

ITEM F

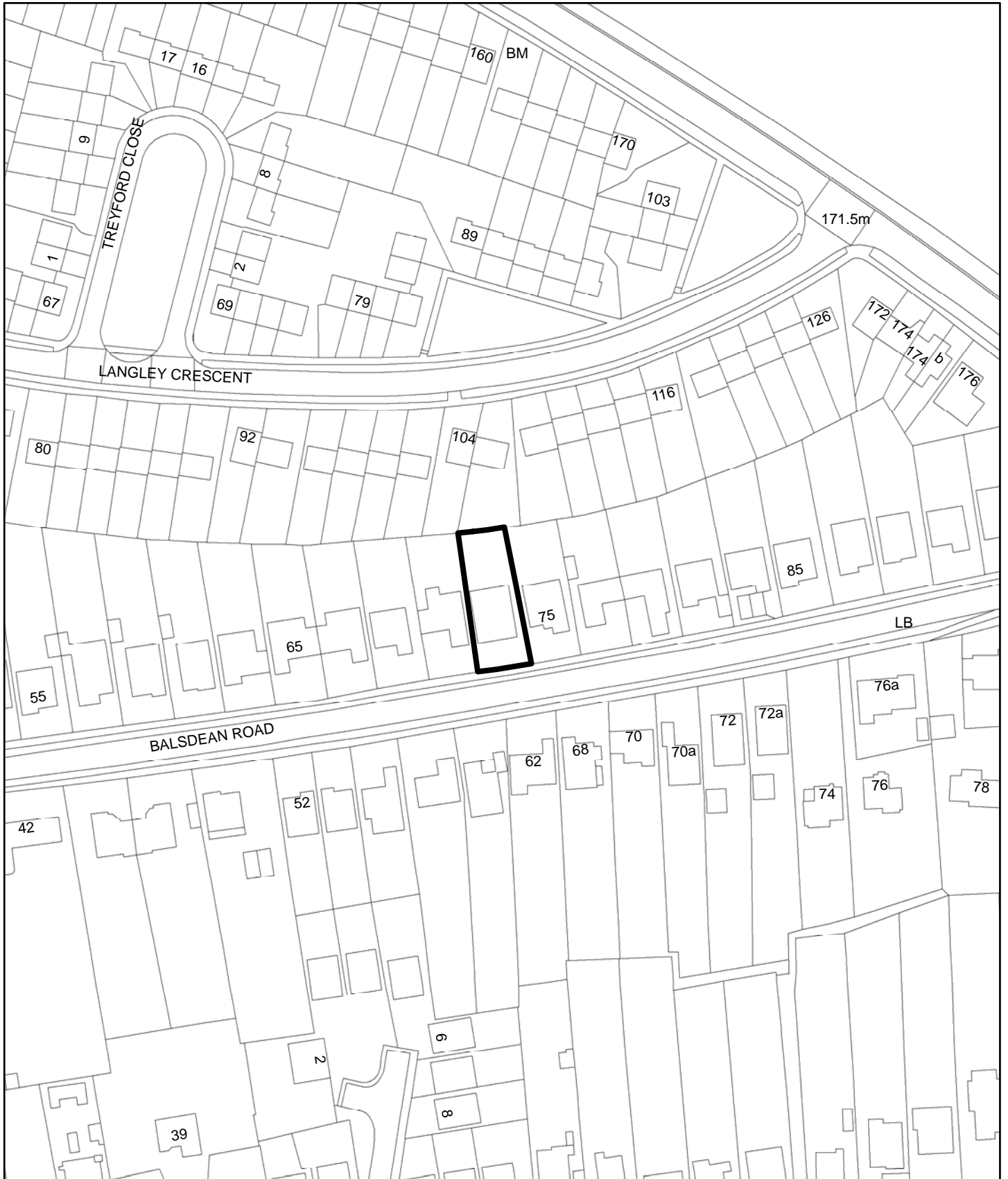
73 Balsdean Road, Brighton

BH2014/00073

Householder planning consent

12 MARCH 2014

BH2014/00073 73 Balsdean Road, Brighton



Scale: 1:1,250

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<u>No:</u>	BH2014/00073	<u>Ward:</u>	WOODINGDEAN
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	73 Balsdean Road Brighton		
<u>Proposal:</u>	Erection of single storey infill extension to front with pitched roof.		
<u>Officer:</u>	Andrew Huntley Tel 292321	<u>Valid Date:</u>	20 January 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	17 March 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	BPM, 31 Boundary Road, Hove BN3 4EL		
<u>Applicant:</u>	Richard Smith, 73 Balsdean Road , Brighton BN2 6PG		

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 Balsdean Road is a linear residential street which gradually rises up across an elevated hillside. The dwellings on the northern side of the carriageway are situated at a higher level than the road and those to the south set down below it. In common with a number of surrounding dwellings No. 73 is a bungalow but has a basement garage and driveway which is cut into the hillside. The property has a balcony area above which has brickwork balustrade. The front elevation has a large amount of tile hanging and areas of brickwork.

3 RELEVANT HISTORY

BH2013/02480: Erection of single storey infill extension to front with pitched roof. Refused 17/09/2013. Appeal Dismissed 21/11/2013.

BH2013/00640: Erection of extension to the front of the property. Refused 29/04/2013.

79/2853: Alterations and extensions to form dining room, new frontage and rooms in roof space. Approved 04/12/79.

61/862: Erection of bungalow with garage under. Approved 27/06/61.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a single storey infill extension to the front with a pitched roof.

