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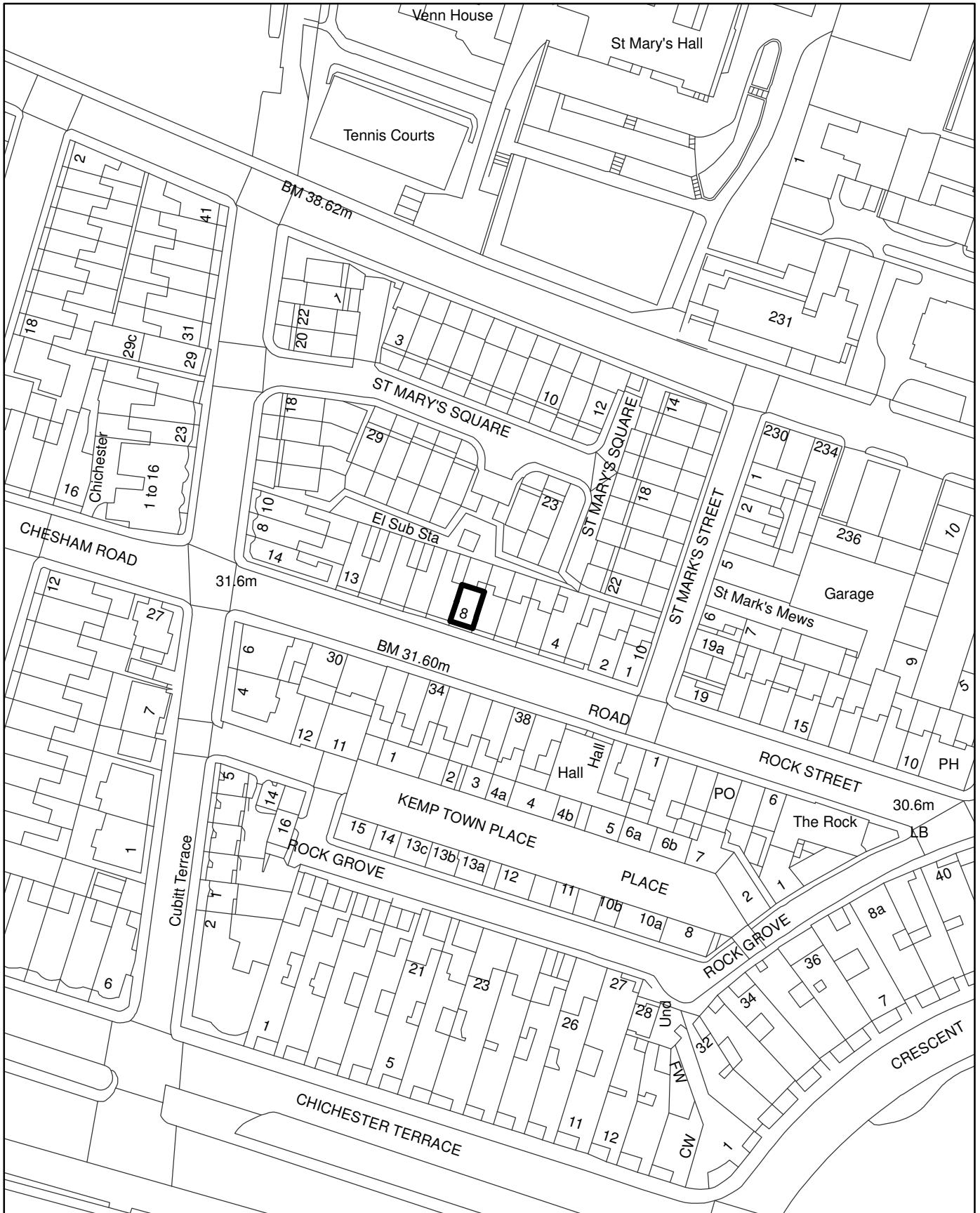
8 Chesham Road, Brighton

BH2014/02404

Householder planning consent

27 AUGUST 2014

BH2014/02404 8 Chesham Road, Brighton.



