

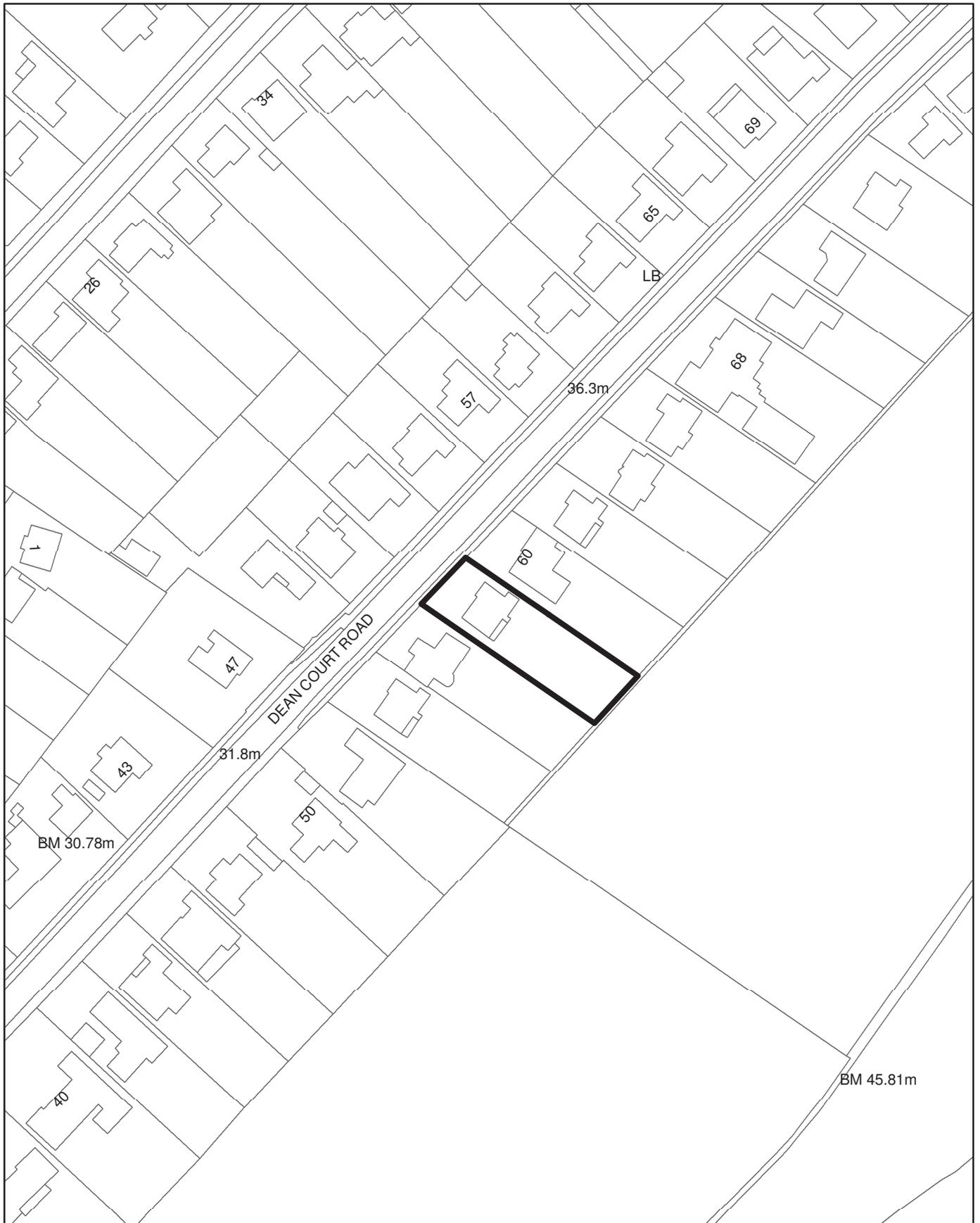
# **ITEM G**

**58 Dean Court Road, Rottingdean, Brighton**

**BH2013/01893  
Householder Planning Consent**

**28 AUGUST 2013**

# BH2013/01893 58 Dean Court Road, Rottingdean, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2013/01893</b>	<b><u>Ward:</u></b>	<b>ROTTINGDEAN COASTAL</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>58 Dean Court Road, Rottingdean, Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of two storey side and rear extension with a loft conversion incorporating roof extensions, rooflights and associated external alterations.</b>		
<b><u>Officer:</u></b>	Chris Swain Tel 292178	<b><u>Valid Date:</u></b>	10/06/2013
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	05 August 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	DH Design, 11 Dartmouth Crescent , Brighton, BN24HY		
<b><u>Applicant:</u></b>	Mr Adam Gander, 58 Dean Court Road, Rottingdean, Brighton, BN2 7DJ		

This report was deferred by Planning Committee to allow a site visit to take place.

