material considerations, including the NPPF, approval is recommended.

## **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.