

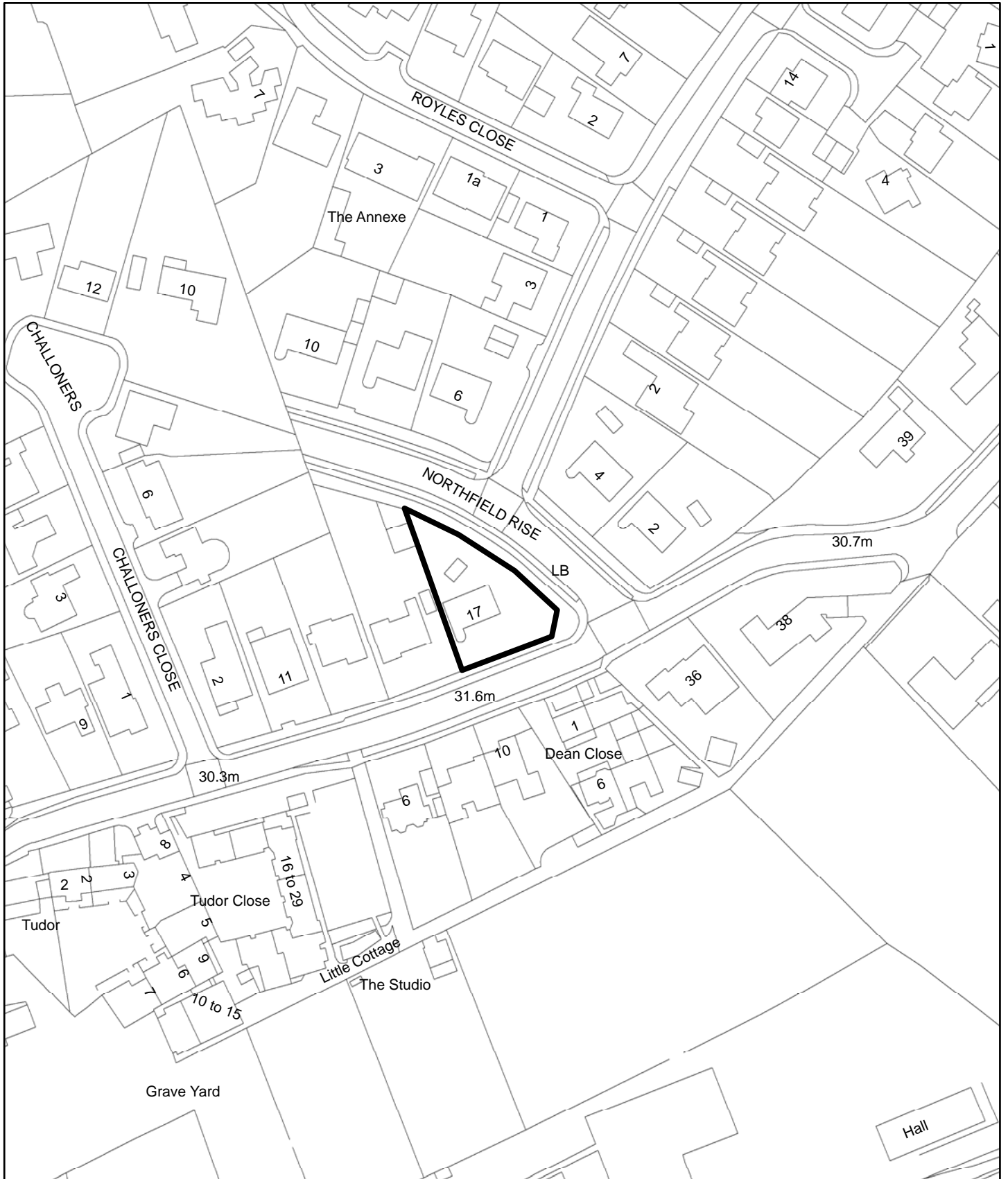
ITEM D

17 Dean Court Road, Rottingdean, Brighton

BH2013/03658
Householder planning consent

12 MARCH 2014

BH2013/03658 17 Dean Court Road, Rottingdean, Brighton



Scale: 1:1,250

<u>No:</u>	BH2013/03658	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	17 Dean Court Road Rottingdean Brighton		
<u>Proposal:</u>	Demolition of existing detached garage to rear and erection of detached double garage to side elevation incorporating revised driveway and installation of timber entrance gate.		
<u>Officer:</u>	Robin Hodgetts Tel 292366	<u>Valid Date:</u>	28 October 2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	23 December 2013
<u>Listed Building Grade:</u> N/A			
<u>Agent:</u>	Claire Haigh Associates Ltd, 9 Kenton Road, Hove BN3 4PG		
<u>Applicant:</u>	Mrs Christina Harrison-Flynn, 17 Dean Court Road, Rottingdean BN2 7DH		

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 application relates to a detached two storey property on the corner of Dean Court Road and Northfield Rise. Although the primary frontage of the property lies on Dean Court Road the existing garage to the rear is accessed from Northfield Rise.

3 RELEVANT HISTORY

BH2012/02591 - Demolition of detached garage to rear and erection of single storey side extension and double garage with roof terrace at first floor level. – Refused 15/10/2012

BH2011/03311 - Demolition of detached garage to rear and erection of single storey side extension comprising of conservatory and double garage. – Refused 28/12/2011

BH2005/00223/FP - Two storey rear extension and additional dormer windows to front elevation. Replacement detached garage with utility building. – Withdrawn 09/03/2005

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing, single car garage at the rear and the erection of a new, detached double garage to the side of the dwelling on the land forming the corner of Dean Court Road and Northfield Rise.