## **1 RECOMMENDATION**

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission for the reason(s) set out in section 11.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site relates to a two storey detached property of mock Tudor design to the south eastern side of Dean Court Road. There is an existing single storey addition with balcony above to the rear and a single storey addition to the north eastern side elevation. The South Downs National Park adjoins the site to the rear of the property.

## **3 RELEVANT HISTORY**

**BH2013/00033** - Erection of two storey side and rear extension with a loft conversion incorporating roof extensions and creation of two rear gables, a rear dormer, a balcony, rooflights and associated external alterations. Refused 4 March 2013. The reasons for refusal referred to the design of the extension and resulting impact on amenity and the appropriateness of a front rooflight.

## **4 THE APPLICATION**

- 4.1 Planning permission is sought for the erection of two storey side and rear extension with a loft conversion incorporating roof extensions, rooflights and associated external alterations. The applicant submitted an additional planning statement on 6 August 2013.

## 5 PUBLICITY & CONSULTATIONS

### External

5.1 **Neighbours: Six (6)** letters of representation have been received from **51, 60 and 73 Dean Court Road, 13 Welesmere Road and 9 and 11 Challoners Close**, supporting the application for the following reasons:

- Appropriate in regards to scale, design and materials,
- Proposal would respect the character and appearance of the surrounding area,
- The proposal would not result in loss of privacy to neighbouring occupiers,
- The design makes best use of the available space,
- Would allow a local family to live in an appropriate scale house, within walking distance of the local school and thus would not add to local traffic congestion.

## 6 MATERIAL CONSIDERATIONS

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

6.2 The development plan is:

- Brighton & Hove Local Plan 2005 (saved policies post 2007);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
- East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
- East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.

6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.

6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.

6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.

6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## 7 RELEVANT POLICIES & GUIDANCE

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

- QD14 Extensions and alterations  
QD27 Protection of Amenity

#### Supplementary Planning Document

- SPD12 Design Guide for Extensions and Alterations

## 8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations relate to the impact of the development upon the appearance of the property and the surrounding area, and the effect upon the residential amenities of neighbouring occupiers.

8.2 It is noted that the incorrect property is shown in the photographic schedule (L-102) under “existing street scene”.

#### **Design and Visual Impact:**

8.3 The proposal is a resubmission of a previous application for substantial additions to the rear incorporating a loft conversion which was refused for the following reasons:

- *The proposed addition, by reason of scale, design, siting, bulk and height would result in an unsympathetic and overly dominant addition that relates poorly to the existing building and detracts from the appearance and character of the building and the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Roof Alterations and Extensions.*
- *The proposed development, by reason its height, depth and bulk would result in an unacceptably overbearing and visually dominant impact towards No.56 Dean Court Road. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.*
- *The proposed rooflight to the front elevation is poorly sited, excessive in scale and relates poorly to the existing building, detracting from the appearance and character of the building, the street scene and the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).*

8.4 The applicant has attempted to address the reasons for refusal by remodelling the proposed additions to the rear, replacing the two gabled ended additions with a flat roofed addition, hipped away at the rear of the property and by removing the rooflight to the front roofslope.

8.5 The existing property has a stepped appearance to the rear with the south western section of the rear elevation set back approximately 0.6m back from the north eastern section. There is an existing single storey addition to the south

western end of the rear elevation which protrudes out 1.5m from the rear with a terraced area above.

