

<u>No:</u>	BH2024/02276	<u>Ward:</u>	Rottingdean & West Saltdean Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	11 Bazehill Road Rottingdean Brighton BN2 7DB		
<u>Proposal:</u>	Erection of ground floor rear infill extension, roof alterations including roof extension to side/rear with rear terrace, addition of 2no dormers to front roofslope, erection of pitched roof open porch, new car port to replace existing garage and associated landscaping works.		
<u>Officer:</u>	Vinicius Pinheiro, tel: 292454	<u>Valid Date:</u>	16.09.2024
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	11.11.2024
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	11.03.2025
<u>Agent:</u>	BPM Architectural Services Ltd. 33 Stoneleigh Avenue Brighton BN1 8NP		
<u>Applicant:</u>	The Shore Group 30 Crown Place London EC2A 4ES		

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	A	31-Jan-25
Proposed Drawing	03	B	31-Jan-25
Proposed Drawing	04	A	31-Jan-25
Proposed Drawing	05	B	07-Feb-25
Proposed Drawing	07		31-Jan-25

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 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 first-floor windows in 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.

5. Notwithstanding the details on the drawings hereby approved, the raised terrace hereby approved shall not be first brought into use until a solid/opaque privacy screen of 1.8 metres in height from terrace level, has been installed on the west boundary of the terrace. The screen shall thereafter be retained and maintained in perpetuity.

Reason: To protect the amenity of neighbouring occupiers, to comply with Policies DM20 and DM21 of the Brighton and Hove City Plan Part Two.

6. Notwithstanding any details shown on the approved plans, no development above ground floor slab level of any part of the development hereby permitted shall take place until details of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- A) samples of all cladding to be used, including details of their treatment to protect against weathering
- B) samples of all timber to be used, including details of their treatment to protect against weathering

Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies DM18/DM21 of Brighton & Hove City Plan Part 2 and CP12 of the Brighton & Hove City Plan Part One.

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.

Biodiversity Net Gain

- 1.2. 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.

- 1.3. 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.
- 1.4. 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 single storey detached dwellinghouse located on the northwestern side of Bazehill Road in Rottingdean. The street scene is residential, with detached properties of a variety of sizes sited along the western side of the road. The dwellings are of varied character with substantial rear gardens which border directly onto the rural setting of the South Downs National Park to the west. The land rises fairly steeply from south-west to north-east, with number 9 sitting at a lower level than the application site and number 13 higher as a result.
- 2.2. A number of rear and front extensions are present in the area, including at no. 21 Bazehill Road, 26 Bazehill Road and 14 Bazehill Road.
- 2.3. The site is not within a conservation area and there are no Article 4 Directions covering the site relating to extensions or alterations.

3. APPLICATION DESCRIPTION

- 3.1. Planning permission is sought for the overall remodelling of the property. A ground floor rear infill extension is proposed to square off the ground floor in the western corner, and a new open fronted porch is proposed to the street facing elevation. A substantial roof alteration is also proposed which would extend the roof to the side and rear creating a larger crown roof with barn hips. The overall ridge height would remain as existing and the new roof would incorporate two front dormers and front rooflights. The rear roof slope would include two dormer features and the rear garden would be re-landscaped to include raised patio areas. Additional alterations include revised fenestration and a timber car port to the western elevation. The materials proposed for the remodelling are white render, black aluminium windows and timber cladding.
- 3.2. The description of the proposal has been amended since the application was submitted to reflect amendments to the proposal. These are, in summary, that the western part of the raised rear terrace has been amended and lowered to be at ground floor level with a privacy screening and planters; a new carport to the side of the property has been included to replace the existing garage and the

material on the front dormers has been changed to match the tiles of the existing dwellinghouse.

4. RELEVANT HISTORY

None

5. REPRESENTATIONS

5.1. **Six (6)** comments have been received 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
- Drainage impact
- May encourage future developments
- Detrimental impact on property value
- Additional traffic

5.2. It is noted that 10 objections have been received, however, 4 are from the same person and same household.

5.3. Full details of representations received can be found online on the planning register.

6. CONSULTATIONS

6.1. **Rottingdean Parish Council:** Objection in terms of neighbouring amenities (overlooking)

The proposed redevelopment is considered to fit in with the style, size and general character of other properties in this location. Rottingdean Parish Council considers that the proposed patio area would lead to an unacceptable loss of privacy for the residents.

