



PLANNING COMMITTEE LIST

Brighton & Hove City Council COUNCILLOR REPRESENTATION

Cllr Alistair McNair and Cllr Anne Meadows
BH2024/01962 - 63 Lyminster Avenue

29th May 2025:

Please accept this letter as our objection to this proposed development in light of some anomalies which may affect the residents at 61 Lyminster, the semi-detached neighbour. Much of the information below has been highlighted by Guy Piper Architects in another letter of objection.

It is disappointing to note that the resident of 61 Lyminster Avenue who would be most affected by this extension was not notified by the planning authority of this updated proposal until 13th May; nor were local councillors directly notified despite submitting a letter objecting to the previous plans in October 2024. We also question whether other residents in the area were informed.

The two-storey rear extension proposed at 63 Lyminster Avenue seems to raise a number of issues. It appears overbearing and would adversely affect the resident at 61 Lyminster, although we acknowledge that the second floor of the proposed extension has been scaled back.

As Guy Piper Architects point out, Brighton & Hove's Supplementary Planning Document (SPD) states that "*The bulk of the extension alongside the shared boundary should be kept to a minimum*" – the proposed two-storey extension is drawn almost right on the boundary line (see Fig.1) and would have an overbearing impact and cause 61 Lyminster to be excessively overshadowed or enclosed. If windows are later fitted to the wall adjoining 61 Lyminster Avenue, there will also be overlooking.

It is possible that the eaves of the extension would overhang the boundary line, which would go against the SPD document, which states in Section 4 that "*rear extensions must not overhang neighbouring properties and should not replace the boundary wall/fence*".

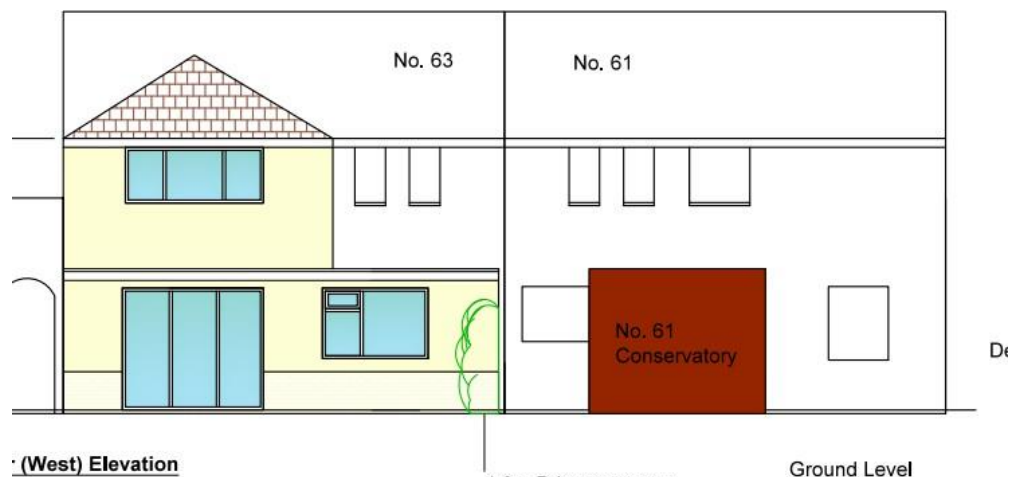


Fig.1: the extension still appears to go right up to the boundary. Insufficient detail is provided of the boundary which includes a drainpipe and drain.



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The approval of this proposal would result in the destruction of several large, established shrubs located on the boundary (see fig. 2 below), which would negatively affect the resident in 61 Lyminster Avenue. The view of the hills shown in fig. 2 would be completely lost, as would the natural light - all that could be viewed, right up to the boundary and the end of the bush, would be brick wall and then a dominating barrier. The loss of light would be significant because the front of 61 Lyminster Avenue receives little light due to the steep gradient of the front garden.



Fig. 2: shrub on the boundary

As Guy Piper Architects point out, the sun study is overly simplified and misrepresentative as the proposal fails the 45-degree rule in both plan and elevation; required for “*all rear extensions*” (SPD). Additionally, the proposed 4-metre depth of the rear extension exceeds planning guidance (SPD) which states that such extensions should not be greater than half the depth of the main house. The submitted drawings depict a flat and consistent ground level, which is incorrect. The back garden is very steep (see figs. 3 and 4), effectively increasing the height of the proposed extension beyond that represented in the proposal, and likely resulting in the garden of 61 Lyminster being overlooked. Also, the proposed decking heights and their potential impact are not included, making it impossible to accurately assess.



Fig. 3: rear garden of 63 Lyminster Avenue highlighting the steep slope (photograph from Rightmove)



Fig. 4: the current decking height is substantial; the new decking height would be even higher and significantly deeper.

The boundary line is marked by the change in paint colour (see Fig. 5). If the extension goes right up to the boundary line, which still appears to be the case, the drainpipe and drain will be severely impacted.



Fig. 5: boundary line marked by a change in paint colour.

The fence shown (see Fig. 6) does not mark the boundary of the two properties – the boundary falls almost directly on the drain. Work required here would severely affect the resident at 61 Lyminster Avenue.



Fig. 6: the drain on the boundary

We do not of course oppose the owners of 63 Lyminster Avenue extending their property. However, any extension must follow planning guidelines, and we are



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concerned these plans may not. The issues Guy Piper Architects raise are potentially serious and require further investigation.

Importantly, a similar proposal at 55 Lyminster Avenue was originally rejected because 'its height, depth, and siting relative to the adjoining boundary of No.53 Lyminster Avenue would in conjunction with the excessive area of raised decking represent an unneighbourly form of development' (BH2018/03826). It was approved once the side wall was pulled further off the boundary, there were no intrusive sightlines into the neighbouring property, and the decking was well away from the boundary of both properties. The modest extension of 61 Lyminster Avenue itself also offers a sensible and sensitive alternative design which respects neighbouring properties (see Fig.1).

Should the Local Planning Authority consider granting this application, we request that it is brought to Planning Committee for determination where we reserve our right to speak to our letter and the application.