- 8.6 The proposed scheme would comprise of a two storey addition to the rear. The north eastern element would project out 4m from the existing rear wall, would be 6.5m in depth and would take in the existing 1.4m side extension.
- 8.7 The south western element of the addition would be 5m in width and would project out 3.2m beyond the existing rear elevation at first floor level.
- 8.8 The ground floor addition would extend to the same depth as the north eastern element. There would be a terraced area, 1.5m in depth above the ground floor addition. The addition would comprise of a flat roof, hipped away on all three sides at the same pitch as the existing roof. The proposal would be finished in render and facing bricks to match existing.
- 8.9 Three rooflights are proposed to the rear roofslopes, two to the north eastern roofslope and a further rooflight to the south western roofslope. The existing side window at first floor level on the south western elevation would be repositioned closer to the front elevation.
- 8.10 It is considered that whilst the general design approach is more sympathetic to the original building than the previously refused scheme the overall depth of the proposal at first floor level remains unchanged and thus the overall bulk and scale of the addition are still considered excessive and harm the appearance and character of the building.
- 8.11 The removal of the gabled ended elements and the flat roofed central dormer has reduced the contrived and cluttered appearance to the rear, though the extension of the roofslope to the north east has resulted in an unbalanced appearance to the rear roofslope and the loss of the original roof form of the building.
- 8.12 To achieve the required depth to the rear extension a large expanse of flat roof has been proposed. Though there would be an internal, low pitched roof, enclosing the flat roof section to help screen this element of the design in longer views, it is still considered to result in an inappropriate roof form that relates poorly to the pitched roofs of the existing building.
- 8.13 The overall effect of the rear additions and extended roof form would detract from the design and proportions of the original dwelling resulting in an overly dominant and disjointed appearance. The scale and bulk of the proposal would overwhelm the existing dwelling, obscuring the original form and proportions of the building. The additions would also be highly visible from the open space to the rear of the site that forms part of the South Downs National Park and would further detract from the visual amenity of the wider surrounding area.
- 8.14 The extended side elevation would be set well back from the front elevation and is not considered to result in any significant harm to the appearance or character of the building or the Dean Court Road street scene.

- 8.15 The proposed rooflights are satisfactorily sited and are not considered to result in any significant harm to the appearance and character of the building or the wider surrounding area.
- 8.16 Overall, the proposal, due to its excessive bulk and scale would fail to complement the original dwelling and would detract from the appearance and character of the building and the wider surrounding area.

**Impact on Residential Amenity:**

- 8.17 The proposal is considered to result in a detrimental impact to the residential amenity currently enjoyed by the adjoining property to the south, No. 56 Dean Court Road. The revised design, with a pitched roof to the rear, rather than double gable ended elements has removed some of the height and bulk of the scheme at roof level, though to counteract this, the flank wall, adjacent to No.56 would be extended up by a further 0.8m and overall the proposal is still considered to result in a visually dominant and overbearing impact to this property.
- 8.18 The proposed flat roofed element would extend 3.8m beyond the existing ridge, whilst the rear addition would project 3.2m beyond the existing rear elevation at first floor level. The proposed screening adds additional bulk at first floor level. The bulk, depth and height of the proposed additions in conjunction with the siting of the existing property, set further back in the plot than No.56 and also at much higher ground level would result in an overly dominant and overbearing impact on this property.
- 8.19 The adjoining property to the north has a substantial ground floor addition to the rear and is set at a much higher ground level than the application property and for these reasons it is not considered that the proposed additions would result in any significant loss of light, overshadowing, loss of outlook or overbearing impact to this property.
- 8.20 There is already significant overlooking towards both of the adjoining properties and their gardens from the existing terraced area to the rear of the building. Whilst the additional high level windows and terraced area would increase the opportunity for both real and perceived overlooking and loss of privacy to a degree, it is not considered that this would be significantly over and above existing levels. Furthermore the proposed terraced area would include a screen and would be set back from the protruding element to the north eastern part of the rear elevation reducing the likelihood of overlooking.
- 8.21 The proposed rooflights and windows to the side elevation could be conditioned to be obscure glazed and restricted opening if the proposal was otherwise acceptable and this would ensure that there would not be any significant overlooking towards adjoining properties.

**9 CONCLUSION**

9.1 The proposed addition, by reason of scale, design, bulk, height and roof form would result in an unsympathetic and overly dominant addition that would detract from the appearance and character of the building and the wider surrounding area. Furthermore, the proposed development, by reason its height, depth and bulk would result in a significantly extended flank elevation at first floor level that would have an unacceptably overbearing and visually dominant impact towards No.56 Dean Court Road.

**10 EQUALITIES**

10.1 None.

**11 REASON FOR REFUSAL / INFORMATIVES**

11.1 Reasons for Refusal:

- 1) The proposed addition, by reason of scale, design, bulk, height and roof form would result in an unsympathetic and overly dominant addition that would detract from the appearance and character of the building and the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan.
- 2) The proposed development, by reason its height, depth and bulk would result in a significantly extended flank elevation at first floor level that would have an unacceptably overbearing and visually dominant impact towards No.56 Dean Court Road. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

11.2 Informatives:

- 1) In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) 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) This decision is based on the drawings listed below:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site location plan	L-100		10 June 2013
Block plan	L-101		10 June 2013
Site photographs	L-102		10 June 2013
Existing plans and elevations	L-103		10 June 2013
Proposed plans and elevations	L-104	A	10 June 2013
Planning Statement			6 August 2013