5 PUBLICITY & CONSULTATIONS

External

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5.1 **Neighbours:** Twelve (12) letters of representation have been received from **23, 50, 56, 60, 62 (x2), 68, 70a, 71, 75 and 80 Balsdean Road** and **no address given** supporting the application for the following reasons:

- Would not be detrimental to the street scene.
- No detrimental effects on other properties.
- Will have a big difference to living space, especially the kitchen.

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 |

Supplementary Planning Guidance:

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 this application are whether the proposal is acceptable in terms of its design and appearance in relation to the recipient building and surrounding area, having regard to the two previous refusals and appeal dismissal and whether the proposal is appropriate in terms of its impact on the amenity of nearby neighbouring properties.

Background

8.2 There have been two previous planning applications for a front extension on this site. Both applications were subsequently refused. The first planning application (BH2013/00640) for the erection of an extension to the front of the property was refused for the following reason:

8.3 *The proposed front extension by virtue of its form would disrupt the visual pattern of the immediate properties on the street. The creation of a single full width gable end would appear as an overly dominant and inappropriate addition. The proposal would harm the appearance of the street scene, and would therefore be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.*

8.4 In the subsequent resubmission (BH2013/02480), the extensions' roof ridge had been dropped in order to remove the design of the full width gable end. This application was also refused for the following reason:

8.5 *The proposed front extension by virtue of its form would disrupt the visual pattern of the immediate properties on the street. The creation of a single full width building frontage with varying eaves heights would appear as an overly dominant and inappropriate addition. The proposal would harm the appearance of the street scene, and would therefore be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.*

8.6 This second application went to appeal and was dismissed. The Inspector noted in his decision that while the individual appearance of the dwellings along the street is varied, the building form is relatively consistent, particularly on the northern side of the street. Almost without exception, the dwellings within the immediate area are set out on an L-shaped floorplan, with a front gable projecting beyond the main body of the house.

8.7 In the Inspector's reasoning for the dismissal, he stated that the proposed development would relate poorly to this established pattern by removing the L-shaped floorplan and creating a comparatively wide and unbroken façade across the frontage of the dwelling. This would substantially erode the feeling of space between the dwelling and the neighbouring property at no. 71.

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- 8.8 The Inspector stated that although the physical gap between the buildings would be unaltered, the proposal would remove the staggered effect created by the projecting bay. The projecting bays are a critical element in the design of the street, creating a varied building line. In contrast, the proposal would result in a solid mass of walling across the site frontage significantly eroding the feeling of space between the two dwellings. As a consequence, the resultant dwelling would have a negative effect upon the established rhythm of the street, appearing as a dominant and incongruous feature.

Design and Appearance

- 8.9 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.
- 8.10 While it has been acknowledged by the Local Planning Authority and the Appeal Inspector that the individual appearance of the dwellings along the street is varied, the building form is relatively consistent, particularly on the northern side of the street. Almost without exception, the dwellings within the immediate area are set out on an L-shaped floorplan, with a front gable projecting beyond the main body of the house. The projecting bays are a critical element in the design of the street, creating a varied building line and also breaks up the bulk of the buildings.
- 8.11 In an attempt to overcome the dismissed appeal, this revised design has attempted to reduce the harm of the front gable appearance on the last application by stepping the extension back approximately 400mm from the front of the building, thereby creating a small set back.
- 8.12 While it is considered that this helps in breaking up the front elevation from the previously refused application, the proposed extension would still infill the majority of the existing terrace and so the property would only have a minimal staggered front elevation at first floor level. This addition would result in the property having a more dominant appearance and would remove the bulk of the visual break of the form of the property that the existing elevation provides eroding the feeling of space between no. 71. The resultant appearance of the front elevation would be significantly prominent in a way that would erode this relief and disrupt the character to the street that this provides.
- 8.13 It is noted there are a variety of frontage designs in the street, however the resultant dwelling would have a negative effect upon the established rhythm of the street, appearing as a dominant and incongruous feature.

- 8.14 The proposal would therefore be detrimental to the street scene, contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

Impact on Amenity

- 8.15 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.
- 8.16 The neighbouring property most likely to be affected by the proposal is the neighbouring property immediately to the west (no. 71 Balsdean Road). The proposed extension would add bulk to the south-west corner of the property close to the side elevation of this neighbouring property. There is a side window at no. 71 Balsdean Road that would obliquely face the extension. However this window already faces the application property, and the distance between the window and extension alleviates any significant cause of enclosure to the window.
- 8.17 No side windows are proposed and the extension would result in the removal of the existing balcony and so overlooking towards no. 71 Balsdean Road would be reduced. The proposed front elevation window would have similar views to existing windows.

9 CONCLUSION

- 9.1 The resultant appearance of the front elevation would be significantly prominent in a way that would erode this relief and feeling of space between the property and no. 71 Balsdean Road and disrupting the important characteristic of the street that this provides, thereby having a negative effect upon the established rhythm of the street, and appearing as a dominant and incongruous feature. The proposal would harm the appearance of the street scene, and would therefore be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

10 EQUALITIES

- 10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposed front extension by virtue of its form would disrupt the visual pattern of the immediate properties on the street. The resultant appearance of the front elevation would be significantly prominent in a way that would erode this relief and feeling of space between the property and no. 71 Balsdean Road and disrupting the important characteristic of the street that this provides, thereby having a negative effect upon the established rhythm of the street, and appearing as a dominant and

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incongruous feature. The proposal would harm the appearance of the street scene, and would therefore be contrary to policies QD2 and QD14 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:

Plan Type	Reference	Version	Date Received
Location and Block Plan			10.01.2014
Existing Plans, Sections Elevations	01		10.01.2014
Proposed Plans, Sections Elevations	02	C	10.01.2014