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Scale: 1:1,250

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<u>No:</u>	BH2014/02404	<u>Ward:</u>	EAST BRIGHTON
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	8 Chesham Road Brighton		
<u>Proposal:</u>	Alterations incorporating changes from rear pitched roof to mansard roof, dormer to front elevation and revised fenestration.		
<u>Officer:</u>	Tom Mannings Tel 292322	<u>Valid Date:</u>	18 July 2014
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	12 September 2014
<u>Listed Building Grade:</u>	n/a		
<u>Agent:</u>	Arch-Angels Architects Ltd, 3 Dorset Place, Brighton BN2 1ST		
<u>Applicant:</u>	Mr James Eyre, 8 Chesham Road, Brighton BN2 1NB		

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 subject to no new material considerations being raised that are not addressed within this report, and for the reasons set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 This application relates to a two-storey mid-terrace property with a basement level located on the north side of Chesham Road, within the East Cliff Conservation Area. The property forms part of a group of four dwellings (nos.5-8) which are similar in style but have various alterations to their roofs and backs on to the modern St Marys residential development to the north.

3 RELEVANT HISTORY

BH2014/00653 – Householder Planning Consent – Alterations incorporating changes from rear pitched roof to mansard roof, dormer to front elevation and revised fenestration. Refused 17/04/2014.

BH2012/03360 – Householder Planning Consent – Conversion of rear pitched roof to mansard roof and new dormer to front. Alterations to front and rear elevations. Refused 25/02/2013. An appeal was subsequently dismissed.

7 Chesham Road

89/0545/F, Top Floor Flat, 7 Chesham Road. Alterations to front dormer and rear dormer extension with balcony to existing room in the roof. Approved 15/08/1989.

4 THE APPLICATION

- 4.1 The application is a re-submission following the above refusal and again seeks permission for the conversion of the rear roof pitch to a mansard roof and the addition of a flat roof dormer to the front. Further alterations are proposed to

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enlarge a rear ground floor window and convert another ground floor window to French doors with steps to the rear garden. A new window opening is also to be created at first floor level above the entrance door. As previous, photovoltaic panels are proposed on the flat roof created by the mansard.

5 PUBLICITY & CONSULTATIONS

External:

- 5.1 **Neighbours: One (1)** letter of representation have been received from **4 Chesham Road** in support of the application, there are no reasons identified.
- 5.2 **Councillor Mitchell:** In support of the application. Correspondence attached.

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)

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Brighton & Hove Local Plan:

QD14	Extensions and alterations
QD27	Protection of Amenity
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD12	Design Guide for Extensions and Alterations
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Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The Appeal Inspector's decision in relation to the previous application **BH2012/03360** is a material planning consideration. The Inspector considered the alterations to the front and rear fenestration to be acceptable. No changes to these aspects of the scheme are proposed as part of this submission. As a consequence, the main issue is the impact of the proposed roof additions on the character and appearance of the property and surrounding East Cliff Conservation Area, and the amenities of the neighbouring properties.
- 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:
- is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - 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
 - 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.
- 8.5 SPD12 'Design guide for extensions and alterations' supersedes SPGBH1 'Roof alterations and extensions' but retains the guidance on mansard roof extensions in Annex B. SPD12 states that within conservation areas '*Alterations to the shape of the roof, the use of unsympathetic materials and the loss of original features can all have a serious effect on the appearance and character*

of historic areas....The original form, shape and fabric of the main roof must not be altered’.

Design and Appearance:

