

<u>No:</u>	BH2025/01886	<u>Ward:</u>	Rottingdean & West Saltdean Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	21 Chailey Avenue Rottingdean Brighton BN2 7GH		
<u>Proposal:</u>	Remodelling of existing dwellinghouse to include demolition of existing rear extension and erection of two-storey rear extension with associated balcony and terrace, construction of side extension with garage, new front porch area, 4no front rooflights, revised fenestration and associated alterations.		
<u>Officer:</u>	Sonia Gillam, tel: 292265	<u>Valid Date:</u>	29.08.2025
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	24.10.2025
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	11.02.2026
<u>Agent:</u>	Mr Tony Standing 4 Coombe Road Steyning BN44 3LF		
<u>Applicant:</u>	Mr Robert Stevens 21 Chailey Avenue Rottingdean Brighton Brighton & Hove BN2 7GH United Kingdom		

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	C1194-3A		10-Oct-25
Block Plan	C1194-4A		10-Oct-25
Proposed Drawing	C1194.2H		12-Jan-26

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. Unless otherwise shown on the drawings hereby approved, the external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies DM21 and CP12 of City Plan.

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 DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

5. Notwithstanding the details on the drawings hereby approved, the raised terraces on the ground and first floor hereby approved shall not be first brought into use until solid/opaque privacy screens of 1.8 metres in height (measured from the finished floor level of the terrace) have been installed on both the north and south side boundaries of each terrace. The screens shall thereafter be retained.

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

Informatics:

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 and preferably adjacent to pollinator friendly plants.

2. SITE LOCATION

- 2.1. This application site relates to a two-storey detached dwellinghouse located on the western side of Chailey Avenue, a residential street in Rottingdean which slopes downwards from north to south. There is a freestanding garage to the northern side of the property. The rear garden slopes downwards away from the rear elevation and has several levels including a timber decked area adjoining the property, a lawned area and an outbuilding on a paved area to the rear.

3. RELEVANT HISTORY

None.

4. APPLICATION DESCRIPTION

- 4.1. The application seeks permission for the remodelling of the existing dwellinghouse to include removal of the existing rear extension and construction of:
 - Two-storey rear extension with first floor balcony and ground floor decked terrace
 - Side extension including garage for vehicle storage
 - Front porch extension with gable
 - 4 rooflights to front roofslope
 - Revised fenestration
 - Existing garage to be retained and used for storage.
- 4.2. Following discussions with the LPA, the applicant has submitted amended plans during the course of the application which reduce the width of the upper floor balcony and propose screening.

5. REPRESENTATIONS

- 5.1. **Nineteen (19)** representations have been received objecting to the proposal on the following grounds:
 - Overdevelopment
 - Inappropriate scale and design
 - Poor Design
 - Out of character
 - To close to boundary
 - Overbearing / dominating
 - Overlooking / loss of privacy
 - overshadowing / loss of light
 - Light pollution
 - Noise nuisance
 - Flood risk
 - Impact on South Downs National Park (SDNP)
 - Asbestos risk
 - Contrary to planning policy / neighbourhood planning
 - Sets unwanted precedent
 - Plans inaccurate
 - Applicant related to Council officer
- 5.2. **Three (3)** representations have been received supporting the proposal for the following reasons:
 - Improvement to neighbourhood
 - Enhances property and streetscene
 - In keeping with evolving character of street
 - Transform into spacious, modern and stylish home

- 5.3. Representations with objections relating to disruption and disturbance during the build, previous development, party wall agreements, structural reports, property occupancy, lifestyle of occupants, and loss of views are noted, however are not material planning considerations.
- 5.4. A representation has been received stating that the applicant has not disclosed that a family member is a member of staff at the Council. This is noted; however, the relevant staff member is not linked to the planning department and therefore the application would not need to be referred to the planning committee for this reason.
- 5.5. Notwithstanding the above, the application is required to be heard at planning committee in any case, due to the level of objections received.

6. CONSULTATIONS

- 6.1. **Highways:** No objection Unlikely to be a significant increase in trips to and from the site or harmful parking overspill.
- 6.2. **Rottingdean Parish Council:** Objection Development would not be in character with other properties in the immediate locality in terms of scale, mass and density. Proposed bulk, scale and design of the extension and balconies would lead directly to an unacceptable loss of privacy and outlook, together with overshadowing causing loss of sunlight / daylight.

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)
 - Hove Station Neighbourhood Plan (adopted February 2024)
 - Rottingdean Neighbourhood Plan (adopted February 2024)
 - Shoreham Harbour Joint Area Action Plan (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:
DM18 High quality design and places
DM20 Protection of Amenity
DM21 Extensions and alterations

Rottingdean Neighbourhood Plan
H2 Design

Supplementary Planning Document
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 impact on the character and appearance of the building and the streetscene, and neighbour amenity impacts.

