

<b><u>No:</u></b>	<b>BH2025/02302</b>	<b><u>Ward:</u></b>	<b>Central Hove Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>48B Ventnor Villas Hove BN3 3DB</b>		
<b><u>Proposal:</u></b>	<b>Erection of a single-storey outbuilding at the rear of garden.</b>		
<b><u>Officer:</u></b>	Charlie Partridge, tel: 292193	<b><u>Valid Date:</u></b>	28.10.2025
<b><u>Con Area:</u></b>	Cliftonville	<b><u>Expiry Date:</u></b>	23.12.2025
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	11.02.2026
<b><u>Agent:</u></b>	Triptych PD Ltd Platf9rm Hove Town Hall Church Road Hove BN3 2AF United Kingdom		
<b><u>Applicant:</u></b>	G Mabon 48B Ventnor Villas Hove Brighton & Hove BN3 3DB		

## 1. RECOMMENDATION

- 1.1. **GRANT** planning permission, subject to the following conditions and informatives:

### Conditions:

- 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>
Location Plan			16-Sep-25
Block Plan			16-Sep-25
Proposed Drawing	01		16-Sep-25
Proposed Drawing	02		16-Sep-25
Proposed Drawing	03		16-Sep-25
Proposed Drawing	04		16-Sep-25
Proposed Drawing	05		16-Sep-25
Proposed Drawing	06		16-Sep-25

- 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.

- The outbuilding (home office) hereby approved shall only be used for purposes incidental to the main dwelling.

**Reason:** To ensure the use of the development hereby permitted is appropriate for its location and does not unduly impact on the amenity of neighbours, in accordance with Policy DM20 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.

**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 Environment Act 2021.

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.

**2. SITE LOCATION**

- 2.1. The application site relates to the lower ground floor flat of a two storey above basement semi-detached building on the east side of Ventnor Villas. The rear garden is privately owned by the lower ground floor flat and is not accessible to other flats within the building. The site is within the Cliftonville Conservation Area and is subject to The Avenues Article 4 Direction.

**3. RELEVANT HISTORY**

- 3.1. No relevant history

**4. APPLICATION DESCRIPTION**

- 4.1. Planning permission is sought for the erection of a single-storey outbuilding in the southeast corner of the rear garden of 48B Ventnor Villas.
- 4.2. During the course of determining the application, the description was amended to refer to the structure as an 'outbuilding' rather than an 'annex' to more accurately reflect the use of the building. The outbuilding is to be used as an office incidental to the flat.
- 4.3. The visible external walls of the outbuilding (north and west elevations) would be finished in cedar cladding, and the other two walls would be finished in

anthracite polymer-coated steel panelled cladding. The outbuilding would have an EPDM rubber flat roof. The fenestration would be grey uPVC framed.

## **5. REPRESENTATIONS**

5.1. **Five (5)** letters have been received objecting to the proposed development for the following reasons:

- Adverse effect on listed building
- Adversely effects conservation area
- Detrimental effect on property value
- Loss of privacy/overlooking
- Noise
- Overshadowing
- Restriction of view
- Too close to the boundary
- Loss of outlook
- Loss of light
- Increased sense of enclosure
- Loss of openness
- Overdevelopment
- Loss of green space
- Uncertainty over intended purpose and future use/intensity
- Impact on character
- Potential use as short term let or independent dwelling
- Overbearing impact
- May set precedent for similar structures
- Poor design
- Inappropriate location

## **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; 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
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

#### Supplementary Planning Documents:

SPD12	Design Guide for Extensions and Alterations
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## 9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the design and appearance of the proposed outbuilding and whether it would have a detrimental impact on neighbouring amenity or on the character or appearance of the Cliftonville Conservation Area.

- 9.2. A site visit was undertaken to assess the proposal.

### **Principle of Development:**

- 9.3. Clear dependency to the main dwelling is maintained as the outbuilding would be accessed via the garden of 48B Ventnor Villas and it would not have the facilities to be used as separate accommodation. The outbuilding would be used as an office incidental to the enjoyment of the main dwelling. A condition would be added to any planning consent to ensure incidental use.

### **Design and Appearance, including Impact on Heritage Features**

- 9.4. When considering whether to grant planning permission for development in a conservation area the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 9.5. Case law has held that the desirability of preserving or enhancing the character or appearance of a conservation area should be given "considerable importance and weight".
- 9.6. The outbuilding would be situated at the very rear of the rear garden in the southeast corner. It would have a flat roof at a height of 2.5m and would measure

3.0m in width and 4.0m in length. It would be of an appropriate scale in relation to its surroundings and would not appear cramped within the plot. Although it would project above both adjacent boundary treatments, its height and footprint would not be excessive, so it is not expected to appear significantly visually dominant.

- 9.7. The visible external walls of the outbuilding (north and west elevations) would be finished in cedar cladding, and the other two walls would be finished in anthracite polymer-coated steel panelled cladding. The outbuilding would have an EPDM rubber flat roof. The fenestration would be grey uPVC framed. The cedar cladding is considered appropriate for an outbuilding within a rear garden.
- 9.8. Due to its location at the rear of the garden, the outbuilding would not be visible from the public realm, so its impact on the character and appearance of the conservation area would be negligible.

**Impact on Amenity:**

- 9.9. The outbuilding would be sited at the end of the rear garden, in the furthest possible location away from neighbouring houses within the confines of the curtilage of the site. Because of this, it is not considered to result in any significant impacts relating to overshadowing or loss of light. It would also be situated approximately 6.0m away from the rear elevation of the rear outrigger of the building, so would be sited a sufficient distance away from the other flats as to not result in any overshadowing or loss of light to these dwellings.
- 9.10. The eaves of the outbuilding would project above both the adjacent neighbouring boundary treatments. However, given the reasonably scaled height, footprint and distance from the houses and flats within the host building, is not considered to appear overbearing to any of the adjoining neighbours.
- 9.11. The front of the outbuilding would face the northern boundary and would feature full height glazed bi-folding doors. The west side of the outbuilding would have a full height glazed panel facing towards the host building. This, however, is not considered to result in any significant additional privacy impacts as direct views would be into the application property itself, No.48B Ventnor Villas.

**Biodiversity Net Gain**

- 9.12. This scheme was considered exempt from the need to secure mandatory biodiversity net gain under Schedule 7A of the TCPA because it does not impact a priority habitat or habitat of more than 25sqm or 5m of linear habitat.

**Other Matters including those raised in representations:**

- 9.13. Noise has been cited as a reason for objection in representations received. However, the outbuilding is to be used as an office incidental to the main dwelling, so is not expected to result in a significant increase in noise. Impact on listed buildings has been listed as another reason for objection, but there are no listed buildings in the vicinity of the site. Loss of property value and restriction of view have also been listed as reasons for objections, but these do not form material planning considerations and cannot be taken into account when

determining this application. The potential for the outbuilding to be used as a separate unit of accommodation or as a short-term holiday let has been raised in objections. As mentioned in a previous section of this report, dependency on the main dwelling is maintained and the outbuilding does not appear to have the facilities to be used as separate accommodation. In addition, a condition would be added to ensure incidental use.

## **10. CONCLUSION**

- 10.1. In summary, the proposed outbuilding would be appropriately designed and scaled, is not considered to have a significant impact on neighbouring amenity and would be used for purposes incidental to the main dwelling. The proposal would therefore not conflict with policies in the Brighton & Hove City Plan Part One or Two.

## **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.