- 8.6 The scale of the rear mansard roof extension is as previous in application **BH2014/00653**, as are the two dormer windows. Each dormer would have a sash window and would align with the windows below. Originally, no’s 5-8 Chesham Road would have been of matching appearance, however this continuity has now been lost with no’s 5 & 6 having similar mansard roof extensions to the rear with single dormer windows, and no.7 having a large dormer window and balcony. There are no planning records for the mansard extensions at no’s 5 & 6. The Appeal Inspector noted the presence of these other roof additions but considered the principle of a mansard roof at the application site to be unacceptable.
- 8.7 Paragraph 4 of the Inspector’s decision stated: *‘The proposed rear roof extension would considerably alter the simple traditionally pitched roof profile of the appeal property. It would introduce a steeply sloping rear face and a flat roofed section with a shape and profile which would be alien to the host property. The overall effect would significantly detract from the character and appearance of the appeal property. It would unbalance the existing roof and dominate the rear of the host dwelling at roof level. Even though it would not be visible from Chesham Road, as the rear of the property is open to public view from St Mary’s Square, even though this is a privately gated street, it would still have a significantly detrimental impact on the character and appearance of the locality. This would be the case, even though its shape may be similar to some roof alterations in the same terrace and it may result in less harm than a traditionally detailed mansard roof.*
- 8.8 Paragraph 6 further stated: *‘In addition, I am aware that other properties in this small group of similar terraced properties and in the vicinity have large roof extensions. Even though the proposal has been designed to match these altered roofscapes, I am not aware of the circumstances that led to them and they do not provide justification for further unacceptable development.’*
- 8.9 As this proposal has not changed from the previous, it is still considered that although the inclusion of dormer windows improves its appearance, the principle of a mansard roof extension at the rear of the building cannot be supported having regard to policies QD14 and HE6 of the Brighton & Hove Local Plan, SPD12 guidance, and the Inspector’s decision, which is a material planning consideration.
- 8.10 With regard the front dormer window, this matches exactly that at no.7 Chesham Road adjacent and is considered an acceptable addition in compliance with the design guidance set out in SPD12. The Appeal Inspector raised no concern with this aspect of the proposal.

Amenity:

- 8.11 The previous application proposed two dormer windows containing sash windows and this has not changed. This arrangement is not substantially more

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harmful in amenity terms than the windows in the adjacent roof extensions at no's 5-7 Chesham Road. On this basis the proposal is in accordance with policy QD27 of the Brighton & Hove Local Plan regarding loss of privacy to neighbouring properties.

9 CONCLUSION

- 9.1 The proposal, by virtue retaining a mansard roof form, has failed to satisfactorily address the design concerns that led to the previous refusals of permission and the dismissing of the subsequent appeal. Consequently the proposed development remains harmful to the appearance of the building and to the character and visual appearance of the conservation area, contrary to development plan policies and the guidance contained in SPD12

10 EQUALITIES

- 10.1 None identified

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposed development, by virtue of the form of the mansard roof, conflicts with the original character of the building and would be detrimental to the visual appearance of the host building, the terrace, and the wider conservation area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan 2005 and SPD12 'Design guide for extensions and alterations'.

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 Plan	1235/E01		18 th July 2014
Block Plan	1235/P01		18 th July 2014
Existing Plans	1235/E02		18 th July 2014
Existing Elevations	1235/E03		18 th July 2014
Proposed Plans	1235/P02	A	18 th July 2014
Proposed Elevations	1235/P03		18 th July 2014
Proposed Section C	1235/P04		18 th July 2014
Existing Sections	1235/E04		18 th July 2014

Dear Ross,

**Re. Planning Application No BH2014/02404
8, Chesham Road, Kemp Town, Brighton.**

I would request that this letter in support of the above application is placed on the agenda of the relevant Planning Committee and that I can attend to speak to it.

This application for a new mansard roof with windows is a re-submission with the plans having been significantly redesigned taking a traditional approach with reduced glazing. Given these changes, that have addressed many of the concerns originally raised, I felt that it was important to give the committee the opportunity to look at the proposals and make its own decision.

The alterations being proposed are in order to extend headroom for a re-positioned staircase allowing the creation of three separate bedrooms and to meet the requirements of fire and building regulations.

The proposed re-designed, new mansard roof to the rear now matches the similar roofs of the neighbouring properties.

The new windows to the roof will not impact the neighbouring properties by overlooking and the whole scheme will be built in a form that is in-keeping with the other neighbouring properties, using traditional materials to match the existing building.

The proposals incorporate sustainable development features such as solar and thermal PV, thermal efficient glazing and external wall insulation. These improvements are designed to have minimal or no impact on the Conservation Area and to be sympathetic to the period and character of the house.

I hope that the committee will agree that the re-designed scheme does present a far more acceptable proposition and will be able to approve the application.

Yours sincerely,

Councillor Gill Mitchell