Impact on Character and Appearance

9.2. It is noted that the existing Chailey Avenue streetscene is made up of properties of a variety of size, style and materials, although there are common features to many of the properties, such as front gables. The application site contains, in terms of footprint and built form, one of the smallest properties in Chailey Avenue, although the size of the plot is equivalent to its neighbours, with a good amount of space to the side and rear. Therefore, there is considered to be scope for a remodelling of the nature proposed. The proposed building lines and revised footprint, with gaps retained to the boundaries, are considered to be entirely in keeping with the area.

9.3. In terms of design, the proposals include utilising the space to the side of the property and creating a side extension with a similar sloping front roof to the existing, and a projecting gable to the front roof form. This would lead to welcome symmetry to the front façade of the property whilst retaining the character of the existing sloped roof.

9.4. There is no objection, in design terms, to the loss of the existing rear extension to make way for a proposed two-storey rear extension with balcony and decking. The extension would be fairly substantial in size; however, this is not out of keeping with much of the built form in the area. The massing of the proposed side and rear development would be partially visible in the street, particularly when approaching the property from the north. However given the prevailing mixed character of the streetscene, the additional bulk is not considered to cause undue harm to visual amenity.

- 9.5. It is noted that representations have been received objecting to the loss of the sea view through the existing gap in the plot where there is no existing built form. This is acknowledged; however, loss of views does not constitute a material planning consideration and refusal on these grounds would not be reasonable or warranted.
- 9.6. There is no objection to the other alterations such as the rooflights and amended fenestration. Materials are proposed to match the existing property which is appropriate and can be secured by condition.
- 9.7. Overall, given the prevailing built form in the area, it is considered that the development would bring the property more in line with the size of its neighbours, and, furthermore, it would not harm the character and appearance the property or the streetscene or detrimentally impact on the visual amenities enjoyed by neighbouring occupiers, in compliance with policies CP12 and DM21 of the City Plan Policy H2 of the Rottingdean Neighbourhood Plan and SPD12 guidance.

Impact on Residential Amenity

- 9.8. Policy DM20 of City Plan Part 2 states that planning permission for any development or change of use will not be granted where it would cause unacceptable loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 9.9. The development would bring additional built form closer to the boundary to the north with no. 23 Chailey Avenue. However, the gap retained between the properties would remain appropriate and entirely characteristic of the area. The proposed massing would likely have some impact on light to the existing side windows at no. 23, however given the distances involved and that they are secondary windows, this is not considered to result in any significant harm.
- 9.10. The occupiers of the property to the south, no. 19 Chailey Avenue, would also be aware of some added bulk to the rear from the two-storey extension, however given that this neighbouring property projects much further to the rear, any overbearing impact or loss of light is likely to be minimal. Side windows of the proposed development would serve bathrooms and a bedroom and are not considered to cause any harmful loss of privacy. With regard to the proposed timber decking at ground floor level, it is recognised that there is existing decking in place. However, the proposed area is larger and could potentially give harmful views into neighbouring gardens. Therefore, it is considered that appropriate screening should be secured by condition.
- 9.11. It is noted that a first-floor balcony is also proposed, which could potentially give views over neighbouring gardens, including the pools of the properties to rear, which are sited at a lower ground level. However, the balcony is modest in size, and 1.8 metre screening is proposed to both sides which would prevent harmful overlooking of the adjacent properties and gardens the side. In terms of the properties to the rear, the existing garden room, sited at the far rear boundary of the application site, provides screening and would help to minimise views to the rear.

9.12. Furthermore, it must be recognised that rear balconies are not unusual features in this stretch of Chailey Avenue, and, given the existing context, the proposal is not considered to result in a harmful increase in overlooking and loss of privacy to neighbouring gardens. Due to the siting and size and screening of the balcony, the distance to boundaries and the orientation of the neighbouring properties to the north and south, there would be no overlooking of existing windows and there would be unlikely to be harmful noise nuisance.

9.13. The impact on the adjacent properties has been fully considered in terms of daylight, sunlight, outlook, privacy and overbearing impact and, overall, no significant harm has been identified. The proposal is therefore considered to comply Policy DM20 of the Brighton and Hove City Plan Part Two.

Standard of Accommodation

9.14. The proposed development would create an open-plan layout at ground floor level and an additional bedroom at first floor level. It would modernise and enhance the overall standard of accommodation within the dwellinghouse. The additional floorspace would benefit from natural light, outlook and ventilation. The development would improve the standard of accommodation in accordance with policy DM1 of the Brighton and Hove City Plan Part Two.

Sustainable Transport

9.15. There is unlikely to be a significant increase in trips to and from the site as a result of the proposed development. The proposed garage would be large enough for a car and bicycles. The Local Highway Authority has no objections to the scheme.

Ecology/ Biodiversity Net Gain

9.16. 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. The provision of a bee brick to be incorporated into the development should be secured by condition.

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.