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- 4.2 The proposed garage would have a width of 5.5m, a depth of 6m and be 2.5m high with a flat roof. It would be positioned to the east of the main dwelling and constructed some 2.25m forward of the building line. It would include two opaque windows in the south elevation and be accessed to the north from the driveway that is accessed from Northfield Rise. To facilitate this, the driveway would be modified and a new permeable hard standing laid from the entrance to the proposed garage.
- 4.3 At the existing entrance to the driveway two pillars and a hardwood, electronic sliding gate are proposed. The pillars would be 2.4m high (including decoration on top) and be positioned either side of the existing entrance. The proposed sliding gate would be 1.8m high and be constructed of Iroko hardwood.
- 4.4 The application is a resubmission of refused application BH2012/02591.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Ten (10)** letters of representation have been received from **9, 10, 15, 41, 48 (x2) Dean Court Road, 4, 6, 10 Northfield Rise and 3 Gorham Avenue** supporting the application for the following reasons: Improved off street parking, quality of design and improvement of the property and street scene.

Internal:

- 5.2 **Highway Authority:** Support the application.
- 5.3 Recommended approval as the Highway Authority has no objections to this application.
- 5.4 The applicant is proposing to demolish the existing garage and build a new garage in a new location and provide an enlarged permeable driveway. The overall level of car parking is deemed acceptable and considered to be not of a level which would cause a detrimental impact that would warrant a refusal. The applicant also provides space within the garage for cycle parking; this should be secured via condition. The applicant intends to retain the existing vehicular access from Northfield Rise but implement a sliding electronic gate. Given the nature of the site and the low vehicle and pedestrian flows in the surrounding area the Highway Authority has no objections to the provision of the proposed gate.
- 5.5 **Arboriculture:** Support the application.
- 5.6 Should this application be granted consent, Pampass grass and other shrubs of insignificant arboricultural value will be lost. The Arboricultural Section does not object to this.
- 5.7 There is a fine Euonymous hedge around the boundary of the property where it adjoins the road. This creates a fine screen for the property. The Arboricultural Section would recommend protecting this during the course of the development,

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however, this is advisory only and should not be made the subject of a condition attached to any consent granted.

5.8 Overall, the Arboricultural Section has no objection to the proposals in this application.

5.9 **Rottingdean Parish Council:** No comments received

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) is a material consideration.

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:

QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of Amenity
TR7	Safe development
TR19	Parking standards

Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact that the proposal would have on the character of the existing property, street scene and wider area and the amenity of neighbouring residents.
- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - d) uses materials sympathetic to the parent building.
- 8.3 In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.
- 8.4 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

Design & visual amenity

- 8.5 The proposed garage is considered to relate poorly to the site due to its design, scale and positioning. It would sit in a highly prominent position within the street scene, being especially visible from Dean Court Road, although it would be partially shielded from view from Northfield Rise by the boundary screening.
- 8.6 *“SPD12 – Design Guide for Extensions and Alterations”* states that:
- 8.7 *“All outbuildings, including garages, bin stores and cycle stores, should be set behind the building line of the building to avoid obscuring views of the property or intruding into the wider street scene.”*
- 8.8 There is an existing conservatory to the front elevation of the property that the proposed garage would sit in-line with but this is likely not an original feature

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and so does not form part of the established front building line of the section of Dean Court Road. The proposed garage would sit 2.25m forward of the original building line and so be contrary to the advice above from the SPD, resulting in an overly dominant and intrusive addition to the street scene.

- 8.9 It is acknowledged that the eastern boundary is formed of a substantial mature hedgerow which provides good screening in some views of the garage from the west. However, the permanent retention of the hedging could not be adequately secured as part of any application and could therefore be removed at any time exposing the structure in this highly prominent location.
- 8.10 By reason of its excessive scale, siting and prominence within the street scene it would have an unacceptably significant impact upon the street scene and relate poorly to the existing property, resulting in a development that would form an overly dominant and incongruous element within the street scene and detract from the appearance and character of the property, street scene and the surrounding area contrary to policy QD14 of the Local Plan and SPD12.
- 8.11 The proposed new entrance to the driveway, off Northfield Rise, consisting of two pillars either side of a sliding, wooden gate is considered acceptable and would have no significant impact upon the street scene being as it is no higher than the existing boundary screening.

Impact Upon Neighbouring Properties

- 8.12 Due to the proposed location, the boundary screening and the distance from the nearest residential property, the proposed garage and gates are not considered to cause any significant harm to the amenity of the surrounding properties.

9 CONCLUSION

- 9.1 The proposed garage by reason of its scale and siting would relate poorly to the existing property, whilst appearing overly prominent in the street scene having an adverse effect on the character of the host property, street scene and wider area and is contrary to policy QD14 and of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

10 EQUALITIES

- 10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposed garage, by reason of its scale, siting and prominence within the street scene would relate poorly to the existing property and wider area, resulting in an excessively bulky addition that would form an overly dominant and incongruous element within the street scene and detract from the appearance and character of the property, street scene and the wider area contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

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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:

Plan Type	Reference	Version	Date Received
Location and block plans	001	B	25/10/13
Existing plans	002		25/10/13
Existing plans, elevations and sections	003		25/10/13
Existing elevations	004		25/10/13
Proposed plans	005	B	25/10/13
Proposed plans, elevations and sections	006	C	29/01/14
Proposed elevations	007	C	29/01/14