6.2. **Sustainable Transport:** No objection.

Initially noted no increase in parking over existing; space for cycle parking which can be secured by condition. Updated response following amendments noted that the removal of the garage will result in the loss of one car parking space however, there appears to be space for a vehicle to park on the hardstand without overhanging into the footway. The proposed changes are likely to 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, 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)

Rottingdean Neighbourhood Plan :

H2: Design

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, the impact to the street scene and the impact on neighbouring amenity.
- 9.2. An Officer site visit has been undertaken in this instance and the impacts of the proposal can be clearly assessed from the plans, site visit and from recently taken aerial and street imagery of the site.

Design and Appearance

- 9.3. The application proposes a new roof which would be principally extended to the northeast side over the existing ground floor side extension, and to the rear creating a new crown (flat) roof with barn-hipped ends to the northeast and southwest side. The overall ridge height would remain as existing. The new roof would also include two front dormers and rooflights visible from the streetscene.
- 9.4. Whilst the new roof design would substantially change the appearance of the property, there is a variety of building styles along Bazehill Road including roofs with rooflights, front gables, dormers and hipped roofs. The overall design and scale would not cause harm to the character of the area nor appear out of keeping given the variety present.
- 9.5. The finished ridge height would remain as existing and fit suitably between the heights of the neighbouring properties at 9 and 13 Bazehill Road. The dwelling would remain lower than the neighbour located to the northeast and higher in comparison to the building to the southwest, following the topography of the road appropriately. The amended roof would not therefore disrupt the visual character of the area given that it would maintain the balance of the stepped ridge lines of the adjacent houses.
- 9.6. The roof and front dormers materials would be clad in tile hanging to match the principal roof. Whilst the proposal would result in a visually different roof form than presently exists no harm is expected to occur to the character of the area from the new roof design and features.
- 9.7. At ground floor a new open porch with a pitched roof is proposed to the front elevation in order to re-position the principal entrance. This is a common feature on the properties within the street and no visual harm is expected to occur. The revised fenestration to the front of the property, at ground level, is acceptable in form and whilst black aluminium is proposed for the fenestration a variety of window colours are present throughout Bazehill Road including black and no objection is raised in this regard.
- 9.8. An existing garage to the south western side is proposed to be replaced with a timber frame car port and given the single storey nature and natural materials it would have an acceptable impact on the host property and streetscene.
- 9.9. 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 finish at ground floor. Overall it is considered that the visual appearance of the

proposed development would assimilate well causing no harm to the character of the streetscene or wider area.

- 9.10. Turning to the rear of the site, a rear infill extension is proposed as part of the development which would be approximately 4 metres in depth and adjoin the existing rear extension squaring off the rear of the property. The walls would be rendered to match the front of the property and new black aluminium sliding doors are proposed to the rear.
- 9.11. Two rear dormer features and three rooflights are proposed to the rear roofslope. Whilst substantial in size the dormer materials would be timber cladding, white render with black aluminium doors and windows and would otherwise assimilate acceptably into the revised rear elevation. The three rooflights would be appropriately sized and positioned. These rear roof features would not be visible from the streetscene and would cause no harm to the character of the area.
- 9.12. Revised landscaping is proposed at the rear of the site. To the northeast side, a raised terrace is proposed. The terrace would be 0.7 above ground level with planters to the rear and side. To the southwest side, a sunken patio is proposed with a 1.8 metres obscured privacy screening. The terrace is considered acceptable in terms of their visual impact, in keeping with the dwelling and with little impact on the character of the area.
- 9.13. Overall, the physical alterations proposed to the host building are considered to result in alterations that would not cause harm to the appearance of the building or character of the street scene. The proposal would accord with DM18 and DM21 of City Plan Part Two and CP12 of City Plan Part One.

Impact on Amenities

- 9.14. 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.
- 9.15. 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.
- 9.16. The overall height of the property would match the existing although the extensions to the side and rear of the roof would increase its impact. The property most impacted by the proposal would be the neighbour located at no. 13 Bazehill Road to the east.
- 9.17. Number 13 Bazehill features side windows (facing southwest towards the site) at ground and first floor level which would have a different outlook and some degree of overshadowing as a result of the proposal. It is noted however that the ground floor windows are already impacted somewhat by the existing ground floor, so there would be little loss of outlook, and whilst they may experience some loss of light, given that they are ground floor side windows this impact is considered to be reasonable and accepted in a suburban environment.

- 9.18. The new roof form would be closer to the first-floor windows than currently exists somewhat affecting the outlook. Whilst this is noted, the revised roof form would include barn hips which would mitigate this impact, as would the separation of some 2.5 m between the buildings, and the fact that number 13 is at a higher level. Further, the first-floor windows on the south-western elevation at 13 Bazehill Road appear to be secondary windows with the rooms mainly reliant on front/rear windows so the rooms would retain sufficient light and outlook. Whilst there would be some overall impact to these side elevation windows the impact is not considered to be sufficiently harmful to warrant refusal of the application.
- 9.19. The rear extension and amended roof form would project approximately 1.5 metres further to the rear (northwest) than the neighbouring building at no. 9 Bazehill Road, however, the development would be set away approximately 3 metres from the shared boundary and therefore no significant impacts are expected.
- 9.20. In terms of overlooking, it is noted that objections have been received in terms of the impacts on the neighbour at no. 9. However, amendments were made to the scheme which removed the raised terrace to the western part of the garden and instead proposed a patio at ground floor level with privacy screening and planters. As a result, no increased impacts are predicted. The privacy screening will be secured by condition prior to first use.
- 9.21. The existing boundary fence to the west side of the garden is proposed to be replaced with a 1.8 metres fence. It is noted that the fence could be installed under permitted development rights. The height of the fence, when measured from the property at no. 9, would have a height of 2.4 metres (0.6 higher than the existing). The modest increase in height is not considered to have a detrimental impact on the neighbouring property at no. 9 and would help to mitigate any overlooking impacts.
- 9.22. Whilst the development proposes new side windows at first floor level these windows are indicated to be obscure glazed and fixed shut below 1.7m of the floor level and therefore no significant loss of privacy would occur. These measures will be secured by condition.
- 9.23. Subject to the recommended conditions it is considered that the proposed development would not cause adverse harm to the amenity of neighbouring occupiers and would comply with DM20 of the Brighton and Hove City Plan Part 2.

Standard of Accommodation

- 9.24. As a result of the works, the number of bedrooms would be increased from 3 to 5. 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

- 9.25. As noted by the Transport officer, the proposed changes are likely to increase the number of trips to the however, those are unlikely to generate reason for objection. A condition to secure cycle storage is not considered necessary, there is sufficient space within the wider site to provide such storage if required.
- 9.26. Since submission, the proposal has been amended to replace the existing garage with a carport, retaining the parking space.
- 9.27. It is noted that objections relating to possible/potential future developments have been received. In the case of any future developments, planning permission will be required for such works and an assessment will be carried out in terms of acceptability if/when they come forward. The current proposal does not seek permission to develop further than the proposed drawings.
- 9.28. Matters such as restriction of view, detrimental effect on property value are not material planning considerations.

Biodiversity Gain Plan

- 9.29. 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.

10. CONCLUSION

- 10.1. The proposed works are considered to be acceptable alterations to the existing building which would not cause harm to the character or appearance of the streetscene or wider area. There would be no increase in the ridge height of the roof, and though it would be increased in mass, it would be in keeping with the varied appearance of the street, and would follow the roof heights as they rise along Bazehill Road. The impact on neighbours would be acceptable, particularly given the separation distances, with no loss of outlook, privacy or light of concern, subject to conditions. The accommodation provided would meet 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.

11. EQUALITIES

- 11.1. 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.

11.2. 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.